

A Guide to Special Sessions & Diversionary Programs in Connecticut

Superior Court Criminal Division



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Special Sessions

Community Court

Domestic Violence Docket

Drug Intervention Program

Community Court

The Connecticut Judicial Branch has two Community Court Sessions. One is in Hartford and the other is in Waterbury. They are both part of the Superior Court. The Judicial Branch has worked with these cities to set up these courts to deal with the “quality of life” crimes in local neighborhoods. The Community Courts supervise community services and social services to help defendants take responsibility for their actions, and offer help to deal with the social issues that may be helping to cause their behavior.

The Community Courts deal with many different crimes including simple possession of marijuana, breach of peace, criminal mischief, criminal trespass, larceny (shoplifting), disorderly conduct, threatening, prostitution, solicitation of prostitutes, liquor possession by minors, public nuisance, public drunkenness, excessive noise and illegal vending.

Most defendants are ordered to do community service instead of being sentenced to jail. For example, defendants may work on a street clean-up crew or help deliver food to the needy. When defendants finish the community service, their cases are usually dismissed or nolled.

The Court also requires all defendants to meet with a member of the Community Court Social Services Team. The social services staff at both Community Courts are representatives from each city’s social service agency and the State Department of Mental Health and Addiction Services (DMHAS).

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Both Community Courts help people who are trying to bring back the quality of life in their communities.

There are employees of the Judicial Branch, each city's Department of Human Services and the State Department of Mental Health and Addiction Services at the Community Courts. Support from community members, local police departments, and many nonprofit agencies also help these courts to reach their goals.

How can I get more information about the Community Court?

For information on the Community Court in Hartford call:
(860) 756-7015 or E-mail: Hartford.Commcourt@jud.ct.gov

For information on the Community Court in Waterbury call:
(203) 236-8100

Domestic Violence Docket

The Connecticut Judicial Branch has special domestic violence dockets in 11 geographical area (G.A.) courts to hear certain domestic violence cases separately from other criminal cases. They are:

Bridgeport – G.A. 2	New Haven – G.A. 23
Danbury – G.A. 3	New London – G.A. 10
Danielson – G.A. 11	Norwalk – G.A. 20
Hartford – G.A. 14	Stamford – G.A. 1
Middletown – G.A. 9	Waterbury – G.A. 4
New Britain – G.A. 15	

Connecticut's first domestic violence docket was set up in Bridgeport in 1996 with significant federal assistance. The Bridgeport docket offered defendants new counseling and treatment services, more advocacy for victims, and more court staff to make sure that each case on the domestic violence docket was handled from the beginning of the case to the end by the same judges, attorneys, and service providers. The prosecutors also monitored defendants through regular meetings with service providers. The Bridgeport docket was a model for other courts across the state and the country for the next several years.

Today, some parts of the original Bridgeport model are used in the other domestic violence docket locations. The parts may be different in different courts because of the number of cases, staffing needs, and other resource issues. The local court staff generally decides what cases to assign to their docket, and depending on the services that are available, what services to assign to those cases.

For more information about the domestic violence dockets call (860) 263-2734.

Drug Intervention Program

The Drug Intervention Program handles many different kinds of cases where substance abuse is a main issue. It uses strategies and techniques, including treatment, supervision and court monitoring that have been successful for dealing with defendants with substance abuse problems. Programs are located in Bridgeport, New Haven and Danielson.

The two main goals of the Drug Intervention Program are to decrease criminal behavior and to reduce substance abuse for those who take part in the intervention.

The Drug Intervention Program uses several different kinds of treatment and supervision. Coming to court regularly and drug testing are required. Cases can be chosen at any time in the court process and can be docketed for future appearances as ordered by the court. Referrals to the Drug Intervention Program may be made by judges, defense counsel, state's attorneys or Intake, Assessment and Referral (IAR)/supervision officers.

For 12 to 15 months, defendants must report to the court and receive orders, sanctions and incentives ordered by the judge. The court may recommend treatment and services, including detoxification, in-patient treatment, intensive outpatient treatment, and vocational and educational training. Daily supervision of each offender is available through alternative incarceration centers. The court, courthouse staff, and treatment or social service staff work together to monitor the progress of defendants while they are in the Drug Intervention Program. Successful completion of this program can end in an outcome that is favorable to the defendant.

Defendants who are not violent and who are drug dependent* may be able to use this program.

How can I get more information about the Drug Intervention Program?

For more information about the Drug Intervention Program call (860) 756-7015.

*As defined by Section 21a-240 of the Connecticut General Statutes



Diversionary Programs

Accelerated Rehabilitation

Alcohol Education Program

Drug Education and Community Service Program

Family Violence Education Program

Community Service Labor Program

School Violence Prevention Program

Suspended Prosecution for Illegal Sale,
Delivery, or Transfer of Pistols or Revolvers

Treatment of Drug or Alcohol Dependent
Offenders instead of Prosecution

Accelerated Rehabilitation

The Accelerated Pretrial Rehabilitation Program (AR)* can be used by certain people charged with crimes or motor vehicle violations that are not serious, but for which there can be a sentence of imprisonment. This program may not be used by people charged with certain felonies, those who have been convicted of crimes in the past, or those who are eligible for or used certain other programs like AR in the past, such as the Family Violence Education Program or the Pretrial Drug Education Program or the Pretrial Drug Education and Community Service Program. If the defendant is a veteran, however, he or she is eligible even if he or she has used the accelerated rehabilitation program once in the past. A veteran, for the purposes of the accelerated rehabilitation program, is someone who is:

- honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component of them, including the Connecticut National Guard performing duty as provided in Title 32 of the United States Code, or
- eligible to receive services from the United States Department of Veterans Affairs under Title 38 of the United States Code.

Before being given AR, the defendant must notify the victim, if there is a victim, using a certain court form. The victim can give the court his or her opinion about the defendant's application to the AR program.

If the court grants the defendant's application for AR, the defendant is released to the custody of the Court Support Services Division (CSSD) to be supervised for up to 2 years.

If the defendant finishes the AR program successfully, the charges against the defendant are dismissed by the court.

The AR program requires an application fee of \$35 and a program fee of \$100 although the court may decide that the defendant does not have to pay those fees. If the defendant is ordered to take part in a hate crimes program as a condition of AR, the program fee is \$425.

*Section 54-56e of the Connecticut General Statutes

Supervised Diversionary Program

The Supervised Diversionary Program* can be used by certain people who have psychiatric disabilities, and by veterans who have a mental health condition that is amenable to treatment, who are charged with crimes or motor vehicle violations that are not serious, but for which there can be a sentence of imprisonment. This program cannot be used by people who have used the program 2 times in the past or by people who cannot use the pretrial program for accelerated rehabilitation (AR). A veteran, for the purposes of the Supervised Diversionary Program, is someone who is:

- honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component of them, including the Connecticut National Guard performing duty as provided in Title 32 of the United States Code, or
- eligible to receive services from the United States Department of Veterans Affairs under Title 38 of the United States Code.

When a person applies for this program, the court will send notice to the victim of the crime or motor vehicle violation, if there is a victim. The victim can give the court his or her opinion about the defendant's application to the program.

Before the court will grant the person's application for this program, it will refer the person to the Court Support Services Division (CSSD). CSSD will make sure that the person can be in the program and, if so, will decide what community supervision, treatment and services the person should get. CSSD will report its decisions to the court.

If the court grants the defendant's application for this program, the defendant will be referred to CSSD to be put into a program that provides the community supervision, treatment and services that the person should get.

If the defendant finishes the Supervised Diversionary Program successfully, the charges against the defendant are dismissed by the court.

*Section 54-56l of the Connecticut General Statutes

Alcohol Education Program

The Pre-Trial Alcohol Education Program (AE)* may be used by people who are charged with driving a motor vehicle or a boat under the influence (including, but not limited to, violations of sections 14-227a, 14-227g, and 15-133 of the Connecticut General Statutes). People charged with a violation of section 14-227a of the Connecticut General Statutes who used the AE program more than ten years earlier for a violation of section 14-227a may also be allowed to use the program. The program is not available to any person charged with a violation of section 14-227a while operating a commercial motor vehicle or while holding a commercial driver's license or commercial driver's instruction permit.

When the AE program is applied for, the court file is sealed. The Court Support Services Division (CSSD) will investigate people who apply for the AE program to decide if they can be in the program. People who apply for the AE program are also evaluated by the Department of Mental Health and Addiction Services (DMHAS), and that evaluation is used by DMHAS to recommend that the applicant be in one of the following programs if the Court grants the application: (1) a 10-week educational program, (2) a 15-week educational program, or (3) a treatment program. The Court may also order the defendant to take part in a victim impact panel.

If the Court grants the application and the defendant finishes the assigned program successfully, the charges will be dismissed by the court.

The AE program requires an application fee of \$100, an evaluation fee of \$100, and a program fee. The Court may decide that the defendant does not have to pay all of those fees or that the defendant only has to pay part of those fees. The program fee is \$350 if the defendant is ordered into the 10-week educational program, or \$500 if ordered into the 15-week educational program. If the Court orders placement in a treatment program, the defendant must pay the cost of that program to the treatment provider. The Court may decide that the defendant does not have to pay the cost of the treatment program.

*Section 54-56g of the Connecticut General Statutes

Drug Education and Community Service Program

The Pre-Trial Drug Education and Community Service Program (DECSP)* can be used by people charged with violating drug possession or drug paraphernalia laws under section 21a-267, 21a-279, or 21a-279a of the Connecticut General Statutes. A person cannot be in the DESCSP if they have twice participated in the program or its predecessor, or the Community Service Labor Program (CSLP), or any combination of those programs. A person may be permitted to participate in the DESCSP for one additional time if they demonstrate good cause.

When the DECSP program is applied for, the court file is sealed. The Court Support Services Division (CSSD) will investigate people who apply for the DECSP program to decide if they can be in the program. People who apply for the DECSP program are also evaluated by the Department of Mental Health and Addiction Services (DMHAS) or a state licensed substance abuse treatment program, except that if the person is a veteran, the court may refer the person to the Department of Veterans' Affairs or to the United States Department of Veterans Affairs for evaluation. That evaluation is used to recommend that the applicant be in an appropriate program. A person in the program for the first time will participate in a 15-week educational program. A person in the program for a second time will participate in either a 15-week educational program or a substance abuse treatment program of not less than 15 weeks. A person in the program for a third time will participate in a substance abuse treatment program of not less than 15 weeks. A veteran, for the purposes of the Drug Education and Community Service Program, is someone who is:

- honorably discharged from, or released under honorable conditions from active service in, the United States Army, Navy, Marine Corps, Coast Guard and Air Force and any reserve component of them, including the Connecticut National Guard performing duty as provided in Title 32 of the United States Code, or
- eligible to receive services from the United States Department of Veterans Affairs under Title 38 of the United States Code.

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Drug Education and Community Service Program *(continued)*

If the Court grants the application and the defendant finishes the assigned program successfully, the charges will be dismissed by the court. The DEP program requires an application fee of \$100, an evaluation fee of \$150, and a program fee, although the Court may decide that the defendant does not have to pay those fees. The program fee is \$600 if ordered into the 15-week educational program. The court may decide that the defendant does not have to pay all of the fee or that the defendant only has to pay part of the fee. If the Court orders placement in a substance abuse treatment program, the defendant must pay a \$100 program fee, and, in addition, the defendant must pay the cost of that program to the treatment provider. The Court may decide that the defendant does not have to pay those costs.

In addition to the educational portions of the program, the defendant is required to do community service. If defendant is participating in the DECSP for the first time, the defendant is required to do at least 5 days of community service. If defendant is participating in the DECSP for the second time, the defendant is required to do at least 15 days of community service. If defendant is participating in the DECSP for the third time, the defendant is required to do at least 30 days of community service.

If the defendant finishes the program successfully, the charges against the defendant are dismissed by the court.

*Section 54-56i of the Connecticut General Statutes

Family Violence Education Program

The Family Violence Education Program (FVEP)* can be used by people charged with certain family violence crimes. Those crimes are defined in section 46b-38a of the Connecticut General Statutes. A person who used this program before or who used the Accelerated Rehabilitation (AR) program for a family violence crime committed on or after October 1, 1986, cannot use this program.

The victim is notified of the defendant's request to be assigned to the FVEP program and the victim is given a chance to comment in court about the application.

If the court allows the defendant to use the program, the defendant is released to the custody of the family violence intervention unit of the Court Support Services Division (CSSD) for up to 2 years and must obey conditions set by the court.

If the defendant finishes the assigned program successfully, the charges against the defendant are dismissed by the court.

The FVEP requires an application fee of \$100, and a program fee of \$300. The Court may decide that the defendant does not have to pay either or both of those fees.

*Section 46b-38c(g) of the Connecticut General Statutes

Community Service Labor Program

The Community Service Labor Program (CSLP)* can be used by people convicted of a first offense for violating drug possession or drug paraphernalia laws under section 21a-267 or 21a-279 of the Connecticut General Statutes. A person who has been convicted of violating these sections or of illegally selling, distributing, manufacturing, presenting or dispensing drugs under sections 21a-277 or 21a-278 of the Connecticut General Statutes cannot use the program.

The program may be granted for a person who has used the program before, as a condition of probation or conditional discharge with a suspended sentence. A person cannot be placed in the program more than once.

Drug education is part of the program and is required.

If the defendant finishes the program successfully, the charges against the defendant will be dismissed by the court.

The amount of time that the defendant must do community service will be 30 days.

The CSLP participation fee is \$205.

*Section 53a-39c of the Connecticut General Statutes

School Violence Prevention Program

The Pre-Trial School Violence Prevention Program* may be used by public or private secondary school students charged with an offense involving the use or threatened use of physical violence in or on the property of a public or private elementary or secondary school or at an activity connected with the school.

The program cannot be used by a student who used this program before or who has been convicted of any offense involving the use or threatened use of physical violence in or on the property of such a public or private school or at an activity connected with the school.

When the program is applied for, the court file is sealed and the applicant is sent to the Court Support Services Division (CSSD) for review. If the applicant is accepted into the program, that person is placed in the school violence prevention program for 1 year and his or her progress is reviewed during that time by CSSD.

To be in this program, the student and his or her parents must not have any firearms, dangerous weapons, controlled substances or other property or materials that by law they cannot have or that are in violation of the law.

The program will require the student to attend at least 8 group counseling sessions in anger management and nonviolent conflict resolution.

If the student finishes the program successfully, the charges against the student will be dismissed by the court.

The cost of the school violence prevention program is paid by the parent or guardian of each student to the program provider. That payment cannot be made to the Clerk's Office.

*Section 54-56j of the Connecticut General Statutes

Suspended Prosecution for Illegal Sale, Delivery, or Transfer of Pistols or Revolvers

The Suspended Prosecution for Illegal Sale, Delivery or Transfer of Pistols or Revolvers* program may be used by certain people who are charged with violating section 29-33 of the Connecticut General Statutes.** The program may be used by a person if the court finds that the violation of section 29-33 is not of a serious nature, that the defendant has not been convicted of violating the section before and that the person has not had a prosecution suspended under this section before. If the court allows the person to use the program, the defendant is referred to the Court Support Services Division (CSSD) to be supervised for up to 2 years.

If the defendant finishes the program successfully, the charges against the defendant will be dismissed by the court.

There is no fee for this program.

*Section 29-33(h) of the Connecticut General Statutes

**Sale, delivery or transfer of pistols and revolvers.

Treatment of Offenders who are Dependent on Drugs or Alcohol Instead of Prosecuting Them

Courts may order defendants who are dependent on drugs or alcohol to get treatment instead of those defendants being prosecuted or incarcerated.* The program covers all drug sale and possession crimes. A person charged with driving under the influence, assault in the second degree with a motor vehicle, or a class A, B, or C felony cannot have their prosecution suspended and get treatment. Also, anyone who was ordered treated two times before under this program or under a program covered by older versions of this law cannot be in this program unless the court decides to let that person in.

The court may order the defendant examined to make a decision on whether that person is dependent on alcohol or drugs and can get treatment. A probation officer may also order an examination of the defendant as part of a presentence investigation (PSI).

A person that can be in this program may ask the court for his or her prosecution to be suspended (held up) and for treatment after the court receives the examination report. The court may order the person's prosecution suspended and order treatment if it decides that: (1) the person was dependent on alcohol or drugs at the time of the offense, (2) the person needs and will probably benefit from treatment, and (3) suspending the prosecution of the person would be in the interest of justice. Prosecution may be suspended for up to 2 years.

If the court finds that the person is responding well to treatment or has completed treatment and has complied with the other conditions of suspension, it may dismiss the charges.

*Sections 17a-696 to 17a-199 of the Connecticut General Statutes

Notes



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