The New York City Council

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New York, NY 10007

Legislation Details (With Text)

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Title: Resolution calling upon the appropriate Committee of the Council of the City of New York to conduct a hearing on the plan of Chief Judge Judith Kaye of the New York State Court of Appeals to offer nonviolent drug-addicted offenders the choice of undergoing drug treatment rather than incarceration.

Sponsors: Wendell Foster, Helen M. Marshall, Eva S. Moskowitz, Philip Reed, June M. Eisland, Sheldon S. Leffler, Stanley E. Michels, Mary Pinkett, Morton Povman, Christine C. Quinn, Annette M. Robinson, Lawrence A. Warden

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Res. No. 1637

Resolution calling upon the appropriate Committee of the Council of the City of New York to conduct a hearing on the plan of Chief Judge Judith Kaye of the New York State Court of Appeals to offer nonviolent drug-addicted offenders the choice of undergoing drug treatment rather than incarceration.

By Council Members Foster, Marshall, Moskowitz and Reed; also Council Members Eisland, Leffler, Michels, Pinkett, Povman, Quinn, Robinson and Warden

Whereas, Chief Judge Judith Kaye, along with other top state court officials, recently announced a plan to offer drug addicted individuals who are convicted of nonviolent crimes the choice of undergoing drug treatment instead of going to jail; and

Whereas, The plan calls for across-the-board drug screening for criminal cases, court-mandated substance abuse treatment for nonviolent defendants and parents charged with neglect in Family Court cases, and the creation of specialized courts for persistent misdemeanor offenders; and

Whereas, Those offenders who opt for the alternative sentence will be placed in a strict treatment program, lasting about two years and including court monitoring and periodic drug testing, and moreover, those who get arrested again will face incarceration with a potentially stiffer sentence than what is generally handed down; and

Whereas, Officials expect that by 2010 approximately 10,000 nonviolent criminals a year will be going to drug treatment instead of jail or prison; and

Whereas, Chief Judge Kaye's plan is an outgrowth of a report that she commissioned on drug addiction and imprisonment, which cited a State estimate that 67 percent of all State prisoners have addictions; and

Whereas, The plan is designed to ease the strain on the overburdened court system, while reducing the rate of recidivism; and

Whereas, In announcing the plan, Jonathan Lippman, the Chief Administrative Judge of New York State, stated that the recidivism rate for defendants opting for drug treatment has been 12 percent, compared to 35 percent for those who go to jail; and

Whereas, According to Chief Administrative Judge Lippman, while the plan will cost approximately $18 million to $20 million a year to implement, it will save approximately $500 million each year in social welfare and jail costs; and

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Whereas, While keeping a person in jail or prison costs about $29,000 to $45,000 a year, the cost for drug treatment for a patient is only about $9,000 a year; and

Whereas, Chief Administrative Judge Lippman stated that the annual budget of the court system could finance the initiative without additional funds and he believes there is currently enough space in drug treatment programs for many additional patients; now, therefore, be it

Resolved, That the appropriate Committee of the Council of the City of New York conduct a hearing on the plan of Chief Judge Judith Kaye of the New York State Court of Appeals to offer nonviolent drug-addicted offenders the choice of undergoing drug treatment rather than incarceration.

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11/02/00