

Treatment of Convicted Defendants who are Dependent on Drugs or Alcohol Instead of Sending Them to Jail



Under sections 17a-694, 17a-699, and 17a-700 of the Connecticut General Statutes, courts may order defendants who are convicted of certain crimes and who are dependent on drugs or alcohol to get treatment instead of going to jail. The program is available for many crimes, including all drug sale and possession crimes.

After a defendant who is dependent on drugs or alcohol has been convicted of a crime, a probation officer may ask the defendant to get an examination from a Department of Mental Health and Addiction Services (DMHAS) clinical examiner as part of a presentence investigation (PSI), to figure out whether the defendant should be able to go into this program instead of going to jail. The DMHAS clinical examiner will figure out if the defendant is dependent on drugs or alcohol, whether the defendant needs treatment for the dependency, whether the defendant will probably benefit from treatment and, if so, which treatment program would be best for the defendant.

After the court gets a report from the probation officer about the DMHAS clinical examination, the court can order treatment for drug or alcohol dependency as part of the defendant's sentence if it finds that the defendant was dependent on alcohol or drugs at the time of the crime, there was a relationship between the alcohol or drug dependency and the crime, the defendant needs and would probably benefit from treatment, and the defendant meets all of the other conditions of the statute.

In deciding what the defendant's sentence should be, the court can sentence the defendant to prison, suspend execution of the prison sentence (put the prison sentence on hold) either after a specific period of time or for the whole sentence, give the defendant a period of probation and, as a condition of probation, order CSSD to put the defendant in a drug or alcohol treatment program. Any time that the defendant spends in treatment while the defendant's prison sentence is suspended will not count as time served on the defendant's sentence. CSSD will keep track of the defendant's progress.

The treatment provider will tell CSSD when the defendant has finished the treatment program and whether the treatment provider recommends that the defendant get more treatment. CSSD will then tell the court whether the defendant has successfully finished the program that was ordered, has followed all of the conditions set by the court, has not used alcohol for 2 years in a row if the defendant was dependent on alcohol or has not used illegal drugs for 2 years in a row if the defendant was dependent on drugs, and whether the treatment provider recommended more treatment. Once the court gets the report from CSSD, the court will decide whether it will modify (change) the defendant's sentence or the terms of the defendant's probation to require more treatment or whether it will terminate (end) the defendant's probation, and release the defendant.



The Judicial Branch of the State of Connecticut complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation in accordance with the ADA, contact your Probation Officer or an ADA contact person listed at www.jud.ct.gov/ADA/.

© 2014, State of Connecticut Judicial Branch. Copyright claimed in info sheet, exclusive of image supplied by [126236054]/Thinkstock. The image may be downloadable only for personal use. Republication, retransmission, reproduction, or other use of the image is strictly prohibited.