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Delaware County Courts offer “Second Chance” for recovery

Delaware County judges are taking a proactive approach to address the opioid epidemic and the growing problem of substance abuse by giving those struggling with addiction a second chance.

As a cooperative effort between the courts and law enforcement, defendants whose minor crimes are rooted in drug use are now being connected with treatment and rehabilitation in the early stages of the criminal justice process through the recently launched Second Chance Court pretrial drug program.

On March 9, Judges of the Delaware County Court of Common Pleas and Delaware County’s Magisterial District Courts were joined by District Attorney Jack Whelan, Councilman Dave White and police chiefs in a courtroom at the Delaware County Courthouse in Media, to announce the new program.

Spearheaded by Judge John P. Capuzzi Sr., Second Chance Court implements an early system of assessment in the pretrial phase, to divert low to moderate risk offenders into treatment as soon as possible after their initial court appearance. The program is designed as a proactive intervention aimed at addressing potential substance abuse issues and reducing offender recidivism. It provides a system of accountability, through educational programming, rehabilitation and treatment as opposed to the typical sentence imposed under a traditional court conviction.

“After research and discussion with treatment providers, we recognized that intervention by courts was lacking at the most critical time, immediately following the arrest,” said Judge John Capuzzi. “Consequently, the defendants struggling with addiction were released back without supervision to continue a vicious cycle of addiction. The purpose of this program is to address that gap of time between arrest and the pretrial conference so people can get the help they need right away.”

Previously, there was a lapse in time between the initial court appearance in Magisterial District Court, following an arrest, to when a criminal case reached the Court of Common Pleas level. In most instances this was a 4-6-month gap in time when the individual was released from police custody to continue their struggle with addiction, or remanded to prison without receiving any type of treatment.

Through the Second Chance Court program, these individuals are identified at the time of the bail interview so that judges in Magisterial District Court can divert offenders to immediate treatment as a condition of bail. Once an individual is identified, the Delaware County Adult Probation & Parole provides supervision through the pretrial bail unit and any violations are addressed by Judge Capuzzi and the Court of Common Pleas. Once the person is evaluated, it will be up to that individual to continue with treatment or to go through the usual court system route.

As part of the program, a pre-trial bail unit coordinator hired through grant funding works to transfer care of the individual to a Crozer-Keystone Health System care team consisting of a nurse navigator, social worker and two certified recovery specialists.

The team assesses the client in the Access Center at Community Hospital in Chester and helps to coordinate the appropriate care. Crozer-Keystone is designated a Center of Excellence for opioid abuse treatment.

During the time period from the formal arraignment to the pre-trial conference, the defendant will continue with the clinically match drug and alcohol treatment plan under the supervision of the court coordinator who will then determine whether they are eligible for another Delaware County Treatment Court program.

“As part of our effort to address the heroin and prescription drug problem, we need to emphasize the importance of giving individuals an opportunity to receive the treatment they need,” said District Attorney Jack Whelan. “As a result of Judge Capuzzi and his team’s efforts, it is our hope is that this program will prevent offenders from repeating criminal behavior, not only to benefit that individual but also the whole community in terms of public safety.”

In addition to Mental Health and Veteran’s Court, Delaware County Court of Common Pleas and the District Attorney’s Office, and Delaware County Council also offers a more intensive drug treatment court following the preliminary stages of the criminal justice process that allows offenders to address substance addiction while under the strict supervision of the Office of Adult Probation and Parole and Treatment Court Judge. Drug Treatment Court is a 30-month intermediate punishment program for non-violent offenders with an alcohol and/or drug addiction that has resulted in arrest or a violation of county probation.

Since its inception in 2007, many non-violent offenders have been diverted from the prison system and, with help, have turned their lives around.