

Supreme Court
of the
State of New York



HON. JO ANN FERDINAND
ACTING SUPREME COURT JUSTICE

JUSTICES' CHAMBERS
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Felony DWI Court in the Kings County Supreme Court
Opening October 12, 2010
as a separate track within
The Brooklyn Treatment Court

The Kings County Supreme Court will begin a DWI Court to give alcohol or substance abusing defendants charged with a Felony DWI an opportunity to complete court supervised treatment and reduce criminal justice penalties. The goal of the Court is to enhance public safety by using the Drug Court model of accountability and long term treatment to address the root cause of impaired driving: alcohol and other substance abuse. Eligible cases will be identified at the Arraignment in Brooklyn Criminal Court and defendants will be referred to Part APD, the Brooklyn Treatment Court. Upon agreement of the District Attorney and consent of the defendant, treatment court case managers will conduct a full evaluation, including alcohol and drug testing, to determine whether an addiction exists that is appropriate for treatment. If both parties and the Judge agree, a felony plea will be entered with the sentence deferred to allow for participation in treatment and a favorable resolution of the charges upon the successful completion of the mandate.

The Court will accept Felony DWI charges where there is no serious physical injury or death, no children 15 years old or younger in the car, and where the defendant does not have a prior Felony DWI conviction. Successful completion of the treatment mandate will result in a reduction of the felony plea to an unclassified misdemeanor with a promise of no jail time and related reductions in fines and the duration of license revocations.

The Brooklyn Felony DWI Court is the result of a collaboration between the Kings County Supreme Court, Kings County District Attorney, Legal Aid Society, Brooklyn Defender Services, Kings County Criminal Bar Association, 18-b Panel of the Second Judicial Department, NYC Department of Probation for Brooklyn, NYS Office of Court Administration Office of Policy and Planning, New Directions Alcohol and Substance Abuse Treatment Program, and National Development and Research Institutes, Inc.