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PRESS RELEASE

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D.A. McMahon, Mayor Bill de Blasio, City Council Speaker Melissa Mark-Viverito, BP James Oddo, NYPD Commissioner James P. O’Neill, The Legal Aid Society, NYS Office of Alcoholism and Substance Abuse Services & Community Partners announce groundbreaking Heroin Overdose Prevention & Education (“HOPE”) Program

Initiative will redirect low-level drug offenders to treatment services instead of jail; Innovative pre-arraignment diversion model is first of its kind in New York State

STATEN ISLAND, N.Y. – Today, Staten Island District Attorney Michael E. McMahon, Mayor Bill de Blasio, City Council Speaker Melissa Mark-Viverito, Borough President James Oddo, NYPD Commissioner James P. O’Neill, New York State Office of Alcoholism and Substance Abuse Services (OASAS) Commissioner Arlene Gonzalez-Sánchez, the New York City Department of Health and Mental Hygiene, The Legal Aid Society, the Mayor’s Office of Criminal Justice, the Staten Island Performing Provider System, the Staten Island Partnership for Community Wellness, and Staten Island providers – Community Health Action of Staten Island and Christopher’s Reason announced the **Heroin Overdose Prevention & Education (“HOPE”)** initiative – an innovative and new pre-arraignment diversion program that will redirect low-level drug offenders to community-based health and treatment services, instead of jail and prosecution.

Working with the NYPD, the Legal Aid Society, public health advocates, multiple interdisciplinary City agencies, and the Staten Island community, HOPE is committed to reducing overdoses, improving health outcomes by exposing those in need to treatment options and resources, including harm reduction services and peer coaches, and improving public safety by reducing the criminal activity of participants in the program and diverting persons with addiction from the criminal justice system.

“We have lost too many lives already to the heroin and opioid crisis to just continue with business as usual. I am incredibly proud to unveil this innovative program today that at its core is about saving lives. This effort recognizes that substance abuse illness is both a public health and a public safety crisis that is endangering our community and demands urgent collective action. We are continuing our battle to lock up the evil dealers who put this poison on our streets but too often in our criminal justice system, individuals suffering from substance abuse disorder find that treatment or services are too far out of their reach or offered too late in the process to have meaning in their lives. HOPE speeds up this process by immediately offering individuals arrested on low-level drug charges, who have little to no criminal record, access to peer coaches and

treatment and health services upon their arrest, with the promise of avoiding a criminal record if they successfully complete the program,” said **District Attorney Michael E. McMahon**.

McMahon continued, “Putting this effort in place has been an extraordinary example of the power that government can harness and mobilize across multiple disciplines to tackle a crisis effectively. Together with the NYPD, the public health community, and all of our partners, I am confident that this groundbreaking pre-arrest program will serve as a model for how large cities can address this crisis by both saving lives and reducing crime. Working together we are going to shift the Staten Island paradigm – no longer will we be Heroin Island, but rather HOPE Island.”

“HOPE is an innovative, life-saving solution to this problem that demands immediate action: too many lives have been lost to the heroin and opioids crisis,” said **Mayor Bill de Blasio**. Thank you to Richmond County District Attorney McMahon, to Staten Island Borough President Oddo and to the leadership of city agencies including the Police Department and the Health Department -- the partnership that has made HOPE possible is a key piece of our larger work to reduce the number of people in the criminal justice system with substance use issues and to ensure that those who need care are connected to it.”

“Too many New Yorkers who face substance abuse issues cycle through the criminal justice system without being afforded the help they need to address the root cause of their addiction,” said **City Council Speaker Melissa Mark-Viverito**. “I applaud District Attorney McMahon for recognizing that substance abuse is both a public health issue as well as a public safety issue, and that we must work together to find the best solutions.”

“The scope and depth of the opioid epidemic on Staten Island is so severe that we simply must explore and implement innovative and appropriate programs to get those who are addicted connected to treatment options,” said **Borough President James Oddo**. “The HOPE Initiative is being implemented to provide low level drug offenders with the opportunity to connect with our community based organizations that can help them turn their lives around. In a sense, HOPE is a chance at second chance for those who are drug users – it is not for drug dealers – to get treatment and avoid the permanent stain of a criminal prosecution. I thank DA McMahon for this innovative program that will have a positive impact on the lives of those who are battling drug addiction. And, as this program works to help those suffering from addiction, the NYPD and the DA will continue to investigate, arrest, and prosecute those dealers who feed the addiction and death that continues in our borough. The bottom line is those who will be eligible for this program are in desperate need of help. I am hopeful many of them will make the most out of this opportunity and get the help they need.”

“NYPD officers have been able to save many lives with Naloxone. And we are now investigating overdoses so that those who peddle opioids are held responsible for the deaths they cause,” said **NYPD Commissioner James P. O’Neill**. “But Staten Island is still reeling from overdose deaths, and we have to seize every opportunity we can to help people and save lives. The HOPE program helps low-level offenders get the treatment they need, so they can break the vicious cycle of addiction, stop committing the crimes that are too often associated with drug abuse, and avoid becoming an overdose statistic.”

“Our community is suffering from the horrific opioid crisis bringing addiction, overdoses and death. We welcome HOPE, an innovative program to address this public health crisis. HOPE links people in need with resources to help in ways the criminal justice system cannot provide and without the burdens of a criminal record and stigma that often attach. Helping people in need is a cause we stand by,” said **Christopher Pisciotta, the Legal Aid Society, Attorney in Charge, Richmond County Office**.

“For the last three years, New York City has worked to better knit together the criminal justice system and behavioral health care – ensuring that those who can be diverted safely are and that everyone who needs it has access to high-quality care,” said **Liz Glazer, Director of the Mayor’s Office of Criminal Justice**. “HOPE can be a critical piece of this work. Thank you to Richmond County District Attorney McMahon, to

Staten Island Borough President Oddo and to the leadership of the Police Department and the Health Department for your partnership.”

“Innovative approaches to law enforcement, like the HOPE Initiative, are essential to reducing overdose deaths and to OASAS’s efforts to stem the opioid epidemic that is ravaging New York State,” said **OASAS Commissioner Arlene Gonzalez-Sánchez**. “I applaud DA McMahon for taking this proactive step to prevent addiction and save lives. We are proud to assist this initiative, which will build on Governor Cuomo’s proposal to develop 24-7 urgent access, addiction support centers throughout New York State.”

"I would like to thank District Attorney McMahon for his engaged and proactive approach to addressing the opioid epidemic on Staten Island," said **New York City Health Commissioner Dr. Mary T. Bassett**. "The HOPE program redirects people arrested for minor drug offenses and offers them substance use services, overdose prevention, naloxone and other supportive services."

“The power of partnership is the strength of Project HOPE. Our DA’s vision has harnessed the energy and commitment of law enforcement, healthcare providers, persons in recovery, and our local government. The SI PPS is proud to be part of this coalition and to provide support to hire the Peer recovery counselors and assist CHASI in providing 24/7 services at the Next Step Recovery Center,” said **Joseph Conte PhD, Executive Director at the Staten Island Performing Provider System**.

"The Staten Island Partnership for Community Wellness is proud to support District Attorney McMahon and all partners for adopting an innovative approach to addressing our community's opioid crisis," said **Adrienne Abbate, executive director, Staten Island Partnership for Community Wellness**. "Substance misuse treatment is complex and varies by individual. HOPE offers opportunities for Staten Islanders in need to engage with services and provides program recipients with resources to improve their health and their future. Staten Island has a long history of working together to address complex issues. HOPE’s success requires the coordinated efforts of many, and I'm confident that this initiative will positively impact community members across the borough."

"HOPE represents an unprecedented collaboration among law enforcement, City and State health agencies, and community-based providers to marry our resources, as well as our collective will and commitment, to create a new model of intervention that more effectively responds to the substance use epidemic impacting too many Staten Islanders,” said **Diane Arneith, Executive Director, Community Health Action of Staten Island**.

In 2015, Staten Island had the highest rate of overdose death of any of the five boroughs and one of the highest rates in all of New York State. Last year, the NYPD reported more than 90 suspected overdose deaths on Staten Island and an additional 74 overdose-reversals with the drug Naloxone made by the NYPD. These numbers only account for the victims found by police, and it is suspected that the actual numbers could be 30% higher. In addition to the inordinately high number of overdose deaths, there has been a dramatic increase in the number of defendants arrested and found in possession of illegal drugs, particularly pills and heroin.

HOPE’s unique multi-step approach will work as such:

- Individuals arrested on Staten Island for low-level drug possession (specifically, a top-count charge of Criminal Possession of a Controlled Substance in the 7th Degree, NYPL §220.03), who fit the NYPD’s criteria for a Desk Appearance Ticket (DAT) will be eligible for HOPE. This is estimated to be between 500-600 people annually. Individuals who qualify for a DAT typically have little to no prior criminal history.

- Eligible individuals will be brought to the precinct, as they would for any other arrest, to be processed for a short-term DAT – a 7-day return date instead of the standard 30-day return date.
- The RCDA HOPE Director will begin enrollment for the participant by activating a peer coach to immediately go to the precinct to meet them as they are released and issued the DAT.
- At the time of release and upon receipt of the DAT the peer coach talks to the participant about the HOPE program and its benefits and provides a Naloxone kit and training.
- The peer coach will also encourage the individual to visit a community based Resource and Recovery Center, of which there are two on Staten Island – Next Step Recovery Center that runs 24 hours on the North Shore by Community Health Action of Staten Island, and another that operates on the South Shore by Christopher’s Reason and the Resource Training and Counseling Center (RTCC).
- The participant can decide to visit the Resource and Recovery Center immediately following their release from the precinct with the peer or at any time before the 7th day return date for an assessment and recommendation for treatment options.
- The participant will be contacted before the 7th day appearance date by the Legal Aid Society, a RCDA HOPE Director, and their peer coach.
- If the participant attends and receives an assessment before their return date – they will not have to appear in court on the 7th day and their case will be adjourned for an additional 30 days.
- If the participant meaningfully engages in treatment services before that 37th day after arrest, RCDA will decline to prosecute their case and they will have no criminal record.
- If the participant fails or drops out of the program, the original charge will stand and their case will proceed as it normally would through the court system.

City Council Member Debi Rose said, “As the number of overdoses in our borough continues to rise, it’s even more imperative for us to combat drug abuse on multiple fronts. Experience has taught us that community-based treatment is a valuable tool to help those suffering from drug addiction. My hope is that this prevention and education program will offer the opportunity for treatment when it is needed, saving lives and leading to greater overall public health and safety.

City Council Minority Leader Steven Matteo said, "I have always believed a multi-pronged approach would be most successful in fighting the opioid addiction epidemic that has plagued our communities. The HOPE initiative does just that, utilizing multiple city agencies and community resources in an early intervention effort to stop addiction before it reaches a deadly downward spiral. There is so much more we must do, but this program is very promising."

City Council Member Joseph Borelli said, “With the total number of overdoses from last year possibly exceeding 110, it is obvious that our community is still tight in the grip of a heroin epidemic. The HOPE initiative will supplement a robust network of support programs and services funded by the city, state and federal government, which as always, would not be possible without guidance from substance addiction specialists and mental health experts.”

State Senator Diane Savino said, "This partnership and new program could not come at a more crucial time for Staten Island. Far too often we open the local newspaper to read of another death in our community, and I am confident in the HOPE program to help curb this epidemic. The District Attorney, NYPD, and community partners have a wrap-around approach to ensure we see a change here at home. As Vice-Chair of the New York State Senate Codes committee, my impact has its limits -- but we all have skin in the game. I am grateful to have a partner in government like Michael McMahon to help see the vision for this crucial program through."

Assemblyman Matthew Titone said, “We will not be able to adequately deal with the opioid epidemic until we recognize it is a public health issue in addition to a criminal justice issue. This diversion program, with its cooperation between government and local community agencies, is an important step in the right direction.”

Assemblywoman Nicole Malliotakis said, "Diversion programs should be meant for those who truly have an addiction and need help. This program recognizes that and, unlike other diversion programs that allow dealers with multiple drug felonies to mingle with addicts, is reserved for those who commit low level offenses and have little or no criminal history. I applaud District Attorney McMahon for spearheading this initiative that will hopefully save lives by getting people the help they need.”

Assemblyman Ron Castorina said, “We need to take on this heroin epidemic in as many ways as we can. Diverting low-level drug offenders to community based recovery resources and programs proves as an innovative way to give treatment to those who need it most. This epidemic cannot be overcome by one office or one group which is why the coming together of the NYPD, the District Attorney’s office, the Borough President’s office, and the multiple health and wellness organizations is so important. While I do support the HOPE initiative, we must exercise caution. We cannot allow for repeat offenders to slip through the cracks of our criminal justice system through well intentioned programs like the HOPE initiative. I commend the efforts of all of my colleagues, the NYPD, and the health and wellness organizations dedicated to combatting this destructive problem.”

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