**ATI UNIT DESCRIPTION**

The Alternatives to Incarceration (ATI) Unit, created in 2016, serves as a resource for the entire Office, identifies treatment and other programs that could be effective diversion options, and helps identify defendants who can benefit from these programs without compromising public safety.

The ATI Unit consolidates program-based dispositions under one umbrella. Before the creation of the ATI Unit, diversion dispositions had largely been “defense-driven,” with defense attorneys selecting program placement; there was no internal or systematic process for assessing the risk and criminogenic needs of the defendant and matching that person to the right intervention. The ATI Unit has enhanced the Office’s institutional capacity to evaluate programs, encourage their utilization, and monitor their effectiveness.

The Unit’s legal staff includes the ATI Unit Chief, the Deputy Chief, and four line ADAs. These individuals receive training on risk-need-responsivity principles (a framework for recidivism reduction), and are responsible for dispositions involving programming and rehabilitation. When a programming disposition is appropriate, prosecutors assigned to the ATI Unit prepare the written plea agreement, conference treatment plans with clinicians and defense attorneys, review treatment updates, arrange for case advancements, and stand in court.

To better illustrate the process, here is theoretical description of a case as it proceeds through the ATI Unit:

A defendant is charged with Burglary in the Second Degree – a felony – accused of stealing a package from the foyer of an apartment building. The ADA assigned to the defendant’s case refers them to the ATI Unit as a potential candidate for programming. The defendant’s case is reviewed by a prosecutor in the ATI Unit, taking into account the defendant’s criminal history, facts of their closed cases, and any evidence of substance use need, workforce development need, mental health diagnosis, housing stability, and wishes of the victim. The defendant is deemed eligible for an ATI and receives the following offer: if they plead guilty to Burglary in the Second Degree and participate in programming, upon successful completion of the program, they may vacate their conviction and plead guilty to Disorderly Conduct, a violation. The defendant accepts the offer and pleads guilty. Over the next 12 months, the defendant participates in programming and the ATI Unit receives regular updates on their progress. Despite a few missed appointments, the defendant fulfills the conditions set forth in their plea agreement and graduates from programming. The defendant re-pleads to a violation and is sentenced to time served.