7649

## IN SENATE

February 4, 2020

Introduced by Sen. JACOBS -- read twice and ordered printed, and when printed to be committed to the Committee on Codes

AN ACT to amend the criminal procedure law, in relation to controlled substance offenses qualifying for bail and allowing courts to consider the risk of continued substance abuse

## The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. The opening paragraph and paragraphs (a), (d), (h) and (i) 2 of subdivision 4 of section 510.10 of the criminal procedure law, as 3 added by section 2 of part JJJ of chapter 59 of the laws of 2019, are 4 amended and a new paragraph (j) is added to read as follows:

5 Where the principal stands charged with a qualifying offense, the б court, unless otherwise prohibited by law, may in its discretion release 7 the principal pending trial on the principal's own recognizance or under non-monetary conditions, fix bail, or, where the defendant is charged 8 9 with a qualifying offense [which is a felony], the court may commit the 10 principal to the custody of the sheriff. A principal stands charged with a qualifying offense for the purposes of this subdivision when he or she 11 12 stands charged with:

(a) a felony enumerated in section 70.02 of the penal law[, other than
burglary in the second degree as defined in subdivision two of section
140.25 of the penal law or robbery in the second degree as defined in
subdivision one of section 160.10 of the penal law];

17 (d) a class A felony <u>as</u> defined in the penal law[<del>, other than in arti-</del> 18 <del>cle two hundred twenty of such law with the exception of section 220.77</del> 19 <del>of such law</del>];

20 (h) criminal contempt in the second degree as defined in subdivision 21 three of section 215.50 of the penal law, criminal contempt in the first 22 degree as defined in subdivision (b), (c) or (d) of section 215.51 of 23 the penal law or aggravated criminal contempt as defined in section 215.52 of the penal law, and the underlying allegation of such charge of 24 25 criminal contempt in the second degree, criminal contempt in the first 26 degree or aggravated criminal contempt is that the defendant violated a 27 duly served order of protection where the protected party is a member of 28 the defendant's same family or household as defined in subdivision one 29 of section 530.11 of this article; [or]

EXPLANATION--Matter in <u>italics</u> (underscored) is new; matter in brackets [-] is old law to be omitted.

LBD14207-05-0

3 of a child in a sexual performance as defined in section 263.05 4 penal law or luring a child as defined in subdivision one of 5 120.70 of the penal law. 5 120.70 of the penal law. 8 § 2. Section 510.10 of the criminal procedure law is amended by 9 three new subdivisions 5-a, 5-b and 5-c to read as follows: 5-a. Notwithstanding the provisions of subdivisions three and f 1 this section. the court may, in its discretion, commit the princ 2 the custody of the sheriff for a period of no more than fifteen d 1 such principal has a substantial risk of continued substance abu 9 three ris a likelihood of serious harm to such principal and there 1 a olternative less restrictive means available to confine or su 9 such principal in order to prevent the principal 's substantial ri 1 continued substance abuse upon release from custody. Alternat 1 less restrictive means of confinement and supervision shall mean 9 able immediate commitment of such principal in a state 1 9 substance abuse treatment center, drug rehabilitation center or 1 health facility. In making its determination, the court may consi 1 following factors, including but not limited to: 1 (a) knowledge of the principal 's failed attempts to comple 1 control 1 (b) admission by the principal 's failed attempts to normal 1 of press by the principal's similar offenses 1 to substance abuse: 1 (c) requests by the principal's arrests for similar offenses 2 to substance abuse: 2 (d) a record of the principal's arrests for similar offenses 3 or of witnessing the principal's use of a controlled substance, a 3 (f) the principal's need for the substance and y 3 wiskon, the court shall order a duly licensed professional to. 3 such principal as needed to evaluate the principal's need for tr 3 and/or medications, and to complete an evaluation for addicti 4 controlled substance. The admitted to. 4 evaluation, including the principal without unnecessary de 4 recommended by such licensed professional. The principal's need for 4 vision, the court shall order a duly licensed h		(i) facilitating a sexual performance by a child with a controlled
4 penal law or luring a child as defined in subdivision one of 5 120.70 of the penal law[+].or 6 (i) a controlled substance offense as defined in article two 7 twenty of the penal law. 8 \$ 2. Section 510.10 of the criminal procedure law is amended by 9 three new subdivisions 5-a, 5-b and 5-c to read as follows: 10 5-a. Notwithstanding the provisions of subdivisions three and f1 1 this section, the court may, in its discretion, commit the princ 12 the custody of the sheriff for a period of no more than fifteen d 13 such principal has a substantial risk of continued substance abu 14 there is a likelihood of serious harm to such principal and there 10 alternative less restrictive means available to confine or su 11 guch principal in order to prevent the principal's substantial r 12 continued substance abuse upon release from custody. Alternat 12 less restrictive means of confineent and supervision shall mean 13 able immediate commitment of such principal in a state 1 13 substance abuse treatment center, furg rehabilitation center or 14 health facility. In making its determination, the court may consi 15 (b) admission by the principal that he or she is addicted 16 controlled substance; 17 (c) requests by the principal's immediate family members to h 16 principal in custody to prevent the likelihood of serious harm; 17 (d) a record of the principal's arrests for similar offenses 15 to substance abuse; 16 (e) the arresting officer's testimony of the principal's intox 17 or of witnessing the principal's arrests for similar offenses 16 of paraphernalia related thereto. 17 5-b. Upon the commitment of such principal is need for tr 19 and/or medications, and to complete an evaluation for addicti 10 controlled substance. Teatment, including but not limited to ; 11 thons, shall be provided to the principal's need for the subtance. Abuse, 12 ecommended by such licensed professional. The principal's courds 14 thory medications, and to complete an evaluation for addicti 15 coursel and the district attorney's office shall be	2	substance or alcohol as defined in section 263.30 of the penal law, use
<ul> <li>5 120.70 of the penal law[+]. or</li> <li>(i) a controlled substance offense as defined in article two</li> <li>twenty of the penal law.</li> <li>§ 2. Section 510.10 of the criminal procedure law is amended by</li> <li>three new subdivisions 5-a, 5-b and 5-c to read as follows:</li> <li>5-a. Notwithstanding the provisions of subdivisions three and f</li> <li>this section, the court may, in its discretion, commit the princ</li> <li>the custody of the sheriff for a period of no more than fifteen d</li> <li>such principal has a substantial risk of continued substance abu</li> <li>there is a likelihood of serious harm to such principal and there</li> <li>no alternative less restrictive means available to confine or su</li> <li>such principal in order to prevent the principal's substantial r</li> <li>continued substance abuse upon release from custody. Alternat</li> <li>less restrictive means of confinement and supervision shall mean</li> <li>able immediate commitment of such principal in a state 1</li> <li>substance abuse treatment center, drug rehabilitation center or</li> <li>health facility. In making its determination, the court may consi</li> <li>following factors, including but not limited to:</li> <li>(a) knowledge of the principal's failed attempts to comple</li> <li>court;</li> <li>(b) admission by the principal's immediate family members to h</li> <li>principal in custody to prevent the likelihood of serious harm;</li> <li>(c) requests by the principal's intext for similar offenses</li> <li>to substance abuse;</li> <li>(a) the arresting officer's testimony of the principal's intox</li> <li>or of witnessing the principal's such a controlled substance; a</li> <li>(f) the principal's possession of a controlled substance or pos</li> <li>of paraphernalia related thereto.</li> <li>5-b. Upon the commitment of such principal to the custody of th</li> <li>iff, or an available, less restrictive means of confinement and</li> <li>yinsion, the court shall order a duly licensed professional to :</li> <li>and/o</li></ul>	3	of a child in a sexual performance as defined in section 263.05 of the
<ul> <li>(1) a controlled substance offense as defined in article two.</li> <li>twenty of the penal law.</li> <li>§ 2. Section 510.10 of the criminal procedure law is amended by</li> <li>three new subdivisions 5-a, 5-b and 5-c to read as follows:</li> <li>5-a. Notwithstanding the provisions of subdivisions three and f</li> <li>this section, the court may, in its discretion, commit the princ</li> <li>the custody of the sheriff for a period of no more than fifteen d</li> <li>such principal has a substantial risk of continued substance abu</li> <li>there is a likelihood of serious harm to such principal and three</li> <li>no alternative less restrictive means available to confine or su</li> <li>such principal in order to prevent the principal in a state 1</li> <li>substance abuse upon release from custody. Alternat</li> <li>less restrictive means of confinement and supervision shall mean</li> <li>able immediate commitment of such principal in a state 1</li> <li>substance abuse treatment center, drug rehabilitation center or.</li> <li>health facility. In making its determination, the court may consi</li> <li>following factors, including but not limited to:</li> <li>(a) knowledge of the principal's failed attempts to comple</li> <li>court:</li> <li>(b) admission by the principal's failed members to h</li> <li>principal in custody to prevent the likelihood of serious harm:</li> <li>(d) a record of the principal's arrests for similar offenses</li> <li>to substance abuse:</li> <li>(e) the arresting officer's testimony of the principal's intox</li> <li>of paraphernalia related thereto.</li> <li>such principal as needed to evaluate the principal's need for tr</li> <li>and/or medications, and to complete an evaluation for addicti</li> <li>controlled substance. Treatment, including but not limited to :</li> <li>such principal as needed to evaluate the principal's need for tr</li> <li>and/or medications, and to complete an evaluation of addicti on the commende addiced precommended by such licensed professional. The principa</li></ul>	4	penal law or luring a child as defined in subdivision one of section
<ul> <li>twenty of the penal law.</li> <li>§ 2. Section 510.10 of the criminal procedure law is amended by three new subdivisions 5-a, 5-b and 5-c to read as follows:</li> <li>5-a. Notwithstanding the provisions of subdivisions three and fi this section. the court may, in its discretion, commit the princ the custody of the sheriff for a period of no more than fifteen d such principal has a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to:</li> <li>(a) knowledge of the principal's failed attempts to comple court:</li> <li>(b) admission by the principal that he or she is addicted controlled substance:</li> <li>(c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;</li> <li>(d) a record of the principal's use of a controlled substance aros of paraphernalia related thereto.</li> <li>5-b. Upon the commitment of such principal to the custody of th iff. or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to :</li> <li>such principal as needed to evaluate the principal's needed for requended by such licensed professional. The principal's c avaluation, including recommendations for the continued custody of principal as needed to the principal without unnecessary de recommended by such licensed professional. The principals is a courtoiled substance. Treatment, including but not limited to the completion, including recommendations for the contin</li></ul>	5	120.70 of the penal law[ <del>,</del> ] <u>; or</u>
<ul> <li>§ 2. Section 510.10 of the criminal procedure law is amended by three new subdivisions 5-a, 5-b and 5-c to read as follows:</li> <li>5-a. Notwithstanding the provisions of subdivisions three and filt this section, the court may, in its discretion, commit the principal thas a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and three no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1</li> <li>subtance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to:</li> <li>(a) knowledge of the principal's failed attempts to comple court:</li> <li>(b) admission by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;</li> <li>(c) requests by the principal's arrests for similar offenses to substance abuse:</li> <li>(c) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's needed to evaluate the principal's needed for the iff, or an available. Less restrictive means of confinement and vision, the court shall order a duly licensed professional to substance. Treatment, including but not limited to i and/ wision, the court shall order a duly licensed professional to wision, the court shall order a duly licensed professional to wision, including recommendations for the continued to the principal's evaluation. The principal's conserved to the principal's evaluation. The principal's conserved to the district attorney's office shall be provided to the principal shall be provided to the principal shall be provided to the principal shall be provided to the pri</li></ul>	6	(j) a controlled substance offense as defined in article two hundred
9 three new subdivisions 5-a, 5-b and 5-c to read as follows: 5-a. Notwithstanding the provisions of subdivisions three and this section, the court may, in its discretion, commit the princ the custody of the sheriff for a period of no more than fifteen d such principal has a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal's failed attempts to comple court: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a of parahernalia related thereto. 5 -b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to 3 such principal as needed to evaluate the principal's need for tr and/or medications, and to complet an evaluation for addicti controlled substance. Treatment, including but not limited to 1 tions, shall be provided to the principal shall be provided to the vision, including recommendations for the continued custody of the principal's evaluation upon request to the court. 5 -c. The principal's evaluation upon request to the court. 5 -c. The principal's evaluation upo	7	twenty of the penal law.
5-a. Notwithstanding the provisions of subdivisions three and fi this section, the court may, in its discretion, commit the princ the custody of the sheriff for a period of no more than fifteen d such principal has a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance; (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th if, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional too toncrolled substance. Treatment, including but not limited to t is and/or medications, and to complete an evaluation for addicti tons, shall be provided to the principal shall be provided to the without unnecessary delay and within no more than seventy-two hot without unnecessary delay and within no more than seventy-two hot principal. immediate release from the continued custody of the principal's evaluation yon request to the court. 5-c. The princ	8	§ 2. Section 510.10 of the criminal procedure law is amended by adding
5-a. Notwithstanding the provisions of subdivisions three and f. this section, the court may, in its discretion, commit the princ the custody of the sheriff for a period of no more than fifteen d such principal has a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to; toms, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's ce avaluation, including recommendations for the continued custody of the completion of such principal shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc ipal's counsel and the district attorney's office shall be provided t	9	
this section, the court may, in its discretion, commit the principal the substantial risk of continued substance abut there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is a likelihood of serious harm to such principal and there is such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to:     (a) knowledge of the principal's failed attempts to comple court.     (b) admission by the principal that he or she is addicted controlled substance.     (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;    (d) a record of the principal's use of a controlled substance abuse:     (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance or pos of paraphernalia related thereto.     5. b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to: such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti to controlled substance. Treatment, including but not limited to:     evaluation, including recommendations for the continued custody of the without unnecessary de recommended by such licensed professional to is the ca		5-a. Notwithstanding the provisions of subdivisions three and four of
the custody of the sheriff for a period of no more than fifteen dissuch principal has a substantial risk of continued substance abut there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or suu such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to:     (a) knowledge of the principal's failed attempts to comple court:     (b) admission by the principal that he or she is addicted controlled substance:     (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;     (d) a record of the principal's arrests for similar offenses to substance abuse:     (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; or of witnessing the principal's use of a controlled substance or pos of paraphernalia related thereto.     S-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to; tions, shall be provided to the principal shall be provided to the set of the district attorney's office shall be provided to the sith or principal. Suce of ipal's coursel and the district attorney's office shall be provided to the sith of a controlled substance or pos of paraphernalis release from custody, and any other principal's evaluation no me than seventy-two hou the complete in a treatment or mental health facility. Sith or her arraig	11	this section, the court may, in its discretion, commit the principal to
such principal has a substantial risk of continued substance abu there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court; (b) admission by the principal that he or she is addicted controlled substance; (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to the tions, shall be provided to the principal shall be provided to the without unnecessary dely and within no more than seventy-two hou the completion of such principal shall be provided to the without unnecessary dely and within no more than seventy-two hou the completion of such principal's caluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary dely and within no more than seventy-two hou the completion of such principal's evaluation. The prin		the custody of the sheriff for a period of no more than fifteen days, if
14 there is a likelihood of serious harm to such principal and there no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court; (b) admission by the principal that he or she is addicted controlled substance; (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to r such principal a needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti tions, shall be provided to the principal shall be provided to the viscin, including recommendations for the continued custody of principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's request to the court. 5		such principal has a substantial risk of continued substance abuse and
no alternative less restrictive means available to confine or su such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to ; and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to ; acuation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to the without unnecessary dely and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary dely and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the withe unnecessary dely and within no more tha		there is a likelihood of serious harm to such principal and there exists
16 such principal in order to prevent the principal's substantial r continued substance abuse upon release from custody. Alternat less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state l substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to:     (a) knowledge of the principal's failed attempts to comple court:     (b) admission by the principal that he or she is addicted controlled substance;     (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;     (d) a record of the principal's arrests for similar offenses to substance abuse;     (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a of paraphernalia related thereto.     5-b. Upon the commitment of such principal vertice means of confinement and vision, the court shall order a duly licensed professional to such principal, such principal's need for tr and/or medications, and to complet an evaluation for addictic controlled substance. Treatment, including but not limited to the substance and the arcesting of principal without unnecessary dela recommended by such licensed professional. The principal's certained to the case of the principal's need for the controlled substance. Treatment, including but not limited to the care and treatment of such principal shall be provided to the substance the principal, such or the principal, such principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's request for such hearing, the principal, such of such principal's request for such hearing, the principal such principal hearing the principal's request for such hearing		
<pre>17 continued substance abuse upon release from custody. Alternat 18 less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 19 substance abuse treatment center, drug rehabilitation center or 10 health facility. In making its determination, the court may consi 19 following factors, including but not limited to: 10 (a) knowledge of the principal's failed attempts to comple 20 court: 10 (b) admission by the principal that he or she is addicted 20 courtine (c) requests by the principal's immediate family members to h 20 principal in custody to prevent the likelihood of serious harm; 21 (c) requests by the principal's arrests for similar offenses 22 to substance abuse; 23 (c) the arresting officer's testimony of the principal's intox 24 or of witnessing the principal's use of a controlled substance; a 25 (f) the principal's possession of a controlled substance or pos 26 of paraphernalia related thereto. 27 5-b. Upon the commitment of such principal's need for tr 28 and/or medications, and to complete an evaluation for addicti 29 controlled substance. Treatment, including but not limited to 1 20 tions, shall be provided to the principal without unnecessary de 20 recommended by such licensed professional. The principal's controlled substance or prosed 20 the care and treatment of such principal without unnecessary de 20 recommended by such licensed professional. The principal's controlled substance. Treatment, including but not limited to 1 21 tions, shall be provided to the principal without unnecessary de 21 recommended by such licensed professional. The principal, suc 22 avaluation, including recommendations for the continued custody 23 principal, immediate release from custody, and any other proposa 24 the care and treatment of such principal without supple substance and the district attorney's office shall be provided to the 23 such principal's immediate release from the custody of the 24 recommended by such licensed professional. The principa</pre>		such principal in order to prevent the principal's substantial risk of
less restrictive means of confinement and supervision shall mean able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court; (b) admission by the principal that he or she is addicted controlled substance; (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to and/or medications, and to complete an evaluation for addicti tons, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's con- tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal, immediate release from custody, and any other proposa the care and treatment of such principal without unnecessary de the care and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's coursel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's request for such hearing, the principal secution in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of		
19 able immediate commitment of such principal in a state 1 substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5 -b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's immediate release from the custody of the receipt of the principal's imm		
Substance abuse treatment center, drug rehabilitation center or health facility. In making its determination, the court may consision of the principal's failed attempts to comple court: (a) knowledge of the principal's failed attempts to comple court. (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a of paraphernalia related thereto. 5 -b. Upon the commitment of such principal to the custody of the iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to i such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to i tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's custody and any other proposa the care and treatment of such principal shall be provided to the without unnecessary delay and within no more than seventy-two hou the coupletion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the coupletion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the coupletion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the without unnecessary delay and within no more than seventy-two hou the coupletion of such principal's evaluation.		able immediate commitment of such principal in a state licensed
health facility. In making its determination, the court may consi following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de vealuation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's evaluation upon request to the court. 5-c. The principal's heal be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ pal cont before a local criminal court, the principal shall be		
following factors, including but not limited to: (a) knowledge of the principal's failed attempts to comple court: (b) admission by the principal that he or she is addicted controlled substance: (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to it such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to it tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc scipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5 The principal's evaluation upon request to the court. 5 The principal's neediate release from the custody of the principal is not her arraignment. If within seventy-two hours of the iff or confinement in a treatment or mental health		health facility. In making its determination, the court may consider the
<ul> <li>(a) knowledge of the principal's failed attempts to comple court:</li> <li>(b) admission by the principal that he or she is addicted controlled substance;</li> <li>(c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm;</li> <li>(d) a record of the principal's arrests for similar offenses to substance abuse;</li> <li>(e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto.</li> <li>5-b. Upon the commitment of such principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to substance, including recommendations for the continued custody determined by such licensed professional. The principal's custody and within no more than seventy-two hou the completion of such principal shall be provided to the completion. The principal, such are the district attorney's office shall be provided to the seventy-two hou the completion of such principal shall be provided to the principal shall be provided to the principal shall be provided to the cont the cont.</li> <li>5-c. The principal's immediate release from the custody of the principal is needed to evaluation unnecessary deta request the principal's immediate release from the custody of the principal's controlled shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the principal, such are controlled shall be afforded the opportunity for a hea request the principal's request for such hearing, the principal's request for such hearing, the principal's request for such hearing, the principal's needed for the principal's request for such hearing, the principal shall be forowed for the principal shall be for such he</li></ul>		
24 court: (b) admission by the principal that he or she is addicted 25 (c) requests by the principal's immediate family members to h 26 principal in custody to prevent the likelihood of serious harm; 27 (d) a record of the principal's arrests for similar offenses 30 to substance abuse: 31 (e) the arresting officer's testimony of the principal's intox 32 or of witnessing the principal's use of a controlled substance; a 33 (f) the principal's possession of a controlled substance or pos 34 of paraphernalia related thereto. 35 5-b. Upon the commitment of such principal to the custody of th 36 iff, or an available, less restrictive means of confinement and 37 vision, the court shall order a duly licensed professional to it 38 such principal as needed to evaluate the principal's need for tr 39 and/or medications, and to complete an evaluation for addicti 40 controlled substance. Treatment, including but not limited to it 41 tions, shall be provided to the principal without unnecessary de 42 recommended by such licensed professional. The principal's c 44 evaluation, including recommendations for the continued custody 44 principal, immediate release from custody, and any other proposa 45 the care and treatment of such principal shall be provided to th 46 without unnecessary delay and within no more than seventy-two hou 47 the completion of such principal's evaluation. The principal, suc 48 cipal's counsel and the district attorney's office shall be provided to the 49 request the principal's evaluation upon request to the court. 40 5-c. The principal's evaluation upon request to the court. 41 5-c. The principal's immediate release from the custody of the 42 receipt of the principal's request for such heating, the princ 43 request the principal's immediate release from the custody of the 44 receipt of the principal's request for such heating, the princ 45 not brought before a local criminal court, the principal shall be		
(b) admission by the principal that he or she is addicted controlled substance; (c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to if and/or medications, and to complete an evaluation for addicti to controlled substance. Treatment, including but not limited to if the care and treatment of such principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody the care and treatment of such principal shall be provided to the without unnecessary delay and within no more than seventy-two hou the care and treatment of such principal shall be provided to the such principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to the without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, such signal's counsel and the district attorney's office shall be prov for of the principal's immediate release from the custody of the single of the principal's immediate release from the custody of the bis or her arraignment. If within seventy-two hous of the receipt of the principal's immediate release from the custody of the receipt of the principal's immediate relea		
controlled substance: <ul> <li>(c) requests by the principal's immediate family members to h</li> <li>principal in custody to prevent the likelihood of serious harm;</li> <li>(d) a record of the principal's arrests for similar offenses</li> <li>to substance abuse;</li> <li>(e) the arresting officer's testimony of the principal's intox</li> <li>or of witnessing the principal's use of a controlled substance; a</li> <li>(f) the principal's possession of a controlled substance or pos</li> <li>of paraphernalia related thereto.</li> <li>5-b. Upon the commitment of such principal to the custody of th</li> <li>iff, or an available, less restrictive means of confinement and</li> <li>vision, the court shall order a duly licensed professional to:</li> <li>such principal as needed to the principal without unnecessary de</li> <li>recommended by such licensed professional. The principal's c</li> <li>evaluation, including recommendations for the control custody</li> <li>principal, immediate release from custody, and any other proposa</li> <li>the care and treatment of such principal shall be provided to th</li> <li>without unnecessary delay and within no more than seventy-two hou</li> <li>the care and the district attorney's office shall be provided to the</li> <li>gipal's counsel and the district attorney's office shall be provided to the</li> <li>for confinement in a treatment or mental health facility, p</li> <li>his or her arraignment. If within seventy-two hours of the</li> </ul>		
(c) requests by the principal's immediate family members to h principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be provided to the single's counsel and the district attorney's office shall be provided to the completion of such principal's request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ 5 not brought before a local criminal court, the principal shall be		
principal in custody to prevent the likelihood of serious harm; (d) a record of the principal's arrests for similar offenses to substance abuse; (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's evaluation upon request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ 5-d the principal's request for such hearing, the princ 5-d the principal's request for such hearing, the princ 5-d the principal's request for such hearing, the princ		
(d) a record of the principal's arrests for similar offenses to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be		
to substance abuse: (e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's immediate release from the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be		
(e) the arresting officer's testimony of the principal's intox or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to a such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's evaluation upon request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the iff or confinement in a treatment or such hearing, the princ to brought before a local criminal court, the principal shall be	49	(d) a record of the principal's arrests for similar offenses related
or of witnessing the principal's use of a controlled substance; a (f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov gopy of the principal's evaluation upon request to the court. 5-c. The principal's evaluation upon request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the iff or confinement in a treatment or such hearing, the princ to brought before a local criminal court, the principal shall be		
(f) the principal's possession of a controlled substance or pos of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ 5 not brought before a local criminal court, the principal shall be	30	to substance abuse;
of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31	to substance abuse; (e) the arresting officer's testimony of the principal's intoxication
5-b. Upon the commitment of such principal to the custody of th iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ pot brought before a local criminal court, the principal shall be	30 31 32	to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and
iff, or an available, less restrictive means of confinement and vision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the siff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33	to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession
yision, the court shall order a duly licensed professional to such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 5-c. The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto.</pre>
such principal as needed to evaluate the principal's need for tr and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 <u>5-c</u> . The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ 51 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher-</pre>
and/or medications, and to complete an evaluation for addicti controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 5-c. The principal's immediate release from the custody of the request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super-</pre>
controlled substance. Treatment, including but not limited to tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor</pre>
tions, shall be provided to the principal without unnecessary de recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 <u>5-c</u> . The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment</pre>
42 recommended by such licensed professional. The principal's c evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 5-c. The principal's immediate release from the custody of the sift or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a</pre>
evaluation, including recommendations for the continued custody principal, immediate release from custody, and any other proposa the care and treatment of such principal shall be provided to th without unnecessary delay and within no more than seventy-two hou the completion of such principal's evaluation. The principal, suc cipal's counsel and the district attorney's office shall be prov copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea request the principal's immediate release from the custody of the iff or confinement in a treatment or mental health facility, p his or her arraignment. If within seventy-two hours of the receipt of the principal's request for such hearing, the princ not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica-</pre>
44 principal, immediate release from custody, and any other proposa 45 the care and treatment of such principal shall be provided to th 46 without unnecessary delay and within no more than seventy-two hou 47 the completion of such principal's evaluation. The principal, suc 48 cipal's counsel and the district attorney's office shall be prov 49 copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as</pre>
45 the care and treatment of such principal shall be provided to th 46 without unnecessary delay and within no more than seventy-two hou 47 the completion of such principal's evaluation. The principal, suc 48 cipal's counsel and the district attorney's office shall be prov 49 copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete</pre>
46 without unnecessary delay and within no more than seventy-two hou 47 the completion of such principal's evaluation. The principal, suc 48 cipal's counsel and the district attorney's office shall be prov 49 copy of the principal's evaluation upon request to the court. 50 <u>5-c.</u> The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such</pre>
47 the completion of such principal's evaluation. The principal, suc 48 cipal's counsel and the district attorney's office shall be prov 49 copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44	to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for
48 cipal's counsel and the district attorney's office shall be prov 49 copy of the principal's evaluation upon request to the court. 50 <u>5-c.</u> The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court</pre>
49 copy of the principal's evaluation upon request to the court. 50 5-c. The principal shall be afforded the opportunity for a hea 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 5 46	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from</pre>
50 <u>5-c. The principal shall be afforded the opportunity for a hea</u> 51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin-</pre>
51 request the principal's immediate release from the custody of the 52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a</pre>
52 iff or confinement in a treatment or mental health facility, p 53 his or her arraignment. If within seventy-two hours of the 54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon request to the court.</pre>
53 <u>his or her arraignment. If within seventy-two hours of the</u> 54 <u>receipt of the principal's request for such hearing, the princ</u> 55 <u>not brought before a local criminal court, the principal shall be</u>	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 9 50	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon request to the court. 5-c. The principal shall be afforded the opportunity for a hearing to</pre>
54 receipt of the principal's request for such hearing, the princ 55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 9 50 51	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon request to the court. S-c. The principal shall be afforded the opportunity for a hearing to request the principal's immediate release from the custody of the sher-</pre>
55 not brought before a local criminal court, the principal shall be	30 31 32 33 34 35 36 37 38 39 40 41 243 44 56 47 48 950 51 52	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon reguest to the court. 5-c. The principal shall be afforded the opportunity for a hearing to request the principal's immediate release from the custody of the sher- iff or confinement in a treatment or mental health facility, prior to</pre>
	30 31 32 33 34 35 36 37 38 39 40 41 23 44 45 46 47 48 95 1 52 53	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon request to the court. 5-c. The principal shall be afforded the opportunity for a hearing to request the principal's immediate release from the custody of the sher- iff or confinement in a treatment or mental health facility, prior to his or her arraignment. If within seventy-two hours of the court's distributed to the court's of the court's soft the court's soft the court's soft the court's soft the sher- iff or continement.</pre>
	30 31 32 33 34 35 36 37 38 30 41 23 44 45 46 47 48 9 51 253 54	<pre>to substance abuse; (e) the arresting officer's testimony of the principal's intoxication or of witnessing the principal's use of a controlled substance; and (f) the principal's possession of a controlled substance or possession of paraphernalia related thereto. 5-b. Upon the commitment of such principal to the custody of the sher- iff, or an available, less restrictive means of confinement and super- vision, the court shall order a duly licensed professional to monitor such principal as needed to evaluate the principal's need for treatment and/or medications, and to complete an evaluation for addiction to a controlled substance. Treatment, including but not limited to medica- tions, shall be provided to the principal without unnecessary delay, as recommended by such licensed professional. The principal's complete evaluation, including recommendations for the continued custody of such principal, immediate release from custody, and any other proposals for the care and treatment of such principal shall be provided to the court without unnecessary delay and within no more than seventy-two hours from the completion of such principal's evaluation. The principal, such prin- cipal's counsel and the district attorney's office shall be provided a copy of the principal's evaluation upon reguest to the court. 5-c. The principal shall be afforded the opportunity for a hearing to request the principal's immediate release from the custody of the sher- iff or confinement in a treatment or mental health facility, prior to</pre>

ment facility or mental health facility and served an appearance ticket. 1 The principal shall be entitled to introduce his or her controlled 2 3 substance evaluation including any recommendations made by a licensed 4 physician that principal should not be held in custody of the sheriff or 5 confined at a treatment or mental health facility and that the principal б is not in substantial risk for substance abuse, or there is not a likelihood of serious harm to the principal upon his or her release from 7 8 custody. The court shall consider the principal's complete evaluation 9 including treatment recommendations, record of arrests, convictions and 10 any record of participation in any drug court and shall decide whether 11 to immediately release such principal from the custody of the sheriff or confinement in a treatment facility or mental health facility, or to 12 13 remand the principal to the custody of the sheriff or confinement in a 14 treatment facility or mental health facility for the remainder of the 15 principal's fifteen day period of custody or confinement. 16 § 3. The opening paragraph and subparagraphs (i), (viii) and (ix) of paragraph (b) of subdivision 1 of section 530.20 of the criminal proce-17 18 dure law, as added by section 16 of part JJJ of chapter 59 of the laws 19 of 2019, are amended and a new subparagraph (x) is added to read as 20 follows: 21 Where the principal stands charged with a qualifying offense, the 22 court, unless otherwise prohibited by law, may in its discretion release the principal pending trial on the principal's own recognizance or under 23 non-monetary conditions, fix bail, or, where the defendant is charged 24 25 with a qualifying offense [which is a felony], the court may commit the 26 principal to the custody of the sheriff. The court shall explain its 27 choice of release, release with conditions, bail or remand on the record or in writing. A principal stands charged with a qualifying offense when 28 29 he or she stands charged with: 30 (i) a felony enumerated in section 70.02 of the penal law[, other than 31 burglary in the second degree as defined in subdivision two of section 32 140.25 of the penal law or robbery in the second degree as defined in 33 subdivision one of section 160.10 of the penal law]; (viii) criminal contempt in the second degree as defined in subdivi-34 35 sion three of section 215.50 of the penal law, criminal contempt in the first degree as defined in subdivision (b), (c) or (d) of section 215.51 36 of the penal law or aggravated criminal contempt as defined in section 37 215.52 of the penal law, and the underlying allegation of such charge of 38 39 criminal contempt in the second degree, criminal contempt in the first degree or aggravated criminal contempt is that the defendant violated a 40 41 duly served order of protection where the protected party is a member of 42 the defendant's same family or household as defined in subdivision one 43 of section 530.11 of this article; [er] 44 (ix) facilitating a sexual performance by a child with a controlled 45 substance or alcohol as defined in section 263.30 of the penal law, use 46 of a child in a sexual performance as defined in section 263.05 of the 47 penal law or luring a child as defined in subdivision one of section 120.70 of the penal law[-]; or 48 49 (x) a controlled substance offense as defined in article two hundred twenty of the penal law. 50 51 § 4. Subdivision 1 of section 530.20 of the criminal procedure law is 52 amended by adding three new paragraphs (e), (f) and (g) to read as 53 follows:

54 <u>(e) Notwithstanding the provisions of paragraphs (a) and (b) of this</u> 55 <u>subdivision, the court may, in its discretion, commit the principal to</u> 56 <u>the custody of the sheriff for a period of no more than fifteen days, if</u>

1	such principal has a substantial wish of continued substance shuge and
1	such principal has a substantial risk of continued substance abuse and
2	there is a likelihood of serious harm to such principal and there exists no alternative less restrictive means available to confine or supervise
3	
4	such principal in order to prevent the principal's substantial risk of
5	continued substance abuse upon release from custody. Alternative and
6	less restrictive means of confinement and supervision shall mean avail-
7	able immediate commitment of such principal in a state licensed
8	substance abuse treatment center, drug rehabilitation center or mental
9	health facility. In making its determination, the court may consider the
10	following factors, including but not limited to:
11	(i) knowledge of the principal's failed attempts to complete drug
12	<u>court;</u>
13	(ii) admission by the principal that he or she is addicted to a
14	controlled substance;
15	(iii) requests by the principal's immediate family members to hold the
16	principal in custody to prevent the likelihood of serious harm;
17	(iv) a record of the principal's arrests for similar offenses related
18	to substance abuse;
19	(v) the arresting officer's testimony of witnessing the principal's
20	use of a controlled substance; and
21	(vi) the principal's possession of a controlled substance or
22	possession of paraphernalia related thereto.
23	(f) Upon the commitment of such principal to the custody of the sher-
24	iff, or an available, less restrictive means of confinement and super-
25	vision, the court shall order a duly licensed professional to monitor
26	such principal as needed to evaluate the principal's need for treatment
27	and/or medications, and to complete an evaluation for addiction to a
28	controlled substance. Treatment, including but not limited to medica-
29	tions, shall be provided to the principal without unnecessary delay, as
30	recommended by such licensed professional. The principal's complete
31	evaluation, including recommendations for the continued custody of such
32	principal, immediate release from custody, and any other proposals for
33	the care and treatment of such principal shall be provided to the court
34	without unnecessary delay and within no more than seventy-two hours from
35	the completion of such principal's evaluation. The principal, such prin-
36	cipal's counsel and the district attorney's office shall be provided a
37	copy of the principal's evaluation upon request to the court.
38	(g) The principal shall be afforded the opportunity for a hearing to
39	request the principal's immediate release from the custody of the sher-
40	iff or confinement in a treatment or mental health facility, prior to
41	his or her arraignment. If within seventy-two hours of the court's
42	receipt of the principal's request for such hearing, the principal is
43	not brought before a local criminal court, the principal shall be imme-
44	diately released from the sheriff's custody or confinement in a treat-
45	ment facility or mental health facility and served an appearance ticket.
46	The principal shall be entitled to introduce his or her controlled
47	substance evaluation including any recommendations made by a licensed
48	physician that principal should not be held in custody of the sheriff or
49	confined at a treatment or mental health facility and that the principal
50	is not in substantial risk for substance abuse, or there is not a like-
51	lihood of serious harm to the principal upon his or her release from
52	custody. The court shall consider the principal's complete evaluation
53	including treatment recommendations, record of arrests, convictions and
54	any record of participation in any drug court and shall decide whether
55	to immediately release such principal from the custody of the sheriff or
56	confinement in a treatment facility or mental health facility, or to

remand the principal to the custody of the sheriff or confinement in a 1 treatment facility or mental health facility for the remainder of the 2 3 principal's fifteen day period of custody or confinement. 4 § 5. The opening paragraph and paragraphs (a), (h) and (i) of subdivi-5 sion 4 of section 530.40 of the criminal procedure law, as added by б section 18 of part JJJ of chapter 59 of the laws of 2019, are amended 7 and a new paragraph (j) is added to read as follows: 8 Where the principal stands charged with a qualifying offense, the 9 court, unless otherwise prohibited by law, may in its discretion release 10 the principal pending trial on the principal's own recognizance or under 11 non-monetary conditions, fix bail, or, where the defendant is charged with a qualifying offense [which is a felony], the court may commit the 12 13 principal to the custody of the sheriff. The court shall explain its 14 choice of release, release with conditions, bail or remand on the record 15 or in writing. A principal stands charged with a qualifying offense for 16 the purposes of this subdivision when he or she stands charged with: 17 (a) a felony enumerated in section 70.02 of the penal law[, other than burglary in the second degree as defined in subdivision two of section 18 140.25 of the penal law or robbery in the second degree as defined in 19 20 subdivision one of section 160.10 of the penal law]; 21 (h) criminal contempt in the second degree as defined in subdivision 22 three of section 215.50 of the penal law, criminal contempt in the first degree as defined in subdivision (b), (c) or (d) of section 215.51 of 23 the penal law or aggravated criminal contempt as defined in section 24 25 215.52 of the penal law, and the underlying allegation of such charge of 26 criminal contempt in the second degree, criminal contempt in the first 27 degree or aggravated criminal contempt is that the defendant violated a duly served order of protection where the protected party is a member of 28 29 the defendant's same family or household as defined in subdivision one 30 of section 530.11 of this article; [er] 31 (i) facilitating a sexual performance by a child with a controlled 32 substance or alcohol as defined in section 263.30 of the penal law, use 33 of a child in a sexual performance as defined in section 263.05 of the penal law or luring a child as defined in subdivision one of section 34 35 120.70 of the penal law[+]; or 36 (j) a controlled substance offense as defined in article two hundred 37 twenty of the penal law. 38 § 6. Section 530.40 of the criminal procedure law is amended by adding 39 three new subdivisions 5-a, 5-b and 5-c to read as follows: 40 5-a. Notwithstanding the provisions of subdivisions three and four of 41 this section, the court may, in its discretion, commit the principal to 42 the custody of the sheriff for a period of no more than fifteen days, if such principal has a substantial risk of continued substance abuse and 43 44 there is a likelihood of serious harm to such principal and there exists 45 no alternative less restrictive means available to confine or supervise 46 such principal in order to prevent the principal's substantial risk of 47 continued substance abuse upon release from custody. Alternative and less restrictive means of confinement and supervision shall mean avail-48 able immediate commitment of such principal in a state licensed 49 substance abuse treatment center, drug rehabilitation center or mental 50 51 health facility. In making its determination, the court may consider the 52 following factors, including but not limited to: 53 (a) knowledge of the principal's failed attempts to complete drug 54 court; (b) admission by the principal that he or she is addicted to a 55

56 controlled substance;

1	(c) requests by the principal's immediate family members to hold the
2	principal in custody to prevent the likelihood of serious harm;
3	(d) a record of the principal's arrests for similar offenses related
4	to substance abuse;
5	(e) the arresting officer's testimony of the principal's intoxication
б	or of witnessing the principal's use of a controlled substance; and
7	(f) the principal's possession of a controlled substance or possession
8	<u>of paraphernalia related thereto.</u>
9	5-b. Upon the commitment of such principal to the custody of the sher-
10	iff, or an available, less restrictive means of confinement and super-
11	vision, the court shall order a duly licensed professional to monitor
12	such principal as needed to evaluate the principal's need for treatment
13	and/or medications, and to complete an evaluation for addiction to a
14	controlled substance. Treatment, including but not limited to medica-
15	tions, shall be provided to the principal without unnecessary delay, as
16	recommended by such licensed professional. The principal's complete
17	evaluation, including recommendations for the continued custody of such
18	principal, immediate release from custody, and any other proposals for
19	the care and treatment of such principal shall be provided to the court
20	without unnecessary delay and within no more than seventy-two hours from
21	the completion of such principal's evaluation. The principal, such prin-
22	cipal's counsel and the district attorney's office shall be provided a
23	copy of the principal's evaluation upon request to the court.
24	5-c. The principal shall be afforded the opportunity for a hearing to
25	request the principal's immediate release from the custody of the sher-
26	iff or confinement in a treatment or mental health facility, prior to
27	his or her arraignment. If within seventy-two hours of the court's
28	receipt of the principal's request for such hearing, the principal is
29	not brought before a local criminal court, the principal shall be imme-
30	diately released from the sheriff's custody or confinement in a treat-
31	ment facility or mental health facility and served an appearance ticket.
32	The principal shall be entitled to introduce his or her controlled
33	substance evaluation including any recommendations made by a licensed
34	physician that principal should not be held in custody of the sheriff or
35	confined at a treatment or mental health facility and that the principal
36	is not in substantial risk for substance abuse, or there is not a like-
37	lihood of serious harm to the principal upon his or her release from
38	custody. The court shall consider the principal's complete evaluation
39	including treatment recommendations, record of arrests, convictions and
40	any record of participation in any drug court and shall decide whether
41	to immediately release such principal from the custody of the sheriff or
42	confinement in a treatment facility or mental health facility, or to
43	remand the principal to the custody of the sheriff or confinement in a
44	treatment facility or mental health facility for the remainder of the
45	principal's fifteen day period of custody or confinement.
46	§ 7. Subparagraph (ii) of paragraph (g) and paragraph (h) of subdivi-
47	sion 1 of section 510.30 of the criminal procedure law, as amended by
48	section 5 of part JJJ of chapter 59 of the laws of 2019, are amended and
49	a new paragraph (i) is added to read as follows:
50 E 1	(ii) the principal's history of use or possession of a firearm; [and]
51 52	(h) If the principal is a defendant, in the case of an application for
52 52	a securing order pending appeal, the merit or lack of merit of the
53 E4	appeal[+]; and
54 55	(i) Whether the principal has a substantial risk of continued
55 56	substance abuse and there is a likelihood of serious harm to such prin-
סכ	cipal and there exists no alternative less restrictive means available

1	to confine or supervise such principal in order to prevent the princi-
2	pal's substantial risk of continued substance abuse upon release from
3	custody. Alternative and less restrictive means of confinement and
4	supervision shall mean available immediate commitment of such principal
5	in a state licensed substance abuse treatment center, drug rehabili-
6	tation center or mental health facility. In making its determination,
7	the court may consider the following factors, including but not limited
8	to:
9	(i) knowledge of the principal's failed attempts to complete drug
10	<u>court;</u>
11	(ii) admission by the principal that he or she is addicted to a
12	controlled substance;
13	(iii) requests by the principal's immediate family members to hold the
14	principal in custody to prevent the likelihood of serious harm;
15	(iv) a record of the principal's arrests for similar offenses related
16	to substance abuse;
17	(v) the arresting officer's testimony of witnessing the principal's
18	use of a controlled substance; and
19	(vi) the principal's possession of a controlled substance or
20	possession of paraphernalia related thereto.
21	§ 8. Section 140.20 of the criminal procedure law is amended by adding
22	a new subdivision 9 to read as follows:
23	9. If after arresting a person, for any offense, a police officer
24	reasonably believes the arrested person is likely addicted to a
25	controlled substance, such arrested person may be temporarily held in
26	
26	custody but must be brought before a local criminal court without unnec-
26 27	essary delay for a determination of whether the arrested person should
	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of
27	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or
27 28	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter-
27 28 29	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled
27 28 29 30	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon
27 28 29 30 31	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following
27 28 29 30 31 32 33 34	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to:
27 28 29 30 31 32 33 34 35	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated
27 28 29 30 31 32 33 34 35 36	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and
27 28 29 30 31 32 33 34 35 36 37	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or
27 28 29 30 31 32 33 34 35 36 37 38	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station;
27 28 29 30 31 32 33 34 35 36 37 38 39	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a
27 28 29 30 31 32 33 34 35 36 37 38 39 40	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance;</pre>
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members,</pre>
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42	essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo-
27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm;</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 33\\ 34\\ 35\\ 36\\ 37\\ 38\\ 39\\ 40\\ 41\\ 42\\ 43\\ 44\end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm; (d) knowledge of the arrested person's record of arrests for similar</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 33\\ 35\\ 36\\ 37\\ 38\\ 40\\ 41\\ 42\\ 43\\ 44\\ 45\end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm; (d) knowledge of the arrested person's record of arrests for similar offenses directly related to substance abuse;</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 34\\ 35\\ 36\\ 37\\ 39\\ 41\\ 423\\ 44\\ 45\\ 46\end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm; (d) knowledge of the arrested person's record of arrests for similar offenses directly related to substance abuse; (e) the arresting officer witnessed the arrested person use a</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 34\\ 35\\ 36\\ 37\\ 39\\ 41\\ 42\\ 44\\ 45\\ 44\\ 45\\ 47\end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm; (d) knowledge of the arrested person's record of arrests for similar offenses directly related to substance abuse; (e) the arresting officer witnessed the arrested person use a controlled substance; and</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 31\\ 32\\ 34\\ 35\\ 37\\ 39\\ 41\\ 42\\ 44\\ 45\\ 47\\ 48\end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrests for similar offenses directly related to substance abuse; (e) the arresting officer witnessed the arrested person use a controlled substance; (e) the arresting officer witnessed the arrested person use a controlled substance; and (f) the arresting officer found the arrested person in possession of a</pre>
$\begin{array}{c} 27\\ 28\\ 30\\ 31\\ 32\\ 34\\ 36\\ 78\\ 90\\ 42\\ 44\\ 45\\ 47\\ 49\\ 49\\ \end{array}$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrested person in custo- dy in order to prevent the likelihood of serious harm; (d) knowledge of the arrested person's record of arrests for similar offenses directly related to substance abuse; (e) the arresting officer witnessed the arrested person use a controlled substance; and (f) the arresting officer found the arrested person in possession of a controlled substance or paraphernalia related thereto at the time of the</pre>
$\begin{array}{c} 27\\ 28\\ 29\\ 30\\ 32\\ 33\\ 35\\ 37\\ 39\\ 41\\ 43\\ 445\\ 47\\ 48\\ 48\\ 48\\ 48\\ 48\\ 48\\ 48\\ 48\\ 48\\ 48$	<pre>essary delay for a determination of whether the arrested person should be committed to the custody of the sheriff under subdivision five-a of section 510.10, paragraph (e) of subdivision one of section 530.20 or subdivision five-a of section 530.40 of this chapter. In making a deter- mination that the arrested person is likely addicted to a controlled substance and is at substantial risk for continued substance abuse upon release from custody, a police officer may consider the following factors, including but not limited to: (a) the arrested person appears intoxicated, impaired or incapacitated at the time of the arrest, or in the hours following the arrest and while the arrested person is in the custody of the arresting officers or while physically present at the police station; (b) admission by the arrested person that he or she is addicted to a controlled substance; (c) requests by the arrested person's known immediate family members, or fellow residential cohabitants, to hold the arrests for similar offenses directly related to substance abuse; (e) the arresting officer witnessed the arrested person use a controlled substance; (e) the arresting officer witnessed the arrested person use a controlled substance; and (f) the arresting officer found the arrested person in possession of a</pre>