

Crown Eligibility Criteria:

The Crown will consider all relevant information when determining the Applicant's eligibility for participation in the Calgary Drug Treatment Court (CDTC) program.

Mandatory Criteria:

The following pre-conditions must be present for an accused to participate in the CDTC:

1. Must be 18 years of age or older.
2. All outstanding charges in Alberta must be waived into Calgary and form part of the CDTC application.
3. A Treatment Assessment completed by the CDTC Treatment team has indicated that the Applicant is suitable for participation in the CDTC program. The Treatment Assessment must also confirm that the Applicant is addicted to a Schedule I controlled substance; and
4. Crown Counsel, after applying the Screening Criteria listed below, has approved the Applicant for participation in CDTC.

Upon meeting the above criteria, the CDTC Team as a whole will determine if the Applicant will be accepted in to the CDTC program. The suitability and availability of current CDTC resources and treatment options may impact this decision.

Crown Screening Criteria:

The Crown will consider all factors including, but not limited to, the following in deciding to approve or disapprove an application for participation in CDTC. The presence of any one of the following factors may result in non-approval for the CDTC program:

1. Whether the Applicant is charged with a serious violent offence.
2. Whether the Applicant has a recent and/or significant history of violence.
3. Whether the Applicant possessed, used, or threatened to use a weapon during the commission of the offence(s).
4. Whether the Applicant is subject to an enforceable removal order due to "serious criminality" under the Immigration and Refugee Protection Act.
5. Whether the Applicant is a member or associate of a gang or criminal organization.
6. Whether the commission of the offence involves a person < 18 years of age, or at/in/near a location ordinarily frequented by a person < 18 years.
7. Whether the commission of the offence(s) was unrelated to an addiction to a Schedule I controlled substance or primarily for commercial gain/profit.

8. Whether the likely sentence imposed on the offence(s) would be less than 6 months imprisonment or more than 5 years (and prioritizing those facing between 1 and 4.5 years)¹.
9. Whether the Applicant is currently serving a community-based sentence (i.e., CSO, intermittent sentence or probation).
10. Whether the Applicant has been expelled, withdrawn, or graduated from CDTC or a similar drug treatment court program within the last 12 months.

¹ Since 2018, Calgary DTC has been piloting removal of the 5-years upper limit, with positive reception to date.