

## Introduction

Student-Athletes (SAs) are under a tremendous amount of pressure to perform in all aspects of their lives. Whether in high school or college, SAs are expected to do well both in the classroom and in their respective sport. Failure in their academic, athletic or personal lives is usually not acceptable to them or their families. However, like all other people, SAs do make bad decisions and take risks, and sometimes their bad decisions or risky behavior result in an arrest, a conviction or, worse yet, a jail term.

The purpose of this guide is to provide you, your family and your coach with information that will help you avoid making the bad decisions that may result in an arrest and possible criminal conviction. In making presentations to SAs and representing them in criminal cases, I have learned that they want to know what type of “legal trouble” can be expected if they engage in certain types of conduct or risky behavior. For example, they want to know what may happen if they are arrested for DWI or have an illegal sexual relationship with a minor.

This guide, for the most part, addresses how cases are handled in the criminal justice system and the consequences that can be expected in criminal court. It does not provide detailed information on how a school is likely to handle an SA with a criminal problem or describe what sanctions a college student could expect the N.C.A.A. to take following an arrest or criminal conviction. For more information on these topics, you are encouraged to review your school’s student handbook, any information – such as a code of conduct – provided to you by your team, and, if appropriate, the N.C.A.A.’s regulations.

Many times, until you are informed of the legal consequences, you have no idea how serious an impact your “bad” decision could have on your personal life, academic life and sport’s career. This guide is intended to make you aware of some of these consequences. I want you to think about everything that you could lose, including your continued eligibility to play your sport once you go down the “criminal path.” This decision may have irreversible consequences to you.

In this guide, we provide you with an overview of some of the criminal consequences that could occur should you be arrested for certain conduct. I encourage you to look at the table of contents and study the types of criminal conduct that are covered. Each topic is covered in a very brief fashion so that it can be read quickly. This is not a law book; it is merely intended to familiarize you with the criminal conduct and some of the potential legal consequences if you are convicted. You may want to discuss some of the contents with other players on your team or your coach. If you find yourself in legal trouble, you should consult an attorney.

In most cases involving SAs, their criminal conduct is connected with either the excessive use of alcohol or some type of illegal drug. As a result, this guide covers the consequences

for such conduct by using New York law. The law may be different in other states, although conduct that is illegal in New York State will almost certainly be illegal anywhere in the U.S. Additionally, this guide provides a summary of how the criminal justice system operates if you are arrested. It reviews how a case is prosecuted from arrest through appeal. This information should clarify for you the tremendous risk you are taking if you make a decision to engage in criminal conduct. It should also help you understand the amount of time that will be taken away from your sport and your studies, the possible consequences to your teammates for your behavior, the financial costs associated with an arrest, and the possible restrictions on your freedom.

Once in the criminal justice system, SAs and their parents often ask me what could have been done to avoid getting arrested or suffering a conviction. As in all other aspects of their lives, SAs usually want to be organized and do the right thing. Included in the second part of this manual are several suggestions that you may find helpful when trying to stay out of trouble. While some of these comments may seem obvious, they are sound ideas that will be helpful to remember if you wish to avoid becoming a defendant in a criminal case.

We are always interested in improving the contents of this guide. If the SA or any other reader has a suggestion, please contact us with the idea.