

5th Judicial Circuit Court

Vermilion County

Drug Court Handbook



It is the mission of the Vermilion County Drug Court to enhance public safety and reduce recidivism. This is accomplished by diverting people with substance abuse disorders charged with a criminal offense from the Criminal Justice System to Drug Court for appropriate treatment and enhanced access to support services. In so doing, the individual's quality of life will be greatly enhanced. Increased public safety will be afforded to the citizens of Vermilion County and a substantial cost savings will be realized as there will no longer be inappropriate involvement of persons with substance abuse disorders in the criminal justice system

Introduction

Welcome to the Vermilion County Drug Court Program. This handbook is very important to your participation in the Drug Court Program. *You must follow the rules and expectations in this manual as well as the orders of the Judge in order to maintain compliance.* If you do not follow these rules, you may be subject to sanctions including, but not limited to, dismissal from the program or incarceration in the Vermilion County Correctional Center.

The purpose of this handbook is to provide you with general program related information and outline your expectations while in the Drug Court Program. If you have questions about this or any other part of the Drug Court Program, please contact the Drug Court Coordinator. The coordinator will do his/her best to answer your questions and help to eliminate anything in the way of your success.

Drug Court Program Description

The Drug Court Program serves people who are suffering from serious, treatable substance abuse issues as defined below and who are currently involved in the criminal justice system of Vermilion County. The Drug Court Program may involve the suspension of charges or a plea agreement involving Drug Court as a condition of probation. You are required to participate in treatment as well as judicial supervision. The program is divided into five (5) phases and those who successfully complete the program may have their probation period reduced. The Drug Court Program is voluntary, and you can decide not to be involved at any time. However, if you choose to quit (or obtain a sanctioned dismissal) the traditional court process will resume. If your case is still pre-trial, the case will proceed to trial or plea. If your case is post-sentence, the case may be referred for a petition to revoke probation.

While in the program, you are required to receive ongoing substance abuse treatment along with regular supervision from the Court and Drug Court team. The Drug Court holds you accountable and assists you to achieve long-term stability, become law-abiding citizens and become successful family/community members. Court Supervision will be conducted by way of scheduled and/or unscheduled contacts to your residence, phone contacts and virtual contacts, communication with the treatment provider, workplace, etc. Supervision will be performed by the Probation Officer. While in the Drug Court Program you must abide by all the conditions and rules of the Vermilion County Court. A private attorney or public defender will continue to represent you and your legal interests throughout participation in the Drug Court Program.

Eligibility Criteria, Exclusionary Criteria and Statement of Non-Discrimination

Eligibility Criteria

The Drug Court target population is adult men and women who have a pending felony or misdemeanor cases or have been found guilty of or have pled guilty to felony or misdemeanor cases. To be eligible for Drug Court, you must have a substance abuse dependence diagnosis; be probationable at the time of your application, be assessed by the Problem-Solving Court Team; be assessed by the substance abuse treatment provider; be determined to be moderate to high

likelihood to commit new offenses or violate the terms of supervision; and have moderate to high substance abuse needs using evidence-based screening and assessment tools (score sheets filled out by the Problem Solving Courts Coordinator after meeting with the you for the initial Drug Court interview); reside in Vermilion County at the time of your application and during the course of your participation in the Drug Court Program; be willing to voluntarily sign the Consent to Participate in the Drug Court Program; and be willing to participate in and comply with the treatment and supervision requirements of Drug Court.

Exclusionary Criteria

Individuals who have been convicted of the following crimes within the past 10 years are excluded from eligibility (automatically denied access to the program): first degree murder; second degree murder; predatory criminal sexual assault of a child; aggravated criminal sexual assault; criminal sexual assault; armed robbery; aggravated arson; arson; aggravated kidnapping; kidnapping; aggravated battery resulting in great bodily harm or permanent disability; stalking; aggravated stalking; and any offense involving the discharge of a firearm. If you are currently charged with those offenses or any offense that is non-probationable where the prosecutor is unwilling to amend to a probationable offense are also excluded from eligibility. At this point, the referral process would immediately stop.

Statement of Non-discrimination

It is policy and practice of Drug Court to conduct all aspects of the program without discrimination on the basis of gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. If English is not your primary language, interpreters will be made available.

Specific to this program, enhanced case management and treatment services have been designed to address your individual care needs. Program progress will be conveyed to the Drug Court Team by the treatment providers in a timely manner to allow the Drug Court Team to make modifications where necessary. All community-based providers collaborating on this project have demonstrated knowledge in cultural-specific issues and have familiarity with the needs of offender populations and gender-and age-relevant treatment and recovery supports.

Drug Court Team Members

The Drug Court Team consists of a dedicated Judge, the problem- solving court coordinator, a dedicated prosecutor, a dedicated public defender, dedicated probation officers, a clinical assessor, treatment providers, and at times private counsel. The Drug Court Team will complete 10 hours of training per year with 4 hours to be conducted in a Drug Court Team environment. Team member descriptions and responsibilities are set forth as follows.

Judge

The Drug Court Judge serves as the leader of the Drug Court Team. The Drug Court Judge is the member of the team responsible for setting the tone and environment for Drug Court, and must provide leadership, authority, and management skills to enable Drug Court to operate effectively. It is the Drug Court Judge's responsibility to ensure that you understand the requirements of Drug Court, including those set forth in the Consent to Participate prior to signing the Consent to Participate and that you are competent and entering the program voluntarily. The Judge will have you sign the Consent to Participate in Drug Court at your initial Drug Court hearing. To carry out his/her duties, the Drug Court Judge must participate in all team staffing's and shall consider input from the other team members in evaluating a response to your compliance or non-compliance with supervision and treatment requirements. This participation is permissible pursuant to Supreme Court Rule 63. While the Drug Court Judge must consider the input from all of the members of the team, it is his/her final responsibility to determine what response is appropriate for you. In court, it is the Drug Court Judge who presents you with the team's staffing decisions and allows you to address the response with the court. These responses are designed to encourage or reinforce your progress or to discourage and deter your non-compliance. The Judge administers incentives, sanctions and therapeutic adjustments per *Illinois Standards* 8.3. The Drug Court Judge shall ensure that Drug Court responses to your behavior are predictable, fair, consistent, and unbiased and that you are treated with respect and is given the opportunity to be heard. The Judge attends all case staffing and status hearing and has the ultimate final decision in the Drug Court Program .

Problem-Solving Courts Probation Team

The Problem-Solving Court Probation Team is responsible for overseeing the Drug Court Program under the direct supervision of the Drug Court Judge but also at the direction of the Chief Judge. The Problem-Solving Court Probation Team advocates for incentives, sanctions and therapeutic adjustments as per *Illinois Standards* 8.3. The Drug Court Probation Team is required to attend all staffing's and Drug Court proceedings. The Problem-Solving Court Probation Team is divided into three parts, including:

Problem-Solving Courts Coordinator

The Problem-Solving Coordinator oversees the day-to-day operations of Drug Court and Problem-Solving Courts administration responsibilities for Drug Court. Those responsibilities include monitoring the referral and intake processes to ensure the early identification and enrollment of Drug Court candidates; supervision of the collection and reporting of Drug Court data; community education and public relations; and coordinating continuing education opportunities for the Drug Court team. The Problem-Solving Courts Coordinator acts as the central contact for any questions. The Problem-Solving Courts Coordinator is also responsible for tracking all statistical data. The Problem-Solving Courts Coordinator will receive the application for Drug Court; will refer your case to the appropriate treatment provider for a substance abuse evaluation and/or a mental health evaluation and provide your application to the Problem-Solving Courts Assessor for preparation of a report to the Drug Court Team.

The Problem-Solving Court Probation Team is responsible for collecting records, ensuring a copy of records and reports is provided to all of the team members and participates in the staffing of the referred case with the Drug Court team to determine eligibility, acceptance and entry into the Drug Court Program. The Problem-Solving Courts Coordinator advocates for incentives, sanctions and therapeutic adjustments as per *Illinois Standards* 8.3. The Problem-Solving Courts Coordinator is required to attend all staffing's and Drug Court proceedings

Problem-Solving Courts Probation Assessor

The Problem-Solving Courts Assessor will interview you the day of the referral if time allows, will schedule an appointment with you for the assessment interview or meet with you at the jail. At that time, a copy of the Drug Court handbook will be provided to you and will have you sign any necessary releases to obtain information needed for the preparation of a report for the Drug Court team to review. The Problem-Solving Court Probation Assessor will conduct a criminal history report for the Drug Court team and ensure all members received a copy of the report for staffing. The Problem-Solving Court Probation Assessor is responsible for collecting records, providing a copy to all of the team members and staffing the referred case with the Drug Court team to determine eligibility, acceptance and entry into the Drug Court Program.

Problem-Solving Courts Probation Officer

The Drug Court Probation Officer is primarily responsible for overseeing your compliance with the requirements of Drug Court supervision and treatment through frequent contact with you and treatment providers and participation in team staffing's and court status hearings. The Vermilion County Probation Department is responsible for the community-based supervision of individuals in the criminal justice system who are on pre-trial conditions of bond or who has been sentenced to court supervision, conditional discharge or probation. The Drug Court Probation Officer has a more integrated working relationship with treatment providers than that of the traditional probation officer and provides assistance to you and the team as needed. The Drug Court Probation Officer makes treatment referrals, explains the terms of Drug Court Probation, including drug testing protocols, conducts home visits, and makes other referrals as needed. The Drug Court Probation Officer is responsible for providing supervision and monitoring cases in accordance with court orders. The Drug Court Probation Officer will conduct supervision by way of in person office contacts; phone contacts; curfew checks; virtual contacts; scheduled/unscheduled contacts to your residence; communication with the treatment provider; contact with an employer; visits to the workplace, etc. The Drug Court Probation Officer will engage you in the process of prioritizing your needs and goals and works with the Drug Court Team to incorporate these recommendations into your treatment plan. The probation officer assigned to your case will complete a case plan and provide a copy to you and all of the team members. The case plan shall be amended upon your progress. The Drug Court Probation Officer provides and reviews the Probation Order, Drug Court Handbook, and calendar book with you. The Drug Court Probation Officer will have you sign receipt of the Probation Order and receipt of the Drug Court Handbook and will have you sign any releases necessary for the monitoring of progress on probation and in the Drug Court Program. The Drug Court Probation Officer meets regularly with you according to your Drug Court Level (or as needed) and communicates with the

Drug Court Team about your progress and compliance with Drug Court through written reports, email, and verbal updates at staffing's and in court. The Drug Court Probation Officer advocates for incentives, sanctions and therapeutic adjustments as per *Illinois Standards* 8.3. The Drug Court Probation Officer is required to attend all staffing's and Drug Court proceedings.

Prosecutor

The role of the prosecutor in Drug Court is non-adversarial and collaborative by design, which is different from the traditional adversarial model in criminal court. The State's Attorney's office can refer your case to the Drug Court Program with a referral application to the Drug Court coordinator. The prosecutor represents the interests of the People of the State of Illinois and ensures that public safety interests and concerns are provided in team staffing discussions. The prosecutor is required to attend all staffing and Drug Court Proceedings. The prosecutor also participates in the collaborative Drug Court process in evaluating your engagement in and compliance with Drug Court in team staffing's and at court sessions. As part of the collaborative team, the prosecutor monitors your progress and makes recommendations regarding appropriate interventions to impact your behavior and compliance with Drug Court requirements. Information the prosecutor receives through the Drug Court Program shall only be used for Drug Court purposes and shall not be disclosed. The prosecutor retains the responsibility to assure your compliance with Drug Court requirements and may initiate adverse proceedings if you are not adhering to the terms of your Drug Court probation and Consent to Participate. The Prosecutor advocates for incentives, sanctions and therapeutic adjustments while ensuring community safety as per *Illinois Standards* 8.3.

Defense Counsel

The role of defense counsel in Drug Court is also very different from the traditional adversarial model in criminal court. The Public Defender or Private Attorney can refer you to the Drug Court Program with a referral application to the Drug Court coordinator. In Drug Court, the Public Defender represents you unless you have privately retained counsel. Then it is joint counsel for you. Before entry into Drug Court, it is defense counsel's responsibility to meet with you to explain Drug Court rules and expectations, your legal rights and how those rights are affected by participation in Drug Court. Defense Counsel must also explain the provisions of the Drug Court Consent to Participate to you prior to the signing of this Consent. Defense counsel must assist you in signing of all court related documents and ensure that you understand all of the provisions of such documents. Upon official enrollment in the Drug Court, privately retained defense counsel must elect whether to continue as counsel for you. If not, the Drug Court Judge appoints the public defender to represent you in Drug Court. Whether you are represented by privately retained defense counsel or the public defender, the responsibility of your attorney is to represent you at team staffing's, attend all Drug Court staffing's and court status hearings, provide input and recommendations to the Drug Court Team, ensure that your due process rights are protected and represent you in any adverse proceedings. The Public Defender/Private Attorney advocates for incentives, sanctions and therapeutic adjustments while ensuring the participants legal rights are protected as per *Illinois Standards* 8.3.

Treatment Providers

Drug Court utilizes a full continuum of treatment services, including outpatient, intensive outpatient, inpatient, long-term inpatient substance abuse treatment and co-occurring treatment. All treatment services are trauma-informed and culturally sensitive. The treatment providers are responsible for providing initial substance abuse assessments. They also provide substance abuse treatment including but not limited to individual, group and family counseling, inpatient and outpatient services, drug testing and report on progress regarding treatment. The treatment provider will provide detailed information to the team and are required to attend all staffing's and Drug Court proceedings. Treatment providers will complete a clinical treatment plan and shall provide a copy to you. This treatment plan shall be amended upon your progress. Treatment providers can and will drug test you. Drug testing is random and at your own expense. A participant's inability to pay will not prohibit program entry, phase advancement or graduation. The treatment provider advocates for incentives, sanctions and therapeutic adjustments as per *Illinois Standards* 8.3.

Rosecrance of Illinois

The Licensed Certified Substance Abuse Counselor(s) is a member of the Drug Court Team. Rosecrance of Illinois is an alternative therapeutic substance abuse treatment provider for you in the Drug Court Program. They advocate for effective incentives, sanctions and therapeutic adjustments while ensuring your needs, as they apply to your individual ongoing substance abuse treatment. The treatment providers are responsible for providing initial mental health and substance abuse assessments. They also provide mental health and substance abuse treatment including but not limited to individual, group, and family counseling, inpatient and outpatient services, drug testing, and reports on progress regarding treatment. Treatment providers can and will drug test you. Drug testing is random and at your expense.

Crosspoint Human Services

As a Licensed Treatment Provider, Crosspoint Human Services is a member of the Drug Court Team. Crosspoint Human Services is the mental health treatment provider for you in the Drug Court Program. Crosspoint advocates for effective incentives, sanctions and therapeutic adjustments while ensuring your therapeutic needs, as they apply to your mental health, case management and/or housing needs. Crosspoint provides therapy and care coordination services and acts as a liaison between you and all Crosspoint Human Services department and programs to ensure coordinated service delivery.

Referral, Assessment and Enrollment

Referral

Individuals may be referred to Drug Court by any person, including judges, attorneys, treatment professionals, or at your own request. A Problem-Solving Courts Referral Form must be completed and forwarded to the Problem-Solving Courts staff to begin the assessment process. Upon receipt of the completed referral form, the Problem-Solving Court Coordinator immediately pre-screens you for eligibility by reviewing your criminal history, current charge(s) and any other records available to determine if any exclusionary criteria may apply.

Assessment

The Drug Court Probation Team will interview you upon receipt of the application and/or the day of referral if time allows, will schedule an appointment with you for the assessment interview or meet with you at the jail. At that time, a review of the handbook will be provided to you. The Drug Court Probation Team will have you sign a receipt of the handbook and any necessary releases to obtain information needed for the preparation of a report for the Drug Court team to review, including the Consent for Release/Disclosure of Confidential Information. The Drug Court Probation Team will conduct a criminal history report for the Drug Court team and will perform an ARA assessment tool to determine the level of risk/needs for your individualized plan to determine eligibility for the Drug Court Program. The Drug Court Team will then refer your case to the appropriate treatment provider for a substance abuse evaluation and/or mental health evaluation for an assessment and collect the report for his/her records. The Drug Court Probation Team is responsible for collecting records, providing a copy to all of the team members and staffing the referred case with the Drug Court team to determine eligibility, acceptance and entry into the Drug Court Program.

Rosecrance of Illinois will conduct the following assessments with you when you are referred to their agency for your participation in the Drug Court Program:

Substance abuse assessments are conducted by a master's degree clinician (master's is required) with either a certification (such as Certified Alcohol and Drug Counselor) or a license (such as Licensed Professional Counselor, Licensed Social Worker, Licensed Clinical Professional Counselor, or Licensed Clinical Social Worker). There is a structured interview, and the clinician collects all relevant information for a diagnostic impression. The information is evaluated to determine a substance use disorder and the severity of the disorder. The standards used to conduct clinical assessments and to evaluate treatment levels of care are based on two standardized tools. The first is the Diagnostic and Statistical Manual-Fifth Edition (DSM-5), which is used to obtain a diagnostic impression for any substance use disorder. The second tool is the American Society of Addiction Medicine (ASAM) Criteria multidimensional assessment (MDA). Information is obtained through a structured interview in 6 areas, including mental health history. The MDA dimensions include Dimension 1: Acute intoxication and/or withdrawal potential; Dimension 2: Biomedical conditions and complications; Dimension 3: Emotional/Behavioral or Cognitive conditions/complications; Dimension 4: Readiness to change; Dimension 5: Relapse/Continued use or continued problem potential; and Dimension 6:

Recovery/Living Environment. There is an evaluation score in each dimension, which is used to identify treatment levels of care (ex. Outpatient, Intensive Outpatient, Inpatient). Treatment Services are provided using client-centered approaches and evidence-based practices including Brief Intervention (Substance Abuse Mental Health Services Administration- SAMHSA- Tip 34), which integrates the use of other proven therapies such as Trauma Informed Care, Cognitive Behavioral Therapy (CBT); Art Therapy, Dialectical Behavioral Therapy (DBT) and Motivational Enhancement Therapy (MET).

Enrollment

The Drug Court Team reviews and discusses the assessment and referral packet of each person referred to Drug Court utilizing the objective Drug Court eligibility and exclusionary criteria at the next staffing after the assessment is completed by the Drug Court Probation Team. The Court Program will be at maximum capacity at 30 people. If found to be eligible, an Order Concerning Specialty Court Application indicating your acceptance is placed in the Court file for the sentencing judge to review. Prior to you, counsel and the Judge signing a Consent to Participate, the Judge shall explain the Consent to you on the record, including the program requirements of the Problem-Solving Court and the range or responses that may be imposed by the Judge on you as a result of conduct of you while a participant in the Problem-Solving Court. After the Judge has explained the Consent to you, you shall have the opportunity to confer with counsel, have your questions answered by the Judge and elect to voluntarily execute the Consent. The Judge is the final decision maker regarding acceptance in Drug Court. At the time of sentencing or pre-trial, you can be placed on probation with a referral to Drug Court program. You will then be placed on the next available Drug Court call. If you are found to be ineligible for Drug Court, if you do not wish to participate in the Drug Court program or if you decline to sign the Consent to Participate, the referral is closed, and a report is placed in the Court file. Your case will be sent back to the original felony call for further proceedings.

CONFIDENTIALITY

A waiver of confidentiality, signatures of authorization for releases of information and consent for participation is required to be a part of the Drug Court Program. You can NOT change your mind about the waiver of confidentiality once it is given and remain in the program. Information regarding your health and treatment status is highly confidential as set forth in Section 7.4 of the *Illinois Standards* and this confidentiality is protected by federal and state law regulations. The Drug Court Team and treatment providers strictly observe the requirements of all applicable laws and regulations. To protect confidentiality, Drug Court utilizes the Consent for Release/Disclosure of Confidential Information to facilitate the assessment and discussion of your eligibility to participate. The Consent to Participate that you sign acknowledges the possible dissemination of protected information through your participation in Drug Court and requires that you sign any release of information forms that are needed by Probation, treatment providers and collateral sources in order to facilitate the sharing of confidential information about you in a lawful manner. All communication among the Drug Court Team about you is required to be done in a manner to keep your identity confidential. Information obtained by the Drug Court Team

pursuant to a release or consent shall not be disclosed outside of Drug Court. Information obtained is for Drug Court purposes only. When you are referred to a Problem-Solving Court and found to be ineligible to enroll in a Problem-Solving Court by the Problem-Solving Court team or if you are discharged from the Problem-Solving Court, the Problem-Solving Court prosecutor shall delete or destroy your confidential information that was disseminated in conjunction with your referral to or participation in the Problem-Solving Court . The Judge may, at the request of you or your counsel, issue a protective order pertaining to all confidential information.

Your Responsibilities and Handbook

You must conform to the requirements of the Consent to Participate, Probation Order, and Drug Court Handbook. Those responsibilities include but are not limited to attending court regularly, meeting with probation as directed, complying with drug testing as directed, attending all screenings, assessments and treatment services for substance abuse and/or mental health as directed, participating appropriately in treatment groups, engaging in pro-social activities, including employment and educational pursuits, following all directives of the court and remaining drug and alcohol free. Transportation to all appointments, Court proceedings, etc. is your responsibility.

Drug Court Handbook and Calendar Book

You will receive a copy of the Drug Court Handbook and calendar book at the initial probation office visit once sentenced to the Drug Court Program and sign a receipt acknowledging that you received the Drug Court Handbook and calendar book, and it has been explained to you. It is also required that Defense Counsel will have reviewed and explained the Drug Court Handbook with you prior to enrolling you into Drug Court so that you are fully informed about the structure and requirements of Drug Court.

Drug Court Process and Schedule

Drug Court Process

Drug Court utilizes weekly team staffing's with all Drug Court members present and participating and weekly court status hearings to monitor your performance and progress in Drug Court. Currently the Drug Court team meets on Tuesdays at 2:30pm for staffing, with court directly to follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and schedule availability. Written reports are given to each Drug Court Team member by the probation officer and treatment providers prior to staffing discussions. You will be addressed with the Drug Court Team's response to the progress or lack of progress that you have made or issues that have arisen between court dates by the Drug Court Judge and you will be given the opportunity to address the Court. Optimally, the Drug Court Judge will interact with you for a minimum of three (3) minutes. When the status hearing is concluded, you will be given your next court date. Additional information about the Drug Court process is included in other sections of this Drug Court Policies and Procedures Manual and the Drug Court Handbook and is incorporated herein.

Drug Court Schedule

You must appear in Court as scheduled or as directed by the Drug Court team. Drug Court currently meets on Tuesdays at 2:30 for staffing, with court to follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and schedule availability. It is your responsibility to receive your next Court date and report on time.

Program Rules

- You must appear in Court as scheduled or as directed by the Drug Court team. Drug Court currently meets on Tuesdays at 2:30pm for staffing, with court to follow at 3:00 pm, or as directed. This can be changed at any time in the future due to Court rotations and availability. It is your responsibility to receive your next Court date and report on time.
- You must attend all appointments with the Drug Court team. If you are unable to attend a scheduled appointment for any reason you must CALL and SPEAK to a member of the Drug Court team ahead of the scheduled appointment time. Calling in to any member of the Drug Court team will not guarantee an absence will be excused and could result in a disciplinary action or sanction
- You must follow the treatment plan and actively participate in required treatment. The treatment plan may include some or all of the following:
 - Psychiatric services
 - Participation in substance abuse and/or mental health treatment services such as group or individual counseling, residential treatment programs, psycho-social rehabilitation services, self-help/support groups, substance abuse treatment, Case Management Services, Educational and employment programs
- It is important to keep in mind that successful completion of the Drug Court Program is dependent upon compliance with treatment
- You will be issued a calendar to track appointments and must keep all Drug Court related appointments in this calendar. You must bring calendars with you to all Drug Court related appointments and provide it upon request
- You cannot use any illegal substance or drink any alcohol
- You cannot take medication not prescribed by a doctor, including those of friends and family members' medications
- You cannot abuse any over the counter medications
- You must take prescribed medicines as directed
- You will submit to drug and or alcohol screens when requested by any Drug Court team member and/or treatment provider. A refusal is considered a positive drug test
- **Tampering with a Urine Screen (Drug Test) is a violation of the Drug Court Program and can result in the imposition of a Drug Court sanction up to discharge from the Drug Court Program**
- You must obey all local ordinances, state laws, and federal laws
- You must contact the Drug Court team immediately following any law enforcement contact, relapse, crisis assessment or hospitalization

- You will follow all rules of the Vermilion County Probation Department. Violations of these rules may result in sanctions and or termination from the Drug Court Program
- You will treat everyone with respect and demonstrate appropriate behavior at all times and in all places
- You will dress appropriately at all times for Court appearances, probation visits, mental health provider appointments, substance abuse provider appointments, etc. This includes but is not limited to not wearing clothing or hats with drug or alcohol themed messages; short shorts (shorts that are shorter than your fingertips when your arms are at your side); see through shirts, clothing with obscenities, clothing with gang insignia or any other articles of clothing deemed inappropriate
- You will cooperate with all home contacts, treatment contacts or employment contacts. These may be unscheduled or unannounced. These contacts may include in person contacts, virtual contacts and/or by phone
- You cannot be in possession of a firearm or dangerous weapon of any type
- You will call the Drug Court team of any changes of address, contact information, or employment status immediately
- You must be and remain a Vermilion County resident to participate in this program
- Permission to leave Vermilion County and the State of Illinois must be obtained prior to leaving.

At all times you are to get permission from the Drug Court Team before staying overnight anywhere other than your residence.

TRANSPORTATION IS YOUR RESPONSIBILITY

PROGRAM LENGTH

Drug Court Levels

The approximate length of the Drug Court Program is from 15-24 months. It is possible for you to be involved in the program for longer than 24 months as determined by the Drug Court team. The length of the program differs for each participant and is directly related to your individual progress toward treatment goals and compliance with Drug Court rules and recommendations. The Drug Court Program is divided into five (5) phases. Each phase within the Drug Court Program has its own treatment requirements and the treatment plan is specific to your individual needs. The Drug Court Program cannot be completed without progressing through each of the required phases. Based on information provided by you, the substance abuse provider, mental health treatment provider, probation officer, the Judge and Drug Court team determine when requirements are met for phase advancement. Your inability to pay will not prohibit program entry, phase advancement or graduation. You must complete all five (5) phases to successfully complete the program.

Phase I: Acute Stabilization (3 months)

Phase one begins after you have been accepted into the Drug Court Program and presented to court for the first time. You will have completed a substance abuse and/or a mental health assessment by the time Phase One begins, with recommendations of appropriate treatment.

While in Phase One, you will receive the most intensive and community-based supervision. The focus of Phase One is substance abuse treatment and/or mental health treatment and compliance with short-term goals. Phase One is designed to help you access and begin substance treatment and/or mental health treatment well as become acquainted with the Drug Court Team and expect at ions.

- Minimum of 1 (one) Face to Face contact with the Drug Court Probation Officer per week
- Minimum of 1 Court Appearance per week
- Begin the recommended Drug Court treatment program
- Submit to urinalysis screens as directed by the Drug Court team.
- Remain drug and alcohol free.
- Curfew of 8:00pm - 7:00am
- Participate in Drug Court Case Management
- Attend a minimum of 3 (three) Support Meetings a week (unless employed)
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 80% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 30 consecutive days drug and alcohol free
- Contemplation-Preparation Stage of Change
- Schedule an appointment with a Vocational or Employment Program
- No Sanction within a **minimum** of 30 days
- Complete a paper and present it to the drug court group explaining eligibility for phasing

Phase II Clinical Stabilization {3 months}

Phase Two is designed to engage you in ongoing substance abuse treatment and/or mental health and work toward positive change by continuing life skill building. Below are the requirements for Phase Two:

- Minimum of 1 (one) Face to Face contact with the Drug Court Probation Officer per week
- Minimum of 1 (one) Court appearance per week
- Participate fully in Treatment (3-4 days per week)
- Participate in Drug Court Case Management
- Active participation in the recommended substance abuse and/or mental health treatment program
- Submit to urinalysis screens as directed by the Drug Court team.
- Remain drug and alcohol free
- Curfew of 9:00pm - 7:00am
- Attend a Minimum of 3 (three) support meetings per week (unless employed)
- Start applying for employment, job training, educational programs
- Obtain and maintain stable housing (if necessary)
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- Be Honest
- Complete office contacts with Probation
- 90% Attendance in Treatment
- **Minimum** of 60 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 60 days
- Complete a paper and present it to the Drug Court Team explaining eligibility for phasing

Phase III: Pro-Social Habilitation (3 Months)

You will gain more independence during this phase but will be expected to begin planning for achievement of long-term goals. Phase Three is designed to incorporate stable housing, education, employment and or volunteering into the service plan. Below are the requirements of Phase Three:

- Minimum of 1 (one) Face to Face contact with the Drug Court Probation Officer every two weeks
- Minimum of 2 (two) court appearances per month
- Continue participation in the recommended substance abuse treatment services and/or mental health services
- Participate Fully in Treatment (1-2 days per week)
- Attend a minimum of 2 (two) support meetings per week (may change pending employment status)
- Participate in Drug Court Case Management
- Obtain and maintain stable housing (if necessary)
- Provide proof of employment, continuing education or regular pro social positive activities
- Submit to urinalysis screens as directed by the Drug Court team.
- Remain drug and alcohol free
- Curfew of 11:00pm- 7:00am
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 100% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 90 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 90 days
- Schedule started to complete Community Service Hours
- Action Stage of Change
- Complete a paper and present it to the Drug Court Team explaining eligibility for phasing

Phase IV: Adaptive Habilitation (3 Months)

Throughout Phase Four it is expected that you maintain a healthy lifestyle and make personal advancements with little supervision from the Drug Court team. Below are the requirements of Phase Four:

- Minimum of 1 (one) Face to Face contact with the Drug Court Probation Officer per month
- Minimum of 2 (two) Court appearance per month
- Continue participation in the recommended substance abuse treatment services and or mental health services
- Participate Fully in Treatment (one day per week or as scheduled)
- Attend Aftercare Meetings
- Attend Support Meetings as instructed
- Participate in Drug Court Case Management
- Completion of Treatment Plan (if applicable)
- Obtain or maintain stable housing
- Provide proof of employment, continuing education or regular pro social activities
- Submit to urinalysis screens as directed by the Drug Court team.
- Remain drug and alcohol free
- Complete budget planning
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible to move up a phase, the team will meet to determine in staffing before you are presented with a certificate in court.

- 100% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 90 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 90 days
- Schedule appointments to complete Community Service Hours
- Maintenance Stage of Change
- Complete a paper and present it to the Drug Court Team explaining eligibility for phasing

Phase V: Continuing Care (3 months)

Throughout Phase Five it is expected that you maintain a healthy lifestyle and make personal advancements with little supervision from the Drug Court team. Below are the requirements of Phase Five:

- Minimum of 1 (one) Face to Face contact with the Drug Court Probation Officer per month
- Minimum of 1 (one) Court appearance per month
- Continue participation in the recommended substance abuse treatment services and or mental health services
- Participate Fully in Treatment (as scheduled)
- Attend Aftercare Meetings and Complete After Care Plan
- Attend Support Meetings as Needed
- Participate in Drug Court Case Management
- Completion of Treatment Plan
- Completion of Application for Graduation
- Obtain or maintain stable housing
- Provide proof of employment, continuing education or regular pro social activities
- Submit to urinalysis screens as directed by the Drug Court team.
- Remain drug and alcohol free
- Completion of Exit Interview
- Complete budget planning
- Show up for all scheduled appointments
- Be honest about your drug use (past and current)
- Be honest about your mental health issues (past and current)

Advancement:

Once the team agrees that you are eligible for graduation, the team will meet to determine in staffing before you are presented with a certificate in court.

- 100% Attendance in Treatment
- Be Honest
- Complete office contacts with Probation
- **Minimum** of 90 consecutive days drug and alcohol free
- No Sanction within a **minimum** of 90 days
- Schedule appointments to complete Community Service Hours
- Maintenance Stage of Change

- Complete a paper and present it to the Drug Court Team explaining eligibility for graduating program

FAILURE TO COMPLETE/TERMINATION

If you do not successfully complete the Drug Court Program, the traditional court process will resume. If your case is still pre-trial, the case will proceed to trial or plea for the offense(s) that were originally charged. If your case is post-sentencing, the case may be referred for a petition to revoke probation. At this time, you would be eligible for all sentencing options that are applicable to the original charge(s), and a sentence could include jail time or commitment to the Illinois Department of Corrections. Reasons for termination can include continued failure to follow program rules and expectations, lack of treatment compliance and/or a new offense while part of the Drug Court Program.

Graduation

In order to graduate from the Drug Court program, you must complete all program phases, complete your treatment plan and be in continued compliance with your Court Order. When you have successfully completed all of the requirements of the Drug Court Program, there will be a graduation ceremony in your honor. Your inability to pay will not prohibit entry, phase advancement or graduation. At that time, you will have officially completed the Drug Court Program and your involvement with the program will no longer be mandatory. Upon completion of the Drug Court Program, legal agreements made pending your completion of the Drug Court Program will be reviewed and acted upon accordingly.

Upon completion of the Drug Court Program, you may possibly still be on probation. At this time, you will be responsible for any and all requirements remaining included in your probation order. Your probation officer will go over this probation order again upon your graduation from Drug Court. A discharge plan will be determined between you and your probation officer as to what your needs will be for the remainder of your probation term and any needs that may need to be addressed upon your discharge from probation. You will be given a copy of this discharge plan. This can include, but not be limited to:

Crosspoint Human Services for mental health treatment

Rosecrance of Illinois for after care, relapse prevention and any new treatment services
as needed

Narcotics Anonymous (NA) and Alcoholics Anonymous (AA) support meetings including
days, times and location

Unemployment Office for help with job searches

Danville Public Library for access to the computers for job searches

Crosspoint at the Y for housing issues (women)

The Men's shelter for housing issues (men)

Incentives, Sanctions, and Therapeutic Adjustments

All responses to your behavior will be in accordance with Section 8 of the *Illinois Standards* and shall be predictable, fair, consistent and without regard to a person's gender, race, nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. In Drug Court, incentives, sanctions and therapeutic adjustments shall be administered to motivate you to comply with Drug Court requirements and to put into action the changes in thinking and behaviors for you that are necessary to assist you to successfully achieve recovery and to comply with and successfully complete the program. You will be advised by the Drug Court Judge that the program incorporates incentives, sanctions and therapeutic adjustments in response to your progress or non-compliance with Drug Court goals and requirements. Whether to administer an incentive or sanction is discussed and determined at team staffing and you are advised by the Drug Court Judge of the team's staffing decision in open court. If it is determined at staffing that there should be a sanction, you must be given an opportunity to address the Drug Court Team in open court before the sanction is imposed. The Drug Court Judge must consider this input and decide whether to impose the sanction. The final decision as to whether to impose a sanction and what sanction is appropriate rests within the sole discretion of the Drug Court Judge and may only be imposed in accordance with procedural fairness and neutrality after you are given an opportunity to be heard.

Incentives

As you progress through Drug Court and begin to make positive choices, you will receive incentives from the Drug Court Team. Incentives may be received for a variety of behaviors and achievements such Drug Court attendance, treatment attendance, progress in treatment, clean drug screens, medication compliance, gaining employment, or sustaining employment. The Drug Court team may choose from incentives such as but not limited to:

Applause

Decreased frequency in court appearance

Decreased supervision contact

Curfew adjustment

Travel permits

Waiver of fees

Early Phase Promotion

Sanctions

Just as positive behaviors are rewarded, negative behaviors will also be addressed. Poor attendance, lack of participation in treatment or tasks identified in the treatment plan and positive drug screens are some of the reasons sanctions will be administered. Sanctions can consist of but not be limited to the following:

- Verbal reprimand
- Essay assignment
- Increased court appearance
- Increased meetings with probation officer
- Increased drug testing
- Increased public service work hours
- Earlier curfew restrictions
- Incarceration

Therapeutic adjustments

Therapeutic adjustments are treatment-oriented responses for substance and mental health issues in the Drug Court Program. Modifications in treatment services are based on the recommendations of treatment providers. Some of these therapeutic adjustments can be, but are not limited to the following:

- Attendance in self-help groups
- Family Counseling
- Parenting Groups
- Increase of Treatment to a Higher Level of Care (Such as Intensive Outpatient or Residential Care)
- Change of Frequency of Treatment (Such as One-On-One Appointments and/or Groups)

DRUG COURT RANDOM TESTING

You are required to be drug tested every Monday.

You will be randomly selected Tuesdays, Wednesdays and Thursdays to drug test. Random drug test selection is done by a computer-generated wheel application and is spun on the Drug Court Probation Officer's computer. Each morning the wheel is spun by 9:00 am and if your name is selected, you will be called by the Probation Officer no later than 9:30 am. If your name is called,

you must drug test by 2:00 pm the day you are selected. As drug tests are random, be prepared to be drug tested daily.

Every Friday morning between 8:30 a.m. and 9:00 a.m. you must call the Drug Court Probation Officer at 217-554-7915 or 217-554-7917 to determine if have been selected for testing. If you **ARE** selected to drug test you must report to the Probation Department and submit to a test by 2:00 p.m. the same day.

A failure to call or test as stated above could result in a sanction.

Treatment providers can and will test you. This will also be random. You can be tested daily, so be prepared. The treatment provider can request you be drug tested at your treatment session.

DRUG TEST PROCEEDURE

Probation Department Observed Urine Specimen Collection Procedures:

Drug test procedures will be performed, but not limited to, the following:

The probation officer or treatment provider will collect urine samples in a locked bathroom.

You will remove jackets, hoodies, coats, items with large pockets, or any other items the probation officer or treatment provider requests be removed.

You will not have purses or handbags in the drug testing collection area. If you do have a purse or handbag, this will remain in the probation officer's office and the probation officer's office will have the door shut and locked to prevent access to your personal items

You will rinse your hands with water and thoroughly dry them. Soap is not to be used.

You will show the probation officer your waistlines to detect any tampering devices.

The probation officer or will collect a urine specimen from only one donor at a time.

Only the probation officer and the donor will be in the bathroom/collection area at all times

The probation officer will directly observe you providing a urine sample. Collectors observing the urine sample process will be the same gender as you when providing the specimen. No exceptions.

The probation officer will complete a chain of custody label or a collection form before you provide a urine sample. The chain of custody label shall be peeled and placed upon the securely closed sample bottle.

Urine Samples will be sent to a lab, stored in a refrigerator and tested for results. Drug testing results can also be provided with an instant result on a drug testing panel t est. The probation department has a lab for use of probation officers only. Some urine samples can be sent to an off-site lab if needed for further testing at the discretion of the Probation Department and the Court. Sealing and chain of custody protocols will also be followed.

You will NOT flush the toilets or urinals until the collection is completed. The probation officer will flush the toilet or urinal.

The probation officer will observe and document any indication of specimen dilution, alteration, or unusual collection events or discrepancies.

The probation officer will screw the top on the collection bottle or make sure you tightly screw the top on the bottle, making sure the top is secure and the specimen is not leaking.

The probation officer will review the temperature of the specimen to make sure if it is near body temperature, if applicable.

The probation officer will use a tamper resistant screening system across the top of the sample cup and down the sides of the bottle. This label will have your name, the collector's name or initials, your identification number, and the time and date collected clearly displayed.

The probation officer will store the urine sample in the drug testing lab's refrigerator to be tested at a later date.

Drug testing can be obtained via specimen cups that are sealed or instant stick tests.

A probation officer may also issue a breathalyzer test at the discretion of any probation officer, the Court and the Drug Court team and will be administered by the Probation Officer. The donor will observe the Probation Officer open a new breathalyzer tube, observe the tube being placed on the breathalyzer portable handheld device, and observe the probation officer turn on the portable breathalyzer device. The donor will blow air from the mouth into the breathalyzer tube, at the direction of the Probation Officer, and at a steady rate until the device beeps or the probation officer says stop. The donor will be shown the breathalyzer results listed on the device.

Drug testing procedures for Rosecrance of Illinois:

Rosecrance of Illinois drug testing is done by insta-tests. You will be asked to leave your personal items and valuables in the counselor's office. Your pockets will be emptied of items and bulky shirts, or coats will be removed. You will wash your hands. Female donors will be observed by a female counselor and male donors will be observed by a male counselor NO EXCEPTIONS. You and the counselor will go into the bathroom/designated sample site and the stall door will be left open. Your drug test will be observed by the Rosecrance counselor or clinician. Once the specimen is collected, the lid will be placed on the sample cup. The results to this drug test are instant and results will be given to you immediately and will be discussed with you immediately.

Unobserved Urine Specimen Collection Procedures:

The treatment provider can sometimes perform unobserved urine specimen collections based upon availability of their drug test technician. Unobserved specimens are taken ONLY when you and the collector are not of the same gender, or it is virtually impossible to collect an observed specimen. At this time, a supervisor will be contacted at the treatment provider's request for approval.

The chain of custody will clearly be documented on the label or form that the collection was unobserved at the treatment provider's facility.

The toilet bowl or urinal will have a blue or green colored coloring agent added to it to deter dilution of the specimen with commode water.

The treatment provider will remove any agents that could be used in an attempt to adulterate the specimen such as soaps, cleaners, deodorizers or sanitizers.

The drug testing protocol listed in the above section will apply during unobserved collections as well.

Program Outcomes

In accordance with Section 9 of *Illinois Standards*, you may be discharged from Drug Court in one of four ways: successful discharge, neutral discharge, unsuccessful discharge, and voluntary withdrawal.

Successful Discharge

You are eligible for successful discharge from the Drug Court Program when you complete all of the program requirements.

Neutral Discharge

You may encounter difficulties after entering the program that makes it difficult or impossible for you to comply with the requirements of Drug Court. For example, you may develop a serious medical condition that makes it difficult to attend groups and/or to drop as frequently as Drug Court requires. The Drug Court Team can staff and provide an alternative supervision plan for you such as standard probation or conditional discharge and the Drug Court Judge can enter an order permitting a neutral discharge from the Drug Court Program.

Unsuccessful Discharge

If you are in violation of Drug Court Program requirements, you may be unsuccessfully discharged from the Drug Court Program. The Drug Court Team is committed to offering the full continuum of treatment services to you with the goal of helping you achieve and maintain stability in your life, but on occasion you are not able to do so. There are also instances where you may re-offend or commit other serious violations of Drug Court Program requirements, and the Drug Court Team may consider unsuccessfully discharging you from the program. The Judge has the ultimate final decision in the Drug Court Program. Prior to an unsuccessful discharge from Drug Court, you shall be served with a petition to remove you from Drug Court. The petition shall set forth the alleged violations of Drug Court Program and/or probation requirements and the relief sought. The Drug Court Judge must ensure that you become subject to proceedings that could result in unsuccessful discharge from the Drug Court and that you are advised of and accorded the rights set forth in Supreme Court Rule 402A. Those rights include being advised of the specific allegations in the petition, the right to a hearing with defense counsel present and the right to

appointed counsel, the right to confront and cross-examine any adverse witness, the right to present witnesses and evidence on your behalf, the right to require the State prove a violation by a preponderance of the evidence and the right to be advised of the sentencing range. Once the petition is filed, in order for the Drug Court Judge to continue to participate in team staffing's, you must first be given Supreme Court Rule 402(d),(e), and (f) included in team staffing decisions. Unsuccessful discharge can occur as part of a plea agreement or as a sentencing outcome after hearing on petition.

Voluntary Withdrawal

You will have the right to withdraw from Drug Court since it is a voluntary program, but withdrawal may be subject to consequences as a result of doing so. If you request to withdraw, the Drug Court Judge shall ensure that you have the right to consult with defense counsel, and that the withdrawal is made voluntarily and knowingly in open court. The Drug Court Judge shall ensure that you are admonished as to the consequences, actual or potential, which may result from the withdrawal. The consequences that could be imposed must be consistent with your status and terms of probation, are to be discussed by the Drug Court Team at a staffing on the issue of voluntary withdrawal, determined by the Drug Court Judge who thereafter explains the consequences to you in open court prior to the Drug Court Judge allowing you to withdraw.

Vermilion County Drug Court

Important Phone Numbers

States Attorney 217-554-7750

Public Defender..... 217-554-7870

Probation Office.....217-554-7900

Rosecrance of Illinois 217-477-4500

Crosspoint Human Services217-442-3200

The Drug Court Business Hours

8:30am - 4:30pm

Monday - Friday (Excluding Holidays)

You must leave a message with your name and a phone number to be reached

In Case of Emergency call 911

Drug Court Handbook - Signature Page

I have read and understand the contents of the Drug Court Handbook including rules, incentives, and sanctions. I have been given a copy of the participant handbook and calendar book. I understand that in order to be successful in the Drug Court Program, I **must follow the rules of the program as well as all treatment recommendations.**

Participant's Signature

Date

Drug Court Representative

Date