

17th JUDICIAL CIRCUIT COURT
**WINNEBAGO COUNTY DRUG
COURT
CLIENT HANDBOOK**

"Rebuilding Lives"



Mission:

The Winnebago County Drug Court promotes public safety, reduces recidivism and enhances the quality of life for the community and the individual by helping substance dependent persons in the criminal justice system achieve and maintain recovery through expedited and enhanced access to a continuum of treatment and support services while under intensive court supervision.

INTRODUCTION

WELCOME TO THE WINNEBAGO COUNTY DRUG COURT PROGRAM!

Since 1996, Winnebago County Drug Court (Drug Court) has helped hundreds of substance addicted persons in the criminal justice system successfully achieve recovery and greatly reduce future criminal behavior. Drug Court offers you the same opportunity to make the necessary changes in your thinking, behaviors and lifestyle that will dramatically improve the quality of life for you and your family if you put forth the effort and commitment to work an honest program. Participating in Drug Court is voluntary and a lot will be required of you throughout the program, but it's worth it. The entire Drug Court team, including the Judge, wants you to succeed and be free from your current destructive lifestyle of addiction and criminality, and will work with you intensively throughout the program to make that happen.

DRUG COURT HANDBOOK

The purpose of this handbook is to help you understand what you need to know and do so that you can successfully participate in and complete Drug Court. Included in the handbook is Drug Court program-related general information and an outline of what is expected of you as a participant in the program. If you have any questions about this handbook or any other part of the Drug Court program, please contact the Court Coordinator. The Court Coordinator will do her best to answer your questions and to help eliminate anything in the way of your success in the program. Everyone on the Drug Court Team—the Judge, the Court Coordinator the Prosecutor, the Public Defender, the Probation Officers, Clinical Assessor, Recovery Coach and the Treatment Providers— wants you to succeed in Drug Court and we will work as a team to help you achieve that goal and graduate from the Drug Court program.

This handbook is very important to your successful participation in the Drug Court program. You must follow the rules and expectations in this handbook as well as the orders and instructions of the Drug Court Team, including the Judge, in order to maintain compliance.

GENERAL PROGRAM INFORMATION

Drug Court is a voluntary program so you are required to sign the Consent to Participate in order to enroll in Drug Court. Once you are enrolled, you will be required to comply with all the requirements of the Consent to Participate and your probation order. Some of these requirements include attending court status hearings on a regular basis, reporting to your Drug Court Probation Officer regularly, participating in treatment assessments and services, refraining from drug and alcohol use and submitting to random drug testing. Drug Court is a structured, progressive program that is divided into three Levels and Graduation. In the beginning, the primary focus is on your addiction and your early enrollment in treatment and compliance with treatment. As you proceed through the program Levels, working on employment and education goals become part of your requirements as well. The Drug Court Team understands that employment is important, but you must understand, especially at this time when you are first entering Drug Court, Drug Court's expectation is that any employment schedule **HAS** to fit around your Drug Court responsibilities as recovery is the most important thing. Remember, without recovery and abstinence, everything **WILL** fall apart for you. And because recovery is so important, you will also be strongly encouraged by all the Drug Court Team members to develop and maintain a safe, sober and supportive recovery network that can last you a lifetime.

DRUG COURT PROCESS

The Drug Court process is simple. By design, it is a very structured and intensive court program that makes treatment available to you at the dosage indicated by your treatment assessment while at the same time closely monitoring your compliance with treatment and also the terms of your probation order. The Drug Court Team consists of a dedicated Judge, Court Coordinator, Prosecutor, Defense Counsel/Public Defender, Probation Officers, Clinical Assessor, Recovery Coaches and Treatment Providers. Every decision of Drug Court is made as a team with the goal of helping you be as successful as possible in the program, with the Judge having the final word. Before each of your scheduled court status dates, the Drug Court Team holds a team staffing where the entire team collaboratively discusses the progress that you are making or any issues that may have occurred since your

last court date. Written reports are sent to the entire Drug Court Team by the Probation Officers and Recovery Coach prior to the team staffings and the team also communicates in real time via secure e-mail about participant issues. When you appear in court, the Judge and the team will talk to you about what the team discussed in staffing and give you an opportunity to respond. Your response and input are important to the team. If you are doing well, you may receive an incentive or if there are concerns or non-compliance, you may receive a sanction or change to your treatment plan. It is important to remember that the Drug Court Team's goal is to provide you with treatment at the level that your addiction requires and we do hold you accountable to be compliant with treatment and probation and to be actively and honestly working the program. While in Drug Court, you will be closely supervised by the Drug Court Team, and you will likely be required to do things that you may not understand or simply do not want to do. It is important to understand that because you signed the Consent to Participate and agreed to voluntarily enroll in Drug Court, you will be held accountable for complying with your Drug Court requirements and for completing the treatment services that you need.

It is important that you understand that it is your responsibility to follow all of the requirements of the Drug Court program because these are the requirements that are necessary to change the choices, attitudes and behaviors that have brought you into the criminal justice system.

All of the decisions and actions of the Drug Court Team are made with the purpose of rehabilitating you from your addiction, criminal conduct and anti-social behavior. Drug Court is an opportunity for you to attain the healthy and fulfilling life that we hope is your goal for entering into Drug Court.

***IT ALL BEGINS WITH ATTITUDE BUT THE MOST IMPORTANT PERSON IS YOU--
YOU MUST BE COMMITTED AND WILLING TO CHANGE YOUR CURRENT
LIFESTYLE AND HABITS***

DRUG COURT ELIGIBILITY

Drug Court operates without discrimination on the basis of gender, race nationality, ethnicity, limited English proficiency, disability, socio-economic status or sexual orientation. The 17th Judicial Circuit Court employs Spanish-speaking interpreters and Language Line interpreter services and our treatment providers

are required to ensure that language services are available to anyone needing assistance. Any language needs or other need requirements should be directed to the Court Coordinator.

In order to be eligible for Drug Court, you must be 18 years old, charged with an eligible probationable felony offense, have been assessed as having a substance use disorder by the Clinical Assessor, be willing to voluntarily sign the Consent to Participate, be willing to comply with all treatment and probation supervision requirements of your Drug Court program, and have been staffed by and approved for enrollment by the entire Drug Court Team. If your felony charge is a drug-related Class 2 or greater felony offense, the consent of the State's Attorney is also required.

Certain offenses are specifically excluded from eligibility in Drug Court. Those include individuals who have been convicted of the following crimes within the past 10 years or who are currently charged with the following crimes: 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; or any offense involving the discharge of a firearm.

DRUG COURT REFERRAL AND ASSESSMENT

Anyone can make a referral to Drug Court by submitting a completed Referral Form to the Court Coordinator. This form is available in the Trial Court Administration office at Suite 215 of the Winnebago County Courthouse or on-line at www.illinois17.com. When your referral was received, the Court Coordinator screened it to make sure no exclusions applied and sent it to the Clinical Assessor to schedule the clinical assessment appointment with you to determine if you meet the eligibility requirement that you have a substance use disorder a/k/a addiction to any substances. At your appointment, you signed a release of information to the Drug Court Team to allow the information from the assessment to be shared with and discussed by the Drug Court Team. Following the completion of the assessment, the Clinical Assessor sent a written assessment report to the Court Coordinator who then prepared a staffing packet for the entire Drug Court Team. The staffing packet included the assessment report, the original referral form, the criminal charging document, the most recent pre-trial

services report, the probable cause statement, your criminal history and jail data information. The Drug Court Team reviewed and discussed all of this information at a Drug Court Team staffing and determined that you met the eligibility criteria for enrollment for Drug Court. If your Drug Court eligibility was determined by the Drug Court Team to be contingent upon you finding alternative medications to a current prescription you may have for narcotics or other controlled substances, you must be willing to find alternative medications that are not inconsistent with being a participant in Drug Court or you will not be allowed to enroll. Medication assisted treatment therapies such as methadone or buprenorphine therapies are allowed in Drug Court with the knowledge and approval of the Drug Court team.

When you are found to be eligible, you will be placed on the next Drug Court docket to sign the Consent to Participate which is required to formally enroll you in Drug Court.

DRUG COURT TEAM

The Drug Court Team consists of the Judge, Court Coordinator, Prosecutor, Defense Counsel/Public Defender, Probation Officer, Recovery Coach and Treatment Providers. The Drug Court approach is non-adversarial, meaning that all of the team members work closely together with each other and also with you to develop a treatment and supervision plan that is tailored to your individual needs during the entire time you are in Drug Court. Every team member is specially trained in justice and treatment subject matters and each member has a unique role on the team.

JUDGE - is the leader of the Drug Court team and, with input from all of the team members and you, makes all final decisions about Drug Court team responses to your compliance and non-compliance with Drug Court requirements.

COURT COORDINATOR - coordinates all referrals and acts as the central contact for any questions. The Court Coordinator oversees the day-to-day operations of Drug Court and is also responsible for all grant activities and data collection.

PROSECUTOR - follows your compliance with Drug Court requirements and makes recommendations that balance public safety concerns with your treatment needs.

The Prosecutor is responsible for advising the Drug Court team of all relevant information about you available to the State, i.e., police contact or new charges.

PUBLIC DEFENDER/DEFENSE COUNSEL – follows your compliance with Drug Court requirements and advocates for your legal interests and treatment needs. The Public Defender will represent you in Drug Court unless you are represented by private Defense Counsel.

PROBATION OFFICERS - is responsible for completing probation assessments with you and making referrals for you to treatment and services. Your Probation Officer will ensure that you understand the requirements of Drug Court Probation and send you to an Adult Probation Orientation session. Your Probation Officer will be supervising your compliance with all Drug Court treatment and probation supervision requirements.

CLINICAL ASSESSOR-performs the initial assessment of you to determine if you have a substance use disorder diagnosis.

RECOVERY COACH - provides case management and trauma-informed recovery focused services.

TREATMENT PROVIDERS - Drug Court partners with Rosecrance and Remedies for treatment services in our local community and each has representatives that attend staffings and send report updates. Drug Court has access to all types of drug treatment services ranging from detox to long term in patient treatment. Recovery focused housing resources and medication assisted treatment are also available to Drug Court participants.

DRUG COURT DRUG TESTING PROTOCOL

Winnebago County Probation maintains a random, color-coding system for Drug Court Participant alcohol and drug testing. You will be assigned to a color, given a phone number and you are required to call in each day to check the color code to see if your color has been called. If your color is called, you **MUST** provide a drop **THAT DAY** as directed. Failure to complete a drop on the day your color is called **will** result in a jail sanction. Drops can be required at TASC, probation offices or at treatment provider's location. TASC requires an ID to do a drop, and if you don't

have an ID, you must report that to your probation officer immediately in order to obtain a Drug Court ID. Drops will **NOT** be excused for lack of an ID or inability to provide a sample. And please be aware that your color can be called multiple days in a row!!

Positive drug/alcohol screen results, missing a drop, diluting, altering or attempting to adulterate a drop, or any type of tampering (e.g. bringing in someone else's urine) are violations of Drug Court and will be treated with a sanction and possibly a treatment adjustment. Drug Court is confident in the accuracy of its drug testing methodologies and presumes that a positive drop is objective evidence of drug use. Honesty on your part is essential and required when confronted with a positive result so that the Drug Court Team can determine what responses may be necessary. For this reason, you should expect that a lack of honesty on your part **WILL** be treated with a Drug Court sanction as your success in the Drug Court program is directly tied to your honest participation.

DRUG COURT PROGRAM LENGTH

As a participant in Drug Court, you are or will be sentenced to a term of probation in your individual case or cases and you should **expect** to remain in Drug Court for that term of probation. On a case-by-case basis, and subject to the discretion and approval of the Drug Court Team, a participant who meets all of the criteria for graduation from the program may be eligible for early termination from the program and/or probation prior to the end of his/her term of probation. This incentive is directly related to an individual's progress toward and completion of treatment goals and full compliance with Drug Court rules and probation requirements. No one, including you, is promised an early termination from the program or probation and that should not be your expectation.

DRUG COURT PROGRAM RULES AND TIPS FOR COMPLIANCE

PROGRAM RULES-

- You must appear in Court as scheduled or as directed by the Drug Court team.
- You must attend all scheduled appointments with the Drug Court team. If

you are unable to attend a scheduled appointment for any reason you must CALL the Drug Court team ahead of time to reschedule. Calling will not automatically excuse you from missing an appointment and you may receive a sanction even if you did call in.

- You must follow your treatment and probation plan and actively participate in all services as required. Your treatment and probation plan may include (but is not limited to) some or all of the following: substance abuse treatment; case management services; mental health assessment and treatment services; individual counselling; recovery coach services; trauma specific treatment services; medication assisted treatment; medication; primary health treatment services; partner abuse counselling; anger management; employment and education programs.
- You will be encouraged to build a recovery network and attend support meetings.
- You cannot use any illegal substances or drink any alcohol.
- You cannot take medications not prescribed for you by your doctor
- You cannot ingest any substances that are labelled “not for human consumption”, including, but not exclusively, K2, Spice or other synthetics
- You will submit to random drug and/or alcohol screens when requested by any Drug Court Team member and or treatment provider and comply with the random drop protocol.
- You must obey all local ordinances, state laws and federal laws.
- **You MUST notify the Drug Court Team immediately following any law enforcement contact or hospitalizations.**
- You will follow all rules of the Winnebago County Adult Probation Department. Violations of these rules may result in a sanction 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 cooperate with all home visits, treatment visits or employment visits. The Drug Court Team members will conduct home, treatment facility or place of employment visits on a regular basis to monitor program progress. These visits may be unscheduled or unannounced.
- You cannot be in possession of a firearm or a dangerous weapon.
- You MUST take prescribed medications as directed. You MUST report any changes in prescribed or over-the-counter medications to the Drug Court Team.

- **You will CALL the Drug Court team to report any changes of address, contact information or employment status immediately.**
- You must meet all financial obligations, including payment of fines/fees/restitution, as directed by the Drug Court Team.
- You must reside in Winnebago County while participating in the Drug Court program unless given permission by the Drug Court Team to live elsewhere.
- You must request a travel permit to travel out of state.
- You must be appropriately attired in court and at all Drug Court appointments and groups.

TIPS FOR COMPLIANCE-

- Carry a calendar to keep track of your groups and appointments
- Keep all of your drop receipts
- Have a backup transportation plan
- Communicate with your Probation Officer and treatment providers
- If you are struggling, go to a meeting, call your sponsor, or review your relapse recovery program
- Be careful with the people you are around
- Don't listen to the or rely upon the advice of other Drug Court participants if you have questions—ask your attorney or other members of the Drug Court Team

DRUG COURT SCHEDULE

Drug Court Team Staffings: Monday mornings at 8:30 a.m. in Suite 215, Winnebago County Courthouse, 400 West State Street, Rockford, IL

Drug Court Status Hearings: Tuesday and Friday mornings at 8:30 a.m. in Courtroom 311, Winnebago County Courthouse
 2nd and 4th Wednesday of each month at 4 p.m. in Courtroom 216, Winnebago County Courthouse

DRUG COURT PROGRAM LEVELS

Drug Court is divided into four (4) levels, Levels I-III and Graduation. The Levels are structured to incorporate reasonable treatment supervision goals that are

proven to document continued progress toward the ultimate goal of successfully achieving and maintaining recovery and completing the Drug court program. Drug Court cannot be completed successfully without progressing through and completing each of the required levels. The Drug Court team is always monitoring your progress in treatment and your compliance with the requirements of your Level and changing your Level status or eligibility for graduation is a staffing discussion by the entire Drug Court team. The Drug Court Levels are as follows:

LEVEL I REQUIREMENTS-

- Comply with all treatment referrals
- Comply with all treatment plan requirements, including taking medications as prescribed
- Comply with all conditions of probation
- Appear in Drug Court at least every other week
- Submit to random drug screening in accordance with the color code protocol
- Meet with Probation Officer and/or Drug Court Team member a minimum of one time per week
- Comply with home/field visits as required
- Sign releases of information to collateral contacts upon request
- Verify residence at each probation office visit
- Be subject to daily arrest checks

You can advance to Level II if you are substantially compliant with all Level I requirements for a sustained period of time, have been clean and sober for at least 90 days and the Drug Court Team approves you moving to Level II. The Drug Court Team may require that you complete substance abuse treatment to move to Level II.

LEVEL II REQUIREMENTS –

- Comply with all treatment plan requirements, including taking all medications as prescribed
- Comply with all conditions of probation
- Submit to random drug screening in accordance with the color code protocol

- Appear in Drug Court at least once a month
- Establish Employment/Education Referrals
- Meet with Probation Officer a minimum of two times per month
- Comply with home/field visits as required
- Sign releases of information to collateral contacts upon request
- Verify residence at each probation office visit
- Be subject to arrest checks daily
- Be working on satisfying court-ordered financial obligations

You can only advance to Level III after you complete all substance dependence treatment services, have a recovery network and plan, be participating in structured daily living activities (i.e. school, employment, job search/training, parenting) and have no drug tests which would violate the alcohol and drug testing procedures of Drug Court within the last 60 days.

LEVEL III REQUIREMENTS –

- Comply with all treatment plan requirements, including taking all medications as prescribed
- Comply with all conditions of probation
- Appear in Drug Court at least once a month
- Submit to random drug testing in accordance with the color code protocol
- Appear at least one probation office visit per month
- Obtain/maintain employment or pursuit of education
- Verify employment or education
- Be subject to arrest checks daily
- Be working on satisfying court-ordered financial obligations

GRADUATION-

To be eligible for graduation, you must be compliant with Level III requirements for a sustained period of time, be at least 9 month drug and alcohol free, be 12 months arrest free, and have satisfactorily met your court-ordered financial obligations. The Drug Court team will staff you to determine if you have met the requirements to advance from Level III to graduation.

DRUG COURT INCENTIVES, SANCTIONS AND THERAPEUTIC ADJUSTMENTS

INCENTIVES-

As you get engaged in the Drug Court program 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 as attending all probation and treatment appointments and groups, attending all court status hearings, making progress in treatment, providing clean drug screens, gaining or maintaining employment, and education achievement. Incentives the Drug Court Team may choose from include:

- Praise
- Applause
- Called sooner in court
- Reward from the reward basket
- Promotion to next Level
- Certificate of Level completion
- Drug Court pen upon completion of treatment
- Less frequent court appearances
- Travel permits
- Public service work credit towards fines and fees
- Graduation

SANCTIONS-

Just as positive behaviors are rewarded, negative behaviors will also be addressed. If you are dishonest with the Drug Court Team, including treatment providers, you should expect that you will receive a sanction because honesty is essential to making progress in Drug Court and being successful. Poor attendance, lack of participation in treatment or tasks identified in the treatment plan, and positive drug screens are also some of the reasons sanctions may be imposed. Sanctions can consist of but will not be limited to the following:

- Verbal reprimand
- Written apology
- Essay/Thinking Report Assignment

- Jury box/Court Observation
- More frequent court appearances
- Increased Drug Court Team contacts
- Daily living log assignment
- Public service work
- Sign an attendance contract
- Sign a behavior contract
- Demotion in Level status
- Delay in promotion to next Level
- **Incarceration**

THERAPEUTIC ADJUSTMENTS-

The Drug Court Team is constantly monitoring your compliance with treatment and the progress you are making. Treatment is structured to reduce the time you spend in groups and individual sessions as you demonstrate the positive changes in thinking, behaviors and lifestyle that support sobriety and your drops come back clean and normal. Completion of treatment is a very big milestone in Drug Court and you will be given your Drug Court pen to mark this achievement. If concerns arise, such as a positive or adulterated drop result, or you start to miss appointments with your Probation Officer or are missing or inappropriate in treatment groups, the Drug Court Team will adopt any changes to your treatment plan that are recommended by your treatment provider and you will be required to follow the new or additional requirements. You may also be asked to verify participation in community recovery support activities as a therapeutic adjustment.

DRUG COURT PROGRAM OUTCOMES

You will complete the program in one of four ways: successful discharge; neutral discharge; unsuccessful discharge; or voluntary withdrawal.

SUCCESSFUL DISCHARGE-

You will be eligible for successful discharge if you have completed all of the Drug Court program requirements set forth in the program Levels I through III. If your completion date occurs before graduation and you want to graduate, you can agree to extend your term of probation to participate in graduation. Otherwise,

you will be given a Certificate of Achievement and be discharged from Drug Court.

NEUTRAL DISCHARGE-

If your circumstances change significantly after entering Drug Court and it becomes extremely difficult or impossible for you to meet your Drug Court responsibilities, the Drug Court Team may staff and approve an alternative supervision plan for you. A serious medical condition that makes it difficult or impossible for you to meet your attendance and drop requirement is an example of the kind of circumstance that the Drug Court Team would consider eligible for a neutral discharge disposition. Work schedule conflicts or transportation difficulties do NOT qualify as the type of circumstance that qualify for neutral discharge.

UNSUCCESSFUL DISCHARGE-

If you are in violation of any of the Drug Court requirements, you may be unsuccessfully discharged from the Drug Court program. Prior to unsuccessful discharge from Drug Court, you have to be served with a petition that seeks to revoke your Drug Court probation and sets out your alleged violations. Once a petition is filed, you have the right to be represented by an attorney, the right to a hearing on the petition, the right to confront the State's witnesses and evidence, the right to present evidence and testimony on your own behalf if you choose to, the right to require that the State prove that it is more probably true than not true that you violated your probation, and the right to be advised of the sentencing range.

Once a petition is filed, in order for the Judge to continue to participate in team staffings of your case, you must agree to let the Judge discuss your case. Your agreement will be requested when a petition is filed and addressed in open court. An unsuccessful discharge can occur as part of a plea agreement or as a sentencing outcome after a hearing on the petition.

VOLUNTARY WITHDRAWAL-

Since Drug Court is a voluntary program, you do have the right to withdraw from the program, but there may be consequences so it is important that you understand what those consequences may be and the Judge and your attorney will explain those to you. Any consequence has to be consistent with the terms of your probation order. Serving jail time that has previously been stayed is one example of a possible consequence of voluntary withdrawal from Drug Court.

CONFIDENTIALITY

You are required to sign a waiver of confidentiality known as an authorization for release of information to allow the Drug Court team to communicate as a team about your participation and compliance. You will also be required to sign the Consent to Participate in Drug Court as a condition of being in Drug Court. Once you are in the program, the Drug Court team may also require that you sign additional releases of information to third parties such as family members, your sponsor, or medical providers on an as needed basis.

It is important that you know that you will not be permitted to remain in the Drug Court program if you refuse to sign any requested release or revoke these releases of information because that is grounds for you being unsuccessfully discharged from Drug Court.

SUMMARY

Drug Court may be your best opportunity to make the important life-saving, lifestyle changes that you may have attempted in the past but just couldn't do. In Drug Court, you have an entire team behind you that is willing to provide the structure and opportunities to make those changes, but in the end it is up to you to do the hard and honest work that is needed to succeed.

YOU MAY HAVE HEARD THAT DRUG COURT IS A "SET-UP"—IT'S TRUE—DRUG COURT IS A SET-UP TO BECOME A HEALTHY AND PRODUCTIVE PERSON, FAMILY MEMBER AND CITIZEN IN OUR COMMUNITY!

GOOD LUCK AND WORK HARD!

4/8/16 Draft

WINNEBAGO COUNTY DRUG COURT PARTICIPANT HANDBOOK SIGNATURE PAGE

I have read and understand the contents of the Winnebago County Drug Court Participant Handbook. I have been given a copy of the Participant Manual and will bring it to court and to all my appointments. I understand that in order to be successful in the Winnebago County Drug Court program as well as all treatment recommendations.

Client Signature

Date

Defense Counsel

Date

