

**Winnebago County, Illinois  
17<sup>th</sup> Judicial Circuit Court**



**Winnebago County Drug Court  
Policy & Procedure Manual**

4/2016

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## **Mission Statement**

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.

### **I. Winnebago County Drug Court (Drug Court)**

#### **A. General**

In 2012, the National Association of Counties (NACo) awarded Winnebago County and the 17<sup>th</sup> Judicial Circuit Court its highest national achievement award for County/Courts Partnerships for the Problem-solving Courts programs in operation in Winnebago County. The Winnebago County Drug Court (Drug Court) was the first of five problem-solving courts established in Winnebago County, Illinois. Drug Court has been in operation since 1996 and currently has the capacity to serve 125 active participants. Drug Court is a post-adjudicatory problem-solving court which targets defendants in felony court who have a substance dependence diagnosis and who are willing to voluntarily execute the Consent to Participate (Appendix A) in the Drug Court program and comply with the requirements of Drug Court. Post-adjudicatory means that the defendant has admitted guilt and agrees to voluntarily enter into the Drug Court program and comply with the Drug Court program requirements.

Drug Court is a voluntary program, but participation is subject to meeting the Drug Court eligibility criteria and being staffed and approved for admission into the program by the Drug Court team. No one has the legal right to participate in Drug Court. Drug Court has been built on an extensive history of collaboration among key stakeholders, including the 17<sup>th</sup> Judicial Circuit Court, Winnebago County, the Winnebago County State's Attorney, the Winnebago County Public Defender, the Winnebago County Sheriff, the Winnebago County Court Services Department, Treatment Alternatives for a Safe Community (TASC), treatment providers and the community.

#### **B. Goals and Objectives**

The goals and objectives of Drug Court are to enhance public safety in a fiscally responsible manner and to improve the quality of life for the individual participants, their families and the community by reducing the likelihood that they will reoffend by comprehensively addressing their criminogenic risks and needs. This is accomplished by assisting them to successfully achieve and maintain recovery through the utilization of targeted Drug Court resources and

intensive monitoring by the Drug Court Team. Drug Court has incorporated the National Association of Drug Court Professionals (NADCP) “*Ten Key Components for Drug Courts*” (*Ten Key Components*) into these policies and procedures and adheres to the NADCP “*Best Practices Standards for Drug Courts Volumes I and II*” (*National Standards*) as well as the Supreme Court of Illinois Administrative Office of the Illinois Courts “*Problem-Solving Courts Standards*” (*Illinois Standards*). Extensive research and the program outcomes for Drug Court participants since its inception confirm that Drug Court is an evidence-based intervention that has been and will be successful in significantly reducing the likelihood that a participant will reoffend as compared to a similarly situated offender who is not in Drug Court. The *Ten Key Components*, the *National Standards* and *Illinois Standards* that are incorporated into these Policies and Procedures for Drug Court create a comprehensive framework for implementing a multidisciplinary, collaborative, non-adversarial justice/treatment response to criminal behavior that includes the early identification and enrollment of eligible participants, intensive court supervision, a full continuum of treatment services and holistic supports that address the criminogenic risks and needs of the participant. Drug Court, in addition to being an evidence-based practice in and of itself, also utilizes evidence-based practices in its programming, including EBP screening and assessment of participants, trauma-informed treatment services, cognitive behavioral interventions, random and frequent toxicology testing, specialized probation officers, case management services from peer recovery coaches, employment skills, education referrals and supports and life skills services.

### **C. The 17<sup>th</sup> Judicial Circuit Court**

The 17<sup>th</sup> Judicial Circuit Court includes Winnebago and Boone Counties. Twenty five judges serve in the 17<sup>th</sup> Circuit Court and administer the duties and responsibilities of the judicial branch of government in both counties. The Chief Judge is the administrative leader of the third branch of government and is primarily responsible for the oversight of Drug Court. The Presiding Judge of the Problem-Solving Courts Division, who currently is the Drug Court Judge, oversees the day-to-day operation of Drug Court, the data collection and reporting responsibilities, and grant administration duties. Drug Court receives funding from Winnebago County, Adult Redeploy Illinois and the Substance Abuse and Mental Health Services Administration (SAMHSA) to meet its mission and serve Winnebago County citizens.

### **D. Winnebago County**

Winnebago County is located in north central Illinois bordering Wisconsin. With a population of over 278,000 people, Winnebago is the 7th largest county in the state. The county seat is Rockford, which is the third largest city in Illinois with a population of 150,000 people. Rockford is 90 miles northwest of Chicago, 90 miles southwest of Milwaukee, 60 miles south of Madison and just 15 miles from the Wisconsin state line. The western part of Winnebago County is primarily rural while the eastern half, which includes the City of Rockford, is urban and is a community that has some of the highest crime, poverty and unemployment rates in Illinois. The County is 520 square miles and has 14 townships, 8 villages and 3 cities.

## **E. Drug Court Partners**

### **1. Winnebago County Court Services Department**

The Winnebago County Court Services Department is responsible for the community-based supervision of persons in the criminal justice systems who are on pre-trial conditions of bond or who have been sentenced to court supervision, conditional discharge or probation. Currently, two specially trained adult probation officers are assigned to Drug Court and supervise all Drug Court participants to ensure their compliance with every aspect of their Drug Court probation, including compliance with all treatment and supervision requirements. The Drug Court Probation Officers work collaboratively with all team members, including the Drug Court Judge, and they ensure that the entire Drug Court Team is informed of a participant's progress or issues in a timely manner.

In 2008, Winnebago County established the Winnebago County Resource Intervention Center (RIC) under the supervision of the Winnebago County Court Services Department to create a "one-stop-shop" for services to persons on pre-trial supervision and post-conviction probation monitoring. Drug Court participants may be referred to the RIC for services which include substance abuse treatment, Adult basic education, GED preparation, partner abuse counselling, employment re-entry services, cognitive behavioral therapy interventions, parenting groups, health related services, individual and family therapy and recovery groups. RIC-based probation officers monitor attendance in RIC services and provide real-time reports on a participant's attendance and compliance with services to the Drug Court Probation Officer.

### **2. TASC**

Treatment Alternatives for Safe Communities (TASC) is a not-for-profit organization established in 1976 that provides behavioral health recovery management services for individuals with substance use and mental health disorders. TASC's clinical case management services include assessment, individualized service plans, health counseling, culturally appropriate treatment matching, linkages with community providers, and ongoing recovery support services. Pursuant to Illinois statute and administrative rule, TASC is an agency designated to assess offenders with substance use issues and make treatment recommendations and referrals for the Illinois criminal justice system. Drug Court Team members from TASC include the Clinical Assessor, Peer Recovery Coaches, and Lab Assistants.

### **3. Rosecrance**

Rosecrance is a not-for-profit behavioral health organization that provides a full continuum of addiction and mental health treatment services for children, youth, adults and families. Rosecrance is accredited with Full Standards Compliance by the Joint Commission. They offer board certified psychiatrists and provide therapy, financial assistance, living assistance and vocational help. Rosecrance provides substance abuse assessments (in custody and out of custody), DASA Licensed level 1 and 2 outpatient treatment (in custody and out of custody, residential treatment and medication assisted therapies.

#### **4. Remedies**

Remedies is a not-for-profit, licensed, Joint Commission accredited outpatient substance abuse treatment center. They offer assessment and intervention for a wide array of addiction and mental health related issues, as well as DUI education and services for victims of domestic violence.

#### **5. Gateway Foundation**

The Gateway Foundation is a not-for-profit agency that offers residential and outpatient substance abuse treatment and cognitive self-change for adults and adolescents. Dual diagnosis and mental health services are offered as well.

## **II. Eligibility Criteria, Exclusionary Criteria and Statement of Non-discrimination**

### **A. Eligibility Criteria**

The Drug Court target population is adult men and women (18 and older) who are defendants with a pending felony case. To be eligible for Drug Court, the individual must have a substance use dependence diagnosis; be determined to be high risk to reoffend or violate the terms of supervision and have high behavioral health treatment needs using evidence-based screening and assessment tools; reside in Winnebago County\*; be willing to voluntarily execute the Consent to Participate in the Drug Court program; and be willing to engage in and comply with the treatment and supervision requirements of Drug Court. For individuals charged with Class 2 or greater drug-related offenses, the defendant may only be admitted into Drug Court with the agreement of the prosecutor.

\*With the approval of the Drug Court Team, the residency requirement may be waived

### **B. Exclusionary Criteria**

Individuals who have been convicted of the following crimes within the past 10 years are excluded from eligibility: 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. Defendants 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.

### **C. Statement of Nondiscrimination**

It is the 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. For individuals for whom English is not their primary language, Spanish-speaking interpreters are employed by the Winnebago County

17<sup>th</sup> Judicial Circuit. In accordance with applicable legal requirements, the treatment providers and TASC ensure that language services are readily available to assist in service delivery for those participants needing language services assistance. To aid individuals with low literacy levels all members of the Drug Court team provide participants with oral instructions in addition to written materials at every stage of program development.

Specific to this program, enhanced case management and treatment services have been designed to address the individual care needs of the participants. 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 histories in cultural specific issues, and have familiarity with the needs of offender populations and gender-and age-relevant treatment and recovery supports.

### **III. Referral, Assessment and Enrollment**

#### **A. Referral**

Individuals may be referred to Drug Court by any person, including judges, attorneys, family members, treatment professionals, law enforcement, or the individual's own request. A Problem-Solving Courts Referral Form (Appendix B) must be completed and forwarded to the Problem-Solving Courts staff to begin the assessment process. The Referral Form is available on-line at [www.Illinois17.com](http://www.Illinois17.com) or in Suite 215 of the Winnebago County Courthouse. Upon receipt of the completed Referral Form, the Problem-Solving Courts Coordinator immediately pre-screens for eligibility of the individual by reviewing their criminal history, pre-trial services report, OffenderTrak information, current charge(s) and other records if available to determine if any exclusionary criteria may apply. If none apply, the referral is forwarded to the Drug Court Assessor who is responsible for completing the assessment within 14 days of receipt of the referral for individuals in custody and 30 days for individuals who are out of custody. If it appears that the individual may be excluded, the referral is set for a pre-assessment staffing by the Drug Court Team at the next team staffing to determine if the concern is an exclusionary criteria to participation. If the Drug Court Team determines that the person is not eligible at a pre-staffing or staffing, the referral is closed and a report is sent to the referral source, and also to the judge, prosecutor, and defense counsel in the originating courtroom explaining the reason why the individual did not meet Drug Court eligibility. If the Drug Court Team agrees that the person may be eligible, the referral is then forwarded on to the Drug Court Assessor to complete the assessment within the required timeframes.

#### **B. Assessment**

The Clinical Assessor schedules an appointment with the individual referred for evaluation and obtains an appropriate Assessment Release (Appendix C) for allowing the Drug Court Team to discuss the individual's eligibility for Drug Court. The clinical assessment is to be completed within 14 days after the Clinical Assessor receives the assessment for in- custody defendants

and 30 days from receipt for out-of-custody defendants. The Clinical Assessor conducts a comprehensive assessment to identify the existence and severity of a substance use disorder based upon an evidence-based assessment tool (currently the TCU Brief Treatment Intake) which results in a DSM V diagnostic impression and recommendations for the level of treatment care using the American Society of Addiction Medicine (ASAM) dimensions and Patient Placement Criteria 2<sup>nd</sup> Edition, Revised (ASAM PPC2R). The Clinical Assessor also administers the Risk and Needs Triage (RANT) evidence-based screening tool to determine if the individual is moderate to high risk of reoffending or violating the terms of supervision and has high behavioral health treatment needs. The assessment process also incorporates an evidence-based brief screen to detect any emergency mental health issues or concerns and includes an evidence-based brief screen for trauma issues. Other screens may be utilized as recommended by research. Upon completion of the assessment, the Clinical Assessor prepares and forwards a written summary of the findings of the assessment to the Problem-Solving Courts Coordinator who disseminates the written assessment, the most recent pre-trial services report, the Bill of Indictment or charging document, the Probable Cause Statement, the individual's criminal history and OffenderTrak information as a referral packet to the entire Drug Court Team and sets the individual for staffing at the next team staffing.

### **C. Enrollment**

The Drug Court Team reviews and discusses the assessment and referral packet of each individual referred to Drug Court utilizing the objective Drug Court eligibility and exclusionary criteria at the next staffing after the assessment is completed. If found to be eligible, the individual is placed on the next Drug Court call to execute the Consent to Participate in open court before the Drug Court Judge in order to be enrolled in Drug Court. If an individual is found to be ineligible for Drug Court or declines to execute the Consent to Participate, the referral is closed and a report is sent to the referral source, and to the judge, prosecutor and defense counsel in the originating courtroom explaining why the individual is not eligible and the case is sent back to the original courtroom for further proceedings.

## **IV. Participant Responsibilities and Handbook**

### **A. Participant Responsibilities**

Each participant must conform to the requirements of the Consent to Participate, Probation Order (Appendix D), and Drug Court Handbook (Appendix E). Those responsibilities include attending court regularly, meeting with probation as directed, complying with toxicology screening as directed, attending all screenings, assessments and treatment services as directed, participating appropriately in treatment groups, engaging in pro-social activities, including employment or education pursuits, following all directives of the court and remaining drug and alcohol free. In Drug Court, one of the paramount requirements of each participant is to be honest with the Drug Court Team about compliance with treatment and supervision and to work with the team to deal with the difficult issues that addiction presents so that appropriate treatment interventions and responses can be put in place and monitored.

## **B. Participant Handbook**

Each participant will receive his/her copy of the Drug Court Handbook at the initial probation office visit and sign a receipt acknowledging that he/she has received the Drug Court Handbook and it has been explained to him/her. It is also required that Defense Counsel will have reviewed and explained the Drug Court Handbook with a potential participant prior to enrolling him/her into Drug Court so that the potential participant is fully informed about the structure and requirements of Drug Court.

## **V. Drug Court Process and Schedule**

### **A. Drug Court Process**

Drug Court utilizes weekly team staffings with all Drug Court Team members present and participating and weekly court status hearings to monitor each participant's performance and progress in Drug Court. Written reports are sent to each Drug Court Team member by the Drug Court Probation Officers and Recovery Coaches prior to staffing discussions and the team also communicates in real time via secure e-mail to monitor and address emergent issues. Verbal updates are provided in court and the Drug Court Judge may step off the bench to confer with the Drug Court Team if an issue requires a private staffing. Participants are addressed with the Drug Court Team's response to the progress that they have made or issues that have arisen between court dates by the Drug Court Judge and are given an opportunity to address the Drug Court Team in open court. Optimally, the Drug Court Judge will interact with the participant for a minimum of 3 minutes. When the status hearing is concluded, the participant is given his/her next court date. Additional information about Drug Court processes are included in other sections of this Drug Court Policies and Procedures Manual and the Drug Court Handbook and are incorporated herein.

### **B. Drug Court Schedule**

Currently, Drug Court Team staffings are held once weekly on Monday mornings and court sessions are scheduled on Tuesday and Friday mornings at 8:30 a.m. and at 4:00 p.m. on the 2<sup>nd</sup> and 4<sup>th</sup> Wednesday of each month. All Drug Court Team members are required to attend all team staffings and court sessions unless excused by the Drug Court Judge.

## **VI. Drug Court Team**

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, case managers/ recovery coaches and a data collection assistant. Law enforcement is invited to attend. Team member descriptions and responsibilities are set forth as follows:

## **A. Judge**

The Drug Court Judge serves as the leader of the Drug Court Team and presides at all Drug Court Team staffings and sessions. 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 the participant understands the requirements of Drug Court, including those set forth in the Consent to Participate prior to executing the Consent to Participate and that the participant is competent and entering the program voluntarily. To carry out his/her duties, the Drug Court Judge must participate in all team staffings and shall consider input from the other team members in evaluating a response to a participant's 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 an individual participant. In court, it is the Drug Court Judge who presents the participant with the team's staffing decisions and allows the participant to address the response with the court. Examples of the responses a participant may receive in court are an incentive given because of progress the participant has made, a sanction imposed because of non-compliance with treatment and/or supervision requirements or a treatment plan adjustment as recommended by the treatment provider. These responses are designed to encourage or reinforce the participants' progress or to discourage and deter participants' non-compliance. The Drug Court Judge shall ensure that Drug Court responses to a participant's behavior are predictable, fair, consistent and unbiased and that the participant is treated with respect and is given an opportunity to be heard. Examples of incentives, sanctions and therapeutic adjustments are attached hereto as Appendix G.

## **B. Problem-Solving Courts Coordinator**

The Problem-Solving Courts Coordinator 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 Courts Presiding Judge, and the Trial Court Administrator. The Problem-Solving Courts 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, coordinating continuing education opportunities for the Drug Court team, and grants administration.

## **C. 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 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 also participates in the

collaborative Drug Court process in evaluating each participant's engagement in and compliance with Drug Court in team staffings and at court sessions. As part of the collaborative team, the prosecutor monitors participant progress and makes recommendations regarding appropriate interventions to impact a participant's 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 redisclosed. The prosecutor retains the responsibility to assure a participant's compliance with Drug Court requirements and may initiate adverse proceedings if a participant is not adhering to the terms of his/her Drug Court probation and Consent to Participate.

#### **D. Defense Counsel**

The role of defense counsel in Drug Court is also very different from the traditional adversarial model in criminal court. In Drug Court, the Public Defender represents all Drug Court clients unless a participant has privately retained counsel. Before entry into Drug Court, it is defense counsel's responsibility to meet with each potential participant to explain Drug Court's rules and expectations, the potential participant's 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 and the Drug Court Handbook to the participant, and assist in the participant's execution of all court related documents and ensure that the participant understands all of the provisions of such documents. Upon official enrollment in Drug Court, privately -retained defense counsel must elect whether to continue as counsel for the participant. If not, the Drug Court Judge appoints the public defender to represent the participant in Drug Court. Whether a participant is represented by privately retained defense counsel or the public defender, the responsibilities of the participant's attorney is to represent the participant at team staffings, attend all Drug Court staffings and court status hearings, provide input and recommendations to the Drug Court Team, ensure that the participant's due process rights are protected and represent the participant in any adverse proceedings.

#### **E. Probation Officers**

A Drug Court Probation Officer is primarily responsible for overseeing a participant's compliance with the requirements of Drug Court supervision and treatment through frequent contact with the participant and treatment providers and participation in team staffings and court status hearings. The Drug Court Probation Officer has a more integrated working relationship with treatment providers than the traditional probation officer and provides assistance to the participant and team as needed. Once a participant enters Drug Court, the Drug Court Probation Officer conducts the Levels of Service Inventory-Revised (LSI-R) with the participant, makes treatment referrals, explains the terms of Drug Court probation, including random drug testing protocols, and makes other referrals as needed. The Drug Court Probation Officers engages the participant in the process of prioritizing his/her needs and goals and works with the Drug Court Team to incorporate these recommendations into each participant's treatment plan. The Drug Court Probation Officer also assigns the participant to his/her color for the random drop protocol, provides and reviews the Probation Order and the Drug Court

Handbook with the participant and schedules them to attend a probation orientation group that gives an overview of how probation operates, provides the Adult Probation Handbook (Appendix F), explains the expectations of probation, and identifies resources that are available through involvement with probation. The Drug Court Probation Officer meets regularly with each participant according to their Drug Court Level (or more frequently if needed) and communicates with the Drug Court Team and treatment providers about each participant's progress and compliance with Drug Court through written reports, secure e-mail and verbal updates at staffings and in court.

#### **F. Drug Court Assessor**

The Drug Court Assessor is responsible for the initial assessment of persons referred to Drug Court to ensure that he/she has a substance dependence diagnosis and is moderate to high criminogenic risk/high behavioral health needs. Upon receipt of a referral to Drug Court, the Drug Court Assessor is responsible for scheduling an assessment appointment with the person referred and obtaining all necessary releases of information from him/her including the Assessment Release. The Drug Court Assessor administers the TCU Brief Treatment intake in order to determine if an individual referred to the Drug Court program has a DSM-V diagnostic impression of a substance use disorder and the Risk and Needs Triage (RANT) evidence-based screening tool to determine if the individual meets the criteria of being moderate to high risk of reoffending and has high behavioral health treatment needs. The Drug Court Assessor also utilizes an evidence-based brief screening tool to evaluate mental health status and concerns and also trauma. The level of care determination for treatment is made based on assessment results using the American Society of Addiction Medicine (ASAM) dimensions and Patient Placement Criteria 2<sup>nd</sup> Edition, Revised (ASAM PPC2R). The Clinical Assessor prepares a written summary of the findings from the assessment and forwards the written report to the Drug Court Team for staffing discussions.

#### **G. Case Manager/Recovery Coach**

Case manager/recovery coach team members provide comprehensive case management to link the participant with services and coordinate and monitor service delivery through recovery coaching, trauma-informed services and groups, facilitating a support group to work in conjunction with participants using medication-assisted treatment, and coordinating participants in obtaining primary care services.

#### **H. Treatment Providers**

Drug Court utilizes a full continuum of treatment services, including outpatient, intensive outpatient, inpatient, long-term inpatient substance abuse and co-occurring treatment, and recovery housing from numerous treatment providers. All treatment services are trauma-informed and culturally sensitive. Drug Court also supports the utilization of medication-assisted treatment (MAT) for participants with opioid or other substance dependence disorder diagnoses. MAT is a medical protocol that is entirely voluntary on the part of the participant

and is a decision entered into between a participant and his/her medical provider. A participant's mental health needs and medical issues are also monitored by Drug Court and referrals may be made by the Drug Court team for these services.

## **VII. Drug Court Levels**

The Drug Court incorporates three program levels followed by graduation. The levels are designed to monitor compliance the participant's compliance with all Drug Court requirements and to objectively measure a participant's progress in treatment. These levels are structured to maximize the likelihood that the participant can successfully achieve and maintain recovery through meaningful participation in his/her treatment plan requirements while under the intensive supervision by the court to discourage the participant from engaging in further criminal activity. Treatment plan requirements include all recommended and/or prescribed treatment services, including substance abuse treatment, primary medical treatment, and mental health treatment services and each participant's compliance with treatment plan requirements will be monitored by the Drug Court Team through all Drug Court Levels. To date, Drug Court has assisted hundreds of participants to successfully complete the program and become contributing, productive members of our community. The participant requirements for each program level are as follows:

### **Level I**

- 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 set forth in Section IX
- 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 arrest checks daily

Participants can only advance to Level II if substantially compliant with Level 1 requirements for a sustained period of time, have no drug tests which violate the alcohol and drug testing protocol and procedures for 90 days and the Drug Court team approves moving to Level II.

### **Level II**

- 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 screening in accordance with the color code protocol
- Meet with Probation Officer a minimum of two times per month
- Comply with home/field visits as needed
- Establish Employment/Education Referrals
- Sign releases of information to collateral contacts as required
- Verify residence at each probation office visit
- Be subject to arrest checks daily
- Be working on satisfying court-ordered financial obligations

Participants can only advance to Level III after his/her completion of 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 violate the Alcohol and Drug Testing Protocol and Procedures set forth in Section IX within the last 60 days.

### **Level III**

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

### **Graduation**

To be eligible for graduation, participants must continue to meet all of the requirements for moving from Level II to Level III, must be compliant with Level III requirements, have satisfactorily met court-ordered financial obligations, be at least 9 months drug and alcohol free, and be twelve months arrest free. The Drug Court team will staff a participant to determine if he/she has met the requirements to advance from Level III to graduation. It is at this point that any legal agreements that have been previously made pending completion shall be reviewed and acted upon accordingly. Graduation ceremonies are held each May and November.

## **VIII. Incentives, Sanctions, and Therapeutic Adjustments**

All responses to a Drug Court participant's behavior shall 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 a person to comply with Drug Court requirements and to effectuate the changes in thinking and behavior of a participant that are necessary to assist him/her to successfully achieve recovery and to comply with and successfully complete the program. The participant shall be advised by the Drug Court Judge at the time of execution of the Consent to Participate that the program incorporates incentives, sanctions and therapeutic adjustments in response to a participant's 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 the participant is 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, the participant 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 the procedural fairness principles of fairness and neutrality after the participant is given an opportunity to be heard. Examples of incentives, sanctions and therapeutic adjustments that may be imposed in Drug Court are set forth in Appendix G.

## **IX. Drug and Alcohol Testing Protocol and Procedures**

Winnebago County Probation maintains a random, color-coding system for Drug Court participant alcohol and drug testing. Participants are assigned to a color and are required to call in each day to check the color code. If their color is called, they are required to provide a sample pursuant to the recorded directions. Participants may also be tested when reporting for a probation office visit or when they report for Drug Court. In accordance with best practices but subject to the availability of funds, Drug Court clients are tested at least twice a week. Positive drug/alcohol screen results, failing to provide a random drug/alcohol screen as directed, or diluting, altering or attempting to adulterate urine specimens, or any type of tampering (e.g. bringing in someone else's urine) are violations of the Drug Court program and can result in the imposition of a Drug Court sanction.

## **X. Program Outcomes**

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

### **A. Successful Discharge**

Participant is eligible for successful discharge from the Drug Court Program when he/she completes all of the program requirements. If completion of the program and probation occurs

prior to a graduation ceremony, the participant can elect to voluntarily extend the term of probation to participate in graduation or be awarded a Certificate of Achievement and be discharged from Drug Court.

## **B. Neutral Discharge**

A participant may encounter difficulties after entering the program that makes it difficult or impossible for him/her to comply with the requirements of Drug Court. For example, the participant may develop a serious medical condition that makes it difficult to attend groups and/or to drop as frequently as Drug Court requires. With the agreement of the participant, the Drug Court Team can staff an alternative supervision plan for the participant 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.

## **C. Unsuccessful Discharge**

A participant who is in violation of Drug Court Program requirements may be unsuccessfully discharged from the Drug Court Program. The Drug Court Team is committed to offering the full continuum of treatment services to all Drug Court participants with the goal of helping them achieve and maintain recovery, but on occasion a participant is not able to do so. There are also instances where Drug Court participants may re-offend or commit other serious violations of Drug Court Program requirements, and the Drug Court Team may consider unsuccessfully discharging the participant from the program. Prior to unsuccessful discharge from Drug Court, a participant shall be served with a petition to terminate the participant from Drug Court or to revoke the participant's probation. 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 all participants who become subject to proceedings that could result in unsuccessful discharge from Drug Court 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 the adverse witnesses, the right to present witnesses and evidence on his/her 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 a petition is filed, in order for the Drug Court Judge to continue to participate in team staffings, the participant must first be given Supreme Court Rule 402(d), (e), and (f) admonitions and after being admonished, affirmatively consent to the Drug Court Judge being included in team staffing discussions. Unsuccessful discharge can occur as part of a plea agreement or as a sentencing outcome after hearing on the petition.

## **D. Voluntary Withdrawal**

A participant shall 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 a participant requests to withdraw, the Drug Court Judge shall ensure that the participant has 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 the participant is admonished as to the consequences, actual or potential, which may result from the withdrawal. The consequences that could be imposed must be consistent with the participant's 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 the participant in open court prior to the Drug Court Judge allowing the participant to withdraw.

## **XI. Confidentiality**

Information regarding a participant's health and treatment status is highly confidential as set forth in Section 7.4 of the *Illinois Standards* and this confidential is protected by federal and state laws and 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 Assessment Release to facilitate the assessment and discussion of an individual's eligibility to participate. The Consent to Participate that the participant signs acknowledges the possible dissemination of protected information through his/her participation in Drug Court, and requires that the participant execute 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 the participant in a lawful manner. All communication among the Drug Court Team about a participant is required to be done in a manner to keep the individual's identity confidential. From time to time, collateral sources of information may volunteer information to the Drug Court team about a participant, but a properly executed release of information from the participant to a collateral source is always obtained prior to Drug Court contacting or sharing any information with a collateral source. 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.

## **XII. Post-Program Aftercare**

Each participant who is exiting the Drug Court program shall be assessed for all post-program treatment or services needs and the Drug Court team shall ensure that the participant is linked to needed services as indicated by the assessment prior to discharge from the program.

# **Winnebago County Drug Court Policy & Procedure Manual**

## **List of Appendices**

- A. Referral Form
- B. Assessment Release
- C. Consent to Participate
- D. Probation Order
- E. Drug Court Participant Handbook
- F. Adult Probation Handbook
- G. Incentives, Sanctions, and Therapeutic Adjustments

STATE OF ILLINOIS  
IN THE CIRCUIT COURT OF THE 17<sup>TH</sup> JUDICIAL CIRCUIT COUNTY OF  
WINNEBAGO

THE PEOPLE OF THE STATE OF ILLINOIS

vs.

CASE NO. \_\_\_\_\_

\_\_\_\_\_  
DEFENDANT

**CONSENT TO PARTICIPATE IN THE WINNEBAGO COUNTY  
DRUG COURT PROGRAM**

1. I understand that I have no legal right to participate in the Winnebago County Drug Court (Drug Court) Program. I have reviewed this Consent to Participate with my Attorney and I hereby knowingly and voluntarily execute this Consent to Participate which allows me to participate in the Drug Court Program.
2. I agree to participate in and cooperate with any and all treatment recommendations, including, but not exclusively, any mental health or substance abuse assessments and/or treatment recommended by the Drug Court Team, which consists of the Judge, Local PSC Coordinator, Prosecutor(s), Public Defender or Defense Counsel, Probation, Treatment Provider(s), Case Manager(s), \_\_\_\_\_ and any other personnel designated by the Drug Court Team or identified by my treatment providers in my treatment plan.
3. I understand that it is essential that all members of the Drug Court Team, including the Judge, communicate as a team and share information regarding my participation in the Drug Court, including compliance with treatment, and I agree to them doing so. Upon my entry into the Drug Court, I consent to the Drug Court public defender representing me at Drug Court staffings and at court status review hearings unless I have privately retained counsel. I understand that my privately retained counsel will be required to represent me at all staffings and court status review hearings. In the event that my privately retained counsel is unable to attend staffings and/or court, I understand that my attorney will arrange for other counsel to appear on my behalf.
4. I agree to adhere to all components of my treatment, including attending all counseling sessions, treatment programs, taking my medication as prescribed, engaging in activities as recommended by the Drug Court Team, including sobriety based self-help meetings and cooperation with home visits by Drug Court Team members.
5. I agree to remain drug and alcohol free (except for approved prescribed medications) and to submit to random drug testing at the discretion of the Drug Court Team or any treatment provider and agree to the disclosure of the results to the Drug Court Team.

6. I agree to appear in court as required. I understand that my court hearings will be open to the public and an observer could connect my identity with the fact that I am in treatment. I consent to this type of disclosure to a third person.
7. I agree to reside in Winnebago County and to keep the Drug Court Team advised of my current address and telephone number, employment status, and any new arrests at all times while in the program.
8. I agree to sign any and all releases of information consenting to the disclosure of information to the Drug Court Team. I understand that if I refuse to comply with signing a release when requested, it may be grounds for termination from Drug Court.
9. I agree to be truthful, cooperative and respectful with the Drug Court Team.
10. I understand that based upon any report (written or oral) of my violation of any rules of my Drug Court probation, contract or of this Consent to Participate, the Drug Court Judge may: authorize a warrant for my arrest; impose any sanction, including jail time if ordered by the Judge; adjust my treatment plan; or modify or revoke any conditions of my probation or bond. My violation(s) may result in proceedings being initiated seeking my termination from the Drug Court and these proceedings could either be resolved in Drug Court or be referred back to traditional court.
11. I understand that my alcohol, drug and/or mental health treatment records are protected by Part 2 of Title 42 of the Code of Federal Regulations (C.F.R), and HIPAA; Illinois Mental Health and Developmental Disabilities Confidentiality Act, 740 ILCS 110 *et seq.*; 45 C.F.R. Parts 160 & 164. I understand that I may revoke this Consent to Participate at any time except to the extent that action has been taken in reliance on it. In any event, this Consent to Participate expires upon the termination of the probation I am serving in this case or the termination of all proceedings with regard to this cause of action as named above.
12. I understand that I may voluntarily withdraw from the Drug Court Program in accordance with Drug Court procedures. I understand that there may be consequences, actual or potential, which will result from my withdrawal.
13. I understand that at the discretion of the presiding Drug Court Judge, for purposes of research and/or education, other persons may be permitted to attend the Drug Court Team meetings where communication as to my case will occur.
14. I understand that language help is available and if I need assistance, it is my responsibility to inform the court I need help.

**I UNDERSTAND THAT THE DRUG COURT PROGRAM MAY BE AN OPPORTUNITY FOR ME TO AVOID CONVICTION, JAIL AND/OR PRISON AND TO HELP ME OBTAIN TREATMENT AND MOVE FORWARD WITH MY LIFE. I ALSO UNDERSTAND THAT ALL MEMBERS OF THE DRUG COURT TEAM WANT TO SEE ME SUCCEED AND ARE HERE TO HELP ME.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Name (Print or Type)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature of Interpreter  
(where applicable)

\_\_\_\_\_  
Signature of Parent or Guardian  
(where applicable)

**I HAVE REVIEWED THIS CONSENT WITH THE DEFENDANT. THE DEFENDANT UNDERSTANDS IT AND VOLUNTARILY AGREES TO PARTICPATE. I FURTHER UNDERSTAND THAT THE DRUG COURT TEAM WILL BE DISCUSSING THE DEFENDANT'S COMPLIANCE AND COOPERATION WITH HIS/HER TREATMENT PLAN AND TERMS OF SUPERVISION AT DRUG COURT STAFFINGS AND AT DRUG COURT STATUS REVIEW HEARINGS. I ACKNOWLEDGE THAT IF I REMAIN COUNSEL OF RECORD FOR THE DEFENDANT, I WILL APPEAR OR ARRANGE FOR OTHER COUNSEL TO APPEAR AT TEAM STAFFINGS WHEN THE DEFENDANT IS SCHEDULED TO BE STAFFED BY THE DRUG COURT TEAM AND ALSO APPEAR OR ARRANGE FOR OTHER COUNSEL TO APPEAR WITH THE DEFEFNDANT AT ALL COURT HEARINGS.**

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Defense Counsel/Public Defender

\_\_\_\_\_ This Consent to Participate is accepted by: \_\_\_\_\_  
Date Judge



17th Judicial Circuit  
Winnebago County, IL

Winnebago County Courthouse  
400 W. State Street, Room 215  
Rockford, IL 61101  
Phone: (815) 319-4805 Fax: (815) 963-2755

**PROBLEM-SOLVING COURTS REFERRAL FORM**

Honorable Janet R. Holmgren  
Juvenile and Problem-Solving Court Division

Emily Behnke  
Deputy Court Administrator  
Problem-Solving Courts Division

Fax completed referral form to the number above, drop off in Room 215

- DC** Drug Court  
 **FDC** Family Drug Court \*Attach signed release\*  
 **TIP** Therapeutic Intervention Program  
 **VC** Veterans Court \*Attach signed release\*  
 **YRC** Youth Recovery Court \*Attach YASI & Social History\*

**Offender Name:** \_\_\_\_\_ **Referral Date:** \_\_\_\_\_

**AKA:** \_\_\_\_\_ **MID #:** \_\_\_\_\_

**\*DOB:** \_\_\_\_\_ **JUV MID #:** \_\_\_\_\_

**Current Address:** \_\_\_\_\_ **Gender:** \_\_\_\_\_

\_\_\_\_\_ **Social Security #:** \_\_\_\_\_

**\*Phone #:** \_\_\_\_\_

**Case # (s):** \_\_\_\_\_

**Offense (s):** \_\_\_\_\_

**Arrest Date:** \_\_\_\_\_ **In Custody?** \_\_\_\_\_ **Release Date:** \_\_\_\_\_

**On Probation?** \_\_\_\_\_ **On Parole?** \_\_\_\_\_

**Next Court Date:** \_\_\_\_\_ **Courtroom:** \_\_\_\_\_

**Defense Attorney:** \_\_\_\_\_ **ASA:** \_\_\_\_\_

\*ASA - Initial for consent to participate in Problem-Solving Court: \_\_\_\_\_

**Referral Source:** \_\_\_\_\_ **Phone #:** \_\_\_\_\_ **Email:** \_\_\_\_\_

**Comments:** \_\_\_\_\_

**FOR OFFICE USE ONLY**

Date email sent to ASA for consent: \_\_\_\_\_ Date entered: \_\_\_\_\_

Date received consent from ASA: \_\_\_\_\_ Date sent to assessor: \_\_\_\_\_

Date approved: \_\_\_\_\_ Date due from assessor: \_\_\_\_\_

Comments: \_\_\_\_\_

**Consent for Disclosure of Confidential Information: Criminal Justice Referral**

I, \_\_\_\_\_, authorize the disclosure of my client records by TASC, Inc., in accordance with the terms and conditions specified below:

Charge(s): _____	Case #(s): _____
Disclosure shall be limited to the following person(s) or organization(s) in the _____ Judicial Circuit of Illinois:	
Judge _____	Ass't State's Attorney _____
Probation/Parole Ofcr _____	Ass't Public Defender _____
Private Attorney _____	_____ County Clerk of the Court
_____ County Dept. of Corrections	_____ County Sheriff's Dept.
_____ Illinois Dept. of Corrections	_____ Parole Review Board
I understand that information disclosed to the people/agencies indicated above will only be used to carry out that person/agency's official duties, and that they are bound by law not to re-disclose it to another party.	
I understand that the information disclosed shall be limited to what is deemed necessary for and pertinent to hearings or reports related to the above case, and that disclosure of such information is necessary to monitor my acceptability for treatment and my participation and progress in treatment as ordered.	
I understand that the type of information disclosed may include any of the following:	
- Clinical assessment and diagnosis	- Treatment plan
- Treatment progress update	- Medication management information
- Toxicology reports (i.e. drug tests)	- Educational information
- Legal history	- Discharge, transfer or termination information
- any other information deemed relevant to the provision of services by TASC.	

<b>Collateral Contact(s):</b>
I understand that during the course of my participation with TASC, it may be necessary for TASC to verify personal information, facilitate engagement by TASC, and access appropriate services by contacting friends or family members. I authorize TASC to contact the above individual solely for these purposes, and understand that TASC will disclose only the minimum amount of information necessary, if any, to this contact.

<b>Emergency Contact:</b>	<b>Telephone Number:</b>
I understand that during the course of my participation with TASC, certain emergency situations may arise that require TASC to contact family or friends in my best interest. I authorize TASC to contact the above individual at the above indicated telephone number solely for this purpose, and understand that TASC will disclose only the minimum amount of information necessary, if any, to this contact while the emergency is being resolved.	

**Length of Consent and Revocation**

I understand that the exchange of information between TASC and the above-mentioned entities is a necessary component of my treatment mandate, and that this consent will remain in effect and irrevocable until there has been a formal termination and disposition of the proceeding from which this referral came, or a formal termination of my participation with TASC. Upon such termination, I may revoke this consent at any time by contacting my TASC case manager.

**Legal Protection**

I understand that records of my participation in substance abuse treatment or intervention services are protected by state and federal laws and regulation (42 C.F.R. Part 2, and 45 C.F.R. 165), and that I have a right to not have any information disclosed without my written consent or for any purpose other than those described above.

\_\_\_\_\_  
Signature of Client

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Parent/Guardian/Legal Representative if applicable

\_\_\_\_\_  
Date

Witnessed by \_\_\_\_\_

In the Circuit Court of the Seventeenth Judicial Circuit  
Winnebago County, State of Illinois

FILE STAMP

People of the State of Illinois,  
Plaintiff,  
\_\_\_\_\_  
Defendant

Case No(s) \_\_\_\_\_

PROBATION ORDER

YOU HAVE BEEN GRANTED THE PRIVILEGE OF PROBATION. IF YOU FAIL TO OBEY THE FOLLOWING CONDITIONS, YOUR PROBATION MAY BE MODIFIED OR REVOKED. IF REVOKED, YOU CAN BE RESENTENCED ON THE OFFENSE FOR WHICH YOU RECEIVED PROBATION. The above named defendant, having been convicted of the offense(s) designated below, is hereby sentenced to probation, subject to the terms and conditions stated below, provided, that any violation of said conditions may result in the above named defendant being subject to modification or revocation of this disposition:

OFFENSE(S) \_\_\_\_\_ a Class \_\_\_\_\_ felony and/or Class \_\_\_\_\_ misdemeanor, for a period of \_\_\_\_\_ months/years.

THE CONDITIONS OF SENTENCE ARE THAT DEFENDANT SHALL:

Not violate any criminal statute or ordinance of any jurisdiction;

Defendant shall report immediately to the Adult Probation Department located on the first floor of the Winnebago County Courthouse. Furthermore, defendant shall report monthly or as often as the probation officer may direct;

Not possess any firearms or dangerous weapons;

Not leave the State of Illinois without consent of the court and giving advance notice to and obtaining written permission from probation officer;

Permit probation officer to visit the defendant at the defendant's home or elsewhere as requested by the probation officer;

Inform the Clerk of the Circuit Court and Probation of a change of address within 24 hours;

If an offense referenced in this order is: a felony, a qualifying offense or an attempt at a qualifying offense, classified as a felony under the Juvenile Court act of 1987, or is an offense requiring registration under the Sex Offender Registration Act, submit a blood and/or tissue and/or saliva specimen within 45 days for DNA testing pursuant to 730 ILCS 5/5-4-3.

Register as a sex offender and comply with Sex Offender Registration Act 730 ILCS 150/1 et. seq;

Not consume alcohol and drugs (unless prescribed for you by a physician) or any substance labeled not fit for human consumption.

Submit to random urinalysis and/or blood test and /or breathalyzer test at the direction of the probation department or any agency referred to for counseling, and shall sign releases of information disclosing the test results to the court and probation;

Undergo medical testing for sexually transmissible diseases pursuant to 730 ILCS 5/5-5-3(g) and shall appear and obtain the results in court on \_\_\_\_\_. The results are to be forwarded to the sentencing judge;

Other: \_\_\_\_\_

Pay restitution\* in the amount of \$ \_\_\_\_\_, to be paid in full by \_\_\_\_\_  
\*Restitution is payable at a rate to be determined by the Court. \*Restitution payments made through the Winnebago County Circuit Clerk's Office.

Serve \_\_\_\_\_ days Periodic Imprisonment in the Winnebago County Jail and abide by all rules thereof and report in compliance with the Periodic Imprisonment Order.

Serve \_\_\_\_\_ days in the Winnebago County Jail with \_\_\_\_\_ days of that time stayed.

Receive \_\_\_\_\_ days credit for time actually served;

Day for day credit does not apply (730 ILCS 130/3);

Pursuant to 725 ILCS 5/110-14; receive \$5.00/day credit for \_\_\_\_\_ days served towards fines allowable per ILCS.

Cooperate with and satisfactorily complete any assessment, treatment, education and/or counseling as directed by the probation office, including, but not limited to, participation in services offered at the R.I.C. Also sign releases of information consenting to disclosure of all assessment, treatment, education and counseling information to the court and probation.

Attend the Victim Impact Panel on \_\_\_\_\_ at \_\_\_\_\_ P.M. or as directed by the Court and/or Probation Office;

Shall work or pursue a course of study or vocational training;

Perform \_\_\_\_\_ hours of community/public service at times and places designated by the Probation Office. Such hours to be completed by \_\_\_\_\_.

Surrender all rights in the weapon pursuant to 720 ILCS 5/24-6(b);

Not have any contact directly or indirectly with the following persons or places:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Be monitored by drug court;

Appear in courtroom \_\_\_\_\_ on \_\_\_\_\_ at \_\_\_\_\_.

PAY THE FOLLOWING:

- Court Costs, Fines and/or Penalties \$ \_\_\_\_\_
- Probation Fee (per month) \$ \_\_\_\_\_
- DNA Analysis Fee \$ 250.00
- Street Value Fine \$ \_\_\_\_\_
- Drug Assessment Fee \$ \_\_\_\_\_
- Lab Analysis Fee \$ 100.00
- Trauma Center Fund Fine \$ 100.00
- State's Attorney's Trial Fee \$ \_\_\_\_\_  
( \$25 x \_\_\_\_\_ days of actual trial)
- Public Defender Fee \$ \_\_\_\_\_
- Crimestoppers Contribution \$ \_\_\_\_\_
- Victim Impact Panel Fee \$ 10.00
- Sexual Assault Fine \$ 100.00
- Domestic Violence Fine \$ 200.00  
(  Family  Non-Family)
- Domestic Battery Fine \$ 10.00
- Viol. of an Order of Prot. Fine \$ 20.00
- STD/HIV Testing \$ 40.00
- Restitution\*(as directed) \$ \_\_\_\_\_

Bond from this/these case(s) and case #s \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ to be applied to fines, costs and restitution;

Immediately pay in full at the Clerk of the Circuit Court, located in this building.

Report to the Clerk of the Circuit Court located in this building before 4:00 p.m. on the next business day after release from custody to pay in full.

Judgment is hereby entered in favor of the prosecuting entity and/or victim for the above stated fines, costs, penalties and/or restitution.

**FAILURE TO MAKE PAYMENT AS ORDERED MAY RESULT IN THE ISSUANCE OF A WARRANT FOR DEFENDANT'S ARREST AND/OR HAVING ANY UNPAID JUDGMENT BEING SENT TO COLLECTION AND ADDITIONAL COLLECTION FEES MAY APPLY.**

Circuit Clerk is to send restitution to: \_\_\_\_\_

Defendant Address: \_\_\_\_\_

Defendant's Signature: \_\_\_\_\_

Judge: \_\_\_\_\_

Entered: \_\_\_\_\_

17<sup>th</sup> 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 or 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 17<sup>th</sup> 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](http://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  
 2<sup>nd</sup> and 4<sup>th</sup> 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!***

**WINNEBAGO COUNTY DRUG COUR 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

# Winnebago Drug Court Participant Manual

## Additional Information

### Drug Court Team Members as of 4/11/2016:

Presiding Judge.....Honorable Janet R. Holmgren  
Problem-Solving Court Coordinator.....Emily Behnke  
Assistant State's Attorney.....Anne Stevens  
Public Defender.....Amy Zalud  
Probation Officer.....Cindy Pond  
Probation Officer.....Julie McClone  
Clinical Assessor, TASC.....Angela Peterson  
Recovery Coach, TASC.....Kate Craig  
Substance Abuse Counselor, Rosecrance.....Lisa Lang-Shackett

### Important Addresses and Phone Numbers:

#### **17<sup>th</sup> Judicial Circuit Court Administration**

Problem-Solving Court Coordinator  
400 West State Street  
Suite 215  
Rockford, IL 61101  
815-319-4834  
Hours: 8:00am-5:00pm

#### **Winnebago County Public Defender**

400 West State Street  
Suite 340  
Rockford, IL 61101  
815-319-4900  
Hours: 8:00am-5:00pm

#### **Winnebago County Adult Probation/ RIC**

403 Elm Street  
Rockford, IL 61101  
815- 319-6250  
Hours: 8:00am-5:00pm

#### **TASC**

Clinical Assessor, Recovery Coach  
401 West State Street  
Suite 700  
Rockford, IL 61101  
815-965-1106  
Business Hours: 8:30am-5:00pm

#### **Winnebago County State's Attorney's Office**

400 West State Street  
Suite 619  
Rockford, IL 61101  
815-319-4700  
Hours: 8:00am-5:00pm

IN CASE OF EMERGENCY: CALL 911

# Winnebago Drug Court Participant Manual

## Additional Information

### URINE DROP INFORMATION

Urine specimens are collected for testing at

**TASC**

**401 W. State Street, Suite 700**

**Rockford, IL 61101**

#### DROP HOURS:

Monday, Tuesday, Wednesday, & Thursday

- 8:30am – 10:30am
- 12:30pm
- 1:00pm
- 3:00pm – 4:30pm

Friday

- 8:30am – 10:30am
- 1:00pm – 3:00PM

Saturday

- 9:00am – 11:30 am

Drops are conducted on the half hour.

**DRUG DROP LINE (815) 319-6879**

MUST HAVE PHOTO ID



**STATE OF ILLINOIS  
17<sup>TH</sup> JUDICIAL CIRCUIT  
WINNEBAGO COUNTY COURT SERVICES DEPARTMENT  
ADULT PROBATION DIVISION**

**ADULT PROBATION HANDBOOK**

*Creating a Path to a Healthier Community*

**526 West State Street  
Rockford, Illinois 61102**

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## **MISSION STATEMENT**

Our goal is to serve the court, to reduce recidivism, facilitate positive change and to promote community safety.

We will accomplish this through skilled and targeted supervision in collaboration with the court and community service providers.

We strive to achieve the highest standards by incorporating the core values of integrity, respect, accountability, fairness and competency

## **VISION STATEMENT**

Creating a path to a healthier community

## **OVERVIEW**

Winnebago County Adult Probation provides supervision to individuals who have been sentenced to a term of probation by the court. Key components of supervision include

- monitoring compliance with the conditions of the court order
- informing the court of probationer progress and violations
- assessing a probationer's risks and needs
- developing and monitoring a plan based on identified risks and needs
- linking probationers to relevant community resources.

Winnebago County Adult Probation uses the Effective Casework Model which is an evidence-based model of supervision proven to reduce recidivism.

*Once someone reports to probation following sentencing, they are immediately scheduled to attend an Orientation Group.*

### **ORIENTATION GROUP**

The Orientation Group is led by probation supervisors who provide an overview of how probation operates, the expectations of probation and resources that are available through involvement with probation.

At this time, DNA specimens are collected from those who are required by order of the court to submit a specimen. Individuals are also scheduled for an assessment appointment.

### **ASSESSMENT APPOINTMENT**

#### **What?**

1 ½ hour interview appointment with a specially trained assessment officer who will be asking questions about your history (e.g. family, education, employment, residence, criminal record, substance abuse issues, mental health issues).

#### **When?**

When you attend the probation orientation, you will be given an appointment card with the date/time that you will be meeting with the assessment officer.

#### **Why?**

To help your probation officer to identify your strengths, resources and supports.

To help your probation officer to identify your potential obstacles.

To help your probation officer to assist you with developing a supervision plan.

#### **What's Next?**

If you **have not been assigned** a probation officer yet, your assessment will be reviewed by a probation supervisor who will then assign you a probation officer.

If you **have already been assigned** a probation officer, continue to attend your scheduled appointments with this officer but also attend the scheduled assessment interview appointment with the assessment officer.

### **ROLE OF A PROBATION OFFICER**

Monitor your completion of requirements on court order

Inform court of your progress and any violations

Help develop a supervision plan that will help you succeed with probation

Find services that can provide you with needed help through the:

- *Community*  
*Some of this help may come through a referral to any number of social service agencies, public assistance programs, educational programs or support groups within the community*
- *RIC*  
*Your probation officer may refer you to the Resource Intervention Center which is a facility managed by probation where numerous service providers come to provide their services on-site. Services provided include education, substance abuse, individual counseling, employment, substance abuse support groups, and mental health support groups*

### **WHAT TO EXPECT FROM YOUR PROBATION OFFICER**

Fair treatment and thorough instruction

## Confidentiality

### Accountability for:

- Conditions of probation order
- Fines, costs & restitution
- New arrests & any police contact
- Verification of employment and residence
- Progress on treatment, counseling or other referrals

## RESTRICTIONS

### Firearms / Ammunition

- Cannot possess firearms, ammunition or dangerous weapons while on probation
- If convicted of a felony or a domestic violence offense (felony or misdemeanor), then:
  - Restriction continues after probation has terminated
  - Must surrender FOID card
  - Ineligible for FOID card

### Travel

- Cannot leave Illinois unless you have written permission from probation (travel permit) or court (court order)
- All requests to travel outside of Illinois must be discussed with your probation officer
- Probation officer will review request to see if you are eligible for a travel permit. If not eligible, you may pursue a court order.
  - **Travel Permit:** If approved by probation, you will be given a travel permit by your probation officer
    - Any of the following make you ineligible for travel permit:
      - *Bond posted on another pending case*
      - *History of violent offenses*
      - *History of sex offenses*
      - *Victim of crime is at destination site*
      - *Not complying with probation*
      - *Request to travel outside of United States*
      - *Request to travel is for period of time longer than 30 days*
  - **Court Order:** If found to be ineligible for a travel permit, you can bring your request to travel to court to obtain a court order that will allow travel
    - Must obtain court date from Clerk's Office for a fee of \$40
    - Present request to travel to the sentencing judge

### Residence

- Must live in Winnebago County, Illinois
- Requests for permission to transfer supervision of probation to another state or county can be made but must be approved by probation and the receiving county or state

## OTHER CONDITIONS

### DNA

- Must submit DNA saliva specimen if convicted of a felony

### No Alcohol / Drug Use

- No use of alcohol, illicit drugs or prescription medications that are not prescribed to you
  - Urinalysis and breathalyzer may be required of you at any time
    - Sample may be collected at probation or TASC
    - Maintain a budget that will cover the cost of testing at TASC
  - Prescription medications must be verified with your probation officer

### Public Service Work

- Public service work can only be completed at non-profit or government agencies
- All public service work must be approved by probation

### Fines, Costs and Restitution

- Payment on fines, costs and restitution are monitored
- Willful failure to pay these fees is a violation of probation

## REPORTING

- Frequency of probation appointments depends on:
  - Information from your assessment
  - Criminal record
  - Progress
  
- Things to do to be prepared for probation appointments:
  - Arrange child care
  - Bring payment for fines & costs
  - Turn off cell phones & electronic devices
  - Bring verification of employment and residence
  - Check in with reception when reporting to probation
  
- Probation officer hours:
  - Mon 8:00 – 5:00\*
  - Tue 8:00 – 5:00
  - Wed 8:00 – 5:00
  - Thu 8:00 – 5:00
  - Fri 8:00 – 5:00

*Probation office is closed 12:00-1:00 daily*

*\*Late night: 1<sup>st</sup> & 3<sup>rd</sup> Monday of the month probation is open to 6:30pm*
  
- Other times that you will need to report to probation or contact your probation officer:
  - New arrests
  - Any police contact
  - Change of address, phone number or contact information (*inform probation officer & Clerk's Office within 24 hours*)
  
- Home visits
  - Your probation officer may visit you at your home for any of these reasons:
    - Verify your residence
    - Check out your living situation
    - Investigate failure to report

## TIPS FOR SUCCESS

### Communicate

- Inform your probation officer of your progress and struggles
- Listen – bring an open mind to appointments, counseling and support groups
- Limit your distractions

### Organize

- Write down your appointments
- Use a calendar or planner
- Look ahead at your schedule for the week
- Set a realistic pace

### Recognize Your Probation Officer as a Resource

- Use your probation officer's experience, training, knowledge and willingness to help you

### Know Conditions of Your Probation Order

- Make sure to have a copy of your probation order
- Know all of the conditions of the order
- Remember that you are responsible for completing all of the conditions

### Ask Questions

- Don't make assumptions
- Ask for clarification from your probation officer
- There are no dumb questions – not when your future and your freedom could depend on it

## FREQUENTLY ASKED QUESTIONS

### **Where Do I Pay My Fines?**

Fines & costs can be paid any of the following ways:

- In person at the Clerk's Office (Room 108)
- On-Line (credit or debit card) at [cc.co.winnebago.il.us](http://cc.co.winnebago.il.us)
- Mail (money order)

*When paying fines, always remember to inform the Clerk's Office of the case number (e.g. 15-CF-0000) that you are applying your payment toward*

### **Where Can I Find My Next Court Date?**

#### **Can I Access Court Records Regarding My Case?**

You can access public court records on-line through Full Court Enterprise (FCE) at [fce.wincoil.us](http://fce.wincoil.us)

### **How Do I Know If the Probation Department is Closed Due to Severe Weather?**

Courthouse and Probation Department closures due to severe weather will be posted with the local news listing of closures. Closures will also be posted on-line at [illinois17th.com](http://illinois17th.com)

## PHONE NUMBERS

Adult Probation Department / Main	(815) 319-6250
Public Defender's Office	(815) 319-4900
Resource Intervention Center (RIC)	(815) 516-2600
Rockford Parole Office	(815) 987-4362
Winnebago County Clerk	(815) 516-4500
Winnebago County Justice Center (Jail)	(815) 319-6600

### **Child Care / Winnebago County Court House**

Lower Level (Ages 2-12)

(815) 516-2490

### **Child Care / Winnebago County Criminal Justice Center**

1<sup>st</sup> Floor (Ages 2-12)

(815) 516-2479

## RESOURCES / SERVICE PROVIDERS

### Resource Interventions Center (RIC)

While on probation, you may be referred to the Winnebago County Resource Intervention Center (RIC) for various services. Some of the services that are available at the RIC are:

- Adult basic education
- GED preparation
- Employment re-entry services
- Parenting groups
- Substance abuse counseling
- Individual and family therapy

The Resource Intervention Center is located at the Winnebago County Adult Probation Center (basement and 3<sup>rd</sup> floor)

### Community Resources

#### Shelter

Rockford Rescue Mission  
715 West State St  
(815) 965-5322

Carpenter's Place  
1149 Railroad Ave  
(815) 964-4105

Salvation Army Rehabilitation Center  
1706 18<sup>th</sup> Ave  
(815) 397-0440

Rockford Township  
119 North Church St  
(815) 962-8855

#### Housing

Rockford Housing Authority  
119 North Church St  
(815) 987-3830

#### Medical

Crusader Clinic  
1200 West State St  
(815) 490-1600

#### Employment

Vocational Rehabilitation Program  
615 North Longwood St #1  
(815) 964-0333

Abilities Center  
1907 Kishwaukee St  
(815) 965-3795

#### Food

Cornucopia/Pantry  
402 Market St  
(815) 962-1380

Hunger Connection Food Bank  
320 South Avon St  
(815) 961-7283

Rock River Valley Pantry  
1080 Short Elm St  
(815) 965-2466

Rockford Rescue Mission  
Soup Kitchen  
715 West State St  
(815) 965-5332

Shelter Care Ministries/Community Kitchen  
412 North Church St

(815) 964-5520

**Substance Abuse**

Remedies  
516 Green St  
(815) 962-0871

Rosecrance on Harrison  
3815 Harrison Ave  
(815) 391-1000

**Mental Health**

Rosecrance Ware Center  
2704 North Main St  
(815) 391-1000

Rosecrance Mulberry Center  
Crisis  
605 Mulberry St  
(815) 720-4960

Swedish American Hospital  
Center for Mental Health  
1401 East State St  
(815) 966-2273

## **PROBATION OFFICERS**

### **Second Floor**

**Phone #: (815)319-6250**

Zach Adams  
Mari Baldwin  
Dawn Birdsill  
Nicole Bockhorn  
Nicholas Bogdonas  
Daisy Brzezinska  
Kate Callahan  
Michele Campbell  
David Ellis  
Mark Fischer, Supervisor  
Brett GeRue  
Matthew Hungness  
Nathan Hungness  
Rhonda Irish  
Rebecca Lamb  
Julie McClone  
Sofia Pedroza  
Cindy Pond  
Gretchen Price  
Ashton Sago  
Nikki Ticknor, Supervisor  
Kendra Try  
Matt Urbanski

### **Fourth Floor**

Angela Brun  
Manessa Davis  
Doug Dirksen  
Lorraine Dixon, Deputy Director  
Rose Dusing  
Hillary Fensterman  
JoDee Gates  
Terry Hoss  
Amber Johnson  
Darren Johnson  
Mary Krol  
Tasha Petre, Supervisor  
Chris Svezia

# **DRUG COURT**

## **INCENTIVES, SANCTIONS AND THERAPEUTIC ADJUSTMENTS EXAMPLES**

### **INCENTIVES**

Praise  
Applause  
Called sooner in court  
Reward from the reward basket  
Promotion to the 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**

Verbal reprimand  
Essay/Thinking Report assignment  
Written apology  
Jury box/Court observation  
More frequent court appearances  
Increased Drug Court Team contacts  
Daily living log assignments  
Public service work  
Sign an attendance contract  
Sign a behavior contract  
Demotion in Level status  
Delay in promotion to next level  
Incarceration

### **THERAPEUTIC INTERVENTIONS**

Increased intensity of treatment  
Additional treatment groups  
Additional counselling referrals  
Verification of community support meeting attendance  
Increased drug screens  
Medication assisted therapy  
Assignment to a Recovery Coach