

**FIRST JUDICIAL CIRCUIT  
DRUG/VETERANS COURT  
PARTICIPANT HANDBOOK  
WILLIAMSON COUNTY**

11-29-18

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**MISSION STATEMENT**

The Williamson County Drug/ Veterans Court goal is to reduce substance abuse and criminal recidivism in non-violent offenders by therapeutic intervention and behavior modification.

**INTRODUCTION**

Welcome to the Williamson County Drug/Veterans Court Program. This manual is designed to answer questions, address concerns, and provide detailed information about what is expected of you as a Drug/Veterans court participant.

As a participant you will be expected to follow the instructions given in the Drug/Veterans Court by the Judge, comply with directions from the Probation Officer and comply with the case management plan developed for you by your counselors and probation.

Everyone wants you to succeed, the judge, the prosecutor, your lawyer, your probation officer, counselors, everyone. We will work as a team to help you build a new life, one day at a time.

It all begins with attitude and the most important one is yours. You must be committed to change your current lifestyle and habits. You have many choices in life. Life without drugs is one of them. Being drug free is the beginning. Everyone will work with you, but your attitude will determine if you will succeed and how fast you will succeed.

Another important part of the program is your personal support system. Surrounding yourself with people who are supportive of your decision to change your lifestyle is greatly encouraged and beneficial to your success in this program.

**GENERAL OVERVIEW**

The First Judicial Circuit Drug/Veterans Court operating out of Williamson County, Marion, Illinois represents a collaborative effort between the criminal justice system and treatment stakeholders working together to reduce recidivism and break the cycle of substance abuse. The Drug/Veterans Court targets offenders for admission who are addicted to illicit drugs or alcohol and are at substantial (moderate to high) risk for re-offending or failing to complete a less intensive disposition, such as standard probation or pretrial supervision. It provides these defendants/participants with the structure they need to become alcohol and drug free.

It is one court with two separate tracks, one for non-veterans (Drug Court) and one for veterans (Veterans Court). The judicial personnel for both tracks (Judge, States Attorney, Public Defender, Problem Solving Court Coordinator, Probation Officer) are the same. Both tracks function independent of one another on very similar but separate paths, with the primary divergence being that Veterans Court participants have additional resources available through the Marion Veterans Administration.

The goals of the Drug Court are as follows:

1. To promote public safety by reducing recidivism.
2. To improve the quality of life of all participants within the court.
3. To conserve state and local funds by providing an alternative to incarceration for non-violent drug dependent individuals.
4. To reduce substance abuse dependence and to restore drug addicted individuals to being productive, law abiding, tax paying citizens.

The goals of the Veterans Court are:

1. To Promote public safety by reducing recidivism.
2. To Improve the quality of life of all veterans within the court.
3. To conserve state and local funds by providing an alternative to incarceration for justice-involved veterans.
4. To connect eligible veterans with mental health and substance abuse disorder treatment, benefits coordination, and support services available through the VHA.
5. To conduct outreach to veterans so that they may develop skills to live a productive and sober life.
6. To help veterans obtain housing, reach educational goals, and gain employment.

The Drug/Veterans Court is a voluntary program so you are required to sign the Consent to Participate once you are accepted into the Drug/Veterans Court. Upon acceptance, you will be required to comply with all of the requirements contained in the Consent to Participate, the track agreement, and your probation order if applicable. Some of those requirements include regular court appearances, attendance at treatment sessions, and close supervision by the Drug/Veterans Court Probation Officer. Drug/Veterans Court is a structured, progressive program divided into

five (5) phases. In the beginning, the primary focus is on your addiction and your early enrollment in treatment and your compliance with treatment.

As you proceed through the program phases, working on employment and education goals become part of your requirements as well. The Drug/Veterans Court understands that employment is important, but Drug/Veterans Court expectation is that any employment schedule must fit around your Drug/Veterans Court responsibilities as recovery is the most important thing. Because recovery is so important, you will be encouraged by all of the Drug/Veterans Court team members to develop and maintain a safe, sober, and supportive recovery network that can last you a lifetime.

### **Drug/Veterans Court Process**

The Drug/Veterans Court process is a very structured and intensive court program meant to deliver the treatment you require by your treatment assessment and the supervision needed to assist you in being successful. Every decision of Drug/Veterans 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. The Drug/Veterans Court Team consists of the Judge, Assistant States Attorney, Public Defender, Drug/Veterans Court Coordinator, Drug/Veterans Court Probation Officer, Treatment Providers, and the Veterans Justice Outreach Coordinator. Before each of your scheduled court status dates, the Drug/Veterans Court Team holds a staffing where the entire team collaboratively discusses your progress and any issues that may have occurred since your last court date. Verbal reports are given by the Probation Officer and treatment providers. When you appear in court, the Judge and the Drug/Veterans Court Team will talk to you about what was discussed in staffing and give you an opportunity to respond. Your response and input are important to the Team. If you are doing well, you may receive an incentive, or if there are concerns or non-compliance, you may receive a sanction or change to your treatment plan. It is important to remember that the Drug/Veterans Court Team's goal is to provide you with treatment at the level your addiction requires. The Team will hold you accountable to be compliant with both treatment and probation and to be actively and honestly working the program. While in Drug/Veterans Court, you will be closely supervised by the Drug/Veterans 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/Veterans Court, you will be held accountable for complying with your Drug/Veterans Court requirements and for completing the treatment services you need.

Program length will be determined by your progress in treatment and recovery, but will be no less than 18 months.

### **DRUG/VETERANS COURT TEAM**

The Drug/Veterans Court team consists of the Judge, Assistant States Attorney, Public Defender, Coordinator, Probation Officers, Treatment Providers and the Veterans Justice

Outreach Coordinator. The Drug/Veterans Court Team works together in a non-adversarial manner to promote a unified team approach focusing on the recovery of the Drug/Veterans Court participant. The Team members interact with one another by presenting a perspective that is consistent with their professional interests as a member of the team who contributes equally.

**Judge-** Is the leader of the Drug/Veterans Court Team, and after hearing from each member, makes the final decisions about the Drug/Veterans Court Team's responses to your compliance or non-compliance with the Drug/Veterans Court requirements. The Judge is assigned to preside over the Drug/Veterans Court for two years, attends all Drug/Veterans Court team staff meetings, and presides over any and all type of hearings in regard to your case.

**States Attorney/Prosecutor -** The State's Attorney sits on the Drug/Veterans Court team for a minimum of one year. The State's Attorney identifies potential referrals, and participates in the weekly staff meeting, operating in a non-adversarial manner. The States Attorney follows your progress with Drug/Veterans Court requirements and makes recommendations that balance public safety concerns and your treatment needs.

**Public Defender/Assistant Public Defender/Defense Attorney -** The Public Defender sits on the Drug Court Team for a minimum of one year. The Public Defender identifies potential referrals and monitors the entry process. The Public Defender participates in the weekly staff meetings operating in a non-adversarial manner. The Public Defender follows your progress with Drug/Veterans Court requirements and advocates for your legal interest and treatment needs. The Public Defender will represent you in Drug/Veterans Court unless you are represented by a private defense counsel.

**Drug/Veterans Court Coordinator -** The Drug/Veterans Court Coordinator sits on the Drug/Veterans Court team for a minimum of one year, and attends the weekly staff meetings. The Coordinator coordinates the referrals and acts as the central contact for the Drug/Veterans Court team. The Drug/Veterans Court Coordinator oversees the day to day operation of the Drug/Veterans Court and is also responsible for data collection and statistical reporting.

**Drug/Veterans Court Probation Officer -** Is responsible for completing the drug court assessment and making all necessary referrals for you. The Drug/Veterans Court Officer will ensure that you understand the requirements of Drug/Veterans Court and will encourage you to succeed. He/She will supervise your compliance with your Drug/Veterans Court treatment and supervision requirements. The Drug/Veterans Court Probation Officer participates in the weekly Drug/Veterans Court staffing by reporting the participants compliance. The Drug/Veterans Court Officer sits on the Drug/Veterans Court team for a minimum of one year.

**Treatment Providers -** Drug/Veterans Court partners with local substance abuse treatment providers. The Drug/Veterans Court officer will be in frequent contact with your

counselors to monitor your progress in treatment. A representative from the treatment facility you are attending may attend Drug/Veterans Court staffings.

**Veterans Justice Outreach Coordinator (For Veterans Court Participants only)-**

The Veterans Justice Outreach Coordinator identifies referrals, conducts assessments, coordinates services and participates in the weekly Drug/Veterans Court staffings, operating in a non-adversarial manner. The Veterans Justice Outreach Coordinator advocates for effective sanctions and incentives while ensuring community safety.

**ENTRANCE INTO PROGRAM**

The First Circuit Drug/Veterans Court screens all candidates for admission into the program. Entry into the program is voluntary. The application process can be initiated through your defense attorney, the states attorney, counselor, probation officer or any other individual or entity. In order to be able to participate in the program, you must have a substance abuse dependence diagnosis and or co-occurring mental health diagnosis that is treatable with the programs available resources. A participant may enter the program through three different options: pre-adjudicatory, post-plea pre-disposition and post adjudicatory. Upon request, the Court will order a Drug/Veterans Court evaluation to be completed. You will meet with the Drug/Veterans Court Probation Officer to complete an assessment interview. This interview will include questions about your past legal history and drug usage. The Drug/Veterans Court Probation Officer will also complete an Illinois Adult Risk Assessment on you. The risk assessment must indicate that you are a high risk to re-offend and have high criminogenic needs in order to participate in the program.

If you are eligible, the Drug/Veterans Court Team will make an outcome based decision on whether or not to recommend you for the program. In order to be eligible for Drug/Veterans Court, you must be 18 years old, charged with an eligible probationary felony offense and admit to having a substance abuse problem. If your felony charge is a drug related Class 2 or greater felony offense, the consent of the States Attorney is also required (Drug Court Only). Certain offenses are specifically excluded from eligibility in Drug/Veterans 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, kidnaping, aggravated kidnaping, aggravated battery resulting in great bodily harm or permanent disability, stalking, aggravated stalking; or any offense involving the discharge of a firearm.

Once the Drug/Veterans Court Team recommends a person for Drug/Veterans Court, formal entry into the program will be on record in open court. The Judge will explain the Drug/Veterans Court requirements and the Consent to Participate form. You will have the chance to confer with your attorney and have any questions answered by the Judge. If you voluntarily

elect to participate, you will sign the Consent to Participate on record in open court.

### **PROGRAM PARTICIPATION**

Upon acceptance into the Drug/Veterans Court Program, you will be expected to comply with the rules of the Track Agreement Form you signed, the probation order if applicable, and the Drug /Veteran Court rules.

- \* You agree to cooperate with and follow the instructions of the Court, the Drug/Veterans Court Probation Officer and treatment provider.
- \* You must obey all laws.
- \* You cannot use any illegal substance or drink alcohol.
- \* You will submit to random drug testing.
- \* You will abide by the curfew imposed unless granted permission by the Drug/Veterans Court officer.
- \* You will attend and participate in any treatment sessions or programs as directed by the Court, Drug/Veterans Court Officer, or treatment provider.
- \* You will consent to compliance checks of your person, residence, and automobile in order for the Drug /Veterans Court Officer to observe and verify compliance with conditions of your agreement.
- \* You will cooperate with all home visits, treatment visits, or employment visits.
- \* **You will be honest at all times with the Court, Drug/Veterans Court Officer and the treatment providers.**
- \* You must appear in court as scheduled or as directed by the Drug/Veterans Court Officer.
- \* You must report to your Drug/Veterans Court Officer as directed.
- \* You must follow your treatment and probation case management plans and actively participate in all services required.
- \* You must disclose all prescription medications to the Drug/Veterans Court.
- \* You cannot take medications that are not prescribed to you.

- \* You must take prescribed medications as directed. You must report any changes in prescribed or over-the-counter medications to the Drug Court Officer.
- \* You must be on time for treatment, probation, and court appointments.
- \* You will maintain a stable, clean and sober living environment.
- \* You are to have no contact with known drug dealers.
- \* You cannot work as a confidential source (informant) for law enforcement while participating in the Drug/Veterans Court program.
- \* You will be encouraged to build a recovery network and attend support meetings.
- \* You cannot possess a firearm or dangerous weapon.
- \* You will notify the Drug/Veterans Court officer immediately of a change of address or employment.
- \* You must reside in Williamson County while participating in Drug/Veterans Court.
- \* You must request permission to leave the State or the Country from the Drug/Veterans Court officer.

### **PHASE REQUIREMENTS**

Drug /Veterans Court participants will advance through a five phase treatment model designed to assist you in succeeding in the program. Drug/Veterans Court transitions participants from recognition of their addiction, to active engagement in he therapeutic process, to sustained recovery and aftercare. Individuals entering the program should anticipate they will be actively enrolled in the Drug/Veterans Court for at least 18 months. Each phase of the program has specific elements and program criteria that must be completed prior to moving to the next phase.

**Phase I**

*Stabilization*

*(90 days)*

Throughout Phase I the defendant will be required to:

- \* Attend three (3) probation office visits per week unless otherwise instructed.
- \* Submit to random urinalysis/breathalyzer testing as determined by the Williamson County Drug/Veterans Court Team.
- \* Remain drug and alcohol free.
- \* Report to the Williamson County Drug/Veterans Court weekly unless otherwise instructed.
- \* Attend 4 group self help meetings per week with verification of attendance.
- \* Follow all treatment recommendations. Treatment modality and level determined by the treatment provider.
- \* Minimum of 30 days confirmed sobriety.
- \* 30 days sanction free for consideration for phase advancement.

**Phase II**

*Treatment and Recovery*

*(90 Days )*

Throughout Phase II the defendant will be required to:

- \* Attend at least two (2) probation office visits per week, unless otherwise instructed.
- \* Submit to random urinalysis/breathalyzer testing as determined by the Williamson County Drug/Veterans Court Team.
- \* Report to the Williamson County Drug/Veterans Court Hearing weekly, unless otherwise instructed.
- \* Attend at least 3 group self help meetings per week with verification of attendance.

- \* Follow all treatment recommendations. Treatment modality and level determined by the treatment provider.
- \* Minimum of 45 days confirmed sobriety.
- \* If appropriate participants will be employed, seeking employment, be involved in job training or attending school.
- \* 45 days sanction free for consideration of phase advancement.

**Phase III**  
*Responsibility*  
*(120 Days)*

Throughout Phase III the defendant will be required to:

- \* Attend at least one (1) Probation office visit per week, unless otherwise instructed.
- \* Submit to random urinalysis/breathalyzer testing as determined by the Williamson County Drug/Veterans Court Team, remain drug and alcohol free.
- \* Attend Drug/Veterans Court 2 times per month.
- \* Attend 2 group self help meetings per week.
- \* Follow all treatment recommendations. Treatment modality and level determined by the treatment provider.
- \* If appropriate participants will be employed, seeking employment, be involved in job training or attending school.
- \* Minimum 60 days confirmed sobriety.
- \* Minimum 60 days sanction free for consideration of phase advancement.

**Phase IV**  
*Maintenance*  
*(120 Days)*

Throughout Phase IV the defendant will be required to:

- \* Meet with the Drug/Veterans Court Probation Officer at least once every 2 weeks unless otherwise instructed.

- \* Attend Drug/Veterans Court once per month, unless otherwise instructed.
- \* Attend 1 self help group meeting per week.
- \* Follow all treatment recommendations. Treatment modality and level determined by the treatment provider.
- \* Submit to random drug tests as directed by the Drug Court/Veterans Court Team, remain alcohol and drug free.
- \* If appropriate participants will be employed, seeking employment, be involved in job training or attending school.
- \* Minimum of 90 days confirmed sobriety.
- \* Minimum of 90 days sanction free.

**Phase V**  
*Continuing Care*  
*(120 Days)*

Throughout Phase V the defendant will required to:

- \* Meet with the Drug/Veterans Court Probation Officer at least once every month, unless otherwise instructed.
- \* Attend Drug/Veterans Court once per month unless otherwise instructed.
- \* Submit to random drug tests as directed by the Drug/Veterans Court Team, remain alcohol and drug free.
- \* Attend 1 self help group meeting per week.
- \* Follow all treatment recommendations. Treatment modality and level to be determined by the treatment provider.
- \* If appropriate, participants will be employed, seeking employment, be involved in job training or attending school.

- \* Minimum of 90 days confirmed sobriety.
- \* Minimum of 90 days sanction free.

### **Discharge Plan**

As part of Phase V, participants will work with their treatment providers and the Drug/Veterans Court Officer to complete a discharge plan which will be presented to the Drug/Veterans Court Team. This Discharge Plan will define any recommended ongoing services, support group activities or linkages with contact information that may be beneficial toward achieving long lasting success.

### **Graduation**

A defendant will be considered to be a graduate from the Drug/Veterans Court Program if he or she achieves the following:

- \* Have a stable living environment.
- \* Be in compliance with all of the conditions of the Drug/Veterans Court Agreement and the Probation Order.

Once participants have been identified and approved by the Team and the Drug/Veterans Court Judge, a date will be set for the graduation ceremony. The graduation committee, comprised of current drug court participants, plan and prepare for the ceremony with the guidance of the Drug/Veterans Court Officer. The Drug/Veterans Court Officer and the Drug/Veterans Court Judge facilitate the ceremony highlighting each graduate and their accomplishments. This is done off the record. At the conclusion of the ceremony, the Drug/Veterans Court Judge goes on the record and formally discharges the defendant from the Drug/Veterans Court Program.

### **INCENTIVES/SANCTIONS/THERAPEUTIC ADJUSTMENTS**

The Drug/Veterans Court Team will use a combination of incentives and sanctions to reinforce compliance with the case management plan. The Team will recommend a combination of incentives and sanctions that are tailored to address the participant's unique history and needs.

Therapeutic adjustments are not used to reward or punish behavior, but rather are based upon the participant's clinical needs determined by a qualified treatment professional.

All responses to a participant's behavior 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.

Prior to the administration of any sanction, incentive or therapeutic adjustment, the Judge shall advise the participant in open court of the sanction, incentive, or therapeutic adjustment and the reason for the administration. The participant shall be permitted to address the court about the sanction, incentive or therapeutic adjustment for the court to consider.

*Incentives:*

Incentives will be imposed as deemed appropriate by the Judge and the Drug Court Team. Incentives may be appropriate when an individual has either successfully completed a phase or has been in compliance for a significant period of time.

*Incentives* can include but are not limited to:

- \* Verbal praise, compliments from the Judge
- \* Handshakes from the Drug/Veterans Court Team
- \* Restaurant Gift Certificates
- \* Candy
- \* Applause/Special recognition in Drug/Veterans Court
- \* Temporary lifting of curfew
- \* Grant travel privileges
- \* Letters of recommendation
- \* Excusing from a court hearing
- \* Advancement to the next phase
- \* Certificates (completion, recognition, participation, graduation)

*Sanctions:*

*Sanctions* will be imposed when deemed appropriate by the Drug/Veterans Court Judge. The Judge, with input from the Drug/Veterans Court Team, will determine which *sanction* is appropriate depending on the nature of the violation of the Drug/Veterans Court rules and the overall compliance of the individual. Examples of non-compliant behavior that could result in a sanction are:

1. Unsuccessful termination from either residential or out-patient treatment.
2. Illegal or unauthorized drug/alcohol consumption.
3. The consumption of any type of over the counter medication that contains ephedrine and/or pseudoephedrine.
4. Failure to attend scheduled appointments with treatment providers.
5. Failure to report as scheduled to the Probation Office.
6. Failure to report to the Judge for Drug/Veterans Court.
7. Failure to provide an urine or breath sample for analysis for testing within 4 hours as requested by the Drug/Veterans Court Probation Officer.
8. Providing a tampered/diluted, fraudulent or insufficient urine or breath sample for

analysis.

9. Committing a new criminal offense.
10. Violating curfew.
11. Refusal to participate in a treatment program as required by the Drug/Veterans Court or the Drug/Veterans Court Probation Officer.
12. Having contact with a person who is known to consume and or sell illegal drugs unless otherwise authorized by the Drug/Veterans Court Probation Officer.
13. Failure to perform Public Service Work as directed by the Drug/Veterans Court Probation Officer.
14. Failure to complete any educational program as required by the Drug/Veterans Court Probation Officer.
15. Failure to obtain and remain gainfully employed as directed by the Drug/Veterans Court Probation Officer.
16. The defendant has otherwise violated the terms and conditions of the program or his or her sentence.

*Sanctions* can include but are not limited to:

- \* Verbal Reprimand from the Judge
- \* Reading/writing assignment (journaling/essay)
- \* Letter of apology
- \* Daily Activity log
- \* Increase community support meetings
- \* Jury box observation
- \* Community Service Work
- \* Increase in frequency of hearings
- \* Increase in drug testing
- \* Increase contacts with probation officer
- \* Deny phase advancement
- \* Electronic monitoring
- \* Incarceration (day, weekend, month, work release)
- \* Termination from Drug/Veterans Court
- \* Probation Revocation
- \* Commitment to the Illinois Department of Corrections

*Therapeutic Adjustments:*

*Therapeutic Adjustments* will be imposed when deemed appropriate by the Drug/Veterans Court Judge are not used to reward or punish behavior, but rather are made based upon the defendant's clinical needs with input from a qualified treatment professional. Examples of when

a Therapeutic Adjustment might be appropriate are: failed urinalysis or the resumption of old “triggering” behaviors.

*Therapeutic Adjustments* can include but are not limited to:

- \* Increase/decrease intensity of treatment
- \* Additional treatment groups
- \* Additional counseling referrals
- \* Verification of community support meeting attendance
- \* Medication assisted therapy

## **DRUG/VETERANS COURT DRUG TESTING PROTOCOL**

Participants in the Drug/Veterans Court Program will be tested frequently. These tests will be done on a **random** basis, and the tests will be administered in the Probation Office. The Probation Office has established a system in which all participants contact the Probation Office every weekday by 9:00 a.m. to determine if they have been randomly selected for drug testing that day. Drug testing is conducted on a random bases according to the participant’s phase and need level or particular circumstances, as set forth in the Phases listed above. For example, Phase I participants will be drug tested at least 3 times per week by the Drug/Veterans Court Officer. Additional tests may also be administered by counseling providers as per their own internal protocol. As the defendant progresses through the appropriate phase, drug testing requirements may be reduced. The bulk of Drug/Veterans Court testing will be done in house by the Probation Officer utilizing test cups. Confirmation testing (when necessary) will be performed by a laboratory utilizing gas chromatography spectrometry. Urinalysis results and results of other monitoring techniques will be documented and provided to the Drug/Veterans Court Team. Any admissions of substance abuse, positive urine tests, tampered samples or refusal to provide a sample can be grounds for sanctions.

### **Prescription Medications:**

Participants in the Drug/Veterans Court program are expected to be drug free, including the use of mood-altering, potentially addictive, prescription medications except as required and authorized by a physician or a psychiatrist. Participants with chronic pain requiring repeated use of prescription pain medication will be referred to a pain clinic if necessary.

Participants shall notify the Drug Veterans Court Officer of any prescribed medications. Participants are requested to present the Medication Receipt and Physician Notification to their doctor identifying themselves as a Drug/Veterans Court participant with a chemical dependency and request non-narcotic medication. This form will include the doctor’s name, address, and

contact number. When a medication is prescribed, the Drug/Veterans Court participant will notify the Drug/Veterans Court officer of the medication and the reason for the prescription. They will also be required to present the prescription information to the officer. If the prescription is for a narcotic pain medication, the Drug/Veterans Court Officer may require the participant to maintain a pill diary.

## **PROGRAM OUTCOMES**

There are four ways a participant may be discharged or terminated from the Drug/Veterans Court:

- (1) **Successful:** The participant completes all of the program requirements. Successful completion of the program can result in a number of possible outcomes, depending upon which Option the case is proceeding under. Option 1 participants have their case dismissed upon successful completion of the program. Option 2 participants may have their guilty plea vacated and the case dismissed without conviction. Option 3 participants may ask the Judge to vacate their conviction and dismiss the case without conviction.
  
- (2) **Neutral:** The participant does not violate program requirements necessitating an unsuccessful discharge, but is unable to successfully complete the program requirements to qualify for a successful discharge. A neutral discharge may result from a participant who has been substantially compliant with the Drug/Veterans Court rules but, after having exhausted reasonable efforts, the Drug/Veterans Court team determines the participant's progress towards successful completion is improbable. For example, the participant has or develops a serious medical or mental health condition, disability, or any other factor that may prevent the participant from meeting the requirements.
  
- (3) **Unsuccessful:** The participant is terminated from the Drug/Veterans Court due to a violation of the Program requirements. As per 730 ILCS 166/5 (Drug Court Treatment Act) and 730ILCS 167/35 (Veterans and Servicemembers Court Treatment Act) Sec. 35. Violation; termination; discharge.
  - (a) If the court finds from the evidence presented including but not limited to

the reports or proffers of proof from the drug court professionals/Veterans and Servicemembers Court professionals that:

- (1) the defendant is not performing satisfactorily in the assigned program;
- (2) the defendant is not benefitting from education, treatment, or rehabilitation;
- (3) the defendant has engaged in criminal conduct rendering him or her unsuitable for the program; or
- (4) the defendant has otherwise violated the terms and conditions of the program or his or her sentence or is for any reason unable to participate,

the court may impose reasonable sanctions under prior written agreement of the defendant, including but not limited to imprisonment or dismissal of the defendant from the program and the court may reinstate criminal proceedings against the him or her or proceed under 5-6-4 of the Unified Code of Corrections for a violation of probation, conditional discharge, or supervision hearing.

Prior to unsuccessful discharge from the Drug/Veterans Court, a participant shall be served with a petition to terminate the participant from the Drug/Veterans Court or to revoke the participant's probation. The petition shall set forth the claimed violations of the Drug/Veterans Court program requirements or probation, together with the relief sought. The Drug/Veterans Court Judge shall ensure that all participants who become subject to proceedings that could result in unsuccessful discharge from the Drug/Veterans Court are advised of and accorded the rights set forth in Supreme Court Rule 402A, including, but not limited to, the right to counsel and a hearing.

In accordance with Supreme Court Rule 402A (a), the Drug/Veterans Court Judge shall not accept an admission to a violation, or a stipulation that the evidence is sufficient to establish a program or probation violation, without first, addressing the participant personally in open court, and informing the participant of and determining that the participant understands the following:

- (1) The specific allegations in the petition;
- (2) That the participant has the right to a hearing with defense counsel present, and the right to appointed counsel if the participant is indigent;

- (3) That at the hearing, the participant has the right to confront and cross-examine adverse witnesses and to present witnesses and evidence on his or her behalf;
- (4) That at the hearing, the State must prove the alleged violation by a preponderance of the evidence;
- (5) That by admitting to a violation, or by stipulating that the evidence is sufficient to establish a program or probation violation, there will not be a hearing on the petition, so that by admitting to a violation, or by stipulating that the evidence is sufficient, the participant waives the right to a hearing and the right to confront and cross-examine adverse witnesses, and the right to present witnesses and evidence on his or her behalf; and
- (6) The sentencing range for the underlying offense for which the participant is subject to prosecution or sentencing.

In accordance with Supreme Court Rules 402A(b) and ( c), the Drug/Veterans Court Judge shall not accept any admission to a violation, or any stipulation that the evidence is sufficient to establish a program or probation violation, without first determining that the participant's admission or stipulation is voluntary, and that there is a factual basis for the admission or stipulation.

In accordance with Supreme Court Rule 402A(d), the Drug/Veterans Court Judge shall not participate in plea discussions with respect to a petition to terminate the participant from the Drug/Veterans Court or to revoke probation without first complying with Supreme Court Rules 402(d), (e), and (f).

Once a petition to terminate a participant from the Drug/Veterans Court or to revoke probation has been filed, the Drug/Veterans Court Judge may allow the participant, with the consent of both the participant (with the advice of his or her counsel) and the State, to remain in the Drug/Veterans Court with the hearing on the petition deferred.

The State may thereafter dismiss the petition if the participant makes satisfactory improvement in compliance with the Drug/Veterans Court program requirements. If the participant fails to make satisfactory improvement, the State may elect to set the petition for a hearing.

At a hearing on a petition to terminate a participant from the Drug/Veterans Court or to revoke probation, the Drug/Veterans Judge cannot consider any information learned through team staffings, status review hearings or otherwise, unless newly received in evidence at the hearing.

The Drug/Veterans Court Judge should disqualify himself or herself in a proceeding on a petition to terminate a participant from the Drug/Veterans Court or to revoke probation under the circumstances listed in the Supreme Court rule 63C.

A participant has the right to move for substitution of the Drug/Veterans Court Judge pursuant to section 114-5(d) of the Code of Criminal Procedure of 1963 (725 ILCS 5/114-5(d) for purposes of a hearing on a petition to terminate from the Drug/Veterans Court or to revoke probation.

- (4) **Voluntary withdrawal:** Participants in the Drug/Veterans Court shall have the right to withdraw from the Drug/Veterans Court.

Prior to allowing the participant to withdraw, the Drug/Veterans Court Judge shall:

- (a) Ensure that the participant has the right to consult with counsel.
- (b) Determine in open court that the withdrawal is made voluntarily and knowingly; and
- (c) Admonish the participant in open court as to the consequences, actual or potential, which will result from withdrawal.

*Thank you for your interest in the Williamson County Drug/Veterans Court Program. We hope this gives you some idea about the program and what would be expected of you if you chose to participate and are accepted. If you have any further questions about the program, please contact your attorney, any Drug/Veterans Court Team member, or the Williamson County Probation Department.*

I, \_\_\_\_\_, have been provided the Drug/Veterans Court Handbook and the entire handbook has been reviewed with me by my probation officer. I agree to follow all of the rules as outlined in the handbook.

\_\_\_\_\_  
Drug /Veterans Court Participant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Drug/Veterans Court Probation Officer

## RESOURCE PAGE

The following is a representative sample of the resources available in Williamson County and the adjacent geographical area of various types of counseling services. Not all agencies provide all services. It should not be considered as a comprehensive listing. The information listed below is for informational purposes only, **just because an agency is listed does not mean that it is endorsed by the Drug/Veterans Court Program or the First Judicial Circuit of Illinois.**

**SAMHSA:** Substance Abuse and Mental Health Services Administration. Treatment Referral Hotline: 1-800-662-HELP (4357), 1-800-487-4889 (TDD)  
Treatment Locator Tool ( for locating substance abuse treatment providers, including medication assisted treatment providers)  
<https://findtreatment.samhsa.gov/>

**Centerstone:** <https://centerstone.org/> 1307 W. Main Street, P.O. Box 365, Marion, Illinois, 62959 (618) 997-5336. Out patient services.

**Centerstone:** 604 E. College Street, Carbondale, Illinois, 62901. (618) 457-6703. Outpatient services.

**Comprehensive Connections:** <http://compconnect.org/> 16338 N IL Hwy 37, Mt. Vernon, Illinois 62864. Detox, Residential, Outpatient.

**Egyptian Health Department:** [www.egyptian.org](http://www.egyptian.org) Carmi, Illinois (618) 382-7311, Eldorado, Illinois (618) 273-3326, Harrisburg, Illinois (618) 294-8322, Shawneetown, Illinois (618) 269-3454. Assessment & Evaluation, Intervention services, Referral for inpatient services, Level 1 and Level 2 intensive outpatient services, substance abuse Group Education (SAGE), Individual and group counseling, family counseling and education, DUI services, Medication-Assisted Treatments.

**Family Counseling Center Inc. :** [www.fccinonline.org](http://www.fccinonline.org) Cairo, Illinois (618) 734-2665 , Vienna, Illinois (618) 658-2611. Outpatient services.

**Fellowship House:** 800 N. Main Street, Anna, Illinois 62906 (618) 833-4456. Residential and outpatient services (male only).

**Marion VA Medical Center:** [www.marion.va.gov](http://www.marion.va.gov) 2401 West Main Street, Marion, Illinois 62959. 1 (844) 698-2311. Medical, behavioral and substance abuse services for veterans.

