

DRUG COURT MEMORANDUM OF UNDERSTANDING

The key participants in the Drug Court Grant Planning Committee agree to the implementation of a Drug Court in [COUNTY NAME] County, Illinois.

The primary drug court program goal is to reduce recidivism. The accomplishment of this goal has the side benefits of greater public safety, a reduction in crime, the rehabilitation of offenders and a reduced jail population in [COUNTY NAME] County. Courts have seen numerous cases where offenders return to the court system after the commission of a subsequent offense, often the same crime as the first offense. This requires additional police, prosecution, public defender, judicial and court service time and effort. Courts are more inclined to require pretrial incarceration for a repeat offender. Most importantly is the fact that the criminal justice system has in part failed to serve the community. One important function of the criminal justice system is to protect the public but when an offender returns to a life of crime, the public is not properly served. Repeat crime means more victims. The participants realize there are many crimes and repeat offenders they cannot prevent. There are also some that can be prevented by an intelligent and informed approach to disposition of an offenders case. In other words, we should try to do it right the first time.

The target population are substance abusers of alcohol or other drugs; charged with a misdemeanor or felony who meet the United State's Department of Justice Violent Offender Prohibition Protocol. Other criteria include whether the person is a drug dealer, whether the person has any mental health issues or physical health issues which would preclude their involvement in an intensive treatment program, and whether the offender is ready for change.

The program will begin with adult offenders, of the age of 17 years or older. The program will look to the expansion to appropriate juvenile offenders once the court is fully in place, ideally within one year of the first successful program discharge. This will allow the program managers to have a smooth running system in place before expanding to allow juvenile participants within the added legal protection and procedures necessary for those offenders. Recidivism by juvenile offenders is also large concern if the criminal justice system. Reduction in repeat juvenile crime by a drug court disposition is an important goal.

The Committee anticipates a drug court program that begins with a screening process by the [COUNTY NAME] County Court Services office in tandem with their pretrial release interview. Court Services officers already meet with each person arrested and held in jail, usually within twenty-four hours of the arrest to determine pretrial release eligibility. This screening can be expanded to include an assessment of drug court eligibility. The State's Attorneys Office can then review the file and schedule the case for an initial drug court appearance. Persons who have posted bail can be evaluated and referred to drug court as well. An initial drug court appearance will include representation by a Public Defender for indigent defendants. The program can be explained and a referral for assessment can be made. T.A.S.C. will provide this comprehensive assessment which can include treatment, health and social components. The defendant will return to drug court in approximately a week where the court will review the assessment and determine whether the defendant will be accepted.

T.A.S.C. has trained treatment coordinators in place who can make the critical assessment. They already have a good working relationship with treatment providers which can be expanded and tailored to the drug court model.

The court will then begin an intensive case management. This will include a regular review of the defendant's compliance with the treatment plan. This review will rely heavily on [COUNTY NAME] County Court Services. Their officers will closely monitor the offender to ensure his compliance with court orders, will make progress reports and recommendations to the court and will provide the necessary support to both the court and client.

A drug court's success depends upon its ability to obtain and share information. The participants hold weekly meetings prior to the drug court session to review each case with input from the court, public defender, state's attorney, probation officer and the treatment coordinator, T.A.S.C. The court can then make an informed decision on how to support progress or address failure. Court Services computer program Tracker will soon be accessible to the other key participants to allow immediate access to information.

[COUNTY NAME] County has in place three excellent treatment providers in [TX PROVIDER], [TX PROVIDER], and [TX PROVIDER]. These programs already serve the needs of court referred clients. [PROVIDER] Mental Health, the [COUNTY NAME] County Health Department, _____ College and S.A.F.E.R. Foundation also provide services for these same clients. The drug court model creates a partnership between the court participants and the various treatment and support providers. The drug court supports the providers with its strong enforcement arm. The providers support the Criminal Justice System's goals to rehabilitate and protect.

The drug court program will be reviewed and evaluated by the planning committee. This will allow any necessary adjustments and amendments to the program. This will be especially important in the first year. Statistics on the numbers of participants, court hearings, time records can be provided by Court Services and the State's Attorneys Office. These can be compared to statistics of progress reports provided by the treatment and support providers. While these numbers are important for evaluation, the actual experiences of the participants will also be critical factors. The participants commitment to continuing education and membership in the Illinois and National Drug Court Associations will allow the evaluation process to include the experiences of other drug courts. It is recognized that a drug court's overall success or failure cannot be judged in the short term. This is a long term commitment.

The existence and continuation of a drug court is dependent on funding. The County and State will provide funding for the salaries of the judge, court administrators, prosecutors, state's attorney administration, public defenders and court services personnel. Additional funding may be sought for probation services to provide intensive supervision for drug court clients. The State will also provide evaluation services performed by T.A.S.C. Funding sources will be needed to provide initial and ongoing training for the key participants and for court administration and set up costs. Funding will also be needed for comprehensive drug screens. The greatest need for funding will be to provide the treatment services for the clients. Initial funding will be sought for the Drug Court Program Office of the United State's Department of Justice. The participants understand that there will be a need to continuously seek additional source of funds. Requiring the clients to reimburse the court through imposing of fine and fees will be a priority as well.

