

C. Eligibility

Qualifying Factors

To be determined eligible for the Program, participants **must** meet the following criteria:

1. Meet statutory eligibility per 730 ILCS 166/20 Drug Treatment Act.
2. Assess as Medium/to High Risk as determined by the Adult Risk Assessment-Community Supervision Tool (ARA-CST) required by the Administrative Office of the Illinois Courts.
3. Assessed as having high behavioral treatment needs as determined by the American Society of Addiction Medicine (ASAM) assessment.
4. Must be convicted of a nonviolent felony.
5. Must be a Champaign County resident at the time of the offense for which the participant is being sentenced occurred, and at the time of entry into Drug Court. Cases involving a Petition to Revoke where the participant currently lives in Champaign County but resided outside of Champaign County when the original offense occurred will be discussed and determined by the Drug Court Team.
6. Participant must be 18 years or older at the time of offense.
7. Participant must complete a Request for Drug Court Assessment, voluntarily execute a Consent to Participate in the Champaign County Drug Court Program, admit to having a problem with alcohol or other drugs and be willing to engage in and comply with the treatment and supervision requirements of Drug Court.
8. Admission into Drug Court must be with the consent of Participant and with approval of Court. A person must sign a written Consent and acknowledge understanding its contents.

Ineligibility Factors

A participant **may be** ineligible from participation in the Program if the following factors are met:

1. State's Attorney objects (per statute 730 ILCS 166/20(c)) or if the participant is currently charged with a Class 2 felony or higher that is non-probationable, and the prosecutor is unwilling to amend the charges to a probationable offense.
2. The charge is for a misdemeanor offense.
3. An active gang member.
4. Commission of a crime of violence as stated in 730 ILCS 166/20(c) within the last 5-years excluding incarceration and mandatory supervised release/parole including: first or second degree murder, predatory criminal sexual assault of a child, aggravated criminal sexual assault, criminal sexual assault, armed robbery, aggravated arson or arson, aggravated kidnapping or kidnapping, aggravated battery-great bodily harm or permanent disability, aggravated stalking or stalking, aggravated domestic battery, or any offense involving a firearm and aggravated domestic battery with great bodily harm, aggravated criminal sexual abuse by a person in a position of trust, home invasion, aggravated vehicular high jacking, and aggravated DUI (section 501(d)(1)F) that results in death unless the Court finds extraordinary circumstances exist to require probation.
5. Denies use or a dependence to alcohol and/or drugs.
6. Does not show willingness to participate in the requirements of Drug Court.
7. The Drug Court Team believes that the participant is selling drugs for profit:
Criteria to review:

- Possessing substances containing more than 15 grams of cocaine, heroin, methamphetamine, or more than 30 grams of cannabis.
 - Manufacturing or delivery of more than 5 grams of cocaine or heroin or more than 15 grams of methamphetamine.
 - Participant's addiction or use is not for the same drug in his/her possession or that she/he provided to another.
8. The Drug Court Team determines after a clinical assessment that the participant has a mental illness or a developmental disability which will not allow the participant to complete the Drug Court requirements or participant does not have the cognitive ability to successfully complete Drug Court.

Criteria to review, include but are not limited to:

- The Participant has had prior involuntary mental health commitment(s) in the past 10 years.
- The Participant has been diagnosed with schizophrenia, paranoia or other psychosis that interfere with Activities of Daily Living. This will be determined on a case-by-case basis.

Reports to the Court show no appropriate mental health/substance abuse treatment options are available for the Participant in the community.