

## **Macon County Hybrid (Drug & DUI) Court**

It is the policy of the Macon County Hybrid Court Program that each defendant must meet defined eligibility criteria as set forth by the **Drug Court Treatment Act (730 ILCS 166/20)**. A defendant may be admitted into the Hybrid Court program only upon the agreement of the prosecutor and the defendant and with the approval of the court.

### **Eligibility Criteria**

1. Adult defendants charged with probation eligible, non-violent felony offenses in Macon County are eligible for the program.
2. The defendant must be diagnosed with a drug and/or alcohol dependence.
3. DUI Court participants must have at least one prior DUI and have completed assessment indicating 'Significant Risk' or higher.
4. Domestic violence offenders may be accepted into the program upon consent of the victim and at the discretion of the Hybrid Court team.
5. The defendants past criminal record will be taken into consideration.
6. The defendant is a current resident of Macon County and a United States citizen.
7. Must be at least 18-years-old at the time of the arrest.
8. The defendant expresses a desire to participate in the program.
9. The referral must be made within 60 days of the first appearance with counsel.
10. The defendant must be screened and approved by the Hybrid Court team to participate.
11. The defendant must be honest with the treatment providers and the team.
12. The following will be evaluated and considered on a case-by-case basis:
  - a. Violation of probation cases must be approved by the State's Attorney's Office
  - b. Victim consent/restitution
  - c. Possession with intent to deliver
  - d. A current offense

### **Not Eligible**

1. The crime is a crime of violence.
2. The defendant denies his or her use of or addiction to drugs.
3. The defendant does not demonstrate a willingness to participate in a treatment program.
4. The defendant has been convicted of a crime of violence within the past 10 years excluding incarceration time, including but not limited to:
  - a. First or Second degree murder
  - b. Predatory criminal sexual assault of a child
  - c. Aggravated criminal sexual assault or criminal sexual assault
  - d. Armed robbery
  - e. Aggravated arson or arson
  - f. Aggravated kidnapping or kidnapping
  - g. Aggravated battery resulting in great bodily harm or permanent disability
  - h. Aggravated stalking or stalking
  - i. Any offense involving the discharge of a firearm.
5. The defendant has previously completed or has been discharged from a Hybrid Court program.