

ELIGIBILITY CRITERIA- Madison County

Screening as to eligibility for the Northeast Nebraska Drug Court will be determined by the County Attorney's office. Acceptance into the program will be determined by the Admissions Staffing Team. If accepted for Drug Court the participant will begin the Drug Court program once he/she has agreed to the conditions of the Drug Court. Upon successful program completion (minimum of 18 months) the conviction(s) against the participant will be vacated. Termination or withdrawal from the program will result in sentencing.

Participants are *not* eligible if:

- Possession of more than 3 grams of cocaine, methamphetamine or similar drugs.
- Any significant criminal history, as determined by the County Attorney.
- Approving enrollment into drug court would not be in the best interests of the defendant's dependants, ie; the drug court program would interfere with the juvenile court efforts to terminate parental rights, as determined by the County Attorney.
- Any prior convictions involving violence, or weapons.
- Multiple prior misdemeanors for crimes against a person such as:
Assaults, domestic violence, resisting arrest, flight to avoid arrest, or assault on a law enforcement officer.
- Charged with possession of drugs with intent to distribute or manufacturing.
- Any prior felony or misdemeanor diversion excluding juvenile diversion.
- Any gang involvement.

Eligible participants must:

- Provide a Chemical Dependency evaluation, completed within the past 12 months, by an approved provider.
- Voluntarily consent to all conditions of the Drug Court Program.

Violence defined by federal statute

Violent Offender is a person who either:

- A. Is charged with or convicted of an offense during the course of which;
 1. The person carried, possessed, or used a firearm or other dangerous weapon
 2. There occurred the use of force against the person of another; or whether any of the circumstances described above is an element of the offense or conduct of which or for which the person is charged or convicted; or
- B. Has one or more prior convictions of a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

Potential participants from other counties will be determined eligible by that County Attorney

NORTHEAST NEBRASKA DRUG COURT

Assessing Risk/Needs

Policy:

Assessing offenders in a reliable and valid manner is a prerequisite for the effective management of drug court participants. Timely, relevant measures of offender risk and need is essential for the implementation of the principles of best practice in problem solving court programs. The Level of Service/Case Management Inventory (LS/CMI) aids in determination of participants' risk/needs levels allowing appropriate supervision and service interventions to be provided. The Northeast Nebraska Drug Court staff will assess participants upon admission into the program and at set intervals to ascertain their needs are being identified and met, thus reducing risk of recidivism.

Procedure:

Drug Court participants will be assessed and scored using the LS/CMI instrument within 2 weeks of admission to the program. Participants will be reassessed using the LS/CMI every six months until graduation or termination from the drug court program. Data collected will be entered into the Nebraska Probation Management Information System (NPMIS) by the officer completing the assessment.

Offender Name _____ Gender M F Age _____ Date of Birth ____/____/____
dd / mm / yyyyIdentifying Number _____ Interviewer _____ Interview Date ____/____/____
dd / mm / yyyy

The LS/CMI assessment is a quantitative survey of offender attributes and situations relevant to decision-making regarding level of service. Some items are in a no/yes format, and some are in a 3–0 rating format, based on the following scale:

3: A satisfactory situation with no need for improvement

2: A relatively satisfactory situation with some room for improvement

1: A relatively unsatisfactory situation with a need for improvement

0: A very unsatisfactory situation with a very clear and strong need for improvement

Place an X over the appropriate response for each item, whether it is a yes, no, or a rating number. The responses will transfer through to the scoring sheet beneath for quick tallying of the LS/CMI subcomponent scores and total score. If the section is a strength for the offender, place an X in the Strength box. Refer to the *LS/CMI User's Manual* or *LS/CMI Scoring Guide* for guidelines on rating items. When there is insufficient information to respond, circle the item number. *Complete and score Section 1 before completing Sections 2 to 8.*

Section 1: General Risk/Need Factors

1.1 Criminal History

No Yes 1. Any prior youth dispositions (number ____) or adult convictions (number ____)?

No Yes 2. Two or more prior youth/adult dispositions/convictions?

No Yes 3. Three or more prior youth/adult dispositions/convictions?

No Yes 4. Three or more present offences (number ____)?

No Yes 5. Arrested or charged under age 16?

No Yes 6. Ever incarcerated upon conviction?

No Yes 7. Ever punished for institutional misconduct or a behavior report (number ____)?

No Yes 8. Charge laid, probation breached, or parole suspended during prior community supervision?

Strength?

1.2 Education/Employment

When in the labor market (either in the community or long-term imprisonment with work opportunities):

No Yes 9. Currently unemployed?

No Yes 10. Frequently unemployed?

No Yes 11. Never employed for a full year?

School or when in school:

No Yes 12. Less than regular grade 10 or equivalent?

No Yes 13. Less than regular grade 12 or equivalent?

No Yes 14. Suspended or expelled at least once.

For the next three questions, if the offender is a homemaker or pensioner, complete question 15 only. If the offender is in school or working, complete 15, 16, and 17. If the offender is available for the labor market but is unemployed and not in school, rate 0 for 15–17.

3 2 1 0 15. Participation/Performance.

3 2 1 0 16. Peer interactions.

3 2 1 0 17. Authority interaction.

Strength?

1.3 Family/Marital

3 2 1 0 18. Dissatisfaction with marital or equivalent situation.

3 2 1 0 19. Nonrewarding, parental.

3 2 1 0 20. Nonrewarding, other relatives.

No Yes 21. Criminal—family/spouse.

Strength?

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