

**ELIGIBILITY CRITERIA FOR THE
TETON COUNTY DUI/DRUG COURT**

Applications will be accepted from any defendant when the application process is OPEN.

1. Applicants must meet all of the following minimum eligibility criteria to proceed to assessment phase:

- Are 18 years of age or older, or legally emancipated;
- Are a repeat offender with multiple DUI or substance abuse related charges and/or probation violations;
- Are a Teton County, Wyoming resident or north Lincoln County (Smoot or above) resident;
- Are capable to participate in intervention activities;
- Per federal funding regulations, whose current offense, whether felony or misdemeanor, does not include violence towards another person;
- Have no known offenses that violate the criminal history criteria described below;
- Meet all other mandated criteria established by state and federal funding guidelines;
- Have a criminal charge in Teton County Circuit Court or District Court (a criminal charge in another WY Circuit or District Court may qualify and will be considered on a case by case basis);
- Agree to abide by all program requirements, sign the Program Agreement and the Program Waiver of Rights if accepted to enroll.

2. Applicants must meet the following eligibility criteria during the assessment process to proceed to drug court team review of application

A. Criminal History (as confirmed by Probation Officer's criminal history review):

Is not a violent offender according to Drug Court Discretionary Grant Program (FY2005 Resource Guide for Applicants).

A violent offender is a person who

1. Is charged with or convicted of an offense during which:
 - a. The person carried, possessed, or used a firearm or another dangerous weapon; and
 - b. There occurred the use of force against the person of another or
 - c. There occurred the death of, or serious bodily injury to, any person, without regard to whether any of the elements of the offense or conduct of which or for which the person is charged or convicted or

2. 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.

B. Substance Abuse Diagnosis and Treatment Placement (as reviewed by Drug Court Team Member):

Substance abuse dependency and

ASAM placement of Level III Residential Treatment or Level II.1 Intensive Outpatient Treatment in a current substance abuse assessment.

Acceptance to enroll in substance abuse treatment services with contracted providers and according to their policies (FY11 Providers include Curran-Seeley Foundation and Southwest Counseling).

3. Team review of applications takes into consideration the following applicant circumstances:

A current offense that occurred while under the influence of drugs or alcohol or that involves illegal drugs (but does not include violence against another person);

A history of substance abuse;

A person with prior criminal offenses related to their abuse;

Blood alcohol content at time of arrest;

Have indications of long term area residency (employment history in Teton County, family living in Teton County, housing lease or homeownership, past Teton County residency);

It is applicant's first time entering into a drug court program;

Assessments that indicate the presence of one or more of the following risk and needs factors*:

- History of prior probation revocations and/or violations
- History of prior treatment failures
- Have known criminal associations
- Family history of crime or addiction
- Early onset of criminal activity
- Early onset of substance abuse

Antisocial Personality Disorder diagnosis
Major medical diagnosis resulting from continued substance abuse
Major Axis 1 mental health diagnosis
Chronic unemployment
Homelessness

Meeting the criteria described above does not guarantee acceptance. The above eligibility criteria serve as a basic guideline for application review. A defendant's entire criminal history, substance abuse history, treatment history, and personal history also factor into final review and determination of acceptance.

Drug Court applicants must be eligible to enroll in Drug Court contracted substance abuse treatment provider's programs and the Wyoming Department of Corrections' Drug Court Probation Supervision.

Acceptance qualifies an applicant for enrollment. Enrollment is possible only if it has been ordered as a part of sentence by a judge.

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