



FOURTH JUDICIAL DISTRICT

*Effectiveness of Social Support Systems for
Drug Court Defendants*

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Fourth Judicial District of Minnesota

Social Support and Drug Court Defendants: Executive Summary

Background

- Although extensive research has demonstrated that there are psychological benefits of social support, little information exists on how social support influences the progress of drug court defendants.
- The goal of drug courts is to reduce drug use and the criminal behavior associated with drug use by creating a court that is a collaborative effort among judges, probation officers, public defenders, county attorneys, mental health professionals, and treatment providers.
- Drug courts are effective because they are less costly than incarceration and because they target the source of criminal behavior by treating the offenders' drug problem rather than by incarcerating them in a facility where drug treatment and rehabilitation is unlikely.
- The Hennepin County Drug Court (HCDC) is one of the nation's largest drug courts and is the largest drug court in Minnesota.

Research Design

- The main goal of this study was to achieve a greater understanding of the role of social support and the outcomes for drug court defendants.
- Drug court defendants (570) were interviewed just after their review hearing in court about their perceptions of available social support.
- Court and probation records were reviewed for the 257 defendants who were still involved in drug court six months later to measure court compliance for the following variables: employment, clean drug tests, number of bench warrants, number of arrest and detention orders, number of new charges and convictions, and progress in treatment.

Results of Quantitative Analysis

- Overall, defendants indicated that they perceived a high level of social support across all types of social support. However, defendants were more likely to have people in their lives from whom they could receive emotional and informational support compared to practical and financial support.
- Neither emotional, practical, nor financial support predicted how well defendants did in Drug court during the six month follow-up. Informational support was positively associated with the number of bench warrants defendants received and was negatively associated with completing treatment.

- Social support for abstinence was significant in predicting positive outcomes in drug court. Those who reported that they had people in their lives who helped them handle difficult situations without using drugs and people who praised them for not using had fewer bench warrants issued for failing to appear in court, were charged with fewer new offenses, and were more likely to complete treatment compared with those who did not receive this type of support.

Results of Qualitative Analysis

- Defendants were asked to tell us what types of additional support they needed while in drug court. The most frequent responses included: how to find a job, how to secure legal advice, housing, and education. Defendants also indicated that they needed help with transportation or finding employment, and more opportunities for counseling.

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Background on Drug Courts

The first drug court began in Miami, Florida in 1989, and was created as a response to drug offenders going in and out of jail or prison without any treatment for their drug use. The goal of drug courts is to reduce drug use and the criminal behavior associated with drug use by creating a court that is a collaborative effort among judges, probation officers, public defenders, county attorneys, mental health professionals, and treatment providers. According to the Bureau of Justice Assistance (BJA; 2005), there are currently more than 1,600 drug courts in the United States, and nearly 500 more are being developed. Although drug courts initially only dealt with low-level offenders or first-time offenders, other drug courts are beginning to include more serious offenders, such as those with previous drug charges and those with an extensive criminal history (BJA, 2005). The National Association of Drug Court Professionals (1997) has defined the following 10 “key components” as necessary elements to a successful drug court:

1. Drug courts integrate alcohol and other drug treatment services with justice system case processing.
2. Using a non-adversarial approach, prosecution and defense counsel promote public safety while protecting participants’ due process rights.
3. Eligible participants are identified early and promptly placed in the drug court program.
4. Drug courts provide access to a continuum of alcohol, drug, and other related treatment and rehabilitation services.
5. Abstinence is monitored by frequent alcohol and other drug testing.
6. A coordinated strategy governs drug court responses to participants’ compliance.
7. Ongoing judicial interaction with each drug court defendant is essential.
8. Monitoring and evaluation measure the achievement of program goals and gauge effectiveness.
9. Continuing interdisciplinary education promotes effective drug court planning, implementation, and operations.
10. Forging partnerships among drug courts, public agencies, and community-based organizations generates local support and enhances drug court effectiveness. (pp. 3-4)

Drug courts differ from previous criminal justice approaches to drug offenders by sending offenders to treatment, enforcing recurring drug tests, and by requiring frequent contact between offenders, their probation officer, and the judge. Although mandated or coerced treatment may intuitively seem to be an ineffective solution to criminal drug use, it is actually just as effective as voluntary treatment (Farabee, Prendergast, & Anglin, 1998). Along with treatment, many drug courts provide defendants with additional services such as family counseling, access to mental health professionals, education, and job training. Drug courts also provide a more intensive form of supervision compared to traditional probation, by requiring more contact with the court and regular drug testing. As a result of this increased supervision and accountability, defendants are more likely to complete drug treatment and less likely to re-offend (Belenko, 1998; 2001).

Evaluations have found drug courts to be effective in many ways. For one, they are less costly than incarceration (Schultheiss, 2005). Second, they are effective because they target the source of criminal behavior by treating the offenders’ drug problems rather than by incarcerating them in a facility where drug treatment and rehabilitation is unlikely. Drug courts are also effective because they are more likely to keep families together by allowing offenders to remain in the community and receive family services (e.g., family counseling, classes on parenting skills).

Drug courts are also credited with reducing the number of drug-addicted babies by intervening early with drug-addicted mothers and providing them with appropriate services (BJA, 2005). Drug courts have also been implemented for juvenile drug offenders in the Juvenile and Family Courts. The success of drug courts has led to an expansion of other types of “problem solving courts” including courts for crimes such as DWIs, community offenses (e.g., vandalism, prostitution), juvenile truancy, and domestic assault.

Research that has specifically included drug court defendants has found a relationship between legal coercion and treatment completion, as well as demographic variables such as age, gender, criminal history, and drug of choice (Rempel & Destefano, 2001). These researchers followed drug court defendants for one year and measured whether they completed treatment. They reported that individuals facing the longest amount of incarceration time were more likely to complete treatment than were those facing a shorter amount of incarceration time. Those who had a pending Family Court case and were at risk of losing their children were also more likely than those without a Family Court case to complete treatment. Age and gender were also important in predicting treatment completion. For example, older participants were more likely to complete treatment, and women were more likely to drop out; however, education and salary were not significant predictors of treatment completion. Although severity of drug use was not a predictor, individuals who used heroin were less likely than individuals who used cocaine to complete treatment. Additionally, the more misdemeanor convictions defendants had, the less likely they were to complete treatment, whereas prior felony convictions were not related to treatment outcome.

Other researchers have looked beyond treatment completion and have examined the predictors of completing drug court (Schiff & Terry, 1997). Graduation from drug court is not only contingent upon completing treatment, but also upon submitting clean drug tests after completing treatment, remaining law abiding, and finding or continuing with stable housing and employment. Schiff and Terry (1997) found that the more education defendants had, the more likely they were to graduate. However, age and marital status were not predictive of graduating drug court. Individuals with a serious addiction to crack were less likely to graduate from drug court and those with a greater number of close friends were more likely to graduate from drug court.

Hennepin County Drug Court

The Hennepin County Drug Court (HCDC) is one of the nation’s largest drug courts and is the largest drug court in Minnesota. HCDC began in 1997 and has processed more than 12,000 defendants since its first year (Fourth Judicial District, 2005). There are currently 2,071 defendants who are on “active” probation (i.e., coming to court regularly to meet with a drug court judge), as well as an additional 950 individuals who are on bench warrant status for failing to appear in court or on arrest and detention status for violating the conditions of their probation. There are an additional 821 defendants who are on Administrative Probation status which means they are still on probation, but no longer required to come to court and meet with the judge because they have successfully met all of the requirements of drug court. There are also 561 defendants who have been charged with a drug offense, but have not yet been sentenced.

HCDC differs from most drug courts in that *all* felony drug offenders are handled through drug court, with the exception of those who have an accompanying charge that is a felony against a person (e.g., assault, robbery, rape). Non-person offenses (i.e., offenses that “tag along” with the felony drug case) are also handled in HCDC. Typically, other drug courts have a team that

consists of attorneys (prosecutors and public defenders), law enforcement, probation, judges, and community providers who decide whether a defendant is eligible for their drug court and therefore, can pick the “cream of the crop” of criminal drug offenders. But Hennepin County defendants represent a wide range of defendants, including those with extensive criminal histories and those who have had previous drug cases handled in Hennepin County. These defendants are “eligible” simply by being charged with a felony offense.

Following conviction and sentencing, defendants who are not sentenced to prison are required to appear in court for “review hearings.” These hearings require defendants to appear in court once or several times a month to meet face-to-face with the judge, while the judge is updated by the probation officers on the defendants’ progress (e.g., progress in treatment, employment, education, staying off drugs). Defendants may also be required to participate in community programs such as support groups, parenting groups, and job training. Defendants who do not comply with these requirements are often given sanctions, such as purchasing a bus card for other defendants, doing community service, sitting in the jury box during court for a day, spending a day working at a local homeless shelter, or spending weekends in the County Workhouse.

Types of Drug Charges

With the exception of marijuana, possession of any illegal drug is a felony in Minnesota. Cases heard in drug court include all levels of drug felonies ranging from 1st degree charges (for individuals selling the largest amount of the drug) to 5th degree charges (carrying a small amount assumed for personal use).

Drug Court Case Outcomes

Drug court defendants differ from other types of drug users who are not involved in the criminal justice system because they have more motivation to abstain from drugs. For example, drug court defendants may not only receive encouragement from friends and family to stop using, but they are also motivated by the criminal justice system by ongoing supervision and threats of incarceration and felony convictions. Based on the elements of their particular cases, defendants may face the following dispositions: conviction, probation before conviction, diversion, or dismissal. Defendants are eligible for diversion if they are charged with a fourth or fifth degree drug charge and if they have no prior felony charges (unless those prior charges were dismissed). Diversion is typically a year-long program in which the defendant does not plead guilty and there is no admission of committing a crime. If defendants comply with probation, the felony charge is dismissed upon completion of probation. Defendants are eligible for a “probation before conviction” if they have no prior felony drug convictions, although they could have other prior felony convictions. Similar to diversion, individuals who receive “probation before conviction” may have their cases dismissed upon complying with the requirements of probation; however, probation before conviction is typically three years rather than one year and, unlike diversion, the individual pleads guilty in court. For individuals who are convicted, there are three sentencing options that are dependent upon the degree of severity of the current drug case and the criminal history of the drug court defendant.¹ The three options include: prison commitment, stay of execution to prison, and a stay of imposition. Defendants who are sentenced to a stay of execution to prison will always have a felony conviction on their record; in addition, they may

¹ Minnesota Sentencing Guidelines dictate incarceration timelines that judges can use when sentencing felons. Unless defendants’ criminal history score is high, most drug felons are not presumptive commitments to prison in Minnesota.

serve time in the County Workhouse but will not serve time in prison if they comply with the requirements of their probation. Defendants who are sentenced to a “stay of imposition” are able to have their felony cases reduced to misdemeanor convictions if they comply with all of the court’s requirements.

Goals of the Current Study

Although social support has been examined in the context of drug abuse, little research has been done specific to the Drug Court setting. Previous research has focused on demographic variables, and little attention has been paid to the social influences involved in successful Drug Court completion. A recent study of Hennepin County Drug Court defendants found that social support was reported as an additional resource that defendants needed while in Drug Court (Podkopacz, Eckberg, & Zehm, 2004). When these defendants were contacted by phone for a follow-up interview and were asked, “aside from treatment, what helps you stay off of drugs?” more than half of the defendants mentioned support groups such as Narcotics Anonymous and Cocaine Anonymous. These findings demonstrate that social support plays an important role in the Drug Courts; however, more research is needed in order to understand what *types* of support lead to specific outcomes in Drug Court.

Survey Process

As we previously noted, following a disposition of conviction or probation before conviction, defendants are required to appear in court for “review hearings.” Defendants appear in court once or several times a month to meet with the judge while the judge is updated on their progress (e.g., treatment, employment, education, staying off drugs) by the probation officers. Typically, there is a direct conversation between the judge and the defendant after the progress report is completed. On average, there are between 40 and 50 defendants scheduled on the drug court Review Calendar each morning. There is also a night court judicial review calendar held every Tuesday evening for those who have full-time jobs during the day. If a defendant does not appear for a review hearing, a bench warrant is issued for failure to appear.

Participants in this study were interviewed during the morning calendar as well as the night court, over a two month period of time. After the judge was on the bench and before the first case was called, an announcement was made about the study to solicit defendants’ participation. During the review hearings, interviewers remained in the courtroom until hearings were completed and then would follow defendants out of the courtroom to seek their participation. When defendants indicated that they were interested in participating, they were taken into the room next door to the courtroom to complete the survey. The survey was read to the defendants and the researcher recorded their answers. The survey took approximately 10-15 minutes to complete.

Demographic data were collected from defendants during the interview and below is a summary of their responses.

Demographics of Drug Court Defendants

Gender	
Men	81%
Women	19%
Race	
African Americans	54%
Whites	33%
Native Americans	4%
Asians	1%
East Africans	0.2%
Other	8%
Age	
Average Age	32.05 years
Education	
Less than high school	28%
Completed high school	45%
Started or completed trade school	5%
Started college	17%
Completed college	5%

Defendants told us during the interview whether they had received treatment and whether or not they had completed treatment. The types of drugs they tested positive for was collected by reviewing court records.

Drug Use Related Data

Have they received treatment for their drug use?	
Received treatment	69%
Did not receive treatment	31%
Progress in Treatment	
Completed treatment	49%
Still in treatment	46%
Quit or terminated from treatment	5%
Percentage of defendants who tested positive for the following drugs	
Marijuana	49%
Cocaine	48%
Methamphetamine	17%
Opiates	9%
Ecstasy	2%
Benzodiazepines	1%
Prescription drugs	<1%
Unavailable drug use data	12%

Court records were reviewed to determine how long defendants were in drug court. The length of time in drug court was calculated by counting the number of days from the court acceptance filing date until the day of the interview. The degree of the drug charge was based on the statute for the original charge.

Court Related Data

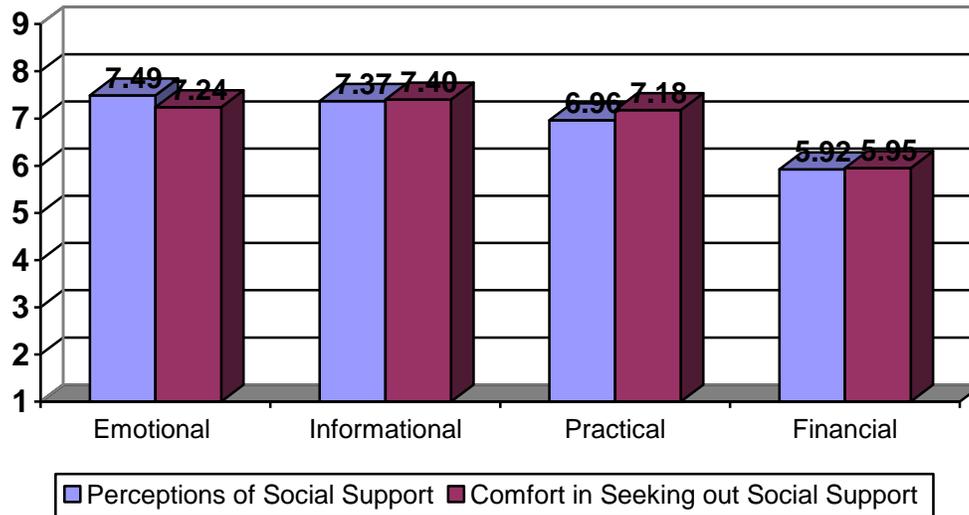
Length of Time in Drug Court	
Average number of days defendants were in Drug court	374
Degree of the Drug Charge	
Fifth Degree	75%
Fourth Degree	1%
Third Degree	12%
Second Degree	7%
First Degree	4%

Social Support Measures

The Social Support Behaviors (SS-B) Scale (Vaux, Riedel, & Stewart, 1987) was used to measure social support. This scale differentiates social support across five dimensions: Emotional, Practical, Informational, Financial, and Socializing. Emotional support consisted of 10 statements such as, “There would be someone to stick by me in a crunch.” The practical support subscale consisted of nine items such as, “There would be someone to lend me a car if I needed one.” The financial support scale consisted of six items including statements such as, “There would be someone to buy me clothes when I was short of money.” The informational support scale had 12 items including, “There would be someone to tell me who to talk to for help.” The Socializing section of the scale was not used in this study. Participants reported their agreement with each item using a 9-point scale (1 = “strongly disagree”; 9 = “strongly agree”). Participants were also asked to indicate their agreement with the following statement “I feel comfortable asking for this type of help if I were to need it” on a 9-point scale (1 = “strongly disagree”; 9 = “strongly agree”). Participants were asked to list the people in their lives who would provide them with this type of support. Sources of support were grouped into different categories for family, friends, and significant other, and participants were asked to indicate if these sources were from people who used drugs or did not use drugs. Participants were then asked, “Are there any other types of help [in this area] you would have liked to have received while in drug court, but haven’t?” If participants said “yes,” they were asked to tell us in their own words, “What type of help would you like to receive?”

Social Influences on Abstinence and Drug Use Scale (SIADU). Wasserman, Stewart, and Delucchi (2001) created a 41-item scale that measures behaviors from others that might facilitate or inhibit drug use in the last four weeks. Two subscales from this measure were used: the 4-item praise for staying clean subscale (e.g., “complimented you for staying clean”) and the 3-item subscale, helping one handle difficult situations without drugs (e.g., “helped you handle a bad situation without using drugs”). We chose to create one scale and named the scale “support for abstinence” using all seven items.

Ratings of Social Support



Emotional Support

Overall, defendants reported that they had people in their lives who would provide them with emotional support ($M = 7.49$) and that they were comfortable seeking out this type of support ($M = 7.24$). The number of sources for emotional support ranged from zero to six ($M = 1.92$). Defendants reported that they would seek out emotional support from their family (76%), their friends (45%), and their significant other (40%). Other sources included support groups (18%) and church members (10%). A small percentage of defendants (19%) reported that their sources of support included drug users. (For a complete list of sources of emotional support and their frequencies see Table 1.)

Informational Support

Defendants also reported that they had people in their lives who would provide them with informational support ($M = 7.37$), and that they were comfortable seeking out this type of support ($M = 7.40$). Similar to emotional support, defendants reported that they could receive informational support from family (70%), friends (44%) and their significant others (35%). Other sources included probation officers (31%), support groups (24%), and treatment facilities (18%). Seventeen percent of the defendants who were interviewed reported that drug users were a source of informational support for them. (For a complete list of sources of informational support and their frequencies see Table 2.) When defendants were asked “are there any other types of help you would have liked to have received regarding information or advice while in drug court, but haven’t?” 111 defendants (21%) indicated that they did need additional help. Those needing additional informational support indicated that they needed more information regarding employment, legal advice, housing, and education. (For a complete list of additional needs see Table 3.)

Practical Support

Defendants reported that they had people in their lives who would provide them with practical support ($M = 6.96$), and that they were comfortable seeking out this type of support ($M = 7.18$). The number of sources for practical support ranged from zero to five ($M = 1.81$). Family was the most common source of this type of help (76%), followed by friends (53%) and significant others (29%). Support groups (15%) and church (10%) were also seen as sources of practical support. Twenty-three percent of defendants reported that their sources of practical support included drug users. (For a complete list of sources of practical support and their frequencies see Table 4.) When defendants were asked “are there any other types of help with your day-to-day activities you would have liked to have received while in drug court, but haven’t?” 17% indicated that they needed additional help. For those who did need help, the most common types of help needed were transportation, employment, and counseling. (For a complete list of additional needs see Table 5.)

Financial Support

Defendants were less likely to indicate that they had people in their lives who would provide them with financial support ($M = 5.92$) and they were also less likely to report that they were comfortable seeking out this type of support ($M = 5.95$). The number of sources for financial support ranged from zero to six ($M = 1.60$). Similar to the previous types of support, defendants reported that their family (74%), friends (32%), and significant others (30%) would be most likely to help them financially. Nineteen percent of defendants reported that their sources of financial support included drug users. (For a complete list of sources of financial support and their frequencies see Table 6.) When asked “are there any other types of financial help you would have liked to have received while in drug court, but haven’t?” a higher percentage of defendants (26%) reported that they needed additional financial help compared to needing more help with information and practical help. The most common needs for financial assistance were employment, housing, and transportation. (For a complete list of additional needs see Table 7.)

Additional Analyses for Social Support

Regardless of the type of social support, statistical analyses demonstrated that there were no significant differences in perceived support based on gender, whether the provider was a drug user, treatment status, or progress in treatment. Both men and women appeared to be equally comfortable seeking out all types of social support. In addition, the amount of time defendants were in drug court was not a significant predictor of perceived social support.

Ratings for the Social Influences on Abstinence and Drug Use Scale (SIADU)

The mean for the scale we created by combing two subscales of the SIADU, “support for abstinence” was 7.53, indicating that defendants reported that they had people in their lives who provided them with support for not using drugs. Defendants who had received treatment, reported support groups as a source of social support, or did not have drug users as a source of social support were more likely to have higher ratings on this scale.

Did Defendants Receive Treatment?***	
Yes	7.68
No	7.17
Did They Report Support Groups as a Source of Social Support?***	
Yes	7.84
No	7.39
Did their social support come from a drug user?*	
Yes	7.28
No	7.64

Significance levels: * $p < .05$ ** $p < .01$

Six-Month Follow-Up

After six months had passed from the date the defendant was interviewed, we reviewed court records to determine whether drug court defendants were in compliance with the court during this time. In order to be included in the follow-up sample, defendants needed to have six months of regular contact with the court. This is because most of the dependent variables in the study (e.g., drug tests, treatment completion, and employment) can only be collected when the defendants are required to come to court and report to their probation officers. Three hundred thirteen defendants (55%) did not meet these criteria; however, this does not mean that all of those who were excluded did not comply with drug court. For example, nearly one-third (30%) of the participants were excluded from the follow-up because they had met all of the requirements of drug court and were promoted to “Administrative Probation” status. This meant that they no longer had to appear in court for review hearings, meet with their probation officer, or submit drug tests, because they had done very well in drug court. Although “Administrative Probation” is a successful outcome for defendants, they were no longer required to come to court; therefore we were not able to collect data relevant to our dependent variables for this group. Twenty-four percent of defendants (24%) were excluded from the follow-up because either a) they did not have six months of measurable activity because they were sent to prison, b) their whereabouts were unknown for most of the six months, or c) they were in and out of the County Workhouse. A much smaller percentage of defendants (3%) were excluded because their case had been transferred to another county, their sentence had been vacated, or the defendant was deceased. After these three groups of people were excluded, there were 257 defendants (45%) remaining with which to conduct follow-up analyses. Follow-up analyses included testing whether social support predicted the following: clean drug tests, warrants issued for failing to appear, new charges and convictions, completion of treatment, and employment.

A database was created to track the main variables related to doing well in drug court and complying with probation. The variables were reviewed with court and probation staff to verify that all of the important variables had been included. Below are each of the variable descriptions and their relationship with drug court outcomes.

Employment

We collected data from court records to determine whether the defendant was employed at the end of the six months. This was recorded as a dichotomous variable (“yes” or “no”) as probation

records were not specific as to the type of employment (e.g., full-time, part-time, temporary, permanent).

There were 149 defendants (58%) who were employed at the end of the follow-up. We found that none of the variables were significant predictors of having a job at the end of the six month follow-up.

Clean Drug Tests

Using probation records, we recorded the drug test results for each defendant to determine the number of months they were able to stay drug-free. The drug testing data were recorded in months rather than the percentage of clean drug tests for two reasons. First, some defendants are tested more frequently as recommended by their probation officers, and others tested less frequently because they do not routinely show up to take their drug tests. For example, one defendant could be tested once a week and test dirty one week, test clean the next the next two weeks and would appear to be drug free 75% of the time. Other defendants could test positive the first week, test clean the second week and then skip the next two tests and still show that 50% of their tests were clean. If defendants are not complying with their drug tests because they are using, then 25% is a more accurate percentage than is 50%. Second, a percentage would only tell us how clean their tests were during the six months but would not allow us to discern whether they were clean at the beginning of the follow-up or towards the end. Therefore, drug tests were reviewed for each month and defendants were counted as being clean that month only if they had all clean tests and had not missed any tests during the month. There is a debate as to whether diluted tests (where the person has consumed so much water that a reliable drug test cannot be completed) should be counted as clean or dirty. Using more conservative estimates, their monthly score was not counted as “clean” if they had diluted tests that month.

We used the results for the last three months as measures of continued drug abstinence because two people could have had clean drug tests for two months, but one could have been clean at the beginning of the follow-up and the other person could have been clean the last two months or two non-consecutive months of the follow-up. Defendants who were clean for the last three months of the follow-up demonstrated a more stable form of abstinence than those who were not clean for the last half of the follow-up. Complete drug testing data were available for 238 of the 257 follow-up defendants. At the end of the follow-up, 89 defendants (37%) were clean for the last three months of the follow-up. Defendants were clean for an average of four months ($M = 3.71$). There were no significant predictors of the number of months they stayed or whether or not they were clean for the last three months.

Warrants Issued for Failure to Appear in Court

Each time defendants did not appear for their review hearings, a bench warrant was issued. During the six month follow-up, we counted the number of times a bench warrant was issued for failing to appear in court. More than one-third (37%) of defendants from the follow-up group had at least one bench warrant issued during the six month follow-up. The number of bench warrants issued ranged from one to six. There is a negative relationship between support for abstinence and the number of bench warrants; the more support defendants had, the fewer bench warrants they received. However, the relationship between informational support and the number of bench warrants is positive; the more informational support that they had, the more warrants they

received. Although we did not expect informational support to have a negative impact on showing up for court, perhaps informational support has negative consequences because defendants who seek out information on their own are more self-sufficient and therefore more likely to be able to make it to court when scheduled.

Probation Violations

Once defendants are convicted and sentenced to probation, there are certain requirements as a part of their probation, such as completing a drug assessment and complying with the requirements, abstaining from drugs and alcohol, remaining law abiding, and/or attending school. If defendants violate any of these conditions, an “arrest and detention” (A&D) is filed with the court. The number of arrest and detentions filed for each defendant in the follow-up group was counted. During the course of six months, only 21 defendants had an arrest and detention order filed against them, ranging from one to two; therefore, no analyses were done with this variable because the sample size was not large enough.

New Charges in Hennepin County

We counted both new charges and new convictions. Offenses were examined both ways, because there is a debate among criminal justice professionals as to which is a better indicator of recidivism. Some argue that only convictions should be counted because the defendant’s guilt has been established through the court process by either trial or because the defendant has pled guilty. Others argue that individuals cannot be charged with a crime if they are not engaging in criminal activity or associating with other offenders, and that charges accurately reflect criminal behavior. Most criminal justice researchers use arrests rather than charges as a measure of recidivism; however, we did not have access to arrest data. In Minnesota there is an overlap between arrest and charges, because some misdemeanors and gross misdemeanors can be charged by the police officer, rather than the city attorney making the decision. There is also a close overlap between felony arrests and felony charges. Therefore, charges rather than arrests are still an appropriate measure of recidivism. Sixty-one (24%) of the drug court defendants in the follow-up study were charged with a new offense after they were interviewed. Sixteen percent ($N = 41$) of those in the follow-up group were charged with at least one new misdemeanor charge. The number of new misdemeanor charges ranged from one to five. Two percent ($N = 6$) of the defendants were charged with one new gross misdemeanor charge and none were charged with more than one gross misdemeanor offense. Seven percent ($N = 19$) were charged with at least one new felony. The number of new felony charges ranged from one to two. Of those charged with a new felony, 74% ($N = 14$) were charged with a felony drug charge. Defendants who had more support for abstinence were charged with fewer new offenses. In addition, defendants who had more financial support and who had more prior charges were charged with more new offenses compared to those with less financial support and fewer prior charges. Although it’s not surprising that those with a more extensive criminal history were charged with more offenses, it is surprising that greater financial support resulted in more new charges. Perhaps, defendants used financial support to engage in criminal behavior rather than positive behaviors, such as paying rent or transportation to work or court.

Results indicated that the number of prior charges and support for abstinence were the only significant predictors of whether or not defendants received a new charge. These findings are not surprising given that support for abstinence has had a positive impact on drug court

defendants with regard to showing up for court and completing treatment. It is also not surprising that defendants' past criminal histories predict whether or not they are charged with new offenses.

New Convictions in Hennepin County

During the six months, only 15 (6%) defendants were convicted of a new offense. Therefore, no analyses were done with this variable because the sample size was not large enough.

Treatment Completion

We reviewed probation records and documented each time defendants completed primary treatment or aftercare. We also recorded whether defendants were terminated from treatment and the reason for termination (e.g., AWOL, using drugs, inappropriate behavior).

Results indicated that informational support, support for abstinence, and the number of prior charges were all significant in predicting treatment completion. All of the relationships were positive, with the exception of the relationship between informational support and treatment completion. The more informational support the defendants had, the less likely they were to complete treatment. Again, informational support had a negative influence on defendants rather than a positive one. However, it is not clear as to what types of informational help defendants are receiving or the quality of this advice. If they are receiving incorrect information, such as hearing from peers or other defendants that the court won't sanction them for negative behavior, defendants may believe that it is acceptable to miss court hearings because there would be no consequences. It is not surprising that support for abstinence is predictive of completing treatment; however, it is surprising that the number of charges, an indicator of an extensive criminal history also has a positive influence. However, one explanation is that those with more prior charges may have fewer chances left with the court. These defendants may have realized that this is their last opportunity to get clean otherwise they may be facing harsher sanctions, such as jail time or being sent to prison.

Conclusions and Summary

The main goal of this study was to achieve a greater understanding of the role of social support for drug court defendants. After conducting in-person interviews with drug court defendants, we were able to identify what types of social support are most available to them, learn from whom they receive support, and identify what types of additional help they need. In addition to learning about defendants' perceptions of available social support, we were able to examine how social support influenced defendants' compliance with drug court.

Perceptions of Available Social Support

Overall, defendants indicated that they perceived a high level of social support across all types of social support. However, defendants were more likely to have people in their lives from whom they could receive emotional and informational support compared to practical and financial support. In other words, defendants reported that they had people that they could talk to about their problems and people that they could receive advice from, but they were less likely to have people in their lives who could provide them with transportation, child care, and money. This is not surprising, given that emotional and informational support are easier to provide than are tangible items or concrete activities. Regardless of the type of support, most defendants reported that family and friends were their primary sources for support. Additional sources included their sponsors, support groups, and people from church. With regard to informational support, probation officers were also a source for guidance and advice in addition to family and friends.

Defendants were asked to tell us what types of additional support they needed while in drug court. Those needing additional informational support indicated that they needed more information regarding how to find a job, and how to secure legal advice, housing, and education. With regard to practical support, defendants indicated that transportation, help with finding employment, and counseling were the things they needed most. Similar to informational and practical support, those indicating that they needed more financial support reported that employment, housing, and transportation were key items that they would have liked to receive while in drug court.

Predictors of Compliance with Drug Court

Emotional, practical, and financial support did not predict how well defendants did in drug court during the six month follow-up. In addition, informational support was positively associated with the number of bench warrants defendants received and was negatively associated with completing treatment. In other words, the only form of general social support that was related to drug court outcomes, was actually conducive to negative behaviors rather than to positive behaviors. Perhaps one explanation for this surprising finding is that defendants who seek out solutions to their problems on their own do better than those who receive guidance from others. In addition, sources of informational support may not always be helpful or accurate. For example, peers who tell defendants how to beat a drug test when they have been using or who tell them that they do not need treatment are more likely to lead to negative outcomes than accurate information from peers.

We believed that all forms of social support would be beneficial because drug court defendants typically do not have a lot of resources in their lives. Many of them are unemployed and those

who are employed often hold part-time employment or low paying jobs. Most defendants do not have a lot of education, stable housing, or childcare. These issues were reiterated when defendants were asked what additional needs they had while in drug court. However, we also assumed that all forms of social support would be used for positive behavior, and this may not always be the case. For example, defendants may have someone who is there to provide childcare so the defendant can go use drugs or someone who pays their rent so they can use their money to buy drugs. The person who offers the defendant a place to stay may also be a drug-using peer. Future research can help disentangle how these forms of social support can be used for both positive and negative behaviors and the subsequent behaviors that follow.

Although general social support was not related to compliance in drug court, social support for abstinence was significant in predicting positive outcomes in drug court. Those who reported that they had people in their lives who helped them handle difficult situations without using drugs and people who praised them for not using were less likely to have a warrant issued for failing to appear in court, had fewer warrants issued, were more likely to do well during the six month follow-up and less likely to be charged with a new offense, were charged with fewer offenses, and were more likely to complete treatment compared to those who did not receive this type of support.

Defendants' criminal histories were also predictive of how well they progressed during the follow-up. Those with a more extensive criminal history, specifically misdemeanors, were more likely to be charged with a new offense and were charged with more new offenses compared to those with fewer prior charges. This finding was not surprising given that previous criminal history is often a significant predictor of future offenses. On a more positive note, the number of prior charges was a predictor of completing treatment. One explanation is that defendants with a more extensive criminal history may be at the end of their ropes with the court and really need to be successful in treatment to avoid jail or prison, and are therefore more motivated. This finding also provides support for creating drug courts that include all types of offenders, rather than first-time offenders or low-level offenders for whom drug courts were originally designed.

Drug Court Implications

Although treatment is effective in dealing with drug use, drug court goes beyond merely providing treatment for offenders—it also offers a constellation of services and requires frequent contact with probation and the judges. Because treatment is a better alternative than incarceration, some states have implemented programs that require treatment instead of incarceration for drug offenders. Arizona's Proposition 200 and California's Proposition 36 are examples of these programs. However, research has demonstrated that treatment for offenders is not enough and that drug courts are more effective in dealing with the drug offenders, specifically the most serious offenders. For example, Marlowe, Festinger, and Lee (2004) randomly assigned drug court defendants to either bi-weekly review hearings with the judge or reviews with the judge on an "as-needed" basis. Defendants who were high-risk (previously had failed drug treatment and were diagnosed with anti-social personality disorder) did better in drug court as measured by counseling attendance, clean drug tests, criminal activity, and graduation when they met with the judge more frequently, compared to those who met with the judge on an "as-needed" basis. The opposite was true for low-risk offenders.

One explanation for this finding is that defendants who appear in drug court have more opportunities to receive praise for staying clean and resources for coping without using drugs. Defendants who are doing well receive praise from their probation officers and from the judges handling their reviews. Drug court defendants also receive a round of applause from other defendants in the courtroom when they have accomplished a goal like completing treatment, completing their GED, or being granted Administrative Probation. Defendants who appear in drug court, therefore, receive compliments for staying clean on an ongoing basis. Drug courts are also likely to encourage support group attendance. In the initial sample, defendants who reported that support groups were a source of social support for them were more likely than those who did not receive support from these groups to receive compliments for staying clean. These findings may demonstrate why drug court is a more effective approach in dealing with drug offenders than programs that offer only treatment.

Regardless of the type of social support, most defendants reported that their family members were a source of social support. If support specific to drug use is helpful in predicting progress in drug court and support is most likely to come from the family, drug courts could design programs that involve both the defendants and their families. These classes could provide family members with ways of helping the defendants cope with stressful situations without using drugs and encourage them to frequently compliment defendants for staying clean. Research has demonstrated that treatment that focuses on multiple parts of the person's life (e.g., family, employment, recreation) is more effective than traditional forms of treatment that do not address these issues. This is because the treatment is more comprehensive and provides the individual with activities that do not involve drug use, and also provides reinforcement for abstinent behavior (Litt & Mallon, 2003).

Future Directions

Future studies in drug court may benefit from researchers conducting interviews for all new drug court defendants and then recording their behavior during the entire time they are in drug court. This would allow researchers to determine what variables contribute to completing drug court, what variables contribute to lengthier times of completion, and what services provided during drug court are most beneficial. Interviews could be conducted when defendants enter drug court, to learn about what support systems are already in place and what additional types of help are needed. After defendants complete drug court, they are no longer required to submit drug tests, contact their probation officers or meet with the drug court judges; therefore, accomplishments such as education and employment could not be measured. However, court records could be reviewed to determine whether defendants have remained law-abiding or have been charged with or convicted of new drug offenses.

One limitation of the study was that the follow-up timeframe was only six months. Because we were interviewing defendants at all stages in the drug court process, rather than at the beginning, we chose a timeframe that would allow enough time to pass to have measurable activity but was not so long that we would lose too many participants. As a result, there were some variables that could not be measured because not enough time had passed. For example, many defendants were involved in programs such as parenting classes, GED school, job training, and counseling, but there was not enough time to assess the progress or defendants' completion of these programs. Defendants were involved in drug court for various lengths of time and for many of them,

completing treatment and staying sober takes several attempts. In the six months that they were followed, many of the defendants may have been struggling to stay sober and did not have the opportunity to accomplish additional goals beyond maintaining their sobriety. Informal conversations with drug court probation officers indicated that many defendants start a program such as a relapse class or a parenting class, then disappear for awhile, and eventually return to court and start the program again. Therefore, it may take several attempts for defendants to complete one of these programs. Probation officers also indicated that if the defendants are struggling with drug use, it did not make sense for them to pursue employment or education as they would not be able to follow-through or be successful with these activities if they were still using. If defendants can be followed for a longer time frame with future studies, more analyses can be conducted to see how different forms of social support are related to more long term accomplishments such as obtaining stable housing, long-term employment, program completion or continued education.

Table 1

Percent of Drug Court Defendants Who Reported Sources of Emotional Support

<i>Source of Support</i>	<i>Percent of Defendants</i>
Family (non drug-using)	72
Friends (non drug-using)	41
Significant other (non drug-using)	36
Myself	27
Support groups or sponsor	20
Friends (drug-using)	13
Church	11
Family using	8
Significant other (drug-using)	4
Other	2
Myself	<1
Significant other (drug use not specified)	<1
God	<1
Ex-significant others (drug use not specified)	<1
Family (drug use not specified)	<1
People from work	<1
Friends (drug use not specified)	<1

Table 2

Percent of Drug Court Defendants Who Reported Sources of Informational Support

<i>Source of Support</i>	<i>Percent of Defendants</i>
Family (non drug-using)	64
Friends (non drug-using)	38
Probation Officer	30
Significant other (non drug-using)	30
Support group or sponsor	25
Drug Court judge	14
Church	13
Friends (drug-using)	11
Community groups	8
Family using	7
Public Defender	4
Myself	3
Significant other (drug-using)	2
Other	2
People from work	2
Family (drug use not specified)	1
Ex-significant other	1
Significant other (drug use not specified)	1
Other Drug Court defendants	1
Friends (drug use not specified)	<1
School	<1
Resource groups	<1
Case manager	<1

Table 3
Additional Needs Regarding Informational Support

<i>Category Response</i>	<i>Percent of Defendants</i>
Employment	17
Legal advice/information	14
Comments about Probation Officer	12
Housing assistance	12
School assistance	9
Comments on treatment center	9
Information on more available options	8
Need to make more programs available	7
Help changing lifestyle	7
Comments about Drug Court	6
Financial assistance	5
Mental Health issues	5
Urinalysis comments	4
Having felony on record is making things hard	4
Other comments	17

Table 4

Percent of Drug Court Defendants Who Reported Sources of Practical Support

<i>Source of Support</i>	<i>Percent of Defendants</i>
Family (non drug-using)	71
Friends (non drug-using)	47
Significant other (non drug-using)	25
Support group or sponsor	18
Friends (drug-using)	18
Church	10
Family (drug-using)	8
Myself	3
Significant other (drug use not specified)	1
Significant other (drug-using)	1
Probation Officer	1
Ex-significant other	<1
People from work	<1
Drug Court	<1
Family (drug use not specified)	<1
Friends (drug use not specified)	<1
Other	2

Table 5
Additional Needs Regarding Practical Support

<i>Category Response</i>	<i>Percent of Defendants</i>
Transportation to court or treatment	36
Employment	26
Implement more programs/provide counseling	20
Help getting into treatment	8
Housing	7
Bus cards	7
Improve Drug Court process	7
Finances	6
Assistance with child support	6
Education	5
Childcare	5
Negative comments about Drug Court	5
Other	12

Table 6

Percent of Drug Court Defendants Who Reported Sources of Financial Support

<i>Source of Support</i>	<i>Percent of Defendants</i>
Family (non-using)	68
Friends (non-using)	38
Significant other (non-using)	27
Friends (using)	13
Nobody	7
Church	7
Family (using)	7
Support groups	7
Significant other (using)	2
People from work	1
Significant other (drug use not specified)	1
Probation Officer	<1
Friends (drug use not specified)	<1
Family (drug use not specified)	<1
Other	1

Table 7
Additional Needs Regarding Financial Support

<i>Response Category</i>	<i>Percent of Defendants</i>
Money/Loans	23
Employment	21
Housing	16
Transportation	17
Bus passes/Bus fare	13
School	12
Bills	12
Fines	9
Medical	7
Court fees/fines	7
Treatment	6
Parking	5
Workhouse	4
Driver's license	4
Child support	4
Food stamps	3
child care	2
Car	2
Other	15

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