Fourth Judicial District of the State of Minnesota

Drug Court Defendant Experience and Fairness Study

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Executive Summary

In spring of 2003, 341 defendants who were on probation for a drug offense in Hennepin County District Court were interviewed after their appearance on a Judicial Review calendar[1]. The purpose of the interview was to replicate Drug Court program questions from two earlier time periods and to assess fairness in the courts. Willing defendants (85%) were contacted 8 to 9 months later for a follow-up phone survey on their compliance and later perceptions. Below are some of the highlights from this study.

A much higher percentage of Drug Court defendants are being sent to treatment in 2003 (79%) compared to earlier years (56% in 1998 and 64% in 1999) and the completion rate of treatment is also higher in the most recent year than in previous years. In addition, a higher percentage of the 2003 defendants have been in Drug Court longer than six months than in previous years.

There are four components of the Drug Court program that defendants have consistently reported as important for keeping them off drugs; *meeting with the judge during Judicial Review*, *random urinalysis*, *receiving a reduced fine for a clean urinalysis,* and *the threat of jail if the rules are broken.*

The views of the Drug Court defendants were very positive (all above 7 and quite a few above 8 on a 1-9 scale) with regard to how the judge treated the defendant, how the probation officers treated the defendant, and the particular rating of the judge that handled the defendant's Judicial Review hearing.

Respondents did not report any significant differences among the four judges handling Drug Court on the fairness questions, nor were there any differences by gender or race. Defendants that were 25 or older rated the judges as more respectful, more caring, using more eye contact, speaking more clearly, treating people more fairly, deciding cases more justly, and overall provided a higher rating to the judges than those defendants that were younger than 25.

Defendants did not differ significantly by race, age or gender on their rating of their probation officers. Additionally, Drug Court defendants did not differ according to their demographics with regard to the questions about the courts in general or the judges in Minnesota.

Those defendants that finished treatment were more positive in their assessment of the judges' fairness, whether the case was handled justly and the overall perception of whether everyone was treated fairly than those Drug Court defendants who had not finished treatment, had quit treatment, or been discharged from treatment.

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[1] The defendants on probation were one of three categories; convicted (pled guilty or were found guilty); diversion; or probation before conviction (MN Statute 152.18).

A high percentage of defendants were willing to talk to court staff in a follow-up phone survey (85%) but only 33% of them were reached 8 to 9 months later. The defendants we spoke with on the phone were similar demographically to our 2003 population of Judicial Review defendants with two exceptions; the follow-up group was slightly older and less minority. Nine out of ten defendants interviewed reported being able to stay off of drugs since their Drug Court experience.

Eight out of ten defendants mentioned in the phone interview that they had received at least one sanction while on Judicial Review with Drug Court. The average number of sanctions that the defendants reported was 2.87. The sanctions most commonly used were: verbal warnings from the judge (47%), working at the House of Charity (45%), short-term jail due to a failure to appear (49%), or spending weekends in the workhouse for non-compliance (29%).

Program elements that defendants listed as able to assist them in their quest to stay drug free included support groups (53%), more schooling (49%), housing (43%), job training (41%), family counseling (32%).

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INTRODUCTION

In 2003, the Fourth Judicial District embarked upon a study of fairness in the courts. The study was largely based on nationally recognized research by three social psychologists – Larry Heuer (Barnard College, Columbia University), Tom Tyler (New York University), and Steven Penrod (John Jay College of Criminal Justice) – who have spent many years studying the relationship between individuals' perceptions of fairness and satisfaction, as well as subsequent compliance with the orders of those in authority.

To measure fairness in the courts, the Fourth Judicial District developed litigant surveys, in conjunction with Heuer, Tyler, and Penrod, to be used in several different areas of the court: Drug Court, the Traffic and Violations Bureau Hearing Office, the Domestic Abuse calendar in Family Court, the Suburban Court divisions, Housing Court and Delinquency calendars in Juvenile Court. This particular report documents the results of the Drug Court study.

In the Spring of 2003, 341 Drug Court defendants on Judicial Review were interviewed over a 4 week period[2]. Defendants on Judicial Review have all been placed on probation. Some of these defendants were convicted, some were given drug diversion, and some were conditionally placed on probation before conviction (MN Statute 152.18) but all of those interviewed were placed on probation. Drug Court probation is a combination of traditional probation meetings with a Probation Officer, treatment sessions, and frequent meetings with the Drug Court judges.

These interviews were completed with two purposes in mind: 1) to replicate questions that had been asked of drug court defendants in earlier years, and 2) to assess the perceptions of fairness and justice felt by the defendants that have moved through Drug Court.

Background of Hennepin County Drug Court

Hennepin County's Drug Court has been in existence since 1997 and anyone charged with a felony drug case is eligible for this therapeutic court with the exception of those defendants with an accompanying felony charge against a person (assault, aggravated robbery, etc.). In 1997, Drug Court was run by a single judge. By 2003, four judges handled all of the drug court cases[3]. Table 1 shows the new cases coming into Drug Court across the last 11 years. Although the number of 2003 cases decreased slightly since 2002 there are still significantly more than prior to the beginning of Drug Court.

A similar set of judicial review defendants were interviewed in the fall of 1998 and in the fall of 1999 in addition to the current group in the spring of 2003. To the

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[2] Defendants were asked for their cooperation upon leaving the Judicial Review calendar. The response rate for the survey was 79%.

[3] These four judges accounted for 3.0 FTE judicial complement.

extent that we have comparable data it will be reported. In the fall of 1998, researchers from the MN Supreme Court interviewed defendants and in 1999 the interviews were done by Minneapolis Department of Health and Family Support. In the 1999 survey, additional questions were asked of defendants regarding their methamphetamine use.

Table 1. New Drug Court Cases by Year Filed

Year New Case was Filed with the Court		Drug Sale or Possession	TOTAL Felony Cases
1993	Count	**1,203**	**5,160**
	Row %	23.3%	100.0%
1994	Count	**1,152**	**5,003**
	Row %	23.0%	100.0%
1995	Count	**1,195**	**4,897**
	Row %	24.4%	100.0%
1996	Count	**1,198**	**5,104**
	Row %	23.5%	100.0%
1997 First Year of Drug Court	Count	**1,788**	**5,922**
	Row %	30.2%	100.0%
1998	Count	**1,846**	**5,940**
	Row %	31.1%	100.0%
1999	Count	**1,600**	**5,848**
	Row %	27.4%	100.0%
2000	Count	**1,658**	**5,902**
	Row %	28.1%	100.0%
2001	Count	**1,683**	**5,960**
	Row %	28.2%	100.0%
2002	Count	**1,728**	**6,187**
	Row %	27.9%	100.0%
2003	Count	**1,622**	**6,036**
	Row %	26.9%	100.0%
Short Term Change 2002-2003		***-6%***	***-2%***
Long Term Change 1993-2003		***34%***	***17%***

Prior to Drug Court, drug felonies accounted for about ¼ of all felonies in Hennepin County. The first year of Drug Court, drug felonies increased over 49% accounting for nearly 1/3 of all felonies. The conviction rate remained stable during this increase.[3] Although the drug felony prosecutions have remained higher than before drug court, these cases now are closer to ¼ of the felony prosecutions due to increases in all felonies over the last seven years.

[3] Hennepin County District Court and Community Corrections, (May 6, 1998). *Hennepin County Drug Court 1997 First Year Report.*

PROFILE of the DEFENDANTS

Table 2. Length of Time in the Program

Length of Time in Drug Court	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Less than One Month	**24** 8.2%	**10** 5.6%	**9** 2.6%
One to Three Months	**72** 24.5%	**37** 20.8%	**48** 14.1%
Four to Six Months	**59** 20.1%	**31** 17.4%	**62** 18.2%
More than Six Months	**135** 46.1%	**100** 56.2%	**222** 65.1%
Missing	**3** 1.0%	**0** 0.0%	**0** 0.0%

A higher percentage of defendants in Drug Court in 2003 had been with the program more than six months (65%) compared with both the 1999 defendants (56%) and the 1998 defendants (46%). This is an indication of an older drug court.

Table 3. Gender of Drug Court Defendants

Gender	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Male	**233** 81.8%	**145** 81.5%	**275** 80.6%
Female	**52** 18.2%	**33** 18.5%	**66** 19.4%
Missing	**8** 2.7%	**0** 0.0%	**0** 0.0%

A very similar number of defendants are female across each of the years – close to 20%.

Table 4. Drug Court Defendants Employment Prior to Drug Court

Before Drug Court, did you have a job?	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Yes	**166** 56.7%	**127** 71.3%	**197** 57.8%
No	**116** 39.6%	**51** 28.7%	**144** 42.2%
Missing	**11** 3.8%	0 0.0%	0 0.0%

There are also a remarkably similar percentage of defendants who report having a job prior to their involvement in Drug Court in 1998 and 2003 but 1999 showed a different and much higher employment rate. Over the three different time periods, between 29% - 42% of the Drug Court defendants reported being unemployed compared to 26% unemployment rate in Hennepin County in the 2000 Census.

Table 5. Current Employment of Drug Court Defendants

Are you currently employed?	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Yes	**185** 63.1%	**131** 73.6%	**151** 44.3%
No	**84** 28.7%	**47** 26.4%	**190** 55.7%
Missing	**24** 8.2%	**0** 0.0%	**0** 0.0%

Although the *prior* employment status was similar between 1998 and 2003, Table 5 shows that the *current employment* status is markedly different between these same two years. In addition, 1999 employment was much higher as well. It is doubtful that this is a result of Drug Court since the economic situation has changed dramatically during the same time frame. In the Spring of 2003, the State of Minnesota found itself with serious budget problems and this was no different than most other states across the country. These results point out a real need for the Drug Court defendants, particularly during local and national budget lows.

Table 6. Education Level of Drug Court Defendants

Education Level of Defendants	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Less than High School Graduate	**103** 35.2%	**59** 33.1%	**125** 36.7%
High School Grad- GED	**103** 35.2%	**76** 42.7%	**121** 35.5%
Some College	**59** 20.1%	**38** 21.3%	**74** 21.7%
Finished College	**17** 5.8%	**5** 2.8%	**21** 6.2%
Missing	**11** 3.8%	**0** 0.0%	**0** 0.0%

The education level for the more recent Drug Court defendants is comparable to the prior defendants. Slightly over 1/3 of the defendants have some high school education, another 1/3 are a High School graduate or have received a GED. About 20% have some college and another 3%-6% have finished college or gone on to post-graduate work.

Table 7. Children Under 18 Living with Drug Court Defendants

Do you have kids under 18 living with you?	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Don't have kids	**117** 39.9%	**60** 33.7%	**150** 44.0%
They live with me	**74** 25.3%	**81** 45.5%	**97** 28.4%
They don't live with me	**51** 17.4%	**37** 20.8%	**72** 21.1%
They live with me sometimes	**18** 6.1%	NA	**22** 6.5%
Missing	**33** 11.3%	**0** 0.0%	**0** 0.0%

Once again, the Drug Court defendants look remarkably similar across the three time frames. Approximately 40% have no children, another 20% have children but they don't live with the defendant and slightly over ¼ have children that live with them. Another 6% have children that live with them at least part of the time.

There are a few demographic questions that we asked in 2003 that were not asked in one of the earlier survey such as age of defendant, race, and ethnic identification of the defendant. These indicators are presented below.

Table 8. Age of Drug Court Defendants

Which age group describes you best?	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
18-24 years old	**66** 37.1%	**124** 36.4%
25-34 years old	**51** 28.7%	**90** 26.4%
35-44 years old	**46** 25.8%	**89** 26.1%
45 years or older	**14** 7.9%	**38** 11.1%
Missing	**1** 0.1%	**0** 0.0%

Over one-third of the defendants were less than 25 years old and another ¼ are less than 35 years old. These categories combine to include over 3/5 of this population. Another quarter of the defendants were between 35 years old and 44 years old.

***Table 9.** Self Reported Racial Category of Drug Court Defendants*

Self Reported Racial Category	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
White	**51** 28.7%	**96** 28.2%
Asian	**3** 1.7%	**6** 1.8%
Indian	**4** 2.2%	**10** 2.9%
Black	**110** 61.8%	**192** 56.3%
Other	**9** 5.6%	**37** 10.9%

Twenty-eight percent of the respondents were white, less than 2% were Asian and another 3% were American Indian. The vast majority of the defendants were black (56.5%) and another 11% listed another race, multiple races or refused to answer. Only 4% of the Drug Court defendants consider themselves Hispanic, regardless of their race.

Table 10. Did Drug Court Defendants Receive Drug Treatment

Have you received Drug Treatment?	Fall 1998 (Cases=293)	Fall 1999 (Cases=178)	Spring 2003 (Cases=341)
Yes	**163** 55.6%	**113** 63.5%	**270** 79.2%
No	**121** 41.3%	**65** 36.5%	**71** 20.8%
Missing	**9** 3.1%	**0** 0.0%	**0** 0.0%

About 80% of the 2003 defendants were sent to treatment while the criminal case was moving forward or while they were on probation in 2003. This percentage has changed dramatically since the fall of 1998 when less than 55% of the Drug Court defendants were sent to treatment.

Table 11. Did Drug Court Defendants Finish Drug Treatment
(Of those who were sent to treatment)

Have you finished Drug Treatment?	Fall 1998 (Cases=163)	Fall 1999 (Cases=112)	Spring 2003 (Cases=270)
Finished Treatment	68 41.7%	62 55.4%	156 57.8%
Quit Treatment	9 5.5%	3 2.7%	10 3.7%
Discharged from Treatment	Not asked	Not asked	12 4.4%
Still in Treatment	86 52.8%	47 42.0%	92 34.1%

Not only is the current Drug Court sending more people to treatment than earlier years of Drug Court but there is also a higher percentage of defendants finishing treatment (58% in 2003 compared to 42% in 1998 and 55% in 1999).

Table 12. Did Treatment Help to Stay Off Drugs
(Of those who were sent to treatment)

Did the treatment program help to keep you off drugs?	Fall 1998 (Cases=163)	Fall 1999 (Cases=112)	Spring 2003 (Cases=270)
Yes, very helpful	**117** 71.8%	**77** 69.4%	**152** 56.3%
Yes, helped some	**29** 17.9%	**24** 21.6%	**77** 28.5%
Not sure	Response not given	**4** 3.6%	**11** 4.1%
No, not much	**14** 8.6%	**6** 5.4%*	**14** 5.2%
No, not at all	**2** 1.2%		**16** 5.9%
Missing	**1** 0.6%	**0** 0.0%	**0** 0.0%

* In 1999, the negative responses were collapsed into one category: No, treatment not helpful.

Although the extreme categories show differences on this question between 1998 and 2003, when the positive response categories are combined the differences disappear. In 2003, 84% of the people who had been sent to treatment felt it was helpful compared to 91% in 1999 and 89% in 1998. Similarly, on the negative side of this question 11% of the defendants in 2003 said treatment did not help compared with 5% in 1999 and 10% in 1998.

When we compare people's opinions of helpfulness based on whether they finished their programs we see that 89% of those that finished found it helpful, and 80% of those currently in treatment were reporting it helpful. Additionally, 80% of those who quit treatment found it to be a helpful service provided by Drug court and 67% of the few people who were discharged found it helpful as well. This information was only available for the 2003 sample.

Table 13. What Drug Court Defendants Want Most Out of Drug Court

What do you most want to get out of Drug Court? (Select top two items)	Fall 1998 (Responses=542)	Spring 2003 (Responses=644)
Have my drug charges dropped	**181** 61.8%	**212** 62.2%
Stay out of jail or prison	**193** 67.0%	**236** 69.2%
Get a job	**45** 15.3%	**63** 18.5%
Get treatment for my drug use	**56** 19.1%	**38** 11.2%
Get back with my family	**39** 13.3%	**49** 14.4%
Other	**28** 9.6%	**46** 13.5%

In considering what the defendants hoped to get out of Drug Court, the top two items remained the same between 1998 and 2003: having their charges dropped and staying out of jail or prison. Two items on this list differ between the two years: getting a job and getting treatment for drug use. These results are consistent with findings already reported above. The defendants in 1998 were being sent to treatment at a much lower rate than in 2003 – so it makes sense that they would ask for more treatment. Similarly, a much lower rate of employment was reported for the 2003 sample of Drug Court defendants making a higher request for getting a job understandable. Other than these two responses, the results were very similar.

Table 14. What part of the Drug Court Programs Works most for Defendants

What part of the Drug Court program **works most** to keep you off drugs?	Works Most Fall 1998 (Cases=293)	Works Most Fall 1999 (Cases=178)	Works Most Spring 2003 (Cases=341)
Meetings with probation officer	37.4%	29.3%	53.4%
Random drug testing	**65.9%**	**61.8%**	**65.1%**
Fine reduced for clean urinalysis (UA)	**59.0%**	**55.1%**	**70.7%**
Jail, if I break the rules	**59.0%**	**74.2%**	**60.7%**
Meeting with the judge	**67.0%**	**61.2%**	**68.9%**
Job training for new skills	Not asked in 1998	Not asked in 1999	35.5%
GED schooling	Not asked in 1998	Not asked in 1999	28.7%

There are four parts of the Drug Court program that defendants have consistently mentioned as being important to keep them off drugs: meeting with the Drug Court judge, random urinalysis (UA) testing, the threat of jail if rules are broken, and fine reduction for clean UAs. Although the order of importance may fluctuate across the years, these four components are listed as critical to helping defendants stay clean.

Table 15. Additional Services Drug Court Defendants Need

What additional services do you need to stay straight?	Fall 1998 (Responses=472)	Spring 2003 (Responses=681)
Housing	(2) **26.3%**	(2) **34.6%**
Childcare	10.9%	10.0%
Job training	(4) **23.2%**	(3) **31.4%**
More school	(3) **25.0%**	(4) **31.1%**
Parenting classes	2.4%	6.7%
Personal or Family Counseling	9.6%	17.0%
Support group	(5) **22.9%**	(1) **37.0%**
Acupuncture	3.4%	Not asked in 2003
Other	Not asked in 1998	10.3%
None	(1) **37.2%**	(5) **21.7%**

Although the rank order of these items has changed between 1998 and 2003, the same four services were listed as needed by Drug Court defendants: support groups, housing, job training, and more schooling. In both years, a large percentage of defendants felt no other services needed to be added to the Drug Court program (over 1/3 in 1998 and about 1/5 of the defendants in 2003).

PROFILE of the COURTROOM

Prior Fairness Research

The results of prior studies have shown that while the actual outcome of a case can explain 30-40% of the variance in litigants' level of satisfaction with the court, perceptions of whether or not litigants feel they have been treated fairly by the court (specifically the judicial officer) can explain 60-70% of the variance. (Tyler, 1984; 1989). In other words, perceptions of fairness are approximately twice as important as case dispositions when it comes to measuring litigant satisfaction with the court. This finding has been labeled "one of the most robust findings in the justice literature" (Brockner et al., 2000). Furthermore, increased justice (procedural fairness) has been shown to be related to increased compliance with court orders, ultimately reducing the rate of "repeat business" for the court and its justice partners (Tyler, 1990).

A number of more recent studies have corroborated the findings of Tyler and his colleagues. Many have found that individuals are satisfied with authority figures if they feel the procedures followed by the authorities have been fair, even if the outcome adversely affects the individual (see Tyler and Smith, 1998, for a review). Another way of saying this is that people are prone to say that even unfavorable outcomes are fair if they have been treated with respect (Skitka and Crosby, 2003). More recent studies, however, are exploring whether procedural justice matters more in some situations than in others (Skitka and Crosby, 2003). It may in fact be, for example, that for certain types of courtroom experiences the procedural fairness piece is less relevant because contact

with the judge is minimal. Procedural fairness may also matter more to some types of individuals than others, depending on what groups the individuals identify themselves with (Tyler and Blader, 2003). Regardless, issues of procedural justice and fairness are dynamic, and should be studied with methods that allow for analysis beyond simple correlations.

Fairness in Drug Court

In the other court venues that we have used for the Fairness Research, there were always winners and losers but in the Drug Court situation, everyone who was interviewed had already been found guilty or pled guilty and been placed on probation. This doesn't allow us to compare those whose outcomes were negative with those who had a positive outcome; still, the views of the defendants were very positive.

Table 16. How did the Judge treat you?
Spring 2003 (Cases = 341)

On a scale of 1-9, where 9 means 'strongly agree'	**Mean**
The judge treated you with respect	8.16
The judge spoke clearly	8.62
The judge maintained eye contact with you	8.07
The judge seemed to be a caring person	7.74
The judge used words you understood	8.63
The judge treated everyone involved politely	8.02

These six questions report very high scores – all over 8 with one exception of one question on a scale of 1-9. These questions tap the perceptions of how the defendants are treated by the judge in the courtroom. Maintaining eye contact with the defendant and speaking clearly allow for a higher understanding of conditions that are set by the court. When there is a higher understanding of the orders, there is a higher likelihood of compliance of the orders. The judges were also reported to be respectful, polite and caring to the defendants.

There were 4 judges who rotated through this calendar at the time that we conducted the surveys. Defendants did not report any statistically significant differences between the four judges on these questions. In addition, there were no gender or race differences between defendants on these questions either. We did find an age difference: defendants 25 years old or older found the judges to be more caring, to have treated them more respectfully, to have spoken more clearly, maintained eye contact with them, and have been easier to understand than those defendants under 25 years old.

Table 17. How did the Probation Officer treat you?
Spring 2003 (Cases = 341)

On a scale of 1-9, where 9 means 'strongly agree'	Mean
Probation staff treated you with respect	7.75
Probation staff seemed to be caring	7.03
Probation staff used words you understood	8.31

The defendants also rated the probation officers highly on the three questions we asked of them. They found their probation officers to be respectful and caring, and they understood what the probation division was asking them to do. There were no statistically significant differences between defendants on these questions according to race, gender, or age groupings.

Table 18. Rating of the Drug Court Judge
Spring 2003 (Cases=341)

On a scale of 1-9, where 9 indicates 'strongly agree'	Mean
This judge in drug court treats people fairly	7.78
This judge in drug court decides cases in a just manner	7.70
Taking everything into account, how would you rate the work of this judge	7.94
When you leave this judges' courtroom, how likely are you to believe that everyone was treated fairly?	7.32

The next series of questions rate the individual judge that each defendant saw on judicial review. Once again, the results were very high; all of the averages were over 7 with three of the four questions close to a score of 8. There were 4 judges who rotated through this calendar at the time that we conducted the surveys and defendants did not report any statistically significant differences between them. There were no differences in these questions according to the race or gender of the defendant either. We again found an age difference: older defendants (25 years old or older) reported that their judge was fairer, more just, treated everyone in the courtroom fairly, and gave a higher overall rating than younger Drug Court defendants. Additionally, defendants that finished treatment rated their judges fairer and rated their decision as more just compared to those who were discharged from treatment, quit treatment, or who were still in treatment.

Table 19. Rating of Courts across the State
Spring 2003 (Cases=341)

On a scale of 1-9, where 9 indicates 'strongly agree'	Mean
Judges in this state treat people fairly	6.00
Judges in Hennepin County treat people fairly	6.14
Decisions made by the courts in Minnesota are typically fair	5.80
Courts in this state guarantee a fair trial	6.01

When the questions are more general, about the courts or judges across the state, the averages drop. Although the means are still on the positive side, they are lower than when we ask about the defendant's individual experience with a particular judge. This finding has been the same across the other courts we have surveyed as well. The person's view of their personal experience with the judge or the court is always more positive than the general questions about the courts as a whole. No statistically significant differences exist between defendants on these questions neither with regard to gender, age or race nor according to whether the defendant finished treatment.

FOLLOW-UP PHONE SURVEY

During the 2003 survey, Drug Court defendants were asked if they would consent to a follow-up phone call from our interviewers. Most people gave us their own phone number (85% of those interviewed) and up to two other phone numbers of personal contacts in order to reach them. We attempted to reach each person at least 4 times and were able to secure follow-up interviews with 33% of the people (94 were interviewed of the original 289 who provided phone numbers by phone). The follow-up phone interviews occurred 8 to 9 months after our original judicial review interviews.

The defendants we were able to talk to in the follow-up survey were very similar demographically to the entire 2003 population of Judicial Review defendants with two exceptions; the follow-up up group was slightly older and less minority. About 1/3 of the defendants we spoke with reported still being on Judicial Review while another 37% indicated that they had moved onto Administrative Probation since we had spoken with them originally. One-quarter of the respondents reported being completely done with Drug Court. Less than 7% of the defendants reported having a new drug case (6 out of 94) but none of them were defendants who had completed the requirements of Drug Court.

Of those defendants that were re-interviewed, 60% were originally given drug diversion (MN Statute 152.18; defendant pleads guilty but is conditionally sentenced to 'probation before conviction' and if all conditions are met, there is no conviction). The remaining 40% were convicted of their drug offense in Drug Court. There were no statistically significant differences between those defendants who were convicted and

those that were diverted on how defendants felt the judge or probation treated them, or on the overall assessment of the courts. Interestingly, the defendants who were originally convicted all reported higher Drug Court fairness averages than those defendants who were originally diverted even though the differences were not statistically significant.

Nearly 9 out of every 10 defendants interviewed reported being able to stay off of drugs since their Drug Court experience (87%), although 13% had tried a different or new treatment program in the last 8 to 9 months. Most of these new programs were in-patient programs. Of those who had been to at least one treatment program, 88% felt they were helpful or very helpful in keeping them drug free.

We asked these respondents if there was any other help that they needed to keep them off drugs and they gave us responses such as: housing (43%), child care (19%), job-training (41%), more schooling (49%), parenting classes (11%), personal or family counseling (32%), and being a part of a support group (53%). The highest percentages for help mentioned by those in the phone follow-up match those from the larger sample: housing, job training, more schooling, and most of all support groups.

About 82% reported receiving at least one sanction while on Judicial Review with Drug Court. The average number of sanctions that the defendants reported was 2.87. The sanctions included verbal warnings from the judge (47%), being ordered to buy bus cards for other defendants (17%), sitting in the jury box for a full day of Drug Court (16%), working at the House of Charity (45%), Sentence-to-Service (day labor in the community) (19%), short-term jail due to a failure to appear (49%), out-patient treatment changed to in-patient treatment (13%), electronic home monitoring (11%), or spending weekends in the workhouse for non-compliance (29%).

Nearly a third of the defendants also reported being sent to the workhouse for less than 6 months (29%), while 3% reported being ordered to the workhouse for more than 6 months and one defendant was sent to prison.

One-fifth of the respondents reported being in school when we re-interviewed them in December of 2003 and 59% were employed (most in permanent positions). Forty-five of the 94 people said they had children under the age of 18 and 40 of these were able to re-unite with their kids since being in Drug Court (89%).

QUALITATIVE SECTION

Original Interview

There were two questions that we asked in the original interview where we allowed the defendants to use their own words. In the follow-up survey we asked nine open-ended questions. The method used to reduce the various answers received from these open-ended questions was to take all the various answers and derive a set of unique categories that fit the responses. Next, two independent coders placed the responses into the most appropriate category. The percent of agreement was calculated between the coders (80% or higher), the discrepancies were discussed, and a final decision was made by the lead coder.

The first open-ended question was: *Say you had a friend who was coming to Drug Court for the first time and was going to see the Drug Court judge you just saw, what would you tell your friend about the judge?* The responses to this question were mostly positive; 91% of all the responses were positive and 9% were negative. The top three comments were: 1) the judge is cool, the judge is a good guy, the judge is a nice guy (102 responses), 2) judge was fair (99 responses), and 3) be honest, tell the truth (95 responses).

The second open-ended question was: *Is there anything else we can do to improve the Drug Court?* The leading response to this question was 'no' or 'nothing else' (117 responses). The second most common comment was of a positive nature about drug court: 'it's doing good' or 'glad to have it' (44 responses). Finally, the third most common response was related to the random urinalysis and changes that the defendant would like to see with how, when, or where these are conducted. Appendix A provides the coded open-ended responses and the rate of agreement among the coders.

Follow-up Phone Interview

During our follow-up interviews, we asked defendants nine open-ended questions about their experience with Drug Court (the complete list of responses are in Appendix C). Below are the open-ended questions we asked, as well as a brief summary of their responses.

Have you been able to stay off of drugs? If no, what has made it hard for you to stay off of drugs? There were only ten defendants that stated they haven't been able to stay off drugs. The reasons they gave ranged from personal attributes (they have an addictive personality), to factors such as stress, boredom, physical health problems or mental health problems.

Do you have a job right now? If not, what could help you get a job? Thirty-nine percent of the defendants reported not being employed. The stated reasons were they were currently in school, they needed more education, and 1/5 reported being on disability.

We also asked defendants if they had attended any new treatment programs since we first interviewed them. If yes, we asked: *Was this new treatment program different from other treatment programs you have attended? If yes, how is the new treatment program different?* Only 12 people reported attending a new treatment program and they indicated that the newer program was more structured or it focused on their specific mental health needs such as, anger management, Post Traumatic Stress Disorder, or mental illness.

Is there anything other than treatment programs that would help you get off of drugs? If yes, what would it be? Ten percent of the defendants mention some other aspect that could help them in their quest to stay drug free. Most mentioned additional support groups such as, Narcotics Anonymous, Cocaine Anonymous, and Alcoholics Anonymous. Other mentioned having a personal relationship with a significant other or a child would help them.

We asked defendants to tell us about new drug-related and non-drug-related offenses as well. We let the defendants indicate whether or not an offense was 'drug-related' and some of them classified a DWI charge as drug-related and some classified them as non-drug-related. Six people reported being arrested for drug-related offenses such as DWI, drug possession, and violations involving prescription medication. Thirteen people reported being arrested for non-drug-related offenses including DWI, loitering, or brawling.

We've talked about a lot of things that have happened in your life since we interviewed you last spring. Has anything else happened in your life since that time that affects you either positively or negatively in Drug Court? If yes, could you explain? About ½ of the defendants interviewed said nothing else had happened to them since last spring. For those who did report an event that was important in their life it was generally getting married, having a child, experiencing a death of a family member or close friend, obtaining a house, or getting a new job.

Do you have any additional comments about your experience with Drug Court? Again, nearly half of the respondents responded that they did not have any other comments to offer. Those that did offer comments provided positive feedback on the court and the judges involved in Drug Court. Many people told us about how they benefited from being in Drug Court although they acknowledged that they did not want to return to Drug Court or would be glad when they graduated from it.

Do you think there are other ways we can improve Drug Court? More than half of the follow-up respondents indicated that they did not have any suggestions for improving Drug Court and that they thought it was run very well. Those people who had ideas for improving it suggested being more organized, starting court at the time that defendants are asked to appear, and improving the communication between the probation officers and the defendants.

SUMMARY

With the exception of employment status, the demographics of the Judicial Review defendants were markedly similar across all three time frames (1998, 1999 and 2003). However, a higher percentage of the 2003 defendants have been in Drug Court longer than six months than in previous years. In addition, a much higher percentage of Drug Court defendants are being sent to treatment in 2003 (79%) compared to earlier years and the completion rate of treatment is also higher in the most recent year.

In all three years of conducting this survey there were four components of the program that always scored highly as important for keeping the defendants off drugs; meeting with the judge during Judicial Review, random urinalysis, receiving a reduced fine for a clean urinalysis, and the threat of jail if the rules are broken.

The views of the Drug Court defendants were very positive with regard to how the judge treated the defendant, how the probation officers treated the defendant, and the particular rating of the judge that handled the defendant's Judicial Review. When the fairness questions were more global, about the courts in general or judges across the state, the averages dropped but were still on positive side of the scale.

Respondents did not report any significant differences by judge on the fairness questions, nor were there any differences by gender or race. The youngest age group, 18-24, reported lower scores on the fairness questions in most cases, although they were still very high scores (above 7 and some above 8). Defendants that were 25 or older rated the judges as more respectful, more caring, using more eye contact, speaking more clearly, treating people more fairly, deciding cases more justly, and overall providing a higher rating than the younger defendants.

Defendants did not differ significantly by race, age, or gender on their rating of their probation officers. Additionally, Drug Court defendants did not differ according to their demographics with regard to the questions about the courts in general or the judges in Minnesota.

Those defendants that finished treatment were more positive in their assessment of the judges' fairness, whether the case was handled justly and the overall perception of whether everyone was treated fairly than those Drug Court defendants who had not finished treatment, had quit treatment, or been discharged from treatment.

A high percentage of defendants were willing to talk to court staff in a follow-up phone survey (85%) but only 33% of them were reached at the phone numbers they provided to us 8 to 9 months later. The defendants we spoke with were similar demographically to our 2003 population of Judicial Review defendants with two exceptions; the follow-up group was slightly older and less minority. Nine out of ten defendants interviewed reported being able to stay off of drugs since their Drug Court experience.

Programs that would assist them in their quest to stay drug free included being a part of a support group (53%), more schooling (49%), housing (43%), job training (41%), and family counseling (32%).

Eight out of ten defendants mentioned in the phone interview that they had received at least one sanction while on Judicial Review with Drug Court. The average number of sanctions that the defendants reported was 2.87. The sanctions most commonly used were: verbal warnings from the judge (47%), working at the House of Charity (45%), short-term jail due to a failure to appear (49%), or spending weekends in the workhouse for non-compliance (29%).

In the Spring of 2003, employment rates for the Drug Court defendants was only 44% the lowest of the three different time periods surveyed. By December of 2003, 59% of those re-interviewed by phone were employed (most in permanent positions).

Many people told us about how they benefited from being in Drug Court although they acknowledged that they did not want to return to Drug Court or would be glad when they graduated from it. Nine out of every ten defendants that we talked to reported being able to stay drug free.

APPENDIX A

Original Survey

Hennepin County Drug Court Satisfaction Survey

SIP Case Number

_ _ _ _ _ _ _ _

1. **How long have you been in the Drug Court Program? (check only one).**
   - ☐ Less than 1 month
   - ☐ 1 - 3 months
   - ☐ 4 - 6 months
   - ☐ More than 6 months

2. **What is your gender? (interviewer can observe and answer)**
   - ☐ Male
   - ☐ Female

3. **W hat is your age?**

   ☐☐

4. **What race do you consider yourself to be?**
   - ☐ White
   - ☐ Asian
   - ☐ Indian
   - ☐ Black
   - ☐ Other (_____please specify)

5. **Do you consider yourself to be Hispanic?**
   - ☐ Yes
   - ☐ No

6. **Have you received drug treatment? (check one answer)**
   - ☐ Yes
   - ☐ No (If no go to question 11)

7. **W hat was the name of the treatment program you attended?** ***Please use all capital letters and write neatly within the box.***

8. **What was this program considered to be:**

- ☐ In-patient
- ☐ Out-patient

9. **Have you finished treatment? (check one answer)**

- ☐ Finished treatment
- ☐ Quit treatment
- ☐ Was discharged from treatment
- ☐ Still in treatment

10. **Did the treatment program help you to get off drugs? (check the best answer)**

- ☐ Yes, very helpful
- ☐ Yes, it helped some
- ☐ Not sure - too early to tell
- ☐ No, it didn't help much
- ☐ No, it did not help at all

11. **Before you started Drug Court, did you have a job? (check one)**

- ☐ Yes
- ☐ No

12. **Do you have a job now?**

- ☐ Yes
- ☐ No (If no go to question 14)

13. **Is your current job ....**

- ☐ Full-time permanent
- ☐ Full-time temporary
- ☐ Part-time permanent
- ☐ Part-time temporary

14. **Before you started Drug Court, how much school had you completed? (check one)**

- ☐ Less than high school
- ☐ Some high school
- ☐ Finished high school or GED
- ☐ Some college
- ☐ Finished college degree

15. **Are you in school now?**

- ☐ Yes
- ☐ No (If no go to question 17)

16. **What level are you currently at?**

- ☐ Trying to finish high school or get GED
- ☐ In college
- ☐ Working on post college degree
- ☐ Other (please specify _____)

17. **Do you have any children under the age of 18?**

- ☐ Yes
- ☐ No (If no go to question 21)

18. **Before you started Drug Court did your children live with you? (check the best answer)**

- ☐ My kids lived with me (go to question 21)
- ☐ My kids didn't live with me
- ☐ My kids lived with me sometimes

19. **Have you been able to reunite with your kids while you were involved in Drug Court?**

- ☐ Yes
- ☐ No

20. **Do you get to see them more now?**

- ☐ Yes
- ☐ No

21. **What two things do you most hope to get out of Drug Court? (Hand them Orange Card with options.) Check two items and read choices out loud.**

- ☐ Have my drug charges dropped
- ☐ Stay out of jail or prison
- ☐ Get a job
- ☐ Get treatment for my drug use
- ☐ Get back my family
- ☐ Other (_____please describe)

The next set of questions are about Drug Court programs. We would like to know which have worked the best for you.

On a scale of 1- 9, where the mid-point (5) is neutral (1) is works least and (9) is works most, indicate which programs have been most helpful: (Hand them Yellow Card with options.)

	Works Least 1	2	3	4	5	6	7	8	*Works Most* 9	NA
22. Meetings with the Probation Officer	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
23. Random drug testing - UAs	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
24. Fine reduced for clean UAs	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
25. Jail if I break the rules	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐
26. Meetings with the Judge	☐	☐	☐	☐	☐	☐	☐	☐	☐	☐

27. **Job training for new skills** . . . . . ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

28. **GED schooling** . . . . . ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

29. **As you work on getting or staying off drugs, what additional services do you need most to stay straight? (Hand them Blue Card.) Check all that apply and read choices out loud.**

- ○ Housing
- ○ Child Care
- ○ Job Training
- ○ More school
- ○ Parenting classes
- ○ Personal or family counseling
- ○ Support group
- ○ Other (_____ please specify)
- ○ None

On a scale of 1-9, where the mid-point (5) is neutral (1) is strongly disagree and (9) is strongly agree, please tell us how you feel about these questions. (Hand them Green Card with options.)

	Strongly Disgree								Strongly Agree
	1	2	3	4	5	6	7	8	9
30. **The judge treated you with respect**	☐	☐	☐	☐	☐	☐	☐	☐	☐
31. **The judge spoke clearly**	☐	☐	☐	☐	☐	☐	☐	☐	☐
32. **The judge maintained eye contact with you**	☐	☐	☐	☐	☐	☐	☐	☐	☐
33. **The judge seemed to be a caring person**	☐	☐	☐	☐	☐	☐	☐	☐	☐
34. **The judge used words you understood**	☐	☐	☐	☐	☐	☐	☐	☐	☐
35. **The judge treated everyone involved politely**	☐	☐	☐	☐	☐	☐	☐	☐	☐
36. **Probation staff treated you with respect**	☐	☐	☐	☐	☐	☐	☐	☐	☐
37. **Probation staff seemed to be caring**	☐	☐	☐	☐	☐	☐	☐	☐	☐
38. **Probation staff used words you understood**	☐	☐	☐	☐	☐	☐	☐	☐	☐

On a scale of 1-9, where the mid-point (5) is neutral (1) is never and (9) is always, please tell us how you feel about these questions.

	Never								Always
	1	2	3	4	5	6	7	8	9
39. **This judge in drug court treats people fairly**	☐	☐	☐	☐	☐	☐	☐	☐	☐
40. **This judge in drug court decides cases in a just manner**	☐	☐	☐	☐	☐	☐	☐	☐	☐

On a scale of 1-9, where the mid-point (5) is neutral (1) is poor and (9) is excellent, please tell us how you feel about the way you were treated while in Drug Court.

	Poor								Excellent
	1	2	3	4	5	6	7	8	9
41. **Taking everything into account, how would you rate the work of this judge?**	☐	☐	☐	☐	☐	☐	☐	☐	☐

On a scale of 1-9, where the mid-point (5) is neutral (1) is very unlikely and (9) is very likely, please tell us how you feel about this question.

	Very Unlikely								Very Likely
	1	2	3	4	5	6	7	8	9
42. When you leave this judges' courtroom, how likely are you to believe that everyone was treated fairly?	☐	☐	☐	☐	☐	☐	☐	☐	☐

On a scale of 1-9, where the mid-point (5) is neutral (1) is strongly disagree and (9) is strongly agree, please tell us how you feel about these questions. (Hand them Green Card with options.)

	Strongly Disgree								Strongly Agree
	1	2	3	4	5	6	7	8	9
43. Judges in this state treat people fairly	☐	☐	☐	☐	☐	☐	☐	☐	☐
44. Judges in Hennepin County treat people fairly	☐	☐	☐	☐	☐	☐	☐	☐	☐
45. Decisions made by the courts in Minnesota are typically fair	☐	☐	☐	☐	☐	☐	☐	☐	☐
46. Courts in this state guarantee a fair trial	☐	☐	☐	☐	☐	☐	☐	☐	☐

Now we would like to ask you some questions and we would like you to use your own words.

47. **Say you had a friend who was coming to Drug Court for the first time and was going to see the Drug Court judge you just saw, what would you tell your friend about the judge?**

48. **Is there anything else we can do to improve Drug Court?**

We would like to contact you in about a year to follow up as we continue to try to improve the Court. Can you give us three names and phone numbers that you think will allow us to be able to reach you? (If no, just thank the participant, if yes, get names, relationships and phone numbers)

Please use all capital letters and write neatly within the box.

Defendant's information, if available.

Phone Number

Contact #1:

Name

Relationship

Phone Number

Contact #2:

Name

Relationship

Phone Number

APPENDIX B

Follow-up Interview Instrument

Drug Court Compliance Phone Interview

Date:_____

Time of phone interview:

☐ Morning ☐ Afternoon ☐ Evening

Name of interviewer:

☐ Keri ☐ Gina ☐ Jessica ☐ Deb ☐ Marcy ☐ Tom

SIP Case Number:_____

SIP Person Number:_____

Defendant's Name:_____

We interviewed you last April or March after your review at Drug Court and you had indicated that we could ask you some follow-up questions in the future. That is why I am calling you now Do you have a few moments?

What best describes where you are right now with Drug Court?

☐ Still on Judicial Review

☐ Finished Judicial Review and on Administrative Review/ Administrative Probation

☐ Completely done with Drug Court

☐ Slipped up and on Judicial Review and have received sanctions

☐ Got a new drug case

☐ Other:_____ please explain

Have you received any of the following sanctions since you have been in Drug Court?

	Y	N
Verbal Warning	☐	☐
Buying a bus card	☐	☐
Sitting in the Jury Box	☐	☐
Community work service (House of Charity)	☐	☐
Sentence to Serve	☐	☐
Short-term jail (bench warrant)	☐	☐
Change in treatment from out-patient to in-patient	☐	☐
Weekends in the Workhouse	☐	☐
Workhouse for less than 6 months	☐	☐
Workhouse for more than 6 months	☐	☐
Electronic home monitoring bracelet	☐	☐
Home detention	☐	☐

Drug Court Compliance Phone Interview

Work release (while at Workhouse) ☐ ☐

Sent to prison (or back to prison) ☐ ☐

What was your original disposition in Drug Court?

	Y	N
Did you get diversion?	☐	☐
Were you convicted?	☐	☐
Have you been able to stay off of drugs?	☐	☐

If no, what has made it hard for you to stay off of drugs?

	Y	N
Are you in school right now?	☐	☐

If yes, what level are you currently at?

☐ Trying to finish high school or GED ☐ In college

☐ Working on post-college degree ☐ Other:_____

	Y	N
Do you have a job right now?	☐	☐

If yes, is your current job?

☐ Full-time permanent ☐ Full-time temporary ☐ Part-time permanent

☐ Part-time temporary

If no, what could help you get a job?

If you have any children under the age of 18, have you been able to reunite with them while you were involved in Drug Court?

☐ Yes ☐ No ☐ Not Applicable

Do you get to see them more now?

☐ Yes ☐ No ☐ Not Applicable

Drug Court Compliance Phone Interview

Have you attended any new drug treatment programs since March?

☐ Yes ☐ No

If yes, what is the name of the treatment program? _____

Is this program

☐ In-patient ☐ Out-patient

Which of the following best describes where you are right now with this new treatment program?

☐ Finished drug treatment ☐ Quit treatment

☐ Was discharged from treatment ☐ Still in treatment

Was this new treatment program different from other treatment programs you have attended?

☐ Yes ☐ No ☐ Not sure

If yes, how is the new treatment program different?

How many treatment programs have you tried since being in Drug Court? _____

Have any of the drug treatment programs helped you get off of drugs?

☐ Yes, very helpful ☐ Yes, it helped some ☐ Not sure, too early to tell

☐ No, it didn't help much ☐ No, it didn't help much at all

Is there anything other than treatment programs that would help you get off of drugs?

☐ Yes ☐ No ☐ Not Sure

If yes, what would it be?

Drug Court Compliance Phone Interview

As you work on getting or staying off of drugs, what additional services do you need most to stay straight?

- ☐ Housing
- ☐ Job Training
- ☐ Parenting classes
- ☐ Support group
- ☐ None
- ☐ Child Care
- ☐ More school
- ☐ Personal or family counseling
- ☐ Other (_____ please specify)

Now I am going to read some statements to you, please provide me with a number to indicate your agreement or disagreement with each item, for the first 5 questions 1 = strongly disagree, 5 = neutral, and 9 = strongly agree, however, you can use any number from 1 to 9.

	1	2	3	4	5	6	7	8	9
The judges in Drug Court treated you with respect	☐	☐	☐	☐	☐	☐	☐	☐	☐
The judges in Drug Court seemed to be caring people	☐	☐	☐	☐	☐	☐	☐	☐	☐
The judges in Drug Court treated everyone involved politely	☐	☐	☐	☐	☐	☐	☐	☐	☐
The probation staff treated you with respect	☐	☐	☐	☐	☐	☐	☐	☐	☐
The judges in Drug Court treated people fairly	☐	☐	☐	☐	☐	☐	☐	☐	☐
Taking everything into account, how would you rate the work of the Drug Court judges? (poor to excellent)	☐	☐	☐	☐	☐	☐	☐	☐	☐
When you left the judge's courtroom, how likely did you believe that everyone was treated fairly? (very unlikely to very likely)	☐	☐	☐	☐	☐	☐	☐	☐	☐

	Y	N
Have you been arrested for any drug related charges since we interviewed you last spring?	☐	☐

If yes, what were you arrested for?

	Y	N
Have you been arrested for anything other than drug related charges since we interviewed you last spring?	☐	☐

If yes, what were you arrested for?

Drug Court Compliance Phone Interview

We' ve talked a lot about things that have occurred in your life since we interviewed you last spring. Has anything else happened in your life since that time that affects you, either positively or negatively in Drug Court? If yes, could you explain?

Do you have any additional comments about your experience with Drug Court?

Do you think there are other ways we could improve Drug Court?

Thank you so much for taking the time to speak with me.

APPENDIX C

Open-Ended Responses to Original Survey

✸ ***Say you had a friend who was coming to Drug Court for the first time and was going to see the Drug Court judge you just saw, what would you tell your friend about the judge?***

Agreement: 82%

Top Three Comments:
Judge is cool/is a good guy/nice guy (102)
Judge was fair (99)
Be honest/ tell the truth (95)

What the defendant can do:

- **Listen to what the judge says** "Listen to him" "Just listen" (14)
- **Keep your mouth shut/shut up** "Keep your mouth shut" (5)
- **Keep your U/As clean** "No dirty UAs" "Drop consistent clean UAs" (8)
- **Stay off drugs** "Stop using" "You better be straight" (9)
- **Pay attention** "Keep eyes/ears open" "pay attention to what he says"(6)
- **Make eye contact** "Maintain eye contact" (12)
- **Don't make judge mad** "Stay on his good side" "He don't play" (18)
- **Speak clearly** "Speak clearly" (5)
- **Be respectful/don't be rude** "Show respect" (22)
- **Be honest/ tell the truth** "Tell the truth" "Don't lie" (95)
- **Do what you are told/follow rules** "Do what they order, everything they order" (76)

Comments about the judges:

- **Judge – positive comments**
  - **Judge was fair** "You will be treated fairly" "Very fair" (99)
  - **Judge wants to help** "He is there to help" "He's always out to help" (20)
  - **Judge is honest** "He's honest" (11)
  - **Judge really cares** "Genuinely cares" "Caring guy" (10)
  - **Judge is cool/is a good guy/nice guy** "He's cool" "Nice guy" (102)
  - **Judge is understanding** "The judge is understanding" (11)
  - **Judge is respectful** "Polite" "He treats people with respect" (11)
  - **Judge listens** "Listens to what you have to say" (10)
  - **Judge gives chances/opportunities** "They give you a chance" "Gives chances" (11)
  - **Judge is lenient** "He's lenient until you screw up" "Might cut you slack" (7)
  - **Other positive comments about the judge** "Judge is sincere" "He treated me right" "He made good decisions for me" (42)

Total Positive comments about the judges -- 334

- **Judge—negative comments:**
  - **Judge was unfair** (1)
  - **Judge is an asshole/is mean** "asshole at times" "sometimes he can be an ass" (2)
  - **Judge is strict** "Kinda strict" "They're going to be strict" (5)
  - **Other negative comments about the judge** "This judge sucks" (27)

Total negative comments about the judges – 35

Miscellaneous Comments:
- **Consequences** "Avoid the Howard Plan" "He will lock you up if you don't" (16)
- **"Nothing"/ "No"** (5)
- **Other** "Keep your cool" "Show up" (145)
- **Uncodeable** "You'll be happy to see you" "With this judge in your best interests" (7)

✱ ***Is there anything else we can do to improve the Drug Court?***

Agreement: 79%

Top Three Comments:

"No" or "Nothing"	(117)
Positive comments on drug court: "Doing good"	(44)
U/A changes: "Less often" "Don't work" "More locations"	(14)

Procedural Items
- **Start on time** "Punctuality, start it at 9:30" "Start on time" (6)
- **Be more efficient/speed it up** "Quicker" "Faster" (16)
- **More times available for reviews** "Later in the day" "More evening sessions" (10)
- **Less people or smaller amount of people** "Lessen the number of people coming in on one day" (3)
- **Have less reviews** "Make it less times that you gotta come" (3)
- **Don't have days for certain treatment groups** "Not having treatment centers go first on these review days" (3)

Drug Court Staff:
- **Improve the public defenders** "Have someone make sure public defenders do their job" (8)
- **Improve judges** "They had someone to monitor judges" (4)
- **Improve the probation officers** "PO's should help and be a moral support than detention instructor" (11)
- **Improve the prosecutors** "Kick out prosecutor, she was very bad" (4)
- **Improve the police** "More understanding police" (7)

Treatment of Defendants:
- **Listen to the people** "Listen to people coming to court" (3)

- **Be more fair** "Make sure judges and probation staff give people a fair chance" (2)
- **Be more understanding** "Be a little more understanding to people's situations" (4)
- **Be more lenient** "Get more people chances- sometimes it's hard to get off drugs- especially hard drugs" (7)
- **Charged with something they didn't do** "A lot of people being charged of things they didn't do" (2)
- **Be more lenient for smaller crimes/non violent crimes** "Stop the petty cases like mine" "The cases should be more severe" (2)
- **Less jail/probation time** "Need to change the length of probation- make it shorter for certain offences" (2)
- **Too strict, too many demands/requirements** Stop having too many demands, like UA's. Go to school- can't miss a day, get a job- like they're your mom (3)
- **U/A changes** "Less often" "Don't work" "More locations" (14)

Resources for Defendants:

- **Have more job options for felons** "Hard to get job with drug conviction" (5)
- **Improve programs like treatment programs** "More treatment for habitual offenders" (8)

Miscellaneous Comments:

- **Positive comments on drug court** "Doing good" "Explanation for starting drug court late helped" "Drug court is fine "(44)
- **Get rid of it** "Do away with it!" (2)
- **Racial issues** "Survey how many African Americans are incarcerated for minor drug charges compared to Caucasians" "Black people seem to get more chances and lighter sentences" (6)
- **Legalize drugs** "Legalize drugs" "Legalize marijuana" (2)
- **Random complaints** "Forced sobriety doesn't work" "Hard to get out from under felony charges which leads to use because of depression" (8)
- **"Don't know"** (8)
- **"No" or "Nothing"** (117)
- **Other** "don't have me in it" "take less breaks" "more programs for the mentally ill" (65)
- **Uncodeable** (19) "Give money, car, house, bus money" "Why is it not perjury if police officer lies on affidavit" "They told me a story"

Open-Ended Responses to Follow-up Phone Interviews

Have you been able to stay off of drugs? If no, what has made it hard for you to stay off of drugs?

1. The addiction.
2. I have problems with depression and physical disabilities—a lot of pain.
3. Don't know, diversion doesn't stop your real life problems.
4. Opiate withdrawal, depression.
5. Nothing really, just have an addictive personality.
6. Depression.
7. The stress of going to Drug Court, kids, wife, and work.
8. Boredom.
9. Too much free time.
10. Bi-polar problems.

Do you have a job right now? If no, what could help you get a job?

1. Staying off drugs.
2. I don't know.
3. Looking for part-time work, job market is hard.
4. Don't know.
5. Homework done for treatment, being in aftercare.
6. On disability, VA, and Social Security.
7. I'm traveling, I have the energy, trying to localize. Traveling expenses.
8. Re-training.
9. Finding time to go to church and get support of the church people.
10. FedEx won't hire him because of this charge, even though he was not convicted. Just to keep trying [to find a job].
11. Disability.
12. In the hospital.
13. Not having to.
14. Just looking.
15. In a group home and having problems with a place to stay.
16. Transportation.
17. Father's project, meeting with them Monday morning [interview was on Friday].
18. Truck driving.
19. In school.
20. On disability.
21. Felony off—hard to get a job with a felony.
22. Not sure, bad health problems and hip surgery.
23. Disabled.
24. Fighting depression and was beat up in my sleep after someone broke into my house.
25. On SSI.
26. Had a full-time job, but left to start carpet cleaning business.

27. Going back to school.
28. Getting my record expunged.
29. On disability.
30. I don't know, going back to school.
31. Disability.
32. Finishing Bachelor's degree.
33. Complete GED and nursing school.
34. School.

Was this new treatment program different from other treatment programs you have attended? If yes, how is the new treatment program different?

1. Had housing.
2. This one is better; people who run it give you lee-room and didn't baby-sit you.
3. Focused on my mental illness along with my addiction.
4. Liked it, friendly counselors.
5. Treated like an adult, knowledgeable.
6. Very beneficial, not in a hospital setting.
7. Mind wise—gave me more attention than the other with anger management.
8. It's a good treatment program, better than other people do.
9. Veterans, focused on Post Traumatic Stress Disorder.
10. More structured, inpatient.

Is there anything other than treatment programs that would help you get off of drugs? If yes, what would it be?

1. Going to work and school.
2. Having a kid.
3. Meetings--C.A.
4. U/As
5. Counseling, support groups
6. Self-motivation
7. Group counseling
8. Find something to do so you don't have spare time—job or school, I have two jobs and keeps her mind off of it.
9. Threat of jail.
10. A.A.
11. Education
12. Moving back home.
13. Methadone program
14. AA meetings
15. AA meetings
16. Myself
17. Having a significant relationship.
18. Work situation, my act together.
19. NA and CA

20. Yourself
21. Counseling 1 on 1 therapy.
22. My spouse, counseling and treatment for depression.
23. AA and God.
24. Allowed to take an ADHD test and that makes me want to smoke weed so I can calm down and sleep at night.
25. Wanting a better life.
26. AA
27. Keeping up with NA meetings.
28. AA and NA, hope, prayer, and willingness.
29. Counselor I had.
30. NA programs.
31. Just my own will.
32. Expungement
33. Drug Court
34. NA
35. Positive Support
36. Mental health stuff, seeing a psychiatrist and psychologist regularly.
37. Just his desire to stay off drugs.
38. NA or AA
39. NA and AA, support of people.

Have you been arrested for any drug related charges since we interviewed you last spring? If yes, what were you arrested for?

1. Charged with violation—Vicodin
2. DWI
3. DWI
4. Aiding and abetting
5. 5th degree possession
6. PC narcotic

Have you been arrested for anything other than drug related charges since we interviewed you last spring? If yes, what were you arrested for?

1. DWI
2. Loitering ticket
3. DWI
4. Fighting and brawling ticket
5. Probation violation warrant
6. Child neglect
7. Warrants for no-show at Drug Court
8. Consuming in public and Disorderly conduct
9. Assault 5th degree, non-domestic
10. Fleeing the police, domestic assault
11. Warrants for driving record

12. Driving with no license
13. Warrants and drinking in public

We've talked a lot about things that have happened in your life since we interviewed you last spring. Has anything else happened in your life since that time that affects you, either positively or negatively in Drug Court? If yes, could you explain?

44 people said "no" or "not really."

1. Since completing treatment, have better relationship with p.o.
2. Have a girlfriend.
3. Thought he was faking, but he had a bleeding ulcer.
4. Drug Court probably saved my life and made my life more simple.
5. Good relationship.
6. Getting a job and new car.
7. Hip replacement surgery, other hip is bad, enlarged prostrate, kidney problems and paternity issues.
8. Recently married.
9. My graduation from college.
10. Having a job and knowing I can go without it. Got a lot of hope in treatment.
11. People die.
12. Job, school, and treatment programs, good decisions on where they refer you.
13. Discharged from Drug Court in October, 2003.
14. I got engaged.
15. Got custody of my son.
16. Not yet.
17. Got engaged, Drug Court helped.
18. No, I am a felon now.
19. Constitutional rights violation—16th Amendment.
20. Everything's good and fine.
21. Everything is good.
22. Not really, got married.
23. Negatively, locked me up for this much time.
24. Positively, back on track to reach school goals.
25. Two beautiful dogs (American Eskimo and a Pomeranian).
26. No, just school.
27. Had my daughter.
28. Positively, new job, see my daughter, a lot of good things going on.
29. Had an accident, fell 30 feet.
30. Not really.
31. Personal relationships.
32. School
33. No, got another felony on my record.
34. No, good way to handle things.
35. My mom passed away three months ago.
36. I had a baby.

37. Since treatment I got an apartment that I pay on time, a vehicle, job, savings account.
38. Yes, face was disfigured and teeth knocked out.
39. Not really involved in Drug Court—just go in and give U/As.
40. Positively, I am in a Rule 36 facility and help with an apartment.
41. I got housing and my kids back and in school.
42. Positively, they work with you and it's up to you.
43. New grandson.
44. May 2002, Ramsey County, 13 month DUI and I was just sentenced—all before Drug Court.
45. Positively, they're working with me, never been to the Workhouse.
46. Problems and going to therapy with depression and anxiety.
47. My P.O is exceptional—took a lot of time with me and cared a lot. I didn't deserve all the chances I got.

Do you have any additional comments about your experience with Drug Court?

41 people said "no."

1. No, getting along with judges, except one judge—has no compassion.
2. I just get them out of my life.
3. Keep sending me to jail but it worked out for the best.
4. Thought it was a pain in the ass at first, but now I see it as a blessing. Very positive experience, keeps me in check.
5. Don't want to go back.
6. It's a good program.
7. It seems to that the leniency that Drug Court was developed for isn't there. The prosecution is running towards conviction. Drug Court should help people, not convict people. Shifted from leniency and people who need help to sending them to prison. If you come to Drug Court several times you are still sick.
8. It was a pain in the ass but it's a good system and my judge was really cool.
9. No, it was not a horrible experience.
10. Drug Court is a good thing because people want to change and getting them help is better than jail.
11. It's long, it's okay.
12. Never be there again.
13. Some judges are the opposite of other judges—not equal, unfair and uncaring.
14. From up North and they don't have programs like that and they should. Works for me so far.
15. Glad when I get out.
16. Overall, saved me the hassle of being in jail, was good for me.
17. Wish it wasn't so frequent, to go bi-weekly—rather go bi-monthly.
18. Glad I am done.
19. Don't want go through it again.
20. Drug Court judges are awesome.
21. It was helpful, I needed it.

22. No, glad I went to an in-patient.
23. No, it was very relaxing. It's a good gig.
24. Pretty decent.
25. Could have done things differently. Decided a case a year later—in court for three years.
26. Very impressed of how I was treated and given a second chance.
27. No, felt like I was treated fairly.
28. No, went well.
29. No, it was fair.
30. No, never be there again.
31. They played me, they told me I would be on admin, and then they changed it.
32. The program works.
33. No, they're okay and treated me fair.
34. It helped me.
35. Glad it's over.
36. P.O. has so many caseloads—they get confused and couldn't keep up with my U/As.
37. Not sure why I was there, my case was a DWI.
38. It teaches responsibility.
39. No, the judges are doing good.
40. I am very thankful for having to go through it. Thank you for helping me.
41. Good lesson learned and hopefully it will never happen to me again.
42. Seemed unorganized, probation didn't have his file.
43. Very good experience for me.
44. If I had stayed sober, I would be on admin.
45. Took a long time, went to court twelve times before I could plead.
46. Thank God it's over.
47. Good system, Hennepin County tries to work with you.
48. No, it's a good thing.
49. Don't plan on going there again.

Do you think there are other ways we can improve Drug Court?

36 people said "no."

1. Judges eating in the courtroom.
2. No, good system—better than Ramsey County.
3. Judges can be more compassionate.
4. Fast and speedy trial.
5. P.O.s stay in touch more, in and out of treatment and couldn't reach P.O.
6. No, everything's fine.
7. More organized.
8. P.O. pay more attention to their clients, better communication.
9. More professionals for reviews—have a lawyer there for people who don't know how to interact with judges.

10. People with dirty U/As could go on admin and some were taken away. Good and bad points, some people need structure and some people don't.
11. Have more people to help with caseload.
12. No, it works.
13. Probation officers are kind of uptight, they're mission is to make you fail.
14. Address mental health issues.
15. Look at everybody as one.
16. Not so long for the people in the back, freezing and waiting.
17. Adhere to "innocent until proven guilty."
18. It's fine, everyone does a good job.
19. Don't know.
20. Community Service available instead of jail time.
21. The way they monitor is fine. People are going to use if they want. Holding them might help or might not.
22. Treated everybody more fairly.
23. Special program.
24. Don't know, they treat all cases the same when some things are different for people.
25. Don't know
26. The waiting, waiting a few hours for your case.
27. Listen to people with special needs, attention deficit, and learning problems.
28. Good program.
29. Lean more towards diversion.
30. It's pretty cool.
31. No, good job, more stricter.
32. Don't know, starting later, like 10am.
33. The ones who need don't know they need and some people abuse it, complicated circle, but it's good.
34. No, they did a good job, they were professional.
35. Treat people fairly.
36. No idea.
37. Don't know, not really.
38. Make it fair where Blacks and Whites are treated equal. Judges think I should know better since I am White.
39. No, not that they could really do.
40. No, doing a good job.
41. No, it's good.
42. Make the judges more on time—make them accountable. Felt like the people were rushed through the process. Provide child care for the people who show up.
43. Differentiate between drugs and those in African American culture—they aren't really drugs.
44. No, everything is going okay.
45. Not really, it's going fine.
46. Keep doing what you're doing.
47. Too many orders—makes people rebel. Probation period too long too, too stipulative.

48. I hope I never have to see the Drug Court again.
49. Make certain days for treatment groups so they don't get ahead of you when you show up on time.
50. Doing a damn good job.
51. No, Drug Court is getting better and helping a lot of people.
52. More understanding, some are cool and some bring their personal problems in with them.
53. Judge needs to ease up people and give them more time.
54. Try to get people in fast. Judge shows up late can be there for three hours and waste a lot of time.