



FOURTH JUDICIAL DISTRICT

Model Drug Court Activity Report: April 2007 – June 2008

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Finally, the Research Staff would like to thank the Model Drug Court participants who were willing to share their views in order to make MDC an even more effective program for themselves and those who come after them.

Model Drug Court Activity Report: April 2007 – June 2008
Executive Summary

- The Fourth Judicial District's Model Drug Court (MDC) began in early 2007, admitting its first participants in April. This new MDC is significantly different from the Drug Court that operated from 1997 to 2006.
 - **Under the previous Drug Court system (1997 – 2006):**
 - All defendants charged with a felony level drug offense were automatically in Drug Court; participation was not voluntary
 - Felony property offenders with chemical dependency issues were not eligible
 - Defendants were assessed for chemical dependency, but not screened for risk to reoffend
 - A team of three judges shared responsibility for overseeing Drug Court
 - Probation officers managed caseloads of 100+ clients; supervision was less intensive
 - **In Model Drug Court (2007 forward):**
 - Defendants must plead guilty to a felony level drug or property offense
 - Defendants must volunteer to be part of the program
 - Defendants must be both chemically dependent and at high risk to reoffend
 - Defendants must meet the MDC eligibility criteria¹, which includes, among other things, that defendants must be accepted into MDC by the Drug Court Team
 - One judge oversees MDC, with backup judges to fill in if the MDC judge is unavailable
 - Probation officers' caseloads are much smaller – generally 40 clients or fewer – and their level of supervision is much more intensive, for example:
 - More frequent contact with clients; conduct in-home and community visits
 - Close contact with treatment providers; help with development of treatment case plans, relapse prevention plans, and discharge plans
 - Work with clients to identify education and employment resources
- The main goals of Model Drug Court are:
 - Reduce criminal recidivism
 - Reduce illegal drug usage
 - Improve community functioning in the areas of employment, education, and housing
- There are three Phases to MDC, and advancement is based on a point system. Phase One requires the most stringent oversight with more frequent judicial reviews, more random drug testing, and more intensive interventions. Each Phase is progressively less stringent. If a participant has no major setbacks, all three phases can be completed in approximately twelve to eighteen months.

¹ See pages 7-8 of this report.

- Nearly three-quarters of MDC defendants (71%) are male. The average age is 34 years, with participants ranging from 18 to 58 years old. A little over half (53%) are black, another one-third (36%) are white, and the remaining 11% of defendants are American Indian, Hispanic, or mixed race (Table 1).
- After fifteen months of operation, 89% of MDC defendants are active in the program or have graduated; only 11% have been discharged from MDC at this point (Table 2).
- When non-compliance occurs in MDC, it occurs early in the program; 91% of the discharges occurred during Phase One of the program. Of those who absconded, 88% did so while in Phase One. When a defendant broke the rules of the court, 86% were also in Phase One of the program (Table 6).
- After fifteen months of operation, three defendants have graduated from MDC. Since that time - as of 10/15/08 - another thirteen have graduated, and an additional twenty-two will graduate by 01/08/09.
- Progress as of June 30, 2008
 - **Goal 1 - Reduce criminal recidivism**
 - 89% of MDC participants stayed crime-free (Table 7).
 - **Goal 2 - Reduce illegal drug usage**
 - The longer a defendant is in MDC, the less frequently s/he tests positive for drugs (Table 8).
 - Probation officers report high levels of attendance (82%), participation (86%), and compliance (75%) by defendants in treatment (Figure 10).
 - **Goal 3 – Improve community functioning for defendants in three areas: education, employment/training, and housing**
 - MDC defendants should be in school, working, or in treatment to be considered fulfilling the education and employment/training components of Goal 3. As of 6/30/08, 71% were participating in one or more of these three activities; however, school or employment may not be a practical or feasible goal for all defendants. Some may be new to MDC and not yet engaged in treatment or had the time and opportunity to find a job or enroll in school; some may have already completed primary treatment/aftercare and be attending outside support groups; others may be stay-at-home parents, have mental health issues, or be older which might make being in school or employed less likely. Of those active in the program as of 6/30/08, nearly one-third (29%) were not working, not attending school, or not currently in treatment. This is something that should be captured in a more systematic way going forward.
 - At the time they were surveyed (late summer 2008) 79% of MDC defendants were currently working to advance their education (14%) or had already obtained at least a high school diploma/GED (65%); 37% of those surveyed reported being currently employed.

- Only 36% were identified as needing more education. Of those, nearly half (45%) were in or applying to school to further their education and another one-third (30%) were currently in chemical dependency treatment (Table 11).
 - Most MDC defendants active in the program as of 6/30/08 have housing situations that are at least somewhat stable (Table 12). 58% have a place to stay all or most of the time, another 28% reside in a shelter or are living at their treatment facility, and 10% are currently serving time in jail. Only 4% are homeless.
 - More than 60% of MDC defendants surveyed who had children under 18 years old maintained or increased their level of interaction with their children during participation in the program – 48% are currently living with their children and 13% still do not live with their children, but are seeing them more than before entering MDC.
- **Perception of fair treatment by Model Drug Court team members:** MDC defendants are generally very satisfied with how they are treated by the judge, their probation officers, and their treatment professionals (Table 16).
- **Access to the Courts:** MDC defendants are very positive about their access to the courts, with one exception – they frequently mention having to wait in long security lines on the main level of the Hennepin County Government Center when coming to court or to meet with probation (Table 17).
- **Reasons defendants volunteer for Model Drug Court:** Avoiding jail and getting sober are the two most common reasons defendants volunteer for MDC, followed closely by wanting to get into a treatment program.
- **What keeps Model Drug Court defendants sober:** Six of ten defendants say that the main aspects of MDC that help to keep them sober are random drug testing and the judicial reviews/accountability to the judge. Other helpful aspects of MDC in maintaining sobriety are treatment, meeting with probation officers, and the threat of jail.

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Introduction

The Fourth Judicial District has operated a specialty Drug Court since 1997; it was the first Drug Court in Minnesota. From 1997 – 2006, the Fourth Judicial District's Drug Court was nationally recognized as the largest in the country, targeting everyone charged with a felony drug offense within Hennepin County, Minnesota.

In January 2007, the Fourth Judicial District's Drug Court underwent significant revisions in order to better align with evolving national best practices. The Hennepin County Chemical Dependency Task Force sought to develop a new model of Drug Court, targeting a significantly different population than the original court. All participants in this new Model Drug Court (MDC) must plead guilty to a felony drug or property offense, be placed on probation, and be assessed as at high risk to reoffend and as chemically dependent (high need). Participation is strictly voluntary, and defendants must meet the MDC eligibility criteria (see next page). The Hennepin County Chemical Dependency Task Force decided to include in MDC those defendants who had pled guilty to a property felony, if the defendant met the high risk/high need threshold, based on observations from the bench that a significant number of these defendants committed their crime to support a drug habit.

Model Drug Court admitted its first participant in April 2007. This activity report summarizes the performance of MDC participants over the first fifteen months of the program's existence (April 2007 – June 2008). It will serve as a "report card" on the success of Model Drug Court to date and provide a means with which to determine whether any changes need to be made to MDC's policies and procedures. Most information was obtained from quarterly reports on each defendant filled out by the Drug Court probation officers, but some comes from a database maintained by the Fourth Judicial District's Drug Court Coordinator, official court records, and interviews with the defendants themselves.

Overview of Model Drug Court

Mission and Goals

The mission of the Fourth Judicial District's Model Drug Court is to increase public safety, improve chemical health, and reduce crime.

The goals of the program are as follows:

- Goal #1: Reduce criminal recidivism
- Goal #2: Reduce illegal drug usage
- Goal #3: Improve community functioning in the areas of:
 - Employment,
 - Education and training, and
 - Housing

Program Structure

MDC began operations in January 2007 and admitted the first participant on April 19, 2007. As of June 30, 2008, the program had admitted 206 chemically dependent felony drug or property offenders who were determined to be at high risk of reoffending and in high need of chemical dependency treatment.

Components of the Model Drug Court program include intensive supervision of participants by probation, frequent appearances before the MDC judge, mandatory chemical dependency treatment, regular attendance at a self-help group (such as Narcotics Anonymous, Cocaine Anonymous, or Alcoholics Anonymous), and random drug testing. The program is divided into three phases, and advancement is based on a point system. If a participant has no major setbacks, all three phases can be completed in approximately twelve to eighteen months.²

Model Drug Court (MDC) differs from the Drug Court that operated in the Fourth Judicial District from 1997 – 2006 in several significant ways. MDC is a voluntary program for high need, chemically dependent felony drug or property offenders who are at high risk to re-offend and have pled guilty to their charge. Under the old system, all defendants charged with a felony level drug offense in Hennepin County were automatically in Drug Court – participation was not voluntary, defendants were assessed for chemical dependency but not screened for risk to reoffend, and felony property offenders with chemical dependency issues were not eligible. A team of three judges shared responsibility for overseeing the old Drug Court; in MDC, one judge handles all the cases, with backup judges to fill in if the MDC judge is unavailable. Model Drug Court probation officers supervise a caseload of approximately forty or fewer clients; under the old Drug Court system, caseloads were frequently in excess of 100 clients. Supervision is much more intensive in MDC than under the old system. For example, probation officers have more frequent contact with clients – at least weekly in Phase One and at least bi-monthly in Phases Two and Three – and conduct visits to defendants' homes and in the community. They work very closely with treatment providers and play a role in developing treatment case plans, relapse prevention plans, and discharge plans. They also work individually with clients to identify education and employment resources.

Eligibility Criteria

In order to participate in Model Drug Court, defendants must meet the following criteria:

1. The defendant must be a Hennepin County resident.
2. The defendant must be charged with a felony level drug or property crime.
3. The defendant must have a chemical health assessment that indicates the offender is chemically dependent.

² Appendix A lists the requirements to advance through the three phases, as well as graduation requirements.

4. The defendant must be determined to be at high risk to re-offend according to a Risk and Needs Triage (RANT) assessment.³
5. The defendant must be approved for admission by the Model Drug Court Team.⁴
6. The defendant must agree to participate.

Disqualification Criteria

Defendants are disqualified from MDC in the following cases:

1. Has a prior conviction for a Controlled Substance Crime in the First or Second Degree, unless ten or more years have elapsed since completion of probation, parole, or discharge from prison.
2. Has current pending charges or is on felony probation for certain types of offenses.⁵
3. A gun was used in commission of the present offense.
4. Is actively working as a police informant.
5. Is on supervised release with the MN Department of Corrections or active parole from another state.
6. Has been deemed mentally incompetent.
7. Is demonstrated to be an integral part of a distribution or manufacturing network or actively engaged in crimes to benefit a gang.
8. Suffers from mental incapacity that prohibits his/her ability to participate in treatment or the MDC program.
9. Is deemed unsuitable for MDC based on a history of failure to comply with probation supervision, as evidenced by multiple probation revocations.
10. Has been designated as a Level 3 Sex Offender by the MN Department of Corrections.
11. Has a prior criminal conviction for any of the offenses listed under #2. However, the defendant may be considered for admission if a significant period of time has elapsed since s/he completed probation, parole, or was discharged from prison, providing that since that time there is no history of violent crime.

Termination Criteria

Termination or discharge from Model Drug Court generally occurs only after other graduated sanctions have been imposed and the participant continues to disregard program rules. See Appendix B for a complete list of grounds for termination.

³ The **RANT** is comprised of two scales: Risk and Needs. The Risk scale assesses whether a defendant is at risk for performing poorly with standard supervision, and thus whether more intensive monitoring is required such as that provided in drug court. The Needs scale assesses whether the defendant suffers from a diagnosable addiction, serious mental illness, or serious medical condition requiring specialized treatment services. To qualify for MDC, a defendant must score 'High' on both scales.

⁴ Model Drug Court Team members include the MDC judge, a Hennepin County prosecutor, a public defender, an adult probation officer, a representative from the Minneapolis Police Department, a chemical health assessor from Hennepin County Human Services, representatives from the seven treatment programs providing treatment services to MDC participants, and the Fourth Judicial District's Drug Court Coordinator.

⁵ Homicide, Robbery, Manslaughter, Kidnapping, Arson, Aggravated Assault, Vehicular Homicide, a felony Sex Offense, felony Stalking, felony Domestic Abuse, or Crimes to Benefit a Gang.

Research Design

For this activity report, only the performance of Model Drug Court participants during the assessment period (4/1/07 – 6/30/08) was analyzed. A full evaluation of the program, including a comparison group and a full recidivism study, will be completed in late 2009 or early 2010. The current sample consists of all 206 offenders who entered MDC between April 1, 2007 and June 30, 2008. Defendants entered MDC throughout the assessment period, and their participation time has not been standardized here; some defendants were in MDC for more than twelve months, while others were only active for a short period of time due to discharge or being admitted near the end of the assessment period. For the full evaluation, defendants' time in MDC will be standardized.

At the end of every quarter, the Drug Court probation officers complete a Quarterly Reporting Form for each defendant on their caseloads, both those defendants who are currently active and those who graduated or were discharged during the previous quarter. This form was designed by the Fourth Judicial District Research Division, in conjunction with the Court and the Hennepin County Probation Department, and includes data elements that address the three goals of MDC. It includes information on failures to appear for judicial reviews, new convictions during the past quarter, number of urinalysis tests completed, and number of positive urinalysis tests. Additionally, probation officers provide information about the type of treatment in which defendants were involved during the past quarter and their attendance, level of participation, and compliance with treatment. Employment, education, and housing status are also assessed. See Appendix C for a copy of the Quarterly Reporting form.

The Drug Court Tracking Sheet, maintained by the Fourth Judicial District's Drug Court Coordinator, was used to determine who entered MDC during the assessment period (4/1/07 – 6/30/08). When a Quarterly Reporting form was not received for someone on the Tracking Sheet, the probation officer supervising that defendant was contacted to complete one. Completed forms for four defendants were not received from their probation officer (one quarter of data for each of three participants, and two quarters of data for a fourth), leaving some missing data for those participants. In addition, questions on some Quarterly Report forms were occasionally left blank, so a few data elements are missing for those participants. Gender and birth date were not captured on the Quarterly Reporting form, so this information was obtained directly from the Drug Court Tracking Sheet.

Demographic Profile of the Sample

As shown in Table 1, over half (53%) of Model Drug Court defendants entering between April 1, 2007 and June 30, 2008 were black, slightly more than one-third (36%) were white, and the remainder were some other racial category (American Indian or Hispanic). Nearly three-fourths of the defendants (71%) were male. Figure 1 shows that when looking at race and gender combined, black males made up the largest category of MDC participants (44%). The average age of a defendant on their date of entry into MDC was 34 years; they ranged in age from 18 to 58. On average, MDC participants tended to be slightly older than the average age

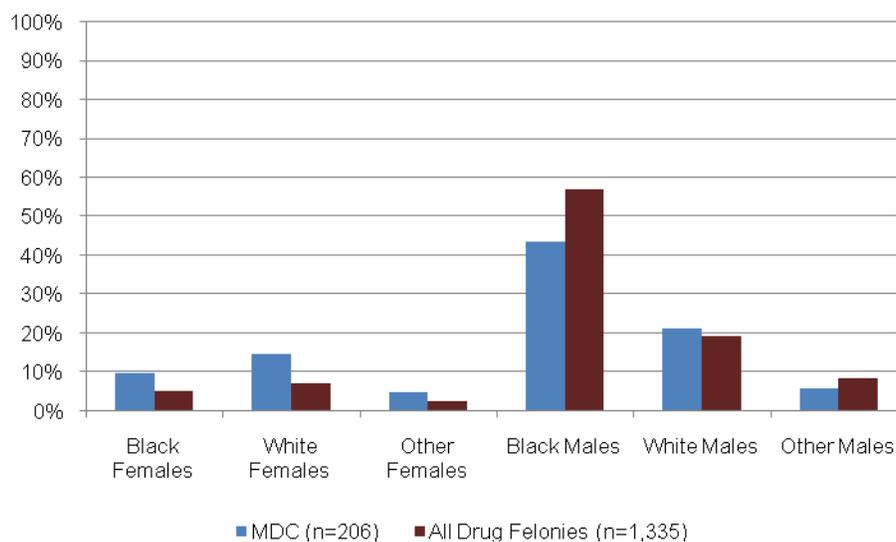
for all felony drug cases filed during the same time period. For all felony drug cases filed between 4/1/07 – 6/30/08, the average age of a defendant was 32 years; they ranged in age from 18 to 67.

Under the Fourth Judicial District’s prior system (1997 – 2006), all people charged with a felony drug case automatically were in Drug Court. To compare Model Drug Court demographics to what it would look like under the previous Drug Court, data was extracted on all drug felony charges during the same period as MDC has been in operation (April 2007 – June 2008). The right hand side of Table 1 shows that under the rules for the previous Drug Court the population would have included a higher proportion of blacks and males. Figure 1 shows that changing the criteria to be high risk/high need, regardless of whether the court case was a drug felony or a property crime, increased the numbers of both females and white males entering MDC.

Table 1. Comparison of Demographics: Model Drug Court versus All Drug Felonies Charged

Demographics	Model Drug Court (n=206)	All Drug Felony Cases Charged During Same Time Period (4/1/07 – 6/30/08) (n=1,335)
Black	53.4%	62.5%
White	35.9%	26.7%
Other	10.7%	10.9%
Female	29.1%	15.2%
Male	70.9%	84.8%
Average Age	34 years	32 years

Figure 1. Race/Gender Comparison of Model Drug Court Participants Compared to All Felony Drug Cases Where Race was Known Charged During Same Time Period (4/1/07 – 6/30/08)

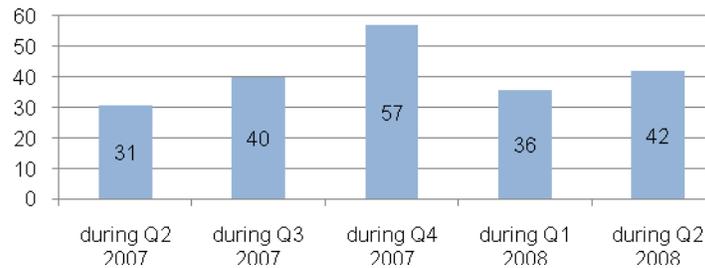


Progression Through Model Drug Court

Entry into Model Drug Court

During the time period April 1, 2007 – June 30, 2008, participants entered Model Drug Court during each of the five quarters. Therefore, some are newer to the program and only present in the most recent one or two quarters, some were present for a portion of the quarters and then were discharged, and some are present in all, or nearly all, five quarters. Figure 2 shows the number of people in MDC by when they entered.

**Figure 2. Number of Defendants Entering Model Drug Court by Quarter
(n=206)**



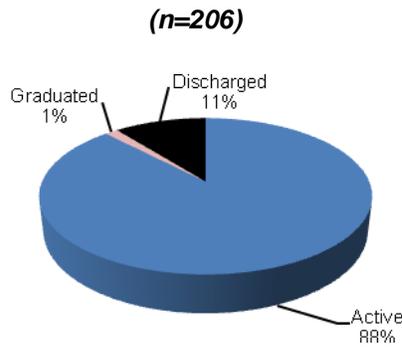
Status in Model Drug Court

As of June 30, 2008 – the end of the assessment period for this report – 184 defendants (89%) were active in Model Drug Court or had already graduated. Twenty-two (11%) had been discharged and either had their sentences executed – by request or due to non-compliance – or had been transferred to another state for probation supervision (Table 2/Figure 3).

Table 2. Model Drug Court Participant Status as of 6/30/08

<u>Status</u>		<u>Total</u>
Active	Count	181
	% of Total	87.9%
Graduated	Count	3
	% of Total	1.4%
Discharged	Count	22
	% of Total	10.7%
Total	Count	206
	% of Total	100.0%

Figure 3. Model Drug Court Participant Status as of 6/30/08



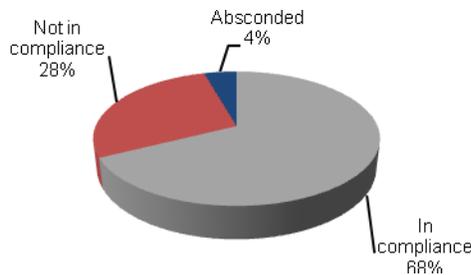
Compliance with Model Drug Court

Of the 181 defendants on active status as of 6/30/08, two-thirds (68%) were in compliance with court-ordered conditions, slightly more than one-fourth (28%) were out of compliance, and a small percentage (4%) were still considered active but had absconded from court supervision and had an Arrest and Detention order (A & D) issued for their arrest (Table 3/Figure 4). Participants can be out of compliance with court-ordered conditions for such reasons as positive urinalyses, failure to attend treatment, failure to comply with or actively participate in treatment, or new criminal activity. Since the MDC population is one of people who are high need/high risk, there will always be some proportion that slips from compliance. Use of graduated sanctions is discussed and applied by the Model Drug Court team.

Table 3. Compliance Status for those Model Drug Court Participants Active as of 6/30/08

<u>Status</u>		<u>Total</u>
Active – In Compliance	Count	123
	% of Total	68.0%
Active – Not in Compliance	Count	50
	% of Total	27.6%
Active – Absconded	Count	8
	% of Total	4.4%
Total	Count	181
	% of Total	100.0%

Figure 4. Compliance Status for those Model Drug Court Participants Active as of 6/30/08
(n=181)



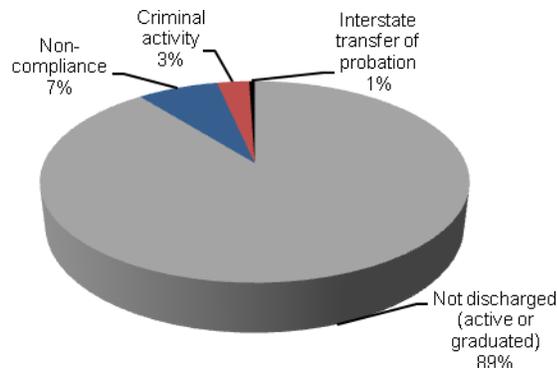
Discharge from Model Drug Court

As shown in Table 4/Figure 5, of the twenty-two participants who were discharged from MDC, fifteen (7% of all participants) were terminated due to non-compliance with the program - for example, failing to complete treatment, continuing to use drugs or alcohol, or failing to attend judicial reviews - and six (3%) were terminated due to criminal activity. All twenty-one of these participants who were discharged from MDC had their stayed sentences imposed. One other person was discharged and transferred to his home state to complete probation there.

Table 4. Reason for Discharge From Model Drug Court

<u>Status</u>		<u>Total</u>
Not Discharged (Active or Graduated)	Count	184
	% of Total	89.3%
Discharged (Non-compliance)	Count	15
	% of Total	7.3%
Discharged (Criminal Activity)	Count	6
	% of Total	2.9%
Discharged (Interstate Transfer of Probation)	Count	1
	% of Total	0.5%
Total	Count	206
	% of Total	100.0%

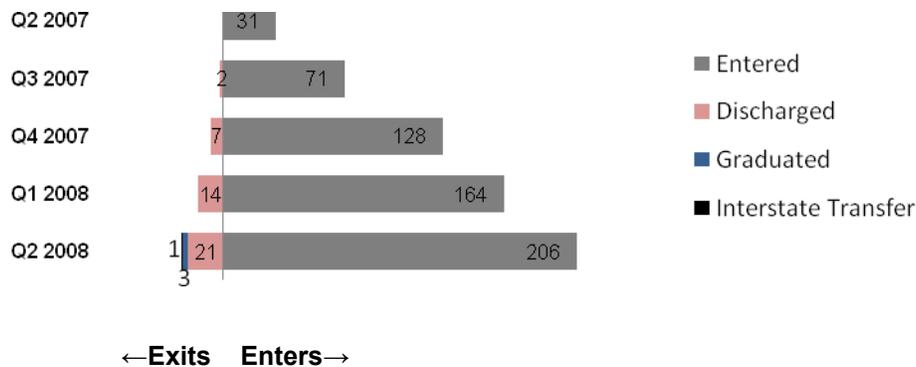
Figure 5. Reason for Discharge From Model Drug Court (n=206)



Model Drug Court Population Cumulatively Over Time

Figure 6 shows the quarter that defendants came into Model Drug Court cumulatively and when they either graduated or were discharged. Each row shows the total number of MDC participants who had entered through the end of each quarter as well as the total number who had exited, and for what reason, as of the end of that same quarter.

Figure 6. Cumulative Number of Participants Entering & Exiting Model Drug Court Over Time



Phases of Model Drug Court

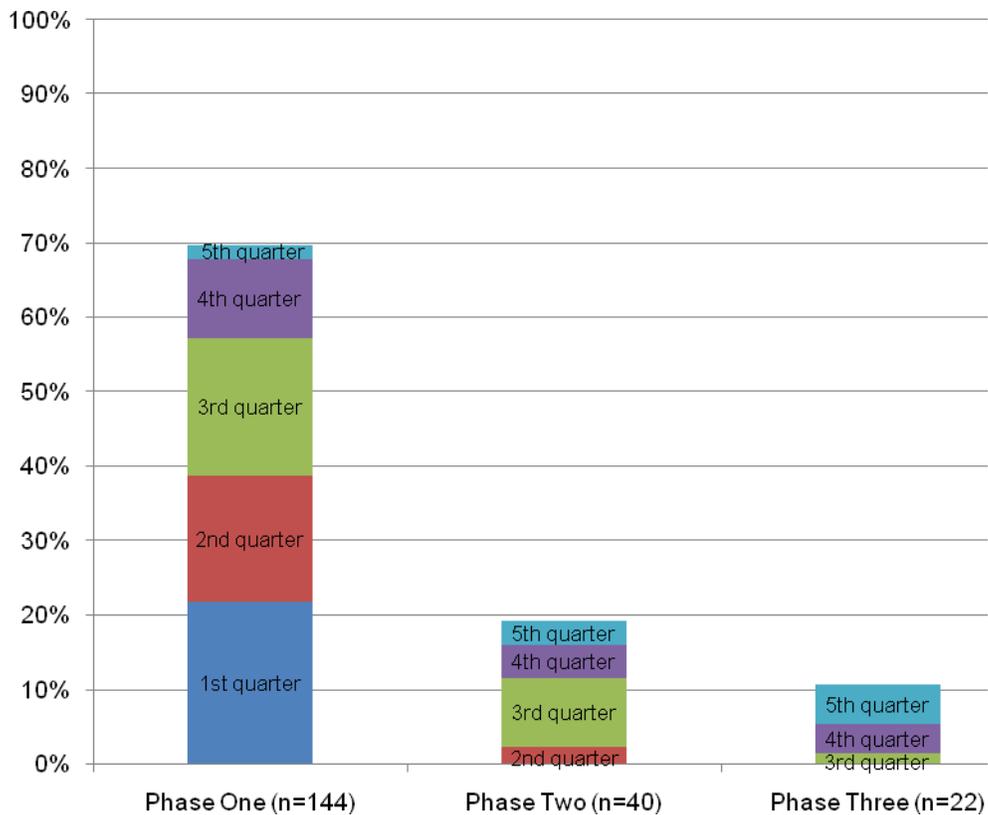
The Fourth Judicial District's Model Drug Court is a twelve-month *minimum* program, consisting of three phases. Advancement from phase to phase is based on a point system, not a specified period of time (see Appendix A for point distribution and phase advancement criteria). To progress to a new phase, defendants must obtain a minimum number of points by complying with various criteria, such as maintaining contact with probation, attending scheduled judicial review hearings, participating in treatment or aftercare, abstaining from drugs, and remaining crime free. If participants are complying with all conditions, they can earn enough points to advance to a new phase approximately every four to six months. To advance to Phase Two a participant must earn 85 points, to advance to Phase Three requires 172 points, and in order to graduate a participant must earn at least 248 points.

All entering participants begin in Phase One, the most intensive phase. Because MDC is *at least* a twelve-month program, and because participants were admitted throughout the course of the assessment period, at the end of June 2008 slightly more than two-thirds of MDC participants (70%) were still in, or had terminated during, Phase One of the program; one-fifth (19%) were in, or had terminated during, Phase Two; and the remainder (11%) were in, or had graduated while in, Phase Three (Table 5/Figure 7). Those who had advanced to the final phase were toward the end of their third quarter or in their fourth or fifth quarter of MDC involvement.

**Table 5. Number of Participants in Each Phase
by Number of Quarters Involved in Model Drug Court**

How long in Model Drug Court?		Phase as of 6/30/08			
		Phase One	Phase Two	Phase Three	Total
Only 1 quarter	Count	45	0	0	45
	% of Total	21.8%	0.0%	0.0%	21.8%
2 quarters	Count	35	5	0	40
	% of Total	17.0%	2.4%	0.0%	19.4%
3 quarters	Count	38	19	3	60
	% of Total	18.4%	9.2%	1.5%	29.1%
4 quarters	Count	22	9	8	39
	% of Total	10.7%	4.4%	3.9%	18.9%
5 quarters	Count	4	7	11	22
	% of Total	1.9%	3.4%	5.3%	10.7%
Total	Count	144	40	22	206
	% of Total	69.9%	19.4%	10.7%	100.0%

**Figure 7. Number of Participants in Each Phase
by Number of Quarters Involved in Model Drug Court
(n=206)**



As shown in the shaded areas of Table 6, most defendants who fail to comply with the conditions of Model Drug Court do so while in Phase One of the program. As of the end of June 2008, 86% of defendants who were non-compliant with court-ordered conditions were in Phase One, as were 88% of those currently absconded from MDC, and 91% of those who had been discharged from MDC. In contrast, only 5% of the nineteen active defendants in Phase Three were not in compliance with court-ordered conditions, none were currently absconded from MDC, and none had been discharged. However, since this report is simply a snapshot after the first fifteen months of MDC's operation, this finding will have to continue to be monitored in the full evaluation, since there were limited numbers of defendants in Phases Two and Three at the end of the assessment period (6/30/08).

Table 6. Participant Status as of 6/30/08 by Model Drug Court Phase

		Phase One	Phase Two	Phase Three	Total
Active –in compliance	Count	74	31	18	123
	Row %	60.2%	25.2%	14.6%	100.0%
Active – not in compliance	Count	43	6	1	50
	Row %	86.0%	12.0%	2.0%	100.0%
Active – absconded	Count	7	1	0	8
	Row %	87.5%	12.5%	0.0%	100.0%
Discharged	Count	20	2	0	22
	Row %	90.9%	9.1%	0.0%	100.0%
Graduated	Count	0	0	3	3
	Row %	0.0%	0.0%	100.0%	100.0%
Total	Count	144	40	22	206
	Row %	69.9%	19.4%	10.7%	100.0%

Progress Toward Program Goals

Goal 1: Reduce Recidivism

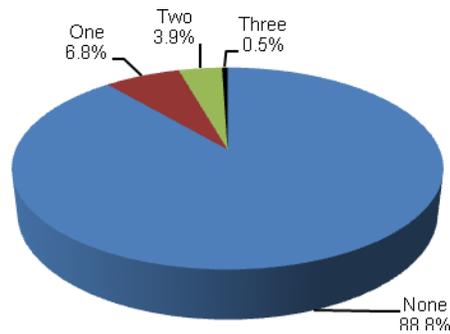
A full recidivism analysis will be completed on this sample in late 2009 or early 2010, once a full year of time to reoffend has occurred for all participants. In order to address the goal of reducing recidivism for this activity report, the Drug Court probation officers' quarterly reports of new convictions while active in Model Drug Court were used. Information was collected on the level of new convictions only (felony, gross misdemeanor, or misdemeanor), not the specific type of offenses. The probation officers used the statewide Minnesota Court Information System (MNCIS) and information in their case files to determine defendants' new convictions in each quarter of participation in MDC.

The vast majority of MDC participants (89%) had no new convictions during the assessment period (Table 7/Figure 8). Of the twenty-three defendants (11%) who were convicted of at least one new offense while in MDC, fourteen (7% of all participants) had one new conviction, eight (4%) had two, and one (0.5%) had three new convictions. Twelve defendants (6% of all participants) were convicted of at least one felony while participating in MDC, one (0.5%) had a gross misdemeanor as their highest new conviction, and ten (5%) had a misdemeanor as their highest new conviction (Table 8/Figure 9).

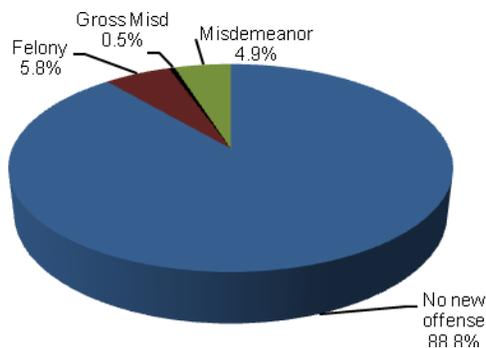
**Table 7. Number of New Convictions While in Model Drug Court
by Highest New Conviction Severity Level**

		<i>Highest Severity Level for New Conviction(s)</i>					
		No New Offense	Felony	Gross Misdemeanor	Misdemeanor	Total	
<i>Number of New Convictions While in Model Drug Court</i>	None	<i>Count</i>	183	0	0	0	183
		<i>% of Total</i>	88.8%	0.0%	0.0%	0.0%	88.8%
	One	<i>Count</i>	0	7	1	6	14
		<i>% of Total</i>	0.0%	3.4%	0.5%	2.9%	6.8%
	Two	<i>Count</i>	0	5	0	3	8
		<i>% of Total</i>	0.0%	2.4%	0.0%	1.5%	3.9%
	Three	<i>Count</i>	0	0	0	1	1
		<i>% of Total</i>	0.0%	0.0%	0.0%	0.5%	0.5%
	Total	<i>Count</i>	183	12	1	10	206
		<i>% of Total</i>	88.8%	5.8%	0.5%	4.9%	100.0%

**Figure 8. Number of New Convictions While in Model Drug Court
(n=206)**



**Figure 9. Highest Severity Level for New Convictions While in Model Drug Court
(n=206)**



Seven of the twenty-three participants (30%) who got at least one new conviction while participating in MDC were discharged from the program prior to the end of the assessment period (6/30/08), ten (44%) remained active and were now in compliance with court-ordered conditions, and six (26%) remained active but not in compliance as of the end of the assessment period. If a defendant is not discharged from MDC due to a new conviction, s/he receives a sanction from the Model Drug Court judge. For misdemeanors and gross misdemeanors, the sanction is typically jail time or community service hours; for new felony convictions which don't result in revocation, the sanction is typically jail time with agreement of the prosecutor. All of these sanctions would be in addition to the sentence received on the new conviction.

Goal 2: Reduce Illegal Drug Usage

Random Urinalysis Tests

All Model Drug Court defendants are required to participate in random drug testing. A 'color system' is used to schedule defendants for random urinalyses – all defendants are assigned a color and required to call in daily to see if their color has been selected for a drug test that day. If so, they must provide a urinalysis at the probation office. The color system provides a minimum of once a week testing, with the possibility of a second test if the probation officer so chooses. Additionally, the MDC judge may order a urinalysis during a judicial review hearing if the Drug Court team or the judge feels it is warranted.

Drug testing may also be required by defendants' treatment programs; however, these tests are not recorded in probation's database and therefore are not reported here. The data below show the average number of Hennepin County Probation Department tests per program participant and of those tests, the percentage of positive readings indicating illegal drug use.

Model Drug Court defendants were tested by the Hennepin County Probation Department an average of 22.2 times per person during the assessment period. Twenty-two defendants (11%) were never tested⁶ and the remaining 184 (89%) were tested between one and eighty times, depending on when they entered the program. Defendants entered MDC throughout the assessment period and their participation time has not been standardized in this activity report; some defendants were in MDC for more than 12 months, while others were only active for a short period of time, due to discharge or their admission date. Obviously, a defendant will typically be tested more times the longer s/he is in MDC. For the full evaluation in late 2009 or early 2010, defendants' time in MDC will be standardized, and the average number of drug tests during this standardized time period will be reported.

For those defendants tested at least once, there were positive readings indicating drug use an average of 2.5 times per person. Nearly one-third (31%) of those tested had no positive readings, and the remaining two-thirds tested positive an average of 18% of all tests. As shown in Table 8, the longer a defendant participated in MDC the less frequently s/he tested positive for illegal drug usage.

⁶ Possible reasons a MDC participant may not have been tested through the Hennepin County Probation Department as of 6/30/08 include: being new to MDC and not yet tested; being incarcerated or absconded from court supervision, and therefore unavailable for testing; or being involved with in-patient treatment and tested at the treatment program's facilities, which is not reported in probation's database.

**Table 8. Results of Random Urinalyses for Model Drug Court
Participants Who Had at Least One Test***

<i>Number of Quarters in Model Drug Court</i>	<i>Average Number of Tests Per Person</i>	<i>Average Percent Positive Tests Per Person</i>
5 quarters (n=21)	50.43	10.5%
4 quarters (n=36)	32.50	11.3%
3 quarters (n=58)	26.34	16.0%
2 quarters (n=35)	17.00	17.6%
1 quarter (n=34)	6.38	31.5%

*This includes only probation drug testing; drug tests completed in treatment programs are not reported here.

Compliance with Treatment

All defendants are required to successfully complete primary treatment followed by aftercare in order to graduate from Model Drug Court. The type of treatment program is determined by the results of the chemical health assessment. According to the Quarterly Report forms, some defendants were not active in either primary treatment or aftercare during the assessment period. As stated earlier, defendants entered MDC throughout the assessment period, and their participation time has not been standardized in this activity report; some defendants were in MDC for more than 12 months, while others were only active for a short period of time, due to discharge or their admission date. For the full evaluation in late 2009 or early 2010, defendants' time in MDC will be standardized, and their participation in primary treatment and aftercare during this standardized time period will be reported.

As shown in Table 9, although more than two-thirds of the participants (69%) were in primary treatment or aftercare during their *first* quarter of participation in MDC, approximately one-third (31%) were not. This could be due to a number of reasons: Some defendants may have already completed treatment between the date of their offense and acceptance into Model Drug Court; in these situations, the MDC team will ensure that the defendant has an appropriate plan in place for aftercare/relapse prevention. Other defendants may be serving jail time as part of their sentence and not yet have entered a treatment facility. Additionally, if a defendant entered MDC near the end of a quarter, s/he may still have been waiting for a treatment facility opening when data was reported on the Quarterly Report form.

In their *last* quarter of involvement in Model Drug Court during the assessment period (4/1/07 – 6/30/08), nearly half of the participants (48%) were involved in primary treatment or aftercare, and approximately half (52%) were not/no longer involved in treatment or aftercare. Again, this could be due to several individual situations. Defendants may already have completed both primary treatment and aftercare by this time, they may be out of compliance by being absconded from MDC and not attending treatment, or they may be new to MDC and serving time in jail or still awaiting placement in a treatment or aftercare program. ***In any event, before graduating from MDC, treatment and aftercare must be successfully completed.***

Table 9. Treatment Participation During Quarter of Entry Into and Quarter of Exit From Model Drug Court

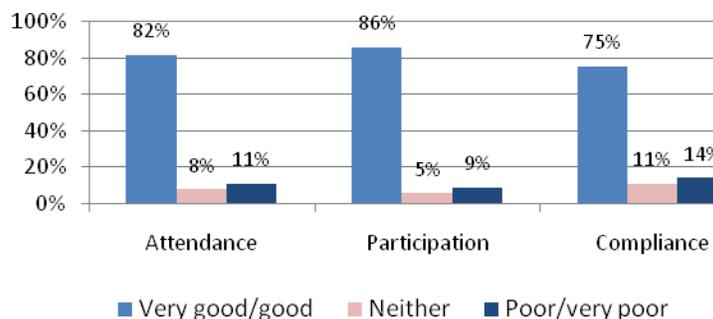
<u>Type of Treatment</u>		First Quarter of Treatment During Assessment Period (4/1/07 – 6/30/08)	Last Quarter of Treatment During Assessment Period (4/1/07 – 6/30/08)
Primary	<i>Count</i>	114	63
	<i>Column %</i>	55.6%	31.0%
Aftercare/Relapse	<i>Count</i>	27	35
	<i>Column %</i>	13.2%	17.2%
Neither	<i>Count</i>	64	105
	<i>Column %</i>	31.2%	51.7%
Total	<i>Count</i>	205	203
	<i>Column %</i>	100.0%	100.0%
Number Missing		1	3

Appendix D lists the treatment programs used by MDC defendants during the assessment period (4/1/07 – 6/30/08). According to the probation officers' ratings, defendants did quite well in treatment with regard to attendance, participation, and compliance. Table 10 and Figure 10 show that in their last quarter of treatment during the assessment period, most defendants had good levels of attendance (82%), participation (86%), and compliance with treatment (75%). Levels of attendance, participation, and compliance did not change significantly from the first quarter of treatment involvement to the last.

Table 10. Performance Ratings in Last Quarter of Treatment Participation During Assessment Period (4/1/07 – 6/30/08)

<u>Treatment Performance Ratings:</u>	Very good	Good	Neither	Poor	Very poor	Total
Attendance	52.7%	29.0%	7.5%	7.5%	3.2%	100.0%
Participation	50.5%	35.5%	5.4%	5.4%	3.2%	100.0%
Compliance	47.3%	28.0%	10.8%	9.7%	4.3%	100.0%

Figure 10. Performance Ratings in Last Quarter of Treatment Participation During Assessment Period (4/1/07 – 6/30/08) (n=93)



Goal 3: Improve community functioning in the areas of employment, education/training and housing.

Employment & Education/Training

Model Drug Court participants are expected to be attending school or working during their involvement in the program - unless they are participating in a treatment program that does not allow them to leave for work or school, or if they have a disability or extenuating life circumstances which prevent them from doing so. Furthering their education and/or becoming employed appears to be an issue for many defendants. As shown in Table 12, nearly a third (29%) of active MDC participants were not in or applying to school, were not working, and were not currently in treatment as of the end of the assessment period (6/30/08). There are several possible explanations other than treatment program requirements why defendants may be unemployed or not in school at some point during their involvement in MDC. Some defendants may be new to MDC and still awaiting a treatment placement, some may be stay-at-home parents, some may be looking for work but are unable to find a job due to the current economic downturn, and some may simply choose to not attend school or work.

Education is generally defined as a goal for those MDC defendants who have not graduated from high school or obtained a GED, or for those who express a desire to further their education or training. However, education may not be defined as a goal for some people without a GED, dependent upon their personal situations; for example, if someone is participating in treatment, if they have a current good job, if they are older, if they have small children at home, if they are physically or cognitively disabled, or if they are mentally ill, additional education may not be a practical or feasible goal.

Education was listed as a goal for slightly more than one-third (36%) of those defendants who were active in MDC - either in or out of compliance – at the end of the assessment period (6/30/08). Of the sixty defendants with education as a goal, twenty-seven (45%) were attending or in the process of applying to school; additionally, eighteen (30%) were in treatment, and six (10%) were working in lieu of attending school. Nine MDC defendants with education as a goal (15%) were not currently in or applying to school, in treatment, or working.

Education was not listed as a goal for nearly two-thirds (64%) of those MDC defendants active as of 6/30/08. Of those defendants, forty-two (38%) were currently in treatment and twenty-seven (25%) were employed. Forty of the MDC defendants who did not have education as a goal (37%) were not currently in treatment, working, or in school. As discussed above, this could be due to such factors as length of time in MDC, serving jail time as a sanction, age, parenting responsibilities, physical or cognitive disabilities, or mental illness.

Table 11. Employment and Education Status for Active, Non-absconded Model Drug Court Defendants at End of Assessment Period (6/30/08)

Status		Education a goal	Education not a goal	Total
In treatment	Count	18	42	60
	Column %	30.0%	38.5%	35.5%
Working	Count	6	27	33
	Column %	10.0%	24.8%	19.5%
In/applying to school	Count	27	0	27
	Column %	45.0%	0.0%	16.0%
None	Count	9	40	49
	Column %	15.0%	36.7%	29.0%
Total	Count	60	109	169
	Column %	100.0%	100.0%	100.0%

* Number missing = 2

Housing

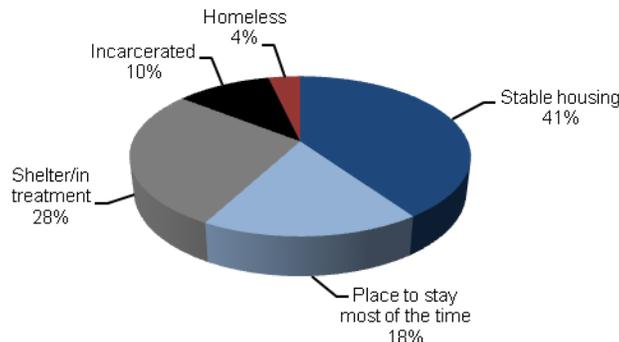
Most defendants (86%) who were active in Model Drug Court - either in or out of compliance - at the end of the assessment period (6/30/08) had stable housing, or at least had a place to stay most of the time (Table 12/Figure 11). A small number (10%) were in jail, and only a few (4%) were considered homeless.

Table 12. Housing Status: Active, Non-absconded Model Drug Court Defendants at End of Assessment Period (6/30/08)

<u>Housing Status</u>	<u>Frequency</u>	<u>Percent</u>
Stable housing	67	40.6%
Most of the time has a place to stay	29	17.6%
Shelter/in treatment	46	27.9%
Jail	17	10.3%
Homeless	6	3.6%
Total	165	100.0%

* Number missing/unknown = 8

Figure 11. Housing Status: Active, Non-absconded Model Drug Court Defendants at End of Assessment Period (6/30/08) (n=165)



* Number missing/unknown = 8

Model Drug Court Defendant Survey Results

Background of Fairness/Procedural Justice Research

Over the last few years, the Fourth Judicial District has been studying fairness in the courts. The series of studies were 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.

The results of prior fairness 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 Research in the Fourth Judicial District

To measure fairness in the courts, the Research Division of the Fourth Judicial District developed litigant surveys, in conjunction with Heuer, Tyler, and Penrod, to be used in several different areas of the court. In the spring of 2003, defendant experience and fairness surveys were conducted with traditional Drug Court defendants. Surveys of Drug Court participants were also conducted by researchers from the MN Supreme Court in the fall of 1998 and by the Minneapolis Department of Health and Family Support in the fall of 1999, shortly after the Fourth Judicial District's Drug Court began operations in 1997.

Research Design for Model Drug Court Defendant Interviews

The 2008 survey of Model Drug Court defendants was designed to measure their perceptions of fairness and access to the court. In addition, the survey included questions designed to elicit information about defendants' personal lives prior to and while involved in MDC, to determine what their motivations were for choosing to participate in the program, and to identify what aspects of MDC are most helpful. A copy of the survey is included in Appendix E.

During August and September of 2008, MDC defendants were interviewed after their appearances on a Judicial Review Calendar, prior to their appearances if they were in custody on the date of their Judicial Review, or at the Adult Corrections Facility if they were being sanctioned. They were informed that their responses were confidential and that all information would be reported in the aggregate only. This ensured that no one on the MDC Team would be able to tie a response to an individual.

One hundred thirty-seven Model Drug Court defendants agreed to complete a survey. At the time the surveys were conducted, 174 of the 206 MDC defendants included in the Annual Report data were available to be surveyed⁷, resulting in a response rate of 79%, which is very good.

Survey Results: Background Data

Demographics

The gender and race of the 137 MDC participants surveyed were very similar to that of the full sample of the 206 offenders who entered MDC between April 1, 2007 and June 30, 2008.

Life Changes Since Entering Model Drug Court

Employment

Approximately the same percentage of defendants surveyed reported being employed prior to entering MDC (36%) as at the time of the interview (37%), although the specific individuals employed may have shifted.

Education

As shown in Table 13, one-third (34%) of the defendants completing a survey had a high school degree prior to entering Model Drug Court, slightly more than one-third (36%) had some post-secondary education (trade school or college), and slightly less than one third (30%) had not completed high school. At the time they were surveyed, nineteen defendants (14%) were currently in school – ten (7%) were in high school or working on their GED, two (1%) were in trade school, and seven (5%) were in college.

⁷ Only those defendants who were on 'Active and In Compliance' or 'Active but Not in Compliance' status during the survey period were considered eligible to be interviewed. Defendants who had already graduated, had been discharged, or were absconded from court supervision during August and September 2008 were excluded from the total number available to interview.

The shaded areas below are those where some educational success can be seen – defendants who are currently working to advance their education or those who have already obtained at least a high school degree (79% of those surveyed). Twenty-one percent of those surveyed had not graduated from high school and were not in school at the time of the interview. However, they may have been in treatment, already employed, or furthering their education may not have currently been a practical goal, as mentioned earlier.

Table 13. Education Status

Before Model Drug Court, how much school had you completed?		What level of school are you in now?				
		None	High school/GED	Trade school	College	Total
Some/less than high school	<i>Count</i>	29	10	0	2	41
	<i>% of Total</i>	21.2%	7.3%	0.0%	1.4%	29.9%
High school graduate/GED	<i>Count</i>	44	0	1	1	46
	<i>% of Total</i>	32.1%	0.0%	0.7%	0.7%	33.5%
Some trade/vocational school	<i>Count</i>	3	0	1	0	4
	<i>% of Total</i>	2.2%	0.0%	0.7%	0.0%	2.9%
Trade school graduate	<i>Count</i>	7	0	0	1	8
	<i>% of Total</i>	5.1%	0.0%	0.0%	0.7%	5.8%
Some college	<i>Count</i>	26	0	0	3	29
	<i>% of Total</i>	19.0%	0.0%	0.0%	2.2%	21.2%
College graduate	<i>Count</i>	9	0	0	0	9
	<i>% of Total</i>	6.6%	0.0%	0.0%	0.0%	6.6%
Total	<i>Count</i>	118	10	2	7	137
	<i>% of Total</i>	86.2%	7.3%	1.4%	5.0%	100.0%

Parenting

Nearly two-thirds (61%) of the defendants surveyed had at least one child under the age of 18. Of those defendants with children, nearly half (45%) did not live with those children prior to entering Model Drug Court (Table 14). However, by the date they were interviewed, over half of these same defendants had more contact with their children. Nine of the thirty-seven defendants (24%) who did not live with their children prior to MDC were now living with their children, and eleven (30%) of those who did not live with their children prior to MDC still did not live with their children, but were seeing them more often. Of those defendants who lived with their children prior to entering MDC, two-thirds (67%) still lived with them; one-third (33%) no longer lived with their children.

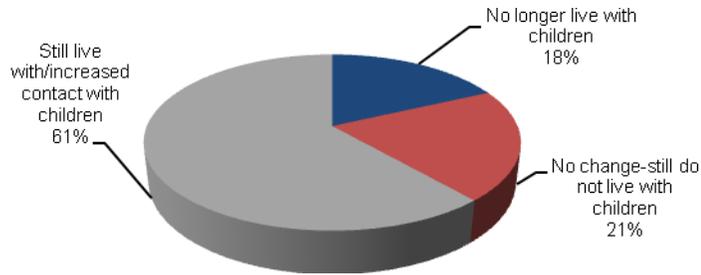
Figure 12 and the shaded areas in Table 14 show that more than 60% of the MDC defendants surveyed have maintained or increased their level of interaction with their children – 48% are currently living with their children and 13% still do not live with their children, but are seeing them more than before entering MDC.

Table 14. Change in Parenting Status During Model Drug Court Involvement

Did your children live with you before Model Drug Court?		Do your children live with you now?			
		Yes	No, but see them more	No	Total
Yes	Count	31	1	14	46
	Row %	67.4%	2.2%	30.4%	100.0%
	% of Total	37.3%	1.2%	16.9%	55.4%
No	Count	9	11	17	37
	Row %	24.3%	29.7%	46.0%	100.0%
	% of Total	10.8%	13.3%	20.5%	44.6%
Total	Count	40	12	31	83
	Row %	48.2%	14.5%	37.3%	100.0%
	% of Total	48.2%	14.5%	37.3%	100.0%

* Number missing = 1

Figure 12. Change in Parenting Status During Model Drug Court Involvement (n=83)



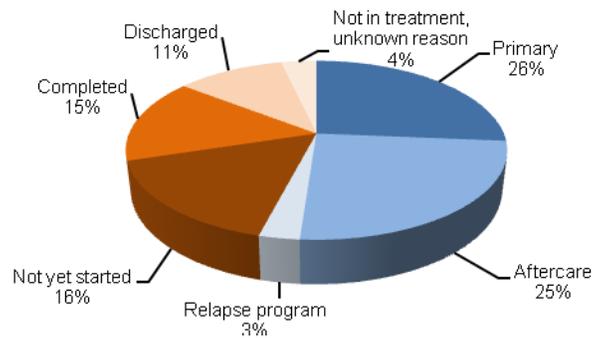
Treatment Status

As shown in Table 15/Figure 13, about half of the defendants surveyed (54%) reported being in treatment of some sort (primary, aftercare, or a relapse program) on the date they were interviewed. Sixteen percent had not yet started treatment, 15% had completed treatment, and 11% had been discharged from treatment (for example, due to compliance, participation, or attendance issues).

Table 15. Treatment Status on Date of Interview

Are you currently in treatment?	Frequency	Percent
Yes, primary	36	26.3%
Yes, aftercare	34	24.8%
Yes, relapse program	4	2.9%
No, completed treatment	21	15.3%
No, not yet assigned to treatment provider	22	16.1%
No, discharged	15	10.9%
No (unknown reason)	5	3.6%
Total	137	100.0%

**Figure 13. Treatment Status on Date of Interview
(n=137)**



Nearly all (94%) of the 74 defendants who reported being in treatment on the date of the interview felt that the treatment program was helping them to stop using drugs and/or drinking. Park Avenue (35%) and RS Eden (34%) were the two most commonly reported current treatment programs.

Mental Health Issues

Two-thirds of the defendants surveyed (66%) did not feel that they had any mental health or trauma issues. Approximately one-fourth (26%) stated that they had mental health/trauma issues and were receiving help for them. A small percentage of defendants (7%) were not receiving the help they felt they needed for their mental health/trauma issues. A full listing of what those defendants felt would be helpful for them regarding their mental health/trauma issues can be found in Appendix F, but can be summarized as needing psychiatric help and proper medication.

Reasons for Participation

Since MDC is a voluntary program, survey respondents were asked what their primary reasons were for deciding to participate. Defendants were able to list *all* the reasons they chose to enter the program. Avoiding jail and getting sober were the two most common reasons defendants selected for why they chose to participate in MDC (61% and 60%, respectively). Half of the defendants surveyed (50%) also said they entered MDC to get into a treatment program. When asked to pinpoint the biggest reason for participation, defendants were evenly split between avoiding jail (32%) and getting sober (32%).

When asked if a defendant's reasons for being involved in MDC had changed over time, many said yes, and gave a range of explanations. For example:⁸

- "A lot changed. More confident in myself. Feels good to drop a clean UA. Feels good to have judge know you and be proud of you."
- "To avoid jail no longer important. Opportunity to get the help I need is important. Was in old Drug Court too – this one gives more chance to succeed. Is more well-rounded."
- "I enjoy my sobriety now, enjoy my health."

Most Important Components

When asked what aspects of Model Drug Court were most responsible for keeping them sober, six out of ten defendants chose "judicial reviews/accountability to judge". This is consistent with prior national research on Drug Courts, which has reliably found that accountability to the judge is key to sobriety (Cissner and Rempel, 2005). Equally, six out of ten also said that drug testing helped to keep them sober. Other top responses to this question were treatment (53%), meetings with probation (51%), and the threat of jail (50%).⁹

When asked to choose the one thing about MDC that has helped them the most, treatment (23%), judicial reviews/accountability to judge (17%), drug testing (15%), and "other things" (15%) were the most common responses. The "other things" that were most helpful to defendants in maintaining their sobriety are as follows:

- **Family/Support Network:** "My kids.", "My son.", "Wife and kids. Own desire to stay sober.", "My support network.", "Kids in child protection – trying to get them back."
- **Self:** "Myself.", "Desire to be sober; relationship with God.", "Feeling of accomplishment, change of attitude.", "Tired of that lifestyle.", "Being in recovery.", "Start whole new life."
- **Outside Support Systems:** "Community services; meetings (AA).", "Hearing how serious drugs affect lives.", "Methadone.", "The judge and how he treats people."

Respondents gave a variety of responses when asked if there are characteristics of the Model Drug Court program which are more helpful to them now than when they first entered the program. For example:

- "I just look forward to seeing the judge. He just makes you feel good about when you're doing good."
- "Being able to speak with my counselors when I need to talk to them."
- "By me having all that structure. Can't just do whatever I want. Need a little structure to keep focused."
- "Just relationship I have with my P.O."
- "Yes. The 'not getting away with it' part. Not getting away with using. Need to take treatment and sobriety seriously."

⁸ Open-ended responses to these questions appear in the appendices of this report.

⁹ Multiple responses were possible.

Survey Results: Fairness Data

The remainder of the survey was dedicated to questions regarding procedural justice (i.e., fairness). In short, Model Drug Court participants were asked to rate several of the MDC Team players on issues of fairness, rating each team member based on how the defendant believes that person treats him/her. In addition, defendants were asked to give their opinions about overall access to the Fourth Judicial District court system as a whole.

Overall results for the fairness questions appear in Table 16 below. Survey respondents were asked to rate a number of statements about specific Model Drug Court Team members on a 1 to 9 scale, with 1 being “strongly disagree,” 9 being “strongly agree,” and 5 being “neutral.” The judge, probation officers, and treatment counselors were all rated quite highly by the MDC participants; none of these team members averaged lower than 7.89 out of a possible 9.00 on any item. The highest rating across all team members was for the question, “I understand what the _____ tells me to do”; the judge, probation officers, and treatment counselors all averaged higher than 8.30 on this item.

Table 16. Fairness Scores

Fairness Indicators	Model Drug Court Judge	Model Drug Court Probation Officers	Treatment counselors
Keeps cases moving along quickly.	7.89 (n=137)		
Treats me fairly.	8.00 (n=134)	7.99 (n=135)	8.16 (n=87)
Listens carefully to what I have to say.	8.07 (n=135)	7.99 (n=134)	8.07 (n=87)
I understand what the ____ tells me to do.	8.33 (n=136)	8.57 (n=133)	8.34 (n=87)
Overall, I am satisfied with how I have been treated by the _____.	8.04 (n=134)		
The _____ is helping me with my problems.			7.97 (n=87)

Survey Results: Access Data

As part of a statewide effort to elicit information about court users’ perceptions regarding access and fairness in the state court system, the Fourth Judicial District recently conducted Access and Fairness surveys throughout its court system. As part of the Model Drug Court defendant survey, several questions were included to determine respondents’ feelings about access to the Hennepin County Courthouse.

All average ratings for the access items appear in Table 17. Survey respondents were asked to rate a number of different statements on a 1 to 9 scale, with 1 being “strongly disagree,” 9 being “strongly agree,” and 5 being “neutral.” One question with negative wording, “There are usually long lines at security/weapons screening on the main level of the building”, was reverse coded for consistency.

Overall, respondents gave very high ratings to the questions regarding access to the court – except for the security/weapons screening question, all average ratings were 7.50 or higher. The question regarding long lines at the security/weapons screening was very close to ‘neutral’ (5.10), meaning that on average, respondents didn’t feel strongly either way.

Table 17. Access to the Court Questions: Average Scores Reported on a Scale of 1 - 9

Access Questions	Average Rating
Finding the courthouse the first time was easy.	8.25 (n=136)
I feel safe in the courthouse.	8.44 (n=137)
I am usually able to get my court business done in a reasonable amount of time.	7.50 (n=137)
I am treated with courtesy and respect by court employees.	8.13 (n=136)
I can easily find the courtroom or office I need.	8.63 (n=137)
The court’s hours of operation make it easy for me to do my business.	7.64 (n=136)
There are usually long lines at security/weapons screening on the main level of the building. (reverse coded)	5.10 (n=136)

Survey Results: Additional Services Needed

Respondents were asked to identify *all* other services not currently part of Model Drug Court that they felt they could benefit from. The most frequent responses were help finding a job (39%) and help with transportation (26%). Table 18 lists all the service options given to respondents along with the percentage of respondents who felt that service would be helpful to them.

Table 18. Services Not Currently Part of Model Drug Court That Respondents Would find Useful¹⁰
(n=136)

<u>Service:</u>		
Help finding a job	Count	43
	% of respondents	(39.1%)
Help with transportation	Count	35
	% of respondents	(25.7%)
Help with housing	Count	24
	% of respondents	(17.6%)
More contact with probation officer	Count	24
	% of respondents	(17.6%)
A different treatment program	Count	23
	% of respondents	(16.9%)
Counseling (depression, anxiety, grief)	Count	21
	% of respondents	(15.4%)
Help with child custody	Count	20
	% of respondents	(14.7%)
Help with education	Count	20
	% of respondents	(14.7%)
Help with childcare	Count	15
	% of respondents	(11.0%)

¹⁰ Multiple responses were possible.

Survey Results: Defendant Feedback

Most Fourth Judicial District fairness surveys conclude with two questions that address possible improvements to be made to the court in question. These final questions often provide some of the most useful feedback, especially in terms of making structural changes to courtroom processes.

Respondents were first asked if they would recommend Model Drug Court to a friend in a similar situation. All responses are listed in Appendix I. The majority of defendants' responses indicated that they *would* recommend the program to a friend who was in their situation (79%). Nine percent of the respondents who answered this question indicated that they *would not* recommend Model Drug Court, and twelve percent said it would depend on the situation. Examples of defendants' responses to this question are as follows:

- “Yes. Positive alternative for those who struggle with drug abuse. Find new identity other than "drug user" or "drug seller". Get out of "the life"- break free from that life and become a new person.”
- “Yes. Opportunity to not go to prison or jail. Chance to get life back on track.”
- “Yes. It's something that if you accomplish it, it won't just help you then, it'll help you in the long run too.”
- “To certain extent- all up to him if he wants to live in his misery or change his life.”
- “Depends on what they're facing. It's a thorough program, helps people get sober. If they want to get sober, but not if they can't deal with it.”
- “Absolutely not. They can drug test you three times a week, if you have no license it's up to you to get to Minneapolis three times a week, not including meetings, AA, treatment. It's unrealistic expectations to expect someone with no license to come from suburbs. Sets people up to fail. It's good that they get this feedback on surveys like this.”
- “No. Because I think Drug Court is not totally fair. Ignorance of not knowing about addiction. All they know is "you use, you go to jail". Government needs to spend money to train them in addiction. Like if you were going to work with handicap person and have to learn what they need. An addict is kind of like a handicapped person.”
- “No. They expect a ridiculous amount of accountability. If you slip up once you get in a lot of trouble. Might as well go to jail.”

Finally, respondents were asked if there was anything else they could think of that might improve Model Drug Court. Overall, defendants were very positive about the way MDC is currently functioning. For those defendants who recommended possible improvements to the program, many focused on the time commitment. Others focused on changes they would like to see regarding the MDC team members or services offered. All comments on recommendations to improve Model Drug Court can be found in Appendix J. Some examples of answers to this question are as follows:

- “I was in Drug Court 12 years ago, more accountability now, more options. If it ain't broke, don't fix it. The old way was 'broke'.”
- “Keep on doing what they're doing. Accountability and structure are great.”

- “No, you all are doing the right thing - trying to help people get stability and balance in life.”
- “Start earlier on review days.”
- “Have night court more available to working participants.”
- “Make UA lab open later- would be lot more convenient for employment.”

Conclusions

At the end of its first fifteen months of operation, preliminary results for the Fourth Judicial District’s Model Drug Court are promising. The program appears to be successful in retaining participants - 89% of those entering were either currently active or had successfully graduated at the end of the assessment period. New conviction rates are relatively low, positive drug tests are decreasing over participants’ time in the program, and most defendants are rated highly on their treatment attendance, participation, and compliance. Nearly two-thirds of those defendants who have children under the age of 18 either live with those children or see them more often than before entering MDC. Defendants’ housing situations are relatively stable as well. Regarding education, nearly 80% of the 137 MDC defendants surveyed in August and September 2008 either already had obtained a high school degree/GED or had at least some education beyond high school. MDC defendants do tend to struggle somewhat with finding and maintaining employment, as well as furthering their education when it is identified as a need.

Aspects of Model Drug Court that are most appealing to potential participants when they are considering whether or not to volunteer for the program include avoiding incarceration, the chance to get sober, and the opportunity for treatment. Once active in MDC, the regular judicial reviews, random drug testing, participation in treatment, and frequent contact with their probation officers - all required for participation in MDC - become very important to participants. They consider these important factors in helping them to remain sober. Overall, Model Drug Court defendants are very positive about their perceived access to the courts, except for their dislike of the sometimes long security lines on the main level of the Hennepin County Government Center. In general, they are very satisfied with the treatment they receive from the MDC judge, their probation officers, and their treatment professionals.

Because Model Drug Court was only fifteen months old at the time of this analysis, and because it takes a *minimum* of one year to complete, this analysis is limited in its view. A full evaluation is due by the end of 2009 or early in 2010. This will allow each of these defendants to have had the time to reach Phase Three, or to graduate and have a full year after graduating from MDC to assess recidivism.

Appendix A. Phase Advancement and Graduation Requirements

The Model Drug Court program is a twelve month program consisting of three phases. Advancement from phase to phase is based on a point system. The number listed to the right of the activities is the maximum number of points that can be earned/accrued for each activity during each phase.

Phase One

All entering participants begin in Phase One. It is the longest and most intensive phase, focusing on stabilization and substance abuse treatment. Each participant is given a color and must call the probation office each day to see if their "color" is called. If so, that participant must come to the UA lab for a urine screen. Acupuncture is offered to all participants but is not required.

Participants are required to:

1. Report as directed to their probation officer once per week. (16 points maximum)
2. Have daily telephone contact with probation. (1 point maximum)
3. Attend court every other week. (8 points maximum)
4. Attend one 12-step meeting per week and select a sponsor. (16 points maximum)
5. Complete a minimum of five hours of community service. (5 points maximum)
6. Find suitable housing. (1 point maximum)
7. Secure employment or attend school. (1 point maximum)
8. Remain crime free. (16 points maximum)
9. Submit to all random urine screens. (19 points maximum)
10. Attend treatment sessions. (16 points maximum)
11. Petition for advancement to Phase Two.

Phase Two

Participants in Phase Two are required to:

1. Have 85 points to advance to Phase Two.
2. Report as directed to their probation officer every other week. (8 points maximum)
3. Have daily telephone contact with probation. (1 point maximum)
4. Attend one 12-step meeting per week; maintain sponsor; attend aftercare as required. (16 points maximum)
5. Complete a minimum of five hours of community service. (5 points maximum)
6. Submit to all random urine screens. (19 points maximum)
7. Remain drug and alcohol free. (16 points maximum)
8. Attend court every third week. (5 points maximum)
9. Maintain employment. (16 points maximum)
10. Participate in required intervention i.e. cognitive-behavioral group, school or relapse prevention. (16 points maximum)
11. Petition for advancement to Phase Three.

Phase Three

Participants in Phase Three are required to:

1. Have 172 points to advance to Phase Three.
2. Have daily telephone contact with probation. (1 point maximum)
3. Attend court once a month. (4 points maximum)
4. Attend one 12-step meeting per week; maintain sponsor, and aftercare as required. (16 points maximum)
5. Report as directed to their probation officer every other week. (8 points maximum)
6. Submit to all random urine screens. (8 points maximum)
7. Perform a minimum of 5 hours of community service. (5 points maximum)
8. Remain crime free. (16 points maximum)
9. Maintain employment. (16 points maximum)
10. Participate in required intervention i.e. cognitive-behavioral group, school, or relapse prevention. (16 points maximum)
11. Petition for graduation

To graduate, the participant must have:

1. Paid all fines and costs.
2. Performed all community service.
3. Remained drug and alcohol free for a period of 120 days prior to graduation.
4. Have accumulated at least 248 points.

Appendix B. Grounds for Termination from Model Drug Court

The following is not an all-inclusive list of the reasons for termination from the Hennepin County Model Drug Court.

Participants **shall** be terminated from the program for the following reasons:

1. Charged with a disqualifying offense while in the program.
2. Charged with an offense involving the use of a gun while in the program.
3. Charged with a 1st or 2nd Degree Controlled Substance Crime.

Participants **may** be terminated from the program for the following reasons:

1. Tampering with urine samples is a serious violation and may result in termination. The minimum sanction for tampering is 45 days in jail.
2. Convicted of an offense involving dealing or selling illegal drugs.
3. Violence to staff, participants or property.
4. Threats or gestures of violence to staff, participants, or property.
5. Absconding from the program for more than 30 days.

During 3rd Quarter 2007 (July 1 through September 30), many times has the defendant....

	0	1	2	3	4	5	6	7	8	9 or more
Missed a court appearance (gotten a bench warrant)?	<input type="checkbox"/>									
Been convicted of a felony offense?	<input type="checkbox"/>									
Been convicted of a gross misdemeanor offense?	<input type="checkbox"/>									
Been convicted of a misdemeanor, non-traffic offense (include DUI here)?	<input type="checkbox"/>									

# of time person has been tested using urinalysis:	# of times person has tested positive (or diluted) using urinalysis:
<input type="text"/>	<input type="text"/>

Is defendant currently in primary treatment or aftercare treatment?

- Primary Aftercare/Relapse Neither

Where is defendant currently in treatment? (Leave blank if not in treatment.)

Month/Day/Year of start of treatment (Leave blank if not in treatment.):

How well is defendant complying with Treatment? (Leave blank if not in treatment.)

	Very Good	Good	Neither	Poor	Very Poor
Please rate the defendant's attendance at treatment.	<input type="checkbox"/>				
Please rate the defendant's participation in treatment.	<input type="checkbox"/>				
Please rate the defendant's compliance with treatment.	<input type="checkbox"/>				

Has defendant been employed during this quarter?

- Yes No Unemployable

Has employment changed during last quarter?

- Yes, employed. Yes, no longer employed No change

Is education a goal for this defendant?

- Yes No

What is the defendant's education status during this quarter? (Leave blank if not a goal.)

- Participating in school Applied to school No longer in school No change - not in school Other _____

What is the housing status for this defendant during this quarter?

- Stable housing Most of the time has a place to stay Lives at a shelter/In treatment Is homeless
 Other

Any other issues we should know about this individual:

Appendix D. Treatment Programs Used by Model Drug Court Defendants

During the time period April 1, 2007 – June 30, 2008, Model Drug Court defendants participated in a variety of treatment, aftercare, and relapse prevention programs, as listed below.

Treatment programs selected by Model Drug Court program to provide treatment services and serve on the Drug Court Team:

African American Family Services
Chrysalis – a Center for Women
Eden Men’s Program
Eden Women’s Program
Park Avenue
Recovery Resource Center
Salvation Army Beacon Program

Other Treatment, Aftercare, and Relapse Prevention Programs:

African American Men Project
Community Addiction Recovery Enterprise – Willmar
Correctional Transition Services, Inc.
Create, Inc.
Dakota County Methadone Treatment Center
The Emily Program (Eating Disorder Clinic)
Fairview Behavioral Services
Fairview Recovery Services
First Nations Treatment Center
Hazelden
House of Charity
Jepson Day Treatment Program, Hennepin County Medical Center
Mash-ka-wisen Treatment Center
Minnesota Teen Challenge
New Guidance Counseling Clinic
Nuway House
Prodigal House
River Ridge Treatment Center – Minnetonka
Specialized Treatment Services, Inc.
Telesis – Hennepin County ACF
Twin Town Treatment Center
Turning Point
Vinland Center
Wayside House, Inc.
Women’s Recovery Center

Did your children live with you before drug court?

- Yes No Some lived with me, some did not Not yet born

Do your children live with you now?

- Yes, same as before Yes, but this is new No, but I see them more
 No, nothing has changed No

Are you currently involved in an open child protection case?

- Yes No Don't know

Why did you choose to enter the drug court program (check all that apply)?

<input type="checkbox"/>	My PO said I should do it	<input type="checkbox"/>	A Judge said I should do it	<input type="checkbox"/>	My lawyer said I should do it
<input type="checkbox"/>	To avoid jail	<input type="checkbox"/>	To get into a treatment program	<input type="checkbox"/>	My family encouraged me
<input type="checkbox"/>	To renew broken relationships (family, friends, etc.)	<input type="checkbox"/>	To get sober	<input type="checkbox"/>	Other _____

If you had to pick one thing that was the biggest reason you entered drug court, which would it be?

<input type="checkbox"/>	My PO said I should do it	<input type="checkbox"/>	A judge said I should do it	<input type="checkbox"/>	My lawyer said I should do it
<input type="checkbox"/>	To avoid jail	<input type="checkbox"/>	To get into a treatment program	<input type="checkbox"/>	My family encouraged me
<input type="checkbox"/>	To renew broken relationships (family, friends, etc.)	<input type="checkbox"/>	To get sober	<input type="checkbox"/>	Other _____

Have your reasons for staying in drug court changed at all while you have been in the program? Please explain.

What about drug court is most helpful to you in keeping you sober? (check all that apply)

<input type="checkbox"/>	Judicial reviews/accountability to judge	<input type="checkbox"/>	Hearing other people's stories at judicial reviews	<input type="checkbox"/>	Drug testing
<input type="checkbox"/>	Meetings with probation (at office)	<input type="checkbox"/>	Treatment	<input type="checkbox"/>	Threat of jail
<input type="checkbox"/>	Threat of other sanctions	<input type="checkbox"/>	Incentives (medallions, bus cards, verbal praise)	<input type="checkbox"/>	Other _____

If you had to choose one thing about drug court that has helped you the most, which would it be?

<input type="checkbox"/>	Judicial reviews/accountability to the judge	<input type="checkbox"/>	Hearing other people's stories at judicial reviews	<input type="checkbox"/>	Drug testing
<input type="checkbox"/>	Meetings with probation (at office)	<input type="checkbox"/>	Treatment	<input type="checkbox"/>	Threat of jail
<input type="checkbox"/>	Threat of other sanctions	<input type="checkbox"/>	Incentives (medallions, bus cards, verbal praise)	<input type="checkbox"/>	Other _____

Are there characteristics of the program which are more helpful to you now than when you started? Please explain.

Please tell us how much you agree or disagree with the following statements with regard to Judge Barnette.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
The judge keeps cases moving quickly.	<input type="checkbox"/>								
The judge treats me fairly.	<input type="checkbox"/>								
The judge listens carefully to what I have to say.	<input type="checkbox"/>								
I understand what the judge tells me to do.	<input type="checkbox"/>								
Overall, I am satisfied with how I have been treated by the judge.	<input type="checkbox"/>								

Do you have any more comments about Judge Barnette?

Who is your drug court probation officer?

- | | | |
|------------------------------------------------------------------------------------------------|-----------------------------------------|------------------------------------------|
| <input type="checkbox"/> Alyssa Walswick | <input type="checkbox"/> Derrick Carter | <input type="checkbox"/> Marc Reed |
| <input type="checkbox"/> Melissa Toavs | <input type="checkbox"/> Stacy Pratt | <input type="checkbox"/> Valerie Estrada |
| <input type="checkbox"/> I am not supervised by any of the drug court PO's (skip next section) | <input type="checkbox"/> Cortney Foster | |

Please tell us how much you agree or disagree with the following statements with regard to your drug court probation officer.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
The probation officer treats me fairly.	<input type="checkbox"/>								
The probation officer listens carefully to what I have to say.	<input type="checkbox"/>								
I understand what the probation officer tells me to do.	<input type="checkbox"/>								

Do you have any more comments about your drug court probation officer?

Please tell us how much you agree or disagree with the following statements with regard to the drug court prosecutor.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
The prosecutor treats me fairly.	<input type="checkbox"/>								
The prosecutor listens carefully to what I have to say.	<input type="checkbox"/>								
I understand what the prosecutor tells me to do.	<input type="checkbox"/>								
The prosecutor keeps cases moving along quickly.	<input type="checkbox"/>								

Do you have any more comments about the drug court prosecutor?

Please tell us how much you agree or disagree with the following statements with regard to the drug court defense attorney.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
The defense attorney treats me fairly.	<input type="checkbox"/>								
The defense attorney listens carefully to what I have to say.	<input type="checkbox"/>								
I understand what the defense attorney tells me to do.	<input type="checkbox"/>								
The defense attorney keeps cases moving along quickly.	<input type="checkbox"/>								

Do you have any more comments about the drug court defense attorney?

Are you currently in treatment? (Not including AA or NA. Skip next section if not currently IN treatment.)

- | | | |
|-----------------------------------------------|--------------------------------------------------|---------------------------------------------------------------------|
| <input type="checkbox"/> Yes, primary | <input type="checkbox"/> Yes, aftercare | <input type="checkbox"/> Yes, relapse program |
| <input type="checkbox"/> No | <input type="checkbox"/> No, completed treatment | <input type="checkbox"/> No, not yet assigned to treatment provider |
| <input type="checkbox"/> No, I was discharged | | |

Name of most recent treatment program(s):

Is this treatment program helping you to stop using drugs and/or drinking? (leave blank if not in treatment)

- | | | |
|------------------------------|-----------------------------|---------------------------------------|
| <input type="checkbox"/> Yes | <input type="checkbox"/> No | <input type="checkbox"/> Not sure yet |
|------------------------------|-----------------------------|---------------------------------------|

(Ask only if currently in treatment)

Please tell us how much you agree or disagree with the following statements with regard to the counselor you see the most at your treatment program.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
The counselor treats me fairly.	<input type="checkbox"/>								
The counselor listens carefully to what I have to say.	<input type="checkbox"/>								
I understand what the counselor tells me to do.	<input type="checkbox"/>								
The counselor is helping me with my problems.	<input type="checkbox"/>								

Do you have any more comments about your treatment counselor?

Please tell us how much you agree or disagree with the following statements with regard to access to the court.

	Strongly disagree 1	2	3	4	Neutral 5	6	7	8	Strongly agree 9
Finding the courthouse the first time was easy.	<input type="checkbox"/>								
I feel safe in the courthouse.	<input type="checkbox"/>								
I am usually able to get my court business done in a reasonable amount of time.	<input type="checkbox"/>								
I am treated with courtesy and respect by court employees.	<input type="checkbox"/>								
I can easily find the courtroom or office I need.	<input type="checkbox"/>								
The court's hours of operation make it easy for me to do my business.	<input type="checkbox"/>								
There are usually long lines at security/weapons screening on the main level of the building.	<input type="checkbox"/>								

Do you have any mental health or trauma issues that you need help with?

- Yes, I am receiving the help I need (skip next question)
 Yes, but I am not receiving the help I need
 I do not have any of these issues (skip next question)

What would be helpful for you regarding your mental health or trauma issues? Please explain.

Are there any other services that are not currently part of drug court that would be useful to you? Please explain.

<input type="checkbox"/>	Counseling (depression, anxiety, grief)	<input type="checkbox"/>	Help with transportation	<input type="checkbox"/>	Help with childcare
<input type="checkbox"/>	Help with child custody	<input type="checkbox"/>	Help with housing	<input type="checkbox"/>	Help with education
<input type="checkbox"/>	Different tx program	<input type="checkbox"/>	More contact with PO	<input type="checkbox"/>	Help finding a job

Any other services not listed above:

If you had a friend who was in your situation, would you recommend drug court to them? Why or why not?

In your opinion, is there anything else we can do to improve drug court? Please explain.

Thank you for your time!!

Appendix F. Answers to “What would be helpful for you regarding your mental health or trauma issues? Please explain.”

- Been in custody since Friday and no one's given me my meds for depression. They act like it's an imposition, the nursing staff and the jailers. They just need some kind of training of what people who are on meds go through when not given meds. Treated as inconvenience here.
- Getting to my appointments; actually, setting up appointments with my psychiatrist and therapist. Got out of touch because I was in jail.
- Get the right medication.
- Give me proper housing, proper medication, proper doctor.
- I need my medication, but I'm not going to worry about it. I took myself off it. (My probation officer) made me feel like I was a bad person because I had these issues.
- Need someone to talk to, about what I've been through at Red Lake School shooting. I'll talk to anybody.
- Psychiatrist.
- Referral to mental health clinic.
- Sooner appointments with psychiatrist.
- To talk to a psychiatrist. To get on meds - bipolar.

Appendix G. Answers to “Have your reasons for staying in drug court changed at all while you have been in the program? Please explain.”

- A lot changed. More confident in myself. Feels good to drop a clean UA. Feels good to have judge know you and be proud of you.
- Allows me to come and see guys like this (the speaker at that day’s judicial review) and hear what he’s been through. It’s the network that’s set up here.
- Basically to stay sober and get treatment.
- Because I chose to, not just because of lawyer.
- Because it’s helping me to be a better person. Sometimes you have to be forced to do something even if you don’t want to.
- Because kids in child protection- want to get them back.
- Change from before son was born, so I’d already started to do the right thing.
- Don’t do what I used to do, been clean for 6 months. Got scared because I was on the run, here I am on a bench warrant. I just want to stay clean and do good.
- Family wanting me sober more important. Now I want to go in different direction in my life.
- Giving me good, positive reasons to stay off drugs.
- Got 10 months clean, never had 10 months clean. Me and my family talk now, something never been done before. I work now, not selling drugs, not resentful to police. My life changed, for the better.
- Hasn’t changed - it’s court ordered.
- Have to – P.O. requires. To stay sober.
- Having better relationship with family.
- Opened up door for me, helps keep me motivated to get a job and education.
- I enjoy my sobriety now, enjoy my health.
- I haven’t really done what I’m supposed to do, unfortunately.
- I like being sober. I’m trying it but it’s difficult.
- I want to stay in the program.
- I’m doing it to stay sober now.
- I’ve been maintaining my job. Having trustworthy family members.
- It changed my life and my way of thinking.
- It’s all the same. I can’t go to jail – I have kids.
- It’s different from last time I was in program. Not as many breaks as last time.
- Just doing it for myself and family. The same.
- Just to stay sober and get into treatment.
- Just want to get out of it. I’m doing it to stay sober actually. If I wasn’t in Drug Court I don’t know what would happen.
- Kept me sober, got my life together.
- Looking forward to staying sober.
- Maintain sobriety.
- More about my family now. Not just jail part.
- More for structure and to hold me accountable.
- My kids – to make them strong, be a better father.
- My relationships, every aspect of my life has changed. I have responsibilities now.
- Now I really want to change my life.
- Now want to get and stay sober.
- Now I’m feeling better about things I’m doing.
- So felony drops to misdemeanor – don’t feel like doing four years in prison.

- Stay out of jail.
- Stay sober and stay out of jail.
- Stay sober has become more important.
- Staying sober.
- The fellowship and support of other people. The judge and probation show a lot of support.
- The reasons changed because I'm not using for a period of time. I figured I would do time, I couldn't take it, chose to get high.
- To avoid jail no longer important. Opportunity to get the help I need is important. Was in old Drug Court too – this one gives more chance to succeed. Is more well-rounded.
- To avoid more jail.
- To better myself/my life.
- To get housing.
- To get sober.
- To get/stay sober.
- To keep felony off record and stay sober.
- To stay sober and for family became more important. Feels good to be free of methadone, etc.
- To stay sober, avoid jail.
- Year long program – gotta stay in or do time.
- Yes. I like seeing other people get better, even if they mess up, it's good to see them come back, see them grow.
- Yes. I see a bigger outlet. I see change in me because I'm clean. More reasons to stay clean.
- Yes. I want to be sober and have a better life.
- Yes. I'm just tired of my old ways, try to find something new, stay out of jail.
- Yes. When I got here I wasn't trying to be sober. Now I embrace it.
- Yes. Gives me borders, rules to follow, guidelines – to keep me from falling into unhealthy situations.
- Yes. I'm sober and clean. I've changed my abuse of the opiates.
- Yes. I take my sobriety more seriously.
- Yes. I'm sober now. I have more accountability, life is better. I kind of like Drug Court. I like how they monitor progress and reward you.
- Yes. To be a productive citizen of society.
- Yes. Before – avoid jail. Now – recovery and sobriety.
- Yes. Being sober has changed my life.
- Yes. A lot more accomplished. If I was out there in the world I probably wouldn't be taking GED classes, wouldn't be sober.
- Yes. A lot more responsible. Take more initiative getting things started. It used to be bad, courtroom used to be packed, now I can get out fast.
- Yes. Getting back into structure. I had a job, lost it. More structure now. Life without chemicals.
- Yes. I think it's a positive crutch for me.
- Yes. I'm sober today. I got 3 months clean.
- Yes. I'm to the point now where it's too invasive. Rather just do the time rather than have 33 different things to do.
- Yes. It helped me get clean, now I need to know how to stay clean.
- Yes. My attitude has changed. Elevated vision. Better understanding of addiction. The courts support is great and the people are great.

Appendix H. Answers to “Are there characteristics of the program which are more helpful to you now than when you started? Please explain.”

- Accountability to judge and staff.
- As long as I keep my options open and communicate, I see that people are willing to help.
- Being able to speak with my counselors when I need to talk to them.
- Being held accountable by judge and P.O.
- Better understanding with my P.O. and judge.
- By me having all that structure. Can't just do whatever I want. Need a little structure to keep focused.
- Community service.
- Dealing with life on life's terms. Knowing I don't have to use to function.
- Don't have enough info yet – too new.
- Drug testing and talking with my probation officer.
- Everything about working program instead of getting high.
- Everything, got an apartment now, place to live. Didn't have that before.
- Feedback from judge, other stories, treatment/meetings more meaningful.
- Goes back to beliefs others people have, my P.O. and I are tight, talk every week. Their confidence boosts mine.
- Greater understanding of self. Seeing that people do care.
- Hasn't been much change.
- Haven't changed.
- Hearing stories – the positive and the negative.
- Holding myself accountable.
- I can relate to more people now.
- I go to COGS skill class, didn't have that when I first started. It helps me learn things I didn't realize before.
- I got to be honest and open. As long as I do what I'm supposed to, nothing to worry about.
- I gotta take UA's, I got no choice. Gotta go to treatment. I don't like the treatment program they chose, no options.
- I haven't been to Drug Court in months. Don't know what would help me or what wouldn't at this point.
- I just look forward to seeing the judge. He just makes you feel good about when you're doing good.
- I know the P.O. and judge real well now, it helps to know them and hear positive feedback.
- I'm in staying quiet. It is helpful, I had a recent relapse.
- I've only been here two months. Judicial reviews are helping. Treatment helps a little bit; treatment trying to discipline me more than work with me.
- If I can ever get to treatment, maybe.
- It is good, it's 12 months to allow one to see progress or lack of progress and incentives and sanctions.
- It's a good program, everything about it.
- It's always been helpful.
- It's got me thinking about what I need to do. Changed over the last two years. Been doing things the proper way now. Given me different outlook on life.
- It's the same to me.

- The judge – didn't really know him – seeing that he's not against us. Prefer to help instead of send to jail. But don't push him.
- Just getting used to it – the judge is really helpful!
- Just keep my mouth shut, do what they say.
- Just relationship I have with my P.O.
- Just the combination of all things put together. Positive support here, no shaming.
- Just the same.
- Listening to other people's stories.
- Look forward to them thanking me for doing the right thing.
- Meeting my P.O., I look forward to it.
- Meeting new people in sober network.
- Meetings with my P.O.
- Meetings with probation.
- More tools for recovery – better perspective and handle on recovery process.
- Motivation from judge.
- My counselor at (treatment program), staying focused on me, calling me and my P.O. If I have a problem, I call and they (the counselor) answer.
- Never been to treatment before Drug Court, this was my first treatment, it was very helpful, very structured.
- No. All good.
- No. I do what I need to do to stay out of jail.
- No. Same.
- Nothing's changed.
- Now I just don't get high, it's a big difference.
- Opening up, talking to someone.
- Personally I'm taking it more serious, that's it. Judge and everyone in courtroom, they see me as having motivation to stay sober, that helps too.
- Recognizing my feelings in relapse mode before you relapse.
- Same.
- Seeing judge – very supportive.
- Strength, feeling they trust me and believe me now. If you're an addict, people don't believe you. They care here.
- The accountability piece, that sticks out the most.
- The accountability – because I've been getting high for 27 years, I'm 45 now. I want to stop. Again, sometimes you got to be made to do something.
- The conditions – keep me on my toes. Conditions of going to AA and aftercare keep me on my toes and focused.
- The counselors at group (at treatment).
- The first step in 12 step program and spending family time on Fridays. I learned I don't need drugs or alcohol to get that rush when I was using. I like playing basketball.
- The judicial reviews help keep your accountability level. Except there are too many of them.
- The judge is really understanding and willing to work with you.
- The need to get sober.
- The phases are helpful. But they're too long. I think the whole program is too long. Time consuming. My job puts up with it.
- The random drug testing.
- The review hearings because it's the affirmation of things I'm doing. The good things I'm doing.

- To meet aftercare groups
- Treatment program, it works with your mind. It's not 12-step based, like rational recovery.
- Treatment program. The group meetings, discussing problems.
- UA's – keep me honest. N.A. meetings- thought lame at first- now find invaluable. Doing a little time in sober house helpful before facing the world.
- Was in old Drug Court too, this new Model Drug Court is more helpful. More opportunities.
- When I went to treatment, really worked for me.
- Yes. Last year when I was in (treatment program), I was more determined to stay clean.
- Yes. Helped me focus on getting GED, helped me try to get a job. Helped me look at life in different way.
- Yes. The judge! He really cares about my life.
- Yes. My sister was in Drug Court, still is now. My sister encourages me.
- Yes. The 'not getting away with it' part. Not getting away with using. Need to take treatment and sobriety seriously.

Appendix I. Answers to “If you had a friend who was in your situation, would you recommend Drug Court to them? Why or why not?”

Yes:

- Definitely.
- Definitely. It's very helpful. Gives you reason to stop using drugs. Surround yourself with clean and sober people.
- Definitely. Keeps you surrounded and on path of recovery.
- Depends on if they got a drug case. Yes, it could help you change.
- Exactly, yes without a problem. Because it's a good program. Teach you tools to help you get and stay clean. Instead of just taking easy way out, go to jail, get out and go back to same thing.
- Help you get off the drugs.
- Yes. It helps. It really helps. You got to want it. Have to want sobriety. It's all within that one person. For me it's been a long road. I will pound it into their head until they get it.
- Sure.
- Versus prison? I guess I would. It'll get them sober- number one priority.
- Yes, because they're willing to help.
- Yes, because I think if it wasn't Drug Court, I'd be in jail.
- Yes, I have. Being put in situation where you have to face new problems makes you decide to change.
- Yes, if he wants to get clean and get life back on track, it helps. Like the sign says in courtroom, "Drug Court works."
- Yes. Because it helped me, I think it'll break them. I been here since 2003, it broke me. If they looking for change, this could be their change here.
- Yes. I believe it works, helps change lives around.
- Yes. It's something that can help you.
- Yes, because it works if they want to be sober. Keeps you accountable. Just because it works.
- Makes you feel good.
- Yes I would. It'll help keep their boundaries set. Not dealing with old people they used to deal with. Give them positive attitude, advance themselves.
- Yes, if they've made up mind to stop drinking and using. Actually, would still recommend even if not ready to quit - might be boost they need to quit and get on with life. That's what happened for me.
- Yes, because it gives structure to do the right things.
- Yes, because it is a helpful way to stay sober. Jail does not help the situation.
- Yes, because it works. If you work, it will work. You have to be willing to put in the effort.
- Yes, because it's ok. It can help change their life around.
- Yes. Beneficial positive environment. Good intentions.
- Yes. It's a good program, it'll get you on your feet. It's turned me around.
- Yes. It's been a positive experience. If you really want sobriety, I recommend it.
- Yes, it's helpful. It helps you do what you got to get done and get help.
- Yes, judge and P.O. seem like they care and work together to try to help you.
- Yes, pretty good program.
- Yes, the resources that are available are good for people.
- Yes, absolutely, it works.
- Yes, another chance at life.

- Yes, because program - they want you to make it. Not just keeping you off streets, they really want you to make it. It's helpful. Don't think I would've made it without Drug Court.
- Yes, good program, hold people accountable.
- Yes, it's a good program. Keeps you out of a lot of trouble. It's hard to screw up Drug Court.
- Yes! Help you get into programs you need. Help with whatever you need. Won't give up on you.
- Great program.
- Yes. Absolutely! Genuinely look out for best interests. Help to turn life around and get back into positive living.
- Yes. Absolutely. Can benefit by Drug Court. Treatment people understand what you're going through. Supportive with issues.
- Yes. Accountability.
- Yes. Alternative to going to prison. Way to get help. A chance to change. If that's what they want.
- Yes. Because the judge is a good dude. You'll be treated fairly rather than jail, chance to change your life.
- Yes. Because everyone deserves a chance. Some people need help and no one there to help them. It's helpful; it helps you find out who you really are, if you pay attention.
- Yes. Because I know for me that as long as I participate it works.
- Yes. Because I think it's a good program, to help get cases dropped. Help in the long run.
- Yes. Because I think it's good. They're compassionate, concerned.
- Yes. Because if you want to get straight it'll help get you on right track.
- Yes. Because it gives structure to try to get their stuff together.
- Yes. Because it helps you stabilize your life and find new meaning for it.
- Yes. Because it helps.
- Yes. Because it keeps me sober. It's consistent and they're fair as far as violations, they're pretty fair.
- Yes. Because it keeps you accountable. More structured, more contact with P.O. and court system on regular basis. The P.O.'s I've worked with try hard and use resources instead of resorting to putting you in jail.
- Yes. Because it will keep them on right track. Plus if you fall off they'll get you right back on track.
- Yes. Because it'll help you. Help you focus on what you need to do. If you got goals, it'll help you achieve those goals. Put your mind to it.
- Yes. Because it's a good program. It'll help keep them sober.
- Yes. Because it's good - it's not like old Drug Court program, it's moderate, helps most people out. Speaking for my family - my sister completed it.
- Yes. Because it's an opportunity to change your life and make better decisions that help you and others.
- Yes. Because it's best way to stay out of jail and change your life at the same time, not very difficult.
- Yes. Because it's helped. Help you from using drugs, staying off streets.
- Yes. Because it's something to hold you accountable. Keeps you on a fine line, if you obey it, it works.
- Yes. Because they're trying to help themselves, this program helps.
- Yes. Because they're willing to work with you, very understanding, there to help.

- Yes. Because without Drug Court person going before straight judge is doing hard time. Drug Court is the best thing that came to Minnesota. I did 8 months before because they didn't have Drug Court.
- Yes. Can't just skate through - can change your life not just do time.
- Yes. Drug Court more lenient than any other court. Supportive - help you to get on your feet.
- They give you chances.
- Yes. Emphatically! Holds accountable. Great support. Great people - caring, compassionate, great programs. Patient. Lenient but not when you mess up. Positive.
- Yes. Get clean, stop the suffering, and stay out of prison.
- Yes. Gives you a chance to do the right thing.
- Yes. Good people to work with. They don't want to see you locked up. Want you to be responsible member of society.
- Yes. Got me sober. Helped me deal with why I got high. Opened my eyes to that there is a better life out there.
- Yes. Have option of wanting to defend your life or remain in the same crap.
- Yes. Helpful in recovery.
- Yes. Helpful.
- Yes. I think it's a good thing. The judge is a really good guy. He's really fair. If someone had my issues that this would be good for them.
- Yes. If opportunity to go to (treatment program) and work on changing self. Better than prison.
- Yes. If they have a problem with drugs it will help but you really have to want to stop using drugs. Any program only as good as person in it. They give you tools but goal has to be reached by you.
- Yes. If they really need help to get off drugs, well this is what helped me.
- Yes. If you have drug issues should get them taken care of. Will help you not hinder you.
- Yes. Intense program. Helps if people do what they need to do.
- Yes. It can be helpful with getting into treatment. Helping you get back on track, remain focused.
- Yes. It gives you a chance at life again.
- Yes. It gives you more options than you would ever think of. Helps as long as you do the right thing.
- Yes. It helps implement structure, if that's needed. Perfect opportunity for second chance. Have the support you need.
- Yes. It keeps you out of jail. Helps you get back on your feet, stay on track.
- Yes. It works!
- Yes. It would help them out - did in my situation.
- Yes. It's a good program. Probation, judge, they keep you on track. It's all good.
- Yes. It's accountability. Helps get you back on track, become responsible.
- Yes. It's better than going to jail.
- Yes. It's helped me, helps me stay out of trouble, sober.
- Yes. It's helpful to get life on track for the most part. Get into a routine.
- Yes. It's helpful to get your life back together.
- Yes. It's helpful; they help you think about things in life. I lost a lot since I got locked up, you just swallow your pride. It'll help in the long run. Just get advice from judge and P.O. and you'll get through it.
- Yes. It's helpful. It's easier to do it with help than on your own.

- Yes. It's something that if you accomplish it, it won't just help you then, it'll help you in the long run too.
- Yes. It's very helpful. More lenient if you follow through with it and stay focused. Keeps you out of jail.
- Yes. It's working.
- Yes. The judge is all about helping people in situations like this. Get help and stay out of prison.
- Yes. Just because when they sent me to (treatment program) it was something I needed. Got to the core.
- Yes. Keeps you accountable. Trust the program.
- Yes. Of course you'd recommend Drug Court instead of going to jail.
- Yes. Opportunity to change your life.
- Yes. Opportunity to not go to prison or jail. Chance to get life back on track.
- Yes. Positive alternative for those who struggle with drug abuse. Find new identity other than "drug user" or "drug seller". Get out of "the life" - break free from that life and become a new person.
- Yes. Positive experience.
- Yes. So he can go right and stay out of jail.
- Yes. So they don't go to jail.
- Yes. Think it works better than prison if you follow program. Keeps you accountable.
- Yes. To save their lives. To save themselves.
- Yes. Maybe it can help them with their situation. Help them get on track.

No:

- Absolutely not. They can drug test you three times a week, if you have no license it's up to you to get to Minneapolis three times a week, not including meetings, AA, treatment. It's unrealistic expectations to expect someone with no license to come from suburbs. Sets people up to fail. It's good that they get this feedback on surveys like this.
- Drug Court makes you want to relapse. Some people might like it. It's not fair.
- No, because you can probably find it in treatment, find a sponsor. Probably treatment is the way to go. This is not a personable way to go.
- No, I would not wish this on anybody.
- No, because it just doesn't seem right. When you get in Drug Court you get a P.O. you can never talk to, or when you do they're just mean.
- No, but I would recommend treatment. Because Drug Court is a lot of consequences, they hold you accountable, some people really have problems.
- No. A lot of responsibility.
- No. Because I think Drug Court is not totally fair. Ignorance of not knowing about addiction. All they know is "you use, you go to jail". Government needs to spend money to train them in addiction. Like if you were going to work with handicap person and have to learn what they need. An addict is kind of like a handicapped person.
- No. Everything about it. Not happy about Drug Court.
- No. The premise of it is cool, but if person wants to stay clean it's a lot for them to go through.
- Waste of tax payer money.
- No. Maybe they'll do something different than what I was doing.
- No. They expect a ridiculous amount of accountability. If you slip up once you get in a lot of trouble. Might as well go to jail.

- Probably not the new Model Drug Court. The old Drug court I would, but not new model. Because judges in old Drug Court gave you a chance, don't lock you up every time you screw up. The judge believes in locking you up for everything.

Maybe:

- Depends on case. If they'd like to avoid lengthy sentence and have self-control, then yes. If sloppy and can't resist heroin, then no. For strong willed people.
- Depends on what they're facing. It's a thorough program, helps people get sober. If they want to get sober, but not if they can't deal with it.
- Depends. If they're an addict, then yes. Because most addicts wouldn't be here (at ACF) if they weren't using. But not if they're not addicts, some people will say they're addicts to avoid jail.
- Don't know. It's tricky.
- I would, but it goes back to the person, if person's not willing, then it's going to help.
- No. Well, I suppose I would instead of going to jail. It's a long process but it all depends.
- Or treatment. That way they get sober, don't lie. If they're not in trouble they should just go to treatment.
- Probably not. It's just a long stressful process. Unless they really got a drug problem, then they should go ahead and take these steps.
- To certain extent - all up to him if he wants to live in his misery or change his life.
- Yes, I guess. Why not - because I need housing. I should've never been kicked out of treatment onto streets. Never should've been kicked from program to streets.
- Yes and no. If going through same thing I am, then yes. But if they just want to get done than just do your time.
- Yes, but only if they were really serious about doing it (getting and staying sober). Otherwise why waste everyone's time.
- Yes, to stay out of jail. No, it takes a toll on personal life.
- Yes, if willing to be sober, otherwise no.
- Yes. I'd recommend it if friend was serious about changing lifestyle.
- Yes. If they're serious about staying clean. If not serious then it's prolonging the situation.

Appendix J: Answers to “In your opinion, is there anything else we can do to improve Drug Court? Please explain.”

- After one year of Drug Court, let people get on with their lives. Maybe six months. Can't keep a full time job coming down here for UA's, meetings, groups. If it was up to me, that's what I think.
- Hard for a person to not work, will eventually go back to crime or to using. Person got to want to quit drugs. Doesn't matter how many times you lock them up. Jail did work for me. That's why they need better screening, learn to work with them. A person in Drug Court, their life stops, their regular 9-5 is not flexible. Especially when you first start job, not going to let you off just to drop
- UA's, but the court wants you to live productive life.
- After treatment, move to another day of the week. No sense to stay on busy day.
- Be a little more authoritative. Put a little more fear into people. This is serious business- a privilege, not a right, to be here.
- Can't think of a thing. It's worked for me.
- Could improve accountability of treatment places. Feel like court doesn't check up on what they're doing - send in people to secretly observe. Was in-patient for 120 days, sometimes only in group 2 hours of the 24. Court needs to know getting their money's worth.
- Doing a good job.
- Drug Court makes you want to relapse. Some people might like it. They just put me in Drug Court, then first mistake, locked up. Now I'm going to be shipped off to Shakopee or workhouse.
- If you miss appearance, go to jail. If you have dirty UA, go to jail. Well, I can understand that if you have a dirty UA. But I haven't had a new case, this is punishment for the same case, stay on probation longer for same stuff.
- Everything's helped me quite a bit.
- Get a new judge.
- Get more options of what treatment center to pick what you want, not what "they" think is good for you.
- Get the P.O.'s to answer their phones more.
- Give more people chances.
- Give us lunch!
- Have more treatment facilities be part of it.
- Have night court more available to working participants.
- Having people be quiet while proceedings are going on. I sit in front row and I can't hear half the time. The judge is good about allowing kids though. Keep up the good work.
- Honestly, no.
- I don't think a diluted UA should be a dirty UA. Think you should just have to take it over, that same day. Get a phone call and have you come back.
- I have not thought about it.
- I think it's good the way it is.
- I think it's pretty good.
- I think it's pretty good. The P.O. comes out to see you, the judge cares about you, becomes like a family.
- I think it's running good.
- I was in Drug Court 12 years ago, more accountability now, more options. If it ain't broke, don't fix it. The old way was "broke".

- If going to have UA "colors", have the frequency be same for everybody. Look at how UA's read; if coming down but come in contact with someone smoking marijuana, might bring level up to "dirty" level.
- It runs good.
- It would be more effective if you start off every week, not every other week. That would have helped me, and more UA's.
- It's a lot of people for judge to have one on one with. Should get to know each other more.
- It's all set, I like Drug Court.
- It's alright to me.
- It's alright.
- It's fine with me.
- It's fine.
- It's going pretty good.
- It's pretty good how it is.
- It's pretty good.
- It's pretty structured. I'm happy with it.
- It's running pretty well.
- It's running smooth.
- Just people that work need to be considered first in court. They expect you to get on track, but have to be late to work, or take day off.
- Just think about the person's personal life. We need to be open to other demands.
- Keep doing what you're doing. Help people live life again.
- Keep on doing what they're doing. Accountability and structure are great.
- Keep up the good work!
- Leave it just like it is.
- Less jail, more treatment.
- Make marijuana not necessary to be tested for.
- Make UA lab open later- would be lot more convenient for employment.
- More funding, they really need it. People work hard to get here and get job done. People work to get here and go to school, but not enough funding for that particular program. They need help.
- More individual basis, instead of being so processed. Not have everyone get the same thing.
- Need more interaction between lawyers and inmates. I didn't get enough time with them. It's pretty good, doesn't take as long anymore (review days). Hard to correct perfection. They really did their research.
- Need to be realistic in what the responsibility they put on individual, go on case by case basis, instead of this blanket stuff, some people can't do certain things.
- Never kick someone out of a program to the streets. Make it so they can go somewhere where they feel safe and are expected to not use.
- Night court on different night, bus cards.
- No, doing good.
- No.
- No, pretty cool. Worked for me. Can't say for others.
- No, it's good.
- No, just keep up the good work.
- No, working great! Serves its purpose - how can you improve on perfection?

- No, you all are doing the right thing - trying to help people get stability and balance in life.
- No, good system.
- No, I think it's pretty good.
- No, it's a good program.
- No, it's ok.
- No. Doing pretty good!
- No. Pretty good the way it is.
- Not at this time.
- Not enough time to tell.
- Not off-hand.
- Offer more job resource opportunities.
- P.O.'s and courts shouldn't be involved in people's personal medical stuff. Makes doctors scared to deal with you.
- Pretty fine.
- People involved in Drug Court really need to believe in Drug Court. I get a vibe from some of them that they really don't care.
- Seems right, the way it is.
- Shorten it based on where they are in their probation or their case, how they're doing in their program.
- Shorten it. To six months or eight months.
- Should have satellite locations. They do a good job for most part, just need to tighten up issues with treatment program. It's like "big me, little you." I was doing fine, got in argument with someone in patient, they said I threatened them. They kicked me out and didn't get my side of the story. Needs to be some kind of board to go in front of before they throw you out, wreck your life. Just a little more attention to detail, it's like they half listen. Like you're not even done talking and they made a decision. Not everyone is bullshitting.
- Speed up length of time in Drug Court.
- Start earlier on review days.
- Start telling people to come at 10:00, not 9:00. Hopefully the judge and prosecutors will come on time.
- The reviews. Once a month, give us a break. Once every two weeks is ridiculous.
- They're doing just fine.
- They're good but need more people who have direct experience with drug addiction.
- Transportation help. Paying for court ordered things, like psych evaluations, especially being on fixed income.
- When people want to execute their time, they shouldn't have to come back and be on papers with a P.O. and can still go through program. Some people are still going to screw up. They're adults, can't make them do stuff, you feelin' me?
- Yes, need funding for transportation and job services for ex-felons and for felons.
- Yes. Sanctions shouldn't be automatically jail, but more of a continuum. Chemical dependency a disease - not appropriate to put in jail for a disease.
- Yes, look more into what treatment facilities are telling their people. What they're telling the courts about residents' progress.

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