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Would Violent Offenders Benefit from Participation in Drug Court?

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Would Violent Offenders Benefit from Participation in Drug Court Programs?

By

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A Thesis Submitted in Partial Fulfillment of the

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Would Violent Offenders Benefit from Participation in Drug Court Programs?

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This thesis has been examined and approved by the following members of the student's committee.

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Abstract

The benefits and implications of allowing violent offenders to participate in federally funded drug court programs was studied. Fourteen drug court team members gave their professional opinion about the potential benefits and implications of allowing violent offenders to participate in drug court programs. The survey results showed support for the hypothesis; however, narrative answers showed that the majority of members of the drug court team would not be in favor allowing violent offenders to participate in drug court programs.

Chapter 1: Introduction

For several decades, the U.S. Criminal Justice System's response to illegal drug use was to put people on probation, but this strategy has not been successful in terms of reducing recidivism and stopping drug use (Saum, Scarpitti, and Robbins 2001). In 1989, drug court was introduced as a new response and, as will be reviewed in more detail, has been a much more effective strategy for reducing crime and illegal drug use. Drug court training encourages jurisdictions to design drug courts to meet the needs of their communities; however, there are key components that need to be included, such as, increasing direct supervision of offenders and coordinating community resources (Office of National Drug Court Policy 2010). However, if a drug court receives any type of federal funding, and most do, by federal mandate they cannot admit into drug court any violent offenders or offenders who are currently charged with a violent offense regardless of community need. This includes offenders convicted of crimes such as domestic assault by strangulation, use of a weapon or fire arm, or death as a result of serious injury (Heck, Cary and Roussell 2007).

The federal government imposes consequences for violation of this mandate. Federal Law 42 U.S.C.A. 3797u-2 cites that suspension of grant funding will occur if one or more such violent offenders" are permitted to participate in the drug court program. The provision from the United States Code Annotated as follows:

3797u-1. Prohibition of participation by violent offenders

The Attorney General shall-

(1) issue regulations or guidelines to ensure that the program authorized in this subchapter do not permit participation by violent offenders; and

(2) immediately suspend funding for any grant under this subchapter, pending compliance, if the Attorney General finds that violent offenders are participating in any program funded under this subchapter.

Drug courts offer many benefits to chemical using offenders, such as individual and group counseling, relapse prevention, general health education, housing, and cognitive behavioral therapy (Drug Court Standards Committee 1997). It can be argued that violent offenders would benefit from these services as well.

This study is an exploratory investigation focusing on implications of admitting violent offenders into drug court programs. More specifically, the research questions are: 1) Would violent offenders benefit from being accepted in drug court programs? 2) And if so, how would they benefit? Relatedly, this study will also look at how drug courts would be affected if violent offenders were allowed to participate. Finally, 3) What would be the impact of a drug court accepting a violent offender?

In this study I will assess the expertise of 3 drug court teams located in the Midwest. Their drug courts originated with federal government funding and all still receive some; as such, they do not accept violent offenders as required by the federal government. Since there is little research on this topic, assessments about the impact of admitting violent offenders by different professionals on the team (such as probation officers, treatment providers, prosecutors, defense attorneys and judges) will be compared.

In the following chapters, I will describe what a violent offender is and discuss theories related to violent crime, define what drug court is and its effectiveness, discuss the relationship between violent crime and drug use, and finally, investigate potential benefits of allowing violent offenders to participate in drug court programs.

Chapter Two: Why do People Commit Violent Crimes?

There are many intensities of violent behavior, as well as, many different legal definitions. Investigating the motives for violence is important as it could improve the way offenders respond to crime reduction strategies, or in some cases, given proper treatment in lieu of prison. In this chapter I will discuss the following topics: 1) define what a violent offender is, according to federal law; and 2) discuss a sociological theory of violent crime and relevant research. This chapter will conclude with a review of potential benefits and challenges of allowing violent offenders to participate in drug court programs.

Defining Violent Offenders

In the following section I will use the federal definition of a violent offender, as well as, what the state of Minnesota defines a violent offender to be. According to Minnesota Statute 624.712, the definition of a “crime of violence” means a felony conviction for any one of 32 offenses, such as, murder in the first, second or third degree, assault, criminal sex crimes, child endangerment and/or neglect, arson, and terroristic threats.

According to Federal Law 42 U. S. C. A. 3797 u-2 cites the definition of a “violent offender” as follows:

- 1) is charged with or convicted of an offense, during the course of which offense or conduct:
 - (A) the person carried, possessed, or used a firearm or dangerous weapon;
 - (B) there occurred the death of or serious bodily injury to any person; or
 - (C) there occurred the use of force against the person on another, without regard to whether any of the circumstances described in (A) or (B) is an element of the offense or conduct of which or for the person is charged or convicted.

2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

These definitions are very descriptive of a violent offender. However, they only focus on those who have been convicted. Also, there is no discussion on why the violent act happened or the circumstances leading up to it. This is an important aspect as most violent crime does not occur in a vacuum. There are many different definitions, which makes it complicated to implement the restriction for drug courts in different states. Since the focus of this study is the implications of the federal mandate, I will use the federal definition for this study.

A Sociological Theory of Crime

A discussion on theory is important to this study as it will help to explain why people commit violent crimes or abuse substances due to the strain in their lives. Robert Agnew's General Strain Theory argues that strainful circumstances pressure individuals into committing delinquent acts (Agnew 1992). According to the theory, individuals who experience difficulties and stress in their lives may turn to crime as a means for relieving those problems (Froggio and Agnew 2007).

Agnew (1992) suggests that there are a variety of sources of strain that include

- 1) Failure to achieve positively valued goals-a result of the disjunction between aspirations and expectations. This happens when people aspire for wealth and fame, but, lacks the financial and educational resources.
- 2) Disjunction of expectations and achievements-when people compare themselves to peers who seem to be doing a lot better financially or socially.
- 3) Removal of positively valued stimuli-strain may occur because of the actual or anticipated removal or loss of a positively valued stimulus. The loss of this stimulus may lead to criminality.

4) Presentation of negative stimuli-pain inducing social interactions as child abuse and neglect, crime victimization, physical punishment, family and peer conflict and school failure.

According to Agnew (1992) the greater the intensity and frequency of starting experiences, the greater their impact and the more likely they are to cause criminality.

Strain leads to negative emotions that create pressure to change the feeling and crime is one possible response to the negative emotion, Furthermore, with crime being used to reduce or escape from the strain around them, offenders may seek revenge against the source of the strain and alleviate negative emotions through violence (Froggio and Agnew 2007).

According to Slocum (2010), General Strain Theory has recently been used to explain individual patterns of illicit behavior, such as substance abuse and other forms of crime. Strain has also been associated with internalized behaviors that influence substance abuse, and externalized behaviors, such as, violence and property crime. There have been numerous strains that affect crime, including such things as child abuse and neglect, negative experiences at school, peer abuse, and experience with discrimination based on ascribed characteristics like race and ethnicity (Hay and Evans 2006). Furthermore, Agnew and Froggio (2007) found that most strains are categorized as either “subjective” or “objective” and have different outcomes for different individuals. Objective strains are typically disliked by most people; subjective strains are influenced by a range of factors, such as, individual personality traits, goals and values.

There are themes that can be viewed as strains in an individual's life or find their way into an individual's life by way of strain. Following are examples of each of these and how they can contribute to violence. They are 1) social and economic inequality 2) early lifehood experiences 3) illegal substance abuse.

Fajnzylber, Lederman, and Loayza (2003) theorize that violent crime, specifically homicide, can be the result of stagnant economic activity that induces higher homicide rates. They state that a large number of homicides result from economically motivated crimes, such as theft and robbery. They conclude that there is a positive link between socioeconomic inequality and crime, as their research found that homicide victims are generally wealthier than their killers.

Widom, Schuck, and Raskin-White (2006) theorize that early lifehood experiences are a factor in violent behavior. Abused and neglected children learn to be aggressive at an early age because of exposure to violence. There is a general notion that abused and/or neglected children develop maladaptive coping styles that include heavy substance abuse, which in turn, can lead to alcohol dependence, as well as, violent behavior.

Fajnzylber et al. (2003) theorize that illegal drug trade generates high profit and is usually linked to violent conflicts among drug producers and distributors. Intellectual and moral breakdown can also contribute to the acceleration of violent crimes. Research by Felson and Staff (2010) found that there is a connection between chronic drug use, specifically alcohol, and violent offenses. Results suggest that intoxication plays an important role in homicide and sexual and physical assaults. The more intoxicated an offender, the greater effect it had on the violence of the crime. It was also concluded that a greater intoxication level led to a greater chance of personal confrontation and risk.

All of the above stated factors can be described as undesirable events in a person's life that may cause unwanted stress or strain. If *a person is exposed to high levels of strain he or she* may turn to violence and/or substance abuse.

As will be seen, many drug courts provide treatment that will teach people to deal with stressor in their lives. With the help of drug court and the opportunity to better access services

through participation, offenders are able to access opportunities for education and employment, gain assistance in maintaining sobriety, have the chance to stay in the community, and most importantly, offenders are able to learn ways to cope with strain in a healthy and safe way. Offenders would benefit from drug court as they will gain the knowledge and support from the community, as well as, learn appropriate coping techniques for dealing with stress and other negative emotional triggers.

As will be seen in the description of drug courts, there are many accessible services that are important to maintaining sobriety while remaining in the community. Offenders are given the opportunity to learn how to cope with struggles in a safe and healthy manner, as well as, many other beneficial services offered by drug court.

Chapter Three: Drug Court Experience

In this chapter I will cover the following topics: 1) Description and history of drug courts including a review of the key components of drug courts; 2) Effectiveness of drug courts; 3) Relationship between violent crime and drug use; 4) Why violent crime is excluded from drug courts, and; 5) Potential benefits of allowing violent offenders into drug courts. These topics are important to explore as they are the foundation that drug courts are based on and also give direction for future goals and objectives of drug courts around the country.

Description and History of Drug Courts

With the number of drug-related crimes on the rise came the creation of drug courts in 1989 in the form of a pilot program launched in Miami-Dade County, Florida (Office of National Drug Control Policy 2010). According to National Association of Drug Court Professionals (2007), as the number of offenders in the criminal justice system increased, few were identified as having struggles with drug and alcohol abuse; as a result, they were released into the community without referral to community resources for help and treatment. Therefore, later attempts by judges to refer them to treatment oftentimes yielded weak results. This prompted a need for more immediate action for offenders with illegal chemical use and addiction struggles.

As of 2009, there were approximately 2,361 drug courts operating in the United States as well as almost 1,900 other types of Drug Treatment Court programs such as Family Dependency Treatment Court, Juvenile Drug Court and DWI Court (National Institute of Justice 2007). According to Heck and Roussell (2007) eligibility criteria for drug courts differs from state to state and even county to county, however, most programs run along the same continuum of qualifications and disqualifications. Offenders are “screened” on two main factors; risk and need,

but more specifically, are previous criminal history and personal stability, or how well they maintain themselves outside of prison (Heck and Roussell 2007).

Courts base their programs on ten key components as described in The National Association of Drug Court Professionals (1997:3). The 10 components were created with the mission of stopping the abuse of alcohol and other drugs related to criminal activity by providing access to rehabilitation services, alcohol and drug monitoring, and creating a partnership with the community. Each component has a purpose and a performance benchmark. This is important as it allows the drug court team and participant to understand what is expected of them and ensures that the process of drug court participation is carried out swiftly and accurately. (See Appendix A).

There are three main goals of drug courts: 1) Reduce recidivism among participants 2) Reduce substance abuse among participants and 3) Rehabilitate participants to improve their chances of a successful reintegration into society by providing social services such as employment, job training, education, and housing assistance (Franco 2010). According to the National Association of Drug Court Professionals (2007), the mission of drug court is to stop the abuse of alcohol, drugs and other criminal related activity. Oftentimes, in exchange for successful completion of the program, the court will dismiss the original charge, reduce or set aside a sentence, or offer a lesser penalty.

The judge is the central figure on the team as he or she makes all of the decisions regarding the offenders' participation in the program along with input from the drug court team, which generally consists of a Public Defender, County Attorney, Case Manager/Assessor, Treatment

Provider, Probation Officer, Police Officer and Drug Court Coordinator. Participants meet with their probation officer on a weekly basis as well as attend drug court hearings on a weekly basis. Each phase has a key concept and focus such as stabilization and assessment, recovery and responsibility, maintenance of recovery, and reinforcement of a clean and legal lifestyle.

Under the drug court model, judges and other members of the drug court team or planning committee monitor a participant's substance abuse treatment and program compliance and recommend and impose sanctions if offenders fail to comply with the rules of the drug court model (Franco 2010). Some sanctions may include serving community service hours, essay writing, increased drug testing and in serious cases, short-term jail sentences. There are also incentives given to offenders who are following all requirements and recommendations as given by the drug court model and drug court team. Drug courts are unique in that they use the structure of the criminal justice system to ensure continued attendance with treatment.

Drug Courts offer an alternative approach for rehabilitation rather than traditional supervised probation or simply recommending a client to chemical dependency treatment. Drug court offers intensive supervision with random night checks at the offenders home, weekly court hearings or "check-ins" with the judge and drug court team, community support groups, and support for meeting goals, such as employment and GED attainment. In addition, participants attend frequent group treatment sessions each week.

Effectiveness of Drug Court

Drug courts are evaluated for the purpose of determining whether a program is efficient, practical and useful. According to Franco (2010, 12), drug court evaluations have focused on:

- 1) Process of operations, which examines the programmatic details of drug courts that have been implemented, such as, the number of participants, referrals to treatment, and individuals completing the program (drug court graduates).
- 2) Cost saving estimates, which compare the cost of drug court services with the avoided costs of adjudication, incarceration, and cost of continued criminal behavior.
- 3) Impact evaluations, which compare the effectiveness and impact of drug court on the lives of participants with the outcomes of similar drug offenders processed through traditional courtrooms by looking at new factors such as recidivism, substance abuse, and employment.

One type of evaluation, process of operations, can be beneficial as they view the program and its activities. However, one of the downfalls of this assessment is that it does not include the benefits or possible outcomes of allowing violent offenders to participate in drug court programs.

The second focus, cost savings, has been found to be beneficial. According to Krebs, Lindquist, Koetse, and Lattimore (2007), at a time when budgets are stretched, it is possible that drug courts may yield a number of societal and criminal justice system benefits in terms of cost saving and public safety. It has been found that drug court programs cost much less than the cost of incarceration in prisons and jails. According to Logan, Hoyt, McCollister, French, Leukefeld and Minton (2004) who conducted an evaluation similar in size to a Western drug court found that the average cost of an arrest, adjudication and conviction cost \$7458, incarceration costs for jail are \$26.30 per day and incarceration costs for prison are \$40.25 per day, probation/parole cost per day are \$3.36. Finally, drug courts costs average \$7.24 per day. Brown (2010) concluded that drug courts were estimated to lead to the prevention of 34.4 million drug crimes annually. Furthermore, the universal provision of treatment to eligible offenders would produce more than \$46 billion in benefits at a cost of \$13.7 billion.

The third focus of evaluation, impact, has been found to also be a benefit. For example, it has been shown that graduates of drug courts are able to pay their child support payments,

whereas incarcerated offenders cannot. Additionally, annual earning for drug court graduates are also higher than those recently released from prison (Logan et al. 2004). Franco (2010) found that many drug-abusing offenders have not responded to incarceration and that more than half fail to comply with drug testing and supervision conditions of probation. Therefore, most offenders return to prison within the first 6-12 months after release, however, it is suggested that drug court programs are more successful in retaining participants in drug treatment programs, such as drug court.

Drug courts are likely successful because of the additional leverage of integrating treatment with the coercive power of the criminal justice system. This process tends to retain participants in substance-abuse treatment for a longer period of time than that seen in the general population of treatment-seeking adults (Brown 2010). Drug courts may enhance treatment outcomes among addicted offenders by facilitating retention in treatment for a longer period of time as offenders transition through the phases of drug court.

While studying the efficacy of drug courts through a multiyear participant observation study in three drug courts, Mackinem and Higgins (2007), found that Drug Courts support three conclusions: 1) clients in drug court participate in services longer and more consistently than in voluntary programs 2) drug-court clients significantly reduce their use and criminal behavior when compared to that of other groups who received no service 3) after completing the program, clients had lower recidivism rates than those on traditional supervision. The highly structured program that drug courts provide offers the offenders a holistic approach to changing their environment and lifestyle compared to that of a prison sentence.

Mackinem and Higgins (2007) found that drug courts only select highly motivated and low-risk applicants, therefore, excluding violent offenders due to their criminal history or violent offense and federal mandates. Further, Mackinem et al. (2007) conclude that drug court staff and Drug Court planning committees only seek participants that are highly motivate to stop drug use and change their behavior.

According to Shaffer (2006) prior meta-analysis on drug court effectiveness by Aos, Phipps, Barnoski and Lieb in 2001, have explored the effectiveness of Drug Courts and concluded that Drug Courts reduced the rate of recidivism, however, they did not include what the moderators of success were. Shaffer (2006) found the four moderator of effectiveness to be: target population, leverage, staff, and intensity.

Shaffer (2006) was also able to conclude three findings on efficacy of drug courts. They are as follows:

- 1) Drug courts in general reduce recidivism by 9%. While both adult and juvenile drug courts appear to be effective, it appears that adult courts may be better at reducing recidivism than juvenile drug courts.
- 2) Drug courts that serve methamphetamine users are significantly more effective than other drug courts; however, the reason for this finding is not entirely clear. It may be that methamphetamine users are distinct from other groups of drug users in terms of risks and needs.
- 3) Drug courts program that last between 8 and 16 months are significantly more effective than those program designed to last less than 8 months or longer than 16 months. This finding is largely conclusive with the previous outcome that program lasting less than 3 months are of insufficient length and those lasting more than 16 months experience diminishing effects.

As the literature states, there is a clear indication that Drug Courts are beneficial to criminals such as lowering recidivism rates, offering services to criminals for extended periods of time and keeping certain offenders out of over-crowded prisons.

Drug Use and Violent Crimes

In the following section I will discuss the connection between drug use and violent crime. Research by Markowitz (2005) found that there are three ways that drug use and violent crime are related.

- 1) Pharmacology- alcohol consumption does cause violence through biological or pharmacological mechanisms that alter behavior.
- 2) Economic theory- the relationship between consumption and crime stems from economic compulsion or financial need. For example, robberies may occur if an addict commits the crime to support a drug or alcohol habit.
- 3) Environmental and situational factors- people who drink extensively or who drink and drive for social activity, especially at night, are at a higher risk for violent or assaultive behavior as it generally occurs at a bar or party where aggressive behavior could be heightened.

Research on alcohol abuse and crime suggests a direct pharmacological link between alcohol use and violence as it has been shown that alcohol intoxication is related to aggression when the person abusing alcohol is provoked (Gottfredson, Kearley and Bushway 2008). According to Markowitz (2005) research indicates that 41% of male inmates in local jails admit to drinking at the time their offense was committed, and rapists admitted to having alcohol in their system at the time of their offense at a rate ranging from 50% to 65%.

Research by Webster, Oser, Mateyoke-Scrivener, Cline-Depp, Havens, and Leukefeld (2009) also found that probationers who had been previously arrested for DUI were more likely to have used illicit drugs than probationers who have not been arrested for DUI. Further research also indicated that drug possession and the possession of illegal weapons were also significantly more prominent among recurrent DUI offenders. Generally, these offenders are sent to prison for a short period of time, without treatment, and have probation violations once released from prison as they were not given the proper treatment for substance use while in prison.

Research on economic compulsion shows that the link between illegal drugs and violence may arise from systematic violence or violence that occurs from being involved in the illegal distribution network (Markowitz 2005). In most cases, a dealer may be robbed of their drugs they had on them leading to violence. Violence may also come from arguments over territories between rival drug dealers or from a buyer failing to pay a debt to their seller or dealer.

Research on environmental and situational factors for drug use and crime states that victimization often happens as a result of “lifestyle” choices by offenders (Markowitz 2005). Again, this relates to strain theory and how some individuals who experience difficulties in their lives may turn to crime as a means for relieving those difficulties. Drug courts could benefit offenders who have chosen an unhealthy lifestyle as it would provide support and structure in areas of their lives that were previously neglected.

Why Violent Offenders are Excluded from Drug Courts

When drug courts first appeared in the early nineties, participation was limited to non-violent offenders; this trend continues today (Franco 2010). The reason for this exclusion is based

on the fact that federal funding for drug courts stipulates that offenders with any previous crime of violence are excluded from participation. Programs that are funded by Drug Court Discretionary Program, which is operated through the Bureau of Justice Assistance, are required to only target non-violent offenders in their programming (Saum and Hiller 2008).

Saum and Hiller (2008) feel that the reasons for the exclusion of violent offenders is because one of the original goals of Drug Courts is to better manage less serious offenders that were in the community, to help ensure prison space for repeat and violent offenders, and a *feeling* that money should not be spent on violent offenders. According to Saum, Scarpitti and Robins (2001) violent offenders are often treated differently because of the way they are perceived by the public, criminal justice system, and most importantly, legislatures. Thus, money for drug court programs is targeted at first-time nonviolent offenders, which excludes this with any previous history of violence. In addition, since the correctional justice system attempts to protect the public, from potentially dangerous individuals, such as violent offenders, are typically sentenced to lengthier sentences of incarceration as a way to protect society (Saum et al. 2001).

According to Franco (2010) potential drug court participants may be excluded because of other offenses committed at the time of their current offense, or because they have prior convictions for violent or other serious offenses that would disqualify them from participants in drug court. A survey of adult drug court administrators and researchers at the Urban Institute report that individuals who were excluded from participation had charges which included: 1) property crimes, such as, theft, fraud and prostitution, which are often associated with drug use; 2) marijuana charges brought on by young offenders; and 3) current domestic violence cases.

In a pre-drug court and post-drug court study by Saum and Hiller (2008), it was found that it is advantageous for drug courts to expand their participants to allow for greater flexibility within

their program and allow the participation of violent offenders. Drug courts are slowly starting to expand their admission criteria to include more serious offenders, such as violent offenders, since traditional probation and incarceration attempts have failed to prevent drug use and reduce crime and recidivism (Saum et al, 2001). Many drug court programs were created as diversion programs where first time offenders and less serious offenders are actually diverted away from the correctional system into treatment and one of the main issues is that violent offenders are not frequently given opportunities for diversion programs, such as drug court.

Benefits of Drug Courts for Violent Offenders

As previously stated, strain theory may play a factor in why people commit violent crimes and abuse substances. Difficulties in an individual's life may lead to crimes as a way of relieving the difficulties presented to him/her. Crime may be used as a way to escape or reduce the strain around an individual. Drug court and the extensive treatment that is offered will allow offenders to learn positive coping skills and ways to deal with the strain around them, in some cases, drug court could terminate many of the strains such as unemployment.

Federally-sponsored drug courts have tried to show the effectiveness of drug courts, however, limited data has prevented researchers from making conclusive assumptions about the effectiveness of drug courts as they are not including a large population of offenders, such as, violent offenders. Franco (2010) has concluded that expanding drug court eligibility to violent offenders would increase the potential benefits of drug courts to society. According to Saum and Hiller (2008) evidence suggests that violent offenders have much to gain from programming such as drug courts.

The issue at hand is that there are many violent offenders who could benefit from participation in drug court programs instead of serving lengthy sentences in prison where their chemical dependency issue may not be addressed. Some of the possible benefits are helping offenders deal with their addiction struggles which could reduce violent crimes being committed in communities, money saving advantages as drug court is more cost effective than prison, and the use of other services provided through drug court, such as, employment, GED attainment, fiscal responsibility and a chance to be held responsible for their own choices in a positive and proactive way rather than punishment.

Some of the problems that could arise with having violent offenders participate in drug courts are that there is a risk that violent offenders pose to society if they participate in drug court rather than be locked in a secure facility, such as jail or prison. There is also the possibility that serious violent offenders may have a lower recidivism rate following drug court discharge. According to Saum et al. (2001), drug courts were initially created with the intention of better managing first-time offenders in the community to ensure prison space for repeat and violent offenders. It should be noted that nearly three times as many violent offenders are placed directly under community supervision or probation as are incarcerated due to overpopulated prisons. Therefore, offenders would be getting more supervision if they were placed in drug court. As far as operations of drug courts, there could be disruptions to the benefits of less serious offenders in the program, there could be more time demands on probation offices and treatment providers, as well as, more time demanding for the drug court team.

This study will investigate whether violent offenders could benefit from being accepted into drug court programs. More specifically, the research questions are: 1) Would violent

offenders benefit from being accepted in drug court programs, and if so, how would they benefit? 2) What would be the impact of a Drug Court accepting a violent offender?

Relatively few offenders are given the opportunity to attend treatment, whether it is in Drug Court or other types of corrections-based programs. To date, there is little known data about whether drug courts are appropriate for offenders with lengthy criminal histories that often include violent offenses (Saum, Scarpitti and Robins 2001). We need to assess the possible impact of allowing violent offenders into Drug Courts, as well as, explore the range of possible benefits and concerns associated with allowing violent offenders into Drug Court.

Chapter Four: Methods

This study will investigate the following questions: 1) Would violent offenders benefit from being accepted in Drug Court Programs? 2) And if so, how would they benefit? 3) What would be the impact of a Drug Court accepting a violent offender? This will be done through a survey of 3 Drug Court Teams with evaluation of their professional views on allowing violent offenders into Drug Court. This study will measure the informed opinion of three Drug Court teams that includes multiple practitioners trained in different fields which should encourage a wide breadth of responses.

Sample

The data for this study are based on the opinions of members of a three drug court team located in a rural region in the Midwest with an average combined county population of approximately 41,000 (United States Census Bureau, 2010). The location of this study was chosen as it is close to the researcher and an internship was completed at one of the sites prior to data collection. The respondents will know and understand the information that is being asked in the survey as they each have unique knowledge and experiences with drug courts and violent offenders, yet since I will be surveying 3 drug courts I will be able to maintain confidentiality.

I have chosen the drug court team as my sample for many reasons. First, the drug court team members are experts in the field of drug court operations and processes. Second, the drug court team has an extensive knowledge of offenders, especially those with substance abuse problems. Third, the drug court team has typically worked with violent offenders in previous court settings. While others have written on the topic of including violent offenders, such as Saum and Hiller (2008), there is little empirical research. Therefore, choosing a sample of a drug court team

appears to be a good place to start this inquiry. I used three counties with a total of 39 surveys being sent out to respondents.

Method of Data Collection

There are many sociological methods that could be used to investigate the hypotheses of this research. I have chosen to use a survey method to collect data from the drug court planning team. The surveys will yield both qualitative and quantitative results.

According to Maxfield and Babbie (2009) strengths of survey research are as follows: 1) Useful for gaining characteristics of a large population; 2) Allows researchers to make refined and descriptive statements about a specific demographic, such as the drug court team; 3) High reliability, research conducted in the form of surveys and the use of yes or no answers to avoid confusion. The weaknesses of survey research are that surveys can appear superficial in their coverage of complex topics and less validity.

To encourage responses, I met each of the three drug court teams separately to explain the purpose of my research and give team members an opportunity to ask questions about the study. After each meeting I emailed them all a consent form and a copy of the survey. After each meeting I sent a follow-up e-mail to each drug court coordinator to request surveys that had not been submitted by the deadline.

Out of the 39 surveys sent, the following professionals responded; three members of law enforcement, two probation officers, two treatment providers, one county attorney, one public defender, one judge, one drug court coordinator, one Rule 25 assessor, one licensed alcohol and drug counselor and one recovery specialist. There were a total of 14 surveys returned which gave me a 36% respondent rate.

Variables

Variables are the reasons why violent offenders should or should not be allowed into drug court. I will be measuring each variable through the answers collected from the survey. In this survey, I will ask about the benefits of drug court to clients, and then I will ask their opinions on allowing violent offenders into drug court (See appendix B for an exact copy of the questionnaire). More specifically, I will ask their opinions on the three disqualifying offenses of the federal law: 1) the person carried, possessed, or used a firearm or dangerous weapon 2) there occurred the death of or serious bodily injury to any person 3) or there occurred the use of force against the person on another. Research literature indicates that current drug court participants benefit from participation in substance abuse treatment programs, education and employment assistance, options to work off restitution and community service hours (Saum et al. 2001). In the survey, I will ask team members if they think violent offenders might receive the same benefits. I will also ask about the impact to team members, as well as, the impact on other non-violent offenders.

Ethical Concerns

To protect the rights of the research participants I made the following measurements to ensure proper ethical standards. Participation in this survey was be voluntary and anonymous, I did not ask for names or which drug court the respondents were from. This was achieved by using informed consent methods to ensure that all participants were fully informed about the procedures and risks involved in research and they gave their consent to participate. Approval from the IRB at Minnesota State University, Mankato was also granted before research was

collected. The questionnaire was emailed to each member of the drug court team to their work email address.

Chapter Five: Findings and Analysis

Initial coding was performed after the surveys were completed by generating categories for certain responses and themes in answers. My primary analysis is quantitative and investigated actual numbered responses that gave me estimates about the views and opinions on allowing violent offenders to participate in drug court. Quantitative analysis focused on the vocabulary used by participants to a more detailed understanding of their opinions. I looked for emerging common themes from additional comments and answers that respondents wrote that were specific to the hypotheses.

In the following chapter I will be analyzing questions, such as, perceived benefits for all current participants and then the perceived benefits of allowing violent offenders into drug court. I will then be comparing the two. Additionally, I will analyze possible negative consequences of allowing violent offenders to participate, potential guidelines for allowing violent offenders to participate in drug court and assumptions for not allowing violent offenders to participate per federal government.

Findings

In this report of professional drug court team members opinions, I will first analyze how respondents feel about drug court in general, and then discuss their views about the feasibility with violent offenders.

How does Drug Court typically benefits current participants?

Table 1 shows that according to professionals, drug court typically benefitted participants in the areas of providing consistent meetings with probation officers and helping participants

become gainfully employed. One-hundred percent of people surveyed felt that these two areas were of the most benefit to participants. Also the survey found that people felt that participants were least likely benefit from remaining drug free. There were no additional comments given regarding why the primary goal of drug court, which is helping participants remain drug free, was ranked least beneficial given by the respondents.

How might a violent offender benefit from participating in Drug Court?

Table 2 shows that the people surveyed felt strongly that a violent offender would benefit from participating in drug court. These benefits included, building a network of support, participation in AA/NA, completing their GED (General Education Degree), becoming gainfully employed and having access to chemical dependency treatment. Two people added the following benefits for violent offenders participating in drug court; “benefits of anger management” and “participants could regain custody of children and have access to healthcare and education.” Survey results showed that a violent offender would have the least amount of benefit from remaining drug free, the same as reported for all drug court participants.

Table 2 also shows that of the 14 drug court team members that completed the survey, two people (a county attorney and a public defender) said “no” to all of the possible benefits of having a violent offender participate in drug court. One participant added “the government says the program is not designed for violent offenders.”

Comparison of current participants and violent offenders

A comparison of Table 1 and Table 2 shows that there are higher percentages of “yes” answers for benefits to current participants in drug court than there are for violent offenders to participate in drug court. There are more benefits to current participants than to violent offenders participating on 11 of the 14 questions asked. Violent offenders received more “yes” answers to

only two of the 14 questions which are the benefit of random night checks and participants remaining drug free. When looking at the benefits of drug court for both current participants and possible violent offenders it appears that there is a potential for equal benefits to both violent and non-violent participants in drug court.

When looking at the two research questions, which are, benefits to current participants and potential benefits to violent offenders it appears that there are equal benefits in the area of participation in AA/NA and drug testing. There are overall higher percentages of benefits for current participants than there are for violent offenders. Interestingly, the lowest percentage of benefits for both violent and non-violent offenders is in the area of participants remaining drug free after participation in drug court. Yet, it is noteworthy that the percentages of drug court to violent offenders is quite high for all benefits where even the lowest (participants remain drug free) is 64%.

Do you believe there would be any negative consequences to the Drug Court Team if violent offenders were allowed to participate in Drug Court?

Ninety two percent stated that they believe there would be negative consequences to the drug court Team if it included violent offenders. Their responses include; a potential for conflict among drug court team, negative media attention for the drug court program if a violent crime was committed while in the program and drug court becoming an “easy alternative” for violent offenders.

Two common themes that emerged from respondents included, potential injury to drug court workers and little support to the drug court program from community members. From the qualitative analysis, two suggestions regarding ways to alleviate negative consequences to the drug court team were designing a violent offender specific program and creating a screening

process for violent offenders. Another concern was the impact that allowing a violent offender into the program could potentially have on the victim of said violent crime; it was suggested to contact the victims to get their input on whether or not the violent offender should be granted participation into the program. One person (judge) reported “no” to there being negative consequences to the drug court team if violent offenders were allowed to participate in the program. This judge felt that all types of offenders would benefit from drug court.

Do you believe there would be any negative consequences to the community if violent offenders were allowed to participate in Drug Court?

One half (50%) of the people surveyed felt that there would be negative consequences to the community if violent offenders were allowed to participate in drug court. One respondent (treatment provider) stated “violent offenders will eventually return to the community, at least they would have some type of structure if they were in the drug court program.” Interestingly, four of the seven respondents were either a treatment provider or Licensed Alcohol and Drug Counselor. Again, one judge responded that there were no negative consequences to the community

Respondents were asked to describe their answer if they said “yes” there would be a negative impact on the community if violent offenders were allowed to participate in the drug court program. Their answers included: having violent offenders in the program would depreciate the seriousness of the violent offenders actions; violent offenders on the street causes a lack of safety and places the liability onto the drug court team; conflict between team members if they reoffended; difficulty for the drug court team not being able to predict if a violent offender will reoffend; and the notion that a violent offender is “getting off easy” by being able to

participate in the drug court program. Again, there was a common theme that emerged based on the potential of a violent offender to reoffend.

Do you believe there would be any benefit to the community from allowing violent offenders into the Drug Court program?

Most people surveyed (85%) felt that there would be a benefit to the community if violent offenders were allowed to participate in drug court. Some of the benefits that were listed are as follows: chemically addicted people can be helped; more contact with law enforcement; offering the same benefits that non-violent offenders receive; intense supervision would be provided; greater chance of modifying bad behavior; save on incarceration costs; and the creation of a more productive person in the community.

The results indicated that more people felt there would be more of a benefit to the community rather than a negative consequence to the community if violent offenders participated in drug court with a common emerging theme coming from the opportunity for a violent offender to gain skills and build a support network and the intense level of supervision that traditional supervised probation doesn't offer.

How would the Drug Court be affected by including violent offenders?

Table 3 shows that the most common concern to the drug court program when allowing violent offenders to participate was in the area of needing more monitoring over the violent offenders. The area of least concern was that allowing violent offenders would lower the number of overall participants in the program.

Currently, the federal government will not provide funding for people convicted of violent offenses to participate in Drug Court. Why do you think this is?

When asked about why the federal government will not provide funding for people convicted of violent offenses, three people felt it was because the program is not designed for violent offenders. Another common answer was for the safety of others. Some other reasons given were that society wants violent offenders punished, there is a risk of violent offenders committing another violent offense while in the program, violent offenders don't deserve a second chance, violent offenders may have a negative influence on others, violent offenders will eventually reoffend, and because others don't understand addiction.

Do you believe that there are some types of violent offenders who could be allowed into Drug Court?

Survey results indicated that 78% of people surveyed felt that there were certain types of violent offenders that could be allowed into drug court. Some of the reason stated for a "yes" answer include: length of time since offense; depends if violent crime was committed while under the influence of drugs; depends if offender has a history of violent crime; drug court team decision; and depends of nature of crime committed.

Two common themes emerged from the respondents. They were as follows. First, participation for violent offenders depends on if the offender was under the influence of illegal chemical at the time the violent offense was committed. Second, there should be consideration given to the amount of time or "decay period" since the violent crime was committed.

Do you believe an offender convicted of carrying, possessing or using a firearm or dangerous weapon be allowed in Drug Court?

Survey results indicated that 64% of people surveyed felt that if an offender was convicted of carrying, possessing or using a firearm or dangerous weapon he or she should not be allowed in drug court. Thirty-five percent of people surveyed felt that these types of offenders should be allowed in drug court. The reasons given for a “yes” answer are as follows: depends on facts of the offense committed; participants should be looked at carefully; drug court team decision; weapons used don’t matter as much as actual assault and depends on offenders LSI score.

Do you believe an offender convicted of causing the death or serious bodily injury to someone be allowed in Drug Court?

Survey results indicated that 64% of people surveyed believe that if an offender was convicted of causing death or serious injury they should not be allowed to participate in drug court. Thirty-five percent of people surveyed believe that they can participate. The reasons given for a “yes” answer are as follows: depends on safety of others; drug court team decision; depends if crime was committed while offender was under the influence of drugs; and each case should be highly scrutinized.

Do you believe an offender convicted of a violent crime where neither a weapon nor death occurred, as outlined by the federal law, be allowed into Drug Court?

Survey results indicated that 64% of people surveyed felt that an offender convicted of a violent crime where neither a weapon nor death occurred shall be allowed in drug court. The reasons given for a “yes” answer are as follows: depends on the crime; depends on the criminal history; case should be reviewed by team; depends on if offender has a chance to lead a crime free life; depends on if they were using chemicals at the time of the offense; no brainer.

Do you believe the number of years since the violent crime occurred makes a difference in Drug Court participation?

Thirty-five percent of people surveyed believe that the number of years since the violent crime occurred would make a difference in drug court participation by a violent offender. The highest percentage (57%) felt that five years since the violent crime occurred is the most appropriate length before participation in drug court can occur. One of the reasons given for a “yes” answer was “if a firearm was used.” Thirty-five percent of people surveyed felt that the number of years since the violent crime occurred made no difference and they should not be able to participate.

Analysis

Overall, the main factors that were agreed upon that reflect the theory of violent offenders benefitting from participation in drug court are as follows: violent offenders would more easily be able to build a network of support from the drug court team; access to the requirements that are included in drug court participation (obtain GED, healthcare, participation in NA/AA); frequent drug testing; the ability to stay in the community; and frequent contact with probation officer. Interestingly, the one area that respondents felt violent offenders would benefit from more than current participants in the program was in the area of remaining drug free through participation in drug court.

The people in favor of allowing violent offenders to participate in Drug Court were a Judge, Drug Court Coordinator, Law Enforcement Official and three Treatment Providers. The people that were not in favor of allowing violent offenders to participate in Drug Court are two Probation Officers, County Attorney, Public Defender, two Treatment Providers and one Law

Enforcement Official. As such, it is seen that the people that work directly with the participants and monitor them (Probation Officers and Law Enforcement Officials) were the ones that felt the strongest about not allowing violent offenders to participate in the drug court program.

Some of the additional comments regarding participation of violent offenders in drug court included; not all violent offenders should be included, however, consideration should be given to some; it should be a drug court team decision based on circumstances that led up to the violent crime being committed; there should be a “decay period” since the violent crime was committed; and questions regarding if the offender was under the influence of illegal substances when the violent crime was committed.

The most common theme that emerged regarding the impact to the drug court team by allowing violent offenders to participate in drug court was the need for more intense monitoring of participants and that allowing violent offenders to participate could potentially cause more work for probation officers. Respondents were also concerned about the safety of the drug court team when working with violent offenders. There was also concern that the community would have a negative reaction to violent offenders “getting off easy” and being on the streets where they could potentially reoffend.

Chapter Six: Conclusion

The purpose the study was to investigate the potential benefits from violent offenders being accepted in drug court programs, and if so, how would they benefit and what would be the impact of a drug court accepting a violent offender into the program? I chose to use a survey method to collect data from the drug court team. Findings are based on the opinions of drug court team members.

The surveys yielded both qualitative and quantitative results based on 14 surveys from three drug court teams. I asked about the benefits of drug court to clients and their opinions on allowing violent offenders into drug court. More specifically, I asked their opinions on the three disqualifying offenses of the federal law. I also asked team members if they think violent offenders might receive benefits, such as participation in substance abuse treatment programs, education and employment assistance, options to work off restitution and community service hours. Finally, I asked about the impact to team members, as well as the impact on other non-violent offenders.

Review of Findings

Overall, respondents felt that drug court typically benefits participants in the areas of providing consistent meetings with probation officers and helping participants become gainfully employed. One-hundred percent of people surveyed felt that these two areas were of the most benefit to current participants. However, participants were least likely benefit from remaining drug free through participation in drug court.

When looking at the benefits of drug court for both current participants and possible violent offenders it appears that there is a potential for equal benefits to both violent and non-

violent participants in drug court. People surveyed felt strongly that a violent offender would benefit from participating in drug court. These benefits included building a network of support, participation in AA/NA, completing their GED (General Education Degree), becoming gainfully employed and having access to chemical dependency treatment.

Ninety two percent of team members stated that they believe there would be negative consequences to the drug court team if it included violent offenders. Their responses include a potential for conflict among drug court team, negative media attention for the drug court program if a violent crime was committed while in the program, and drug court becoming an “easy alternative” for violent offenders. However, it could be argued that there is more monitoring of drug court participants than other offenders. Additionally, with mandated treatment and other requirements of drug court, it is actually more work for offenders. Two common themes that emerged from respondents included potential injury to drug court workers and little support to the drug court program from community members.

Respondents felt that there would be a negative impact on the community if violent offenders were allowed to participate in the drug court program. Their answers included having violent offenders in the program would depreciate the seriousness of the violent offenders actions, violent offenders on the street causes a lack of safety and places the liability onto the drug court team, conflict between team members if they reoffended, difficulty for the drug court team not being able to predict if a violent offend will reoffend, and the notion that a violent offender is “getting off easy” by being able to participate in the drug court program. Again, there was a common theme that emerged based on the potential of a violent offender to reoffend.

Finally, according to these respondents participation for violent offenders depends on if the offender was under the influence of illegal chemical at the time the violent offense was

committed. Also, there should be consideration given to the amount of time or “decay period” since the violent crime was committed.

Proposal for Violent Offender Drug Court

I have included a proposal for a drug court that would include violent offenders that integrates the finding of this study. This is a hypothetical policy assuming unlimited funding and support of criminal justice practitioners.

In order to participate in the violent offender drug court, the violent crime needs to have been committed more than 5 years ago before accepted into the program, a unanimous vote from the drug court team must also be reached before participation is allowed to reduce conflict between the drug court team. Approval for participation would weigh heavily on the type of crime committed, if a weapon was used during the offense and if death or great bodily harm was a result of the offense. These factors are potential for denial into the program.

The violent offender drug court program would require mandatory completion of an anger management and violence reduction program before they would graduate from drug court. As with many of the requirements of traditional drug court, such as, additional programs, such as, AA/NA would also be recommended before graduation. Intensive supervision would also be implemented such as increased random urinalysis and night checks. With an increase in supervision, there would need to be an increase in staff (probation officers) and they would need to have a smaller number of participants on their caseload than traditional drug court in order to provide the required intense supervision that is needed. Also, additional training for probation officers and law enforcement would be implemented.

A potential benefit of a violent offender drug court is that typically, violent offenders are placed back in the community after completing a jail or prison sentence; therefore, by

completing a drug court program they would have gained a better skill set to prepare them for life in the community. Also, violent offenders would be able to pay back potential restitution through community services hours.

A potential concern of a violent offender drug court is the increased risk to the community, negative media attention and possible risk for staff working closely with violent offenders. There would need to be increased staff and more strict qualifications before being approved for participation in drug court.

Limitations and Strengths

The limitation of my study is as follows: First, only thirty nine percent of the surveys were completed and returned which yielded a small sample to base the findings on. The strength of my study is as follows: At least one survey was received from each professional area that form the drug court team, such as, Judge, coordinator, rule 25 assessor, treatment provider, law enforcement and probation officer.

Future Research

Suggestions for future research include exploration of different types of violent crimes committed by people that were under the influence of drugs and/or alcohol and whether or not the drug and/or alcohol contributed the offense. Furthermore, it would be beneficial to investigate whether or not the offender is considered "addicted" to the drug and/or alcohol and would benefit from a dual treatment program for both addiction and offending.

Another suggestion for future research would include exploration of offenders with violent criminal histories and whether participation in an intensely supervised program with components, such as, anger management, educational and vocational training and community

service would be beneficial. An assessment of whether or not the offender has been a victim of violent crime as is in the background of many violent offenders.

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Appendix A Key Components of Drug Courts

The National Association of Drug Court Professionals (1997:3)

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

Appendix B

Directions: This is a survey of your opinions about the implications of allowing violent offenders into Drug Court. Please answer the following questions regarding Drug Court to the best of your knowledge. For your convenience, the Federal Law prohibiting drug courts who receive federal funding from including violent offenders is below.

Introduction: Currently, violent offenders are not allowed to participate in United States Drug Court Programs. According to Federal Law 42 U.S.C.A 3797u-2, the definition of a violent offender is as follows:

1) is charged with or convicted of an offense, during the course of which offense or conduct:

(A) the person carried, possessed, or used a firearm or dangerous weapon;

(B) there occurred the death of or serious bodily injury to any person; or

(C) there occurred the use of force against the person on another, without regard to whether any of the circumstances described in (A) or (B) is an element of the offense or conduct of which or for the person is charged or convicted.

2) has 1 or more prior convictions for a felony crime of violence involving the use or attempted use of force against a person with the intent to cause death or serious bodily harm.

1) What is your role in Drug Court?

___ Probation officer

___ Treatment provider

___ Social worker

___ County attorney

___ Public defender

___ Law enforcement

___ Judge

___ Other, please specify

2) Check all the ways you feel that Drug Court typically benefits participants. Please check all that apply.

- Participants build a network of support
- Participation in AA/NA and other support groups
- Participants complete their GED
- Participants become gainfully employed
- Access to chemical dependency treatment
- Drug testing
- Random night checks
- Meetings with probation officer
- Participants are able to pay restitution and other fines
- Participants complete required community service hours
- Participants remain in the community
- Participants remain out of jail
- Participants remain out of prison
- Participants become drug free
- Participants remain drug free
- Other, please describe

3) Currently, the federal government will not provide funding for people convicted of violent offenses to participate in Drug Court. Why is this restriction made?

4) Do you agree that violent offenders should be prohibited from Drug Courts? If yes, please explain.

- Yes
- No

5) Do you believe that there some types of violent offenders who could be allowed into Drug Court? If yes, please explain.

___ Yes

___ No

6) Do you believe an offender convicted of carrying, possessing or using a firearm or dangerous weapon be allowed in Drug Court? If yes, please explain.

___ Yes

___ No

7) Do you believe an offender convicted of causing the death or serious bodily injury to someone be allowed in Drug Court? If yes, please explain.

___ Yes

___ No

8) Do you believe an offender convicted of a violent crime where neither a weapon nor death occurred, as outlined by the federal law, be allowed into Drug Court? If yes, please explain.

___ Yes

___ No

9) Do you believe the number of years since the violent crime occurred make a difference in Drug Court participation? If yes, see question #9.

___ Yes

___ No

10) If yes, how many years One year Five years Ten years Greater than 10 years**11) How might a violent offender benefit from participating in Drug Court? Please check all that apply.** Participants build a network of support Participation in AA/NA and other support groups Participants complete their GED Participants become gainfully employed Access to chemical dependency treatment Drug testing Random night checks Meetings with probation officer Participants are able to pay restitution and other fines Participants complete required community service hours Participants remain in the community Participants remain out of jail Participants remain out of prison Participants become drug free Participants remain drug free Other, please describe

12) Do you believe there would be any negative consequences to the Drug Court team if violent offenders were allowed to participate in Drug Court? If yes, please explain.

Yes

No

13) Do you believe there would be any negative consequences to the community if violent offenders were allowed to participate in Drug Court? If yes, please explain.

Yes

No

14) Do you believe there would there be any benefit to the community from allowing violent offenders into Drug Court? If yes, please explain.

Yes

No

15) How would the Drug Court be affected by including violent offenders? Please check all that apply.

More work for probation officers

More work for treatment providers

Need for more monitoring

Need for more intense programming

Need for more probation officers

Lower the number of overall participants

Friction among violent and non-violent criminals

Danger to community

Danger to other participants

Table 1. Benefits for current participants in Drug Court	
Benefits Variable	Current Participants (n=14)
Participants build a network of support.	92%
Participation in NA/AA.	85%
Participants complete their GED.	92%
Participants become gainfully employed.	100%
Access to chemical dependency treatment.	92%
Drug testing.	85%
Random night checks.	78%
Meetings with probation officers.	100%
Participants are able to pay restitution and other fees.	78%
Participants complete required community service hours.	78%
Participants remain in the community.	92%
Participants remain out of jail.	85%
Participants remain out of prison.	85%
Participants become drug free	85%
Participants remain drug free.	57%
Other; Contribute to society, build self-esteem, regain custody of children and have access to healthcare and education.	

Table 2. Benefits for Violent offenders in Drug Court	
Benefits Variable	Violent Offenders (n=14)
Participants build a network of support.	85%
Participation in NA/AA.	85%
Participants complete their GED.	85%
Participants become gainfully employed.	85%
Access to chemical dependency treatment.	85%
Drug testing.	85%
Random night checks.	85%
Meetings with probation officers.	85%
Participants are able to pay restitution and other fees.	71%
Participants complete required community service hours.	71%
Participants remain in the community.	85%
Participants remain out of jail.	78%
Participants remain out of prison.	78%
Participants become drug free	71%
Participants remain drug free.	64%
Other; Other, please describe. Government says program is not designed for violent offenders, participants would also benefit from anger management, participants could regain custody of children, have access to healthcare and education.	

Table 3. Concern to Drug Court Team if violent offenders participated in the program.	
Concern Variable	Violent Offenders (n=14)
More work for probation officers.	42%
More work for treatment providers.	35%
Need for more monitoring.	64%
Need for more intense monitoring.	50%
Need for more probation officers.	35%
Lower the number of overall participants.	7%
Friction among violent and non-violent offenders.	21%
Danger to community.	35%
Danger to other participants.	42%