

On-Line Resource Sanctions and Incentive Guidelines

Overview:

Research findings indicate that programs with clearly defined written guidelines, sanctions and incentives generate better outcomes and greater cost saving. The following are samples of written guidelines from other drug court programs within the United States. Please note that a requirement of strict written sanctioning guidelines does not necessarily signify an increase in the amount of jail days ordered for Measure 57 program participants. It merely signifies that adherence to consistent, transparent, and a pre-determined continuum of responses to violation behavior is important.

Example #1:

The following guidelines were taken from the Mecklenberg County Superior Drug Treatment Court Program Guidelines:

“The team is encouraged to follow the structure in the grid, while allowing some flexibility due to individual circumstances. The grid lists prescribed sanctions by the type of offenses and incidence of non-compliance. Level I offenses include missed treatment, case management, or probation meetings. Level II offenses are curfew violations and missed drug screens. The third level of offenses consists of missed court sessions or false drug screens. For each type of offense, sanctions increase in severity based on whether it is the participant’s first, second, third, or fourth non-compliance. The grid also describes sanctions for the third or fourth non-compliance of tardiness for meetings. The range of sanctions used by the team includes extra meetings, community service, financial penalties, more intensive treatment services, more restrictive curfew’s, jail time, and care review for termination.”

Sanction Grid:

- Level 1 offense: Missing treatment, case management, or probation meeting
- Level 2 offense: Missed drug screen or curfew violation
- Level 3 offense: Missed court violation or false drug screen
- Positive drug tests will be considered on a case by case basis. The Court may suspend jail time in extraordinary circumstances
- Any offense in phase 3 will automatically be considered a third non-compliance, except at the discretion of the Court.

Sanction Grid

Level of Offense	First Noncompliance	Second Noncompliance	Third Noncompliance	Fourth Noncompliance
Tardiness for case management appointment			Extra case management visit and additional 8 hrs cs	Jail 24-48 hours
Tardiness for treatment sessions			Additional 5 hrs cs	
Tardiness for Court	Additional 2 hrs cs	Additional 5 hrs cs	Additional 10 hrs cs	Jail 24 hours
All level 1 offenses	Extra meeting plus 5 additional hours of cs	Extra meetings plus 10 hours of cs	Jail 24-48 hours	Case review for termination
Level 2 offenses				
Missed drug screen	Back to "0" clean time	Jail 24-48 hours	Jail 24-48 hours	Case review for termination
Curfew violation	More restrictive curfew	Jail 24 hours	Jail 48 hours	Case review for termination
Level 3 offenses				
Missed Court session	Issue warrant	Jail 24-48 hours	Case review for termination	
False drug screen	Jail 24-48 hours	Case review for termination		
Positive drug test	Jail 24-48 hours	Treatment	Relapse prevention or additional inpatient treatment	Case review for termination

***cs (community service)**

Incentive Grid

Behavior	Praise from Bench	Applause	Certificates/ Letters of Recognition	Reduced Fees	Grab Bag Items	Reduced CSW	Byes	Progress through phases	Grad
Perfect Score	*	*	*	*	*	*	*		
Complete Treatment Phase	*	*	*	*	*			*	
Complete Program Phase	*	*	*	*	*			*	
Additional AA/NA Meetings	*	*				*			
Personal Achievement	*	*							
Clean Time (30/60/90)	*	*						*	
Timely Payment of Fees				*					
Program Completion	*	*	*	*	*	*			*

In addition, participants who are 100% compliant on all requirements are considered part of the A-team. A-team participants are called first during Court sessions and their names are included in a monthly drawing for gift certificates to restaurants or department stores.

Example #2

The following guidelines were taken from the Durham County Adult Drug Treatment Court Program Guidelines:

The team strictly adheres to this grid system of graduated sanctions, since granting leniency and applying sanctions on a case-by-case basis has had negative consequences in the past, according to many team members. The grid system that the team uses is a matrix that connects specific rule infractions or types of program non-compliance with the appropriate type and severity of sanction.

Sanction Grid

Offense	First noncompliance	Second noncompliance	Third noncompliance	Fourth noncompliance
Missed or false drug screen	48 hours jail	72 hours jail	Inpatient treatment	Case review for program termination
Positive urinalysis or unreported use	24 hours jail, increased treatment and testing, 12 step meetings	48 hours csw, increased treatment, 12 step meetings	Inpatient treatment options	Case review for program termination
Self reported use	Increased treatment and testing, additional 12 step meeting	24 hours jail, increased treatment, 12 step meetings, review housing	Inpatient treatment options	Case review for program termination
Any missed meeting	4 hours csw	Possible program termination		
Assigned csw hours	Double original hours	Incarceration at the rate of hour undone	Possible program termination	

Incentive Grid

Hallmark	Reward
30 days clean time	Certificate
60 days clean time + phase I complete	Certificate + \$5 coupon
90 days clean time + phase II complete	\$25 fee reduction and a bye
6 mo clean time + phase III complete	\$25 fee reduction and a bye, coupon
9 mo clean time + aftercare maintenance	\$25 fee reduction and a bye, coupon
12 mo clean time + aftercare maintenance	\$25 fee reduction and a bye, medallion, two coupons
Graduation	Certificate, grad ceremony, personalized gift

Example #3

The following guidelines were taken from the Staten Island Treatment Court Program Guidelines:

Responses to Participant Arrest (in all phases):

Infraction: New violent felony arrest

Response: Review by district attorney and by SITC Team

Action: Possible termination from SITC and mandatory jail

Infraction: New arrest

Response: Review by district attorney and by SITC Team

Action: Possible jail and/or termination

Phase I: Infractions and Court-Imposed Sanctions

<p>A Level Infractions: * absconding or termination from treatment with involuntary return to Court.</p> <p>B Level Infractions: * absconding or termination from treatment with voluntary return to Court. *substituted or tampered drug test</p> <p>C Level Infractions*:</p>	<p>Every A level infraction results in Action by the Court: <u>First A level infraction:</u> *up to 14 days jail <u>Second A level infraction:</u> Z8up to 28 days jail <u>Third A level infraction:</u> *termination, sentence imposed</p> <p>Every B level infraction</p>	<p>Every C level infraction may be addressed by the treatment providers as well as the Court.* Sanctions include but are not limited to: *immediate (next day) court attendance *increased case management visits *increased testing</p>
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<ul style="list-style-type: none"> * positive or missed drug test * missed appointment * rule breaking at treatment which does not result in termination * two late arrivals at court or program sessions *breaking behavior rules, such as attending Court on time, not leaving the Courtroom without permission, attending all appointments on time, and dressing appropriately in Court 	<p>results in Sanction by the Court:</p> <p><u>First B level infraction:</u> *2 days penalty box *Detox *Workshop attendance *Essay/journal/letter writing *Increase in court attendance frequency</p> <p><u>Second B level infraction:</u> *up to 7 days jail, plus any of the above</p> <p><u>Third B level infraction:</u> *up to 14 days jail, plus any of the above</p> <p><u>Fourth B level infraction:</u> *up to 28 days jail, plus any of the above</p> <p><u>Fifth B level infraction:</u> *termination, sentence imposed</p>	<ul style="list-style-type: none"> *detox/rehab *mandatory self help assignment *essay/letter writing assignment *loss of certain treatment privileges (determined by program) *community service <p>*In Phase I, any three C-level (Triple C) infractions committed within a thirty-day period are considered “Sanctioned C” infractions and are sanctioned at the Court’s discretion.</p>
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“Sanctioned C” Infractions

- First Sanctioned C..... See above list of sanctions
- Second Sanctioned C..... up to 7 days jail
- Third Sanctioned C..... up to 14 days jail
- Fourth Sanctioned C..... up to 28 days jail
- Fifth Sanctioned C..... Termination, sentence imposed

Phase II: Infractions and Court-Imposed Sanctions
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<p>A Level Infractions: * absconding or termination from treatment with involuntary return to Court. *Substituted or tampered drug test</p> <p>B Level Infractions: *Absconding or termination from treatment with</p>	<p>Every A level infraction results in Action by the Court:</p> <p><u>First A level infraction:</u> *up to 14 days jail</p> <p><u>Second A level infraction:</u> *up to 28 days jail</p> <p><u>Third A level infraction:</u> *termination, sentence</p>	<p>Every C level infraction may be addressed by the treatment providers as well as the Court.*</p> <p>Sanctions include but are not limited to:</p> <ul style="list-style-type: none"> *immediate (next day) court attendance *increased case
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<p>voluntary return to Court. C Level Infractions*: *Missed appointment * One late arrival at Court or program session *breaking behavior rules *Rule breaking at treatment which does not result in termination * Positive or missed drug test (In Phase II, a single positive drug test may result in a sanction.)</p>	<p>imposed Every B level infraction results in Sanction by the Court: <u>First B level infraction:</u> *2 days penalty box *Workshop attendance *Essay/journal/letter writing *Increase in court attendance frequency <u>Second B level infraction:</u> *up to 7 days jail, plus any of the above <u>Third B level infraction:</u> *up to 14 days jail, plus any of the above <u>Fourth B level infraction:</u> *up to 28 days jail, plus any of the above <u>Fifth B level infraction:</u> *termination, sentence imposed</p>	<p>management visits *increased testing *detox/rehab *mandatory self help assignment *essay/letter writing assignment *loss of certain treatment privileges (determined by program) *community service *In Phase II, any two C-level infractions committed within a thirty-day period are considered “Sanctioned C” infractions and are sanctioned at the Court’s discretion.</p>
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“Sanctioned C” Infractions

- First Sanctioned C..... See above list of sanctions
- Second Sanctioned C..... up to 7 days jail
- Third Sanctioned C..... up to 14 days jail
- Fourth Sanctioned C..... up to 28 days jail
- Fifth Sanctioned C..... Termination, sentence imposed

Phase III: Infractions and Court-Imposed Sanctions

<p>A Level Infractions: * absconding or termination from treatment with involuntary return to Court. *substituted or tampered drug test Note: In the event of termination or absconding with involuntary return to</p>	<p>Every A level infraction results in Action by the Court: <u>First A level infraction:</u> *up to 14 days jail <u>Second A level infraction:</u> *up to 28 days jail <u>Third A level infraction:</u> *termination, sentence imposed</p>	<p>Every C level infraction may be addressed by the treatment providers as well as the Court.* Sanctions include but are not limited to: *immediate (next day) court attendance *increased case management visits</p>
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<p>Court in the third phase, as a program participant you are subject to a minimum of 8 to 14 days in jail, barring exceptional circumstances.</p> <p>B Level Infractions: * absconding or termination from treatment with voluntary return to Court. * positive or missed drug test</p> <p>C Level Infractions*: * missed appointment * rule breaking at treatment which does not result in termination * one late arrivals at court or program sessions without satisfactory excuse * breaking behavior rules</p>	<p>Every B level infraction results in</p> <p>Sanction by the Court:</p> <p><u>First B level infraction:</u> *2 days penalty box *Detox *Workshop attendance *Essay/journal/letter writing *Increase in court attendance frequency</p> <p><u>Second B level infraction:</u> *up to 7 days jail, plus any of the above</p> <p><u>Third B level infraction:</u> *up to 14 days jail, plus any of the above</p> <p><u>Fourth B level infraction:</u> *up to 28 days jail, plus any of the above</p> <p><u>Fifth B level infraction:</u> *termination, sentence imposed</p>	<p>*increased testing *detox/rehab *mandatory self help assignment *essay/letter writing assignment *loss of certain treatment privileges (determined by program) *community service</p> <p>*In Phase III, 1C- level infraction is considered a “Sanctioned C” infractions and is sanctioned at the Court’s discretion.</p>
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“Sanctioned C” Infractions

- First Sanctioned C..... See above list of sanctions
- Second Sanctioned C..... up to 7 days jail
- Third Sanctioned C..... up to 14 days jail
- Fourth Sanctioned C..... up to 28 days jail
- Fifth Sanctioned C..... Termination, sentence imposed