



NATIONAL ASSOCIATION OF DRUG COURT PROFESSIONALS NATIONAL DRUG COURT INSTITUTE

Lists of Incentives and Sanctions

Please Note: This list includes annotations to offer helpful tips and cautions, garnered from professional experience and research findings, to assist the reader to effectively apply the responses. A list excluding the annotations can be found at ndcrc.org.

The following lists of incentives and sanctions were collected from hundreds of Drug Courts around the country during NDCI training events. This compilation is intended to encourage Drug Courts to think more broadly and creatively about the types of responses they might provide in their own programs. NDCI faculty grouped the responses into conceptually similar categories and in approximate order of magnitude or severity.

These lists are not intended to be exhaustive. Drug Courts are encouraged to develop their own responses and to gauge the effectiveness of those responses within their programs.

The lists do NOT include therapeutic responses or adjustments to participants' treatment regimens. Treatment adjustments should be based on participants' clinical needs as determined by qualified treatment professionals, and should not be used to reward desired behaviors or to punish undesired behaviors.

Finally, the lists do not refer to the specific target behaviors that the incentives and sanctions should be used to address. For example, research indicates lower magnitude rewards should ordinarily be provided for relatively simpler (or proximal) achievements than for difficult (or distal) achievements. Deciding on the most appropriate magnitude of a response to a particular behavior is beyond the scope of this document, but is addressed in several NDCI publications.

Incentives

LOW	MODERATE	HIGH
<p style="text-align: center;">Verbal Praise</p> <p>Verbal praise is provided for most routine accomplishments in Drug Courts, including timely attendance at appointments and participation in treatment-related discussions or activities. This is especially important during Phase 1 of the program, when participants have a relatively harder time satisfying basic expectations.</p> <p>All team members should be prepared to offer praise at or near the time that accomplishments are achieved; for example, immediately after a productive counseling session or a drug-negative urine test. The judge later reinforces the praise during court hearings.</p>	<p style="text-align: center;">Reduced Supervision Requirements</p> <p>Participants who have made substantial progress in Drug Court are commonly incentivized by reducing their supervision obligations. For example, they may be permitted to attend less frequent probation appointments or status hearings. Typically, supervision adjustments are made when participants advance to a higher phase in the program.</p> <p>Research cautions that Drug Courts should not hold status hearings less frequently than every 4-6 weeks until participants are in the final phase of the program and have initiated their continuing-care plans. Moreover, treatment services should only be reduced based on a clinical determination that it is therapeutically indicated to do so. Finally, drug testing should not be reduced until after other treatment and supervision services have been reduced, and it is reliably determined that drug use has not recurred as a result.</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Less frequent probation appointments • Less frequent status hearings 	<p style="text-align: center;">Supervised Day Trips</p> <p>Day trips differ from the social gatherings described earlier, in that they are held off premises. Typically, they are reserved for participants in the last phase of the program who are being recognized for leaving the “offender” role and assuming a role of “citizen.”</p> <p>Examples include:</p> <ul style="list-style-type: none"> • Fishing trips • Movie outings • Intramural sports • Sporting events • Bowling tournaments • Recovery Olympics
<p style="text-align: center;">Small Tangible Rewards</p> <p>Many participants in Drug Courts are unaccustomed to earning positive reinforcement and respond well to low-magnitude rewards. The rewards are typically given for basic accomplishments during the early phases of the program, such as attending a full week of counseling appointments. The</p>	<p style="text-align: center;">Reduced Community Restrictions</p> <p>Many Drug Courts impose curfews and area restrictions on participants as a condition of entry into the program. After participants reliably engage in treatment and achieve a sustained period of abstinence, they may be rewarded by reducing those community restrictions. For example, curfews may be extended from 8:00</p>	<p style="text-align: center;">Travel Privileges</p> <p>In anticipation of commencement from the program, participants’ travel restrictions may be formally lifted, allowing them to leave the county or state for a weekend, extended weekend, or week-long interval. Typically, phone-ins are required to ensure continued contact with the treatment program or supervision</p>

<p>goal is to instill hope and encourage compliance with the treatment regimen.</p> <p>The rewards are typically structured so as to increase participants' involvement in productive activities, and may contain pro-sobriety messages, toll-free phone numbers for local treatment services, or the Drug Court's logo.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Bookmarks • Bus tokens • Phone cards • Healthy foods (e.g., juice, tea, granola bars, fruit, trail mix) • Coffee mugs • Birthday or holiday cards • Books or children's books • Planners or calendars • School supplies • Toiletries • Underwear • Frames for certificates • Picture albums • Serenity Stones • T- Shirts with inspirational sayings or quotes 	<p>pm to 10:00 pm.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Later curfews • Relaxed area restrictions 	<p>officers.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Weekend pass out of county • Phone check-in s may be required
<p style="text-align: center;">Recognition in Court</p> <p>Formal recognition is provided in court when participants meet substantial milestones in the program, such as completing a standardized treatment curriculum or achieving 30 consecutive days of sobriety. In addition to verbal praise, participants may receive a handshake from the judge, a round of applause in open court, and/or a certificate of accomplishment.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Handshake from the judge • Round of applause in 	<p style="text-align: center;">Enhanced Milieu Status</p> <p>As noted previously, many Drug Courts reduce supervision requirements — and, unfortunately, sometimes treatment requirements — as an incentive for good behavior. Participants may, for example, be permitted to leave court immediately after their appearances or attend fewer probation appointments.</p> <p>Although this approach can be effective, it risks precipitating relapse if the services are reduced too rapidly. Moreover, it may reduce opportunities for new participants to interact with their successful peers, because the most successful cases will end up spending the least amount of time on</p>	<p style="text-align: center;">Large Tangible Rewards</p> <p>In the later phases of the program, participants may earn tangible rewards of more substantial value or impact. As is typical, these rewards are used to encourage pro-social and healthy leisure activities, or to assist with adaptive activities of daily living.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Commemorative gift issues of the "Big Book" or other readings • Concert tickets • Sports tickets • Autographs (musicians and actors frequently

<p>court</p> <ul style="list-style-type: none"> • Certificate of accomplishment for achieving a clinically important milestone 	<p>site in the program.</p> <p>For these reasons, many Drug Courts <i>elevate</i> the status of successful participants in the milieu, and <i>increase</i> their involvement in the program. For example, participants who have achieved stable abstinence, obtained a job, and are actively involved in the 12-Step community, may become peer-support mentors in the Drug Court or may lead discussions in the group counseling sessions. Typically, they do not interact with new participants outside of the program, but rather serve as on-site mentors where there is concurrent professional supervision.</p> <p>Examples of the names or titles assigned to these positions include:</p> <ul style="list-style-type: none"> • Appointment as in-program peer mentor • Assistant group leader • Self-help group facilitator • All-Star List or Dean's List 	<p>offer these as a public service to programs treating addiction)</p> <ul style="list-style-type: none"> • Tattoo removal • Yoga or Tai Chi classes • Health club memberships • Savings bonds • Home improvement or car repair assistance • Waiver of fines or fees • School or tuition fees • Donated education courses
<p style="text-align: center;">Symbolic Rewards</p> <p>Symbolic rewards may be inexpensive, but they have high emotional impact in the recovery community. Due to their symbolic value, they are generally viewed as being higher in magnitude than the small tangible rewards listed above. Typically, they are delivered to commemorate the achievement of a clinically meaningful milestone, such as 90 consecutive days of abstinence.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Sobriety chips • Sobriety key chains • Sobriety tokens • "Live Strong" bracelets • Copies of addiction readings such as the AA "Big Book" 	<p style="text-align: center;">Moderate Tangible Rewards</p> <p>As noted earlier, many participants in Drug Courts are unaccustomed to positive reinforcement and respond well to tangible rewards. As participants make positive progress in the program, the magnitude of the rewards progressively increases. The rewards typically encourage engagement in productive or healthful activities.</p> <p>Examples of moderate rewards include:</p> <ul style="list-style-type: none"> • Gift certificates (typically \$5 to \$20 value) • Movie passes or movie rentals • Admission passes to amusement parks or sporting events • Introductory memberships to spas or gyms • Haircuts • Makeup or cosmetic sessions • Groceries • Work or school clothing or 	<p style="text-align: center;">Point Systems</p> <p>Point systems can enable Drug Courts to offer large tangible rewards at a reasonable expense. Rather than earning rewards for each accomplishment, participants earn points or vouchers for satisfying the conditions for phase advancement or other major accomplishments. The points are banked until participants enter the last phase of the program, and they can then trade in the points for a substantial prize. Some programs also offer bonus points for unusual accomplishments, such as receiving a job promotion or earning a GED.</p>

	<ul style="list-style-type: none"> shoes • Bowling, skating or other recreational passes • Quilts, blankets, towels • Watches • Calling cards • Gas cards 	
<p>Posted Accomplishments</p> <p>Evidence of exceptional accomplishments may be openly posted in the Drug Court. For example, pro-s obriety artwork or essays, photographs of participants receiving a diploma or GED, or letters of commendation from employers, may be publicly displayed in the courtroom, treatment program, or probation office.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Pro-s obriety artwork or writing essays displayed in the courtroom, treatment program or probation office • Photos of participants receiving GEDs or other awards • Letters of commendation from employers or teachers 	<p>Fishbowl Drawings</p> <p>Many Drug Courts are stretched for resources and may have difficulty offering rewards of more than minor value. The “fishbowl procedure” allows Drug Courts to provide tangible rewards at lesser cost.</p> <p>Rather than earning tangible rewards for each accomplishment, participants earn <i>chances</i> to draw paper slips from a fishbowl. The slips award a combination of some tangible prizes and a greater percentage of non-tangible incentives, such as certificates of accomplishment. There may also be 1 or 2 prizes of substantial value (\$25 to \$50), but the odds of drawing them are small.</p> <p>Research indicates that the <i>opportunity</i> to earn a substantial reward can be as reinforcing, or more reinforcing, than earning smaller rewards each time. It also adds entertainment value for persons who typically lack pleasurable, pro-social activities in their lives.</p> <p>A major advantage of this approach is that participants can earn multiple rewards in the same week (i.e., multiple draws) without incurring undue costs to the program. For example, participants may earn separate draws for attending counseling sessions, delivering drug-negative urine samples, and appearing in court.</p>	<p>Ambassadorships</p> <p>Ambassadorships are typically reserved for graduates or individuals making stellar progress in the program. This status enables participants or alumni to represent the Drug Court to outside agencies, such as the public, church groups, legislators, or the media.</p> <p>Commonly, the participants first take classes or sessions to prepare them for public speaking, and to assist them to tell their stories effectively and in a manner that is comfortable for them.</p>
<p>Written Commendations</p> <p>Written commendations may be shared by participants (assuming they choose to do so) with outside parties, such as</p>	<p>Self-Improvement Services</p> <p>Self-improvement services differ from the routine interventions provided to all participants. These are personalized services designed to help</p>	<p>Commencement Ceremony</p> <p>Virtually all Drug Courts put great thought and effort into their commencement or graduation ceremonies.</p>

<p>employers, family members, or school administrators. They typically inform “to whom it may concern” that the participant has achieved a substantial period of <u>stable</u> sobriety and law-abiding behavior. Because the participant has “turned a corner” and made a significant shift in progress, he or she might be trusted to return to previous activities or roles, assuming that supervision and treatment in the Drug Court will continue.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Letters of Attainment from the judge • Progress Reports or Report Cards from treatment providers or probation officers 	<p>participants excel in productive lives, and are used to highlight substantial progress participants have made towards assuming pro-social life roles. The implicit message is that the program is investing in the participant’s future accomplishments.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Resume writing assistance • Dress for Success • Job interview preparation classes • Pre-vocational assistance • GED, literacy, or educational assistance • Public speaking pointers • Meal preparation or nutritional classes • Yoga or exercise classes 	<p>Elements of the ceremonies include:</p> <ul style="list-style-type: none"> • Robes and “Pomp and Circumstance” • Flowers, plaques, and framed diplomas • Pictures taken with the staff and judge • Delivering thankfulness speeches • Hearing speeches from local or national celebrities and politicians • Words of redemption and congratulation from the arresting police officer • Media coverage or interviews bearing witness to graduates’ success
	<p style="text-align: center;">Supervised Social Gatherings</p> <p>Participants who have begun to assume appropriate life roles may earn inclusion in social gatherings coordinated by the Drug Court staff. These events are designed to provide healthy recreational experiences and opportunities for participants to practice appropriate social interactions in non- drug-related situations.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Picnics or parties • Sober dances • Recovery games or activities • Picture day (formal portraits taken) • Family day (food and games provided to invited family members and friends) 	<p style="text-align: center;">Legal Incentives</p> <p>Commencement from Drug Court virtually always leads to substantial legal incentives.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Dismissal of the charge(s) or vacation of a guilty plea • Reduction in the charge(s) • Reduction of the sentence • Avoidance of jail or prison • Curtailment of a probation term or “tail” • Consolidation of multiple probationary terms • Expungement of the arrest or conviction record



Sanctions

LOW	MODERATE	HIGH
<p style="text-align: center;">Verbal Admonishments</p> <p>Verbal admonishments may be delivered by any staff member and are ideally delivered at or near the time an infraction has occurred; for example, immediately after a missed counseling appointment or drug-positive urine test. The judge later reinforces the admonishment during court hearings.</p> <p>Research indicates admonishments should never be delivered in a disrespectful, insulting, or threatening manner. The important points are to: (a) clarify the nature of the infraction, (b) emphasize the expectation of compliance in the program, (c) indicate what sanctions await future transgressions, and (d) consider what alternative actions the participant should take in the future.</p>	<p style="text-align: center;">Increased Supervision Requirements</p> <p>Participants may be required to attend more frequent probation appointments, case management sessions, or status hearings in court.</p> <p>They may also be required to undergo more frequent drug testing, or more frequent home or community visits by probation officers or other supervision agents.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • More frequent probation appointments • More frequent status hearings 	<p style="text-align: center;">Day Reporting</p> <p>Participants may be required to go to a day-reporting center, correctional halfway center, or probation program on a daily basis for several hours each day, often including weekends. Required activities may include drug testing, counseling sessions, cognitive-behavioral “criminal thinking” interventions, and job training. The purpose is to substantially restrict and structure participants’ free time.</p> <p>Common example includes:</p> <ul style="list-style-type: none"> • Several hours per day or week at probation office or other reporting center probation appointments
<p style="text-align: center;">Letters of Apology</p> <p>Participants may be required to write letters of apology to the program or persons they have negatively impacted. They are typically asked to describe their non-compliant or inappropriate behavior, analyze what went wrong, and consider how they will react differently in the future.</p> <p>Sometimes, participants are required to read the letter in court or during a counseling session. This decision is based on the severity of the infraction, and whether there are any clinical</p>		<p style="text-align: center;">Electronic Surveillance</p> <p>Participants may be required to wear an ankle monitoring device, SCRAM® detection device, or other GPS or phone monitoring device.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Ankle monitor • SCRAM® device • Car interlock device

<p>contraindications to having the participant speak in public or publicly disclose the nature of the event.</p> <p>For participants who are illiterate or have difficulty writing or staying cognitively focused, tape recordings may be used in lieu of written letters.</p>		
<p style="text-align: center;">Essay Assignments</p> <p>Essays are typically longer than letters and may require some degree (typically minor) of independent research.</p> <p>Staff members generate a list of topics relevant to recovery, and develop a “lending library” of easy-to-dig est pamphlets, fact sheets, audio tapes and books on those topics.</p> <p>Common topics may include:</p> <ul style="list-style-type: none"> • Definition of recovery • Relapse triggers • Drug refusal skills • Managing cravings • Lying and dishonesty • The disease of addiction • The impact of addiction on the family • The role of treatment • The role of peer support groups <p>*Tape recordings may be used in lieu of writing assignments for participants who are illiterate or have difficulty writing.</p>	<p style="text-align: center;">Useful Community Service</p> <p>Community service keeps participants supervised and away from problematic interactions in their neighborhoods. It may also teach useful or adaptive life skills, provide a sense of accomplishment, and offer an opportunity to make restoration to the community.</p> <p>The severity of the infraction(s) usually determines the number of hours in a day, and the number of days, the participant must report for community service.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Set up for or clean up after treatment sessions, court sessions or graduation ceremonies • Wash police cars • Clean the jail, courthouse, treatment facility or probation office • Pick up trash on the roadside • Sweep gyms or other facilities • Clean graveyards • Clean animal shelters • Assist with Habitat for Humanity • Work in a soup kitchen • Staff community events • Clean Sheriff’s horse stalls 	<p style="text-align: center;">Home Detention</p> <p>Participants may be required to remain in their homes except for specifically authorized activities, such as work, school, or treatment appointments. Compliance with the curfew is typically enforced via random telephone monitoring calls with voice confirmation, anklet monitors, or random home visits by probation officers</p> <p>Common example includes:</p> <ul style="list-style-type: none"> • Phone monitored curfew
<p style="text-align: center;">Daily Activity Logs</p> <p>Participants may be required to carefully plan out in advance the activities they expect to engage in during the coming week. Then, they use an activity log or spreadsheet to</p>	<p style="text-align: center;">Monetary Fines or Fees</p> <p>Monetary <i>fin</i>es are often set by law for particular offenses, and in some jurisdictions may not be increased for technical violations or other infractions.</p> <p>In contrast, <i>fee</i>s are typically assessed</p>	<p style="text-align: center;">Flash Jail Sanctions</p> <p>Research reveals that “flash” jail sanctions of no more than approximately 3 to 5 days can be effective at reducing noncompliant behavior. If, however, jail sanctions are</p>

<p>monitor their compliance with, and deviations from, the intended schedule. This information is reported back to staff and the court, and used to identify problematic times and situations in which drug use or other infractions are likely to occur. Contingency plans are then developed to avoid such problematic situations.</p> <p>Activity logs are commonly used for participants who are resistant to thinking in advance about their actions, or who engage in impulsive decision-making.</p> <p>Common example includes:</p> <ul style="list-style-type: none"> • Monitor and report on adherence to pre-set daily routine 	<p>for services provided to participants or for costs incurred by the program. For example, participants who challenge positive drug tests may be required to pay the costs of retesting if the positive test results are confirmed. Similarly, participants might be charged for missed counseling sessions (although perhaps not for attended sessions if they are on a sliding payment scale).</p> <p>It is important not to allow fines or fees to build up beyond participants' realistic ability to pay. Once the ability to pay has reached a ceiling, the use of non-monetary sanctions is preferable.</p>	<p>imposed too frequently, for minor or first-time infractions, or for longer intervals of time, they can quickly become ineffective and cost-prohibitive.</p> <p>Commonly, the first (or perhaps second) time a jail sanction is imposed, participants are permitted to serve the sanction at a relatively convenient time, such as over a weekend, during consecutive weekends, or after arrangements for childcare or other obligations have been made. The purpose is to avoid interfering with productive and pro-social obligations. After repetitive infractions, however, participants might be taken directly into custody without an opportunity to prepare.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Ideally 1 to 5 days • May be served on weekend or other pre-planned time
<p style="text-align: center;">Journaling</p> <p>Journaling focuses on more than events or schedules. Participants also monitor and document their thoughts, feelings and attitudes through descriptive writing assignments. This information is used to identify emotional triggers for drug use and topics for discussion in counseling.</p> <p>Journals are often used for participants who are non-insightful, and who tend to act out before they think about their motivations for doing so.</p> <p>Common example includes:</p> <ul style="list-style-type: none"> • Monitor and report on thoughts, feelings and attitudes associated with drug use or antisocial activities 	<p style="text-align: center;">Holding Cell</p> <p>Participants may be escorted by the bailiff or sheriff's deputy to a holding cell adjacent to the courtroom or elsewhere in the courthouse. The participant may be held in the cell for the remainder of the court session and then brought back for an appearance at the end of the day. The purpose is to give the individual a "taste" of detention without incurring the costs of transportation or having the individual processed into the jail.</p> <p>Common example includes:</p> <ul style="list-style-type: none"> • Remain at courthouse and return for status review at end of court session 	<p style="text-align: center;">Termination</p> <p>The ultimate sanction in Drug Court ensues from an unsuccessful termination. Participants may receive a criminal record of a conviction, with attendant collateral consequences such as ineligibility for certain public benefits. Participants may subsequently be sentenced on the original charge(s), have their probation or parole revoked, or receive a jail or prison disposition.</p> <p>Depending on the jurisdiction and the nature of the waivers that are executed to enter the program, participants may, or may not, receive credit for time served in the Drug Court. They also may, or may not, receive an augmented sentence or disposition as a result of their failure to comply with the Drug Court requirements.</p>

<p>Life Skills Assignments</p> <p>Participants may be required to investigate how to accomplish a specific task of daily living. They may need to gather relevant information from staff members, other participants, family members and friends; engage in preparatory actions; develop a plan of action; receive feedback on their plan of action; execute the plan; and take corrective steps, where needed.</p> <p>The task is logically linked to areas of difficulty in the participant’s adaptive functioning.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Open a bank account • Obtain a state identification card • Reinstate a drivers license • Enroll in GED, H.S. or college classes • Prepare for or conduct a job search 		
<p>“Jury Box” Observation</p> <p>Many Drug Courts require noncompliant participants to sit in the jury box or other designated area of the courtroom to observe the Drug Court proceedings for a day, several days, or a week. This is frequently used to keep participants away from problematic interactions in their neighborhoods. It is also used for participants who tend to be untruthful in their interactions with staff, because they can see how manipulative behaviors appear to observers.</p> <p>For more serious or repetitive infractions, participants may be required to observe non-dru g</p>		

<p>court proceedings, such as bail hearings or criminal trials. The purpose here is to witness what happens to individuals who do not succeed in Drug Court or who are processed through traditional criminal justice channels.</p>		
<p style="text-align: center;">Increased Community Restrictions</p> <p>The Drug Court may impose additional curfews, area restrictions, association restrictions, or restricted driving privileges. For example, participants may be forbidden from associating with particular individuals, going to particular neighborhoods, being out of their homes after 8:00 pm, or driving their car for purposes other than for work or school.</p> <p>Unless curfews are phone-monitored, and unless probation officers, community corrections officers or the police monitor participants' obedience to other restrictions, they may be expected to have little effect.</p> <p>Common examples include:</p> <ul style="list-style-type: none"> • Earlier curfew • Increased person or area restrictions 		
<p style="text-align: center;">Team Round-Tables</p> <p>Team round-tables are typically used for participants who are in danger of failing out of the Drug Court due to noncompliance with basic expectations, such as failing to show up for counseling sessions or being untruthful.</p> <p>The entire Drug Court team meets with the participant to offer feedback and direction from multiple sources in a cohesive and unified way. This</p>		

is often effective in reducing splitting and triangulation of staff by manipulative individuals.		
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