

National Drug Court Institute

Drug Court Training

Practical Guide to Incentives and Sanctions

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Basic Terminology



GIVE

SANCTION

REWARD

Punishment	Positive Reinforcement
Negative Reinforcement	Response Cost

TAKE



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Carrot and Stick

- Reduce undesirable behaviors and increase desirable behaviors
- Positive vs. negative reinforcement



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First Things First

Proximal Goals



Distal Goals



Treat or Punish

Substance Dependence or Addiction

1. Triggered binge pattern
2. Cravings or compulsions
3. Withdrawal symptoms



Abstinence is distal goal

Substance Abuse



Abstinence is a proximal goal

Collateral needs



Regimented compliance is proximal

- Dual diagnosis
- Chronic medical condition (e.g., HIV+, HCV, diabetes)
- Homelessness, chronic unemployment



Sanctions or Therapeutic Consequences

- Treatment responses should be delivered by treatment professionals



Trust But Verify

Certainty



Reliably Detection



Timing Is Everything

- Responses should be delivered immediately

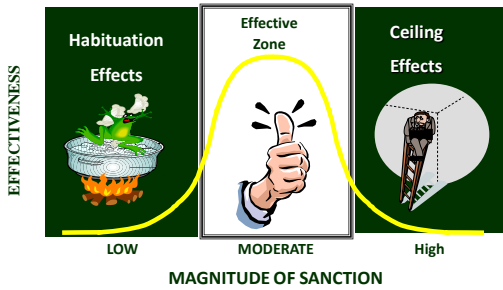


Do Due Process

- Procedural fairness
- Clear expectation explanation
- Method of delivery
- Respect and dignity



Staying Centered: Magnitude



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Fishing for Tangible Resources



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Target Behaviors

- **Don't expect too much**
 - Learned helplessness and ratio burden
- **Don't expect too little**
 - Habituation
- **Proximal vs. distal goals**
- **Phase specificity**



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Tangible Rewards

- Most important for reinforcement-starved participants
- Point systems
- Symbolic rewards



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Examples of I/S



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Low Magnitude Rewards

- Verbal praise
 - For all routine behaviors
 - From all team members
- Small tangible rewards
 - For adherence to routine (e.g., full week attendance)
 - Pro-social (e.g., day planners, calendars, alarm clocks, bus tokens, bookmarks, phone cards, healthy snacks, toiletries, clean underwear, coffee mugs)
 - Pro-sobriety (e.g., serenity stones, "Live Strong" bracelets, T-shirts with inspirational messages, coffee mugs with logo, refrigerator magnets with crisis numbers)



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Low Magnitude Rewards

- **Recognition in court**
 - Early milestone (e.g., 30 days abstinence)
 - Round of applause, handshake from judge, and/or certificate
- **Symbolic rewards**
 - Clinically significant milestone (e.g., 90 days abstinence; completion of basic treatment curriculum)
 - Sobriety chips, tokens or key chains; paperback edition of Big Book or comparable literature
- **Posted accomplishments**
 - Individualized achievements
 - E.g., posted artwork, essays, poems, diplomas, graduation pictures



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Low Magnitude Rewards

- **Written commendations**
 - “To whom it may concern”
 - Letter of attainment from judge; or report card from case manager or probation officer



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Moderate Magnitude Rewards

- **Reduced supervision**
 - Avoid over-reliance for high-need participants
 - Not treatment conditions!
- **Reduced community restrictions**
 - E.g., extended curfew or relaxed area restrictions
- **Enhanced milieu status**
 - On-site peer mentors; or lead group discussions
- **Moderate tangible rewards (fishbowl)**
 - Initiate productive or healthful activities
 - Introductory spa or gym membership, cosmetic session, movie passes, haircuts, bowling or skating passes

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Moderate Magnitude Rewards

- **Self-Improvement services**
 - Life preparation for those getting ready to move on
 - Resume writing; dress for success; prevocational classes; GED; meal preparation
- **Supervised social gatherings**
 - Supervised by program staff
 - Picnics, sober dances, recovery games, family day, picture day

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High Magnitude Rewards

- **Supervised day trips**
 - Off-site
 - Movie outings, bowling trips, sporting events
- **Travel privileges**
 - Begin with phone-in conditions
- **Substantial tangible rewards**
 - Commemorative “Big Book”; sports or concert tickets; spa memberships; yoga or Tai Chi classes; celebrity autographs; donated educational scholarships
 - “Point Systems”



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High Magnitude Rewards

- **Ambassadorships**
 - Preparatory classes
 - How to tell your story
- **Commencement**
 - Robes, Pomp & Circumstance, pictures with the judge and arresting officer, celebrity speeches, framed diplomas, media coverage
- **Legal incentives**
 - Dismissal of charges; reduced sentence; consolidation of probationary terms; record expungement



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Low Magnitude Sanctions

- Verbal admonishments
 - By all staff at time of infractions
 - Never disrespectful or insulting
 - Clarify: (1) nature of infraction, (2) importance of compliance, (3) future sanctions, and (4) alternative actions
- Letters of apology or explanation
 - May or may not read it aloud
 - Tape recordings in lieu of writings
- Essay assignments
 - Easily digestible library of recovery topics
- Daily activity scheduling and logs



Low Magnitude Sanctions

- Journaling
 - Thoughts, feelings, expectations
 - Tape recordings in lieu of writings
- Life skills assignments
 - Learn how and prepare to: open a bank account, take public transportation, enroll in school, find a job, obtain ID
- Jury Box observation
 - Drug Court or other proceedings



Low Magnitude Sanctions

- Increased community restrictions
- Team round-tables
 - Feedback from multiple viewpoints
 - Plug gaps in communication and contain splitting



Moderate Magnitude Sanctions

- Increased supervision
 - Not treatment!
- Phase demotion
 - Prepare for more effective transition
- Useful community service
- Monetary fees (≠ fines)
 - Realistic ability to pay
- Holding cell at courthouse
- Warning tours



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High Magnitude Sanction

- Day reporting center
- Electronic surveillance
- Monitored home detention
- Flash incarceration
 - Effectiveness and cost-effectiveness decline rapidly after 3 to 6 days
 - Opportunity to prepare
- Termination



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Readings

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