



# Sanctions List

1. Verbal admonishment
2. Letter of apology/essay
3. Daily log/journaling
4. Life skills assessment
5. Jury box observation
6. Increased community/supervision restrictions/requirements
7. Community service
8. Fines/fees
9. Day reporting
10. Electronic monitoring
11. Home detention
12. Jail
13. Termination
14. Behavior contract
15. Warrant/court order/revocation hearing
16. Other



# Summary of Accountability Courts Sanctions Aligned with NDCI Categories

This document summarizes categorized sanctions with guidance from the National Drug Court Institute (categories and descriptions may be found at <https://www.ndci.org/resource/training/incentives-and-sanctions/>).

## 1. Verbal Admonishment

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. 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.

## 2. Letter of Apology/Essay Assignment

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.

Essays are typically longer than letters and may require some degree (typically minor) of independent research. Staff members generate a list of topics relevant to recovery and develop a “lending library” of easy-to-digest pamphlets, fact sheets, audio tapes and books on those topics.

Common topics may include:

- 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

\*Tape recordings may be used in lieu of writing assignments for participants who are illiterate or have difficult writing.

## 3. Daily Activity Log/Journaling

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 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. Activity logs are commonly used for participants who are resistant to thinking in advance about their actions, or who engage in impulsive decision-making.

Common examples include:

- Monitor and report on adherence to -preset daily routine (job search, fluid log, activity log)

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. 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.

Common example includes:

- Monitor and report on thoughts, feelings and attitudes associated with drug use or antisocial activities

#### 4. Life Skills Assessment

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. The task is logically linked to areas of difficulty in the participant's adaptive functioning.

Common examples include:

- Open a bank account
- Obtain a state identification card
- Reinstate a driver's license
- Enroll in GED, H.S. or college classes
- Prepare for or conduct a job search

#### 5. Jury Box Observation

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. For more serious or repetitive infractions, participants may be required to observe non-drug 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.

#### 6. Increased Community/Supervision Restrictions

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 8:00pm or driving their car for purposes other than work or school. Unless curfews are phone-monitored,



and unless probation officers, community correction officers, or the police monitor participants' obedience to other restrictions, they can be expected to have little effect.

Common examples include:

- Earlier curfew
- Increased person or area restrictions (curfew change, suspended driving privileges, daily meetings)

Participants may be required to attend more frequent probation appointments, case management sessions, or status hearings in court. 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.

Common examples include:

- More frequent probation appointments
- More frequent status hearings
- Increased drug screens
- Phase freeze
- Daily check-in
- Increased reporting to probation

## 7. Community Service

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. 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.

Common examples include:

- 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 roadside trash
- Sweep gyms or other facilities
- Clean graveyards/cemeteries
- Clean animal shelters
- Assist with Habitat for Humanity
- Work in soup kitchen
- Staff community events
- Clean sheriff's horse stalls

## 8. Monetary Fines or Fees

Monetary fines are often set by law for particular offenses, and in some jurisdictions may not be increased for technical violations or other infractions. In contrast, fees are typically assessed 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). 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 nonmonetary sanctions is preferable.

## 9. Day Reporting

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.

## 10. Electronic Monitoring

Participants may be required to wear an anklet monitoring device, SCRAM® detection device, or other GPS or phone monitoring device.

Common examples include:

- Ankle monitor
- SCRAM® device
- Car interlock device

## 11. Home Detention

Participants may be required to remain in their homes except for specific 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.

Common example includes:

- Phone monitored curfew

## 12. Jail

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 imposed too frequently for minor or first-time infractions, or for longer intervals of time, they can quickly become ineffective and cost prohibitive. 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.

## 13. Termination

The ultimate sanction in drug court ensures 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. 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.



14. Behavior Contract

15. Warrant/Court Order/Revocation Hearing

16. Other