



SAN FRANCISCO COLLABORATIVE COURTS

To: Collaborative Court Teams

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Subject: Benchmarks for a Successful Incentives and Sanctions Program

Sanction and Incentives are all about behavioral change. These are tools for promoting pro-social behaviors and discouraging anti-social and harmful behaviors.

- A. Target Behaviors:** Clearly identify the behaviors that the team wants to encourage (e.g. attending treatment appointments) and those the team wants to discourage (e.g. using drugs). Target behaviors should be determined by the mission and objectives of the collaborative court and the treatment and recovery goals of each client.
- B. Proximal vs. Distal Goals:** Of the identified target behaviors, determine which are proximal goals (goals that a client can attain in the short run like attending court on time), and which are distal goals (goals that a client can attain in the long run, like sobriety). Proximal and distal goals may be different for different clients, will change over time, and should be reevaluated as clients progress.
- C. Certainty:** Clients must be carefully monitored, and positive and negative target behaviors reliably detected, so that responses are administered with as much certainty as possible. The greater the degree of certainty, the more effective the program.

Additionally, target behaviors, and the responses to those behaviors (sanctions and incentives) must be clearly articulated to clients in advance. A client must be able to predict the court's response to a target behavior, and that target behavior must be one that the client has the ability to control.

- D. Celerity** (aka Immediacy): The longer the delay between the target behavior and the response, the less effective the sanction or incentive. Clients need to directly associate the response with the behavior in question.
- E. Magnitude & Escalation:** Moderate responses are more effective than either minimal or severe responses. Sanctions and incentives should also be graduated, enabling a ratcheting up or down in response to target behaviors.

Treatment should not be used as a sanction. You should treat sick behavior/non-responsiveness. You should punish misbehavior/noncompliance.

- F. Fairness:** Fairness must be the basis of behavior modification, or sanctions and incentives will not work. Keep in mind: proportionality; like people in like circumstances; procedural justice; advance notice; punish the act/behavior, not the person.

STEPS FOR DEVELOPING EFFECTIVE SANCTIONS & INCENTIVES

Step 1: Define target behaviors

- Target behaviors should relate to the objectives of the Collaborative Court and the treatment and recovery goals of each client.
- Target behaviors must be reliably detected so that the team can respond with certainty and celerity.
- Limit the number of target behaviors defined for each client so as not to overburden/overwhelm clients.
- Target behaviors/ emphasis on target behaviors may be different for different clients.
- Target behaviors should be within the client's control and clients should be able to predict the consequences.

Suggested Target Behaviors

1. Attendance/timeliness at scheduled appointments (treatment and probation)
2. Substance use
3. Compliance with court orders
4. "Pro-social" Behavior
 - Education/ Literacy
 - Employment/ Vocational Training
 - Anger Management
 - Parenting

Step 2: Determine whether target behaviors are related to proximal (short-term) or distal (long-term) goals

- Proximal goals are those that the client is capable of achieving in the short term (e.g. attending appointments on time)
- Distal goals are those that will take longer to achieve (e.g. sobriety for a drug dependent individual)
- Target behaviors/ goals should be different at different stages of program participation as program expectations change (over time distal goals may become proximal goals).
- Proximal and distal goals may be different for different clients.

Step 3: Develop an inventory of graduated rewards and punishments (court responses) to target behaviors

- Teams should develop a sizable list of sanctions and incentives, and determine which sanctions/incentives should be consequences for which kinds of target behaviors/short- & long-term goals.

Response Magnitude

1. Responses to short-term goals: sanction high; reward low
2. Responses to long-term goals: sanction low; reward high

- Responses should be proportional to the act. Furthermore, as the frequency/intensity of behaviors increase, so too the magnitude of the response should increase, for example:
 - The first time someone misses an appointment, the court responds by requiring the client to write an essay; the second time, the court requires the client to stay until the end of court; the third time, the court requires the client to do community service, etc.
 - If someone pulls a fire alarm at a treatment facility, even if it's the first time, the court responds with a more severe sanction.
- It is critical that clients are given advance notice of program expectations and consequences. Target behaviors, sanctions and incentives should be clearly defined in writing.
- Treatment should not be used as a sanction. If a change in treatment plan is needed, this should be a clinical response (rather than a court response). You should treat sick behavior/non-responsiveness. You should punish misbehavior/noncompliance.
- Sanctions and Incentives should be applied fairly and consistently: respond to like individuals in like circumstances in similar ways. If different responses are recommended for like individuals in like circumstances, there should be a clear rationale for this difference. If it can't be articulated, then there shouldn't be a difference.
- Incentives are more powerful behavior modifiers than sanctions. A ratio of four incentives to every one sanction is recommended.

Remember

- The client's perception of fairness is essential to effective behavioral modification. Clients must feel that they are being heard.
- Punish the act, not the individual: be wary of bias.