

Developing a Behavioral Response Plan:

Beyond Incentives and Sanctions
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Learning Objectives

- To explain Risk Needs Responsivity and why it is important to understand when working with specialized docket participants to change behavior.
 - Comprehend the nature and extent of criminogenic needs and prognostic risks.
 - To identify why drug courts utilize a behavioral response plan.

- To illustrate specialized docket expectations for the high risk high need population in defining both proximal and distal goals.
 - Define and identify proximal goals.
 - Define and identify distal goals.
 - Define and identify the best responses to change behaviors so specialized dockets participants can reach both types of goals.



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Learning Objectives

- To identify key components of a successful specialized docket behavioral responses.
 - To develop a plan that includes certainty, immediacy, and specificity.
 - To develop a plan with high, low, and moderate magnitude interventions.
 - Understand the importance of procedural fairness within their specialized docket and will be able to structure their behavioral response plan based on procedural fairness.
 - Given tools, resources, and references to develop a behavioral plan designed for the best outcomes.



Metamorphosis



RISK NEEDS RESPONSIVITY

- Risk: likelihood of repeating criminal behaviors
- Need: targeting what to change
- Responsivity: dosage and environmental factors



RISK

- Likelihood of repetition without changing course
- Level of difficulty in addressing issues behind behavior
- Determines level of response



Prognostic Risk Factors

- Younger age
- Male
- Early onset of substance use disorder
- Prior felony convictions
- Previous unsuccessful attempt at treatment
- Previous unsuccessful attempts at rehabilitation
- Antisocial personality disorder
- Antisocial peers and affiliations



Need Principle

- Identifying what is behind the behaviors
- Appropriate response to the identified issues
- Level of response



Need Principle

- Diagnosis of substance use disorder:
 - DSM V
 - Proper clinical diagnosis with a proper evidence based scientifically validate tool by someone with the required credentials for the tool.
 - Includes treatment plan



RESPONSIVITY NEEDS

- Dosage – how much of which intervention for both risk and needs.
- What other environmental factors need addressed:
 - Lack of safe housing
 - Functionally not literate
 - Lack of daily living skills
 - Lack of job skills
 - Co-occurring disorders



Determining Risk and Needs

- Objective
- Validated scientific evidence-based tools
- Individuation based on RNR
- Menu of appropriate responses available for different levels



Proximal and Distal Goals



Proximal and Distal Goals

Proximal Goals

- RIGHT NOW

Distal Goals

- LATER



Proximal and Distal Goals

- Case plan based on RNR
- Proximal and Distal goals included in the case and treatment plans
- Proximal set early on
- Determines magnitude of response for both incentives and sanctions.



Why have incentives and sanctions?

- Opportunity for success
- Increases treatment engagement and treatment completion
- More likely to successfully move through the stages of treatment with incentives and sanctions than not.



Most Effective Responses

- Certainty
- Immediacy
- Specificity



Certainty

- Trust but verify
- Reliable detection
- Valid information



Certainty

- Monitoring systems
- Drug Testing:
 - Frequency of testing – minimum of 2x a week
 - Observation of testing – protocol for observation
 - Scientifically valid testing process (chain of custody, testing protocols, etc)
- Off hour home checks evenings and weekends.
- Participants know up front the possible incentives and sanctions.



Immediacy

- The earlier the better
- Frequency of court hearings
- Supervision



Severity

- Least affective and the highest and lowest magnitude
- Most effective in the intermediate range
- Too weak – habituation
- Too harsh –ceiling effects
- Intensity increases with the number and seriousness

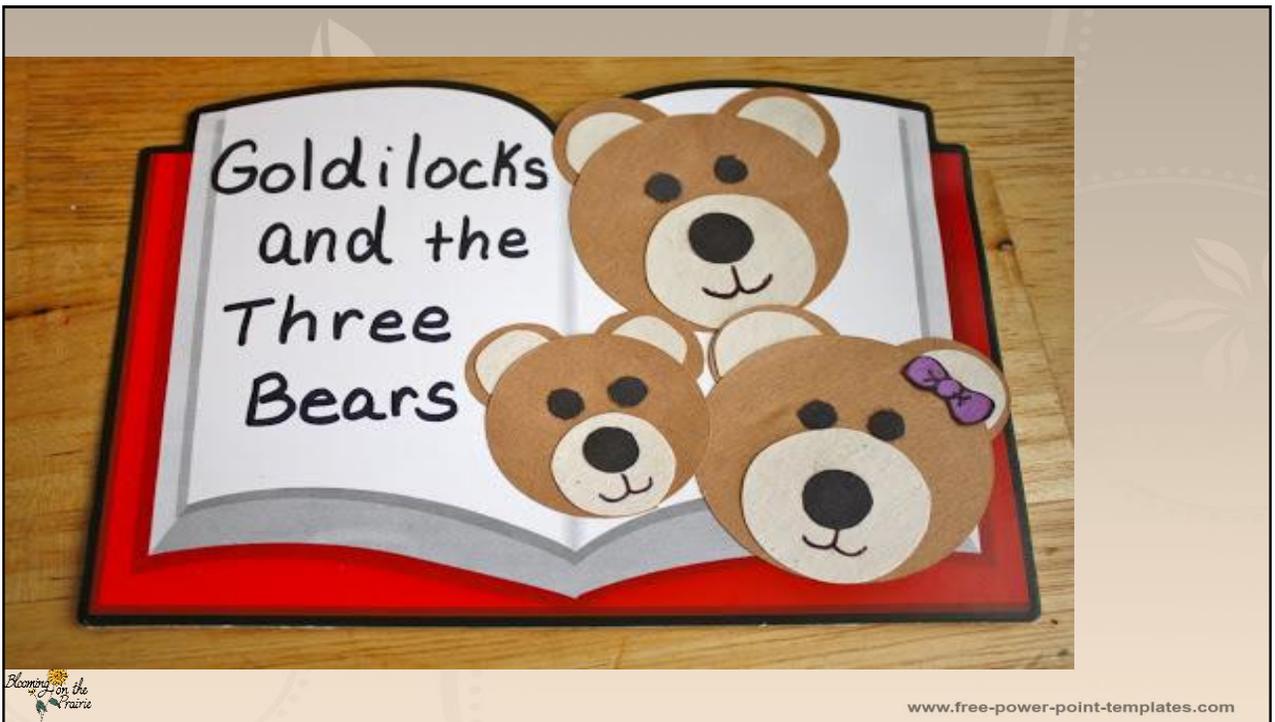


Magnitude

- Who are they? RNR
- Where are they in the program?
- Which behavior responding to?
- What is the response magnitude?
- How to deliver the response?



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Proximal and Distal Goals

Proximal Goals

- RIGHT NOW
- EXAMPLES
- LOWER MAGNITUDE

Distal Goals

- LATER
- EXAMPLES
- HIGHER MAGNITUDE

Magnitude and Language

Definitions:

- Sanction:
 - Punishment
 - Response cost
- Incentive:
 - Positive reinforcement
 - Negative reinforcement



Pitfalls of Incentives and Sanctions

Incentives:

- Complacency
- Entitlement
- Reduces Intrinsic Motivation

Sanctions

- Avoidance
- Not behavior change
- Risk of perceived unfairness
- Learned helplessness



What does magnitude look like?

- Incentives:
 - Low: Verbal praise, applause
 - Moderate Incentive: Fishbowl (saves resources but effective)
 - High: Travel privileges out of county, outings (movies, sports, etc)
- Sanctions:
 - Low: verbal admonishment, apology letter (or recording)
 - Moderate: useful community service (clean police cars)
 - High: flash jail, home detention (24 hour curfew)



Procedural Fairness

- The messenger
- Notice
- Opportunity to be heard especially when jail as a sanction.
- Perceived unfairness
- Transparent Reasoning
 - Matching
 - Stages of change
 - Power of authentic praise



Prepared for Differences

- The same incentive or sanction may have a different affect.
- Know your community and it's values.
- Know what will work with your participants.

(ASK)



Therapeutic Response

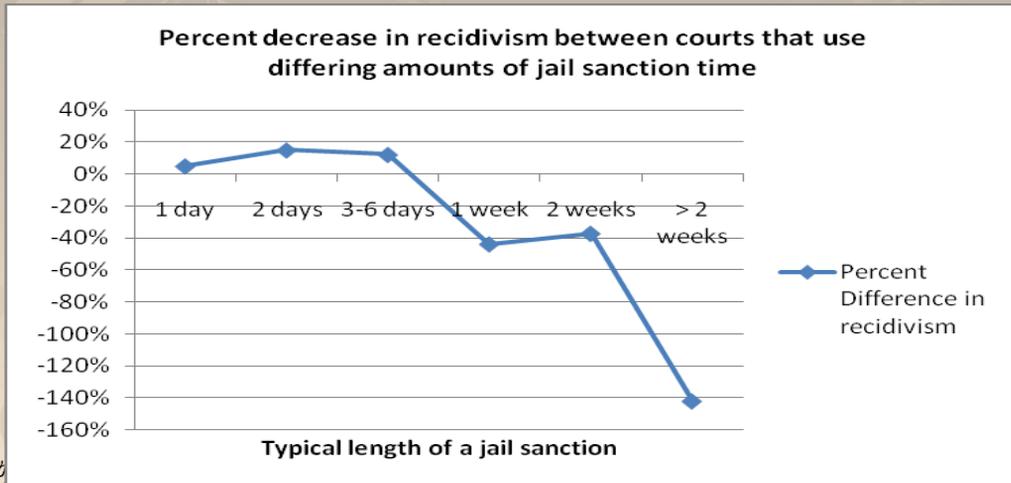
Behavior to be targeted or non-responsiveness to treatment:

- Ask the treatment professional
- Adjustment in treatment not a sanction
- Treatment based activities not a sanction



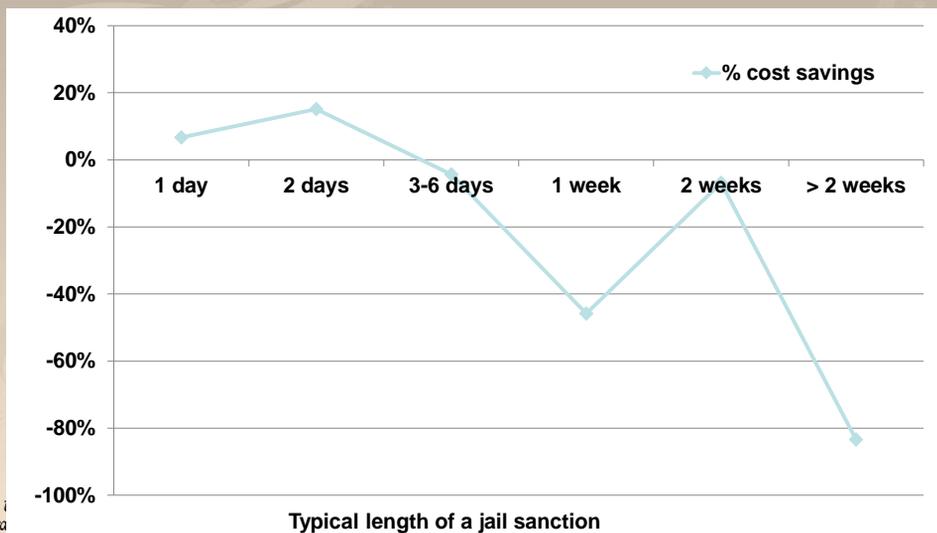
Jail as a Sanction: Provided by NPC Research

- Habituation:



Jail as a Sanction: Provided by NPC Research

- Cost:



Worksheet

- Tool provided
- Do your homework
- How to use the tool



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No Need to Recreate the List!!!

The screenshot shows a web browser window with the URL <https://ndcrc.org/content/list-incentives-and-sanctions/>. The page header includes the National Drug Court Resource Center logo and the Justice Programs Office at American University. A navigation bar contains links for RESOURCES, FIND A DRUG COURT, COLLABORATIVE PARTNERS, EVENTS, and ABOUT, along with a search box. The main content area is titled "INCENTIVES" and contains a table with three columns: Low, Moderate, and High.

Low	Moderate	High
Verbal Praise	Reduced Supervision Requirements <ul style="list-style-type: none"> • Less frequent probation appointments • Less frequent status hearings 	Supervised Day Trips <ul style="list-style-type: none"> • Fishing trips • Movie outings • Intramural sports • Sporting events • Bowling tournaments • Recovery Olympics
Small Tangible Rewards <ul style="list-style-type: none"> • Bookmarks 	Reduced Community Restrictions <ul style="list-style-type: none"> • Later curfews 	Travel Privileges <ul style="list-style-type: none"> • Weekend pass out of county • Phone check-ins may be



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No Need to Recreate the List!!!



The screenshot shows the National Drug Court Resource Center website. The page title is "List Incentives And Sanctions" and the URL is "https://ndcrc.org/content/list-incentives-and-sanctions/". The website header includes the National Drug Court Resource Center logo and the Justice Programs Office at American University. The main content area is titled "SANCTIONS" and contains a table with three columns: Low, Moderate, and High. The table lists various sanctions for each level, including Verbal Admonishments, Letters of Apology, Increased Supervision Requirements, Day Reporting, and Electronic Surveillance. A note at the bottom of the table states: "*Tape recordings may be used in lieu of writing assignments for participants who are illiterate or".

Low	Moderate	High
Verbal Admonishments	Increased Supervision Requirements <ul style="list-style-type: none"> • More frequent probation appointments • More frequent status hearings 	Day Reporting <ul style="list-style-type: none"> • Several hours per day or week at probation office or other reporting center probation appointments
Letters of Apology		Electronic Surveillance <ul style="list-style-type: none"> • Anklet monitor • SCRAM® device • Car interlock device

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



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No Need to Recreate the List

- <https://ndcrc.org/content/list-incentives-and-sanctions/>
- <https://jpo.wrlc.org/bitstream/handle/11204/3546/NADCP%20List%20of%20incentives%20and%20sanctions.pdf?sequence=1&isAllowed=y>



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Do your work first

Reminder: even though there is a list –do your work first...

Generic list

What works in your community

What resources do you have

How creative can you be

Ask your participants



Questions

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