

# **RISK-BASED PROGRESSIVE SANCTIONS AND INCENTIVES IN TRAVIS COUNTY**



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## SUMMARY

The mission of the Travis County Adult Probation Department is to impact the community by making it safer and changing the lives of those placed under its supervision.

This document provides an overview of the key procedures for the application of a Risk-Based Progressive Sanctions Model for technical violations in Travis County.

In the Risk-Based Progressive Sanctions Model the response to a technical violation depends, in part, on the offender's risk of re-offending. Each offender is classified into one of three subcategories: Red (High), Blue (Medium) and Yellow (Low). These classifications are based on the results of a comprehensive assessment process using the Wisconsin Risk Assessment and SCS.

Next, "Guidelines for Progressive Sanctions" were developed by separating control and treatment conditions, ordering them from least severe to most severe, and assigning numbers to each type of violation. The number assigned refers to a menu of options available to address the violation for an offender at that particular risk-level. In order to also assure a consideration of the **probated offense**, two sets of "Guidelines for Progressive Sanctions" were developed: The first set outlines the sanctions for the General Population of probationers (Table 1); the second outlines the responses for Violent, Sex-Offender, and DWI Offenders (Table 2).

The numbers in the Guidelines designate the appropriate response for a **FIRST-TIME** violation, and range from "1" designating the least severe sanction level to "4" designating the most severe sanction level. The options for each of the 4 possible sanctions levels are shown in the Violations Response Table (Table 3). The appropriate sanction is then selected from the menu corresponding to the number designated in the Guideline.

The Model also includes progressive incentives when offenders accomplish certain benchmarks in their probation supervision (Table 4).



## QUESTIONS REGARDING RISK-BASED PROGRESSIVE SANCTIONS FOR TECHNICAL VIOLATIONS

### ***I. When Will It Be Used?***

The Risk-Based Progressive Sanctions Model will be used only for technical violations of the Conditions of Probation.

### ***II. Does It Address New Offenses?***

No. If a probationer commits a new offense, the officer must submit a Violation Report (MTRP) in accordance with department policy to notify the County or District Attorney's office of the infraction in the interest of public safety (unless otherwise instructed by the Court).

### ***III. How Does It Take Into Consideration The Circumstances of the Case?***

The Guidelines identify the appropriate sanction level for the **FIRST** violation. The level (designated by a number of 1, 2, 3, or 4) corresponds to a menu of available responses for the **FIRST** violation. The severity of the response for the **FIRST** violation depends on the following:

#### **A. Probated Offense Type:**

There are different sets of guidelines: 1) General Population of Probationers, and 2) Violent Offenders (firearms, child abuse, family violence, gang, aggravated-related offenses, or any other offense involving bodily injury), Sex Offenders (offenders on probation for a sexual related offense, and DWI Offenders (offenders on probation for Driving While Intoxicated offenses).

The Sanctions for First-time technical violations for the General Population of Offenders is provided in Table 1.

The Sanctions for Violent, Sex-Offenders, and DWI Offenders is provided in Table 2. In the later case, the severity of the sanction level for **offense-related first-time violations** are more severe than for the general population. In most cases, there is also less tolerance for non-offense related technical violations.

#### **B. Risk/SCS Level:**

Generally, the severity of the response to a first-time technical violation will depend on the supervision level of the offender. Red



offenders will typically receive the most severe response, with yellow receiving the least severe.

#### C. **Type of Violation:**

Technical violations are ranked from least severe to most severe. In addition, Control Conditions are separated from Treatment Conditions. In most cases, violations of a treatment condition will result in progressively more intense treatment interventions.

#### D. **RUSH VRs:**

**If circumstances indicate a threat to public safety the Guideline will not be used, the case will be immediately staffed with a supervisor, and a "RUSH" violation report filed with a request for a warrant.**

### **IV. How Will The Sanction Process Work?**

*Once (and if) an offender commits his/her first technical violation, the officer will refer to the Table 1 (if General Population) or Table 2 (if Violent, Sex Offender, or DWI). The table lists a number from 1-4 which refers to a menu of sanctions (or recommendations to the Court) for each technical violation and for each Risk Level (color coded are red, blue, or yellow in the tables).*

*The less severe technical violations are indicated by response levels "1" and "2". For level 1 and 2, the **officer** selects the most appropriate response from the menu based on the nature of the technical violation and any factors that may need to be addressed through treatment or utilization of community services to prevent future violations.*

**Not all responses in the menu would be appropriate.** *For example, the officer would not select the option of "Referral for Psychological Evaluation" if there is no indication of any psychological issues relating to the offender's ability to comply with conditions. Likewise, the officer would not refer to family violence counseling or a substance abuse assessment if these are not presenting problems in the offender's history (e.g., the offender is simply behind in CSR).*

Responses at level 1 and 2 do not require a supervisory hearing. This allows for swift actions in addressing a violation. This only applies to situations where the Officer follows the Guidelines, and is not recommending any jail time.



In some instances, an officer may assess a Level 2 violation and determine that a Level 1 option is a more appropriate response for the circumstances of the particular case. This is allowed with approval of the supervisor and documentation of the reasons in the case file. This is not allowed for Level 3 or 4 violations, which will be outlined below.

Case audits will assure that officer's understand and properly use the model.

**Offender Accountability:** A level 1 or 2 sanction or referral should be formally documented in the offender's supervisory agreement and signed by both the officer and the offender. **A modification of the conditions of probation would not be necessary for a level 1 or 2 violation, unless the offender refuses a sanction or does not comply with the supervision agreement.** In such cases, the officer may impose a more severe sanction, or request that the Court amend the Conditions of Probation.

Technical violations with Level 3 and 4 sanctions allow less officer discretion. Level 3 sanctions provide a menu of possible responses that would be available during a **Supervisory or Administrative Hearing**. Not all responses in the menu, however, would be allowed for all level 3 violations. For example "Increase in the Number of Community Service Hours" would not be appropriate for a high-risk offender for "Non-compliance with EM."

Level 4 sanctions are the most severe and would require a Violation Report to be submitted to the Court. The **recommendation** to the Court would be selected from Level 4 responses in Table 3. All recommendations for revocation are reviewed by the Revocation Review Committee consisting of at least 1 CSCD administrator.

#### ***V. What About Subsequent Violations of the Same Condition?***

When an offender commits subsequent violation(s) of the same condition, the officer would **add a level each time there is a violation of the same condition**. (See Appendix A for graphical depiction). However, officers are expected to show a good-faith effort to work with offenders with repeated minor violations so that they do not routinely escalate requiring a VR to the Court.

#### ***VI. What About Non-Compliance, But Of Different Conditions?***

This is dealt with in two ways.

##### **A. Multiple Violations at the Same Time:**



The Officer should select from the menu for the **most serious** of the technical violations. **It is possible for more than one sanction to be imposed for a single incident, with the supervisor's approval.**

**B. Re-assessment:**

**Further and/or repetitive violations will increase the offender's risk level. When an offender's risk level increases the sanction level would correspondingly increase.** It would also be increasingly likely that the probationer would be referred to court for revocation proceedings.

Conversely, as an offender's rehabilitation progresses, his risk level would decline. As the risk level declines, the offender would become eligible for incentives.

**VI. What About An Offender That Is Doing Well?**

The model also provides incentives (**Table 4 - Graduated Incentives Table**) for offenders that have reached identified benchmarks in their probation supervision. Only those offenders assessed or re-assessed as **low-risk** would be eligible for early termination. Offenders that were **initially assessed as high-risk** would not be eligible for a **departmental recommended** early termination at any point in their probation supervision.

**NEW MODEL ADVANTAGES**

The Risk-Based Progressive Sanctions and Incentives Model have several advantages.

- I. It is Risk-Based and provides for a differential response to violations that takes into account the risk that the offender poses to the community.**
- II. It meets the requirements of the proposed LBB rider to the Appropriations Bill (Rider 79) requiring TDCJ-CJAD to give preference to CSCDs using progressive sanctions in their distribution of DP funds.**
- III. It provides increased standardization of the response to the same violation within risk-level, yet provides for reasonable flexibility and discretion reflecting the officer's supervision history and knowledge of the case.**



- IV. It allows the officer to address violations at level 1, 2, and to some degree level 3, by addressing the **root cause of the violation** (e.g., untreated addiction) and working with the offender through the utilization of community services and treatment resources, when appropriate.
- V. It continues to utilize supervisory, administrative, and revocation review hearing/meetings to assure that the most appropriate response to a violation is utilized, or in the case of a VR, recommended to the Court.
- VI. It is intended to free the Courts from the daily routine of offender management and allows the Court to focus upon higher-risk offenders who are not amenable to probation in the community. Combined with the caseload reduction efforts and the application of incentives, the Risk-Based Progressive Sanctions and Incentive Model should significantly reduce the number of persons appearing before the Court for technical violations (to be tracked). Additionally, this new process will redirect court and department efforts toward rehabilitative measures, increased pro-social outcomes, and successful completions.

## **DEFINITION OF YELLOW, BLUE, RED RISK/SUPERVISION LEVELS:**

The Travis County CSCD Risk-Based Progressive Sanctions & Incentives Model is part of a broad organizational initiative, referred to as Travis Community Impact Supervision (TCIS). All felons and maximum-risk misdemeanors will receive a complete "diagnostic package" including the Wisconsin Risk-Assessment, SCS protocol, SAE, and a mental health screen. In pre-sentence cases this information will be used to develop the PSI including recommendations of conditions of supervision. In all cases, this information will be used by officers to determine supervision goals and methods, and responses to technical violations should they occur.

Since assessment plays such a significant role in TCIS from pre-sentence, through supervision to discharge, the Department completed a 6-week study designed to: 1) validate the Wisconsin Risk-Assessment and 2) profile the Travis County CSCD offender population. To achieve the first goal, all offenders were assessed using the Wisconsin and matched with DPS arrest data and TDCJ incarceration data. The risk assessment, as expected, showed significantly higher arrest rates and incarceration rates for higher risk offenders. To achieve the 2<sup>nd</sup> goal a matrix was used. The following charts show the Travis offender population.



Percentage of All Felony Offenders in Each Risk/SCS Group

	SI-S	SI-T	ES	CC	LS
Minimum	7.1%	7.1%	.4%	.9%	.9%
Medium	9.7%	14.5%	2.6%	7.9%	3.5%
Maximum	4.0%	7.1%	3.5%	21.1%	9.7%

Percentage of All Misdemeanant Offenders in Each Risk/SCS Group

	SI-S	SI-T	ES	CC	LS
Minimum	25.4%	13.6%	0%	.6%	0%
Medium	16.5%	14.1%	1.3%	2.8%	.9%
Maximum	4.1%	6.2%	1.5%	9.8%	3.2%

The colors in the above charts will be used to determine the most appropriate response to violations as shown in Tables 1 & 2. As can be seen, the large majority of felons fall into the red category, with most being high risk (45%). It should be noted that "overrides" were not allowed in the study.

### WHAT IF A DIAGNOSTIC REPORT With RISK AND SCS WAS NOT DONE OR IS NOT AVAILABLE?

In pre-TCIS cases or cases that were placed on probation without a "Diagnostic Report," officers should use **the most recent risk score** to determine the appropriate response. **Low risk corresponds to the yellow column, medium risk corresponds to the yellow column and high risk corresponds to the red column.** (See Tables 1 & 2). Need should **not** be used to determine severity/level of sanctions. **Instead need areas would be a driving consideration when selecting among available responses in Violation Response Table (Table 3).**



**TABLE 1: GUIDELINES FOR PROGRESSIVE SANCTIONS (1<sup>st</sup> Violation)**

These Guidelines will not be used for Absconders, Subsequent Offenses, cases that pose a risk to public safety and require a RUSH VR, or any cases with specific directives at sentencing from the Court regarding sanctions for violations of Conditions.

**Control Condition Violation**

	Gen. Pop. Probationer		
	1	1	1
Failure to pay fees (i.e., fine, court costs, probation fees, DPS fees, special program fees)	1	1	1
Failure to work community service hours	1	1	1
Failure to attend Alcohol Education/Traffic Safety classes (DWI School)	2	1	1
Failure to attend a DWI school for repeat offenders	2	1	1
Failure to attend Drug Offender Education classes	2	1	1
Failure to attend GED classes	2	1	1
Failure to work at suitable employment	2	1	1
Failure to pay Restitution (auto VR 331 <sup>st</sup> and 403rd if arrears exceed \$1500)	2	2	1
Failure to support your dependant(s)	2	2	1
Failure to attend and complete Anger Management classes, Parenting Classes; Theft classes; Cognitive classes	2	2	1
Failure to designate your current place of residence	2	2	1
Failure to receive prior permission to change your address	2	2	1
Failure to be present for scheduled home visit	2	2	1
Failure to report (Missed Appointments - not for absconders!)	2	2	1
Buying, selling, possessing, or consuming an alcoholic beverage or any substance for the purpose of intoxication	3	2	1
Entering an establishment where alcoholic beverages are sold	3	2	1
Failure to submit to a Breath analysis or Urinalysis	3	2	2
Positive Urinalysis or BAC (VR 1st for 331 <sup>st</sup> ; VR + BAC Felony DWI 403rd; VR 2nd + UA 403rd)	3	2	2
Failure to avoid persons or places of disreputable character	3	2	2
Failure to attend and complete a Specialized Program (i.e., Gang, Sex Offender, Domestic Violence, Child Abuse, High Risk, MHMR)	3	3	N/A
<b>Confirmed Non-compliance with Ignition Interlock</b>	N/A	N/A	N/A
Failure to Install or non-compliance with SCRAM	N/A	N/A	N/A
Failure to Install Ignition Interlock	N/A	N/A	N/A
Non-compliance with EM	N/A	N/A	N/A
Failure to avoid contact with the victim in probated case	4	4	4
Failure to stay away from child safety zone	4	4	4
Possession of a firearm or prohibited weapon	4	4	4
Failure to report at Jail Commitment or Community Corrections Facility	4	4	4

Violent, Sex & DWI offenders are addressed in next guidelines.

**Treatment Condition-Violation: Actively in treatment, awaiting placement, or in aftercare**

	Gen. Pop. Probationer		
	1	1	1
Failure to attend AA/NA Meeting	1	1	1
Failure to attend cognitive classes	1	1	1
Failure to participate in assessment and testing	2	1	1
Positive Urinalysis or BAC as treatment requirement (VR 331 <sup>st</sup> & VR BAC Felony DWI 403; VR 3rd + UA if POCS in treatment)	2	1	1
Failure to participate and complete out patient counseling	2	2	1
Failure to participate in specialized caseload	3	2	N/A
Failure to participate in aftercare program	3	2	2
Failure to participate and complete in-patient treatment	3	3	3
Termination from SMART (or other CCF) program due to non-compliance	4	4	N/A
Termination from SAFPF program due to non-compliance	4	4	N/A

In pre-TCIS cases or cases without a Diagnostic report use RISK ONLY

High  
Medium  
Low



**TABLE 2: GUIDELINES FOR PROGRESSIVE SANCTIONS OFF THE GRID (1<sup>st</sup>)**

These Guidelines will not be used for Absconders, Subsequent Offenses, cases that pose a risk to public safety and require a RUSH VR, or any cases with specific directives at sentencing from the Court regarding sanctions for violations of Conditions.

**Control Condition Violation**

Severity		Violent Probationer			Sex Offender			DWI Probationer		
		1	2	3	1	2	3	1	2	3
Low Severity	Failure to pay fees (i.e., fine, court costs, probation fees, DPS fees, special program fees)	1	1	1	1	1	1	1	1	1
	Failure to work community service hours	2	1	1	1	1	1	1	1	1
	Failure to attend Alcohol Education/Traffic Safety classes (DWI School)	N/A	N/A	N/A	N/A	N/A	N/A	2	1	1
	Failure to attend a DWI school for repeat offenders	N/A	N/A	N/A	N/A	N/A	N/A	2	1	1
	Failure to attend Drug Offender Education classes	N/A	N/A	N/A	N/A	N/A	N/A	2	1	1
	Failure to attend GED classes	2	2	1	2	1	1	2	1	1
	Failure to work at suitable employment	2	2	1	2	1	1	2	1	1
	Failure to pay Restitution (auto VR 331 <sup>st</sup> & 403rd if arrears exceed \$1500)	3	2	2	2	2	1	2	1	1
	Failure to support your dependant(s)	2	2	1	2	2	1	2	1	1
	Failure to attend and complete Anger Management classes, Parenting Classes, Theft classes, Family Violence classes, Cognitive classes, DWI Panel	3	3	2	2	2	1	2	2	1
	Failure to designate your current place of residence	3	3	2	3	2	2	2	2	1
	Failure to receive prior permission to change your address	3	3	2	3	3	2	2	2	1
	Failure to be present for a scheduled home visit	3	3	2	3	3	2	2	2	1
	Failure to report	3	3	2	3	2	2	3	2	1
	Failure to follow curfew hours	3	3	3	3	2	2	3	2	2
High Severity	Buying, selling, possessing, or consuming an alcoholic beverage or any substance for the purpose of intoxication	3	3	3	3	2	2	3	2	2
	Entering an establishment where alcoholic beverages are sold	3	3	3	3	2	2	3	2	2
	Failure to submit to a Breath analysis or Urinalysis	3	3	3	2	2	2	3	2	2
	Positive Urinalysis or BAC (VR 331 <sup>st</sup> & VR 403 +BAC Felony DWI; VR 403 2nd + UA)	3	3	3	2	2	2	3	3	2
	Failure to avoid persons or places of disreputable character	3	3	3	4	3	3	3	3	2
	Failure to attend and complete a Specialized Program (i.e., Gang, Sex Offender, Domestic Violence, Child Abuse, High Risk, MHMR)	3	3	3	4	4	3	3	3	2
	Confirmed non-compliance with Ignition Interlock	N/A	N/A	N/A	N/A	N/A	N/A	4	4	4
	Failure to install Ignition Interlock, Electronic Monitoring or SCRAM	4	4	4	4	4	4	4	4	4
	Confirmed Non-compliance with SCRAM	4	4	4	4	4	4	4	4	4
	Non-compliance with EM or GPS	4	4	4	4	4	4	4	4	4
	Failure to avoid contact with the victim in probated case	4	4	4	4	4	4	4	4	4
	Failure to follow special Sex Offender rules or conditions	N/A	N/A	N/A	4	3	3	N/A	N/A	N/A
	Failure to register as a Sex Offender	N/A	N/A	N/A	4	4	4	N/A	N/A	N/A
	Failure to stay away from child safety zone	N/A	N/A	N/A	4	4	4	N/A	N/A	N/A
	Possession of a firearm or prohibited weapon	4	4	4	4	4	4	4	4	4
	Violation of any Protective Order	4	4	4	4	4	4	N/A	N/A	N/A
	Failure to report at Jail Commitment or Community Corrections Facility	4	4	4	4	4	4	4	4	4

**Treatment Condition-Violation:** Actively in treatment, awaiting placement, or in aftercare treatment.

Severity		1	2	3	4	5	6	7	8	9	10
		1	2	3	4	5	6	7	8	9	10
Low Severity	Failure to attend AA/NA Meeting	1	1	1	1	1	1	2	1	1	
	Failure to attend cognitive classes	2	1	1	2	1	1	2	1	1	
	Failure to participate in assessment and testing	2	1	1	2	1	1	2	2	1	
	Positive Urinalysis or BAC as treatment requirement (VR 331 <sup>st</sup> & VR 403rd +BAC Felony DWI; VR 2nd +UA if progress in treatment)	3	2	1	2	2	1	2	2	1	
	Failure to attend drunk driving panel	3	2	2	2	2	1	3	3	2	
	Failure to participate and complete out patient counseling	3	2	2	2	2	2	3	2	2	
	Failure to participate in specialized caseload	3	3	3	4	4	4	3	3	3	
	Failure to participate in aftercare program	3	2	2	2	2	2	3	3	2	
	Failure to participate and complete in-patient treatment	3	3	3	3	3	2	3	3	3	
	Failure to participate and complete BIPP treatment	4	4	4	N/A	N/A	N/A	N/A	N/A	N/A	
High Severity	Termination from Sex Offender treatment	4	4	4	4	4	4	4	4	4	
	Termination from SMART or other CCF program due to non-compliance	4	4	4	4	4	4	4	4	4	
	Termination from SAFPF program due to non-compliance	4	4	4	4	4	4	4	4	4	

In pre-TCIS cases or cases without a Diagnostic report use RISK ONLY. SO: Static 99

High  
Medium  
Low



**Table 3  
VIOLATION RESPONSE TABLE**

(LEAST SEVERE)	<b>Level 1 Sanctions</b>	Behavioral Contract	PO has authority to choose from Level 1 or 2 Sanctions without Supervisory approval so long as PO follows Guidelines for Graduated Violations and sanction does not involve jail time.
		Offender writes a letter of apology to victim	
		Offender submits itinerary	
		Verbal admonishment by the PO	
		Verbal admonishment by the Senior Probation Officer	
		Verbal admonishment by the Supervisor	
		Increased reporting to PO/Field Visits for specified amount of time	
		Financial Budget with receipts to verify income and expenses	
		Community service hours with Department Work Crew	
		Increase number of NA or AA meetings attendance	
		Referral to counseling or psychological evaluation	
		Second referral to alcohol or drug education program	
		More restrictive curfew	
	<b>Level 2 Sanctions</b>	Referral for job placement or Texas Workforce Commission	
		Referral to GED	
		Referral to TAIP	
		Referral to Anger Management Counseling	
		Referral to Family Violence Counseling	
		Referral to Cognitive Program	
		Referral to Parenting Classes	
		Referral to Psychological evaluation	
		Referral to TAIP or MHMR assessment	
		Increase in outpatient treatment level	
		Increase length of treatment/cognitive program	
(MOST SEVERE)	<b>Level 3 Sanctions</b>	Increase in number of community service hours	<b>Supervisory/Administrative Hearing (Must follow required Court Procedures - e.g., Amended Conditions)</b>
		Increase frequency of alcohol and drug testing	
		Increase frequency of home, field, collateral or treatment contacts by PO	
		Placement on Specialized Caseload	
		Electronic Monitoring	
		Inclusion of the SCRAM device	
		Residential treatment	
		Extension of Probation term	
		Add additional fine for conversion of CSR @ \$10.00 per hour	
		Amend conditions with added restrictions/ requirements/interventions/referrals	
		Inclusion of Ignition Interlock System	
		Inclusion of driving restriction	
		Increase in number of community service hours	
	<b>Level 4 Sanctions</b>	Verbal admonishment by Judge (Summons)	<b>Violation Report with Revocation Review Committee</b>
		Placement in SMART or other CCF	
		1- 3 day jail commitment (Bench Warrant)	
		Issuance of a Bench Warrant	
		Placement in High Risk Regular Caseload w/ Zero Tolerance	
		Extension of Probation term	
		Placement in the Residential Substance Abuse Treatment	
		Placement into the Intermediate Sanction Facility	
		Jail Time as a condition of probation	
		Placement into the SAFPF	
		Placement into the SAFPF Relapse Program	
		Placement in the State Boot Camp	
		Automatic Motion for Revocation/Adjudication	

Recommendations outside of guidelines for level 3 or level 4 must be staffed and approved by the Court via a modification of conditions



**TABLE 4: GRADUATED INCENTIVES TABLE**

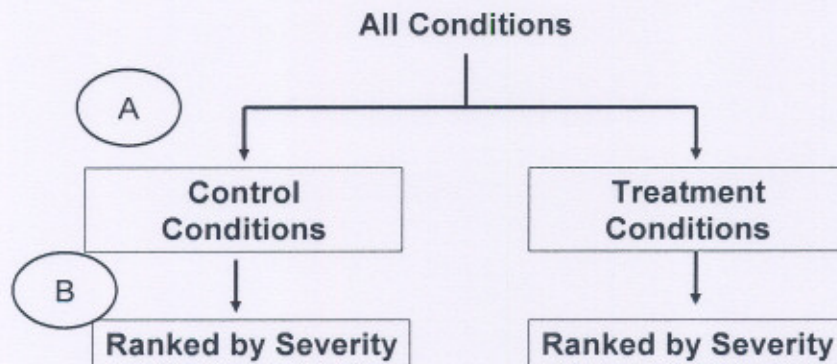
<u>QUALIFIERS</u>	<u>INCENTIVE</u>	<u>PROCEDURE</u>
<b>LEVEL 1 INCENTIVES</b>		
<b>Offender is newly probated and has not yet demonstrated progress toward completing the requirements of probation</b>		
<ul style="list-style-type: none"> <li>Offenders performing community service at historical landmarks</li> <li>Offenders willing to perform community service at special projects</li> </ul>	Offender's will earn double credit for certain CSR Projects	The Community Service Restitution Program will award double credit to qualifying offenders.
<b>LEVEL 2 INCENTIVES</b>		
<b>Offender who is making a good faith effort to pay fees and has begun to address one or more terms and conditions of probation (i.e. attendance in court ordered counseling programs)</b>		
<ul style="list-style-type: none"> <li>Offenders completing a treatment or other court-ordered a treatment programs (e.g. anger management counseling, family violence counseling, cognitive behavioral class, and TAIP)</li> <li>Offenders completing a residential program and aftercare components</li> </ul>	Offender will be awarded a Certificate of Completion (i.e. CSR, Aftercare)	The Officer will present certificates to offenders successfully completing the requirements of the program.
<ul style="list-style-type: none"> <li>offenders receiving their GED or High school diploma</li> </ul>	Offenders who receive their GED or HS diploma may be awarded ½ credit of total assessed CSR hours	The Officer will approach court for permission to award ½ credit of the CSR hours to qualifying offenders for completing their GED or HS diploma.
<ul style="list-style-type: none"> <li>Offenders determined to be indigent based on the completion of a Financial Questionnaire</li> <li>Offenders with a history of timely payments</li> </ul>	Offenders will be allowed to work community service hours in lieu of fines	The Officer will approach court for permission to allow qualifying probationers to work CSR in lieu of fines.
<b>LEVEL 3 INCENTIVES</b>		
<b>Offender has completed one or more terms and conditions of probation, but still has remaining fees or other terms and conditions to satisfy</b>		
<ul style="list-style-type: none"> <li>Non-violent offenders who are compliant with terms and conditions of probation</li> </ul>	Offenders will be allowed unrestricted travel permits to adjacent county or verbal travel permit for surrounding region and/or fax Travel Permit of all in-state travel	The Officer will grant qualifying offenders a the privilege of unrestricted travel to an adjacent county or a verbal travel permit for the surrounding region and/or fax travel permit for all in-state travel (if allowed by Court).
	Offenders will be re-classified to a less intensive level	The Officer will complete a risk/needs assessment to lower the level of supervision upon Supervisor's approval.
<ul style="list-style-type: none"> <li>If offender completes IP/OP program and remains substance free for 12 months after completing program</li> </ul>	Offender's CSR hours will be reduced by 50 hours	The Officer will approach court for permission to decrease the number of community service hours required.
<ul style="list-style-type: none"> <li>Offenders assigned to a specialized caseload who have reported without fail to the Officer for a period of two or more years</li> </ul>	Offender's CSR hours will be reduced	The Officer will approach court for permission to decrease the number of community service hours required.
<ul style="list-style-type: none"> <li>Offenders with a satisfactory justification for not completing the non-statutory activity by the timeframe required</li> </ul>	Offenders will be given an extension to allow time to accomplish specific activities	The Officer will grant qualifying offenders extensions to complete non-statutory activities, with permission of the Court.
<ul style="list-style-type: none"> <li>Offender is compliant to date and requests to attend a special occasion</li> </ul>	Offenders will be granted a verbal adjustment of their curfew	The Officer will give verbal permission for offender to stay out past his/her curfew on special occasions with permission of court.
<ul style="list-style-type: none"> <li>Low-risk offenders (as defined by the Risk and Needs Assessment) who are in good standing (have no technical violations for one year)</li> </ul>	offenders will be allowed to report on less frequently as permitted	The Officer will give appointments to offender.
<b>LEVEL 4 INCENTIVES</b>		
<b>Offender has completed all of the terms and conditions of probation and is current on fees</b>		
<ul style="list-style-type: none"> <li>Low-risk offenders (as defined by the Risk and Needs Assessment) who have an extensive reporting history and no technical violations within the last two years</li> </ul>	Offender will be allowed to report less frequently (minimum supervision)	The Officer will allow qualifying offender to report once every 90 days in person and by mail the two months in between. Permission from the Court will be obtained, where applicable.
<ul style="list-style-type: none"> <li>DWI and State Jail offenders who are in compliance with their conditions but not eligible for early discharge</li> </ul>	Offenders will be acknowledged for their good behavior by the Court	The Officer may request a court hearing before the Judge to praise Probationer for good behavior (if allowed by court.)
<ul style="list-style-type: none"> <li>Non-violent offenders who have complied with all terms and conditions, and have numerous continuous negative drug/alcohol screens for a minimum of two years</li> </ul>	Offenders will be tested for drugs/alcohol less frequently	The Officer will reduce the frequency of drug/alcohol screening and testing.
<ul style="list-style-type: none"> <li>Offenders on deferred or regular status who have completed 1/2 of their probated sentence, completed all classes/ programs, current with supervision fees and paid in full all restitution and court costs.</li> </ul>	Offender may be allowed to discharge early from probation	The Officer will initiate a recommendation to the court for early discharge for qualifying probationers (with victim notification if applicable) * (Not for negotiated plea cases in the 331st or have any criminal history other than DWLS or traffic offenses in the 403rd).



## **APPENDIX A NEW MODEL METHODOLOGY**

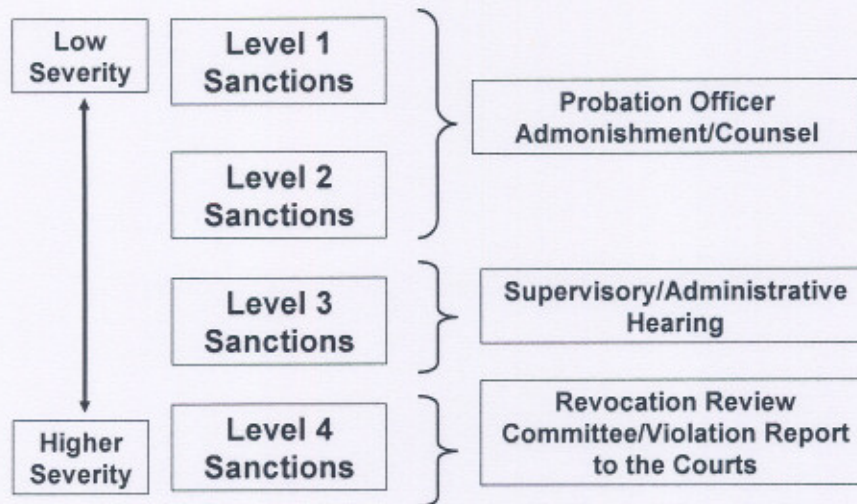
The methodology for use of the new sanctions model allows the violation response to be tailored to the nature of the violation as well as that of the offender. This includes distinguishing between treatment and control conditions as well as the condition's respective severity. Also, violations are ranked by severity and offenders are distinguished by their individual diagnosis classification. When there are multiple violations of the same condition, the response increases accordingly and when there are multiple violations of different conditions, there is a control in place that requires the response be directed to the most severe violation. Finally, there is a control for "off the grid" offenders, those who have committed an offense that is potentially high profile, or deemed as more severe and requiring a response tailored to the nature of their original offense. The charts that follow provide an illustration of the six elements which comprise the methodology for the new sanctions model.

### **Element 1: Distinguishing Between Control and Treatment Conditions**

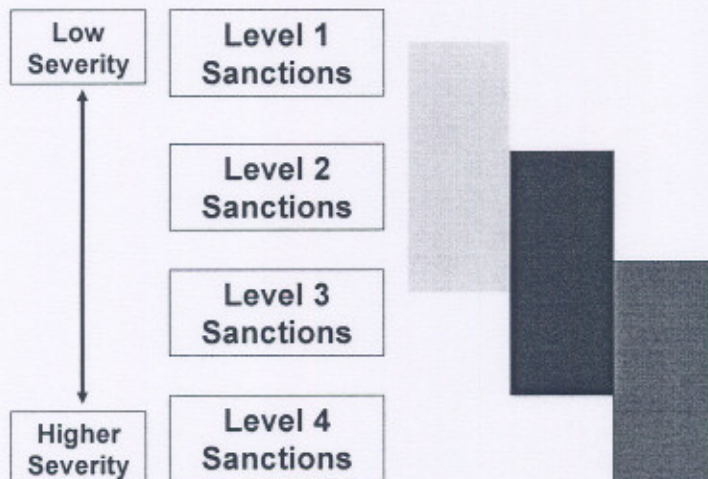




## Element 2: Sanction Responses Varies by Level of Severity of Violation

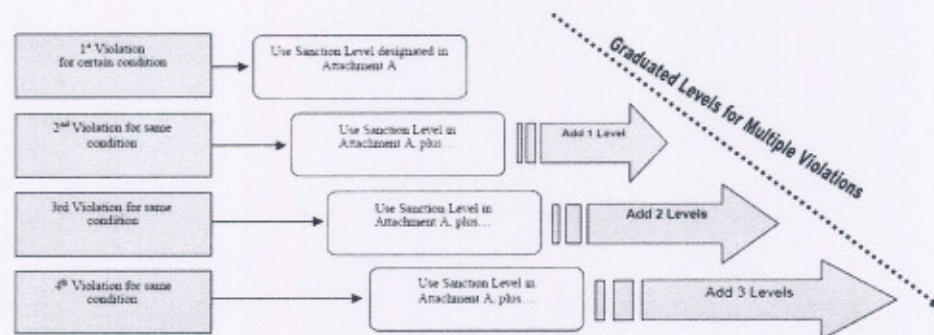


## Element 3: Sanction Responses Also Varies by Diagnosis Classification (Color)





## Element 4: Graduated Levels for Multiple Violations of the Same Condition



## Element 5: Violations of Multiple Conditions

### **"Worst Violation Rule"**

**Sanction scheme is driven by most severe violation.**



## Element 6: Guidelines Adjusted by "Off-Grid" Offenses

