

# Utah County Probation

## INCENTIVE & SANCTION MATRIX



**November 2020**

### MISSION STATEMENT

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Utah County Probation strives to improve public safety and reduce recidivism; focused on supporting a drug free, mentally stable lifestyle, to improve the lives of each participant.

**This document provides an overview of the key procedures for the application of an Incentives and Sanctions Model. New criminal matters are addressed directly by the court. The Incentives and Sanctions Model does not create any right, expectation, or liberty interest for the participant.**

The Utah County Probation (UCP), in-community supervision, is a targeted intervention program centered on helping participants learn to make positive life changes, and when appropriate, take action to protect the public. An Incentives and Sanctions Model is applied to all participants supervised by UCP.

The Incentives and Sanctions Model is based on research that swift, certain and proportional responses to participant behavior is effective in producing positive change. The participants score, from a validated risk and assessment instrument, places each participant into one of three Assessment Categories: Low, Moderate, and High. The Assessment Category provides a starting point when deciding incentives for each success or when progressively sanctioning technical violations.

Research suggests that participants are more likely to succeed when their individual needs and differences are considered. High risk participants require more intensive services while low risk populations require few to none. When selecting responses or treatment options, it is important to consider factors that may present barriers for the participant's ability to successfully move forward.

#### Accomplishments and Incentives

Table 1 lists the potential accomplishments participants can attain, while Table 2 lists the possible incentives earned for those accomplishments. In Table 1 a level from 1 to 5 is assigned to each Assessment Category, for every accomplishment. Each level identifies progressive incentives to apply when participants accomplish certain benchmarks in their supervision. These incentives are designed to recognize accomplishments for positive life adjustments. Incentives should relate to the accomplishment and participants should be given a choice to help select the most motivating incentive within the appropriate options. **Tables 1 and 2 should be used together.**

#### Violations and Sanctions

Table 3 lists violations that correspond to the participant's ordered conditions of supervision. Violations are generally listed from least to most severe. Table 4 contains the possible sanctions for violations. In Table 3 a level from 1 to 5 is assigned to each Assessment Category, for every violation. The level number in Table 3 designates the appropriate response for a **first-time** violation, of that type. Each level may **only be used twice** for the same kind of violation. If the participant continues to violate the same condition, the sanctions should advance up one level, **after three options** have been tried at a lower level (1 being the lowest and 5 being the highest). If a participant violates a different condition, the Deputy shall treat the new violation as a "first time" violation for that condition. Where a single event results in multiple violations, the Deputy should administer a single sanction based on the most severe violation. **Tables 3 and 4 should be used together**

**\*\* If circumstances indicate a threat to public safety (i.e. distribution, DUI, any crime involving weapons/violence) the sanctions may not be used, the case must be immediately staffed with a supervisor, and a violation report must be filed with the court.\*\***

### **TABLE 1**

POTENTIAL ACCOMPLISHMENTS	ASSESSMENT CATEGORY		
	LOW	MOD	HIGH
<b>STANDARD &amp; SPECIAL CONDITIONS</b>			
Compliance with all standard & special conditions for 60 days	3	1	1
Compliance with all standard & special conditions for 120 days	4	1	1
Compliance with all standard & special conditions for 180 days	5	2	2
Compliance with all standard & special conditions for 240 days	5	3	3
Compliance with all standard & special conditions for 300 days	5	4	4
Compliance with all standard & special conditions for 365 days	5	5	4
Compliance with all standard & special conditions for 425 days	5	5	5
Completion of all special conditions of supervision	5	5	5
<b>PRO-SOCIAL SKILLS</b>			
Positive reports from employers	1	1	1
Setting goals for improved health or hygiene (smoking cessation, workout program, weight loss, health care provider recommendations, gang or facial tattoo removal, teeth repair, etc.)	1	1	1
Obtaining permanent driver's license or appropriate personal identification	2	2	2
Taking action steps for improved health or hygiene	2	2	2
Progression on personal health or hygiene goals for 60 days	2	2	2
Progression on personal health or hygiene goals for 120 days	3	3	3
Completion of an improved health or hygiene goal	4	4	4
<b>CLASSES, TREATMENT &amp; PROGRAMS</b>			
Enrollment and participation in classes and/or treatment	1	1	1
Completion of workshop (up to 3 days)	1	1	2
Completion of 25% participation in classes and/or treatment	1	2	2
Completion of 50% participation in classes and/or treatment	1	2	2
Completion of 75% participation in classes and/or treatment	2	2	3
Progression in phases and/or treatment levels	3	3	3
Development of a substance abuse, anger management, or other type of prevention plan	3	3	3
Completion of classes & or treatment	3	3	4
Perfect class or treatment attendance	3	4	4
<b>TRANSPORTATION</b>			
Securing public or private transportation	1	1	1
Maintaining public or private transportation for 30 days	1	1	1
Maintaining public or private transportation for 60 days	2	2	2
Maintaining public or private transportation for 90 days	2	2	2
Maintaining public or private transportation for 120 days	3	3	3
Maintaining public or private transportation for 180 days	3	3	3
<b>RESIDENCE</b>			
Obtaining suitable residence (facilitates success, convenience, pro-social interactions and compliance with conditions)	1	1	1
Securing a suitable and self-sufficient residence	2	2	2
Setting goals for improved living conditions (yard care, cleanliness, organization, etc.)	2	2	2
Taking action steps for improved living conditions	3	3	3
Completion of improved living condition goals	3	3	3
Maintain suitable residence for 180 days	3	3	3
Maintain suitable residence for 365 days	4	4	4
<b>FAMILY AND ASSOCIATIONS</b>			

POTENTIAL ACCOMPLISHMENTS	ASSESSMENT CATEGORY		
	LOW	MOD	HIGH
Engaging with family, initiating pro-social activity, positive community activity or mentor program	1	1	1
Maintaining involvement with family, pro-social activity, positive community activity or mentor program for 60 days	1	1	1
Maintaining involvement with family, pro-social activity, positive community activity or mentor program for 120 days	2	2	2
Maintaining involvement with family, pro-social activity, positive community activity or mentor program for 180 days	3	3	3
Maintaining involvement with family, pro-social activity, positive community activity or mentor program for 240 days	4	4	4
<b>MENTAL HEALTH</b>			
Completion of a mental health evaluation	1	1	1
Applying for benefits and/or services	2	2	2
Participation in appropriately structured peer groups and/or mentoring program	2	2	2
Attending scheduled appointments with mental health providers	2	2	2
Take medications as prescribed for 60 days	1	1	1
Take medications as prescribed for 90 days	1	1	1
Take medications as prescribed for 180 days	2	2	2
Take medications as prescribed for 210 days	2	2	2
Take medications as prescribed for 240 days	2	2	2
Take medications as prescribed for 270 days	3	3	3
Take medications as prescribed for 365 days	4	4	4
Take medications as prescribed for 445 days	4	4	4
<b>EDUCATION</b>			
Enrollment in educational program (GED, high school diploma, college and/or vocational training)	3	3	3
Completion of semester in educational (GED) and/or vocational training	1	1	1
Completion of 50% of required coursework	2	2	2
Completion of 75% of required coursework	3	3	3
Completion of GED	4	4	4
Completion of educational program (high school diploma, college, and/or vocational training)	5	5	5
<b>EMPLOYMENT</b>			
Completion of employment classes	1	1	1
Completion or updates of resume	2	2	2
Attend a job interview	2	2	2
Obtaining & maintaining suitable employment	2	2	2
Maintaining suitable employment for 60 days	2	1	1
Maintaining suitable employment for 90 days	3	1	1
Maintaining suitable employment for 120 days	4	2	2
Maintaining suitable employment for 180 days	5	2	2
Maintaining suitable employment for 240 days	5	3	3
Maintaining suitable employment for 300 days	5	4	4
Maintaining suitable employment for 365 days	5	5	4
Maintaining suitable employment for 425 days	5	5	5
<b>COMMUNITY SERVICE</b>			
Completion of 25% of community service hours	1	1	1
Completion of 50% of community service hours	2	2	2

POTENTIAL ACCOMPLISHMENTS	ASSESSMENT CATEGORY		
	LOW	MOD	HIGH
Completion of 75% of community service hours	3	3	3
Completion of 100% of community service hours	4	4	4
<b>RESTITUTION</b>			
Consistent payment of fees & restitution for 30 days	1	1	1
Consistent payment of fees & restitution for 60 days	1	1	1
Consistent payment of fees & restitution for 90 days	1	1	1
Consistent payment of fees & restitution for 120 days	2	2	2
Consistent payment of fees & restitution for 180 days	2	2	2
Payment of 25% of restitution	2	2	2
Payment of 50% of restitution	2	2	2
Payment of 75% of restitution	3	3	3
Payment of 100% of restitution	4	4	4
<b>SUBSTANCE TESTING</b>			
Negative alcohol and substance tests for 30 days	1	1	1
Negative alcohol and substance tests for 60 days	2	1	1
Negative alcohol and substance tests for 90 days	3	2	2
Negative alcohol and substance tests for 120 days	4	3	3
Negative alcohol and substance tests for 180 days	5	5	4
Negative alcohol and substance tests for 365 days	5	5	5
Negative alcohol and substance tests for 545 days	5	5	5
<b>AFTERCARE</b>			
Enrollment & participation in aftercare & or support group	2	2	2
Participation in aftercare & or support group for 60 days	3	1	1
Participation in aftercare & or support group for 120 days	4	1	1
Participation in aftercare & or support group for 180 days	5	2	2
Participation in aftercare & or support group for 240 days	5	3	3
Participation in aftercare & or support group for 300 days	5	4	4
Participation in aftercare & or support group for 365 days	5	5	4
Participation in aftercare & or support group for 425 days	5	5	5
Completion of aftercare	5	5	5
<b>RISK REDUCTION</b>			
Development of a Case Action Plan – CAP	1	1	1
5% reduction in risk score	4	3	2
10% reduction in risk score	5	4	3
15% reduction in risk score	5	5	4
20% reduction in risk score	5	5	5
<b>SUPERVISION &amp; TREATMENT PROGRESS</b>			
Completion of 9 months of supervision (Low)*	5	4	3
Completion of 12 months of supervision (Mod)*	5	5	4
Completion of 18 months of supervision (High)*	5	5	5
Completion of 50 (80) hours of treatment or CP work (Low)	5	4	3
Completion of 100 (150) hours of treatment or CP work (Mod)	5	5	4
Completion of 150 (200) hours of treatment or CP work (High)	5	5	5
Completion of 200 (250) hours of treatment or CP work (Intensive)	5	5	5

**TABLE 2**

POSSIBLE INCENTIVES				
Level 1	Level 2	Level 3	Level 4	Level 5
Verbal Recognition	Any level 1 Incentive	Any level 1 or 2 Incentive	Any level 1, 2, or 3 Incentive	Any level 1, 2, 3, or 4 Incentive
Written Recognition	Certificate of Accomplishment	Excused from Next UA	Reduce Substance Screening Color	Referral for Court Probation
Award Bucket	Award Bucket	Award Bucket	Award Bucket	Early Completion
\$5 Supervision Fee Reduction	\$10 Supervision Fee Reduction	\$15 Supervision Fee Reduction	\$20 Supervision Fee Reduction	402 Reduction Referral
Extend Curfew	"Curfew" Coupon	Eliminate curfew	Approval to Serve as a Peer Mentor	
Public Recognition	Positive Progress Report to Court	"Travel" Coupon		
Positive Report to Person of Choice				

Gift Bucket? (jump ropes, notebooks, pens, planners, calendars, backpacks, water bottles, safety bike lights or vests, flashlights, reflective tape)

Completion Coin

Level 1: Selected by probation Deputy

Level 2: Selected by probation Deputy

Level 3: Selected by probation Deputy

Level 4: Selected by probation Deputy with review and approval of supervisor

Level 5: Recommendation by probation Deputy with review and approval of supervisor and submitted to court through a progress report.

**TABLE 3**

	<b>POTENTIAL CONDITION VIOLATIONS</b>	<b>LOW</b>	<b>MOD</b>	<b>HIGH</b>
1	Failure to pay fees (court fines, probation fees, special program fees)	1	1	1
2	Failure to complete community service hours	1	1	1
3	Failure to enroll, attend and/or complete education (GED) and/or vocational training	1	1	1
4	Failure to obtain and/or maintain suitable employment	1	1	1
5	Failure to enroll in, attend, or complete classes and/or treatment	1	2	3
6	Failure to enroll in, attend, or complete aftercare	1	2	3
7	Failure to pay restitution	1	2	3
10	Unauthorized self-employment or obtaining and/or maintaining unauthorized employment	1	2	3
11	Possessing, consuming, and/or testing positive for a prohibited alcoholic beverage or any illegal substance	1	2	3
12	Failure to notify healthcare provider of drug abuse history and program participation	1	2	3
	Failure to obtain approval from UCP for prescribed controlled substances	1	2	3
	Failure to provide UCP with letter from healthcare provider for	1	2	3
13	Failure to comply with curfew, electronic monitoring or GPS	1	2	2
14	Failure to submit to breath analysis or urinalysis	1	2	3
15	Failure to comply with Case Plan	1	2	3
16	Failure to schedule, attend, or complete assessments	2	2	3
17	Failure to be truthful with Deputy	2	2	3
19	Failure to comply with structured living requirements as directed	2	2	3
20	Association with known criminals or co-defendants	2	3	3
21	Non-Alcohol Monitoring Device violations (lockouts, circumvention, retest refusals, skipped tests)	3	3	3
22	Driving without Court ordered Alcohol Monitoring Device (within 1 <sup>st</sup> 30 days)	3	3	3
23	Travel violation	3	3	4
24	Failure to report or cooperate during field visits	3	3	4
25	Failure to allow and/or cooperate with search of electronic device(s)	3	3	4
29	Failure to report current or change of address within 24 hours	3	3	4
30	Frequenting an alcohol establishment or location where alcohol is the chief item of order	3	3	4
31	Testing positive for on a body alcohol monitoring device	3	3	4
32	Possession of a dangerous weapon other than a firearm	3	3	4
33	Tampering with breath analysis, urinalysis, alcohol monitoring, GPS, or another electronic monitor	3	3	4
34	Failure to report as directed	3	3	4
35	Failure to notify Deputy of any police interaction within 24 hours	3	4	4
36	Association with known gang members	3	4	4
37	Failure to take medications as prescribed	3	4	5
38	Driving without Court ordered Alcohol Monitoring Device (after the 1 <sup>st</sup> 30 days)	4	4	4
38	Failure to install an alcohol monitoring device or surveillance monitoring within the prescribed time period	4	4	4
40	Failure to comply with GPS exclusion zone	4	4	5
41	5 or more violations within any 5-month period	4	4	5
42	Abscond for 3 months or less with a self-surrender (1 sanction opportunity before level adjustment)	4	4	5
43	Failure to report for jail commitment or community correctional facility	5	5	5
44	Failure to avoid contact with the victim or other no contact	5	5	5
46	Criminal conduct	5	5	5

**TABLE 4**

Level 1	Level 2	Level 3	Level 4	Level 5
Verbal Warning	Increased Substance Testing	Require a change in residence	Appearance before the court or BOPP	Referral to a CCC or intensive treatment
Thinking Report	Emotional regulation class	Cognitive Restructuring Completion (MRT)	Up to 16 hours community service	More frequent court review
Letter of apology	Increased Reporting	Structured living (scheduled call-ins, E/M, curfew)	Additional substance abuse evaluations	Short jail stays greater than 48 hours as determined by the court or BOPP
Develop a Risk Avoidance Plan	Life skills class	Travel restriction	48 hours home restriction	Long term incarceration as determined by the court or BOPP
15-day curfew	30-day curfew	60-day curfew	90 days curfew	Jail & terminate
Problem Solving Report or other "thinking report"	Appropriate classes or workshop referral		Up to 48 hours jail	Extend supervision up to the maximum range for the offense
Mentoring program	Financial management class			Revocation & imposition of sentence
Rearrange payment schedules	Problem solving workshop and/or risk appropriate class	Increased supervision	Participant's weekend jail	

Treatment issues should be addressed at Step 5 before a sanction is selected. Imposing or increasing treatment should never be used as a sanction

Level 1: Selected by probation Deputy

Level 2: Selected by probation Deputy

Level 3: Selected by probation Deputy

Level 4: Selected by probation Deputy with review and approval of supervisor after participants voluntary and knowing waiver of rights (see form)?

Level 5: Recommendation by probation Deputy with review and approval of supervisor and submitted to court through a standard violation report.

### FREQUENTLY ASKED QUESTIONS REGARDING

## RISK-BASED PROGRESSIVE SANCTIONS FOR TECHNICAL VIOLATIONS

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

The sanctions model will be used only for technical violations of supervision conditions.

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

No. If a participant commits a new offense, the Deputy must submit a standard violation report in accordance with department policy.

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

The Guidelines for Progressive Sanctions (Table 1) identify the appropriate sanction level for the **first** violation. The level determines the menu of options from which a Deputy may select. Each level may only be used twice. After a sanction level is used twice, the level must increase for the next violation of the same type.

### **B. Violation Reports:**

**If circumstances indicate a threat to public safety the Guidelines for Progressive Sanctions may not be used, the case must be immediately staffed with a supervisor, and a violation report must be filed with the court.**

#### **Examples:**

- Domestic violence offenders who violate exclusion zones in the GPS.**
- Domestic violence offenders who don't report police contact within 24 hours.**
- DUI case (impairment).**
- Distribution (or possession w/intent).**
- Cases involving weapons or violence.**

Violation sanction responses at level 1, 2 and 3 do not require a supervisory hearing. This allows for swift actions in addressing a violation.

Level 4 sanctions require review and approval of the Deputy's supervisor.

Level 5 sanctions require completion of a violation report and notification to the court.

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

When a participant commits subsequent violation(s) of the same condition, the Deputy may select two options from the original level. After two options have been used in a particular level, the Deputy must move to the next level to select a proper sanction from the increased sanction category. Deputies may

complete a violation report with approval of the supervisor where exigent circumstances exist or where this action is determined to be more reasonable.

If there is an incident resulting in multiple related violations, the Deputy should choose the most severe violation as the response category.

The process works the same for administration of incentives.

**VII. *What About a participant That Is Doing Well?***

The model provides incentives (**Table 1 & 2**) for participants that have reached identified benchmarks in their probation supervision.

[Guidelines for Designing Responses for Community Supervision Matrix](#)