

Using Carrots to Make it Stick

How to Motivate Lasting Change in the Courtroom

Shannon Carey, Ph.D.



This presentation is a small part of a **day long** interactive training that includes

- Movies, polls, and breakouts which focus on a series of "What would you do" problems
- Folks get to work through actual behavior modification scenarios as a team



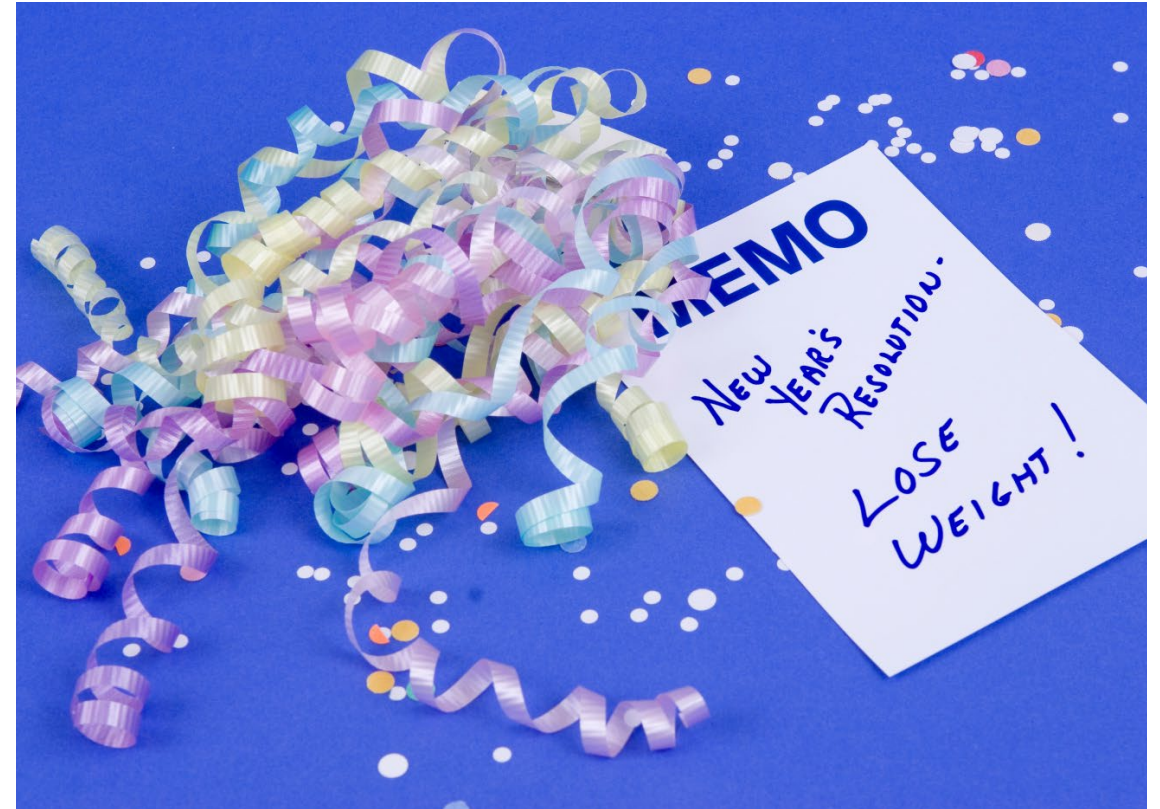
Today I have distilled that training down to:

- Key concepts about using incentives “carrots” and
- Delivery in the courtroom

Other training options:

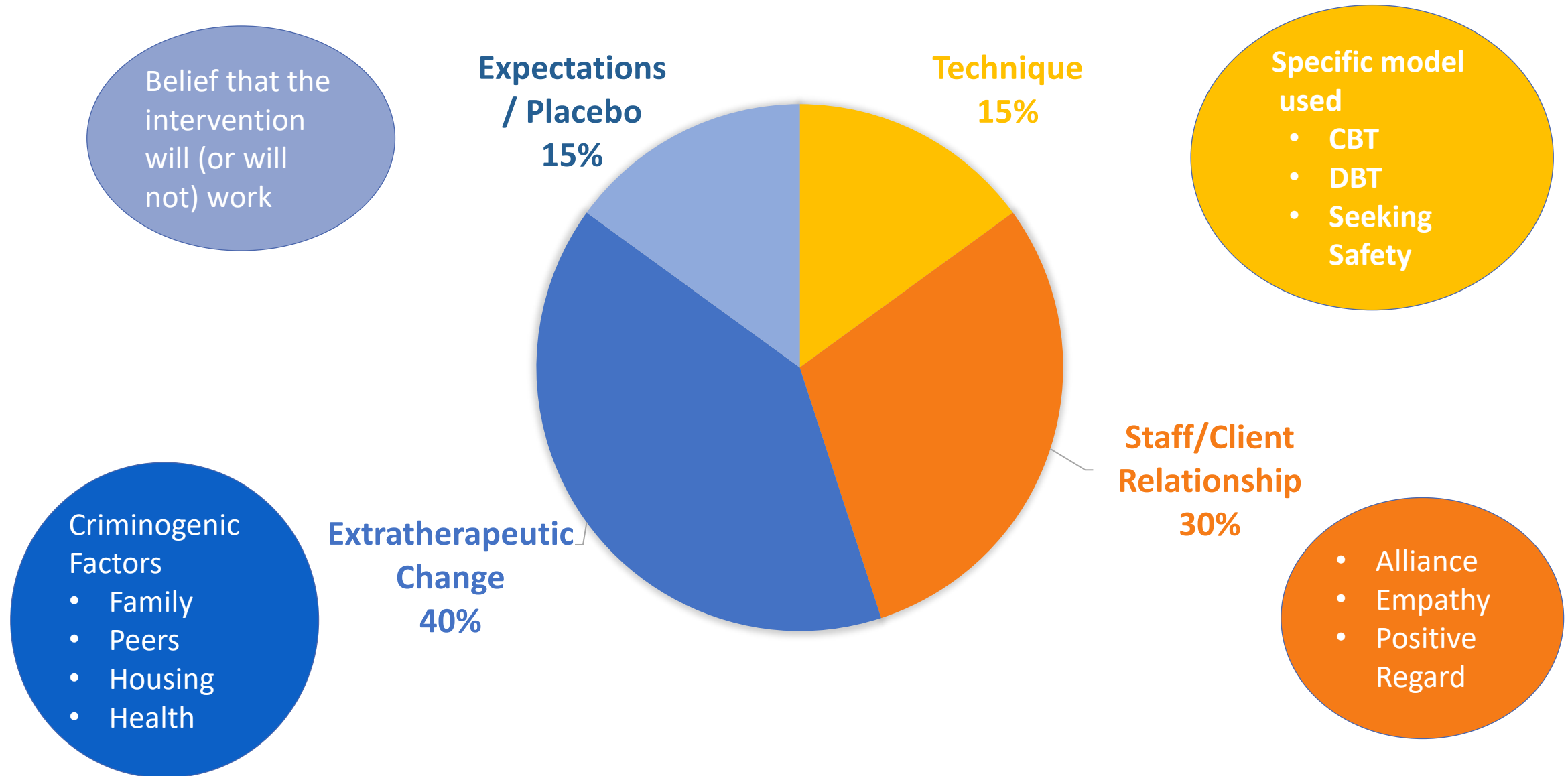
NDCI ISTA 2-day training: <https://www.ndci.org/resource/training/ista-training/>

Change is **HARD**.

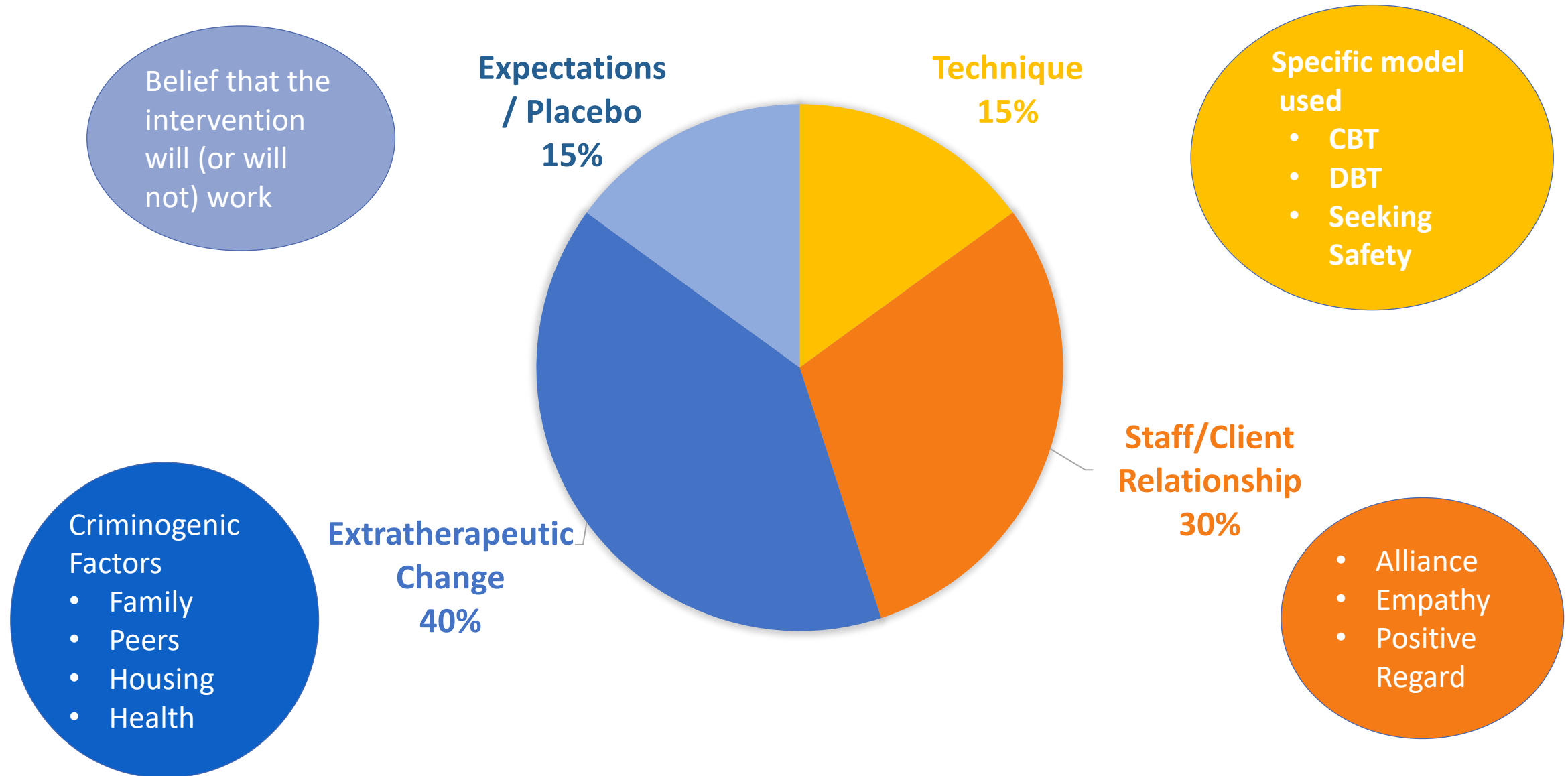


If you've ever found it hard to
keep those New Year's resolutions...

What leads to behavior change?



What leads to behavior change?



Video: Kyle and the importance of support and the human connection

Tools For Behavior Change

THERAPEUTIC (TEACHING) RESPONSES

address underlying causes,
treat behavior due to disease,
teach new skills

MONITORING Provides crucial
information about client
behavior and progress, includes
supervision and case
management, holds clients
accountable

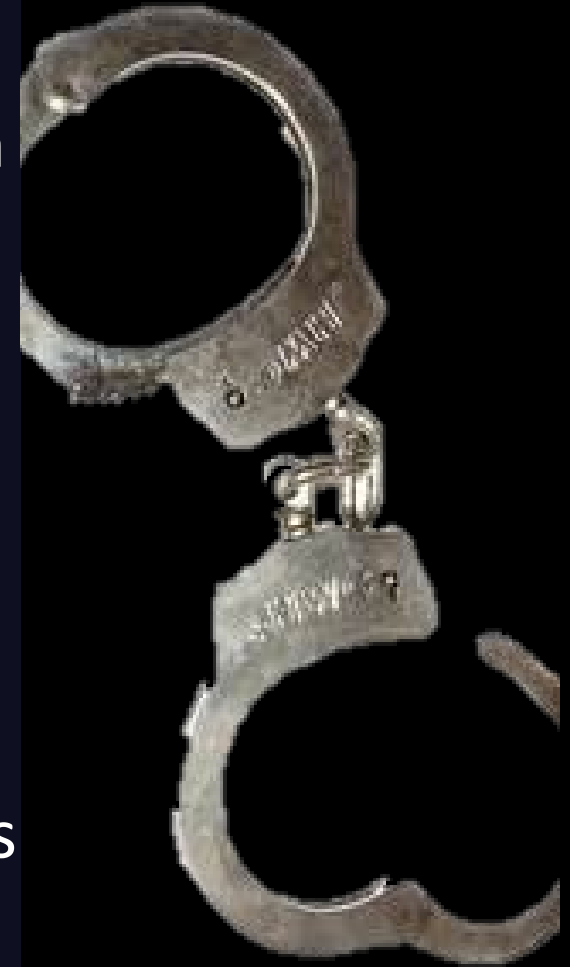
INCENTIVES increase
engagement, reinforce prosocial
behavior and development of
new skills

SANCTIONS stop undesired
behavior

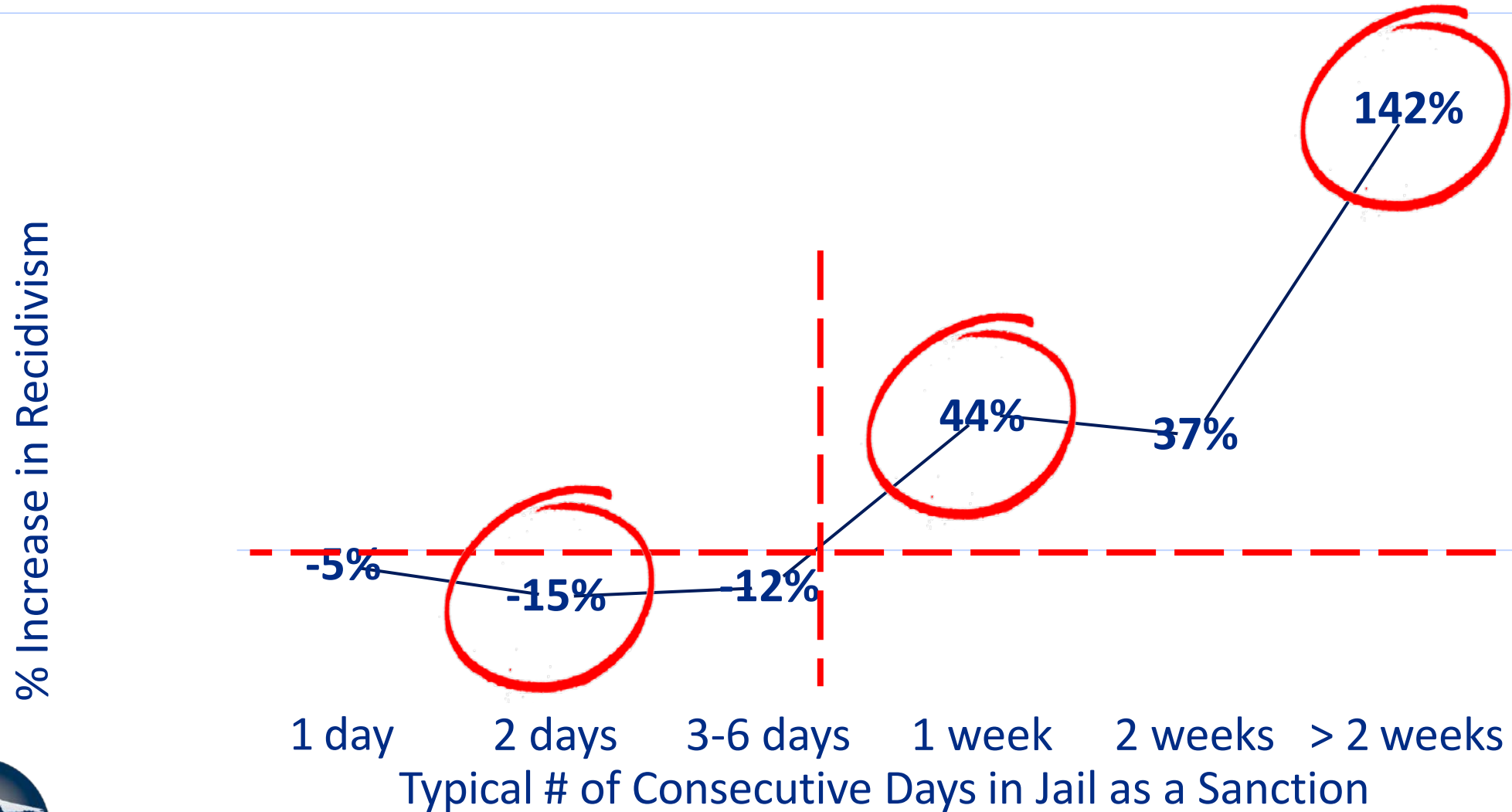
Jail



- Generally not teaching what you want participants to learn
- Can make participant's situation worse
 - Job
 - Family
 - Insurance
- Hanging out with the wrong people
- Should be reserved for serious infractions
 - Public Safety
 - Illegal activity



Treatment Courts that typically use jail longer than 6 days have higher recidivism



*Not the best public safety choice in the long run

VIDEO Kyle: TV Vacation

Jail Considerations



- Is the behavior dangerous to others? (Or impact the safety and integrity of the court?)
- What behavior do you want to stop? What is the intended impact of jail?
- What will the impact of jail be on others (employer, family, etc.)?
- What behavior do you want the participant to do instead?
- Are there other responses that might incentivize them to do the behavior you want them to do instead?

Tools For Behavior Change

THERAPEUTIC RESPONSES
address underlying causes,
treat behavior due to disease,
teach new skills

MONITORING Provides crucial
information about client
behavior and progress, includes
supervision and case
management, holds clients
accountable

INCENTIVES increase
engagement, reinforce prosocial
behavior and development of
new skills

SANCTIONS stop undesired
behavior

Incentives

Increase or START desired behaviors

- Work best when positive feelings are associated with the behavior you want to start or continue – Be Specific!
- Are crucial for developing engagement in all aspects of the program (I'm glad you're here!)
- Make showing up a positive experience



Good
Job!!!

Incentives

Increase or START desired behaviors

- Help participants understand what positive behaviors look like
- Allow you to model positive behavior (Bring up those who are doing well first, spend time with them, give them an incentive – people learn from watching others.)

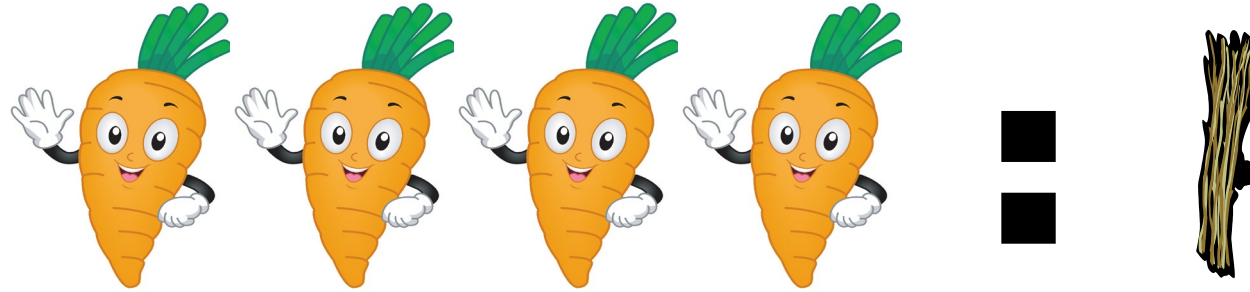
(Do you want participants to learn the poor behaviors or the positive ones?)



Good
Job!!!

Incentives Should Far Outnumber Sanctions!

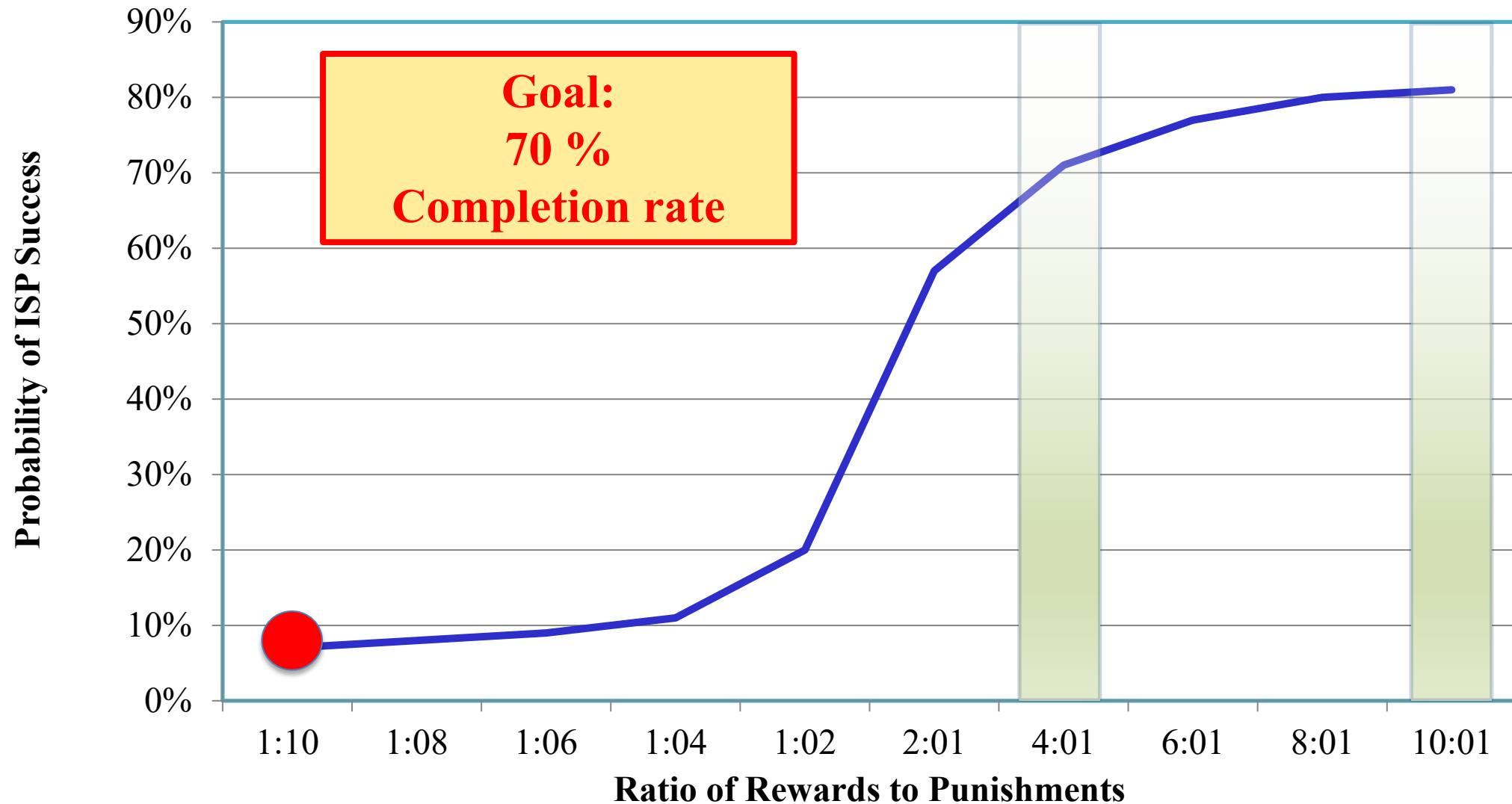
➤ 4:1?



➤ 10:1 is better.



Ratio of Rewards to Punishments and Probability of Success on Intensive Supervision





What Do We Reinforce?

Achieving Target Behaviors:

- Showing up*
- Timeliness*
- Honesty*
- Neg UAs/ Blows*
- Phase Promotion
- Treatment Progress
- Sobriety Milestones
- Helping Others (Clients, Community)
- Recovery Support Achievements
- Prosocial Achievements (job, GED, volunteer work)



What if we have no budget for incentives?

- You don't need gift cards! Some of the most powerful incentives are free.
- The best , most long-lasting incentives are “natural”: paycheck from a job, diploma, regaining custody, repairing relationships, feeling better, etc.
- Natural reinforcers are the byproduct of good treatment and will help clients long after treatment court ends.
- Our responses keep clients engaged until natural reinforcers kick in.

Incentives

#1 Acknowledgment from judge and team members

- Fish bowl
- Gift cards (their choice)
- Decision Dollars (collect over time)
- Certificates and coins
- Be held up as an example
- Become a mentor
- Decrease time on probation or lower fees
- The A Team (free!)
- Inspiration cards – “You did it!” (free!)
- Conversations in court about goals, strengths, success participants can take to become successful



Incentives

Lessons learned from Covid

- Short encouragement videos, good morning videos
- Conversations in zoom court about goals, strengths, successes and actions participants can take to become successful
- Letters to participants from the team
- Quick encouraging text messages from team members
- “Covid fairy” - probation officer drives by to bring needed goods or incentives to home
- START Court Recovery Challenge form



START Court Recovery Challenge

Below is a list of incentivized activities you can participate in while START Court is impacted by COVID-19. We want to encourage and support you while you continue working on your recovery. Please ask your PO for details. Stay in contact with your PO to track owed incentive cards:

Probation:

- | | |
|--|--|
| <input type="checkbox"/> Check-in as directed by probation officer for one week | \$5 incentive card |
| <input type="checkbox"/> Complete two assignments with probation officer | \$5 incentive card (for each assignment) |
| <input type="checkbox"/> Complete more than two assignments from probation officer | \$5 of supervision fees waived per additional assignment |
| <input type="checkbox"/> Call the UA line and text the color code to your PO each day for one week | \$5 off supervision fee coupon |

Community:

- | | |
|---|---------------------|
| <input type="checkbox"/> Join the START/STOP Each One Teach One Facebook group | Fastpass |
| <input type="checkbox"/> Attend first online recovery support meeting and write to counselor or PO about the experience | \$5 incentive card |
| <input type="checkbox"/> Attend the START/STOP Each One Teach One Facebook Group virtual alumni group | Fastpass |
| <input type="checkbox"/> Attend daily online recovery support meetings for one week with documentation per PO | \$5 incentive cards |
| <input type="checkbox"/> Reach out to a fellow START client and complete an online meeting with them. Documentation per PO. | \$5 incentive card |

Treatment:

- | | |
|--|--|
| <input type="checkbox"/> Daily phone (voice) contact with recovery mentor for one week | \$5 incentive card |
| <input type="checkbox"/> Daily check-in with treatment counselor for one week | \$5 incentive card |
| <input type="checkbox"/> Complete two elective treatment assignments | \$5 incentive card |
| <input type="checkbox"/> Complete more than two elective treatment assignments | \$5 of supervision fees waived per additional assignment |

If the court determines at the conclusion of the COVID-modified START operations that the START participant has been in “very substantial compliance” with the START program during the period of modified operations, the court will reward the participant with a reduction in the probation term of up to 6 months.

Praise and Social Approval

- **Never underestimate the redemptive value of the relationship.**
- **Praise is free, easy to administer, unlimited in supply and powerful.**
- **Can be used immediately**



Positive Peer Boards: “A” Team



“A” – Team

Joel C.

Amy P.

Devon S

Maria Q.

Shonda P.

Sam E.

Ramon G.

MVP's

Juan M.

Brenda A.

David S.

Different Ways to Display “A” Team

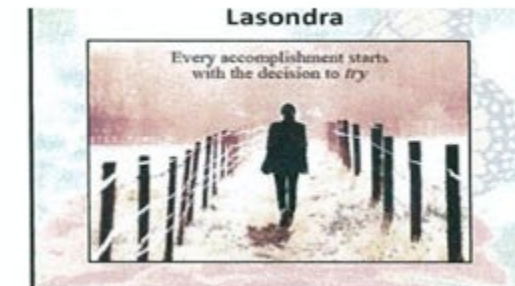
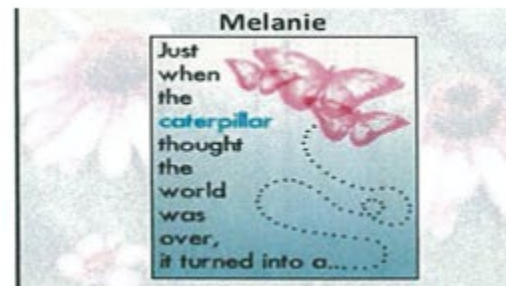
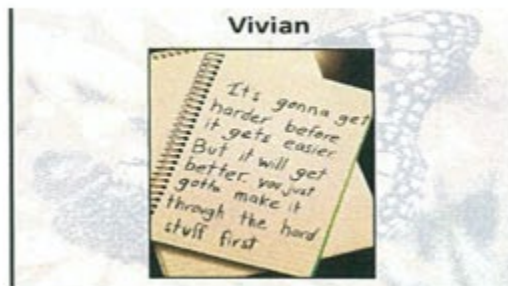
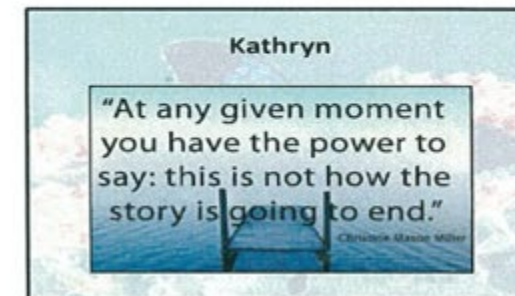
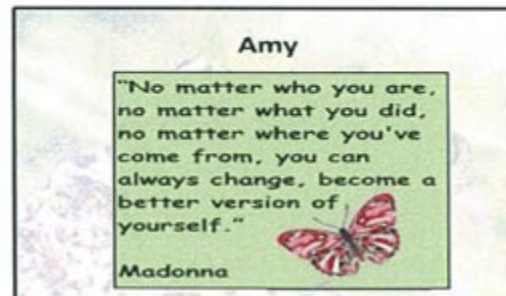
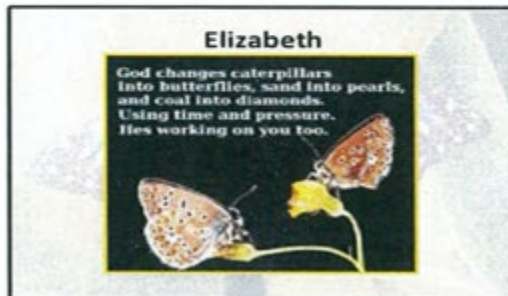
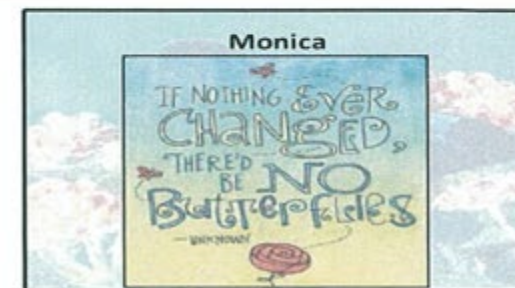
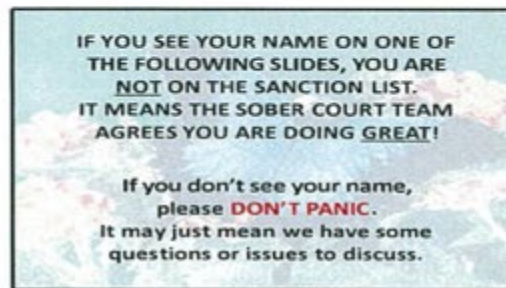


Other Ways to Use the Positive Peer Board



“A” Team in the Virtual Hearing

POSITIVE PEER POWER POINT





All-Star Attendance

AWARDED TO

**JEREMY
DAVIS**

in acknowledgement of 30 days of perfect attendance at all Brazos County Veteran's Court scheduled appointments, office visits and court appearances. Your consistent attendance displays your commitment to success in this program and in your long-term recovery.

Rufus Stewart
PRESIDING JUDGE

Abraham Joaquin
CASE MANAGER

**YOU'RE DOING
GREAT!
YOU EARNED A
"LEAVE COURT
EARLY" PASS!**

**Congrats!
You have
earned a
Report by**

zoom

Pass!

**SKIP TO
THE HEAD
OF THE
LINE!
GO **FIRST**
AT YOUR
NEXT UA**

**YOU'RE #1 !
GO 1ST AT COURT
REVIEW !**

**You've got it made
in the shade!!
Subtract 8 HOURS of
community service.**

INCENTIVES



VIDEO - Papack Dentist Count the incentives

How Do We Know What Rewards Work?

ASK THEM!

What are your favorite incentives? (Circle all that apply)

Fishbowl	Spin the Wheel	Praise, positive feedback
Gift Card	Bus Passes	CSR Voucher
Zoom Court	Candy, treats	Certificate (Sobriety, etc.)
Treasure box	Movie Passes	Other: (Specify)_____

What are some fun things you do that help you stay sober?_____

SPREAD ENCOURAGEMENT LIKE

GLITTER.

THAT STUFF STICKS!

YEARS LATER YOU'LL STILL FIND
IT ALL OVER THE PLACE.

Scenario - Shawana

- Shawana is in Phase 2
- She scores as high risk on a validated and standardized risk assessment
- She also meets the clinical criteria for moderate to severe substance use disorder (She is high need)
- “Shawana” suffers from depression and PTSD (including childhood trauma)
- At 27, she has been in and out of the criminal justice system her entire adult life
- She has been to prison and returned to the community, only to return to the same issues of substance use and criminality

Scenario – Shawana (cont.)

- “Shawana” has never before been able to stay consistently involved in treatment
- She has never held a full time job
- “Shawana” just returned to the community after successfully completing ninety days residential treatment
- She just started working full time at the local dry cleaners
- She has three children who are now living with her (since she returned from treatment)
- She has been compliant with all other conditions of the court and treatment since returning home

Judge Davis: Shawana Part 1

What do you do when your team doesn't give you the information you need in staffing?

Best practices on the fly...

- A. Delay until next court session
- B. Delay and call team to bench/chambers to discuss
- C. Decide on the fly - Go with your standard response to missing a drug test
- D. Decide on the fly - Acknowledge Shawana's mistake and focus on the positive

Judge Davis: Shawana Part 2

Meet participants where they are

Take context into account



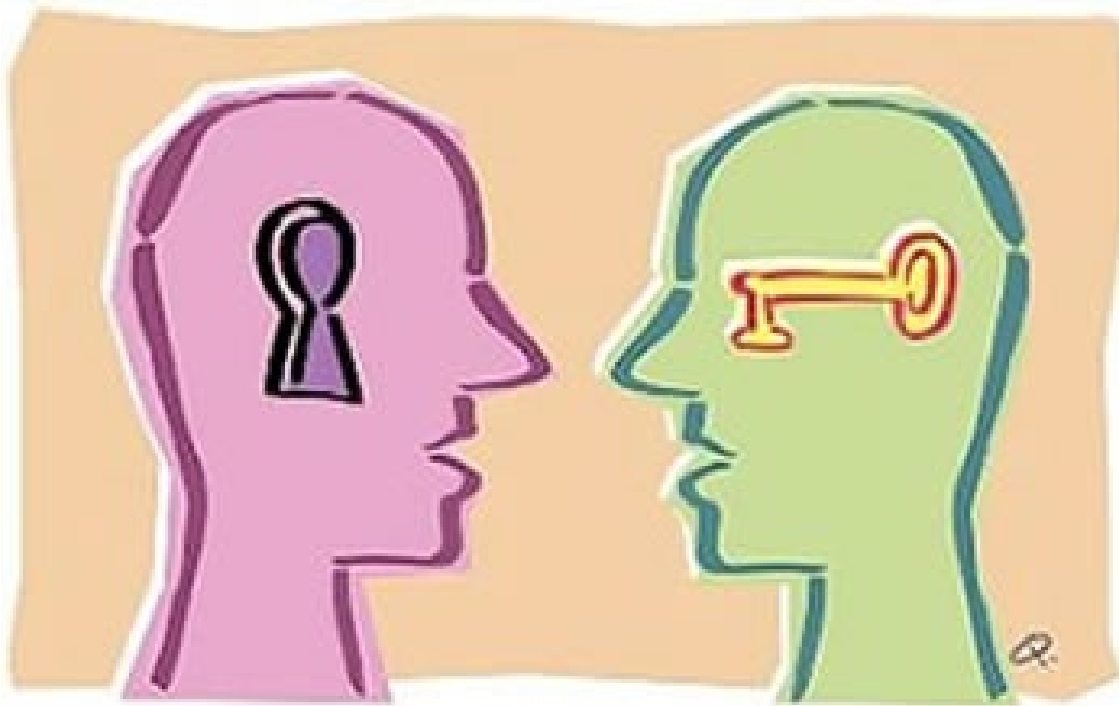
Look for the positives



**START WITH
STAFFING!**

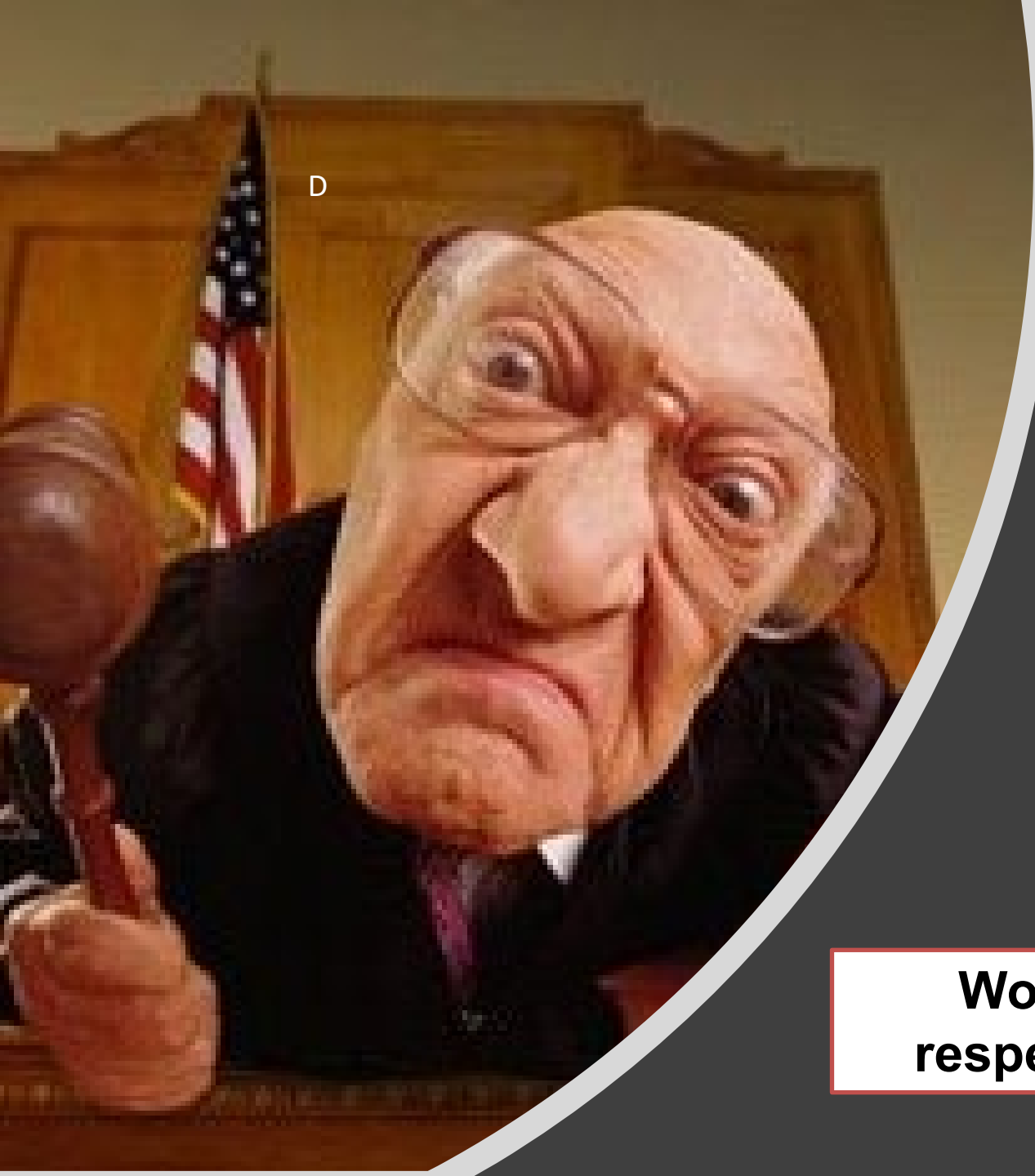
Video: Positive Staffing

SETTING THE STAGE FOR EFFECTIVE COMMUNICATION



Establishing Trust,
Rapport and Safety





Develop Rapport (Putting clients at ease increases their ability to listen to you and understand the message)

- ***“Never forget how scary you look.”***
- Bad experiences with authority figures, esp.
- Judges, DA’s, Law enforcement, even Probation
- We have the power to send them to jail.

Work on connection and demonstrating respect, understanding and positive regard

Video - Judge Greenlick: Developing Rapport

D



PUTTING PARTICIPANTS AT EASE IN COURT

When clients feel safe,
they will open up.

- What do you do to help clients feel safe?
- How can you make your courtroom feel “safer”?

D

What Approaches Reduce Stress and Encourage Conversation?



IT'S ALL IN THE DELIVERY

“Its not just what
we say, it's HOW
we say it.”



Video - Judge Morris: Sarcasm

Deliver Responses With Care

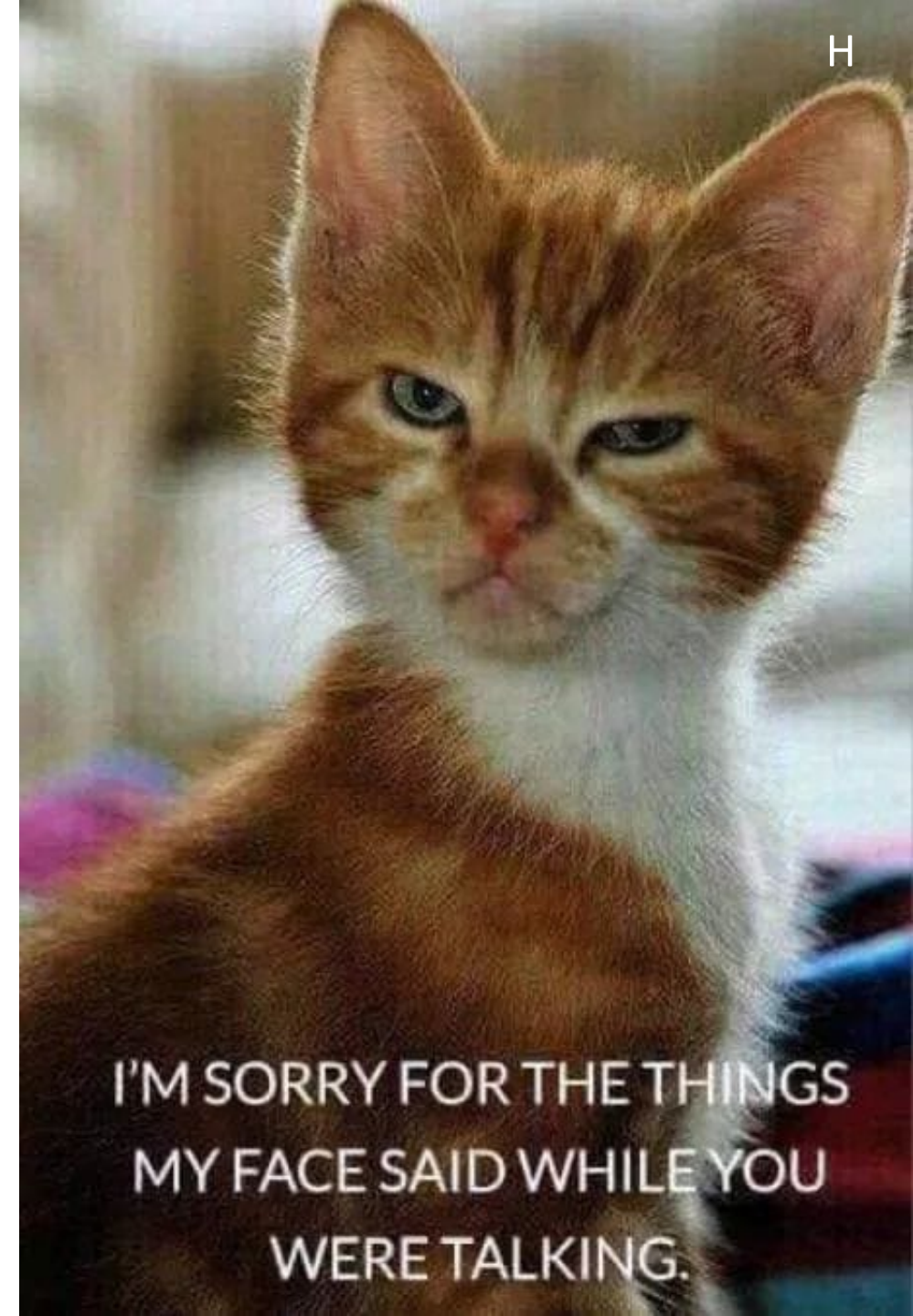
- Be patient and explain
- Be consistent
 - When clients are treated differently, explain WHY
- Model respect
 - Speak respectfully, and expect respect in return
 - No blindsides
 - Listen, give opportunity to explain, even when clients are difficult



Tone Matters

Your face matters

- Watch for “leaking” body language
- Listen for the positive
- Watch your own patterns of thinking – including labelling
- No “Judge Judy”
- No snarky comments
- No shaming or attacking
- Respectful, firm, clear, but not harmful



I'M SORRY FOR THE THINGS
MY FACE SAID WHILE YOU
WERE TALKING.

Video: Deliver Sanction with Respect and Humor

Video: Judge was the light of the room

How To Deliver Effective Responses

A Magic Formula for Learning Opportunities:

- Identify behavior to be rewarded/ punished.
- Tell person specifically **WHAT** behavior you liked/ disliked.
- Tell the person **WHY** you liked/ disliked it.
- Discuss short and long-term costs/ benefits of the behavior? (**HOW** it effects goals?)
- Pair the approval / disapproval with the **RESPONSE** (incentive / sanction).



WHY WE DO IT

We must change the internal tape from:

**“I need to go to treatment so I don’t get in trouble”
to:**

“I NEED TO LEARN SO I CAN GET BETTER.”

Judge Bloch: Airplane Mask Video

Capitalize on Hope at Court Review

- Seeing is believing: New clients need to see it all.
- Take participants doing well first– unless a “teachable moment.”
- Utilize mentors or your alumni group.
- Generously use incentives until “natural” reinforcers kick in.
- **If we do our job correctly, natural reinforcers will kick in and our clients will WANT recovery**



Video - Judge Greenlick: Mindfulness

Questions?

Shannon Carey, Ph.D.

carey@npcresearch.com

