The Practical Application Of The Science Of Behavior Change

Part 1 Staffing

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Hon. Diane Bull
Hon. Peggy Davis
Overview

- Review and demonstrations of the principles/best practices of behavior change
- What does the judge and team need to know in staffing?
- What are effective incentives and sanctions?
What is the purpose of Sanctions?

What is the purpose of Incentives?

What other court responses are there?
Basic Terminology

SANCTIONS
Decrease or STOP behavior

INCENTIVES
Increase or START behavior

Therapeutic Adjustments
Treat sick behavior

Supervision/Drug tests
Monitors behavior
Why do any of this?

To Change Behavior
“All Behavior is followed by a consequence, and the nature of that consequence modifies the organisms tendency to repeat the behavior in the future”

- B.F. Skinner

(Applies to humans as well as rats!)
Change is so VERY fun!!!
Certainty

Consistent Detection
(Behavior and Immediate Consequence)

Reliable detection
(Detection allows the gathering of information needed by judge and team to determine appropriate response)

Speeding ex.

Supervision
Reliable Detection

• Urine drug testing at least twice per week
• Random testing all 7 days
• Continuous detection methods (patches, bracelet)
• Electronic monitoring
• Home visits (Extend supervision into natural social environment - work, home, school, street, cell phones)
• Include law enforcement on the team
• Case manager, supervision, treatment
Remote responses have no power—and can cause real harm.

Insist on quality testing and real-time devices.

Insist on “fresh news.”
- Address lab issues.
- Utilize interlock dashboards with team access.

Empower CM’s to administer lower level responses (incentives and sanctions) immediately per response matrix.
Proximal? Distal? What the heck is that?

Proximal = Proximate/Close
- Show up
- Try hard
- Tell the truth

Distal = Distant
- Abstain from use
- Accept disease
- Work program
Focus on Incentives

Number one incentive is acknowledgment from the judge ("Tinna Quee")
WHAT THE TEAM NEEDS

Changing Behavior Requires Information
STAFFING CONSIDERATIONS

BEHAVIOR RESPONSES:
• WHO are they in terms of risk and need?
• WHERE are they in the program (phase)?
• WHY did this happen (circumstances)?
• WHICH behaviors are we responding to?
  – Proximal or distal?
• WHAT is the response choice/ magnitude?
• HOW do we deliver and explain response?

TREATMENT / SUPERVISION CHANGES?
Staffing Sheets

• Staffing takes time
• CM should have up to the minute info
• CM recommended responses based on response matrix
• CM/ Treatment should have recommended questions/topics for the judge to ask participant
**STATIC INFO**
- Name, Case No.
- Program Entry Date
- Offense Charged
- Priors
- Driving Facts, BAC
- Driver’s License Suspension
- Family
- Program Completions
- Phase Promotions
- Response History

**DYNAMIC INFO**
- Sobriety Date, Phase
- Risk / Needs Level
- Current Barriers
- Client Goals
- Changes in Employment
- New Completions (CS, Tx, etc)
- UA Results, Interlock
- Law Enf. / Field Visit Notes
- Tx Provider Notes & Progress
- Prosocial Accomplishments
- Sober Support Network
- Recs for Incentives, Sanctions, Changes in Tx, Supervision
### Stage of Change / Question

1. **Contemplation** - Thinking about changing

   "How has your substance use contributed to you being in this program? and what behaviors do you think you need to do differently to remain sober?"

### Infraction

- Missed Blow Protocols: 01/03/18 (5-8am, blew at 8:10am); 01/02/18 (10-12am, no blow until next morning); 01/01/18 (3-5pm, blew at 5:30pm & 5-8am, blew at 10:50am); 12/31/2017 (5-8am, blew at 11:32am); 12/30/2017 (11am-1pm, blew at 2:29pm)

### Recommended Response

- **Sanction:** Judicial Admonishment
- **Supervision Response:** Remain on Blow Protocol and Cost Benefit Analysis Worksheet
- **Treatment Response:** Client to Start Treatment on 01/08/2018
WHEN AND HOW TO EFFECTIVELY USE THE INFO PROVIDED

You are a Change Agent!
WWYD

Roles and Information for the Team

• Each team member has a specific role
• We respect those boundaries!
• Disagreement is healthy and needed.
• We all share common goals:
  – Public safety
  – Program completion
• Many of our team members face ethical dilemmas
TEAM DEFENSE ATTORNEY

Role often described as “murky”

• Represents/ counsels clients as needed
• Advocates for clients-- in a non-adversarial way
• May assist with pleas, documents
• Shares goal of program completion and health and well being of clients.
TEAM DEFENSE ATTORNEY

– Attends staffing and gives input regarding appropriate sanctions / incentives

Must be mindful of the client’s due process rights, but encourage client’s honesty and accountability

Must be careful about client confidentiality—the attorney’s silence often speaks volumes
TEAM DEFENSE
ATTORNEY: SANDRA

• One of her clients, Amy, has confessed to her that she smoked “K-2/ Spice,” a substance that Sandra knows is not routinely tested for.

• Amy deeply regrets the decision and wants to know if she should be honest and tell the judge.

• The team judge routinely sanctions this type of behavior with 3 days of jail.

• Without Amy’s confession, no one would ever know.
What would you do?

1. Encourage honesty. Warn her jail is likely. Don’t mention the truth about K-2 testing. Seek permission to disclose to team/advocate.

2. Tell all to Amy: K-2 won’t show up on a drug test. If she’s silent, no one will know. Don’t tell team.

3. Encourage honesty. Don’t tell her about testing and the jail. Ask permission to disclose to team. Advocate hard for lesser sanction.

4. Disclose the K-2 use even if client objects. Advocate for sanction reduction.
TREATMENT COUNSELOR

- Extremely mindful of client confidentiality.
- Will not, and should not, share everything, including positive UAs.
- Participates in staffing
- Monitors progress, makes treatment recs to the Court
- Identifies and provides continuum of care for
TREATMENT/ COUNSELOR

• Address barriers that may exist (mental / physical health, language, etc).

• Services could include detox, residential treatment, SOP, IOP, cognitive education, boosters and aftercare.

• If a client has slipped or relapsed, the team must reassess the client’s needs.

• Your treatment partner’s input is essential.
COUNSELOR: CHERYL

• Client, Rob, is in trouble yet again after many alcohol and drug violations.

• Rob served two terms in Iraq and Afghanistan. A friend was killed next to him by a sniper just before he returned home.

• He has severe anxiety issues, along with a terrible attitude and resistance to treatment.

• Deputy Jones (Sheriff) saw Rob drinking a beer at the rodeo. Rob shot him the bird and chugged it.

• The team unanimously calls for termination.
Cheryl Gets Rob to Open Up

• Cheryl met with Rob. One of Rob’s few redeeming factors is that he is an extremely proud, devoted father who shares custody of his 13-year-old son, Rob, Jr.

• Rob confided days before the incident, was served with papers, where his son’s mother was seeking full custody.

• It gets worse...
Rob’s Bad Week

• After a quarrel, his son told him he was a “dope-head loser,” a “horrible father” and he wanted to live with mom.

• Rob’s new girlfriend gave him gonorrhea.

• All of this happened a week after he had finally weaned himself off of his anxiety meds.

• Rob insisted she must not tell the judge and team.

• Rob expects termination and doesn’t really want to fight it.

• Cheryl firmly believes Rob needs to remain in the program to get him through this rough patch.
• These troubling events could be the catalyst for a long-awaited breakthrough for Rob.
• Though clients sign confidentiality waivers, Cheryl is not sure how much she should share.
What would you do?

1. Tell the team **everything**; advocate for treatment.

2. Tell the team about everything except the STD. The team doesn’t need to know that.

3. Don’t disclose any confidential info. Say, “There are some big issues that I’m not at liberty to disclose, but please trust me on this one.”

4. Urge the client to be honest with the team and not give up. Say little at staffing, but urge all to reconsider termination.
Incentives and Sanctions

What do you use?
INCENTIVES

• If you are using not incentives in your program you are hindering your clients progress.
• Keep an incentives history, too.
• **Tracking incentives increases use.**
• Reinforcers should far outnumber punishers.
• How many incentives is enough?

![Carrots and stick symbol]
<table>
<thead>
<tr>
<th>Blush Protocol</th>
<th>Removed for Phase IV</th>
</tr>
</thead>
<tbody>
<tr>
<td>Treatment progress</td>
<td>The Client successfully completed 46/46 Treatment Sessions on 10/17/2017 as well as Boosters on 12/20/2017</td>
</tr>
<tr>
<td>Benchmarks accomplished towards phase advancement</td>
<td>The Client has completed all required Phase III Benchmarks.</td>
</tr>
</tbody>
</table>
| Stage of Change / Question | S. Maintenance - Ongoing practice of new, healthier behavior  
“What are you doing to keep from going back to the old way of doing things?” |
| Interventions/Plan Infraction | Phase IV Promotion Review. The Client ran into a few issues with Diluted UA Specimens, but regained compliance and has maintained compliance since. The Client has always presented an amazing and pleasant attitude throughout the program even when faced with tough situations. The Client has been a helpful peer to those in her Treatment Class as well as her SOBER Sisters Group. |
| Recommended response  |  |
| Incentive(s)           | Wheel Spin |
| Prior Court Reviews    | 11/27/2017: Phase III Promotion, Rating 2/2; 11/13/2017: No Issues, 8 Hour CSR Voucher, Sobriety Milestone (Smphs), 30 Hour CSR Voucher from Wheel Spin, Rating 2/2; |
Ratio of Rewards to Punishments and Probability of Success on Intensive Supervision

Goal: 70 – 80% Completion rate

Does an Emphasis on Incentives Really Make a Difference?

- State of Texas DWI Ct Program Completion Rate: 69%
- Harris Co. SOBER DWI Ct Program Completion Rate: 87%
How Do We Know What Rewards Work? ASK THEM!

13. What are your favorite incentives? (Circle all that apply)
Fish Bowl   Spin the Wheel   Praise, positive feedback
Gift Card   Bus Passes      CSR Voucher
Skype report  Candy, treats  Certificate (Sobriety, etc.)
Praise, positive feedback  Other: (Specify)____________________

14. What are some fun things you do that help you stay sober?
__________________________________________________________
What if we have no budget for incentives?

• You don’t need gift cards! (See handouts!)
• Some of the most powerful 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 probation ends.
• Our responses keep clients engaged until natural reinforcers kick in.
Job WHALE done!

CONGRATULATIONS
You’re doing great!
ONE “LEAVE EARLY” PASS
YOU’RE #1! GO 1ST AT COURT REVIEW!

YOU’RE DOING GREAT! YOU EARNED A “LEAVE COURT EARLY” PASS!

YOU’VE GOT IT MADE IN THE SHADE!!

Congrats! You have earned a Report by Skype Pass!

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

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

“4:1” Only Works if the “1” is Occurring
Punishment is NOT the goal of imposing of Sanctions

CHANGING BEHAVIOR IS THE GOAL

“What will they learn from the sanction?”
Punishers Often Include:

- Verbal admonishment
- Curfew, house arrest
- Reduced driving privileges
- Confinement in jury box, holdover cell
- Community service, work projects
- Escalating periods of jail: 1 – 5 days max (2-3)
- Others--A note about these:
  - Essays, Thinking Reports, Apology Letters
  - Increased court appearances
  - Do NOT demote to earlier program phases*
Courts that typically impose jail longer than 6 days have worse (higher) recidivism.
Jail

• Often not effective
• Can make client’s situation much worse
• Should be reserved for serious infractions
  – Public Safety
  – Illegal activity
  – Violation of Behavior contract
Staffing

Understand: this is about them, not you.

Responses are in the eyes of the behaver, not you.
CRAFTING RESPONSES

• Response matrix should have options keyed to clients current level of competence and motivation
• Matrices should have several options—No “one size fits all.”
• 10-20% of the time matrix may not work
• FOCUS ON THE BIG PICTURE AND LOOK FOR PATTERNS
• Consider: “What do you want the participant learn?”
CRAFTING RESPONSES - Scenario

• Carol is in Phase 2
• Positive EtG for Alcohol – 3\textsuperscript{rd} positive
• Perfect attendance at treatment and engaged in treatment
### Step 1. Identify the Behavior

<table>
<thead>
<tr>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td>Late for Scheduled Event</td>
<td>Risky behavior</td>
<td>Alcohol Use</td>
<td>Criminal behavior (new crimes, drinking and driving)</td>
</tr>
<tr>
<td>Failure to Complete Assignments</td>
<td>Unexcused Absence tx</td>
<td>Drug Use</td>
<td></td>
</tr>
<tr>
<td>Missed payment</td>
<td>Missed UA</td>
<td>Tamper w/ UA or device</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Failure to follow download procedures</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### Step 2. Determine the Response

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>Low</th>
<th>Moderate</th>
<th>High</th>
<th>Very High</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Level 1</td>
<td>Level 2</td>
<td>Level 2</td>
<td>Level 4</td>
</tr>
<tr>
<td>Phase 2</td>
<td>Level 1</td>
<td>Level 2</td>
<td>Level 3</td>
<td>Level 4</td>
</tr>
<tr>
<td>Phase 3</td>
<td>Level 2</td>
<td>Level 3</td>
<td>Level 4</td>
<td>Level 5</td>
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<tr>
<td>Phase 4</td>
<td>Level 3</td>
<td>Level 4</td>
<td>Level 5</td>
<td>Level 5</td>
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</table>
## Step 3. Choose the **Sanction**

<table>
<thead>
<tr>
<th></th>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
<th>Level 5</th>
</tr>
</thead>
<tbody>
<tr>
<td>CSR</td>
<td>≤ 4 hrs</td>
<td>≤ 8 hrs</td>
<td>≤ 16 hrs</td>
<td>≤ 32 hrs</td>
<td>≤ 40 hrs</td>
</tr>
<tr>
<td>House Arrest</td>
<td>≤ 24 hrs</td>
<td>≤ 72 hrs</td>
<td>≤ 5 days</td>
<td>≤ 7 days</td>
<td>≤ 15 days</td>
</tr>
<tr>
<td>Curfew</td>
<td>≤ 3 days</td>
<td>≤ 5 days</td>
<td>≤ 7 days</td>
<td>≤ 10 days</td>
<td>≤ 15 days</td>
</tr>
<tr>
<td>Driving Restriction</td>
<td>≤ 3 days</td>
<td>≤ 5 days</td>
<td>≤ 7 days</td>
<td>≤ 7 days</td>
<td>≤ 15 days</td>
</tr>
<tr>
<td>Jail</td>
<td></td>
<td></td>
<td></td>
<td>≤ 3 days</td>
<td>≤ 7 days</td>
</tr>
<tr>
<td>Other</td>
<td></td>
<td></td>
<td></td>
<td>Review Placement</td>
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</table>
### Treatment Responses

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
<th>Level 5</th>
</tr>
</thead>
</table>
| Behavior Chain  
Cost/Benefit Analysis  
Skill Development  
Thought Restructuring  
Disapproval  
Homework/Practice  
Thinking Report | Level 1 plus:  
- LOC Review | Level 1, 2, plus:  
- SCRAM  
- Sober-Link  
- Referral Medication Eval  
- Treatment Team Review | Level 1, 2, 3, plus:  
- Re-Assessment |

### Supervision Responses

<table>
<thead>
<tr>
<th>Level 1</th>
<th>Level 2</th>
<th>Level 3</th>
<th>Level 4</th>
<th>Level 5</th>
</tr>
</thead>
</table>
| ≤ 3 additional report days  
Official Letter in File | ≤ 5 additional report days  
Home Visit  
Curfew | ≤ 7 additional report days  
Home Visit  
Increase ETG/UA Test  
Contingency Contract  
External Monitor Device  
Additional Court Report  
Case Conference | ≤ 3 additional report days  
Contingency Contract  
External Monitor Device  
Curfew |
### Incentive Response Matrix

#### Step 1. Identify the **Behavior**

<table>
<thead>
<tr>
<th>Easy</th>
<th>Moderate</th>
<th>Difficult</th>
</tr>
</thead>
<tbody>
<tr>
<td>Compliance</td>
<td>• Health/Prosocial</td>
<td>• Specific Target</td>
</tr>
<tr>
<td>Attendance</td>
<td>• Employment</td>
<td>• Abstinence</td>
</tr>
<tr>
<td>Report to UA</td>
<td>• Progress toward TX Goals</td>
<td>• Treatment Goals Completed</td>
</tr>
<tr>
<td>Payment</td>
<td>• Progress in TX</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Complete TX LOC</td>
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</tr>
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</table>

#### Step 2. Determine the **Response**

<table>
<thead>
<tr>
<th></th>
<th>Easy</th>
<th>Moderate</th>
<th>Difficult</th>
</tr>
</thead>
<tbody>
<tr>
<td>Phase 1</td>
<td>Small</td>
<td>Medium</td>
<td>Large</td>
</tr>
<tr>
<td>Phase 2</td>
<td><strong>Small</strong></td>
<td>Medium</td>
<td>Large</td>
</tr>
<tr>
<td>Phase 3</td>
<td></td>
<td></td>
<td>Medium</td>
</tr>
<tr>
<td>Phase 4</td>
<td></td>
<td></td>
<td>Small</td>
</tr>
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</table>
**Step 3. Choose the Incentive**

<table>
<thead>
<tr>
<th>Small</th>
<th>Medium</th>
<th>Large</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Verbal Praise</td>
<td>Any small or:</td>
<td>Any small, medium or:</td>
</tr>
<tr>
<td>• Raffle Ticket</td>
<td>• ≤ 3 day reduction of curfew</td>
<td>• Driving Privileges</td>
</tr>
<tr>
<td>• Bus Pass</td>
<td>• Supervisor Praise</td>
<td>• Certificate</td>
</tr>
<tr>
<td>• ≤ $10 Gift Card</td>
<td>• Written Praise</td>
<td>• Travel Pass</td>
</tr>
<tr>
<td>• ≤ 1 day reduction of curfew</td>
<td>• Positive Peer Board</td>
<td>• Reduction of Curfew</td>
</tr>
<tr>
<td></td>
<td>• Certificate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Voucher for _h CS</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Voucher for $_ fees</td>
<td></td>
</tr>
<tr>
<td></td>
<td>• Letter Home</td>
<td></td>
</tr>
</tbody>
</table>
### Treatment Response

<table>
<thead>
<tr>
<th>Phase 1</th>
<th>Phase 2</th>
<th>Phase 3</th>
<th>Phase 4</th>
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</thead>
<tbody>
<tr>
<td>Single Event</td>
<td></td>
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<tr>
<td>- Behavior Chain</td>
<td>- Behavior Chain</td>
<td>- Behavior Chain</td>
<td>- Behavior Chain</td>
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<tr>
<td>- Cost/Benefit Analysis</td>
<td>- Cost/Benefit Analysis</td>
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<tr>
<td></td>
<td>- Change in LOC</td>
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<tr>
<td>Continued Progress</td>
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<td></td>
<td>- Aftercare Fqcy</td>
<td>- Aftercare Fqcy</td>
<td>- Aftercare Fqcy</td>
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<tr>
<td></td>
<td>- Re-evaluate Pharmacological Interventions</td>
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<td>- Re-evaluate Pharmacological Interventions</td>
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### Supervision Responses

<table>
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<tr>
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<tbody>
<tr>
<td></td>
<td></td>
<td>- Reduced Contacts</td>
<td>- Reduced Contacts</td>
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<tr>
<td>- Change in Curfew Status</td>
<td>- Decreased ETG/UA Testing</td>
<td>- Decreased ETG/UA Testing</td>
<td>- Decreased ETG/UA Testing</td>
</tr>
<tr>
<td>- Decreased ETG/UA Testing</td>
<td>- Reduction in Home Visits</td>
<td>- Reduction in Home Visits</td>
<td>- Reduction in Home Visits</td>
</tr>
<tr>
<td>- Reduction in Home Visits</td>
<td></td>
<td>- Reduction in External Monitoring Devices</td>
<td>- Reduction in External Monitoring Devices</td>
</tr>
<tr>
<td></td>
<td></td>
<td>- Random Home Visits</td>
<td>- Random Home Visits</td>
</tr>
</tbody>
</table>
Remember: The enemy is a difficult opponent
We’re in this for the long run!