

Alternative Sanctions and Amnesty Programs

Updated July 2019

Alternative sanctions such as treatment, training, or education are commonly used in Community Courts or other therapeutic courts instead of fines and fees. Juvenile fines and fees are of particular concern because of the negative impact they can have on the youth and their family. Graduated economic sanctions based on ability to pay or “day fines” were explored in the 1980s and more recent research is available on the best way to design a program. (See Colgan (2017) **Graduating Economic Sanctions According to Ability to Pay**, 103 Iowa L. Rev. 53) Examples of alternative sanctions used by various courts include:

The [National Institute of Justice](#) did a review of 43 alternative sanctions programs, ranking their effectiveness.

Florida

[Program expands to help non-violent juvenile offenders stay out of jail.](#) First-time offenders under the age of 18 can avoid arrest, instead receiving a civil citation, plus a variety of alternative sanctions including counseling and drug treatment.

[Under a new alternative sanctions program](#), offenders would face consequences that don't involve an arrest or jail time. The sanctions for each type of violation are laid out, which include things like extra reporting, curfew, electronic monitoring, and drug treatment. To participate, individuals must admit to the violation, and a judge must approve the proposed sanction. Offenders with three or more previous violations are not eligible, nor is anyone with a new law violation, an absconder, or anyone who has violated a no contact order.

Office of Program Policy Analysis and Government Accountability Diverting Low-Risk Offenders From [Florida Prisons Report No.19-01](#) Date: January 2019

This review answers five questions:

- How are offenders sentenced in Florida?
- What factors influence Florida’s incarceration rate?
- How does prison diversion occur in Florida?
- Are there low-risk offenders who could be diverted from prison?
- What options exist for diverting low-risk offenders from prison?

[19th Circuit Criminal Alternative Sanctions Program.](#) Order creating and laying out the terms for Florida's 19th Circuit's alternative sanctions program.

New York

[Bronx Community Solutions offers community service projects](#) that respond to local problems (for example, trash in a local park or walls marred by graffiti) and alternative sanctions including drug treatment, job training, family services, and mental health counseling.

Driving simulator Glen Falls, NY. [This driving simulator](#) is part of a pilot program in New York for those with driving offences. The three-hour program prepares a report for the court that may lead to a sentence reduction.

Oregon

Eugene, Oregon [Alternative Sanctions Community](#) service options include preparing food boxes, supporting recycling programs, providing senior nutrition, assisting housing programs, libraries, local parks and many other programs in Lane County. Other alternative sanctions include deferred prosecution programs for shoplifting, theft, some alcohol related offenses as well as having a program for DUII diversion, mental health court and other restorative justice programs.

Texas

[Second Chance Community Improvement Program](#), or SCCIP, Programs In Dallas And Williamson Counties Offer Young Offenders An Alternative To Incarceration is an alternative to incarceration for young adults charged with nonviolent felonies or misdemeanors. Participants in the program are required to attend court dates and group sessions, stick to established goals and perform community service, among other things. They also must choose either to pursue an education or find a job. If it's determined that they've met all the requirements, their records are expunged.

[Austin Sobering Center](#) allows police and EMTs to drop off those intoxicated on drugs on alcohol at the center to sober up and receive counselling and treatment options rather than arresting them.

Harris County, Texas - [A new bail system](#) will be implemented in Harris County after the old system was found to be unconstitutional. All individuals with misdemeanor cases in Harris County will be allowed to "return to their families, jobs, and communities without having to pay money for their freedom," according to county officials.

Austin Community Court provides [a list of alternative sanctions](#) that have been used in the past. These typically include cleaning and set-up for community events such as music festivals, earth day, art shows, Juneteenth Celebration, half-marathons or Christmas tree recycling programs.

[SB 1913](#) lists community service alternatives:

Courts could order community service through attending a work and job skills training program, preparatory classes for the high school equivalency exam, or similar activities. The bill also would allow community service to be done for religious organizations, neighborhood associations, or educational institutions.

Virginia

[Wise Works alternative sentencing program](#). Instead of sitting down at the Southwest Virginia regional jail in Duffield, eligible offenders — usually with children — go to work, doing community service during the day, and at night, go home to their families. People who otherwise would be in jail are helping to build houses for Habitat for Humanity, working at the Wise County Animal Shelter and with public agencies like the county housing authority and litter control. They are working at churches, soup kitchens and food pantries. They have worked for The Health Wagon, RAM and the Wise County Fair. Over the summer while school was out, a military fellow with experience painting ships helped paint a local school, top to bottom, and redid the floors.

Charlottesville ahead of the curve on [bail reform](#)

Individuals and families involved in the criminal justice system [are offered rehabilitative and supportive services](#) to help them become productive members of the community. OAR's service area includes Fairfax, Loudoun and Prince William Counties.

Wisconsin

[Saturday Alternative Sanction Program \(SAS\)](#) goals include:

- Provide a timely community-based alternative to sanctions
- Hold youth accountable for violations
- Assist youth in restoring and maintaining compliance with their order
- Target interventions to address the nature of youth's violations and build

- skills and competencies for improved decision-making
- Expose youth to community-based services and positive programming

Amnesty programs have been used to reduce the problems faced by individuals with unpaid fines and fees, child support or outstanding warrants for failure to appear (FTA). Typically, these programs are onetime offers that run for a specific time period in one location. Some states have explored the possibility of a statewide program for an extended period of time. In 2015, California enacted legislation for an amnesty program with the three-fold purpose of resolving unpaid court obligations, removing the hold on driver's license suspensions and providing increased revenue. The program ran from October 2015 to March 2017. In 2016, the Connecticut Office of Legislative Research reviewed existing programs around the country. **In 2017, Ohio proposed legislation that would establish a six-month driver's license reinstatement fee debt reduction and amnesty program. The program became effective in November 2018.** The following provides more information on these statewide initiatives as well as examples of local amnesty programs.

Alabama

[City of Dothan Amnesty Program](#)

[City of Tuscaloosa Announces Court Case Amnesty Program](#) September 28, 2018

[Montgomery County Court to Offer Traffic Ticket Amnesty Program](#)

Arkansas

[Craighead County District Court Pilot Program](#): Amnesty Day for outstanding warrants and court fines/fees

[Hotsprings Amnesty Program](#)

Little Rock District Criminal Court: [Amnesty program](#) launches Feb. 1 2018

California

[Alameda County Sheriff's Work Alternative Program](#) is an alternative to confinement where participants perform eight to ten hours of work in-lieu of one day of confinement in jail. The intent of the program is to provide qualified, low risk offenders an alternative to incarceration. The sentences may not be over 365 days. Participants are assigned to work at one of thirty contracted public agency work sites within Alameda County.

Los Angeles County Office of Diversion and Reentry (ODR), the launch of the [Law Enforcement Assisted Diversion \(LEAD\) pre-booking diversion program](#) for drug

offenders, the opening of an alternative destination to jail and hospital emergency departments for chronically inebriated individuals.

[The San Diego County Probation Department](#) The Work Furlough (“WF”) and Residential Re-Entry Center ("RRC") Facility is a sentencing alternative for judges that allow an inmate to maintain or search for employment while serving a custody commitment.

[Traffic Amnesty Program](#)

[Interim reports](#)

18-month Statewide Infraction Amnesty Program Report ([August 2017](#))

Colorado

Colorado, Denver: [Residential Community Corrections facilities](#) are an alternative to prison intended to help offenders return to their communities. Offenders that meet acceptance criteria are placed in residential programs instead of prison or transferred from Colorado's state prisons before release.

Connecticut

Department of Mental Health & Addiction Services has [several programs](#):

- Crisis Intervention Team (CIT)
- Jail Diversion/Court Liaison Program
- Jail Diversion Substance Abuse Program (JDSA)
- Women's Jail Diversion (JDW)
- Alternative Drug Intervention (ADI)
- Office of Pretrial Interventions
- Community Recovery Engagement Support and Treatment Center (CREST)
- Advanced Supervision and Intervention Support Team (ASIST)
- Sierra Pretrial Center

2016 the Connecticut Office of Legislative Research [WARRANT AMNESTY PROGRAMS](#)

Georgia

[DeKalb County Amnesty Program](#). Residents can also sign up for text/email notifications for their assigned court date for amnesty.

[Dunwoody Municipal Court](#) holds traffic citation amnesty program Aug 06, 2018

[Eastpoint Monday, February 19th](#) – Municipal Court Ticket Amnesty Program

[The Fulton County Amnesty Program](#) offers fines at a reduced rate with no additional fees attached. It is being offered for a limited time.

Lawrenceville Municipal Court offering [warrant amnesty program](#) in November 2018

Indiana

[Indiana House OKs community service as alternative to jail time](#) for unpaid court costs. House Bill 1087, awards individuals credit against a court cost assessment equal to the state's \$7.25 per hour minimum wage for each hour of completed court-ordered community service or other volunteer work.

Iowa

Iowa City, [Iowa Jail Alternatives Program](#). The program focuses on helping people mental health or substance abuse issues get treatment outside of getting sent to jail.

Maryland

[Washington County Circuit Court](#) has joined more than a dozen other Maryland counties in establishing a drug court to deal with, and hopefully reform, those whose addictions have driven their criminal behavior. “They’re pleading guilty to an offense. There’s no agreement as to the ultimate sentence other than, by agreeing to go into drug court, ultimately they can earn a suspended sentence,” Circuit Judge Brett R. Wilson explained earlier this month. A plea in drug court puts the offenders on an extensive period of presentence supervision, with scrutiny by a number of partner agencies. Ultimately, a person can receive a suspended sentence by successfully completing drug court — or end up in prison if they fail.

Massachusetts

[Massachusetts Mental Health Court](#) Serves As Alternative To Jail Time Mental health court sessions include a court-imposed condition of probation for defendants who have serious mental illness or co-occurring mental health or substance use disorders. The sessions provide an alternative to incarceration through case management, and by linking to community-based services with probation.

Michigan

Michigan Supreme Court launches [pretrial pilot program](#) aimed at easing the burden

of bail bonds for defendants and reducing jail costs. The program involves a pretrial risk assessment tool designed to help judges make bond decisions by using statistically validated predictors of pretrial risk, the Supreme Court said.

Officials [approve alternative jail program](#) for 2020

[Dearborn court amnesty program](#) runs through July 3.

[51 District Waterford Amnesty Program](#)

The 67th District Court of Genesee County is launching a [special amnesty program](#).

Missouri

[Warrant-amnesty program](#) gives residents clean slate in St. Louis-area courts August 15, 2018.

Mississippi

[Gulfport Bench Warrant Amnesty Day](#)

New Jersey

Report: Bail reform has lowered jail population, but [program facing ‘funding crisis’](#)

New York

[Southampton Town Amnesty Program](#) for Parking Tickets

North Dakota

[Child Support Amnesty Program](#)

Oklahoma

In Tulsa, Oklahoma, residents who are detained for public intoxication are given an option other than going to jail: they can choose to go to [Tulsa Sobering Center](#), a facility that specializes in addiction treatment and recovery. After they sober up during a minimum 10-hour (or maximum 12-hour) stay, individuals have another decision to make: They can receive treatment for their addiction, or a staff member will call them a cab home. Either way, they won't have anything added to their criminal record.

Ohio

Local Amnesty programs:

[The Law Enforcement Assisted Diversion program](#), or LEAD, is designed to get help for people who commit crimes, instead of just throwing them in jail. If approved, the pilot would allow police officers an alternative to arresting low-level offenders. Instead, officers could refer them to case managers who would help address underlying issues leading to crime, like homelessness, addiction and mental illness.

[HB 336](#). Create driver's license reinstatement fee amnesty initiative. Effective November 2, 2018

Oregon

[Portland](#). County elected and health officials envision a place where people could do laundry, take a shower, use the computer, charge a phone and access mental health services. They also intend to include transitional housing there for people who need somewhere to stabilize their mental health. She wants a place for people to go that isn't the same criminal justice revolving door that she experienced. Visitors can work with people who have vetted the services themselves, she said, and make steps toward recovery and housing, even if those steps are small and slow.

[Sweet Home Municipal Court Amnesty Program](#) January 1, 2018 through April 30, 2018

[Court Amnesty Program](#) Mt Angel Municipal Court is offering a one-time only amnesty program to forgive a portion of overdue fines owed when you pay in full between October 15, 2018 and January 31, 2019.

Pennsylvania

[City of Philadelphia Parking Amnesty Program](#)

Tennessee

Tennessee, Knoxville: [Behavioral Health Urgent Care Center](#) serves as an alternative to jail for nonviolent, misdemeanor offenders with behavioral health or substance abuse problems. Law enforcement brings clients to the center, which can hold them for up to 72 hours to stabilize them, then release them with referrals to services and a case manager to follow up. It's offenders' choice — but if they decline to go, their other option is jail. 79% were brought to the center only once — and stayed out of jail.

Texas

Alamo Municipal Court holding [amnesty program](#) in September

[Austin Municipal Court Warrant Amnesty 2018](#)

City of Houston Municipal Courts Amnesty Program Municipal Courts Announces
[“Spring Cleaning” Amnesty Program](#)

[Laredo Amnesty Program](#)

[Victoria Municipal Court Amnesty Day](#) for Outstanding Warrants and Tickets