

## Alternative Sanctions and Amnesty Programs

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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:

### **Florida**

Juvenile Alternative Sanctions 15<sup>th</sup> Judicial Circuit of Florida. Youth who have violated a court order such as home detention or failure to appear (FTA) may be eligible for community service projects, evening reporting centers, Read to Succeed, tutoring, DUI victim impact panels, electronic monitoring, and participation in mentoring or workshops instead of detention. <https://www.15thcircuit.com/program-page/alternative-sanctions>

### **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.

<https://www.courtinnovation.org/node/20086/more-info>

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. [http://poststar.com/news/local/drivers-who-are-convicted-of-dwi-or-other-offenses-face/article\\_3140dc4a-2ea1-5f4f-800d-436c2827c143.html](http://poststar.com/news/local/drivers-who-are-convicted-of-dwi-or-other-offenses-face/article_3140dc4a-2ea1-5f4f-800d-436c2827c143.html)

### **Oregon**

Eugene, Oregon Alternative Sanctions <https://www.eugene-or.gov/2992/Programs-and-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**

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.

<http://www.austintexas.gov/department/alternative-sanctions>

SB 1913 lists community service alternatives

<http://www.hro.house.state.tx.us/pdf/ba85r/sb1913.pdf#navpanes=0>

<https://www.courthousenews.com/texas-reforms-system-debtors-prisons/>

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.

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 following provides more information on these statewide initiatives as well as examples of local amnesty programs:

### **California**

Traffic Amnesty Program <http://www.courts.ca.gov/trafficamnesty.htm>

Interim reports <http://www.courts.ca.gov/amnestyreports.htm>

### **Connecticut**

2016 the Connecticut Office of Legislative Research WARRANT AMNESTY PROGRAMS  
<https://www.cga.ct.gov/2016/rpt/2016-R-0315.htm>

### **Ohio**

Proposed HB 336, Create driver's license reinstatement fee amnesty initiative  
<https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-336>

Local Amnesty programs:

### **Arkansas**

Craighead County District Court Pilot Program: Amnesty Day for outstanding warrants and court fines/fees <https://neareport.com/2017/01/20/judge-says-first-amnesty-day-successful/>

### **Mississippi**

Gulfport Bench Warrant Amnesty Day <http://www.wlox.com/story/32241415/gulfport-holds-bench-warrant-amnesty-day-this-monday>

### **New York**

Southampton Town Amnesty Program for Parking Tickets  
<http://www.southamptontownny.gov/CivicAlerts.aspx?AID=267>

### **North Dakota**

Child Support Amnesty Program <https://www.nd.gov/dhs/info/news/2016/6-30-child-support-amnesty-project-extended.pdf>

**Texas**

City of Houston Municipal Courts Amnesty Program Municipal Courts Announces “Spring Cleaning” Amnesty Program <http://www.houstontx.gov/courts/20170315.html>

Victoria Municipal Court Amnesty Day for Outstanding Warrants and Tickets

<https://www.victoriaadvocate.com/news/2017/dec/12/municipal-court-finds-creative-solutions-for-fine-/>