

Alternative Sanctions and Amnesty Programs

December 2018

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 15th 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

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>

<http://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.

Virginia

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. <https://www.oarnova.org/impact-a-success-stories/oars-impact>

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

[https://www.wiscs.org/hold/Saturday%20Alternative%20to%20Sanctions\(1\).pdf](https://www.wiscs.org/hold/Saturday%20Alternative%20to%20Sanctions(1).pdf)

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:

California

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

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

18-month Statewide Infraction Amnesty Program Report (August 2017)
<http://www.courts.ca.gov/documents/lr-2017-JC-statewide-traffic-amnesty.pdf>

Connecticut

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

Ohio

HB 336, Create driver's license reinstatement fee amnesty initiative. Effective November 2, 2018 <https://www.legislature.ohio.gov/legislation/legislation-summary?id=GA132-HB-336>

Local Amnesty programs:

Alabama

City of Dothan Amnesty Program
<https://www.dothanpd.org/municipal-amnesty-court/>

City of Tuscaloosa Announces Court Case Amnesty Program September 28, 2018
<https://www.tuscaloosa.com/posts/2018/09/28/city-of-tuscaloosa-announces-court-case-amnesty-program>

Montgomery County Court to Offer Traffic Ticket Amnesty Program
<https://www.alabamaneews.net/2018/02/16/montgomery-county-court-offer-traffic-ticket-amnesty-program/>

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/>

Hot Springs Amnesty Program <https://www.cityhs.net/DocumentCenter/View/3800>

Little Rock District Criminal Court: Amnesty program launches Feb. 1 2018
<https://www.littlerock.gov/news/little-rock-district-criminal-court-amnesty-program-launches-feb-1/>

Georgia

Dekalb County Amnesty Program. Residents can also sign up for text/email notifications for their assigned court date for amnesty.
https://www.cbs46.com/news/dekalb-county-traffic-court-offering-amnesty-program-for-old-traffic/article_163b35d1-1d92-517d-8042-315a1d7d34b5.html

Dunwoody Municipal Court holds traffic citation amnesty program Aug 06, 2018
<https://www.ajc.com/news/local/dunwoody-municipal-court-holds-traffic-citation-amnesty-program/1CyM6M8GLCvICe2boa1HEN/>

Eastpoint Monday, February 19th – Municipal Court Ticket Amnesty Program
<http://www.eastpointcity.org/ticket-amnesty/>

The Fulton County Amnesty Program offers fines at a reduced rate with no additional fees attached. It is being offered for a limited time.
<http://fultonstate.org/amnesty-program/>

Lawrenceville Municipal Court offering warrant amnesty program in November 2018 <https://www.gwinnettdaily.com/local/lawrenceville-municipal-court->

[offering-warrant-amnesty-program-in-november/article_7cce396f-1448-55bf-b93e-0502982c961b.html](http://www.pressandguide.com/news/dearborn-court-amnesty-program-runs-through-july/article_5a1daa08-c964-5e45-b45a-f4ec160f804f.html)

Michigan

Dearborn court amnesty program runs through July 3

http://www.pressandguide.com/news/dearborn-court-amnesty-program-runs-through-july/article_5a1daa08-c964-5e45-b45a-f4ec160f804f.html

51 District Waterford Amnesty Program

<https://www.waterfordmi.gov/DocumentCenter/View/5804/AMNESTY-FLYER?bidId=>

The 67th District Court of Genesee County is launching a special amnesty program. http://www.gc4me.com/departments/district_court/index/index.php

Missouri

Warrant-amnesty program gives residents clean slate in St. Louis-area courts August 15, 2018.

<http://news.stlpublicradio.org/post/warrant-amnesty-program-gives-residents-clean-slate-st-louis-area-courts#stream/0>

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>

Oregon

Sweet Home Municipal Court Amnesty Program January 1, 2018 through April 30, 2018 <https://www.sweet-home.or.us/mc/page/sweet-home-municipal-court-amnesty-program>

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. T<http://www.ci.mt-angel.or.us/general/page/court-amnesty-program>

Pennsylvania

City of Philadelphia Parking Amnesty Program
<https://www.phila.gov/programs/parking-amnesty/>

Texas

Alamo Alamo Municipal Court holding amnesty program in September
<https://www.themonitor.com/2018/09/03/alamo-municipal-court-holding-amnesty-program-in-september/>

Austin Municipal Court Warrant Amnesty 2018
https://www.austintexas.gov/sites/default/files/files/Municipal_Court/Amnesty-Court_flier_Final-English.pdf

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

Laredo Amnesty Program <https://www.kgns.tv/content/news/Municipal-Court-warrant-information-491557671.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-/>