

Tri-County Batterer Intervention Provider Network Meeting Minutes—6/9/2009

Topic: Specialized Groups for Criminally Oriented Men

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Minutes by Paula Manley, edited by Chris Huffine

Risk assessment tools

Several types of risk tools should be used. Some are behaviorally based. The LS/CMI stands for Level of Service/Community Management Inventory. The majority of counties in Oregon are using this with all offenders. It's a behaviorally based risk tool. It gives some idea for general risk of recidivism. It's not DV or SO-specific. The part Curt likes about this is it covers risk/needs/responsivity. It addresses what are the risks and needs, and how do you match those to the response you make with the idea of improving the outcomes.

Mult. Co. and several counties use this, in combination with a DV-specific tool such as the ODARA. It is behaviorally based. It includes both static (historical and unchanging) and dynamic (changeable such as pro-criminal attitudes, substance abuse and associates). It doesn't address personality issues and DV issues. That is probably the major drawback.

When looking at criminality, one helpful tool is the Psychopathy Checklist-Revised (PCL-R). When we look at criminal offenders, they are often diagnosed with Antisocial Personality Disorder (ASPD). This is the weakest diagnosis in the DSM, because it doesn't address the degree of risk - the severity of the risk. Not all people with ASPD are at the same level of risk in terms of the likelihood of recidivating. The PCL does this - the only one. The higher the score, the higher the risk for violent recidivism. MCMI, MMPI and PAI are other personality measures, but none are particularly helpful in predicting risk. You could have someone with a high score on the LS/CMI, but have nothing to do with psychopathy. The PCL-R measures psychopathy.

HCR-20 - a measure of generalized violence. It measures three domains: historical (static) factors, clinically significant factors (e.g., negative attitudes), and risk related issues (e.g., exposure to destabilizers).

LS/CMI is fairly low cost to implement, and is useful to identifying criminality. At this point, it won't cost anything if you can get the results from the PO (in Mult. Co., at least). The PCL-R requires extensive training. Three days, and a test involving interviews and analysis, plus I have to get a high score. LS/CMI was implemented about a year ago in Mult. Co. They are moving toward doing this before referring them out to BIP s.

We need to advocate for identifying those biologically predisposed to criminality kids. Perhaps figure out (research, again!) what is the most effective age to intervene. One participant who had worked with criminal youth and criminal adults observed that there were similarities, except that there was a huge difference in possibility for change in the teens vs. in the 20's, for example.

Intake session

The ideal situation is to ID a criminally oriented offender at or before intake. Ideally the PO will have identified. PO's are trained in the ODARA and the LS/CMI, in Mult. Co. There is a question as to who gets these scores. However, just getting the scores from PO's shouldn't replace gathering other info.

When you get to place someone into a criminally oriented group, the idea is to place the worst of the worst there. Twenty percent of those who are abusive are repeat batterers who often fall through the cracks. Among those are a subgroup who are most likely to recidivate/reoffend--approximately the top 5% of all batterers who are criminally oriented. These are the ones who do high frequency, high level of abuse, high degree of battering.

It is vital that high risk (i.e., criminally oriented) and low risk offenders not be mixed. There is clear empirical support for this concept and it is one of Ed LaTessa's points. Specifically, if criminally oriented men can't be placed in a specialized group, it would be best not to put them in a group at all. If placed in a regular batterer intervention group they may actually get worse as well as pull down the level of accountability. On the other hand, non-criminally oriented men placed in a criminally oriented group may also struggle and do worse.

Most of the abusive men we see don't fit into the ID of psychopathy. The shelters see some of the worst of the worst because they manipulate and avoid prosecution (or they ultimately end up in prison and batterer intervention is not a condition of parole, perhaps due to being incarcerated for non-DV crimes). Often they con their way out of it. They may be criminally versatile. They may be caught for other crimes.

The classification is an issue with the criminal justice system that needs to be addressed. For example, an abusive man may commit a sex offense and then automatically be placed in sex offender supervision, although there may have been multiple DV cases. They are not put in DV classes, but are put back in SO treatment and battering may not be addressed, even when the original SO may have been against a current DV victim partner. They will score low on the SO measurement scale, and will score low when DV is measured, which means they won't get much - or appropriate - supervision.

Differentiation - the assessment piece is crucial. Best outcomes come from best identification of risks and needs and the best matching of services based on this analysis - especially with psychopathy. This is not easy training to absorb. It is tricky to identify some of the psychopathic men. But the ones who fool us are the ones skilled in hiding information when we don't have a lot of information.

Screening for DV, victim-blaming, etc. is more obvious. But the criminally-oriented individuals are harder to catch. Recent research says some of these guys are so good, that even the most seasoned PO's are fooled by these guys if they don't have accurate info. Getting accurate info from PO's is difficult - perhaps 1/3 of PO's are highly skilled in DV/criminality.

High-risk and criminally-oriented are not the same group, though there may be a lot of overlap. A recent case murder/suicide had an unaddressed depression issue.

Among the things to look for in identifying these individuals include issues related to domestic violence, personal characteristics, generalized violence, and criminal subculture/lifestyle. Issues related to domestic violence include lower attachment to the victim, low respect for others, low ability to experience guilt and remorse over the abusive behavior, more sexist attitudes towards women, pro-violent beliefs, and more severe and frequent acts of abuse. Issues related to the offender himself include a more severe history of his own victimization, less affect, more inattentive, less retention of information, and more impulsive, less ability to experience empathy, and the absence of pro-social attitudes and less motivation to change. Issues related to generalized violence include higher levels of violence to the general population (i.e., a larger and more diverse victim pool), and more premeditated violence and instrumental violence. Finally, issues related to the criminal subculture/lifestyle include a family history of criminal behavior, more associates who support the criminal behavior, polysubstance use, criminal versatility, longer criminal histories, and more pro-crime beliefs.

It's not uncommon for group members to know each other, because they may have done time together. You need to be aware of this especially with gang members. You need to ask, do you have any enemies? You don't want rival gang members together. But, because of the close culture, just because two group members know each other doesn't mean they can't be in a group together, provided they get along.

Unique issues in working with criminally oriented abusive men

NEEDS are issues we should address to reduce the risk of recidivism. Criminally oriented abusive men have much different needs from other abusive men. This group has issues of attachment - with anyone, not just partner. One of the biggest challenges with this group is gaining their respect. If you do things that lead them to dismiss you, you won't be effective. Most have criminally oriented attitudes, of course, as outlined by Stanton Samenow, among others. They are sexist and it's a huge challenge to change their relationships. They have a high tendency to narcissism.

Their brain works differently—reminiscent of ADHD type issues, although it may or may not be ADHD. They have problems maintaining attention. Certain portions of their brain responsible for empathy just don't work. With people with biologically predisposed issues, there is no one issue that has helped them develop empathy.

Violence is a constant theme they hear in criminal groups- not just DV. Violence is a huge part of their lives. Their lifestyle is all-encompassing and needs to be addressed. Often there have been generations of violence and psychopathic issues. Likely have parents, grandparents etc. that have psychopathic issues. It's a way of being and a way of living with these folks.

The guys do the majority of the crime in the area in which they live. As a result, they have typically done far more crime than they've been arrested for. They have their criminal buddies who can help them avoid getting held accountable. Their friends can intimidate a victim. They target people who won't report the crimes. For example, if you rob a drug dealer, they aren't likely to report it.

It is speculated that psychopathy is partly genetically/biologically based along with some social issues. In other words, both nature and nurture appear to contribute to someone being

criminally oriented as described above. There are white-collared psychopaths such as Enron execs. The ones we see tend to be raised in a low-level environment, with criminality.

Group Content/Structure for Criminally Oriented Men

Curt's group is shorter, although the prevailing attitude is longer and is better. Wisconsin has a psychopathic group that is 7 years. That would be good if we could do that. These men, in considering whether to stay engaged in treatment, will do a cost-benefit analysis. "What do I have to do and is it worth my while?" If you have someone who has to do 48 weeks of treatment, but if they fail, they only have to do 6 months of jail, they will likely take the 6 months and do no treatment. They talk about this stuff. There have to be carrots to dangle in front of these guys. As a result the group meets for a shorter period of time to encourage attendance and completion. These guys have 44 classes vs. 48 + 3—that's a time savings for them of 4+ months.

It's definitely a sales job for this group. Besides being shorter, there is much less written work and it only meets for 1.5 hours each week (other groups at Allies meet for 2 hours). It's talking about why it will be better for them. They actually typically like it better than the regular group. While no formal data collection has been done, there appears to be less drop-out than if these guys were part of a regular group. A number do remain in the group until completion.

The key theme of the group is helping these men become less abusive through enlightened self-interest. In other words, the reason to stop being abusive is not because it will benefit others, but because it will benefit them. The long term consequences vs. short term benefits of abuse (and other crime) need to be returned to again and again. The ways they suffer from their abusive behavior need to be pointed out.

Remorse is likely to be shallow. They may feel bad about what happened to their kid, but feel no remorse about their partner. You have to start with where it affects them, and where they want to go. Most of the guys aren't afraid of "the bars" (of the jail cell) - deterrence doesn't impact them. For them, going to jail can feel like a family reunion—connecting with old friends, getting free food and lodging, and having a variety of sources of entertainment in dealing with the other inmates.

Leave out focusing on or over-emphasizing empathy. If they latch onto that, they will charm and disarm you with that. Since they have limited capability for empathy, a lot of our empathy building techniques (e.g., discussion of the impact of abuse on others, how children who witness are affected) are a waste of time and may be misused by the group members. They may just become bored by such conversations (which is one way to tell that you've got a criminally oriented abuser in a regular group—they are more bored than troubled by such topics, in contrast to the rest of the group).

There is much less emphasis on self-disclosure or talking in an accountable manner about their entire history (e.g., Accountability Plan). You don't want to encourage them to lie, because they are experts. They also may enjoy telling "war stories" talking about their abuse in great detail to amuse themselves and entertain the group, rather than experiencing the intended goals of remorse and accountability.

Do not define the power and control tactics. Avoid going into detail about the more subtle aspects of abuse and control. They will approach such information as a "how to" guide for becoming more effective abusers.

Another focus in the group is on motivation. This group is much more likely to have premeditated as well as reactive violence. There is some research to support this. This group is much more likely to have violence that is planned, plotted and thought out. This group has a belief of “anyone who gets in my face I’m going to hit”. It may appear to be a reactive offense, but it’s not. It’s surprising how many of these men will admit to this. They will admit to yes/no questions when it comes to their past criminal behavior (e.g., “how many of you have used alcohol or drugs before you committed a crime to smooth things out?”).

Many of these men have strong pro-violence cultural values—conveyed by family, friends, and others in their surroundings. There’s the “code of the streets”. These values need to be addressed in ways that the men can accept and relate to.

Another area of focus is on the role substance abuse plays in their abusive and criminal behavior. They may use substances for different reasons than most others (e.g., to increase the thrill and excitement of the offense). Time is spent identifying how their substance use plays into their bad behavior. Attention needs to be paid to both the types of substances (e.g., stimulants, depressants) and motivations for the substance use.

The energy is intensified - maybe because you are facilitating a peer culture. The clients put everything right out there. The groups are more intense, dynamic. It’s not hard to figure out what the issues are. It could be part that they are proud, but perhaps more that they want to get these things out in the open.

Even more so than with non-criminal abusers, there needs to be more collaboration with the P.O.’s and other aspects of the criminal justice system. These men are more likely to recidivate. They can be more manipulative. They need to be more closely monitored. Monitoring (e.g., home visits, polygraphs) is especially important with this group to keep them compliant.

Facilitator characteristics

There is no need for co-ed co-facilitation with this group. They could care less about respectful relationships between males and females and any such modeling will be lost on them. Because of the level of training required, it would be even more difficult to doubly staff such groups. This is not a group where you would want to do co-facilitation with a new trainee.

The person who runs the group is extremely important. You have to have a personality and a style that fits this group. Offender respect for the group facilitator is vital. You have to understand the criminal subculture. A regular DV counselor might not understand the subculture, not respect their experience. They have to perceive you at least at some level as one of the criminals or at least that you understand their criminality. You can’t be shocked by it. Need to be aware of pervasive violence in the subculture. Male/male violence, robberies etc. are not reported. Different codes of ethics - code of the streets, not reporting, etc. Most of them come from a lower economic status - their power has come with a gun or other violence. They may not have much education. People who work in this area need to be aware of their biases (e.g., that nothing will work with this population or that completion means that their risk is lowered or that the facilitator is responsible for any success or failure).

This group is highly sensitive and reactive to authority and power. If you argue or engage in power struggles, it won’t work. Due to their tendency to become easily bored, they are entertained by conflict (as opposed to being moved to change). Some men try to use the group to stimulate themselves because they are bored by the material. So they may intentionally say

provocative things just to get a reaction from the group leader. If you become overactive, that's great entertainment to them so it is important to remain non-reactive. You need to be exceedingly skilled at Motivational Interviewing and Verbal Judo. Where you'd like them to be and where you can get them are two different things.

One reason they are stimulation-seekers may be because they have ADHD. The facilitator needs some entertainment skills. You have to tolerate some of the stuff that will maintain their attention. That will help keep a group dynamic. If you can bring them back on track in an interesting, stimulating way, it will help keep their attention. Style of interaction is very important. As a result, flexibility is also important. You need to be willing to change the topic or focus depending on the composition of the group (e.g., gang members, sex offenders, etc).

Effectiveness/Success

Because of the newness of these specialized groups, no formal research has yet been done on their effectiveness. Some clues of what their effectiveness might be, though, can be drawn from other (non-DV) work done with this sub-population.

The older guys are the ones most likely to hang in there and get something out of the criminal group. The more psychopathic guys don't age out, they slow down. The hope is to do harm reduction, and hopefully hurry up this process. Reduction of symptoms with age is probably the reason for apparent improvement. Their brains may be more mature. The more narcissistic the person is, the less likely to see changes. That doesn't tend to go away over time. There are some folks that may have thought a little about changing. Even with the subculture, there is a respect for the older guys. The guys we are missing who are the top 5% are the young guys. They may have no motivation to change. The 5% group, we may never reach. But they are the ones we most need to figure out, because they are the highest risk.

Finally, given that these groups are working with the highest risk population, it should be expected that, even if effective, these groups will have a higher recidivism rate (both in terms of drop-out as well as new crimes) than other groups. That should not be a reason to penalize the group or program or to stop the group. Comparisons need to be made relative to other criminally oriented men, not to other domestically violent men.