

Tri-County Batterer Intervention Provider Network Minutes January 23, 2001

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Minutes by Margaret Langslet and edited by Chris Huffine

Discussion Topic: Considerations for Batterer Intervention Providers to Maximize Victim Safety

-Any intervention with an abusive couple increases risk to the victim. Where do we raise risks? How do we minimize risks?

-Providers should always use SARA, a risk assessment manual, and have a brief list of other risk factors not addressed by the SARA.

-There is less concern if the perpetrator has no access to the victim. The risk increases if the client knows where the victim lives or if they reside together.

-If the client is verbalizing threats then the provider should get more information, for example ask how long they've been thinking about it? If it is a serious threat you should warn the victim. From the beginning the provider should get consent for ongoing contact with the victim.

-Everyone here gets informed consent and it should include that even if a threat from the client is not serious the provider can contact the victim. Providers should also screen for intent to harm. One thing to keep in mind is that the client can take this as meaning that the victim is an informant and this can increase risk. You should tell the client about victim contact in a very routine, automatic way and only discuss this during intake. Bringing up victim contact at any other time increases victim risk because the client may think you're bringing up contact for a specific reason. One person commented that while this needs to be considered, in his experience, the vast majority of his clients had no concern about victim contact. Another way to ethically manage potential contact with the victim without increasing her risk for further abuse is to talk to the client at intake that the only instance that you will not be honest with them is if the victim doesn't want them to know about communication with the provider. By doing this at intake it's evident that there hasn't been any victim contact yet and they're also informed of the one aspect of information that may be kept hidden from them. The men who most often have problems with contact are the paranoid men. Most men don't seem to have any problems with it.

-There was some discussion of whether to ask for permission to have contact with the victim

if the perpetrator and victim are no longer together. At least one provider does not routinely ask permission to have contact under that circumstance. Other providers disagreed. You should get a release, just in case the victim ever does contact you. What if they run into each other?

-In many Asian cultures divorce and separation are just not an option, so it is even more likely that the perpetrator will be having contact with and eventually living with the victim again.

-The victim should know in the beginning of contact that you can't ever totally assure victim confidentiality. You should let them know that if you are subpoenaed you may have to share what was said. The group discussed how this risk could be addressed. Putting the notes about contact with the victim in a separate file from the clients may curb that. But, that file is part of the client's record. You should make sure that you don't promise something to the victim (i.e., confidentiality) that you can't deliver. Care should be used when it comes to what to write down in notes. If called as a witness then you have to share even if you didn't write it down. Also, if the client's attorney sees the records, they may disclose the information to their client. There is an obligation to disclose the worst-case scenarios to the victim, although the likelihood of that happening (i.e., very low) should also be made clear. Limit victim communication to being about the client and refer them to victim services. Remember that the provider is not the victim's therapist or counselor and so you have to report it to the courts. How can you create a separate file on the victim if they are not your client? Keep notes separate for the victim's safety and present it to the court this way. Most courts understand trying to protect the victim. Most of the time it's the client or attorney that wants the charts. There is no such thing as an unofficial chart.

-Many victims have a false sense of security when the perpetrator's in a group. Tell the client that just because they're in a group doesn't mean they are not at risk for present or future abuse from him.

-The most commonly asked question by victims is whether the client is fixable or not. Many who call do want to reconcile, for a variety of reasons. If they attempt to advocate with you for allowing reconciliation, redirect her to contact the probation officer. What if there is no probation officer? Then the victim could petition the court and hook up with a victim's advocate. The provider should explain the criminal justice system to the victim. Tell them that they are the most important person right now and they should figure out how to best use the no contact time. Affirm their feelings and encourage them to stay true to themselves.

-Providers know the most about risk factors and it is their duty to inform victims. An informed victim is the best predictor of risks.

-Confrontation of the client increases risk. Victims see that partners are mellower after a group, but if the partner gets mad during the group they take it out on the victim. Providers

need to pay attention to how the client is responding and what contact they have with the victim. This is where shaming comes in- when the client feels they're one down, they restore their own sense of power by dominating someone else. The most likely target is the victim. What type of confrontation should we have? The most risk is when the client is losing face during direct confrontation. The client will suck it up with the provider because the provider has the power. Providers shouldn't bluntly confront but instead communicate and connect with the client. One client told a joke with every statement he made. It was a group issue and they confronted him about it. He then got silent and shamed. Risk factors were definitely up. Losing face is a very big thing for men because it's demasculinizing. Shaming only exacerbates the situation. Shame can be used as a springboard for change.

-When a client is silent the provider should be aware that something is probably going on. One client who was very quiet had an ex that was homeless and so he let her stay with him during a no contact order. He felt he was doing a good duty and so gained power by thinking this. He wasn't saying anything in group and eventually blew up and forced her out.

-Another area of risk to victims, especially once a man has been in a program for a while is incorrectly believing there has been more and complete positive change than is actually the case. It becomes easy for both the perpetrator and provider to focus on what has changed/improved rather than what hasn't. Just because there has been some disclosure and movement by the perpetrator doesn't mean there isn't lots more work to be done. The victim's input at this point can be especially important in helping him to do further work.

-Another area of risk to the victim can be strong and insensitive enforcement of program rules and policies. For example, abruptly turning a man away for not having a payment or being late to a group, etc, may leave him in an agitated state which he then takes out on the victim. An unexpected termination/discharge by the program can create a similar circumstance. It is important that those sorts of issues be dealt with in a sensitive, gentle yet assertive manner so that he is less likely to feel angered and enraged. Giving the man clear and advanced warning/notice about agency policy can also help with this.

-Another time of increased victim risk is just after the perpetrator has been released from probation supervision. While on probation he may be less inclined to become abusive due to potential immediate consequences. However, once he is off of probation there may be less concern and a return to abusive behavior. One of the domestic homicides in Washington County last Fall occurred just days after a man had been released from the deferred sentencing program.

-When a man is in acute crisis he is also more prone to become abusive. If a provider is aware of a man being in crisis that every effort is made to help him manage and contain the crisis, including immediate referral to a mental health crisis service for evaluation, immediate planning for the next few hours/days, etc. Failure to offer such services can increase the

likelihood of him becoming abusive to his victim.

-At times groups can become emotionally intense. While this is a part of the work, it is important that men not be left in an unmanageably escalated state at the end of group. Time needs to be set aside, possibly on an individual basis, at the end of the group to make sure men are in a calmer state where they can adequately manage their emotions. One escalating factor of abusive behavior is men “externalizing” their intense feelings—taking them out on others/”venting” them by becoming abusive.

-When there is attempted phone contact with the man by the provider and a message needs to be left, it is important to make the message as clear as possible. A vague or unclear message from the provider (e.g., “please call the agency”) may lead a man to assume that there is something wrong or that his partner has been contacting the provider. He may escalate himself and take his emotions out on his partner in an abusive manner. An explicit message from the provider (e.g., “nothing serious, just need to touch base about payment”) reduces the likelihood of this happening.

-Likewise, if the victim calls and the call is returned and the perpetrator answers the phone that can be a delicate situation. If a victim call is being returned, the provider should always be prepared for how to respond if the perpetrator answers the call, in case he’s not aware his partner has been in contact with the agency.

-For some men, particularly psychopathic men, education about more subtle examples of emotional abuse and controlling behaviors can lead to an increase in that very behavior. This is one reason why it is important to screen for psychopathy and not allow such men into the usual group. Research has shown that psychopathic men are more likely to recidivate after having attended a batterer intervention group.

-On the other hand, an excessive focus on physical abuse can lead men to continue to ignore and perpetrate other more subtle forms of emotional abuse and control.