

Tri-County Batterer Intervention Provider Network Meeting Minutes November 12<sup>th</sup>, 2013

Attendance: Chris Huffine (Allies in Change), Wendy Viola (Portland State University), Regina Rosann (ARMS), Jeff Hartnett (ChangePoint), Ella Smith (ChangePoint), Matt Johnston (Domestic Violence Safe Dialogue)

Minutes by Wendy Viola, edited by Chris Huffine

Topic: Time served/maximum benefit achieved participants

This discussion has come about largely in response to the change in the Oregon standards for BIPs. In the original version of the standards there was a set minimum number of group sessions attendees needed to complete. This allowed some providers to determine completion simply by counting sessions. However, the new standards do not specify a set number of sessions. This, along, with the requirement of a summary report is basically requiring all BIPs to become goal based with individualized outcomes. This raises the question/dilemma of how to deal with participants who don't appear likely to ever reach these goals even though they continue to attend and be otherwise compliant with program requirements. Most attendees either successfully complete the program or drop out or are kicked out due to non-compliance. However, there is a small group of attendees (guesstimated at being about 10% or less of those who initially enroll) who continue to attend regularly and are in general compliance (e.g., paying fees, attempting to complete homework, participating) but are not demonstrating significant changes in their beliefs and thinking processes. Phrases used to describe this cohort have included: time served, maximum benefit achieved, heavily defended, or limited discharge. How to deal with this group?

This subgroup is typically not easily or quickly identified. Early on they can look quite similar to other attendees. It usually takes 6 – 9 months of unsuccessfully trying different tricks—giving them specific assignments, using humor, etc.—to confidently identify these participants. Time served participants are those who have put in their best effort, who continue to show up, pay, do the homework and participate, but whose contributions are not what the program wants to hear. This group is not disruptive (though they do tend to speak a lot, which can hinder the progress of the rest of the group), but they don't appear to make any progress, even after the program has tried a variety of strategies. To their credit, these men refuse to be the parakeet and say the right thing. Instead it often feels like providers go around and around with them on the same topics over and over. Usually, it's also apparent to the rest of the group that these participants are stuck. It can be difficult to reconcile how we deal with this group of participants: do we dismiss them from the program and give them a pass, while we ask participants who may be lying to our faces to complete the program? Do we punish them for being candid about their beliefs even as other men are allowed to successfully complete who may be dishonest with us about their beliefs? It does not feel right to punish time served participants for honesty; it's helpful that they're sending out red flags.

Some clients may attend a program for a couple of years, hiding out for months at a time before the facilitators remember him and work with him for a couple of weeks. There is also a group of

clients who may simply need longer to complete a program than most other men and do make slow progress over time. Neither of these groups would qualify as time served.

Some providers assign time served participants an empathy assignment to verify that they are not displaying any empathy, which can then be included as evidence that they have not fulfilled specific program goals when writing their discharge summaries. However, hearing a really bad accountability statement is a terrible experience, and hearing participants try to redo them again and again without any progress is unpleasant for the whole group. The rest of the group is usually sick of hearing from them, too. Some programs spare time served participants from doing an accountability statement.

Some providers choose to discharge this group of participants with the caveat that they have not met the program's goals but are unlikely to display further progress. This way, participants get credit for doing the things that they are supposed to do, but it is clear that their understanding has not improved. Some programs graduate participants with the understanding that they *know* how to be non-abusive—regardless of whether or not they actually *are* non-abusive. In other words, they can talk. Time served participants would not fall into this category. They can't do the homework well, but they do the homework. We want to give them credit for their effort for showing up and participating, but we don't want to mislead the referral source into thinking that they're any better. We don't think that they're going to do any better at any other agency. The idea is that we don't want to complete them, because that creates the false image that they are better. But punishment to this group or a mandate into another program does seem appropriate or is unlikely to be productive or effective.

Typically, time served participants don't have any complaints about being released from the program, with a caveat about their lack of improvement on their record, because providers tell their P.O.'s not to sanction them or refer them to other programs. Instead, the message that providers send to P.O.'s is "if you do anything more for this guy, keep an eye on him." However, in at least one instance, the judge sent a participant to another program, and he eventually completed, which was a big surprise to his initial provider. Other times, the P.O.'s have sanctioned them.

Some P.O.'s and judges have accepted this outcome for program participants, while others have been more binary in their thinking about program completion. Some P.O.'s are better able to grasp that there is a subgroup of participants who are trying their best, but are not making progress in the programs. When P.O.'s can appreciate this ambiguity, there's more flexibility to talk about these shades of gray. Most of the time, these conversations are well received. Once in a while, P.O.'s ask that time served participants go to another program or be sanctioned, but providers can try to make it clear that that is not their recommendation.

Many time-served participants have personality disorders, deeply entrenched belief systems, and lots of practice fending off people who have tried to change them (because lots of people have tried to change them). They are *not* psychopathic. If you believe that a participant is

psychopathic, he should be referred to the specialized program for psychopathic offenders offered at Allies in Change.

Time served participants tend to have a higher risk level because their deeply entrenched beliefs tend to aggravate other people and result in more interpersonal conflict in general. Their increased risk isn't just as potential perpetrators, but as potential victims (of *non-DV* assaults). They don't get it when they're making other people upset. They sometimes turn up on police reports as victims in altercations with strangers or acquaintances.

Some argue that participants should be made to finish the program, and that providers are just not being hard enough on them, that providers are getting sick of these participants and don't want to hear from them any more. While this is not necessarily the case, there may be times when other issues limiting progress may be missed leading to an individual being mis-identified as appropriate for time served status. One provider gave an example of his agency releasing a participant as time served, when in fact, he was just progressing slowly and cultural differences between him and the facilitators were misunderstood as resistance to the program. It was suggested that there be consultation with colleagues before a man is discharged as time served.

Some providers are also seeing female time served participants, but because there are not the same state standards for women's groups, it can be challenging to get participants to attend the program for longer when they are not held to any concrete goals. Essentially, providers would be asking participants to stay in the program because they disagree with their beliefs. Citing examples that participants have shared as indicators of a lack of progress can be helpful. Some providers have met one on one with women who are stuck, and have also told probation that female participants are not going to be able to complete. The number of female primary aggressors is small, and there is an even smaller number of women who would be time served. Time served status is not an issue in the criminally oriented groups offered at Allies in Change since those groups are not goal-based but simply have an attendance requirement (44 sessions). This avoids encouraging these men to lie and mislead, which they regularly do anyway.

Some providers have established protocols for determining that participants are time-served. Sometimes they refer these participants to other groups within the agency or occasionally to other agencies, and get second opinions from others within the agency.