Crime Scene

Psychology Behind Bars and In Front of the Bench

The Official Organ of the Criminal Justice Section of the Canadian Psychological Association

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The Editors View

In this edition we undertook to do something a little different. Together we considered the issue of risk prediction and fashioned a question that we felt was of interest to many of our readers. This we called the "Crime Scene Challenge" and sent it out to six experts in the field. Three of our experts responded with what we feel are very insightful yet different approaches to answering the question. We are very grateful to Vern Quinsey, Paul Gendreau and Steve Wong for their participation and hope that you will find the debate as stimulating as we did. As a bit of a side-bar we did not inform the rest of the executive of our 'challenge' and yet our President David Nussbaum must have been on the same wave-length as his 'View from the Top' touches on the same issue of risk prediction.

We have appreciated the response received to our call for more 'in press' articles and papers and hope this will continue in the future.

We have also invited contributions from colleagues outside of our usual circle and are pleased to have contributions from James Lea of the RCMP, Glenn Walters of the US Federal Bureau of Prisons and John Gannon, President of the American Association for Correctional Psychology.

In this our second edition we have actually deferred some contributions until the next edition to keep the newsletter at a manageable length. If you have any comments on what you have read, please consider a "letter to the editor".

DK & JM

View from the Top

David Nussbaum, President

Consideration of Model Types in Constructing New Risk Instruments

In his lucid and illuminating textbook on structure and function in macromolecules, Wold (1971, pg. 2) comments on an analogy between atoms, as a basic unit of the physical world and cells, a basic unit of biological systems. He states:

"This type of analogy is a very common part of scientific communication: it represents the most obvious kind of model, in which familiar concepts are used to translate new and relatively unknown systems into ideas that can be readily communicated. The importance of such analogies lies primarily in communication as they conjure up relatively precise and uniform pictures of situations for which an adequate vocabulary is not yet fully developed. Often they are very restrictive and totally worthless as real scientific models. The concept of the scientific model...is much more specifically directed at the system under study. The real experimental model is synthesized from all information available for the system interpreted in terms of analogies and formulated in such a way that it predicts certain new events: it can thus be subjected to experimental tests. A model that has no predictive aspects and is not subject to experimental test is no real model at all although it may still have some use in communicating and thinking about a problem." (Italics in original)

I will suggest (I'm sure controversially) that many of the approaches that we in the Criminal Justice Section have taken to risk assessment are actually "communication models" as opposed to scientific models. Regardless of one's particular preference, none of the current instruments in use speaks directly to the various specific mechanisms underlying different types of violent and sexual offending behaviour. As such, they rely on statistical rather than a more global construct validity. Authors of various competing instruments then dispute the relative merits of their systems in terms of very statistical narrowly defined performance. completely ignoring the real issue of the restrictiveness and consequent disregard by

many outside the narrow confines of Criminal Justice psychology. For example, the issue of severity of a recidivistic act is poorly predicted and yet judicial bodies are primarily concerned with severity rather than simple re-occurrence of an assault. Despite not having an answer for this crucial issue, some of us are disappointed that more notice is not taken of our instruments.

The end result of this enterprise is that for the most part (although this is admittedly not true for all risk instruments), there is a complete dissociation between prediction and intervention. This is especially true for static indicators that cannot in principle change, despite changes that individuals make, sometimes slowly and over many years. While obviously more work needs to be done on dynamic risk indicators as many of our members have realized, it still needs to be

recognized that violence is intrinsically a dynamic outcome variable since individuals who are violent are neither constantly nor never violent. For the rare individuals who are constantly violent, prediction instruments are not required. Nevertheless, even in those cases, a real understanding of the underlying psychobiology represents the best hope for an effective intervention that will not condemn the individual to endless forced hospitalization or incarceration. To accomplish this we will have to go beyond communicative to scientific models.

Wold, Finn. (1971.) *Macromolecules: Structure and Function*. Prentice-Hall: Englewood Cliffs, New Jersey.

The Crime Scene Challenge

The Challenge:

As Co-Editors of Crime Scene, we have undertaken to encourage debate and the sharing of current research between our readers.

To that end, we constructed a question from our own observations regarding risk prediction, and we approached a number of experts in the field to respond in 400 words or less. Being succinct was part of the challenge.

We are hoping that the various views will be informative and also provide direction and leadership in this important area of criminal justice research.

The Preamble:

Risk prediction instruments have been developed from a number of different perspectives: the Psychopathy Checklist - Revised (PCL-R; Hare, 1991) from personality /psychopathology theory; the Level of Service Inventory – Revised (LSI-R; Andrews & Bonta, 1995) from social learning theory; the Violence Risk Appraisal Guide (VRAG; Harris, Rice, & Quinsey, 1993), from a psychiatric and mental health perspective; and the General Statistical Information on Recidivism (GSIR; Nufield, 1982) from a correctional risk prediction perspective.

Although these instruments have diverse developmental backgrounds, the correlations among these instruments are fairly strong, ranging from .46 to .78 (Belfrage, 1998; Glover, Nicholson, Hemmati, Bernfeld, & Quinsey, 1999; Loza & Dhaliwal, 1997; Loza & Simourd, 1994; Simourd &

Hoge, 2000). Regardless of the intended purpose of these instruments, each has been shown to predict different outcome behaviors. For example, The PCL-R was designed to distinguish psychopaths from nonpsychopaths, but predicts both violent and general recidivism (Hemphill, Hare, & Wong, 1998; Serin, 1996); the LSI-R was designed for determining the level of supervision among probationers, but predicts violence (Gendreau, Goggin, & Smith, in press); the VRAG was developed to predict violence, but predicts general recidivism (Glover et al., 1999). None of these instruments were developed to predict institutional adjustment, but they are able to do so (Hare & McPherson, 1984; Kroner & Mills, 2001; Serin, Peters, & Barbaree, 1990).

Despite these instruments' different orientation in their development, the prediction of criminal risk has been quite similar. When the predictive efficiencies are directly compared within samples, minimal statistical differences are observed (Bonta, Harman, Hann, & Cromier, 1996; Grann, Befgrage, & Tengström, 2000; Kroner & Loza, 2001). Correlations between five prediction instruments ranged from .22 to .34, and with a dependent measure statistic no differences are suggested (Kroner & Mills, 2001).

The Question:

Given the observed similarity in prediction efficacy between instruments, (a) is there really a difference? and (b) where do we go from here?

The Responses:

We received a response from 3 of the 6 individuals we approached. Their responses follow in the order received by the Editors.

Response to Challenge

Vernon L. Quinsey Queen's University at Kingston E-mail: quinsey@psyc.queensu.ca

Although the equivalence of various prediction instruments is a bit overdrawn in the Challenge, it is certainly true that there are many instruments that are correlated with each other and that they all successfully predict antisocial outcomes of a variety of kinds in a variety of offender populations. This situation, however, is not only expected, it is the rule in psychometric work. In the measurement of intelligence, it is called the "indifference of the indicator" to signify that measures such as mazes, vocabulary tests, simple reaction times, and so forth all correlate with each other and predict outcomes like job performance and grade point average. The correlations among these disparate measures are represented by the superfactor g in factor analytic studies. By analogy, David Rowe has called the superfactor in antisociality d.

Outcomes are better predicted by intelligence to the extent that they tap g. For example, intelligence predicts the quality of performance regardless of the job but the correlations are higher in jobs like computer programming than in jobs like waiting on tables in a restaurant. Jobs, like psychological tests, are more or less saturated with g. We expect the same to be true of d. An instrument's accuracy in predicting antisocial behaviors is, therefore, affected by technical psychometric

issues involving the instrument itself, the characteristics of the particular sample selected, and the measure of antisocial behavior, as well as, substantively, its saturation with d.

Well then, what is d? Although there is now overwhelming evidence that g is as real as titanium hip joints and reflects some aspect of speed of neural processing, the nature of d has not yet been established. The answer to this question of proximal causation will not come from prediction studies but from theoretically driven investigations cutting across the domains known to be relevant: genes, brains, and behavior.

One Size Does Not Fit All

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We challenge the view that there is a great deal of similarity among various risk measures in

circumstances. Our contention is that:

(1) Some measures do indeed produce much higher predictive validities than others (e.g., LSI-R vs PCL-R) do.

their ability to predict recidivism, to such an extent that they are interchangeable under most

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- (2) While there have been a handful of comparisons in which the predictive validities of various measures (e.g., LSI-R, SAQ, VRAG) have produced similar magnitudes, such as the valuable within-sample comparisons generated by the Kingston CSC psychology group, the database is still far too limited to be regarded as conclusive. In our view, about 50 effect sizes per measure (be they within- or between-study comparisons) should be the minimum for adequate knowledge accumulation.
- (3) Even assuming the eventual availability of sufficient comparative data, it is likely that "small" differences, where they exist, will continue to be important. Consider the following example. With respective mean validities of .38 and .33 on measures X and Y, there will be considerable overlap in the Confidence Intervals of the two distributions. Would one size fit all in this case? Such a modest mean difference ($\underline{r} = .04$) may be associated with differing false positive and false negative rates of approximately 10%, but could still have meaningful implications for case-management practices and program cost-effectiveness. Consider the fact that in the offender treatment literature, programs producing mean effect sizes in the range of $\underline{r} = .03$ to .10 are now regarded as very cost-effective.

Finally, even if measures do produce similar effect size estimates, some are much more appropriate in certain situations. In probation and parole settings, for example, measures that have a preponderance of dynamic criminogenic items are far more useful for assessing changes in risk that result from treatment programming or natural life-course events than are those that are primarily composed of static factors (e.g., PCL-R, SFS or VRAG). In addition, there may well be conditions (e.g., employment or substance abuse programs) under which the application of specialized risk protocols

would receive more emphasis, even though the predictive validities of such instruments may be less robust than those of general risk measures.

Comments on Crime Scene Challenge

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Wondering if there are real differences between the various risk assessment tools when they are of similar efficiency in predicting risk is like wondering if there are real differences between various emergency response vehicles, such as ambulances, fire engines and police cruisers, when all of them can travel at no less than 100 km an hour. Obviously, the difference is in the variety of tasks they can perform other than being able to travel fast, which is, but one of the requirements of emergency vehicles. We can better appreciate the differences between various risk assessment tools by taking a wider perspective of what risk assessment tools are supposed to do. It is time to get away from using risk assessment tools just for risk prediction; they can and should be able to do a lot more, and we should demand a lot more from them.

Risk assessment tools are developed to facilitate the understanding of the individual by improving information gathering and integration. Better service delivery, decision-making, and management functions are then possible. Risk prediction is but one of these functions. Other functions include identifying high risk areas amenable to treatment (LSI-R, VRS), identifying a psychopathological condition that may predispose the person to antisocial behavior (PCL-R), identifying social and physical conditions relevant to risk management (LSI-OR protocol) and so on. The informed clinician should use risk assessment tools for the purposes for which they were designed. Training for risk assessment should go beyond training to make predictions. Designer of new risk assessment tools should keep the overall risk management agenda in mind and not just designing them for better predictions. New tools should aim at getting a bigger bang for the buck, not bigger bucks for the bang.

Risk assessment must be closely integrated into other risk management activities, such as treatment and supervision. High blood pressure predicts cardiovascular disorder. But which treatment provider would be so idiotic as not to take frequent measures of the patient's blood pressure while treating him for high blood pressure? Some risk assessment tools, such as those with only static factors, are incapable of monitoring changes in the client and, as such, cannot be integrated into correctional treatment activities. Why are they still being developed and we still using them?

Risk assessment technologies have come a long way, so we were often told. Or have they?

Evolution of the Criminal Lifestyle: Thoughts on Development of a Cognitive Theory of Crime

Glenn D. Walters, Ph.D.

I began my career in corrections in 1982 as a clinical psychologist with the United States Army but it was not until I started working at the United States Penitentiary-Leavenworth, Kansas in 1984 that I developed an interest in the criminal lifestyle. Initially, I was struck by the marked differences between the inmates who inhabited the penitentiary and those I had worked with in the military. Whereas the majority of military inmates either claimed innocence or plead ignorance, many of the penitentiary inmates expressed genuine pride in their past criminal exploits and "accomplishments." I have spent the last 17 years trying to understand this phenomenon.

By early 1985 I had read Yochelson and Samenow's 1977 book *The Criminal Personality* and found myself sharing some of its ideas with the inmates I was working with at the time. These inmates held widely bifurcated opinions of the material. Some were intrigued but many others were incensed. It was the latter group that piqued my interest because their reactions seemed disproportionate to the material being discussed. When I brought this up with several of the inmates involved they relayed to me that they felt exposed and threatened by the concepts and ideas presented. Needless to say, this gave me cause to further explore these concepts and ideas.

As I started interacting with more inmates I began formulating a model that diverged significantly from Yochelson and Samenow's original premise. It was also around this time that I began exploring certain sociological explanations for crime; Edwin Sutherland's differential association theory and Travis Hirschi's social control model, in particular. Like many psychologists I had virtually no academic preparation for correctional work. I actually believe that this benefited me in the long run because rather than approaching inmates with preconceived notions, I was able to learn from those who had experienced the lifestyle first-hand, namely the inmates. Each group became a learning experience as I sought to construct a theory that explained the lives of those with whom I worked.

Working with Tom White, another Leavenworth psychologist, we began applying several of Yochelson and Samenow's concepts to the inmates in our groups but soon discovered problems with their theory. Through our own research we devised a system of eight thinking styles, some of which were borrowed from Yochelson and Samenow and others of which were our own. We also formulated a system of 4 behavioral or interactive styles by which a criminal lifestyle could be defined: irresponsibility, self-indulgence, interpersonal intrusiveness, and social rule breaking. Presenting these ideas to our colleagues in symposia and professional papers we soon came to realize the up-hill battle we faced. In the United States at that time many psychologists held firmly to the traditional dispositional view of criminal behavior and treated with suspicion any perspective that deviated from this general trend.

Assessment has always played an important role in my professional life. In fact, I did my dissertation on the MMPI and used it extensively the first 4 years I was at Leavenworth. Nonetheless, by 1989 I had grown dissatisfied with its inability to differentiate between individuals possessing dissimilar criminal backgrounds and attitudes. The first measure was a 17-item chart audit procedure known as the Lifestyle Criminality Screening Form (LCSF). This highly reliable instrument takes only 10 minutes to administer but predicts future disciplinary and release outcome in criminal justice clients at a level comparable to the PCL-R. Many psychologists are suspicious of self-report measures like the MMPI for use with offenders. I used to think this way as well. One reason I invented the LCSF was to obtain a reliable and valid estimate of criminality that did not rest on inmate self-report. However,

because the LCSF is based exclusively on historical data the results do not change. This conflicted with my views, reinforced in part by the groundbreaking work of Paul Gendreau, that criminal offenders, like everyone else, can and do change.

By 1992 I had developed a self-report measure designed to assess the eight thinking styles which Tom White and I had identified and described 6 years earlier. I had originally toyed with the idea of constructing special MMPI scales to assess these eight thinking styles but as the limitations of the dispositional model became apparent I abandoned this notion in favor of an instrument that directly tapped the attitudes and beliefs associated with the eight thinking styles. This resulted in an 80-item self-report measure known as the Psychological Inventory of Criminal Thinking Styles (PICTS). The PICTS not only predicts future disciplinary and release outcome, it has also been found useful in assessing clinical change in clients enrolled in psychological programming.

The lifestyle approach to crime is in a continued state of change and alteration. This facet of the theory derives from nonlinear dynamical systems or chaos theory, another field of thought that has helped shape my views on criminal cognition. The most recent permutation in my thinking on the criminal lifestyle, however, has been that the lifestyle is actually a belief system comprised of diverse and sometimes contradictory beliefs, ideas, and attitudes. It is important to understand that the lifestyle approach views belief as something more than cognition, for there are key affective, behavioral, and motivational elements involved as well. Beliefs are the bricks and belief systems the mortar with which we construct our individualized versions of reality. With the aid of the PICTS and other assessment techniques I am currently attempting to chart the belief systems that support and nurture a criminal lifestyle. I have received over 90 requests for the PICTS from investigators throughout the world and am looking forward to finding out how their results square with my own observations. For those interested in copies of the PICTS or who wish to learn more about lifestyle theory feel free to contact me at gwalters@bop.gov.

Some recent publications by Dr. Walters:

Walters, G. D. (in press). Development of a self-report-measure of outcome expectancies for crime. Journal of Offender Rehabilitation.

Walters, G. D. (in press). The relationship between masculinity, femininity, and criminal thinking in male and female offenders. Sex Roles: A Journal of Research.

Walters, G. D., Trgovac, M., Rychlec, M., Di Fazio, R., & Olson, J. R. (in press). Assessing psychotherapeutically assisted change with the Psychological Inventory of Criminal Thinking Styles: A controlled analysis and multi-site cross-validation. Criminal Justice and Behavior.

The RCMP's Human Resources Research and Intelligence Branch

James Lea, Ph.D.

The RCMP is Canada's national police service. Comprised of roughly 15,000 police officers and 6,000 public servants and civilian members, the RCMP serves Canadians at the federal, provincial and municipal levels. It is the provincial police under contract in eight provinces and the municipal police under contract in hundreds of municipalities across Canada. There is a significant protective policing function, largely in Ottawa. Hundreds of RCMP members serve the United Nations frequently as UN civilian police monitors in troubled countries. There is also a significant program of police training assistance to foreign countries.

Among the RCMP employees involved in co-ordinating human resources issues is a group of industrial/organizational psychologists working at National Headquarters in Ottawa.

Human Resources Research and Intelligence Branch is a part of the RCMP's Human Resources Directorate. The Branch is made up of seven psychologists (the positions are officially "Research Project Leaders"), two research assistants ("Assistant Research Project Leaders"), and two administrative staff.

Projects undertaken fall into essentially two categories: personnel selection and research in organizational behaviour in a police context.

In the ten years that HR Research and Intelligence Branch has existed, much work has been invested in modernizing the means by which police officers and civilian members are recruited and promoted. (Public servant recruitment and promotion falls under separate federal government jurisdiction).

A program of job analyses has to date created Functional Job Analysis "task banks" documenting work in about 60 different positions. These task banks have been used for such purposes as determining health and medical BFORs, training requirement documentation, and in the development of personnel selection systems.

HR Research and Intelligence developed and oversees the administration of the recruit aptitude test and the recruit structured interview. Other major personnel selection projects include the development, implementation and policy decisions related to exams, interviews and other assessment tools used for promotion to the Non-Commissioned Officer ranks (corporals, sergeants, and staff sergeants) and the first Commissioned Officer rank of Inspector.

On the civilian side, exams and interviews have been developed over the years for such groups as computer programmers, telecommunications (911) operators, and lab technicians.

HR and Organizational Behaviour research is a growing aspect of work in our branch. Over the years, we have gathered and analyzed information on career motivation, policy attitudes, and the perceptions and experiences of designated group members in the RCMP. More recently, we have provided information on the demographic flow of members into, through and out of the organization (with a particular eye on baby-boomer retirement and tracking the increasing cultural diversity of RCMP employees). Current research projects include work on leadership, "poor performers", and motivation toward / perceptions of careers at the commissioned officer rank.

As in just about any organization, much day to day work involves keeping abreast of organizational and professional developments, putting out fires (real and imagined), and discussing alternative methods and best practices with other interested parties. At the end of the day, our goal is to draw on our knowledge of the discipline of industrial / organizational psychology and professional best practices to provide the best possible police service to the people of Canada.

You can reach Dr. Lea by e-mail - james.lea@rcmp-grc.gc.ca

A Letter from the President of the American Association for Correctional Psychology

John L. Gannon, Ph.D.

I would like to thank Dr. Jeremy Mills for the invitation to address the membership in this forum.

For those of you who may not be entirely familiar with American Association for Correctional Psychology, it may be useful for you to know that, having begun in the early 1960's, the AACP may well be the most enduring of organizations for people with professional interests in the provision of mental health services in corrections. Officially, AACP is an organization of behavioral scientists and practitioners who are concerned with the delivery of high-quality mental health services to criminal offenders, and with promoting and disseminating research on the etiology, assessment and treatment of criminal behavior. Most of our members are psychologists, but membership is not limited to any one discipline.

Our goals include the following:

- To promote the development of psychological practice in criminal justice and law enforcement settings.
- To contribute toward appropriate teaching of the psychology of crime, delinquency and criminal justice.
- To support the development and application of effective treatment approaches for individuals in the care of the criminal justice system.
- To stimulate research into the nature of criminal behavior, to exchange such scientific information, and to publish the reports of scholarly studies of criminal behavior.
- To concern ourselves with relevant public, professional and institutional issues that affect or are affected by the practice of psychology in the criminal justice systems.

In the past we have presented awards for excellence in our field and have awarded scholarship money to interested students. More recently, our activities have centered on developing strength through relationships with other organizations, publishing and promoting the implementation of our recently developed Standards for Psychology Services in Jails, Prison, Correctional Facilities and Agencies (Criminal Justice and Behavior, Vol. 27, No. 4, 2000), as well as on publication of our newsletter, The Correctional Psychologist, and our journal, Criminal Justice and Behavior (published by Sage). Both of these publications are sent to all AACP members as part of their membership.

As part of our efforts to achieve our organizational goals, we have worked with and help support the Mental Health in Corrections Symposium held in Kansas City, MO each year; a direct way AACP helps provide information, networking and education opportunities for those members able to attend. While our primary affiliation is with the American Correctional Association, we have also developed working relationships with other groups that are beneficial to our members.

For example, as a natural extension of our own committee's work on Standards, AACP member Dr. Edwin Megargee recently agreed to serve as our representative to the National Commission on Correctional Health Care. We believe that Dr. Megargee's participation with NCCHC will be a major step in preserving psychology's place at the table during the debate on mental health care in corrections, and that the positive influence we hope to exert in this debate will result in the implementation of higher standards, provision of better care for inmates, and creation of improved working conditions for

clinicians. Additional benefits for members emerge from our relationship with the American Psychology-Law Society, / Division 41 of the American Psychology Association, which allows AACP members a discount on AP-LA's journal, Law and Human Behavior (published by Plenum), and from our recently concluded agreement with The National Psychologist that allows for a 40% discount on that publication.

It is my view that the current outlook for AACP is unusually promising, and it is my personal goal, during my term as president, to expand by three-fold AACP membership from our current number of around 300. The reasons for my optimism that such a goal can be achieve is based on my conviction that we have the financial strength of a stable organization to persist in the face of difficulty, the creativity through our current membership to speak with a more forceful voice to the issues that concern us, and the untapped potential of the Internet to bring awareness to our group and connect the people and ideas we need to foster and meet all our goals.

Even now we are in the process of completing our Internet web site (the Electronic American Association for Correctional Psychology - www.eaacp.org), and expect that we will be on-line by February 1, 2002. The web site will provide current and potential members with information about the organization and about activities in our field. In particular, the site will include information about related publications, postings of topical letters to the editor of the newsletter, listings of conferences and workshops, and notices of employment opportunities. Overall, we believe the web site will offer significant member benefits.

In addition, we are investigating ways in which we can provide more and better educational opportunities for those of us interested in correctional mental health, such as continuing education credits for reading Criminal Justice and Behavior articles, and the development of additional workshops, conferences or symposia dedicated to issues directly related to mental health in corrections. We are also considering resurrecting our Excellence Award and Scholarship programs and believe that doing so will not only reward those who have labored hard in the tangled vineyard of corrections, but will assist those new to the field in understanding that our efforts constitute some of the most important work in psychology and meets some of society's most urgent needs.

In closing this, perhaps too lengthy, letter to our Canadian friends, I might observe that the American Association for Correctional Psychology has long held the view that "American" in this context refers to the continent and not just to the U.S. Many of us in AACP have long benefited from and admired the "What Works" literature, the development and use of the Level of Service Inventory, and many other Canadian innovations both in research and in application. Consequently, we want to join with as many readers of this letter as possible to bring the news of these innovations to other reaches of the field and to work on all of our issues of concern together.

I hope that the description I have provided above of AACP will intrigue you some and encourage you much to join with us so that we can speak with an even stronger, international voice as we face the continuing challenge. Our dues of \$45.00 per year have remained both stable and reasonable for many years - renew early and you can even get a discount. With the automatic inclusion of The Correctional Psychologist and Criminal Justice and Behavior (recently increased from four to six time per year), the cost of membership should be easily covered by the increased value to your professional life. In any case, I especially hope that my invitation to you is clear. To meet our goals and preserve our input in the actual practice of forensic and correctional mental health - We want you. We need you. Join us.

For membership information please contact Dr. Richard Urbanik at rurbanik@bop.gov

On the Lite Side "Motivational Therapy"

Jimmy received a parrot for Christmas. The parrot was fully-grown, with a very bad attitude and even worse vocabulary. Jimmy tried to change the bird's attitude by constantly saying polite words, playing soft music, anything that he could think of. Nothing worked. He yelled at the bird, and the bird got worse. He shook the bird, and the bird got even more rude. Finally, in a moment of desperation, Jimmy put the parrot in the freezer. For a few moments he heard the bird squawking, kicking and screaming. Then, suddenly, there was absolute quiet. Jimmy was frightened that he might have actually hurt the bird and quickly opened the freezer door. The parrot calmly stepped out onto Jimmy's extended arm and said, "I'm sorry that I offended you with my language and my actions, and I ask your forgiveness. I will endeavor to correct my behavior." Jimmy was astounded at the changes in the bird's attitude and was about to ask what had changed him, when the parrot continued, "May I ask what the Chicken did?"

Research Brief

What do Young People know about the Juvenile Justice System?

David M. Day, Ph.D. Ryerson University

<u>Introduction:</u> In the event that a young person is charged with committing a criminal offence, he or she may be brought into the world of the juvenile justice system, a world known to him or her, perhaps, only through television shows and movies (largely American) as well as rumour, innuendo, and hearsay. However, successfully negotiating the justice system (i.e.,

coming out least harmed by the process) may require a savvy knowledge and understanding of the subtle workings of the system, as well as their rights as individuals in a democratic society.

How much do youth know about the legal system and the Young Offenders Act (YOA)? How much of what they know is inaccurate or wrong, opening up the potential for more harm than good to be done? These are some of the questions that were examined in a research report prepared for Justice for Children and Youth, a speciality legal clinic in Toronto. The conducted by study was Strategic Communications Inc., with funding from the Department of Justice. The objective of the research was to elicit the viewpoints of youth, representing a variety of groups, on various aspects of the justice system.

<u>Methodology:</u> Fourteen focus groups were conducted in the spring, 2001, with about 140 youth, ranging in age from 12 to 18 years. The youth were recruited from four sites across Ontario:

(a) Toronto (eight groups), (b) Chatham (two groups), (c) Sudbury (two groups), and (d) Manitoulan Island (two groups). As well, the vouth were drawn from four loosely defined (i.e., groups: (a) First Nations Wikwemikong Unceded Indian Reserve), (b) "street involved" (e.g., living in shelters and using drop in centres), (c) "stable" (e.g., living at home, attending school), and (d) non-Toronto (i.e., attending high school in Chatham and Sudbury). The samples were generally equally representative across males and females, although the Native groups were 60% male. This brief overview will present select findings from the study.

Results: How do youth view the police? The study revealed a great deal of variation in how youth view the police. The opinions ranged from positive to mildly negative to extremely negative. Some were mixed. Positive reports included that the police are needed to keep the

crime rate down, that they are there to help, that they have "a lot of respect for young people," and that they give "good advice." Mixed or ambivalent views were reported by a large number of youth, particularly those from the Non-Toronto groups. These views included both positive and negative statements, for example, that the police are, in general, good, but that in some neighbourhoods, such as the Jane-Finch area of Toronto, "they're bullies." Not surprisingly, some of the most negative views came from youth who reported having had first-hand experience with the police. These included, for the most part, street-involved youth and more often males. In some of the more extreme views, the police were described as "assholes," "racist," "crooks," and "corrupt." Some youth reported having been harassed, victimized, beaten-up, or otherwise mishandled by the police. Interestingly, of the streetinvolved youth, females were more likely to hold positive opinions of the police.

Is the YOA too lenient on youth? It was commonly heard in the focus groups that the law is far too lenient on young people. Statements included those to the effect that young people know that they "can get away with anything before you're 18," which serves only to perpetuate the problem of youth crime. In some cases, the law was said to be "a joke." For example, one street-involved woman described her experiences at a youth custody setting as being "like day camp...it was stupid." Some participants viewed tougher sentencing as being beneficial to young people, either in an effort to "set him straight," or to make him "suffer." The youth did not know that adults are often treated less harshly for similar conduct or that Canada puts more young people into custody than other Western societies, but some thought it was good to give young people a second chance.

As well, views consistent with a "just world" belief were common. The refrain "If you do the crime, you should do the time" was heard from a number of respondents. It is, perhaps, not surprising that the respondents felt that young

people should be dealt with more strictly under the law given that people of all age groups tend to judge their own peer group, the group with which we tend compare ourselves, more harshly than they judge other groups. In addition. adolescents are at a developmental stage at which they may not have developed much complexity in moral thinking. They seem to accept media characterizations of youth criminal justice. In this regard, the respondents felt, wrongly, that an adult is more likely to receive a tougher sentence than a youth convicted of the same offence. No one, however, reported that adult offenders serve only a portion of their sentence in custody, while young offenders generally serve out their entire custodial sentence.

Rights upon arrest On this issue, some respondents held misconceptions that may serve to undermine their protection under the law. For example, some youth identified it as a "right" to "tell them [the police] a statement" and to "tell them your story." One youth held the belief that "you have a right to a blanket, a cell, and stuff like that." Some felt that giving a statement might be beneficial because if you "refuse to answer that makes you look more guilty." Most did not understand that even statements intended to be exculpating could be used against them. As well, many believed that youth are entitled to only one or two phone calls, rather than as many calls as needed to connect to parents and a lawyer. respondents naively reported that the police were always there to help the detained young person and that they would never lie to purposely mislead the individual. The streetinvolved youth appeared to be somewhat more worldly-wise on this issue. As one person stated. "They're not allowed [to lie]. They're not allowed, but they do anyways." None knew that police are allowed to use fictions as part of their investigations.

On the other hand, while labouring under a few misconceptions, many of the respondents were correctly aware of some of their rights upon arrest. These included, for example, knowledge

of their right to call or lawyer or parent (though many did not know that *both* could be called), to remain silent, and to know the charge and that announcement of the charge was the responsibility of the arresting officer.

Knowledge of youth records. On this issue, the respondents reported a mixture of accurate information and misconceptions. In terms of access to youth records, some knew that the contents of a criminal record can sometimes be made available to police and schools but not to the newspaper. However, some youth believed that the newspaper could find out about one's record if a youth is charged with a serious offence and that prospective employers may also gain access to a youth record. With regard to the destruction of youth records, the prevailing view was that youth records are destroyed when the person turns 18, though some knew that youth records can last into adulthood. A few indicated that the amount of time the record is kept depends on the severity of the charge. Lastly, only a few of the participants, evenly split between males and females, had heard that a new legislation, the Youth Criminal Justice Act, will soon replace the YOA.

Conclusion: The results of the study indicated that, while youth hold accurate knowledge about certain aspects of the justice system and the widespread YOA. there is also misunderstanding and misconceptions. In some cases, such as with regard to information about rights upon arrest, this inaccurate information may serve to undermine a young person's right to due process and fair treatment under the law. As well, young people's perceptions and attitudes toward certain aspects of the justice system, such as the police and the leniency of the system, may further contribute to their making poor choices when it comes to involvement with the legal system. Their beliefs about leniency may also contribute to uninformed pressures on our legislators.

<u>Implications:</u> Clearly, there is a need for educative efforts to increase the awareness and

understanding of youth in Ontario about the juvenile justice system and their rights under the Steps to influence knowledge could law. include both high-tech and low-tech approaches. The former includes a 1-800 number for the law, establishing a YOA website, public advertising, and doing television and radio shows. The latter include public education forums, information pamphlets made available in schools and libraries, teaching about the YOA in high school law classes, and using the police, lawyers, and youth workers as educators. As well, psychologists working with youth in contact with the law should be mindful of some of the misconceptions concerning the criminal justice system under which young people may be operating and their limited knowledge about procedural issues, which may affect the adequate resolution of their criminal charges.

Recent Publication Abstracts

Loucks, A. D. & Zamble, E. (2000, December) Predictors of Criminal Behavior and Prison Misconduct in Serious Female Offenders. Empirical and Applied Criminal Justice Review, 1(1), (online) available: http://qsiver.queensu.ca/rcjnet/journal/predicto.pdf.

This study involved 100 adult female federal offenders housed within the multilevel security Prison for Women in Kingston, Ontario. Data was collected (through structured interviews, file reviews, and self-report tests) on a wide variety of variables, classified into four categories; social, personal, and criminal history, history of maladaptive behavior (including drug and alcohol use), history of abuse (physical, sexual, and psychological), and current personality, ability and emotional functioning. Descriptive results indicated that the study group was representative of the population at Prison for Women, and of the population of serious female offenders in Canadian prisons. Also, there were a number of

interesting similarities, and some differences, on many of these variables when the study group was compared to a sample of male serious offenders.

The relationship of all variables with the outcome variables previous offending, previous violent offending, prison misconduct, and violent prison misconduct during current examined, using multiple sentence, was regression analysis. This method allows one to determine the independent contribution of each variable to the prediction of these outcome variables, taking the contribution of all other variables into account. Although the term prediction is used, it is recognized that, this portion of the study is postdictive. For prison misconduct, psychopathy and physical abuse after adolescence were significant predictors. Psychopathy and substance abuse by siblings were predictive of violent prison misconduct. In the prediction of previous convictions, psychopathy, along with social desirability, a self-reported tendency to express anger outwardly, and pre-adolescent psychological abuse, all made independent contributions. For previous violent convictions, psychopathy, a self-reported tendency to express outwardly, and pre-adolescent sexual abuse made independent contributions. Psychopathy was the preeminent variable in the prediction of all outcome variables.

Releases and re-admissions from the original sample were examined approximately five years after initial data collection, with an average follow-up time of 38 months. This provided a test of how well these variables performed in a truly predictive fashion. Forty-seven percent of those released had had been returned to prison for conviction on a new charge or for a major violation of their release conditions. For this portion of the study, previous convictions were used as a predictor variable. In examining the predictive contribution of all variables together. psychopathy, previous criminal convictions, and substance abuse by the father made significant contributions. Psychopathy remained the most important predictive variable.

A survival analysis was completed using these three variables as predictors. The resultant predictor function had a total correlation of .32 with our recidivism variable. If the released group was split by taking the median value of this survival function, one would estimate (by visual inspection of the survival curve) that approximately 5 of 6 subjects above the median would still be in the community three years after release, while about 4 in 6 of those below the median would have returned to prison. The proportion of correct predictions was found to be in the high end of those with conventional actuarial scales.

Our analyses support the position that there are considerable similarities in the factors which help to predict recidivism in serious offenders regardless of gender, and that, by and large, the differences between genders are not predictive of criminal behavior.

For more information you can reach the author by e-mail: Alex Loucks ~ LoucksAD@csc-scc.gc.ca

Ginsburg, J. I. D., Mann, R. E., Rotgers, F., & Weekes, J. R. (in press). Using motivational interviewing with criminal justice populations. In W. R. Miller & S. Rollnick (Eds.), Motivational interviewing: Preparing people for change. New York: Guilford Press.

As the field of criminal justice continues to evolve, agencies are looking for innovative and effective ways of reducing recidivism by helping offenders change their criminal behavior. Alternatives to incarceration such as drug courts, restorative justice and alternative dispute resolution are being examined by jurisdictions concerned about rising prison populations, the increasing cost of prison warehousing and the failure of incarceration as a deterrent to criminal behavior. But at the same time, when incarceration must be used, an increasing number of correctional jurisdictions

have begun to look critically at their mandate and mission, and the approaches they use to effect behavior change. Offender motivation remains a priority in the criminal justice system given the competing motives, incentives and punishment that face offenders.

This chapter addresses the challenge of engaging offenders in treatment. Motivational interviewing is presented as a viable strategy for working with offenders and engaging them in behavior change. Motivational issues in criminal justice settings are discussed. Similarities between Self-Determination Theory motivational interviewing are illustrated. Uses of motivational interviewing with offenders are examined with emphasis on sexual offenders and offenders with substance abuse problems. The role of motivational interviewing as a treatment adjunct is outlined as well as possible drawbacks to using this approach with offenders. Future directions for criminal justice workers who are interested in the approach are suggested.

For more information you can reach the author by email: Joel Ginsburg ~ GinsburgJO@csc-scc.gc.ca

Quinsey, V.L., Book, A.S., & Lalumière, M.L. (2001). A factor analysis of traits related to individual differences in antisocial behavior. Criminal Justice and Behavior. 28, 522-536.

Male undergraduates and men from the local community completed questionnaires dealing with antisocial behavior, aggression, mating effort, and self esteem. An exploratory Maximum Likelihood factor analysis revealed three factors, labeled Aggressiveness, Mating Success, and Antisociality. No clear mating effort factor emerged. Number of sexual partners and Preference for Partner Variety loaded on Mating Success, but age at first intercourse loaded on Antisociality. The only significant correlation among the factors was between Aggressiveness and Antisociality.

Variables from each of the 3 factors discriminated between individuals scoring at the extreme ends of the Childhood and Adolescence Taxon Scale-Self Report, a measure containing items previously shown to identify a discrete class of antisocial offenders.

For more information you can reach either author by e-mail: Vern Quinsey ~ quinsey@psyc.queensu.ca

Skilling, T.A., Quinsey, V.L., & Craig, W. (2001). Evidence of a taxon underlying serious antisocial behavior in boys. <u>Criminal Justice and</u> Behavior, 28, 450-470.

A life long pattern of antisocial behavior is observed in a small subgroup of individuals. In longitudinal studies, about 5% of subjects are responsible for over half the offenses recorded for the whole cohort. It has recently been argued from studies of adult offenders that these chronically antisocial individuals are not just different in degree from other offenders but are different in kind -- that they constitute a taxon. If this is true, it is likely that the class can be identified in childhood. Taxometric analyses were applied to items assessing antisociality in children. These items were originally gathered to study bullying and victimization in children and were chosen for this study because of their similarity in content to several established measures of antisocial behavior in children: the DSM-IV Conduct Disorder, the Psychopathy Checklist Youth Version (PCL-YV), and the Childhood and Adolescent Taxon Scale (CATS). Participants were 1111 school-aged boys from a community sample of students who were participating in a study on bullying. Taxometric analyses using each of the three measures of antisocial behavior vielded evidence of an underlying taxon. Furthermore, data gathered from the same sample using a measure of somatic complaints, hypothesized to be nontaxonic, yielded no evidence of a taxon, thus strengthening the conclusion that a taxon underlying serious antisocial behavior can be

demonstrated in children. Implications for understanding antisocial behavior in adults are discussed

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Skilling, T.A., Harris, G.T., Rice, M.E., Quinsey, V.L. (in press). Identifying persistently antisocial offenders using the Hare Psychopathy Checklist and DSM Antisocial Personality Disorder Criteria. <u>Psychological Assessment.</u>

A large proportion of violent crime is committed by those few offenders who exhibit persistent antisociality beginning from a very young age. This lifetime criminal persistence has been conceived of as sociopathy, antisocial personality disorder, or psychopathy. There is, however, disagreement about the core features of the phenomenon and about which measure is for identifying appropriate most individuals. In the first of two studies conducted with male offenders (n = 74), we found the association between Revised Psychopathy scores and DSM-IV Checklist (PCL-R) Antisocial Personality Disorder (APD) criteria scored as a scale was very high. The second study (n = 684) replicated this finding and found evidence that, as previously shown for PCL-R scores, a discrete natural class (or taxon) underlay scores on scales reflecting antisocial personality and scales reflecting aggressive and antisocial juvenile behavior. The high association among these sets of items, their similarity in predicting violent recidivism, and the results from taxometric analyses, suggested that the same taxon underlies both. Results indicated the phenomenon of life course persistent antisociality can be assessed well by measures of psychopathy (as defined by the PCL-R) and Antisocial Personality Disorder (as indexed by the DSM). Subsidiary analyses suggested that optimal classification might be accomplished by a combination of PCL-R items

and other indicators of aggressive and antisocial behavior evident in childhood.

For more information you can reach either author by e-mail: Vern Quinsey ~ quinsey@psyc.queensu.ca

Recent Publication References

Rice, M.E., Harris, G.T., & Quinsey, V.L. (2001). Research on the treatment of adult sex offenders. In J.B. Ashford, B.D. Sales, & W.H. Reid (Eds). Treating adult and juvenile offenders with special needs (pp. 291-312). Washington, DC: American Psychological Association.

Book, A.S., Starzyk, K.B., & Quinsey, V.L. (in press). The relationship between testosterone and aggression: A meta-analysis. <u>Aggression</u> and Violent Behavior.

Glover, A.J.J., Nicholson, D.E., Hemmati, T., Bernfeld, G.A., & Quinsey, V.L. (in press). A comparison of predictors of general and violent recidivism among high-risk federal offenders. Criminal Justice and Behavior.

Hanson, R.K., Gordon, A., Harris, A.J.R., Marques, J.K., Murphy, W., Quinsey, V.L., & Seto, M.C. (in press). First report of the Collaborative Outcome Data Project on the effectiveness of treatment for sex offenders. Sexual Abuse.

Book Release

Offender Rehabilitation in Practice Implementing and Evaluating Effective Programs

Editors: Gary Bernfeld, Behavioural Science Technology Program, St. Lawrence College, Canada, David Farrington, University of Cambridge, UK, and Alan Leschied, University of Western Ontario, Canada

Dr. Gary Bernfeld of the Behavioural Science Technology program is the senior editor of a book entitled: 'Offender Rehabilitation in Action: Implementing and Evaluating Effective Programs'. It has just been published in July 2001 through Wiley, U.K. It is the first book in its field to reconcile the perspectives of both researchers and practitioners. This book is coedited with Drs. David Farrington of Cambridge University and Alan Leschied of the University of Western Ontario. It goes beyond the concept of "what works", by combining a review of this knowledge, with an effective guidebook on the implementation of state-of-the-art programs in the field. Gary's chapter in the book focuses on the intensive, community-based, cognitivebehavioural program for young offenders that he established in Kingston.

Information relevant to the development of offender rehabilitation has been growing at an ever- increasing rate. Documented evidence suggests that community safety is best achieved through policies promoting human services rather than relying totally on prisons and that promoting intervention in an individual's own environment (known as 'ecological integrity') is closely associated with effective intervention. This is the first book to focus on the transfer of knowledge of worldwide effective offender rehabilitation programs. Prominent researchers and practitioners in the criminal justice field have contributed their extensive knowledge of what it takes to implement effective correctional practices with ecological integrity.

Both the chapter and book outline can be found at http://gary.bernfeld.com/wiley.htm.

Where's Gary and what is he doing besides editing a book?

I've now moved from my role as a Psychologist at Bath Institution, in CSC to teaching full-time as a Professor in the Behavioural Science Technology program at St. Lawrence College, in Kingston. I'd also appreciate the opportunity to let people know of this unique program in the Newsletter, as it trains future staff in Corrections as well as other fields. I'm including a brief note on the program below.

Briefly, the BST program is the only program of its kind in Canada. Over 3 years, students take semester-length courses Applied 16 in Behavioural Analysis, Cognitive-Behavioural Therapy, Social Learning Theory & associated support courses in Psychology. They also complete 4 field placements, totaling over 1000 hours. The 'Fast Track' BA option allows those with a BA in Psychology to graduate in 10 months, and receive 750 hours of placement experience. Graduates are employed in adult and youth corrections, mental health, acquired autism and developmental brain injury, disabilities, gerontology, addictions and schools.

For more information on the program, contact its Co-ordinator, Bill Kirby [at bkirby@sl.on.ca], Professor David McKay [at bentley@recorder.ca] or Dr. Gary Bernfeld, Psychologist and CPA/Criminal Justice Section member [at gary@bernfeld.com].

Members on the Move

Congratulations to Dr. Andrew Harris who successfully defended his Ph.D. thesis in October 2001.

Conferences & Conventions

Ninth Symposium on Violence and Aggression

June 23-26, 2002 Delta Bessborough Hotel Saskatoon, Saskatchewan

This Conference Offers You:

- five plenary sessions and 12 workshops on criminal justice and related issues.
- the opportunity to learn practical, hands-on approaches to issues confronting workers in criminal justice, social services, and education.
- a two-day pre-symposium workshop on risk assessment and management (June 21 and 22).

Registration Fee

full fee	\$380 + GST
before May 31	\$330 + GST
student	\$155 + GST
student before May 31	\$125 + GST

Pre-symposium Workshop

conference registrant \$125 + GST without conference \$150 + GST

Our Program includes the following speakers and topic areas:

Plenaries:

Dr. Wendy Craig A Developmental

Perspective on Understanding and Intervening in Bullying and Victimization

Reverend Dale Lang A Victim's Family Perspective

Workshops:

Dr. Brian Grant
Audrey Gordon
Wotivational
Interviewing
Vera Manuel
Sam Musqua
Traditional

Perspectives: Violence

and Aggression

Dr. Jo Nanson Fetal Alcohol Syndrome Dorothy Reid EAP/Compassion

Fatigue/Staff Burnout

Dr. Michael Tymchak School Based Violence

Prevention

Vicki Whalen In Search of Your

Warrior

Dr. James Worling Adolescent Sex Offenders

• This is a preliminary program. Speakers and topics are subject to change.

For more information,

Please call (306) 966-2283; Fax (306) 966-5567

Or write to:

Violence and Aggression 128 Kirk Hall, Extension Division, University of Saskatchewan, Saskatoon, SK, S7N 5C8.

The Criminal Justice Psychology Section will be hosting a

Celebration of Excellence Banquet

The banquet will take place at the Botanical Gardens of UBC the evening of Thursday May 30, 2002. This event will give everyone from across Canada an opportunity to gather, mingle, and celebrate our successes. The Banquet is open to all CPA members, students, and non-CPA members who are interested in this field. The celebration begins at 6:30 with dinner at 7:30. Tickets cost \$55 (students \$45) with an early bird special of \$45 (students \$35) if payment is received by March 31, 2002. Please make cheques payable to: CPA - Criminal Justice Psychology. Send payment along with vour name, mailing address and student/nonstudent status to: Tanya Rugge, Corrections Research, Solicitor General Canada, 340 Laurier Avenue West, 10E, Ottawa, Ontario, K1A 0P8. Tickets will be mailed to the address provided. If you have any questions, please contact Tanya at rugget@sgc.gc.ca. Come join us for a night of fantastic food, great company and a night of celebrating excellence!

Criminal Justice Section Sponsored Risk Assessment Session

Your student representatives, along with the rest of the Executive of the CJP section, are excited to announce a special event for the afternoon of Thursday May 30th. What would be the most exciting thing you could think of for an afternoon discussion by scholars in this area? A discussion of the current state of risk assessment! We have planned a high caliber session to examine the history of risk assessment, risk assessment tools, uses and misuses, current dilemmas, and the future of risk assessment. Dr. Robert Cormier will chair the session including some of the field's most renowned scholars and experts: Dr. Jim Bonta,

Dr. Adelle Forth, Dr. Karl Hanson, Dr. Grant Harris, Dr. Randall Kropp, Dr. Larry Motiuk, Dr. David Nussbaum, Dr. David Simourd, and Dr. Christopher Webster. An event you won't want to miss!

Proposed Changes to the Section Executive

Your Section Executive has considered changes to the composition of the Executive.

Currently the Executive is comprised of the President, a Secretary/Treasurer, a Past President, the Crime Scene Editor and a Student Representative. This year there are two Student Reps and two co-editors, an unusual anomaly that is not expected to continue.

The Executive will propose the edition of two more positions on the Executive - the positions of Directors at Large - commencing in 2002 at our Section Meeting.

The rationale for the change is to increase the number of positions through which members can contribute without holding a position with specified administrative duties. Directors at Large could assist in a number of ways such as guidance in the direction of the section, reviewing submissions to CPA (symposiums and posters), help in organizing section sponsored activities. The Director at Large position would also give individuals the opportunity to get involved at an "entry" level before deciding if they want the administrative trappings of another position.

The introduction of the Directors at Large will be introduced and voted on at the next Section Meeting in Vancouver.

If you are interested in running for a position on the Executive we will be happy to post your intention in April's edition of Crime Scene.