Drug Courts and DV Offenders

- Paths to accessing DV in drug court
  - **DV Known**: Referred to drug court to address substance abuse issues believed to trigger DV
    - DV history known (but often underestimated)
    - DV offense history viewed < SUD history
  - **DV Unknown**: Referred to drug court
There Is A Link . . .

• Half of partnered men entering substance abuse treatment have battered in the past year \(^1\) and are 11 times as likely to batter on a day in which they have been drinking \(^2\).

• Between 55 and 99 percent of women who have SA issues have been victimized at some point in their life \(^3\) and between 67 and 80 percent of women in SA treatment are DV victims \(^4\).

OK, But . . .

• Most men not drinking or drugging when they batter \(^1\).
• Most (80%) heavy drinkers don’t batter \(^1\).
• The apparent correlation between substance (ab)use and DV fits only a sub-group of people. \(^2\)
  – When male-dominant attitudes are controlled, relationship between SA and DV lessens, suggesting both SA and attitudes toward gender are important in preventing DV. \(^3\).
The IPV (Y) and Alcohol (X) Relationship is Obvious

... Or Not
Paths Between IPV and Substance Use

- The disinhibiting effects of chemicals on cognitive processes
- The effects of co-occurring conditions
- Beliefs about the effect of drugs and alcohol on behavior
- Motivation for power
- The situation
- Earlier trauma
- Excuse-making

- BOTTOM LINE: Cannot assume treatment, abstinence, recovery will result in a reduction in use of DV

Proximal Effects

- Olde Timey Disinhibition Model (discredited)

  Alcohol/Drug Intoxication ➔ Violence

- Cognitive Disinhibition/Acute Effects Model

  Alcohol/Drug Intoxication ➔ Changed Thinking ➔ Violence
Alternative Explanation #1
Co-Morbidity/Co-Occurring Situations

- SA → DV linked to
  - Personality characteristics such as hostility
  - Co-occurring disorders such as antisocial personality disorder
  - Co-occurring situations such as social class

- More co-occurring situations → likelihood of DV
- But Keep In Mind:
  - Most poor men don’t batter
  - Most men with antisocial personality disorder don’t batter
  - Most men with high levels of hostility don’t batter
  - Most substance abusers don’t batter

Alternative Explanation #2: Men’s Need for Power

- Alcohol → aggression relationship is conditional upon individual power needs

- Power motivation origins in early personal experiences (e.g. ACE), social interactions, class, or ethnicity
- The relationship between power and abuse is usually gendered and reinforced in culture
The Controlling Effect of Drunkenness

• Robin Room: “Alcohol is an instrument of intimate domination” ¹

• Drunkenness serves to control partner behavior by increasing unpredictability, and therefore, fear
  – Frequency of drunkenness almost quadruples the likelihood of victim fear, even after controlling for the amount alcohol used, class, race, marital status, and levels of prior abuse ²

Alternative Explanation #3: The Situation

• DV may occur during the process of obtaining and using substances, not from the substances per se
  – Particularly relevant when illegal drugs are involved ¹
  – DV is more severe when drugs other than alcohol are involved,² not due to the drug itself but due to the situation in which the drug is used and the lifestyle of the users ³

• Conflict over drinking cited in half DV episodes recalled by both perpetrator and victim ⁴
Alternative Explanation #4:
Culturally-based Excuses

• In many cultures SA serves as *time out* from responsibility during which the user can engage in exceptional behavior and later disavow the behavior as caused by the substance rather than the self ¹
  • “It wasn’t me (Baby, Judge, Doc, Officer); it was the alcohol.”

• U.S. courts no longer accept drunkenness as a reason for criminal behavior
  – The reverse is true for victims, however; her use of alcohol and drugs increases the degree criminal justice professionals believe she is responsible for her own victimization ²

Alternative Explanation #5:
Expectancy

• Expectations for the effects of alcohol or drug use: sexier, stronger, social, aggressive ¹
  • *Time out* and cultural expectancy ²
  • The balanced placebo experiment ³
  • Male-specific?
Domestic Violence and Substance Abuse Treatment (TIP 25)

Substance Abuse and Mental Health Services Administration


Safety and Sobriety:
Best Practices in Domestic Violence and Substance Abuse
January 2005


www.dhs.state.il.us/page.aspx?item=38441
Resource Manual

Getting Safe and Sober:
Real Tools You Can Use

A Teaching Kit For Use With
Women Who Are Coping with
Substance Abuse, Interpersonal
Violence and Trauma (Available in
English and Spanish)

For more information
contact:
Alaska Network on
Domestic Violence and
Sexual Assault
907-586-3650
www.andvsa.org

Iowa Integrated Services Project

www.ispia.org/index.php
Trauma-informed Services for Women With Co-occurring Substance Use/Mental Health Disorders and Victims of Violence (SAMHSA)

www.nationaltraumaconsortium.org/documents/CreatingTraumaServices.pdf

Protocol for Screening and Management of Co-occurring Substance Abuse and Domestic Violence

Georgia Commission on Family Violence
Georgia Department on Corrections

April 1, 2008
Screening
If I could talk to your partner would she/he/they say. . .

You make them feel unsafe even in their own home?
They feel ashamed of the things you do to them?
They try not to rock the boat because they are afraid of what you might do?
They feel programmed to react a certain way to you?
They feel like you keep them prisoner?
You make them feel like they have no control over their life, no power?
They hide the truth from others because they are afraid not to?
They feel owned and controlled by you?
You can scare them without laying a hand on them?
You have a look that goes straight through them me and terrifies them?

Domestic Violence
Covered by the Law
(episodic, physical, serious)
Domestic Violence Covered by the Law
( episodic, physical, serious)

Domestic Violence Experienced by Victims
( episodic & continuous, physical & non-physical, serious)

Johnson DV Typology

- Intimate Terrorism (Control)
  - Almost always men abusing women, more severe, more frequent

- Situational Couple Violence (Conflict)
  - Gender symmetry, non-controlling, less severe, less frequent

- Violent Resistance (Self Defense)
  - Violence in response to Intimate Terrorism, usually self-defense, usually women, non-controlling

- Mutual Violent Control (very rare: “mutual combat”)
  - Both partners seek control with violence
Holtzworth-Munroe (male) Batterer Typology

- Typical: Normal/family-only (50%)
- Unstable: Dysphoric/borderline (25%)
- Antisocial: Generally violent (25%)

Normal Batterers
The Family-only/Typical Type

- 50% of batterers in court
- Not likely to be substance abusers
- Not likely to have mental disorders
- These men are normal and indistinguishable from men in the general population (except in income and race)
Unstable Batterers
The Dysphoric/Borderline Type

• Emotionally unstable
• Depressed, anxious, hostile, labile, “borderline personality”
• 25-40% of court-involved batterers
• Alcohol and drugs often used to regulate mood (and/or other form of neurotransmitter manipulation such as compulsive sex, gambling, risk-taking)

Generally Violent Batterers
The Antisocial Type

• Emotionally stable, may lack empathy
• 10-30% of court-involved batterers
• More likely to seriously injure victim
• May abuse drugs and alcohol to relieve boredom (or other, like risk, sex, etc.)
• May be confounded with race/ethnicity
Swan & Snow Typology of Women Using IPV

- **Victims (34%)**
  - Similar to Johnson VR type
- **Aggressors (12%)**
- **Mutual Violence/Male Coercive (32%)**
- **Mutual Violence/Female Coercive (18%)**

Key Correlates of IPV

- **Societal Level** (Levinson, 1987)
  - Women’s lack of access to divorce
  - Male economic control
  - Male domestic authority
  - Social approval of violence (per capita guns, use of animals in sports, male military glory, legal response to rape & IPV)
  - Community reinforcement: *getting away with it*
- **Individual Level** (Hotaling & Sugarman, 1986)
  - History of violence in the family of origin
  - Income/social class
  - Substance abuse by the perpetrator
Violence in the Family of Origin, Adult Drinking, Approval of Violence Against Women, and Battering

Violence in Family of Origin \rightarrow \text{Alcohol/Drug Abuse} \quad 0.30
\text{Approval of Violence} \quad n.s. \quad 0.30
\rightarrow \text{DV} \quad 0.17

N=723 Non-Abstinent Males (Kantor & Asdigian, 1993)

Great Lakes ATTC ARIV Model (Addiction Recovery & Intimate Violence)
ARIV Screen Questions*

1. Have you been hit, kicked, punched, or otherwise hurt or threatened by someone in the past year?
2. Do you feel safe in your current relationship?
3. Is there a partner from a previous relationship who is making you feel unsafe now?

**First•Worst•Last•Typical**

**FIRST**: When was the first time a partner was abusive to you?

**WORST**: What is the worst episode of abuse?

**LAST**: When was the last episode of abuse?

**TYPICAL**: What was the typical form of abuse?
Intervening
Responding to DV in Drug Courts*

- Identify the behavior, and acknowledge the problem.
- Have the treatment team work on a plan to hold the batterer accountable while they participate in Drug Court.
- If possible, the treatment team should make a referral to a BIP, and include the BIP counselor as part of the treatment team for the duration of the BIP.


Responding to DV in Drug Courts

- The treatment team and specifically the probation officer, can begin working with the Prosecutor and Judge to help respond to potential violence, and to make connections with the victim. Use of special conditions will help modify/change the batterer’s behavior.
- Drug Courts should remain focused on their goals, but they must acknowledge the DV-related behavior and add the additional goals of victim safety and batterer accountability to their planning.
Responding to DV Victims in Drug Court

• Acknowledge their victimization, and understand that it may be driving their substance abuse.
• Refer them to victim service agency and invite the advocate to your team.
• Be prepared to work with your client to allow for the possibility of relocation if their safety is compromised.
• Have a protocol in place as a Court to work this out.

Victims as Significant Others

• Make a referral to a DV program.
• Invite the victim in to meet with the team so they know you are prepared to help them, and to help the batterer stop the abuse.
• Be prepared to intercede legally, and plan the intercession with the victim. This may include no contact orders, etc. Always take the time to ask the victim what they think is the safest plan for them!
That's All Folks