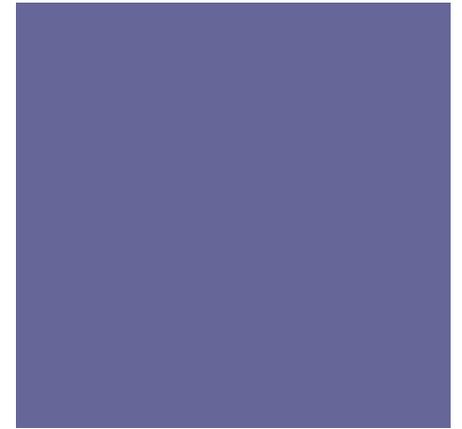
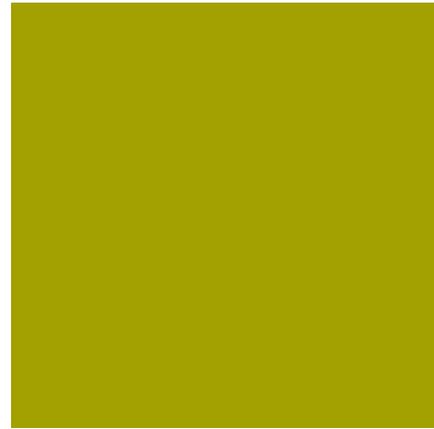




# Psychopaths, Resistance, and Forgiveness: Chapter 980 Training



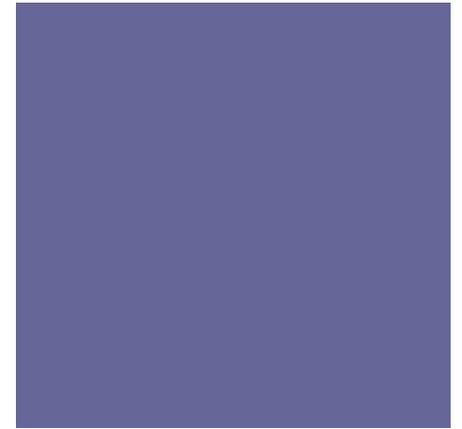
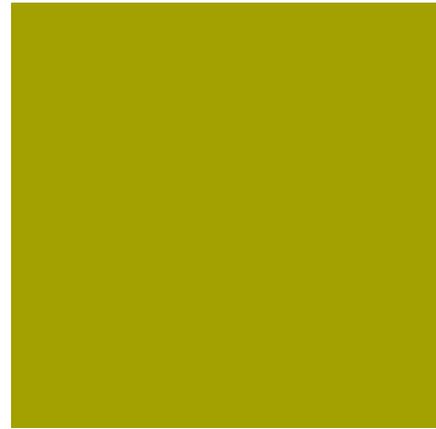
Dealing with  
Resistance

Tuesday, April 8, 2014

# + Agenda

- Dissecting the challenge of dealing with resistance
  - Etiology: Coping mechanisms gone wrong or just plain mean?
  - Personal Objective Reflection
- Brief assessment considerations
  - Identifying Resistance
  - Characteristics of resistant persons
- Interacting with resistance
  - Personality disorder (general)
  - Productive navigation
- Closing Considerations: Therapeutic Jurisprudence
  - Winnick's Civil Commitment and the Therapeutic Jurisprudence Model

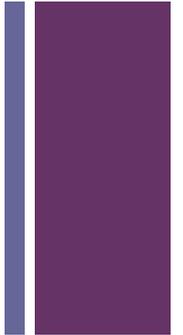




## Dissecting the challenge of dealing with resistance

Etiology: Coping mechanisms gone wrong or just plain mean?

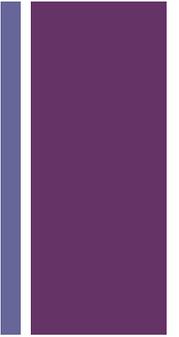
# + Neurocognitive Perspective: Basic Framework



- Brain development continues well into adolescence and early adulthood
  - Psychosocial Maturity
- Childhood development (lateral pre-frontal cortex)
  - Processing performance feedback
  - Update performance strategy
  - Anticipate direct and future outcomes
- Adolescent development (ventromedial prefrontal cortex)
  - Risk estimation and anticipating outcome (decision-making)

# + Neurocognitive Perspective

- Childhood trauma can have a direct effect on neurocognitive development
  - Chronic trauma
  - Acute Trauma
- Elevated cortisol levels
- Alterations in frontal-limbic connections
  - Problems inhibiting aggressive responses
  - Largely unresponsive to discipline



# + Historical etiological implications

- **Impulse Control** Behavioral Inhibition System (BIS) and Behavioral Approach System (BAS) (J.A. Gray)
- **Avoiding Consequences** Low-Fear hypothesis (H. J. Eysenck)
- **Decision-making** Cognitive functioning deficits, particularly with response set modulation (Joe Newman)
- **Impairment in certain forms of emotional learning** and violence inhibition mechanism (VIM) model (James Blair).
- **View of Self and Others** Attachment and Object Relations (Kim Bartholomew, Marilyn Kwong, Stephen Hart and James Bowlby)

# + Etiological considerations and challenging communication

- Struggle with comprehensive recognition of factors that contribute to patterns of behavior: **trouble connecting risk factors**
- Difficulty assembling information as part of a critical review of behavior: **trouble developing insight**
- Difficulty incorporating peripheral risk variables into critical review of behavior and decision making: **trouble with proactive and prevention planning**

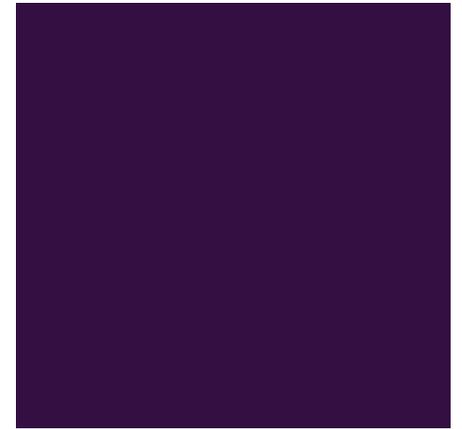
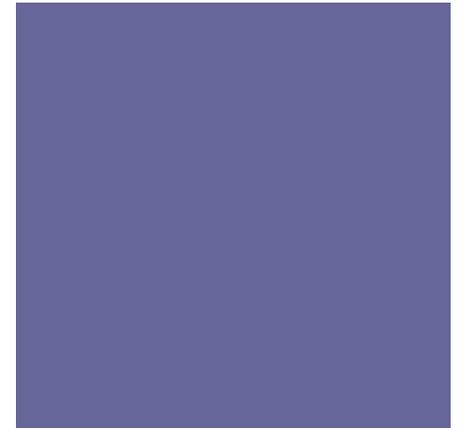
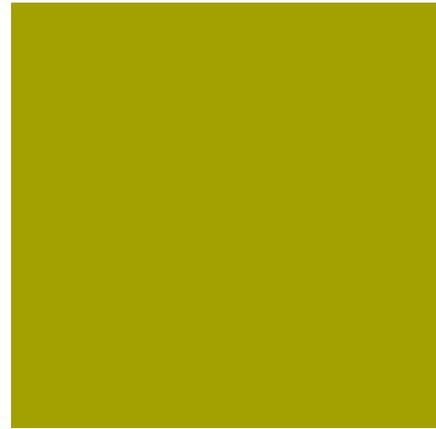




# Etiological considerations and challenging communication



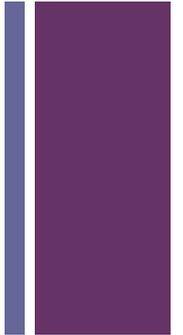
- Heightened risk for reactive aggression-**see threat when one isn't there, defensive, pick fights, easily offended/slighted**
- Difficulty with aversive conditioning (reduced fearfulness interferes with socialization)-**slow to factor in consequences**
- Difficulty in specific forms of instrumental learning-**abstract learning**
- Empathic impairment-**experiencing things differently impairs connecting their experiences with others (*same words, different music*)**



Dissecting the challenge of  
dealing with resistance

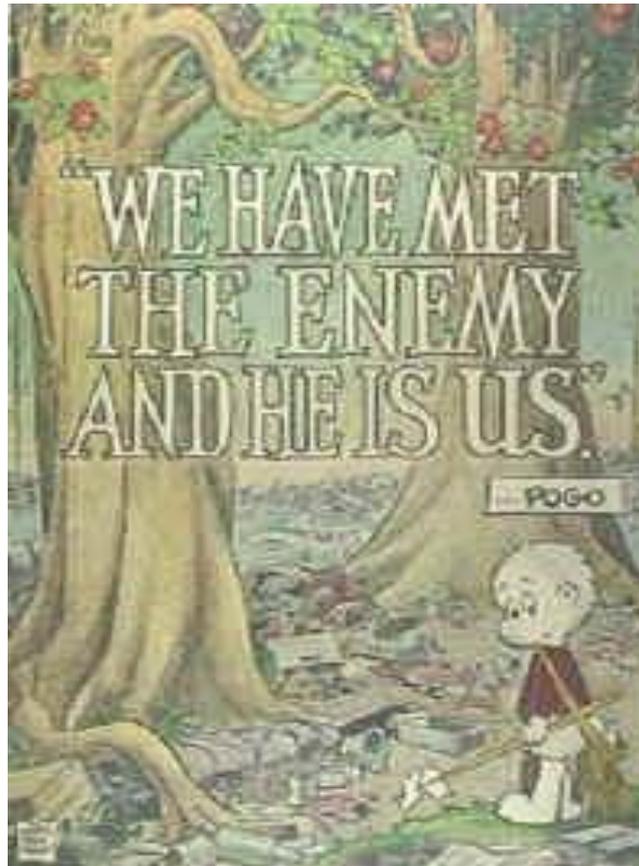
Personal Objective Reflection

# + Exercise 1

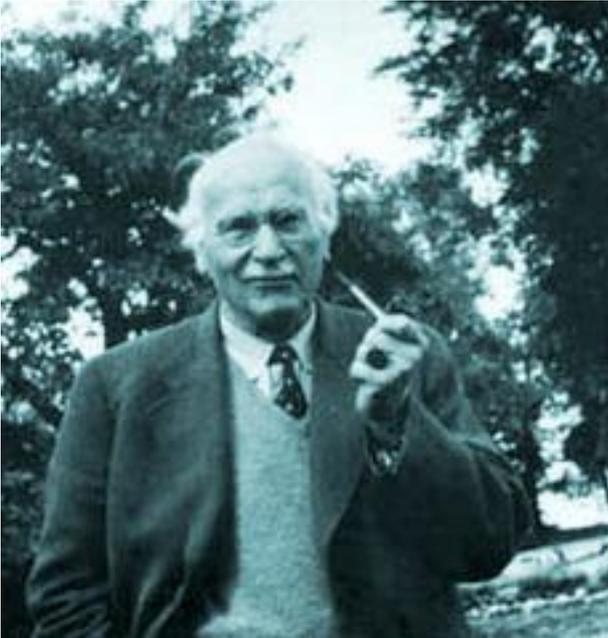


- Consider the characteristics that most accurately represent or describe the people you find the most challenging or irritating (co-workers, clients, friends, etc.)
- List them as if you were creating or describing the most aggravating and challenging person that you could imagine dealing with.
- Discussion

+ Look familiar....

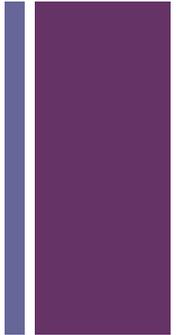


# + Jung's Shadow



- Whatever we deem evil, inferior or unacceptable and deny in ourselves becomes part of the **shadow**, the counterpoint to what Jung called the *persona* or *conscious ego personality*.
- According to Jungian analyst Aniela Jaffe, the shadow is the “sum of all personal and collective psychic elements which, because of their incompatibility with the chosen conscious attitude, are denied expression in life” ...*however*

# + Option one....(you)



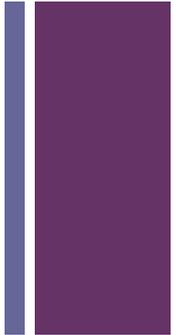
- ...it is the subjective experience of the shadow or evil and its ego-dystonic effects which motivates the person to seek psychotherapy and spurs one toward new growth, maturation, balance, integration, wholeness and individuation.

# + Option two....(everyone else)

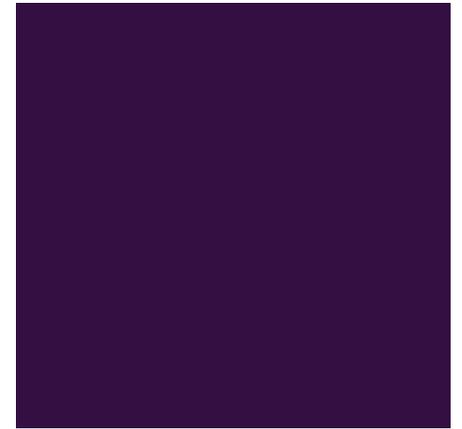
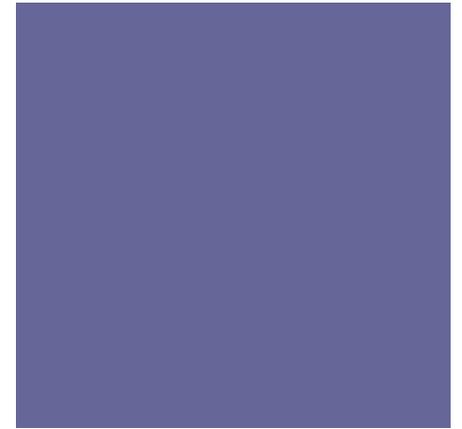
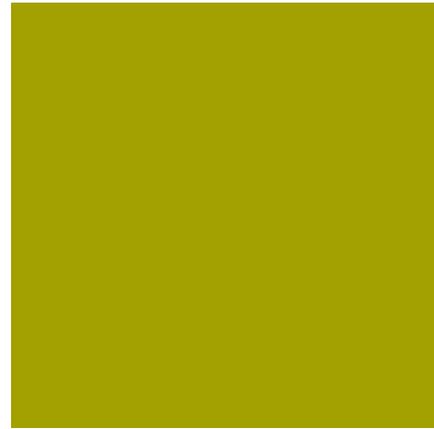


- the shadow contains all those qualities we hide from ourselves and others, but which remain active within the unconscious
- Under stressful circumstances or in states of fatigue or intoxication, this compensatory alter ego or shadow complex can be triggered into temporarily taking total command of the conscious will.

# + Option three...(all of us)



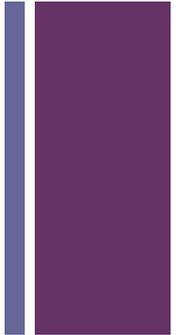
- This unsavory and troubling aspect of our personhood is often presented to us in our experience with others.
- The pervasive Freudian defense mechanism known as ***projection*** is how most people deny their shadow, unconsciously casting it onto others so as to avoid confronting it in oneself.
- These are the characteristics that cut deepest, while others may annoy a little or barely touch us.
- These often answer the question, “why does [he, she, that] bother me so damned much...”



## Brief Assessment

Identifying Resistance

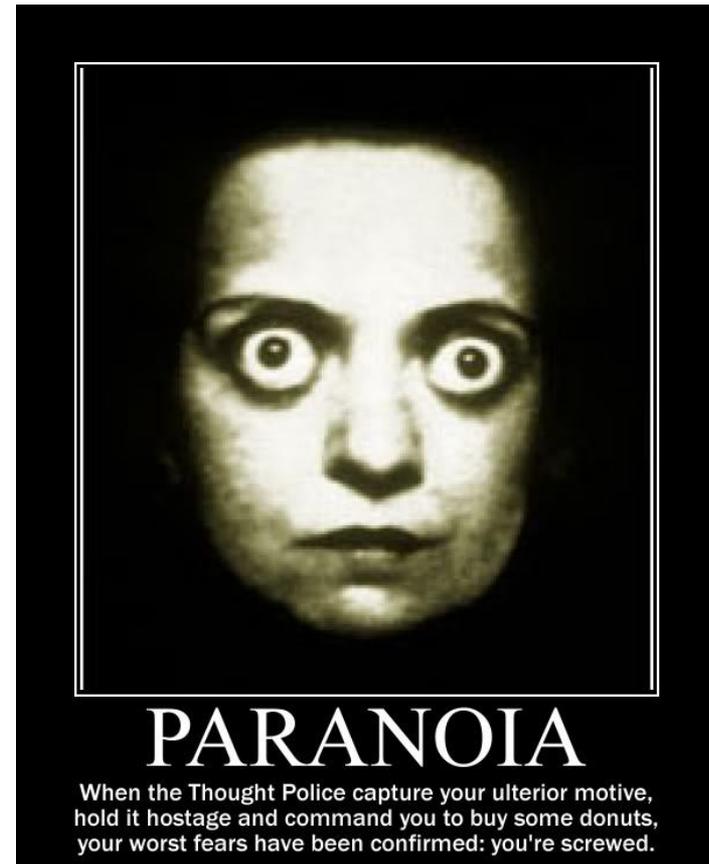
# + Resistance



- Resistance is often defined as “phenomenon often encountered in clinical practice in which patients either directly or indirectly oppose changing their behavior or refuse to discuss, remember, or think about presumably clinically relevant experiences”.
- Resistance to change is ***necessary***; otherwise, people change willy-nilly, and society could not tolerate the resulting upheaval...\*

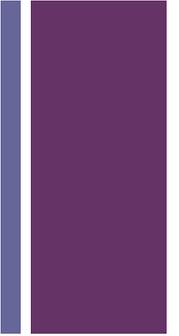
\*Harris, G.A. & Watkins, D. (1987) Counseling the involuntary and resistance client.

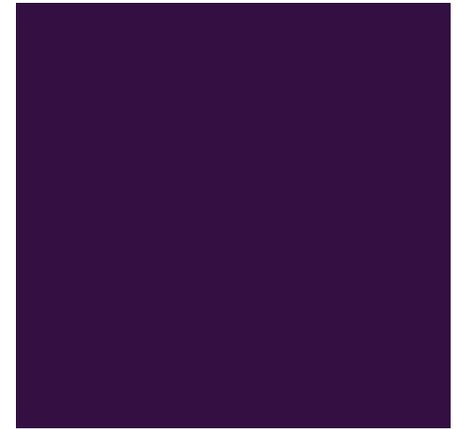
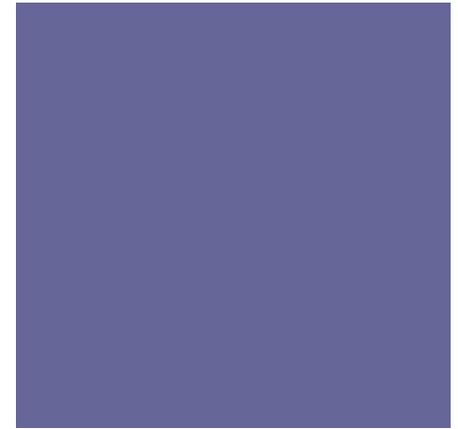
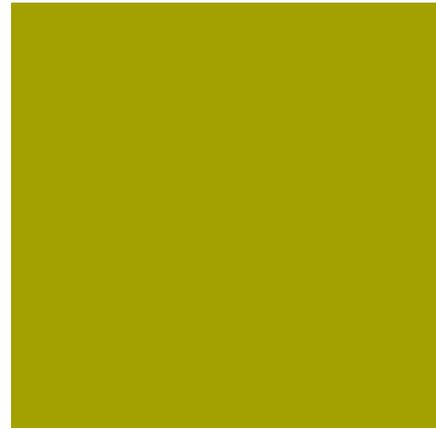
+ Why would one be resistant in the face of a assistance?



# + Why would one be resistant in the face of a assistance?

- Lack of trust, particularly with...
- Afraid of the unknown
- Comfortable with familiarity
- Lack sense of efficacy that change is possible
- Self-Sabotage – Deserve to suffer or be punished



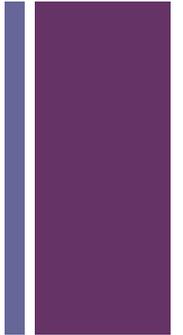


## Brief Assessment

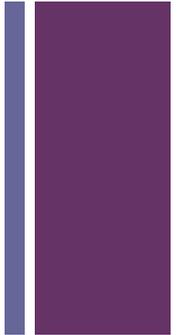
Characteristics of resistant persons

# + Interpersonal Measure of Psychopathy (IM-P)

- (Kosson et al, 1997)
- Interpersonal characteristics are often the central feature of personality disorders
- Psychopathy is often manifested in interpersonal context (Primary Psychopathy)
- Direct interpersonal assessments conducted in the moment (i.e., during interview) requires less subjective judgment

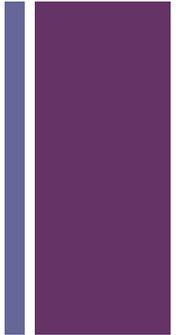


# + IM-P



- Items rated in relation to how they describe the subject as “0-not at all”; “1-somewhat”; “2-very well”; and “3-perfectly”
- IM-P items:
  1. Interrupts
  2. Refuses to tolerate interruption
  3. Ignores professional boundaries
  4. Ignores personal boundaries
  5. Tests interviewer
  6. Makes personal comments
  7. Makes requests of interviewer
  8. Tends to be tangential
  9. Fills dead space
  10. Unusual calmness or ease

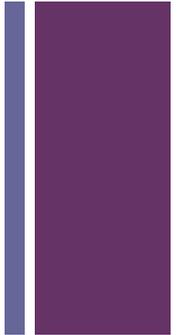
# + IM-P



## ■ IM-P items (continued):

11. Frustration with argument avoidance
12. Perseveration
13. Ethical superiority
14. Expressed Narcissism
15. Incorporation of interviewer into personal stories
16. Seeking of alliance
17. Showmanship
18. Angry
19. Impulsive answers
20. Expressed toughness
21. Intense eye contact

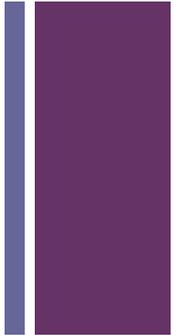
# + Hare P-Scan



- 90-item tool for nonclinicians
- Each item scored 0-2, with 0 = “no evidence for” and 2 = “exactly like”
- Score of 30 or more suggests that further professional evaluation is warranted



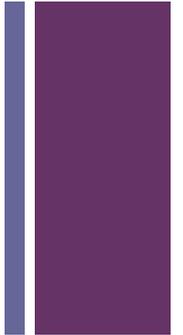
# Recognition of Personality Disordered Traits, Behaviors, and Tendencies



## ■ Interpersonal Features

- Shallow relationships
- Grandiosity
- Deceptive and Manipulative
- Image is primary issue
- Hold others to higher standard than self
- Instrumentally polite and cordial
- Instrumentally hostile and aggressive

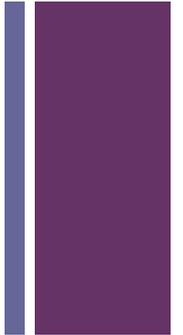
# + Recognition of Personality Disordered Traits, Behaviors, and Tendencies (cont.)



## ■ Affective

- Difficulty identifying personal emotions
- Difficulty identifying emotions in others
- Use of emotion instrumentally (e.g. anger)
- Motivated by negative emotions in authority figures

# + Recognition of Personality Disordered Traits, Behaviors, and Tendencies (cont.)



## ■ Behavioral

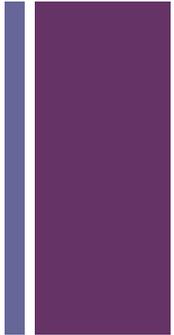
- Impulsive, instant gratification
- Irresponsible, ignore consequences
- Stamina in power struggles (invested in struggle not solution)
- Can be aggressive without apparent reason

# + Mis-attributions

- The potential number of mis-attributions of characteristics in the realm of cultural and ecological factors are too many to list here. However, some of the more common circumstances are:
  - clashes in urban, rural, and suburban culture,
  - manifestation of prison culture in the presentation of an ex-offender,
  - Machismo (either culturally based or environmentally based) and the negative attributes often associated with this characteristic, and alexithymia\*

*\*Alexithymia is a condition in which the person has difficulty finding words to describe their emotions. It also has a number of other symptoms that are associated with problems in emotional identification and expression.*

# + Mis-Attributions



## Cultural or ecological factor

Often lack fear of police due to familiarity, desensitized to noise and violence (e.g., sirens and criminal assaults), exposed to adult situations early, exposed to many influences outside of the family, broader access to peers (thus need to develop various personas), more likely to be victimized by crime, more likely to know people who have been in trouble with the law (and to see these people given reward and respect).

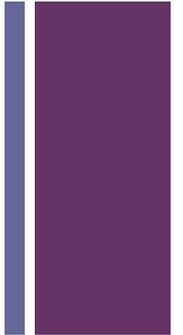
## Potential attribute associated

- Loud and aggressive, potentially violent
- Anti authority, particularly the police and criminal justice system
- Pro crime or at least condoning of criminal behavior
- Callous

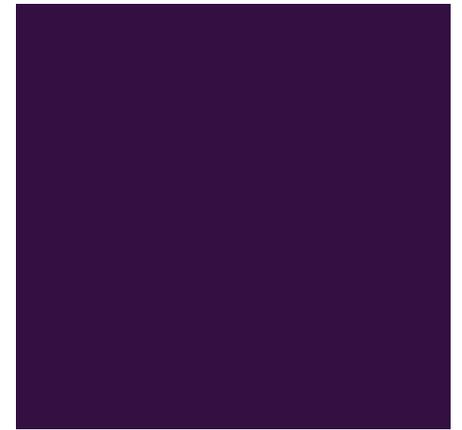
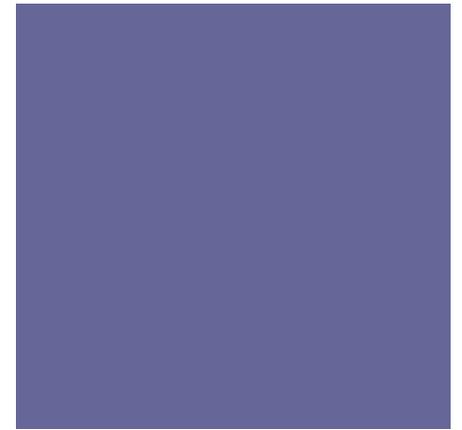
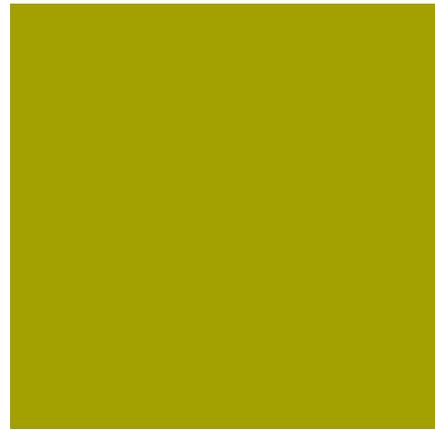
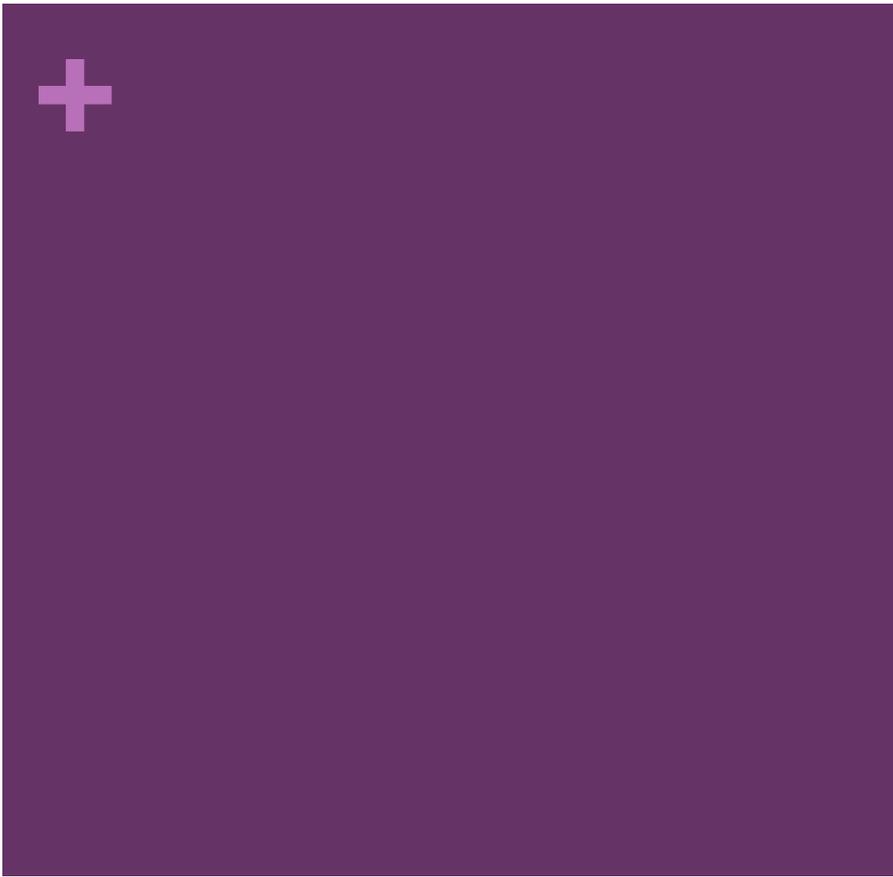


<b>Cultural or ecological factor</b>	<b>Potential attribute associated</b>
<p><b>Prison culture</b> Often treated punitively when attempts to assert self. Encouraged to follow pre-established system. Discouraged from connecting to others.</p>	<ul style="list-style-type: none"><li>• Sensitive to slights or being treated without respect</li><li>• Repulsed by what they perceive as controlling and demeaning authority</li><li>• Revolting against perceived attempts at infantilization</li><li>• Problem asserting and establishing independent structure and regimens</li></ul>
<p><b>Machismo</b> Proud of stereotypical male traits, sees self as provider and protector. Believe females have different distinct roles which should also be respected. Prides self on strength and accomplishments.</p>	<ul style="list-style-type: none"><li>• Labeled hypermasculine and interpreted as anti-feminine</li><li>• Over-active libido</li><li>• Overly competitive</li><li>• Unfeeling and remorseless</li><li>• Aggressive and potentially violent</li><li>• Only interested in material and superficial things</li><li>• Only focused on good time and irresponsible</li></ul>

# + Mis-Attributions



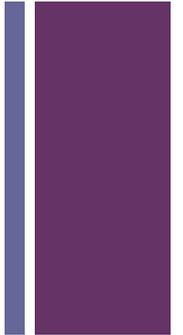
Cultural or ecological factor	Potential attribute associated
<p><b>Alexithymia</b> Uncomfortable in emotion-laden situations. Often can be quiet and retreat when trapped in confusing emotional situation. Often experiences emotion in physical ways (heart palpitations, shortness of breath, upset stomach). May experience as attack or threat.</p>	<ul style="list-style-type: none"><li>• Callous, cold, and without emotion.</li></ul>



Interacting with Resistance

Personality Disorder

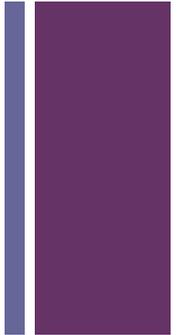
## + Exercise 2 – *Hide and Seek*



- You will be taking turns sharing something about yourself that:
  1. you think is interesting,
  2. others would not likely know about you, and
  3. is only as personal as you feel comfortable sharing.

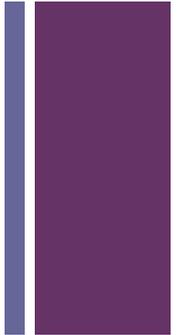
**Note:** Larry and I secretly recruited two attendees each (total of four, for those of you that struggled in math) who were instructed to fabricate their story/information.

## + Exercise 2 – *Hide and Seek (cont.)*



- Your goal is to actively listen and ask questions, with two primary objectives:
  1. Learning about your partner, and
  2. trying to determine if your partner is telling the truth, or making up their story.
- Unless you are one of the four that we have selected and instructed, you are expected to share honestly.

# + Processing Exercise



## Comfort

- Scale of 1 to 10, where 1 is “this interaction was awkward and/or irritating” and 10 is “this interaction was no different than if it had happened naturally during break”.

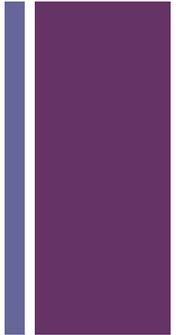
## Effectiveness (while listening)

- Scale of 1 to 10, where 1 is “I learned very little from my partner because I was focused on finding out the truth” and 10 is “the fact that my partner might be lying was not at all a factor in my conversation”.

## Effectiveness (while sharing)

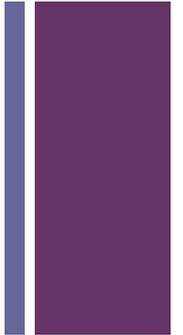
- Scale of 1 to 10, where 1 is “I significantly limited what I was sharing based primarily on the way my partner was responding” and 10 “I shared no differently than if this was an exercise only on sharing information”.

# + Hostility



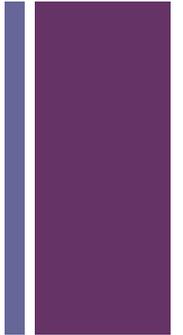
- Both new and experienced professionals are often stunned or at least made uncomfortable by the extent of hostility with which good intentions are met.
- Few experiences are more challenging than the rejection and hostility aimed at one trying to be helpful, patient, and openly sharing intuition.

# + Isolation



- Working with a criminal or forensic population is a unique experience with a number of positive aspects, however due to this uniqueness and rules of confidentiality, it can be isolating.

# + Countertransference



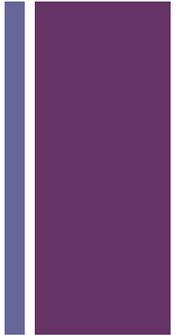
## Overidentification (Savior)

- Over protective
- Benign (minimizing)

## Disidentification (Punisher)

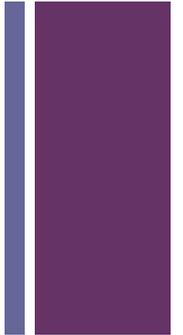
- Rejecting
- Hostile (pathologizing)

# + Secondary or Vicarious Trauma

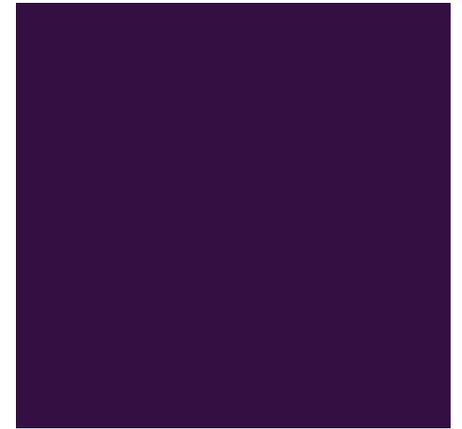
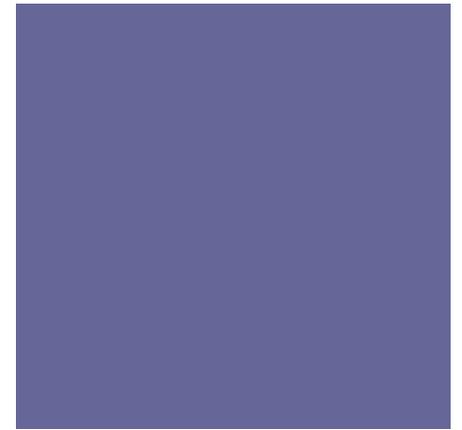
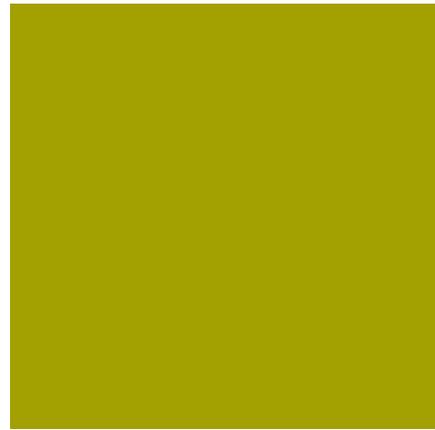
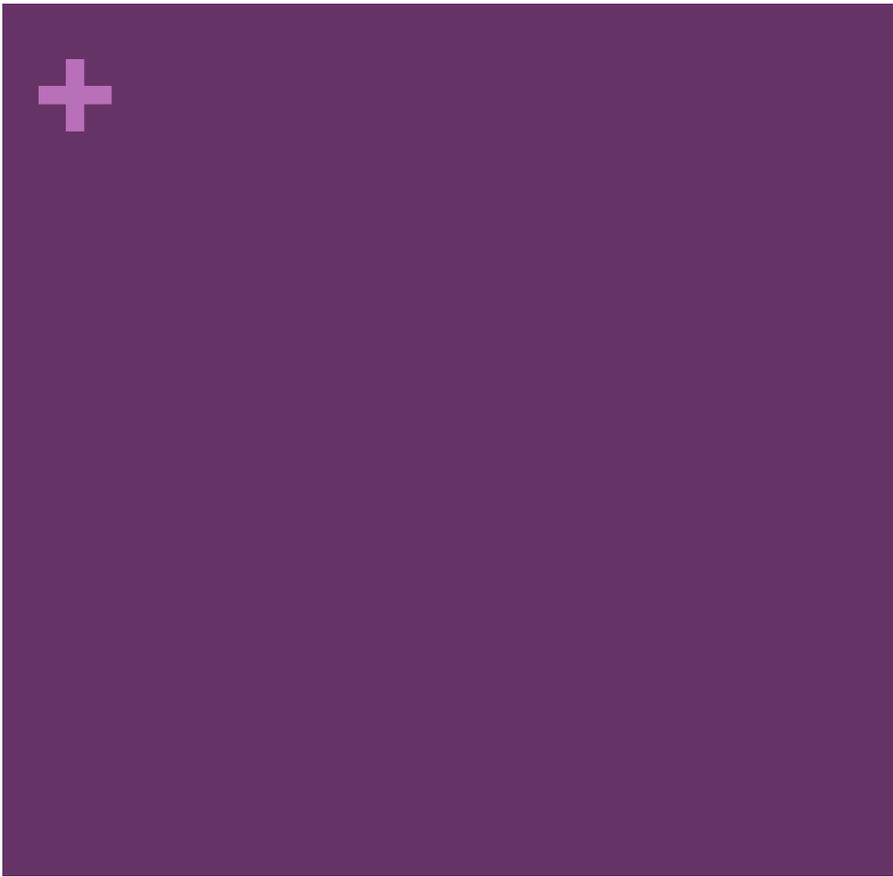


- Another aspect is to be knowledgeable about secondary trauma and compassion fatigue. In our role as professionals we listen to clients' stories of suffering violence, anger, fear, pain, trauma, or other issues and may absorb some of this emotional residue.
- If we do not have avenues to purge all the toxic elements absorbed, we may develop secondary trauma or compassion fatigue.
- DSM 5 recognizes that some cases of PTSD can be connected to vicarious exposure to trauma related to one's employment

# + Compassion Fatigue



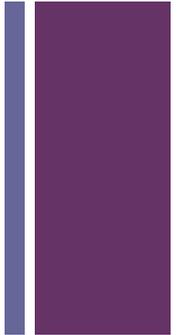
- Compassion fatigue is not burn-out. Burn-out is more related to the day-to-day stressors of the job, whereas compassion fatigue is directly related to what we absorb from our clients' material.
- Compassion fatigue may occur when issues clients bring to us begin to exhaust our ability to work effectively.
- Casualties associated with Compassion Fatigue involve objectivity, creativity, and/or the willingness to exert any effort beyond the mandatory minimum.



## Interacting with Resistance

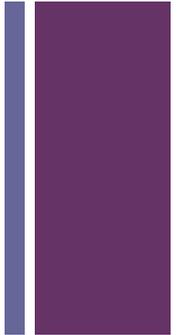
Productive navigation

## + Exercise 3 – *Two agendas*



- Pair up, preferably with someone you do not know very well.
- The Giver role in this exercise would be the interview subject and the Receiver would be the interviewer.
- The first one in the role of Giver, read the information regarding your **goal** for the interaction on the back of the Card Marked “A”.
- The first one in the role of Receiver, read the information regarding your **goal** for the interaction on the back of the Card Marked “B”.
- Do this for three minutes (timed by presenter), and then trade roles, with the person who was Giver now getting their instructions from the Receiver Card Marked “D” and the Receiver getting their instructions from the Giver Card Marked “C”.

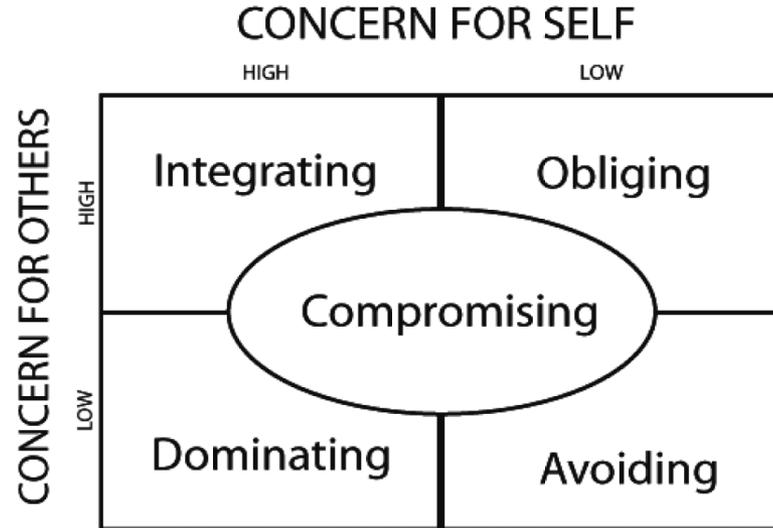
# + Exercise 3 – *Two agendas (cont.)*



## Information and Rules

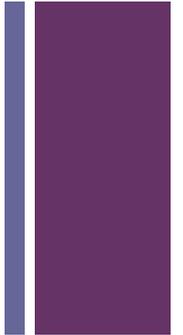
- First Conversation (A/B) involves the three previous trainings.
- Second Conversation (C/D) involves the ethics workshop from this morning.
- You should not tell the other person what your goal is, even if they try to guess it
- The *winner* is the one who can accomplish their goal first, so it is in your best interest to try and achieve your goal without letting the other figure out what it might be
- No one has the goal of being rude or overly difficult.

+ What might have made these interactions more productive, less conflicted...?



Source: M.A. Rahim (2002, p. 217)

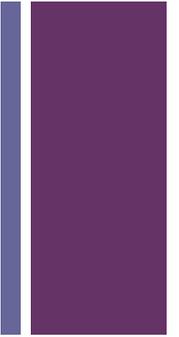
# + Navigating multiple agendas



- Setting guidelines as early as possible:
  - We will talk on ....
  - The purpose of this conversation will be...
  - There will be time for questions and answers.
  - We can list any additional concerns for subsequent discussions.
- Managing instrumental emotion:
  - The choice is yours, if you want to continue this conversation I expect...
  - Being upset or angry is fine, but I am treating you as..., I only expect the same in return.
  - Never take personally, it isn't intended to be.
- Any positive feedback will mold behavior more effectively than critical comments.
- Clear boundaries (remember the counter transference slide)
- Avoid win/lose competitive discussions (i.e., arguments), especially if you are agreeing with each other

# + Tips for working through resistance

- Find a focus or motive that is of value to the resistant party, then position yourself in an extricable position with this goal.
  - We all do what we feel is in our own best interest
  - Working alliances are more likely to be goal oriented than the product of rapport
- Motives differ from person to person; and those with developmental issues of the more severely personality disordered differ to an even greater degree



# + Psychopathic Motives

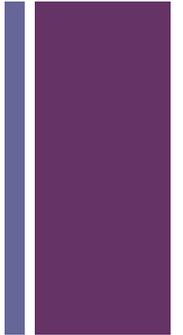
## Strong Motives

- Short-term self-interest
- Excitement (tangible product)
- Challenges
- Status (terminally unique)
- Power/Dominance

## Weak Motives

- Long-term self-interest
- Altruism
- Empathy
- Ideology

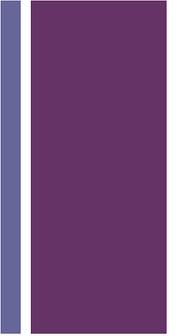
# + Tips for working through resistance



- Transparency and Consistency (particularly with Psychopathic personalities).
  - This is what is often referred to when the clients identify “trust issues” (e.g., why they say they trust Harry on the unit who has stolen, lied, and cheated forever...but are suspicious of you)
- Avoid power struggles with a person who derives their power from fact they are in a struggle with a person who has more power (v. working toward any resolution).

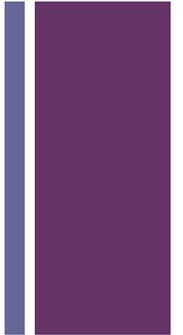
# + Tips for working through resistance

- Avoid saying that you understand the person's situation, while at the same time trying to identify the person's frame of reference (everyone does what they feel is the "most right" thing for themselves in any given situation).

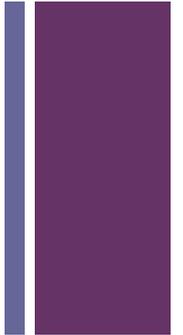


# + Why are you so angry and suspicious? Must be a psychopath...

- A person committed under WI Statute Chapter 980
  - Has completed the sentence they were given for their crime
  - Is not concretely aware of their civil commitment status until they are within *eye sight* of prison release
  - Is housed under an “indeterminate” detainment, based on their level of risk as determined by others (and the particular judge, and particular county, and ...)
  - Often witnesses releases of those who are hard to distinguish from others who have been denied release
  - Repeatedly hears accounts of offenses that are more numerous and more severe than his, yet may have a risk determination that is the same or almost the same
  - Often have their own histories of unspeakable trauma
  - See news stories that reflect community efforts to prevent his return or successful re-acclimation



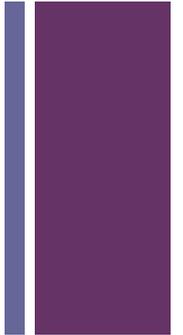
# + Tips for working through resistance



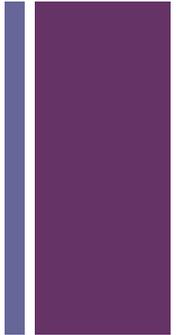
- Avoid taking up the cause of the system you represent, you will never convince a person they have been treated fairly if...
  1. You aren't being treated the exact same way
  2. You aren't aware of every aspect as to how this person was actually treated
  3. You really aren't in a position, or won't put yourself in a position to change the circumstance if you sense they haven't been treated fairly
  4. It is almost impossible to explain a process to someone who is exclusively invested in not changing their current perception of that process

# + Tips for working through resistance

- Avoid offering or promising something to end the stagnation or current conflict (i.e., I can't talk about this now but I'll get back to you in a week), unless you plan on following through...
- ...and even then, remember if you make concessions every time there is a heated conflict, you can guarantee there will be future heated conflicts.



# + Tips for working through resistance



- Are there any particular challenges/situations that come to mind...



# Closing considerations: Therapeutic Jurisprudence

Winnick's Civil Commitment and  
the Therapeutic Jurisprudence  
Model

Brief Introduction

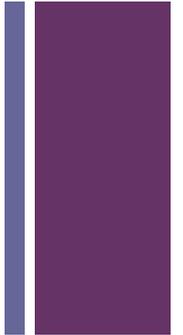


"Moral justification is a powerful disengagement mechanism.  
Destructive conduct is made personally and socially acceptable  
by portraying it in the service of moral ends."

-Albert Bandura



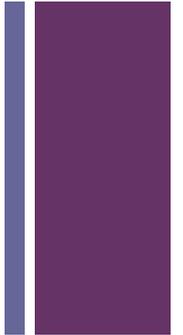
# Deindividuation and Dehumanization



- Deindividuation occurs when 1) the cues of social accountability are reduced, and 2) concern for self-evaluation is reduced. (Zimbardo, 2007)
- Dehumanization occurs “whenever some human beings consider other human beings to be excluded from the moral order of being a human person...By identifying certain individuals or groups as being outside the sphere of humanity, dehumanizing agents suspend the morality that might typically govern reasoned actions toward their fellows.” (Zimbardo, 2007)

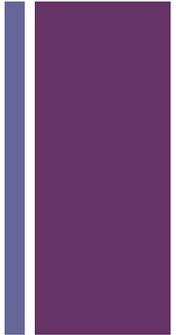


# Mental Health Law



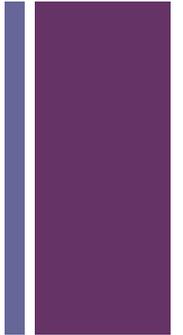
- **Lessard v. Schmidt** 349 F. Supp. 1078 (E.D. Wis. 1972), vacated and remanded, 414 U.S. 473, on remand, 379F. Supp. 1376 (E.D. Wis. 1974), vacated and remanded, 421 U.S. 957 (1975), reinstated, 413 F. Supp. 1318 (E.D. Wis. 1976)
- Setting aside traditional *parens patriae* grounds for commitment,
- involuntary commitment was only permissible when "there is an extreme likelihood that if the person is not confined he will do immediate harm to himself or others."
- the court for the first time required that commitment proceedings provide the mentally ill with all the protections accorded the criminal suspect -- among them a right to counsel, a right to remain silent, exclusion of hearsay evidence and a standard of proof beyond a reasonable doubt

# + Mental Health Law



- **Addington v. Texas** , 441 U.S. 418 (1979), is a U.S. Supreme Court landmark case that set the standard for involuntary commitment for treatment by raising the burden of proof required to commit persons for psychiatric treatment from the usual civil burden of proof of "preponderance of the evidence" to "clear and convincing" evidence.

# + Mental Health Law



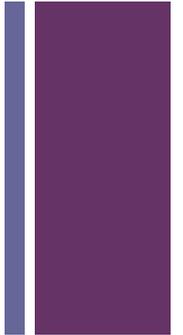
- Chapter 980?
- The trend to make it more difficult to commit seems to have shifted.
- Is risk to offend (even a high risk) as strong of a determinate as “...extreme likelihood that if the person is not confined he will do immediate harm to himself or others?”
- Implications for other mental health commitments?
- Wisconsin is ground breaker once, perhaps...

# + Therapeutic Jurisprudence and Civil Commitment of Sexual Offenders\*

- ...considers how law itself can label individuals, conveying messages for self-definition and creating behavioral expectations.
- ...examines the effects these laws may have on treatment outcomes.
- ...is argued that predator laws may also negatively affect clinicians who treat predators.
- ...contends that these laws will drain enormous scarce resources away from the treatment of individuals who suffer from serious mental disorders.

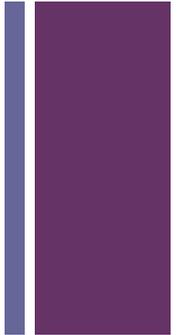
\* Winick, B. J. (2003). A therapeutic jurisprudence assessment of sexually violent predator laws. In B. J. Winick, J. Q. La Fond (Eds.) , *Protecting society from sexually dangerous offenders: Law, justice, and therapy* (pp. 317-331). Washington, DC US: American Psychological Association. doi:10.1037/10492-018

# + Therapeutic Jurisprudence



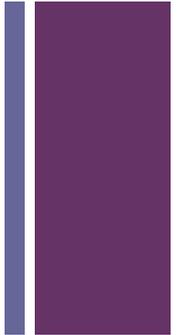
- Balance between earlier *medical model* and more recent *legal model*...moving away from a model where either is privileged
- Goal to improve therapeutic outcomes
- Multidisciplinary legal education
- Includes components:
  - Limited use of professional jargon and legal-ease that is not understood by patient (easier)
  - Patient's Right of self-determination (more complicated)
  - Ultimate goal being to restore liberty with enhanced possibility of successful re-integration

# + Current Efforts



- Drug Courts
- Mental Health Courts
- Deferred Prosecution

# + Social dynamics and Judgment

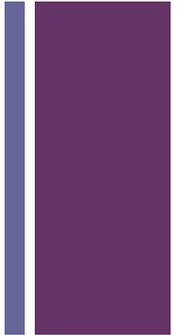


Solomon Asch, 1955

Task that involved absolute perceptions with less than 1% error when done alone...

- 70% went along with group (erroneously) at least some of the time
- 30% of these did this the majority of the time
- 25% stuck to their guns

# + Fitting In or Changing Perception?



Gregory Berns, M.D., Ph.D.-Principal investigator

Used fMRI to examine brain of subjects as they participate in a study following the same procedure as the Asch study

- 41% of time subjects yielded to erroneous group selection (activity in the brain's cortex dedicated to vision and spatial awareness, no activity in the fore-brain that deals with monitoring conflicts, planning, and other higher order mental activities)
- Independent judgments evidenced emotional burden indicated by increased activity associated with emotional salience (right amygdala and right caudate nucleus regions)