Helping Offenders to Change Their Lives

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Think about Your Audience

What we say to dogs
Okay, Ginger! I've had it!
You stay out of the garbage!
Understand, Ginger? Stay out of the garbage, or else!

What they hear
blah blah GINGER blah
blah blah blah blah
blah blah GINGER blah
blah blah blah...
Training

Kids With Gas
Eat Free
How to Fix Hannibal Lecter

• Beats the shit outa me. Seriously, I have no freakin’ idea.
America is a Very Violent Country

• Our favorite sport causes brain damage to a third of its players
• Our heroes solve problems with guns
• We lock up and execute more people than any other developed country
• We let our teenagers drink to excess on at least a weekly basis
• We have a raging meth epidemic
• So it should not be much a surprise that we have a lot of violent crime
Veterans

• Action orientation
• Trained to solve problems with violence
• Trauma and its consequences
• Traumatic brain injury and impulse control
• Substance abuse
• High rates of suicide = nothing to lose
What if social scientists designed a criminal justice system? What would it look like?

• Answer: Not this.
Introduction

• With few exceptions, since Martinson's famous "Nothing Works" article was written in the late seventies, America has pretty much given up on public safety.

• We claim to be “tough on crime,” but crime has flourished during this period of mass incarceration.

• Being “tough on criminals” does not necessarily mean we are tough on crime.
Introduction

• The concepts of public safety, rehabilitation, and corrections have been replaced with a system that is unapologetically punitive.

• Social scientists, with few exceptions, have stood by and watched this transformation with nary a peep of protest.
Social scientists know a lot about changing human behavior.

We sought to distill what behavioral scientists know about changing human behavior into a set of criminal and juvenile justice policies that would make America safer.
Punishment

• We have studied punishment for a century.
• Punishment is an effective means of changing human behavior... but only in the short run, and only in the presence of scrutiny.
• Punishment can increase reactance and anger, which can lead to noncompliance and violence.
• Punishment is iatrogenic and may increase crime.
• America has created systems that are unlikely to reduce and may increase crime.
Positive Reinforcement

• In contrast, systematic use of positive reinforcement is a powerful mechanism of enduring behavior change, even after the reinforcement ceases to predictably occur.

• Yet despite visiting prisons and parole offices in more than half of the United States, I cannot recall one instance where praise or other forms of positive reinforcement are used to systematically and effectively change inmate behavior for the better.
Effects of Mass Incarceration on American Society

• Mass incarceration has significantly increased child poverty rates. The impact of adult incarceration on child poverty appears especially pronounced in counties with a high proportion of non-White residents.

• An astonishing amount of tax dollars are going to maintain the world largest prison system.
Effects of Mass Imprisonment on Children

• Parental incarceration is associated with:
  • lower family income
  • parental education and SES and health
  • higher levels of parental depression
  • inappropriate and inconsistent discipline,
  • youth problem behaviors and serious delinquency.
How to Make People Worse

• Scare ‘em
• Piss ‘em off
• Skill atrophy
• Send ‘em to crime school
• Convince ‘em that crime pays
• Ruin their kids’ lives
Wait! There’s More!

• Try not to catch ‘em very often
• Keep them out of “safe and sober housing”
• Stigma. Lots of stigma.
• Do not, under any circumstances, make it easy for them to get a job
• Humiliate them – every chance you get
• Idle time is the Devil’s workshop
How Do You Cause Positive Behavior Change? (cont.)

• Treatment must be individualized
• Strength-based
• Strategic Use of Positive Reinforcement – “Catch ‘em Doing Something Right”
• Punishment Sucks
• Psychoeducation
How Do You Cause Positive Behavior Change?

- Motivation
- Quality of the relationship
- Evidence based
- Skills Oriented
- Generalizability and maintenance
“Check yourself before you wreck yourself.” -- Ali G

• Teaching offenders to obey is a waste of time.
• Who are they going to “obey” at 10 PM when their thug friend wants to knock over a liquor store. **You’re not going to be there.**
• Emphasize training in **self-regulation**.
  • Boosting internal control skills, as opposed to reliance on external controls, makes for greater generalization and maintenance of change.
“Check yourself before you wreck yourself.” -- Ali G

• Most aggressive behavior is impulsive or reactive.
  • Self-regulation requires self-monitoring skills, which are needed to control aggressive impulses, as well as anger and other emotions of distress that are linked to violent behavior.
Relapse Prevention

• Intervention programs should have a relapse prevention component

  • Actively involves the trainee in considering possible barriers or obstacles that may interfere with and undermine behavior change efforts

  • “Game plans” and “back up plans” to confront each barrier/obstacle.
When Does Punishment Work?

• Must be predictable
• Works in the short run
• Expectation of scrutiny
• When subject has the skills needed to do it right
• Temporal contiguity
• Punishment is associated with unwanted behavior
• Punishment must be perceived as punishment.
Expectations of scrutiny

- High probation caseloads
- High parole caseloads
- Abolishing parole, and other incredibly stupid ideas
The Subject’s Behavioral Repertoire

- Hitting your pig because it’s a bad singer
- The search for Hannibal Lecter
- Who lives in American prisons?
- The death of corrections – Who knew they were the good old days?
Temporal Contiguity

• The fable of Tookie Williams
• Will anyone remember why Plaxico Burriss went to jail?
• Lies about deterrence
• Deterrence works! (But only for the people who aren’t committing crimes.)
Damn foolishness to one person is breath of life to another

- One person’s prison is another person’s palace
- From segregation to Main Street – Are you kidding?
- Lessons from segregation
Summary

• If the criminal justice system were a boxing match...
• …there would be an investigation
• Because it looks like we’re trying to lose
The CJS of the Future

• Good prisons don’t have to be soft prisons
• Good fair and merciful judges don’t have to be soft judges
• Good PO’s don’t have to be soft PO’s
• Taking control of the tools at our disposal
• Prison and community corrections as places to learn how to be a person
• Tough on criminals is not “tough on crime”
The CJS of the Future (cont.)

• What we have never tried:
  • The systematic use of positive reinforcement of pro-social behavior
  • The legend of Miss O’Boyle
  • Factory floors
  • Why do we wake prisoners up?
“Imagine”

• The costs of doing it wrong
  • The effects of the public budget
  • Effects on families and communities
  • Effects of prison towns
• Can we afford this change? – Harvard or prison
• Making people worse – How’s it seem to be working out so far?
No Offense

• It took a village to screw things up this badly – an angry, vengeful village with no hope of ever feeling safe again.

• This is not the fault of individual criminal justice professionals

• I appreciate your heroic efforts to help people in this insanely counter-productive system

• Problem-solving courts are the future

• (Name a court that should be solving problems)
So What Do We Do Instead?

• Let’s go back to my original question: What is your job?
• How do you define success?
• Can you stop people from committing crimes?
• Marty Horn’s answer: “Change the Odds.”
Obedience Is Way Overvalued

• The characteristic you’re proudest of?
• You’re not obedient; so why should they be obedient?
• Headaches and remedies
• What is the alternative? – Teach offenders how to make better decisions.
• Don’t worry – the (expletive deleted) will still go back to prison.
The Best CJ Workers I Ever Knew

• They considered it a failure when one of their offenders got revoked.
• But they were willing to admit failure.
• Until the day the offender is revoked, they never gave up on anybody.
Pathways to Violence

• Cognitive
• Affective/emotional
  – Fear
  – Anger
  – Humiliation
  – Anxiety
  – Despair
• The special role of fear and anger
• The predictable effects of punishment
Trauma and Violence

• Understanding a person’s history of trauma can teach you:
  – Triggers to their violent behavior.
  – How to avoid forcing them to relive their worst nightmare.
  – The meaning of violence and violation in their lives.
  – Why they choose such costly ways of meeting their needs.
Suicide and Interpersonal Violence

• Suicidality implies the absence of protective factors
• Suicide risk is often acute and impulsive
How Do You Know When You Have Succeeded?

- Fewer crimes
- Fewer offenders go to prison
- Offenders stay out longer
- Less serious crimes
- Change the odds
Relapse Prevention

• Assessment of risks (Risk Scenarios)
• Identify risk-laden situations
• Assess skill deficits and strengths that relate to risk-laden situations
• Building on success
• Teach avoiding and escaping from risky situations

It’s all about skills
Relapse Prevention:

• Early trauma
• Victimization and perpetration
• The individual meaning of violence
• The individual consequences of violence
• Identification of patterns
• Strengths and skills
Relapse Prevention (cont.)

- Barriers to utilization of skills
- Identification of skill deficits
- Supports and scrutiny
- Feedback loops
- Housing
Addressing Criminogenic Needs and Risks

- Employment/education domain
- Substance abuse domain
- Marital/family relations domain
- Associates and social interaction domain
- Community functioning domain
- Personal/emotional orientation domain
- Attitude domain
Supervising Offenders: Studies from Parole and Probation

• Which approach yields better CJ results?
  – Parole officer as social worker (“Hug-a-Thug”)
  – Parole officer as cop (Hard-Ass)

• Seriously, it has been studied, and the results are clear. Which yields fewer crimes?
The Best Way to Supervise Offenders

• A balanced approach
• “Rubber-coated steel’’
• “Hybrid orientations provide a broader base of power, and are most effective in achieving change.”
• “Even when I got revoked, my P.O. was still nice to me. He seemed disappointed, like he thought I could do better.”
Skeem et al. Research on P/P Success of Offenders with COD

- Examined individual, relationship, and systems factors
- Factors relating to failure
  - Threats increase anxiety
- Factors relating to success
  - Caring
  - Fairness
  - Respect
Where Could We See Such a Balanced Model of Supervision?

- Uh, good parenting?
- Good parents are not punitive.
- But good parents administer fair consequences
- Good parents’ goal is to teach their children how to make better decisions
- Were your best teachers your easiest teachers?
The Most Powerful Change Agents:

• Are always respectful, and usually kind
• Have high expectations
• Are always trying to teach
• Are able to form positive professional relationships with their parolees
• Demonstrate the self-control they want to teach their parolees
• But don’t confuse kindness with weakness
Our Greatest Enemy

• Suicidal offenders are especially dangerous
• Because they have nothing to lose
• Believe it or not, the greatest enemy of public safety is...
• Despair
• And the cure for despair is not a stick or a carrot
• The cure for despair is hope.
The Greatest Gift

• Believe it or not, the greatest gift you give to society is not locking people up, or letting them get away with stuff

• The greatest gift you give to Arizona is to instill hope in people for whom hope is a distant memory.

As a citizen of Arizona, thank you from the bottom of my heart for your service. It is you, not the hardasses, who are making our communities safer