

Contents

<i>Series Preface</i>	vii
Introduction: Treating Families in Juvenile and Criminal Justice Systems	3
1. Psychology and Justice: A Family Systems Approach to Offender Rehabilitation	9
2. Correctional Populations in the United States: Diversity Factors	27
3. The Ecology of Delinquency and Crime	43
4. Clinical Practice With Justice-Involved Families: Systemic Assessment and Case Conceptualization	67
5. Clinical Practice With Justice-Involved Couples and Families: Evidence-Based Treatment Programs	91
6. From Science to Practice: Competency-Based Treatment Planning and Delivery	115
<i>References</i>	<i>125</i>
<i>Index</i>	<i>157</i>
<i>About the Author</i>	<i>167</i>

INTRODUCTION

Treating Families in Juvenile and Criminal Justice Systems

The intersection between mental health and justice has expanded in the recent past. Individuals with severe mental disorders come into contact with the police and the courts at rates higher than the general population (Ghiasi et al., 2021; Office of Juvenile Justice and Delinquency Prevention, 2017a). Most have limited access to psychiatric services in the community. Prisons and jails are often the only place where they can find medical and mental health care (Cloud et al., 2014; Lillio et al., 2017).

The crossing of mental health and justice has led to new developments in legal and therapeutic programming. For example, mental health and drug treatment courts represent current efforts in the juvenile and criminal justice systems to form partnerships with mental health providers and address the psychiatric needs of justice-involved populations (Datchi, 2017b). To be effective, interprofessional partnerships require that mental health and justice practitioners coordinate treatment and legal interventions based on a shared understanding of their respective roles, activities, and responsibilities.

This book centers on a specific area of mental health practice that intersects with the legal system: couple and family services for justice-involved

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Best Clinical Practices for Treating Families in Juvenile and Criminal Justice Systems,
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populations that include couple and family treatment programs and psycho-education. A substantive number of publications discuss evidence-based couple and family therapy models for juvenile delinquency. They offer excellent guides for model-specific case conceptualization, treatment planning, and interventions (e.g., Alexander et al., 2013; Sexton, 2011; Szapocznick et al., 2003). By contrast, this book describes a competency-based approach to clinical practice with justice-involved couples and families.

COMPETENCY-BASED CLINICAL PRACTICE

The concept of *professional competence* describes the qualifications a clinician must possess in order to work effectively and provide quality mental health services (J. K. Miller et al., 2010; Stanton & Welsh, 2011). It involves a set of competencies—knowledge, skills, attitudes, and values—that fall into two domains, foundational and functional (Rubin et al., 2007). *Foundational competencies* are the knowledge, skills, attitudes, and values that form the basis for effective clinical activities. They are categorized as follows: reflective practices and self-assessment, scientific knowledge and methods, relationships and interpersonal interactions, ethical and legal standards, policy and advocacy issues, individual and cultural diversity, and interdisciplinary systems (Rubin et al., 2007). *Functional competencies* relate to various dimensions of clinical practice: assessment, diagnosis, and case conceptualization; intervention; consultation; research and evaluation; supervision; and management and administration.

This book focuses on the functional competencies of assessment, case conceptualization, and intervention necessary to work effectively with couples and families in the juvenile and criminal justice systems. These competencies include skills and strategies that are required for effective practice with couples and families as well as knowledge of the juvenile and criminal justice systems and familiarity with family systems theory and forensic mental health issues (Stanton & Welsh, 2011). With regard to knowledge about justice-involved populations, this book describes the salient characteristics of youth and adults who come into contact with law enforcement and the courts. This information is important to the recognition of the psychological, social, and diversity factors that account for individuals' entanglement with justice and that have an impact on couple and family functioning. An understanding of these factors is incorporated into the systemic assessment, conceptualization, and treatment of clinical problems in the context of couple and family relationships.

MORE ABOUT THE BOOK

This book is part of series that illustrates the application of specialty professional competencies in the treatment of couples and families with diverse concerns. It focuses on the relational and mental health needs of couples and families who are involved directly and indirectly with the U.S. juvenile and criminal justice systems. It does not examine family issues (e.g., divorce, child custody evaluations) that occur in other legal arenas (e.g., family courts). It is not a book about actuarial risk assessment and correctional treatment. It aims instead to demonstrate the value of a family-oriented approach to rehabilitative programming. “Offender rehabilitation” is a term commonly used to define a range of services that address the risk factors associated with recidivism (National Institute of Justice, 2020): group work, counseling, mentoring, cognitive behavioral programs, vocational training, substance abuse treatment, and so on. This book shows that couple and family interventions are critical components of offender rehabilitation for both youth and adults; couple and family services can support positive family involvement and enhance justice solutions to delinquency and crime.

This book is written for clinicians who work or will work with forensic populations in mental health agencies and correctional facilities, mostly youth and adults referred by juvenile and criminal courts and serving a sentence in the community or behind bars. The intended audience includes social workers, professional counselors, family therapists, psychologists, and graduate trainees who have varied levels of familiarity with the justice system. This book is designed to increase readers’ knowledge of the couple and family processes that influence change in criminal conduct and to develop their skills and ability to make effective decisions about the assessment and treatment of justice-involved individuals and their relationships.

ORGANIZATION OF THE BOOK

This book is organized into six chapters that build on each other. The chapters present foundational knowledge for clinical practice with justice-involved couples and families, with a focus on systems thinking and scientific knowledge about couple and family dynamics and therapy programs. They also describe the application of functional competencies in couple and family psychology that are relevant to assessment, case conceptualization, and intervention. In this book, the term *family* designates individuals’ extended network of interpersonal bonds based on blood or other intimate ties, marriage, and

adoption; this includes the nuclear family and less immediate relatives. The term *offender* is used in discussions that examine theoretical and scientific knowledge about criminal conduct; it refers to individuals who have committed acts prohibited under the law and who are now the target of intervention by justice professionals. The concept of *criminal conduct* refers to the lawbreaking behaviors that are the focus of the criminal and juvenile justice systems.

To show the application of foundational and functional competencies with justice-involved couples and families, this book follows a case study approach: Chapters 2 through 5 provide an in-depth examination of a fictitious family: Sam, Sara, Gabriel, and Julia. This family illustrates the concerns and difficulties of many individuals and their relatives in the juvenile and criminal justice systems.

Chapter 1 sets the stage for the discussion that follows: It describes the context in which treatment occurs and explains how youth and adults come into contact with and are handled by the juvenile and criminal justice systems. It reviews the psychological theories that inform correctional programming and proposes a family systems approach to offender rehabilitation that incorporates the key concepts and principles of systemic thinking.

Chapter 2 tells the story of Sam, Sara, Gabriel, and Julia's involvement with law enforcement, the courts, and corrections. Their story highlights the individual and cultural diversity factors that define the experience of youth, adults, couples, and families in the juvenile and criminal justice systems. Information about race–ethnicity, gender, educational attainment, employment, and mental health help to discern the contextual factors (e.g., family violence, racial disparities) that influence the odds of justice involvement. In particular, Chapter 2 calls attention to the prevalence of traumatic stress, severe mental illness, and addiction among justice-involved populations who report superior rates of victimization and psychiatric and substance use disorders compared with the general public. These statistics highlight the psychosocial needs of juvenile and adult offenders in the U.S. justice system. This knowledge is incorporated into the contextual assessment and case conceptualization of the fictitious family in Chapter 4.

Chapter 3 discusses recent empirical findings on the predictors of delinquency and crime. It starts with a review of the concepts of risk and protective factors in the criminology and psychology literature. These factors exist at different levels of the person's ecology: intrapersonal, relational, and environmental. Their reciprocal interactions influence the likelihood that an individual will engage in criminal behaviors and acts of violence. In particular, Chapter 3 highlights the role of family processes in mediating the effects of

individual and contextual factors on juvenile and adult recidivism. It also includes a discussion of the impact of justice involvement on family dynamics. This knowledge is essential to clinical practice with couples and families: Relational processes are the primary focus of couple- and family-based therapy programs; the risk and protective factors that predict offending constitute sites of intervention. Chapter 3 shows how to apply evidence-based knowledge about the predictors of antisocial behavior to understand the challenges of the fictitious family.

Chapter 4 reviews the components of systemic assessment and case conceptualization and describes how to create a therapeutic frame with justice-involved couples and families. The discussion is focused on family engagement, the therapeutic alliance, the sources of information, and the selection of methods to gather data about the family and the problem. Chapter 4 shows how to conduct a systemic assessment, how to interpret qualitative and quantitative data, and how to organize the case conceptualization using the example of the fictitious family. It also demonstrates how to navigate the unique challenges of clinical practice with justice-involved couples and families.

Chapter 5 presents the current state of the evidence on couple and family therapy with justice-involved populations and includes available information about the cost-effectiveness of family interventions for juvenile offenders. It provides detailed summaries of well-established family therapy programs that have been shown to reduce delinquency and improve family functioning. Each summary answers questions about patient demographics, delivery format, treatment goals, therapeutic processes, and outcomes. Chapter 5 also describes the adaptation of evidence-based family interventions and marriage education programs for adult offenders. It is intended to advance the reader's knowledge of evidence-based practices in clinical practice with justice-involved couples and families, which is a benchmark of professional competence.

Chapter 6 demonstrates how to use evidence-based knowledge about effective therapeutic models in the treatment of justice-involved families; specifically, it shows how clinicians formulate a treatment plan and select interventions on the basis of the results of their assessment and case conceptualization. It also describes treatment monitoring and interprofessional collaboration as critical aspects of clinical practice with couples and families and discusses common treatment challenges with justice-involved families. The case of Sam, Sara, Gabriel, and Julia serves to illustrate each activity, from treatment planning to treatment coordination.