



INTRODUCTION TO TRAUMA IN THE CRIMINAL JUSTICE SYSTEM

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INTRODUCTION

- It is estimated that 90% of juvenile offenders have experienced some sort of traumatic event.^{1,2}
- Nationally, both women and men involved in the criminal justice system almost universally report a history of significant traumatic experience (95.5% and 88.6% respectively).³
- Rates of full-blown Post-Traumatic Stress Disorder (PTSD) – a trauma-induced mental illness – among juvenile and adult offenders range from 20% to 45%, nearly three times the prevalence reported in the general population (12%).⁴

¹ Fox et al. (2015); ² Perez, Jennings, Piquero, & Baglivio (2016); ³ Steadman, H.J. (2009); ⁴ Sartor et al. (2012).

CHILDREN EXPOSED TO VIOLENCE

- In 2012, the U.S. Attorney General's Office convened the National Task Force on Children Exposed to Violence
 - Found that 2 out of 3 children in the US are exposed to violence
 - “Survivor coping”

DEMOGRAPHICS OF TRAUMA

- Trauma has no boundaries with regard to age, gender, socioeconomic status, race, ethnicity, or sexual orientation.
 - BUT certain groups suffer higher rates and/or different types of trauma
 - Historical trauma – **Dr. Keisha Ross**
 - Trauma is *multi-generational* and is experienced by a *specific cultural group*, typically based on race, ethnicity and socioeconomic status
 - Especially, Native Americans/First Nation People, African Americans, immigrants, people living in poverty, and genocide survivors and refugees and their families.¹
 - Gender
 - Women: Half of cases involve physical attack or threat
 - Men: Combat and witnessing someone's injury/death

¹ Noether, C. (2012, June).

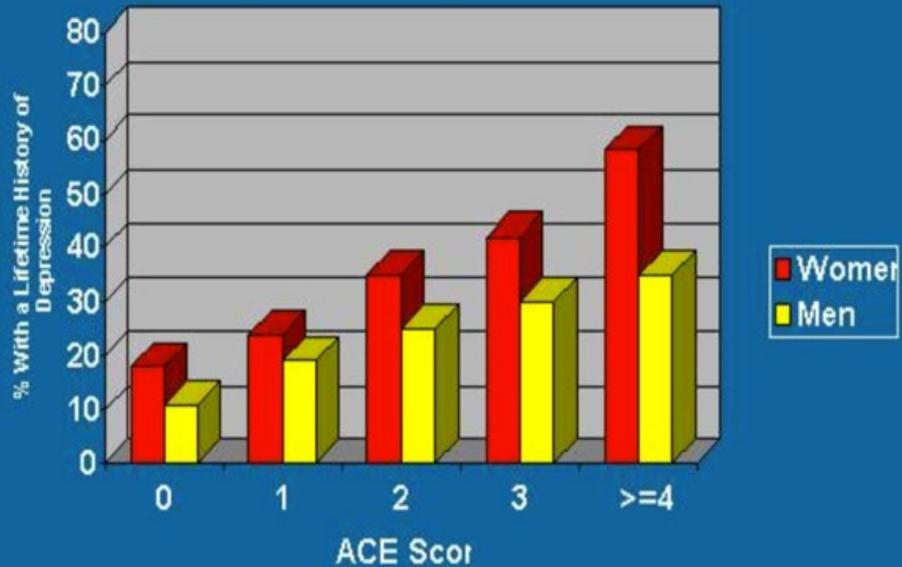
ADVERSE CHILDHOOD EXPERIENCES (ACE) SCALE

- Highly researched list of 10 childhood traumas (now incorporated into a scale) that are related to a vast array of negative outcomes – health and otherwise
 - Published in 1998 as a collaboration between the Centers for Disease Control (CDC) and Kaiser Permanente; 70+ publications since; now recognized/used internationally
- Personal
 - Physical abuse
 - Verbal abuse
 - Sexual abuse
 - Physical neglect
 - Emotional neglect
- Related to household members
 - Household substance abuse
 - Household mental illness
 - Mother treated violently
 - Parental separation/divorce
 - Incarcerated household member

ADVERSE CHILDHOOD EXPERIENCES (ACEs) (cont.)

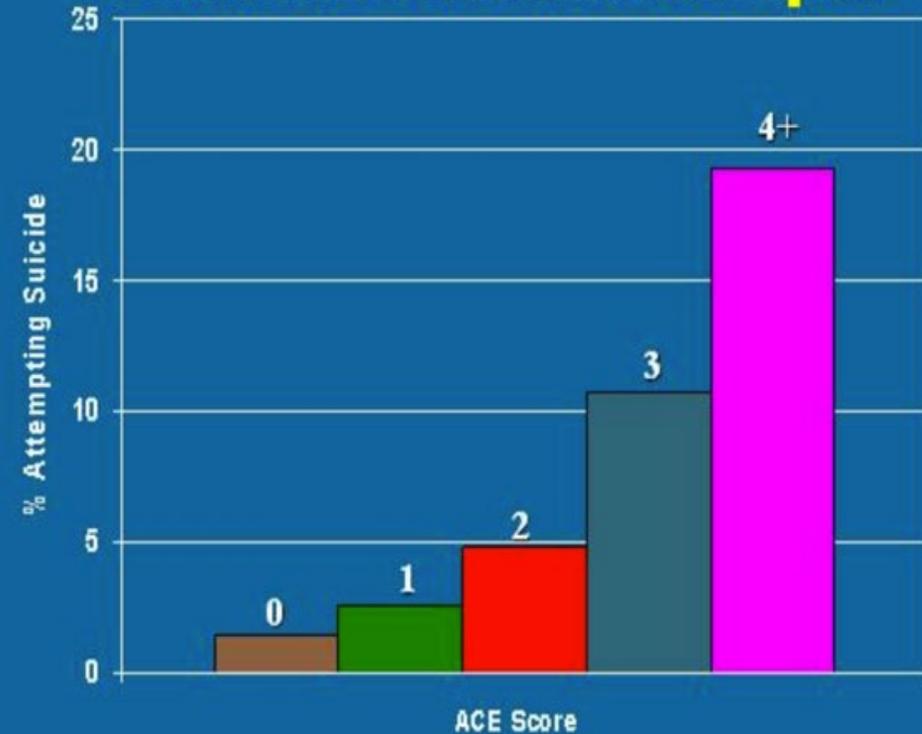
- Cumulative findings of research on ACEs
 - Childhood trauma was very common, across demographics.
 - People usually experience more than one type of trauma.
 - 2/3 of people in the original ACE Study sample endorsed at least 1.
 - Of these, 87% endorsed more than one.
 - There is a direct link between childhood trauma and adult onset of:
 - Chronic disease, decreased life potential, and premature death
 - Many other outcomes relevant to our participants
 - The more types of trauma, the greater the risk of health, social and emotional problems.

Childhood Experiences Underlie Chronic Depression



Individuals with 6+ ACEs, compared to those with 0 ACEs, were **24x** more likely to attempt suicide (Merrick et al., 2017)

Childhood Experiences Underlie Suicide Attempts



Individuals with psychosis were **2.7x** more likely than controls to have been exposed to childhood adversity (Varese et al., 2012)

Individuals with 6+ ACEs, compared to those with 0 ACEs, were

- 4x more likely to use drugs
- 3x more likely to drink moderately to heavily

(Merrick et al., 2017)

Health Risks

Childhood Experiences vs. Adult Alcoholism

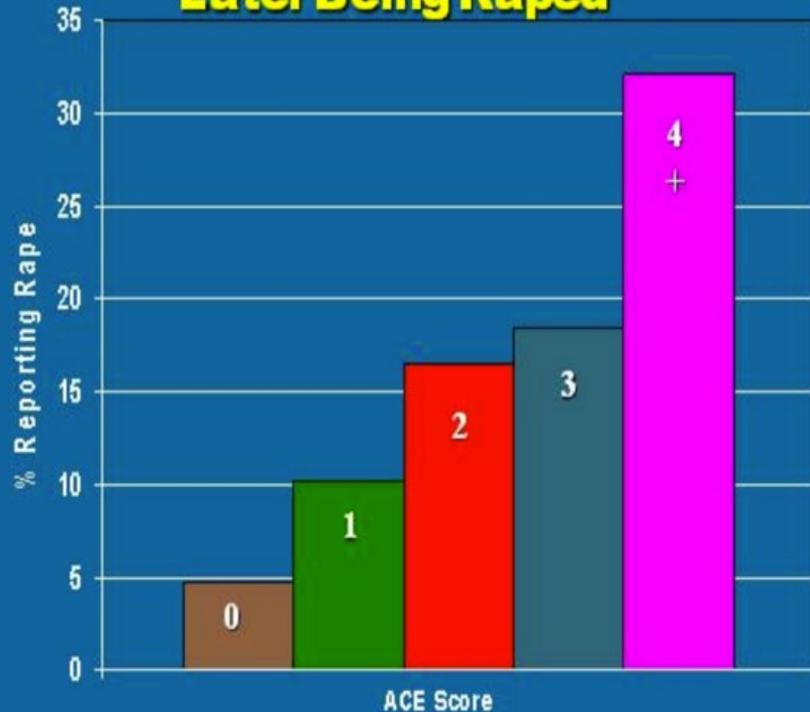


A history of previous victimization has been linked with subsequent victimization AND with perpetration of violence.

(Kubiak, 2017)

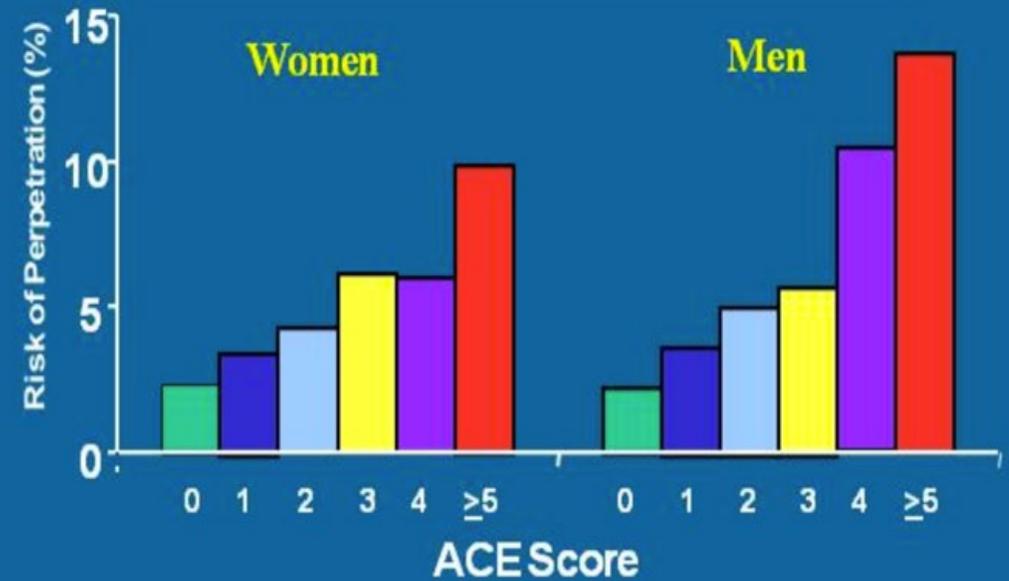
Well-being

Childhood Experiences Underlie Later Being Raped



Social function

ACE Score and the Risk of Perpetrating Domestic Violence



ACEs scores account for 30% of the variation in violent behavior.

(Felitti et al., 1998)

ADVERSE CHILDHOOD EXPERIENCES (ACEs) (cont.)

- Cumulative findings of research on ACEs
 - Particular types of traumas are related to particular negative outcomes

ADVERSE CHILDHOOD EXPERIENCES	HEAVY DRINKING ¹	DRUG USE ¹	DEPRESSION ¹	SUICIDE ATTEMPTS ¹	DOMESTIC VIOLENCE ²
Physical abuse	√	√	√		√
Sexual abuse	√	√	√	√	√
Household substance abuse	√	√	√		
Household mental illness	√	√	√	√	
Emotional neglect			√	√	
Emotional abuse				√	
Mother treated violently					√
Physical neglect					
Incarcerated household member					
Parental separation/divorce					

¹ Merrick et al. (2017)

² Whitfield, Anda, Dube, & Felitti (2003)

HOW DOES TRAUMA LEAD TO THESE OUTCOMES?

- Social learning / modeling
- Interpersonal neurobiology – **Dr. Christopher Wilson**

HOW DOES TRAUMA LEAD TO THESE OUTCOMES?

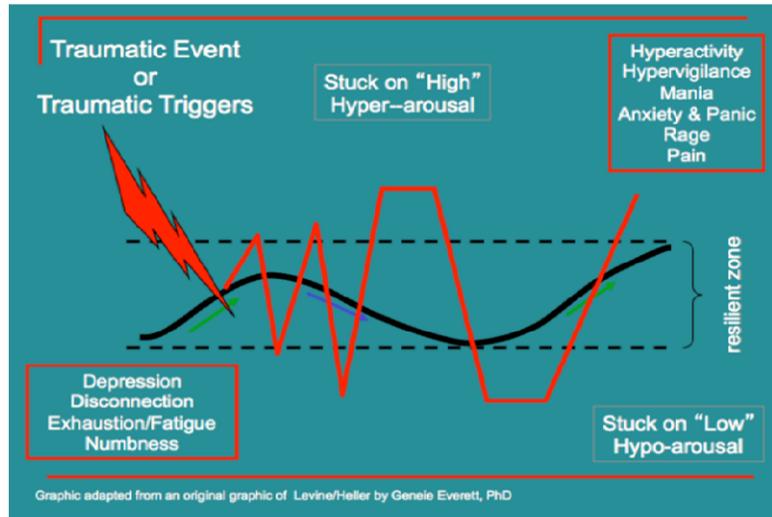
- Particularly when experienced during childhood, can permanently affect the development and functioning of the brain – **Dr. Christopher Wilson**
 - Especially problematic when sources of support are inadequate

The Neurobiology & Ecology of Trauma

Neurobiology



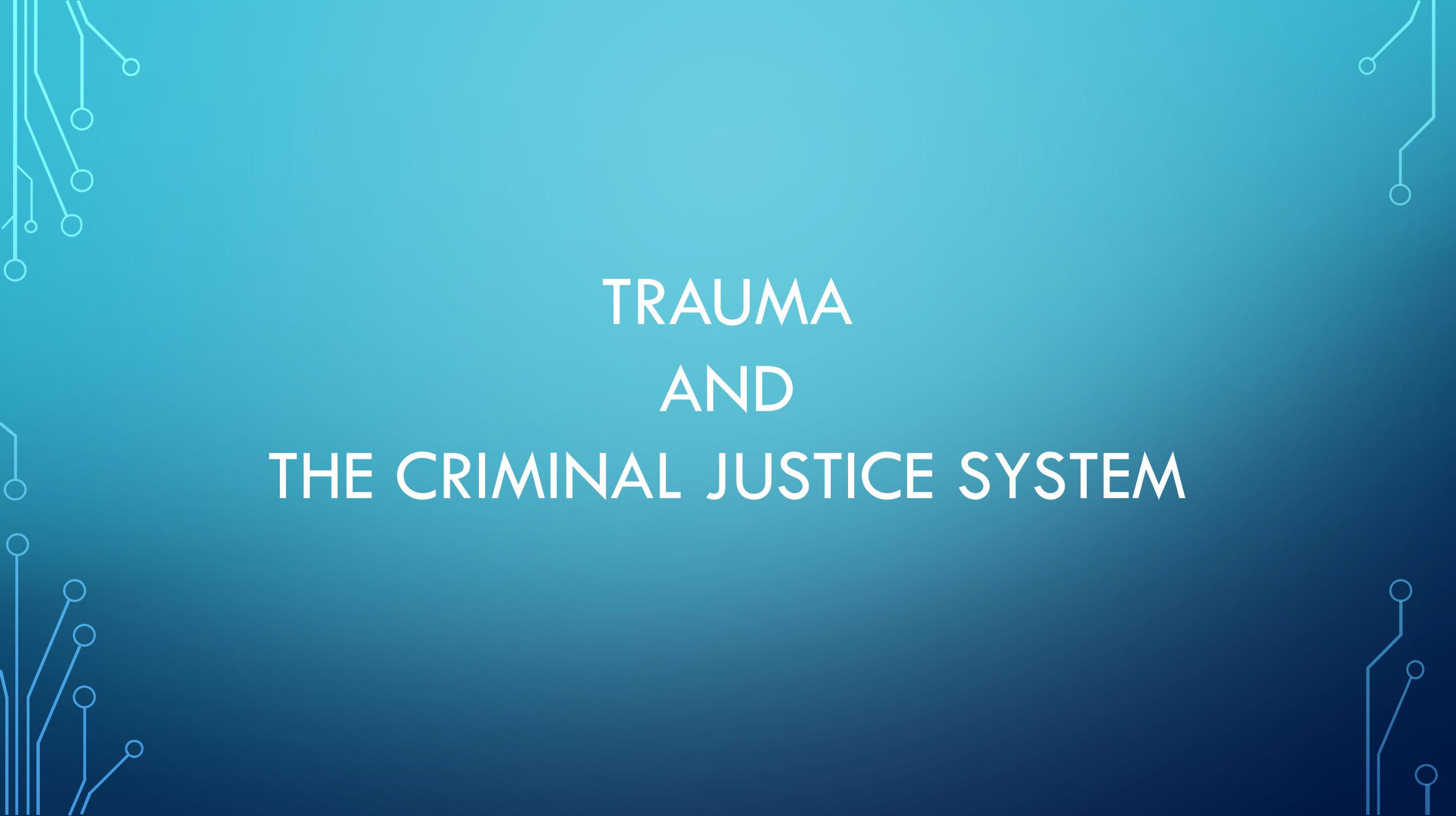
Ecology



- Trauma responses and recovery occur in a relational-social contexts
- Interactions with partners, family & friends, community, institutions & systems and society MATTER.
- Potential for healing and growth biggest in the context of relationships

HOW DOES TRAUMA LEAD TO THESE OUTCOMES?

- Social learning / modeling
- Interpersonal neurobiology – Dr. Christopher Wilson
- Failure to develop / achieve valuable protective factors
- Indirect effects between trauma and involvement in the criminal justice system (as perpetrators or victims)
 - Trauma leads to psychological distress and substance use (as "self medication")
- Mental illness and substance use put people at high risk for trauma exposure (e.g., being in environments where risk for violence is high)

The background is a solid teal color with a subtle gradient. In the four corners, there are decorative white line-art elements resembling circuit boards or neural networks, with lines connecting to small circles.

TRAUMA AND THE CRIMINAL JUSTICE SYSTEM

JUVENILE OFFENDERS AND TRAUMA

- 90% of juvenile offenders have experienced some sort of traumatic event in childhood.^{1,2}
 - Up to 30% of these youth meet the criteria for PTSD.¹
- Children who experienced childhood abuse and neglect (compared to controls) had:
 - Up to 59%³ higher likelihood of being arrested as juveniles
 - Up to 42%⁴ higher likelihood of being arrested as an adult
 - 30%⁵ higher likelihood of being arrested for violent crime as an adult
- Having an incarcerated family member predicted the boys' future incarceration.⁶

¹ Fox et al. (2015); ² Perez et al. (2016);

³ Widom & Maxfield (2001); ⁴ Duke, Pettingell, McMorris, & Borowsky (2010);

⁵ Farrington et al. (2001); ⁶ National Institute of Justice (2016);

JUVENILE OFFENDERS AND TRAUMA (cont.)

- In the 2007 Minnesota Student Survey of over 135,000 students
 - For each adverse childhood event, there was a 35% to 144% increased risk of violence in male subjects.
 - 45x more likely to have engaged in dating violence when they had been molested by a family member in childhood
 - 26x more likely to do so when they had been sexually abused by a nonfamily member

JUVENILE OFFENDERS AND TRAUMA (cont.)

- In a 2015 study of 22,575 delinquent youth referred to the Florida Department of Juvenile Justice¹
 - For each additional ACE that a child experienced, the odds of becoming an serious, violent, and chronic (SVC) offender increased by 35%.
 - e.g., children with two ACEs were 70% more likely to be SVCs, 4 ACEs increased a child's SVC risk by 140%, and six or more ACEs leads to more than a 200% higher risk of SVC (compared to youth with single felonies).
- In a separate study of 64,329 juveniles in Florida, higher ACE scores predicted higher levels of aggression and impulsivity in the youth.²

¹ Fox et al. (2015). ² Perez et al. (2016)

FEMALE OFFENDERS AND TRAUMA

- Nearly all (98%) incarcerated women report traumatic exposure, in both the distant and remote past.¹
- Childhood trauma
 - At least 62% report *childhood* trauma.¹
 - Women who were abused or neglected as children are twice as likely to be arrested as adults than nonabused women.²
 - In a study of 36 incarcerated Native American women in New Mexico, higher ACE scores were associated with increased violent crime arrests, suicide attempts, and intimate partner violence.³

¹ Green et al., (2005); ² Widom (2000); ³ De Ravello, Abeita, & Brown (2008)

FEMALE OFFENDERS AND TRAUMA (cont.)

- Childhood Trauma

- The majority of these women had experienced multiple traumas, both during childhood and adulthood – i.e., complex trauma
- Many explicitly connected traumatic experiences (e.g., childhood sexual abuse) with the onset of criminal behaviors (e.g., running away, using illicit drugs).
 - What their abusers did normalized criminal behaviors

FEMALE OFFENDERS AND TRAUMA (cont.)

- **Adult Trauma**

- In one study, 90% of a sample of incarcerated women reported physical and sexual violence from their partners in the year prior to incarceration.
- The number of different types of interpersonal violence experienced predicted current symptoms of depression, PTSD, and substance dependence.

MALE OFFENDERS AND TRAUMA

- For men entering prison, the most common traumatic event experienced is witnessing death or serious physical injury.¹
- But their primary *abusers* were parents / guardians.²
- Similarly high rates as women for physical abuse and neglect
- A Center for Disease Control (2016) survey found that 23% of men have experienced some form of sexual victimization.

¹ Sarchiapone et al. (2009); ² James (2004).

TRAUMA AND THE CRIMINAL JUSTICE SYSTEM

...AND involvement with the justice system can further exacerbate trauma for these individuals.

- These experiences can:
 - Challenge a person's capacity for recovery
 - Pose significant barriers to accessing services
 - Result in an *increased* risk of interacting further with the criminal justice system

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TRAUMA AND TREATMENT COURTS

TRAUMA AND TREATMENT COURTS

- Increasing recognition of the impact of trauma
 - In the general population, by the mental health and medical fields
 - In the criminal justice system overall
 - In treatment courts
- Much more attention to trauma in the field than in research
 - “Trauma*” and “treatment court” in the titles of published research? ...10
 - In 2017 alone, presentations on trauma at the National Association of Drug Court Professionals (NADCP) Conference? ... 18

TRAUMA AND TREATMENT COURTS (cont.)

Lifetime Trauma Exposure And Posttraumatic Stress Disorder In Women Sentenced To Drug Court (2012)

- 319 female drug court participants
- 91% of participants endorsed one or more traumatic events in their history
 - 20% had PTSD
- The most commonly reported events were:
 - Experiencing the unexpected sudden death of a close friend or relative (66.8%)
 - Sexual assault by someone other than a relative (65.2%)
 - Being mugged, threatened with a weapon or experiencing a break-in (53.0%)
 - Seeing someone being seriously injured or killed (47.7%)
- BUT the event that was identified as the worst trauma was being raped or sexually assaulted by a relative
- Prostitution and homelessness were more prevalent in women with (vs. without) a history of trauma

TRAUMA AND TREATMENT COURTS (cont.)

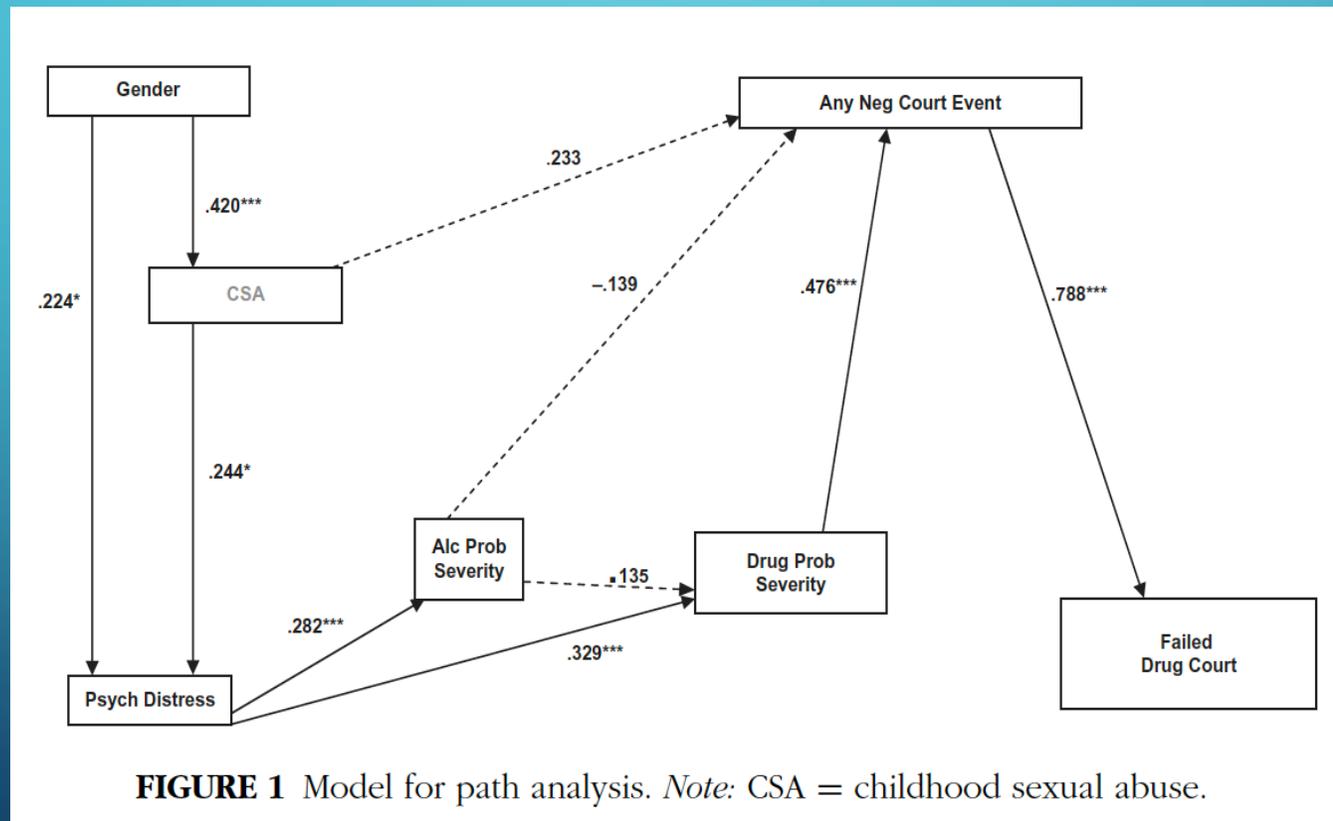
The Effects of Childhood Sexual Abuse and Other Trauma on Drug Court Participants (2015)

- Examined the relationship between trauma, psychological distress, substance use, and negative court events/failure in drug court.
- 229 participants*, separated into 3 trauma groups
 - *BUT did not have any past violent offenses, and did not have serious mental illness

Trauma Group	Sample Size	Prior Arrest Records	Preferred Substance
Childhood Sexual Abuse	18	94.4%	Drugs
Other Trauma	134	76.9%	Alcohol
No trauma	77	63.9%	Alcohol

TRAUMA AND TREATMENT COURTS (cont.)

The Effects of Childhood Sexual Abuse and Other Trauma on Drug Court Participants (2015) (cont.)



TRAUMA AND TREATMENT COURTS (cont.)

The Effects of Childhood Sexual Abuse and Other Trauma on Drug Court Participants (2015) (cont.)

- Path from trauma to substance use
 - History of trauma was a predictor of psychological distress.
 - Psychological distress predicted substance use problems.
 - Thus, trauma has *indirect* effects on substance use.
- History of trauma was a predictor of negative court events (positive urine screens, sanctions, warrants, failure in court, etc.).
 - Psychological distress was NOT directly related to negative outcomes.
 - Failure in drug court was NOT related to alcohol problems, but it was to drug problems...Remember CSA victims

TRAUMA AND TREATMENT COURTS (cont.)

The Effects of Childhood Sexual Abuse and Other Trauma on Drug Court Participants (2015) (cont.)

- The CSA group, in particular, had higher levels of distress than the other trauma group
 - higher mean scores on depression, anxiety, panic disorder, social phobia, somatization, and posttraumatic stress disorder
- The CSA group – beyond CSA – had also experienced many of the other traumas experienced by the other trauma group – i.e., complex trauma

TRAUMA AND TREATMENT COURTS (cont.)

The Effects of Childhood Sexual Abuse and Other Trauma on Drug Court Participants (2015) (cont.)

- Type of trauma was related to negative court events / failure.

	No trauma (<i>n</i> = 77)		Other trauma (<i>n</i> = 134)		CSA (<i>n</i> = 18)	
	<i>n</i>	%	<i>n</i>	%	<i>n</i>	%
Positive urine screens*	26	33.8 ^a	72	53.7 ^b	12	66.7 ^b
Sanctions*	30	39.0 ^a	75	56.0 ^b	14	77.8 ^b
Bench warrants	31	40.3 ^a	64	47.8 ^a	13	72.2 ^b
Any negative event	44	57.1	102	76.1	16	88.9
Failed drug court	11	14.3 ^a	36	26.9 ^b	7	38.9 ^b

- Any traumatic experience puts a drug court participant at increased risk for failure and other consequences, and a history of CSA seems to magnify that risk.

TRAUMA AND TREATMENT COURTS (cont.)

Integrated Trauma Treatment In Drug Court: Combining EMDR Therapy And Seeking Safety (2015)

- 150 drug court participants that endorsed a history of trauma
- Combined 2 empirically supported trauma therapies in a phased, integrated approach: mandatory Seeking Safety groups followed by voluntary, individual Eye Movement Desensitization and Reprocessing (EMDR) therapy.
 - 150 completed the Seeking Safety groups
 - 112 elected to undergo EMDR therapy
- Those who engaged in EMDR graduated at a higher rate (91%) vs. those who declined (57%).
- Graduates who selected EMDR therapy recidivated at a lower rate (12%) vs. those who declined EMDR (33%).

TRAUMA AND TREATMENT COURTS (cont.)

Examining The Relationship Between Psychological Functioning, Childhood Trauma, And Types Of Perceived Coercion Among Drug Court Enrollees: Results From A Pilot Study (2017)

- 54 drug court participants
- Trauma experiences in childhood and psychological dysfunction were associated with higher perceived coercion to treatment.
- Participants responded best to “coercion” by being reminded of the effects on their family, impact on their health, and the financial impact.

TRAUMA AND MENTAL HEALTH COURTS

- Drug Courts

- In 2017, number of presentations on trauma at the National Association of Drug Court Professionals (NADCP)?...18
- “Trauma*” and “drug courts” in the titles of published research? ...4

- Mental Health Courts

- Number of conferences on mental health courts?...0
- “Trauma*” and “mental health courts” in the titles of published research? ...0

RECOMMENDATIONS

- Assess the behavioral health and childhood trauma of participants, including childhood sexual abuse
- Use trauma-informed care – **Norma Jaeger and Carol Fisler**
- Use trauma-focused treatments (e.g., EMDR)
- Assess perceived coercion
- Utilize non-legal types of coercion to enhance treatment engagement
- More research is needed