

NO RECOMMENDATION OR ENDORSEMENT

ALWAYS CONSULT LEGAL ADVICE

TAKING CHARGE of a DANGEROUS PERSON

- If a counselor (Therapists, Psychologists or EAP Counselor) “takes charge” of a dangerous person you may be viewed as having assumed the duty to control the person’s behavior
- “One who voluntarily takes charge of a third person who they know is likely to cause bodily harm to others if not controlled is under a duty so to exercise his/her control as to prevent the third person from doing such harm” TORTS LAW 319

FEATURES of DANGEROUS

- Dangerous is defined as “attended with risk; perilous; hazardous; unsafe”
- Danger is defined as “jeopardy; exposure to loss or injury; peril

A serious risk of violence to another is within the scope of these definitions

In assessing dangerous behavior five components must be considered:

1. Its nature
 2. Extent
 3. Probability
 4. Imminence
 5. Frequency
- Violent ideation: thoughts, fantasies, and dreams of violent acts; delusions or hallucinations commanding violent acts
 - Affect: person manifests intense, overwhelming rage, destructive impulses, drivenness, or fear of inability to control violent impulses
 - Behavior: physical agitation, accompanying psychosis, intoxication, or delirium; explosive rage; or domestic violence

FEATURES of DANGEROUS

Immediate danger signs of imminent violence:

1. Motor activity is irritable with an inability to be calmed
2. Verbal indicators such as threats when stated loudly, defamatory statements, and sexual verbal aggression
3. Nonverbal indicators include glaring eyes, demanding demeanor, tense, forward-leaning posture, and a hyper-alert state

FEATURES of DANGEROUS

Is there a “psychological profile” of dangerous?

1. Low self-esteem
2. Inability to delay gratification
3. History of violence
4. Profound sense of entitlement
5. Compelling need to seek vengeance

Are there “biological components” of dangerous?

1. Drug and alcohol intoxication or withdrawal
2. Head traumas
3. Illnesses accompanied with high fevers
4. PTSD (Military or other)

Are there “sociocultural features” of dangerous?

1. Male, 14-24 years of age
2. Poor
3. Low level of education
4. History with substance abuse or violence
5. Job and residential instability
6. History of arrests
7. Isolation (Anitsocial)

“Developmental profile” of dangerous:

1. History of childhood violence
2. Delinquency
3. Reckless driving record
4. Child abuse and neglect
5. Children of parents with severe psychiatric disturbances
6. Extremes in Value System(s)

PROTOCOL FOR DEALING WITH A DANGEROUS PERSON

- Try not to be alone
- Employ active listening
- Express concern; exploring alternative to violence
- Check for the here-and-now transference
You said everyone hates a drunk; do you think I do?
- Perform a mental status exam
- Take a careful history
- Inform about legal realities
- Refer for psychiatric consultation; hospitalization; or call authorities

LAWS

CIVIL RIGHTS REMEDIES FOR GENDER-MOTIVATED VIOLENCE ACT [42 USC 13981]

- All personas within the United States have the right to be free from crimes of violence motivated by gender

VIOLENCE AGAINST WOMEN ACT of 1994

- Battered spouse act

COMPENSATION FOR VICTIMS OF VIOLENCE

- California and New York are the only States in the USA that have enacted legislation to assure some compensation to those who have suffered at the hands of criminals regarding violent acts
- Those eligible are the victims, surviving spouse or children of a dead victim, or any other person dependent on the dead victim as their principle support

FACTORS THAT INCREASE AN EMPLOYEE'S RISK OF BEING INVOLVED IN WORKPLACE VIOLENCE

These factors include the following:

1. Contact with the public
2. Exchange of money
3. Delivery of passengers, goods, or services
4. Having a mobile workplace such as a taxicab or police cruiser
5. Working with unstable or volatile persons in health care, social service, or criminal justice settings
6. Working alone or in small numbers
7. Working late at night or during early morning hours
8. Working in high-crime areas
9. Guarding valuable property or possessions
10. Working in community-based settings

PREVENTION STRATEGIES

Environmental Designs

- Cash-handling policies
- Physical separation of workers from customers, clients, and the general public
- The height and depth of counters are also important considerations in protecting workers, since they introduce physical distance between workers and potential attackers
- Visibility and lighting
- Numerous security devices may reduce the risk for assaults against workers and facilitate the identification and apprehension of perpetrators
- Personal protective equipment

PREVENTION STRATEGIES

Administrative Controls

- Staffing plans and work practices
- Increasing the number of staff on duty
- Use of security guards or receptionists to screen persons entering the workplace and controlling access to actual work areas
- Work practices and staffing patterns during the opening and closing of establishments and during money drops and pickups should be carefully reviewed for the increased risk of assault they pose to workers
- Policies and procedures for assessing and reporting threats allow employers to track and assess threats and violent incidents in the workplace
- Such policies clearly indicate a zero tolerance of workplace violence and provide mechanisms by which incidents can be reported and handled
- Training and education efforts are clearly needed to accompany such policies.

PREVENTION STRATEGIES

Behavioral Strategies

- Training employees in nonviolent response and conflict resolution
- Training that addresses hazards associated with specific tasks or worksites and relevant prevention strategies
- Training should emphasize the appropriate use and maintenance of protective equipment, adherence to administrative controls, and increased knowledge and awareness of the risk of workplace violence

CONCLUDING THOUGHTS ON THREAT IDENTIFICATION

Although we are beginning to have descriptive information about workplace violence, a number of research questions remain:

1. What are the specific tasks and environments that place workers at greatest risk?
2. What factors influence the lethality of violent incidents?
3. What are the relationships of workplace assault victims to offenders?
4. ARE THERE IDENTIFIABLE PRECIPITATING EVENTS?
5. Were there any safety measures in place?
6. What were the actions of the victim and did they influence the outcome of the attack?
7. What are the most effective prevention strategies?

THREAT IDENTIFICATION

Start by Answering These Questions:

1. How does violence from the surrounding community affect your workplace?
2. DO SERVICES LIKE TRAUMA OR ACUTE PSYCHIATRIC CARE INCREASE THE LIKELIHOOD OF VIOLENCE?
3. Does the facility's physical layout invite violence -- for example, do doors open to the street or are waiting rooms cramped?
4. How frequently are assault incidents, threats and verbal abuse occurring? Where? Who is involved?
5. Are incidents being reported?
6. Are current emergency response systems effective?
7. Is post-assault treatment and support available to staff?
8. Are staffing patterns sufficient and is the staff experienced?