

## Boundaries and Ethics



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## Welcome



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## Safety

- ▶ Keep it simple!
- ▶ Our work is hard enough
- ▶ Be careful out there!
  - (With apologies to Hill Street Blues...)



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## What makes a good therapeutic culture?



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## TEAMWORK

- ▶ Work ethic
- ▶ Be invested in the outcome more than the income
- ▶ About kids and for kids
- ▶ Don't leave people hanging
- ▶ 4:1 rule
- ▶ Open to feedback
- ▶ Quality Improvement is the norm



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## Everyone's involved!

- ▶ Sharing of information across the chain of communication
- ▶ No "cult of personality"
- ▶ Leadership by example
- ▶ Team decision-making wherever possible
- ▶ Mutual respect: All people



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## Warning!

- ▶ This will be provocative
- ▶ We should come down on only one side:
  - Thoughtful, ethical practice

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## Remember

- ▶ *I never knew anyone who got into trouble for maintaining the highest standards of ethical behavior.*
  - Lloyd Sinclair
- ▶ *If you don't want it in the newspapers... DON'T DO IT!*
  - Jimmy Buffett

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### Doctor's reputation takes a hit in Yate's testimony

Colleagues can't believe Dietz gave wrong testimony  
 By Mike Tolson · January 7, 2005

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**File For Bankruptcy**  
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In the rarefied domain of forensic psychiatry, few names shine as brightly as **Park Dietz**, the California doctor whose testimony has figured in some of the most notorious criminal cases of the past two decades.

Though Dietz most often appears as a prosecution witness — one who finds legal sanity in the most inexplicable acts — his peers have rarely found reason to publicly take issue with his work. Unlike the late **James Grigson**, the Texas psychiatrist whose testimony on behalf of prosecutors earned him the moniker "Dr. Death" and got him kicked out of two professional associations, Dietz has been praised by opposing counsel for his professionalism.

"He is an unbelievable expert, somebody I have a great deal of respect for despite the fact that he disagreed with our experts," **Gerald Boyle**, attorney for serial killer **Jeffrey Dahmer**, told the **Houston Chronicle** on the eve of **Andrea Yates'** 2002 capital murder trial after the drowning of her five children.

Yates' case, however, is one Dietz likely wants to forget. His reputation took a hit when it was discovered that part of his testimony was not true. And when the 1st **Texas Court of Appeals** used his mistake to overturn her...

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## Conclusion

- ▶ Offer choices, explore choices, clarify choices within all contexts
- ▶ Be the person who offers choices when all other choices have been taken away.
  - Multiple choice where possible
  - Not "do it or go to prison"
- ▶ Be very clear about assessment limitations



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## Major Problem

- ▶ Ethical and boundary problems happen to people who think they're at no risk.
- ▶ Being a little anxious about boundaries and ethics can be a good thing.
  - Good people can do bad things
- ▶ For managers, our ethics should include providing an excellent workplace as well as outstanding treatment



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### What are ethics?

- Principles for behavior.
- The moral correctness of conduct
  
- Ethical codes protect the client and guide the professional



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### Ethical Practice

- We have a duty to ourselves, our clients, and our fellow citizens to maintain ethical practice at all times.
- Breaches of professional ethics always lead to harm.



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### Why should we care about this?

- Threat to safety of staff, residents, and public
- Known high-risk context for escape
- Venue for contraband and drug traffic
- Contaminates the treatment environment
- Illegal, unethical, and policy violation
- Disaster for employee, family, and facility or organization



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## Relationships & Boundaries

1. Do you look forward to seeing a particular client when you come to work?
2. Have you done anything with a client you would not want your supervisor or your family to know about?
3. Would you be reluctant to have a coworker observe your behavior for a whole day?
4. Do you talk about personal matters with clients?
5. Do you believe you can ask a client to do personal favors for you?
6. Have you ever received personal advice from a client?
7. Have you said anything to a client that you would not want tape recorded?
8. Do you have thoughts or fantasies of touching a particular client?
9. Do you have the right to touch a client wherever and whenever you want?
10. Do you have a feeling of not being able to wait to share good/bad news with a client?
11. Do you think clients are not allowed to say no to you, no matter what you ask?
12. Have you ever allowed clients to talk about past sexual experiences or sexual fantasies, or tell sexual jokes in your presence outside of treatment?

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## Robin's Rule

When you're getting ready in the morning, check yourself out in the mirror.

If you say to yourself...

**“Hey, you look pretty good.”**

...Go change.

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## Responsibility

Generally speaking

- ▶ Our client is:
  - The clients themselves
  - Their families
  - The programs
  - The community

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## Sawyer & Prescott, 2010

- ▶ *The therapist has an ethical responsibility to the client, a legal responsibility to the court, and a moral/ethical responsibility to the community*



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## Vulnerabilities

- ▶ It is easy to minimize vulnerability when:
  - Clients are ambivalent about treatment
  - Their crimes are severe
  - They have exploited the vulnerabilities of others

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## Smith & Fitzpatrick, 1995

- ▶ Three principles underlying therapist–client relationships:
  - Abstention: refraining from self-seeking and personal gratification
  - Neutrality: Focusing on the client’s therapeutic agenda
  - Therapists strive for client independence and autonomy

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## Trivia Questions

- ▶ What is the most common ethical complaint against therapists in general?
  
- ▶ What is the second most common ethical complaint against therapists in general?

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## What are boundaries?

- ▶ Protected and connected
  - Both are required for the safety of all

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## Protected and connected



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## EMAIL is DISCOVERABLE

- ▶ You only think they need probable cause...
- ▶ DOC investigation turns up ties to others employed elsewhere
- ▶ Administrator affair with supervisee
- ▶ Leaked emails regarding Harvard cheating
- ▶ "confidential" incident report leaked to home addresses
- ▶ ATSA listserv restrictions
- ▶ Spilled cup of coffee



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## Two kinds of boundaries...

- Structural:
- ▶ Clarity and consistency of
    - Time
    - Place
    - Fees
    - The service itself



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## Two kinds of boundaries...

- ▶ Interpersonal:
  - Physical contact
  - Gifts
  - Self-disclosure
  - etc.



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## What's what?

- ▶ Boundary crossings: non-pejorative. Departures from commonly accepted practice. May or may not benefit the client.
- ▶ Boundary violation: Departure from accepted practice that places the client or therapeutic process at risk.



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## Before we talk about anything else

- ▶ How to manage ethical and boundary violations:
  - Culture: No secrets (repeat X3)
  - All staff make clear to others there are no secrets anywhere (repeat X3)
  - This is for the safety of clients and the program alike
  - Make every attempt to involve the other person



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# SECRECY IS WEAKNESS

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## Examples

- ▶ I'm not sure this is such a good idea. Let's both go talk to the director.
- ▶ We both know that this can't stay secret. Would you like to speak with the director before I do, or should we both go together?
- ▶ We can't be in this situation alone. It would be bad for the kids, the program, and us. We need to talk to the director



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What happens in programs that have few or no complaints?



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## Encouragement

(thanks to Jim Worling)



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## Our work environments

- ▶ Expect hard work and professional development (deliberate practice)
  - (“when do I start?”)
- ▶ Everyone is responsible for their own morale
  - Step up to the plate
- ▶ Part of drawing a paycheck is showing up to work...
  - Ready, willing able
  - Rested

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## Think prevention



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## An ounce of prevention

- ▶ Documentation
  - Why document?
    - Contractual obligations
    - If we were all hit by a bus...
    - Protection of all parties
  - If it's not on paper it doesn't exist




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## What makes the professional?

- ▶ Dress Code
- ▶ Showing up – timeliness
- ▶ Follow-through
- ▶ Open Mind
- ▶ Presentation of self – manners, etc.
- ▶ Life-long commitment – who you have been to this young person and their family can never change.




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## #1: Team Spirit

- ▶ Everyone is depending on you
- ▶ Be on time, do what you say you'll do
- ▶ Be helpful
- ▶ Give more than you get




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## Do no harm

- ▶ No sex
- ▶ NEVER say bad things about clients or their families
- ▶ No scared straight
- ▶ Be strength-driven, not symptom-driven

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## Dual Relationships



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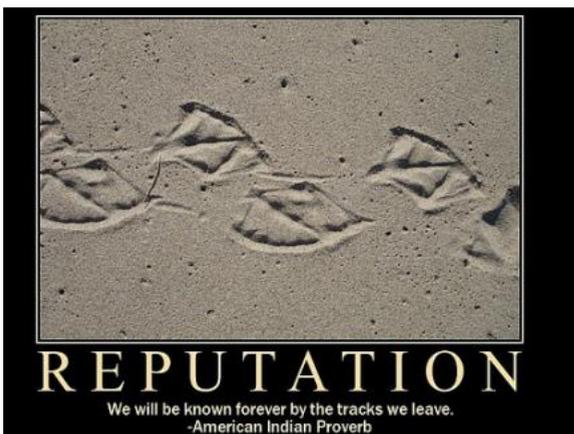
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## Kindergarten

Most of what I really need to know about how to live, and what to do, and how to be, I learned in Kindergarten. Wisdom was not at the top of the graduate school mountain, but there in the sandbox at nursery school. These are the things I learned:



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## Kindergarten

- ▶ Share everything.
- ▶ Play fair.
- ▶ Don't hit people.
- ▶ Put things back where you found them.
- ▶ Clean up your own mess.
- ▶ Don't take things that aren't yours.
- ▶ Say sorry when you hurt somebody.



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## Kindergarten

- ▶ Wash your hands before you eat.
- ▶ Flush.
- ▶ Warm cookies and cold milk are good for you.
- ▶ Live a balanced life.
- ▶ Take a nap every afternoon.
- ▶ When you go out into the world, watch for traffic, hold hands, and stick together.



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- ▶ Thank you!
- ▶ Be safe!
- ▶ See you Soon!

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