



Gov. Edwards (Courtesy photo)

Governor Holds at Phase Two for Now

On June 25 Gov. John Bel Edwards extended Phase Two of reopening in Louisiana for another 28 days, as new COVID-19 cases and hospitalizations increased across the state.

"We have watched with concern as cases continue to rise in Louisiana, which is why we are pausing the state in Phase Two for now. Data from the last three days makes it crystal clear that Louisiana is not ready to move to Phase Three just yet," Gov. Edwards said.

More than 3,000 Louisianans have died from complications of COVID-19, and over 65,000 confirmed cases. Louisiana has also pushed to increase testing, exceeding its goal of 200,000 tests for the month of June already.

"... None of us wants to go back to a time of greater restrictions, which is why it is incredibly important that all Louisianans take the necessary mitigation measures to slow the spread of COVID-19 in the state," said the Gov. Edwards, "including wearing cloth masks or face coverings when they are in public, staying home if you are sick or experiencing symptoms, keeping six feet of social distance and washing their hands frequently."

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Legislature Wraps It Up

The Louisiana Legislature concluded the Extraordinary Session on June 30, focusing on budget issues and the coronavirus emergency.

Both House and Senate approved a \$34 billion spending plan which was shored up by federal virus relief funding. The plan sets Louisiana up for future financial problems if state tax collections don't rebound from the slump related to the virus.

Gov. Edwards called the budget a "workable" proposal that protects programs and services.

"For the most part this is a standstill budget with some cuts to higher education and some federal help," Chairman Zeringue said.

Gov. Signs Measure Redefining Dyslexia

The Governor signed HB 871 into law as Act 206 to replace the current definition of dyslexia under the State Board of Education. Laura Cassidy, MD, owner of Louisiana Key Academy and wife of U.S. Senator Bill Cassidy, supported the measure and testified at the committee hearing that the

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Could More Police Psychology Help?

by Julie Nelson

"Start to finish, in that nine minutes you see a murder in progress," Tom Fuentes, former FBI Assistant Director and vice president at Morris & McDaniel, told Channel 11 of Pittsburgh. George Floyd's death was the worst case of police brutality he's seen in more than 30 years of law enforcement, Fuentes told the reporter. The officer, Derek Chauvin, should never have been hired, he said.

Morris & McDaniel, with Dr. David Morris, a Louisiana licensed industrial-organizational psychologist, as founder, conducts psychological testing for police applicants around the world. Dr. Lana Whitlow directs the New Orleans Regional Office, where she and Morris focus on using multiple procedures to screen candidates in order to reduce problems from individuals hired or promoted.

Fuentes told the reporter that Chauvin exhibited sociopathic behavior and that this tendency, while seven percent in the general population, jumps up to more than 40 percent in applicants for law enforcement, Fuentes said. Dr. Morris and his

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Dr. Charles Burchell and Dr. Penny Dralle (R) at a past meeting. Both have been active in Police Psychology, a specialty area involving assessment and training for law enforcement and security personnel. Dr. Tom Hannie is in left background.

Editorial Page – Opinions

Three Tips for Making Things Better

by Julie Nelson

Reporting on police psychology in this month's issue, and the excellent work psychologists do to help police and communities build competence, causes me to think about how we can better bring these talents to others.

While President Trump's Executive Order on safe policing seems to be a good start, he framed the problem in a way that suggested he is unfamiliar with the whole array of interventions that police psychologists can offer, the multiple levels of the social system. As examples, Dr. Susan Tucker and Dr. Mkey Bonner both work at multiple levels in their communities, and their interventions are hard to understand even for trained professionals much less the lay public. Organized psychology has done very little to educate the public, so I give the President a pass. The responsibility is ours.

The recent tragic events and ensuing chaos have me brooding again about psychology's contribution, or lack of it more accurately, and what we can do to help our community's problem-solving in matters that are in our wheelhouse.



#1. First, we should try and work at the highest level of abstraction that we can. Einstein said, "We cannot solve our problems with the same thinking we used when we created them." Staying at the highest look-out point on the mountainside helps avoid a host of issues. At the very least, we could stay out of Red vs Blue politics and other subgroups, like the medical–pharmaceutical–hospital industrial complex. If the public is going to trust us, and listen to us, as Scott Lilienfeld suggests, we have to stick to science, and only science.

#2. Related to #1, we must refuse to participate in any binomial thinking and the bias it causes. One of the important things psychologists can do is to help others understand that social conflicts and problems are multivariate not univariate. Binomial thinking leads to poor problem definitions, faulty solutions, and often polarized behavior. If we can help others embrace the complexity of human behavior, we'll be a step closer to real understanding. As Poul Anderson said, "I have yet to see any problem, however complicated, which, when looked at in the right way, did not become still more complicated."

#3. After we have confirmed that we are scientifically honest and thinking at the highest level of the system, we can create theoretically and empirically sound positions and share this information with others. Information is one of the best and least expensive system interventions.

However, communicating our message is organized psychology's biggest challenge and may be our most serious failing. We just cannot seem to lose the jargon, clutter, and psychobabble. Novelist Doris Lessing said, "It is one of the paradoxes of our time that ideas capable of transforming our societies, full of insights about how the human animal actually behaves and thinks, are often presented in unreadable language."

If we can clarify our messages, then maybe we can find ways to overcome our reluctance to step up to the public microphone. In *Leading Change*, John Kotter points out we must communicate much more than we think we need to—100 times or even 1000 times as much.

If we can somehow get #1 and #2 right, then communication just might empower psychology to help make things a little better.

[Julie Nelson is a licensed psychologist, journalist, organizational consultant, and publisher of the Times. She also holds other positions in the community. However, her opinions here are those of her own, and do not represent any group or association. She and the Times receive no compensation other than paid advertising. Email her at drj@drjulienelson.com, —she welcomes feedback.]

The Psychology Times

Member, Louisiana Press Association

Published monthly
by Nelson News, LLC.
psychologytimes@drjulienelson.com

Publisher: Julie Nelson, PhD

Journalism Consultant:
Robert Holeman,
*Editor (Ret.), The Coushatta Citizen,
Winn Parish Enterprise.*

Columnists/Reporters:
Susan Andrews, PhD, Alvin Burstein, PhD

Cartoonist: Jake Nelson-Dooley,
Johnny Hawkins

Photography: Mike Dooley, MBA
Tom Stigall, PhD

Copy editor: Susan Brown

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Corrections & Clarifications

We did not receive any corrections for last month's issue.
Send your corrections to:
psychologytimes@drjulienelson.com

Trump Issues Ex Order on Safe Policing with Emphasis on Hiring, Training, and Community

On June 16, President Trump issued an Executive Order with guidelines for improving safe policing in communities.

In the Order, he directed agencies to assess their current practices. Specifically, state and local law enforcement agencies are to constantly assess and improve their practices and policies to ensure transparent, safe, and accountable delivery of law enforcement services to their communities. Independent credentialing bodies can accelerate these assessments, enhance citizen confidence in law enforcement practices, and allow for the identification and correction of internal deficiencies before those deficiencies result in injury to the public or to law enforcement officers, the President noted.

The President also banned chokeholds, stating that the State or local law enforcement agency’s use-of-force policies prohibit the use of chokeholds — a physical maneuver that restricts an individual’s ability to breathe for the purposes of incapacitation — except in those situations where the use of deadly force is allowed by law."

The Attorney General is to create a database to coordinate the sharing of information between and among Federal, State, local, tribal, and territorial law enforcement agencies concerning instances of excessive use of force related to law enforcement matters, accounting for applicable privacy and due process rights.

In section 4 on "Mental Health, Homelessness, and Addiction," the President indicated several areas reforms. These included the following:

The Attorney General, in consultation with the Secretary of Health and Human Services as appropriate, is to identify and develop opportunities to train law enforcement officers with respect to encounters with individuals suffering from impaired mental health, homelessness, and addiction; to increase the capacity of social workers working directly with law enforcement agencies; and to provide guidance regarding the development and implementation of co-responder programs, which involve social workers or other mental health professionals working alongside law enforcement officers so that

they arrive and address situations together.

The Attorney General is to propose new legislation to enhance the tools and resources available to improve law enforcement practices and build community engagement.

This includes recommendations to enhance current grant programs to improve law enforcement practices and build community engagement, including through:

- (i) assisting State and local law enforcement agencies with implementing the credentialing process described in section 2 of this order, the reporting described in section 3 of this order, and the co responder and community-support models described in section 4 of this order;
- (ii) training and technical assistance required to adopt and implement improved use-of-force policies and procedures, including scenario-

- driven de-escalation techniques;
- (iii) retention of high-performing law enforcement officers and recruitment of law enforcement officers who are likely to be high-performing;
 - (iv) confidential access to mental health services for law enforcement officers; and
 - (v) programs aimed at developing or improving relationships between law enforcement and the communities they serve, including through community outreach and listening sessions, and supporting non profit organizations that focus on improving stressed relationships between law enforcement officers and the communities they serve.
- The Executive Order can be found at <https://www.whitehouse.gov/presidential-actions/executive-order-safe-policing-safe-communities/>

Gov. Declares Juneteenth Observance Day

In June, Gov. Edwards declared June 19, 2020, as Juneteenth Observance Day in Louisiana to celebrate the day in 1865 when the last remaining enslaved African Americans were freed.

"On Juneteenth, we celebrate the end of slavery in America and we honor the history and contributions of African Americans in our country. Juneteenth is a celebration of freedom and justice and it is a reminder of the strength and resolve of African Americans throughout history," Gov. Edwards said. "Honoring Juneteenth gives us all an opportunity to develop a greater and deeper understanding and appreciation of the experiences of African Americans. As we take time to reflect on Juneteenth today, may we all recommit ourselves to the ongoing fight for equity and justice."

In 2003, the state Legislature recognized in statute, the third Saturday in June as Juneteenth Day, the oldest African American holiday, throughout Louisiana.



Cerwonka vs LSBEP
Judge Rules Ms. Monic Entitled to Immunity
continued

A jury trial had been scheduled for June 4, 2020, but Judge Michael Juneau ruled in February on a Motion for Summary Judgment and arguments by Atty. Gen. Jeff Landry, ending the dispute. A representative from Cerwonka's legal firm said that there would be no appeal.

The Louisiana State Board of Examiners of Psychologists is the law enforcement and regulatory agency for the practice of psychology.

In August 2017, Dr. Cerwonka filed a lawsuit in the United States District Court Western District of Louisiana Lafayette division. In his complaint, Cerwonka and his attorneys alleged that the board acted on an interim basis before any hearing had taken place, that Cerwonka was denied a proper opportunity to defend himself against specific charges, that an emergency action was taken because he exercised his right to free speech, and that evidence was manipulated and obtained illegally. Among these and other violations of his rights, he and his attorneys also noted that the prosecuting attorney for the board had previously represented Cerwonka in a hotly contested custody battle and that the attorney had information that, allegedly, was used in the board's prosecution.

In January 2018, Cerwonka and his attorneys amended the complaint against the psychology board to include Executive Director Jamie Monic.

In March 2018, Magistrate Judge Carol B. Whitehurst recommended dismissal based on lack of federal jurisdiction, writing, "The Eleventh Amendment bars an individual from suing a state in federal court unless the state consents or Congress has clearly and validly abrogated the state's sovereign immunity."

United States District Judge Robert James agreed, and issued a Judgment on April 18, 2018, stating, "After an independent review of the record, and consideration of the objections filed, this Court concludes that the Magistrate Judge's report and recommendation is correct and adopts the findings and conclusions therein as its own." Therefore, Judge James dismissed the matter in part on the grounds that the state is immune. However, a second aspect of the suit continued, naming the Executive Director as an individual.

On April 18, 2019, in response to another Motion to Dismiss, Judge Juneau ordered that a Motion to Dismiss was partly granted and

partly denied, leaving Ms. Monic as the sole defendant.

In late 2019, Ms. Monic and her attorneys at the state requested a jury trial. Judge Juneau granted the unopposed Motion to reset the Bench Trial to a Jury Trial, and scheduled the matter for June 4, 2020 in Lafayette.

On December 19, 2019, Atty. Gen. Jeff Landry submitted a Motion for Summary Judgment and memorandum in support of the motion.

Landry wrote, "Plaintiff cannot prove the Jaime Monic acted outside of the scope of her duties. Absent evidence that Ms. Monic acted outside of the scope of her duties, she is clearly entitled to absolute immunity. Alternatively, Ms. Monic is entitled to qualified immunity as her actions were reasonable actions to assist the Psychology Board is carrying out its duty to protect the public. Plaintiff cannot demonstrate any violation of a clearly established law and therefore, has no claim pursuant to 42 U.S.C. §1983 against Ms. Monic."

Defending attorneys argued, "... all of the facts alleged arise out of Ms. Monic's performance of her official duties. It is clear from Ms. Monic's deposition that Ms. Monic never acted outside her official capacity."

"Qualified immunity protects public employees and officials from individual capacity suits under 42 U.S.C. §1983 for performance of 'discretionary duties' when their actions are reasonable regarding the rights allegedly violated." They quoted that, "Qualified immunity protects public officials from suit unless their conduct violates a clearly established constitutional right."

Cerwonka's attorneys argued that the Supreme Court has refused to extend absolute immunity beyond a very limited class.

"Absolute immunity extends only to those 'whose special functions or constitutional states requires complete protection from suit.' However, 'state executive officials are not entitled to absolute immunity for their official actions.'"

And, they argued that, "In professions requiring specific licenses, 'the licenses are not to be taken away without procedural due process required by the Fourteenth Amendment,'" wrote the attorneys.

"An essential principle of due process is that a deprivation of life, liberty, or property be preceded by notice and opportunity for hearing," said the attorneys for Cerwonka.



Dr. Leah Crouch(L) listens to psychology board Ex. Director Jaime Monic at a past meeting. A Judge ruled that Ms. Monic had immunity to being sued.

State Supreme Court Says to Release Psychological Eval in Alton Sterling Civil Case

The Louisiana Supreme Court ruled in May that the psychological pre-employment evaluation of Blaine Salamoni must be turned over to attorneys for the family of Alton Sterling.

Salamoni was one of the two officers involved in the 2016 death of Alton Sterling in Baton Rouge. Mr. Sterling was fatally shot on July 5, 2016 outside the Triple S Foodmart on N. Foster Drive in Baton Rouge.

In a report by Joe Gyan, Jr. of the *Advocate*, Salamoni's attorney said that the ruling by the state Supreme Court does not mean that the psychological evaluation will be put before the jury. Attorneys for Sterling's family disagreed, and said that the information is very relevant, reported the *Advocate*.

Last summer District Judge Michael Caldwell ordered the city to release the evaluation which had been used in the police department's hiring process.

Salamoni's attorneys argued that the information was part of medical privacy but the Sterling family attorneys disagreed and said that it was a hiring tool.

Salamoni's attorneys appealed Caldwell's ruling but the First Circuit denied the appeal.

While the Supreme Court modified Caldwell's ruling slightly—so that the psychological evaluation could not be released to the public—they supported the release of the information to the attorneys.

The *Advocate* report notes that the Sterling family lawsuit is set for March of next year.

Dr. Nicholas Cummings Dies

Dr. Nicholas A. Cummings, PhD, who many regard as a visionary and trail-blazer in professional psychology, passed away on June 9, 2020. He was almost 96. His wife of 74 years, Dorothy, his two children, Dr. Janet Cummings and Andrew Cummings, two grandchildren, Mary and Kent, and two recently born great grand children survive him.

Gov. Signs Measure Redefining Dyslexia, continued

change updated the language to conform to current science.

HB 871 was substituted for the original version, HB 391, which was scrapped due to the \$1.7 million price tag that the Legislative Fiscal Office placed on the measure.

Representative Marino, the primary author, stated that the effort had originally included both changes to screening students and to their education programs. However, the \$1.7 million estimate caused legislators to back off the original proposal. Rep. Marino told the committee that he would be back again to advance the entire effort.

The new law replaces the current language: "(i) 'Dyslexia' shall be defined as a language processing disorder which may be manifested by difficulty processing expressive or receptive, oral or written language despite adequate intelligence, educational exposure, and cultural opportunity. Specific manifestations may occur in one or more areas, including difficulty with the alphabet, reading comprehension, writing, and spelling."

Also replaced is: "B. For purposes of this Section, 'dyslexia' shall be defined as difficulty with the alphabet, reading, reading comprehension, writing, and spelling in spite of

adequate intelligence, exposure, and cultural opportunity."

The new law redefines dyslexia as "an unexpected difficulty in reading for an individual who has the intelligence to be a much better reader, most commonly caused by a difficulty in phonological processing, which affects the ability of an individual to speak, read, and spell. 'Phonological processing' means the appreciation of the individual sounds of spoken and written language."

Tim Mathis of the Legislative Fiscal Office authored a Fiscal Note about the scrapped HB 391 and the \$1.7M price tag, and excerpts are:

"Proposed law creates a dyslexia screening program administered to each student in the second half of kindergarten or upon teacher or parental request, comprised of a screener solely developed for dyslexia, evidence-based with psychometric validity, and used for the sole purpose of determining a student's at-risk status for dyslexia. Prohibits schools from using a single test score or specific number of characteristics for the diagnosis of dyslexia, and adds tests of language, reading, fluency, spelling, and intellectual ability.

"Local school districts are likely to incur significant costs to align

current dyslexia screening practices with the requirements proposed by this measure," Mathis wrote.

"Current law requires schools to screen for the following impediments at least once in kindergarten through third grade: dyslexia, attention deficit disorder, and factors placing students at-risk of dropping out of school.

"The proposed legislation would require dyslexia screening to occur earlier in the second half of kindergarten. It would also prohibit the use of progress monitoring tools and require that schools use an instrument developed solely for dyslexia which is evidence-based with published psychometric validity. As such, districts will be required to purchase a new screening instrument, while maintaining existing screening instruments and processes for other impediments as required by law. **Per the LDE, districts would spend approximately \$1.7 M to purchase and administer the Shaywitz Dyslexia Screen for the 54,072 kindergarteners enrolled in public schools.**

"Based on feedback from district pupil appraisal professionals, the proposed legislation may require schools to make a diagnosis, which is not the current practice. This could increase district liability

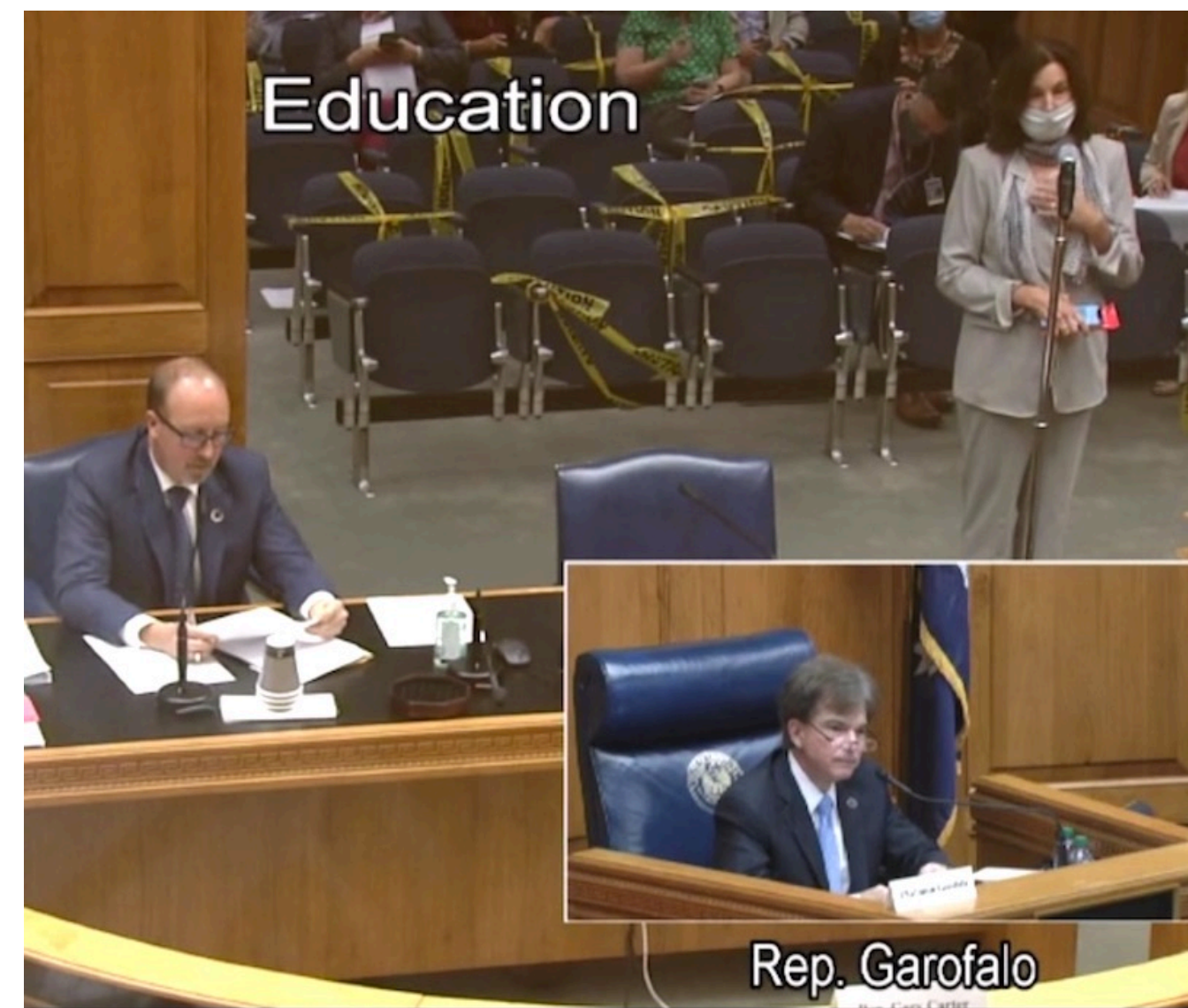
and require increased staffing needs for qualified professionals. Further, screening all students in kindergarten could have an unintended consequence of misidentifying children who may suffer from dyslexia, either due to the maturity level of the child or socioeconomic conditions, resulting in additional levels of assessment and intervention than would otherwise be unnecessary," wrote Mathis.

Laura Cassidy, M.D., is wife of Senator Bill Cassidy, who is also a physician and U.S. Senator, and who together "co-founded the Louisiana Key Academy, a public charter school focusing on children with dyslexia in East Baton Rouge and the surrounding parishes," according to Senator's website.

At the December 5, 2016 meeting of the Louisiana State Board of Medical Examiners, the board members said that as long as physicians had training in the analysis of testing used to diagnosis dyslexia, he or she "may be qualified to sign off on such testing."

The board members were asked by Laura Cassidy, MD, if physicians are allowed to sign off on test results, "or must it be a psychologist."

The minutes noted: "[...] Following review and discussion, it was the consensus of the [Medical] Board to prepare a draft for approval at the next meeting of the Board to advise Dr. Cassidy there are no limitation on the scope of practice for Louisiana licensed physicians, as long as it is within their education, training and experience. To do so would be considered unprofessional conduct by the Board, and as long as the physician has had training in the analysis of testing used to diagnose dyslexia he or she may be qualified to sign off on such testing. With respect to credentialing there may be other qualifications and/or clinical restrictions imposed by hospitals or similar institutions."



Laura Cassidy, MD, speaking at microphone in favor of changes in definition of dyslexia. Rep. Marina seated left.

State & National News

Ex. Order Aims to Boost Valid Assessments for Federal Hiring/Selection

On June 26, the President issued an Order to modernize and reform the hiring process for federal work candidates.

In the introduction, President Trump wrote, "America's private employers have modernized their recruitment practices to better identify and secure talent through skills- and competency-based hiring. As the modern workforce evolves, the Federal Government requires a more efficient approach to hiring.

"Employers adopting skills- and competency-based hiring recognize that an overreliance on college degrees excludes capable candidates and undermines labor-market efficiencies. Degree-based hiring is especially likely to exclude qualified candidates for jobs related to emerging technologies and those with weak connections between educational attainment and the skills or competencies required to perform them.

"Moreover, unnecessary obstacles to opportunity disproportionately burden low-income Americans and decrease economic mobility.

"My Administration is committed to modernizing and reforming civil service hiring through improved identification of skills requirements and effective assessments of the skills job seekers possess. We encourage these same practices in the private sector. Modernizing our country's processes for identifying and hiring talent will provide America a more inclusive and demand- driven labor force.

According to the President, this effort "...directs important, merit-based reforms that will replace degree-based hiring with skills- and competency-based hiring and will hold the civil service to a higher standard — ensuring that the individuals most capable of performing the roles and responsibilities required of a specific position are those hired for that position — that is more in line with the principles on which the merit system rests.

The President is directing the heads of the Office of Personnel Management and Office of Management and Budget, the Assistant to the President for Domestic Policy, and the heads of agencies, to review and revise all job classification and qualification standards for positions within the competitive service, and that changes to job classification and qualification standards shall be made available to the public within 120 days. Reforms include the following:

An agency may prescribe a minimum educational requirement for employment in the Federal competitive service only when a minimum educational qualification is legally required to perform the duties of the position in the State or locality where those duties are to be performed.

Position descriptions and job postings published by agencies for positions within the competitive service should be based



on the specific skills and competencies required to perform those jobs.

Section 3 of the Order addresses "Improving the Use of Assessments in the Federal Hiring Process."

"(a) In addition to the other requirements of this order, the Director of OPM [Office of Personnel Management] shall work with the heads of all agencies to ensure that, within 180 days of the date of this order, for positions within the competitive service, agencies assess candidates in a manner that does not rely solely on educational attainment to determine the extent to which candidates possess relevant knowledge, skills, competencies, and abilities. The heads of all agencies shall develop or identify such assessment practices. (b) In assessing candidates, agencies shall not rely solely on candidates' self-evaluations of their stated abilities. Applicants must clear other assessment hurdles in order to be certified for consideration. (c) Agencies shall continually evaluate the effectiveness of different assessment strategies to promote and protect the quality and integrity of their hiring processes.

"For purposes of this order: (a) the term "assessment" refers to any valid and reliable method of collecting information on an individual for the purposes of making a decision about qualification, hiring, placement, promotion, referral, or entry into programs leading to advancement;..."

The Order is available at <https://www.whitehouse.gov/presidential-actions/executive-order-modernizing-reforming-assessment-hiring-federal-job-candidates/>

Gov. Announces Appointments to Boards in June

On June 23, Gov. Edwards announced his appointments to several Louisiana boards and commissions.

Alfred R. Tuminello Jr. of Baton Rouge was reappointed to the Louisiana Behavior Analyst Board. Tuminello is the director of the McNeese Autism Program and was nominated by the Louisiana Behavior Analysis Association.

Angela B. Murray of Rayne was appointed to the Louisiana Behavior Analyst Board. Murray is the clinical director of the Therapy Center of Acadiana and was nominated by the Louisiana Behavior Analysis Association.

On June 12, Gov. Edwards appointed Tewabetch Negatu Ph.D. of Baton Rouge to the Louisiana Commission on HIV, AIDS, and Hepatitis C Education, Prevention, and Treatment. Negatu is a community specialist and will represent the Office of the Governor.

Tewabetch Negatu, Ph.D. was also appointed to the Governor's Council on Homelessness.

The Governor appointed Amber J. Boykin to the Governor's Advisory Council on Disability Affairs.

Act 137 Creates Autism Designation for Driver's License, Police Training

HB 317, signed into law as Act 137, by the Governor, establishes an autism spectrum disorder designation for a person's driver's license. The new law authorizes an applicant for a driver's license who has autism spectrum disorder to request a designation and requires the designation to be placed on his driver's license. The applicant is to provide a sworn statement from a qualified medical or mental health professional licensed in Louisiana or any U.S. state or territory verifying his disability and prohibits any additional fee for the designation.

"Upon request of an applicant for a driver's license, a designation that the applicant has autism spectrum disorder shall be exhibited on the driver's license upon presentation of a statement from a qualified medical or mental health professional licensed in Louisiana or any other state or territory of the United States verifying the applicant's disability as established by administrative rule. The qualified medical or mental health professional shall be authorized to diagnose autism spectrum disorder."

The new law requires the Dept. of Public Safety and Corrections, public safety services, to establish and implement a law enforcement training course. The new law requires the course to instruct law enforcement officers on sensitivity and awareness to ensure equitable treatment and how to effectively communicate and interact with persons who have autism spectrum disorder.

"At a minimum, the course shall include the following:
(a) Identification of indicators that a person has autism spectrum disorder.

(b) Identification of procedures that an officer should employ when encountering a person with autism spectrum disorder.
(c) Demonstrations of communication and interactive techniques required to effectively interact with a person with autism spectrum disorder.
(d) Explanations that provide law enforcement officers with an understanding of the developmental disability and examples of unexpected actions potentially taken by persons diagnosed with autism spectrum disorder.
(e) Explanations of the resources available to assist an officer encountering a person who has autism spectrum disorder.
(f) Descriptions of the procedures an officer should use to ensure compliance with the Americans with Disabilities Act when encountering a person with autism spectrum disorder."

Teen Pregnancy New Child Abuse Item for Mandatory Reporters

Act 122 adds an issue to the Children's Code, considerations of child abuse reporting regarding pregnancy of young girls.

The current language begins "... Notwithstanding any claim of privileged communication, any mandatory reporter who has cause to believe that a child's physical or mental health or welfare is endangered as a result of abuse or neglect or that abuse or neglect was a contributing factor in a child's death shall report in accordance with Article 610."

Act 122 adds new language, "(b) For purposes of this Article, the pregnancy of a child under the age of thirteen years shall constitute cause to consider whether the child has been abused."

The requirement became effective upon the Governor's signing.

Position Available Barksdale AFB Louisiana


PhD or PsyD
Licensed, APA accredited college or university with a doctoral degree in clinical or counseling psychology.

Barksdale AFB requires this Psychologist to meet the following standards: Must show proof of training (a certificate of completion of training on Cognitive Processing Therapy, or Prolonged Exposure Therapy, or Eye Movement Desensitization and Reprocessing Therapy by a continuing education provider) and ability to deliver an Evidence Based Treatment modality to treat Post Traumatic Stress Disorder.

Contact Claudia Garcia for more information
Senior Talent Acquisition Specialist
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Act 258 Lays Out Legal Alternative to Interdiction for Adults with Disabilities

House Bill 361 amends the Civil Code to offer a legal option to interdiction for adults with disabilities. The measure called the Dustin Gary Act was signed by the governor last month and aims to recognize a less restrictive decision-making process for adults with disabilities who need assistance with decisions of daily living.

In the new law "Adult" means an individual with a disability as defined by the Americans with Disabilities Act of 1990 who has attained eighteen years of age or who is an emancipated minor.

The new law defines "supported decisionmaking" as "a process of supporting and accommodating an adult to enable the adult to make life decisions, including decisions related to where the adult wants to live, the services, supports, and medical care the adult wants to receive, with whom the adult wants to live, and where the adult wants to work, without impeding the self-determination of the adult."

An adult may voluntarily, without undue influence or coercion, enter into a supported decisionmaking agreement with a supporter under which the adult authorizes the supporter to ... " aid them in decisions.

According to the new law, a supporter shall do all of the following:

- (1) Support the will and preference of the adult and not the supporter's opinion of the adult's best interests.
- (2) Act honestly, diligently, and in good faith.
- (3) Act within the scope set forth in the adult's supported decisionmaking agreement.
- (4) Avoid conflicts of interest.

A supporter is prohibited from doing all

of the following:

- (1) Exerting undue influence upon the adult.
- (2) Obtaining, without the consent of the adult, information relating to the adult acquired for a purpose other than assisting the adult in making a specific decision authorized by the supported decisionmaking agreement.
- (3) Acting outside the scope of authority provided in the supported decisionmaking agreement.

A supported decisionmaking agreement terminates for a variety of reasons.

The adult subject of the supported decisionmaking agreement revokes the agreement under R.S. 13:4261.206.

The named supporter can revoke his participation in writing without naming successor supporters.

A court of competent jurisdiction may determine that the adult does not have capacity to execute or consent to a supported decisionmaking agreement.

A court of competent jurisdiction may determine that a supporter has used the supported decisionmaking agreement to commit financial exploitation, abuse, or neglect of the adult.

A court of competent jurisdiction may appoint a temporary or permanent guardian for the person or property of the adult, unless the court's order of appointment does all of the following: (a) Expressly modifies but continues the supported decisionmaking agreement. (b) Limits the powers and duties of the guardian.

The adult may sign a valid durable power of attorney, except to the extent that the power of attorney expressly continues, in whole or in part, the supported decisionmaking agreement.

Psychological Data to be Made Available for Parole Hearings

The Governor signed House Bill 338 by Representative Duplessis into law adding certain information to consideration of the parole committees for offenders. Act 103 adds "the physical, mental, or psychiatric condition of the offender when such information is available," to existing language.

The effort amends laws under criminal procedures regarding reports to the parole committee.

The updated language is, "Whenever the committee orders a parole hearing to be held, the Department of Public Safety and Corrections shall secure a report with respect to the personality of the offender, his social history, his adjustment to authority, the physical, mental, or psychiatric condition of the offender when such information is available, and his prison record, and may include any recommendation with reference to the release of the offender on parole."

Act 275 Directs Boards to Waive Certain Fees and Offer Payment Plans

Act 275 provides that licensing boards shall waive any fee charged for an initial license or examination to any individual who is otherwise qualified to receive a license and meets certain requirements:

- Receives public assistance including, but not limited to the following: Supplemental Nutrition Assistance Program. Temporary Assistance for Needy Families. Medicaid. Disability insurance. Public housing.
- Earns less than two hundred percent of the current federal poverty

The new law also directs that licensing boards shall provide payment plans in lieu of full license and examination fee payments for initial applications and examinations to all individuals who apply, except for an individual who applies for a certificate of license who would otherwise be unqualified pursuant to this Title. Total fees paid by payment plans shall not exceed the amount an individual paying the full examination and licensing fee would otherwise pay. An individual who is in good standing with the licensing board and has been provided a payment plan shall have twelve months from the date of the first scheduled payment to pay the account in full. The provisions of this Section shall apply only to licensing boards that directly administer their own examinations.



State & National News

Dr. Hesson's §2255 Petition Closed Then Reopened Due to Covid

On May 6 Judge Carl Barbier, US District Court for the Eastern District of Louisiana, ruled in favor of the government and against Dr. Rodney Hesson, dismissing Hesson's petition to vacate his sentence.

Then on May 21, Judge Barbier vacated his May 6 ruling and reopened the case after receiving a filing from Hesson that outlined the Covid-19 lockdown at the Oakdale correctional facility, Hesson's Covid-19 illness, and quarantine.

Dr. Hesson was at the center of the 2015 high profile Medicare fraud case that also resulted in convictions of two other well-respected psychologists in the community, Dr. Beverly Stubblefield and Dr. John Teal. Hesson filed the 829-page petition in late 2019, alleging violation of his Constitutional rights to a fair trial due to inadequate representation.

In a hand lettered motion to the Court, filed on May 14, Dr. Hesson declared, under penalty of perjury, that the Federal Correction Complex–Oakdale was on lockdown status since March 21 because of the coronavirus pandemic. Hessen had been confined, and at some points all day long and at other points most of the day, he wrote, to an 8' by 10' cell, without access to telephone, email, or the computer. All attorney-client visits were halted by the officials.

In March Hesson developed difficulty breathing and a persistent cough and was taken to the prison hospital for evaluation, he explained. Then he was transferred to an isolation unit for inmates suspected of having Covid-19 infections. He continued in isolation, was suspected positive, and then diagnosed with Covid 19. Then, he was transferred to post-isolation.

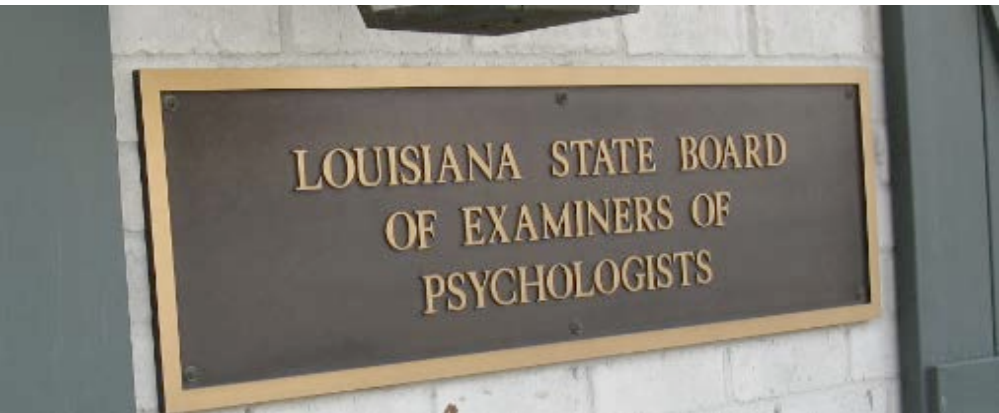
Hessen explained that he could not communicate with his attorney, that he mailed a response to the court under prison mailbox rules, and as instructed, gave the letter to the officers on duty, sliding it under the door of his cell.

In late April he was transferred back to his regular unit and was finally able to contact his attorney. He soon found out that his April motion for extension had never been filed or placed on the docket.

In this most recent motion, Hesson asked for the opportunity to respond to the government's arguments and for a 90-day extension. He urges Judge Barbie to grant him the right to reply to the arguments.

Judge Barbier reopened the case. He wrote: "On May 6, 2020, the Court issued its Judgment denying Hesson's Section 2255 petition for habeas relief (Rec. Doc. 406). On May 14, 2020, the Court received the present filing. As a Judgment has already been rendered in this matter, the Court will construe Hesson's request as a Rule 59 Motion to Amend or Alter said Judgment.

"Considering Hesson's Covid-19 diagnosis forced him into quarantine during the bulk of the timeframe allotted for him to formulate his reply, his unworn declaration under penalty of perjury that he timely and properly placed a previous Motion for Extension of Time in the prison mailbox system, and the Government's lack of opposition to the request, **IT IS HEREBY ORDERED** that the motion is **GRANTED**, Rodney Hesson's Section 2255 Petition (Rec. Doc. 386) is reopened."



From the Minutes Selected Items from May Minutes of the Louisiana State Board of Examiners of Psychologists (LSBEP)

COMMITTEE AND LIAISON REPORTS

5. Legislative Oversight Committee – Update on AdHoc Legislative Collaborative Committee (ALCC) - Ms. Monic reported that the ALCC has met approximately four times, spending the majority of time on the registration of unlicensed assistants, but with progress on the definition of the practice of psychology. Dr. Gormanous stated he is optimistic and sees the group moving in a good direction and making progress. Mr. McNeely agreed that the group is moving in a good direction. Dr. Kim VanGeffen, a member of the ALCC added that the committee has been working very hard. Ms. Monic summarized the reason for the discussion item was to make the LSBEP aware that although not previously identified, there were concerns related to the registration of assistants as it relates to an LSSP who is working under the supervision of a licensed psychologist. Ms. Monic reported that as a result, the LSSP Committee of the LSBEP was notified and a meeting was called to discuss the matter on Tuesday, May 19, 2020 [...]

6. Liaison to Professional Organizations and Boards - Dr. Gormanous reported that there had been some questions related to ASPPB's involvement with university education and training. Dr. Gormanous reported that it is his understanding that a taskforce has been or will be formed with a goal to find some degree of consistency on how to deal with the common issues that serve as barriers to licensure in the face of COVID-19. Dr. Gormanous suggested that LSBEP could be involved on the front end of this initiative should a board member or administrator want to participate on the taskforce. Dr. Henke expressed her interest. Dr. Gormanous agreed to look into the process of being approved to serve on the taskforce.

7. (NEW) Public and Professional Outreach Committee – Dr. Henke reported her attention has shifted to the Weekly Wednesday Update, but she intends to make a point of focusing on the LSBEP Newsletter once the response to the COVID19 emergency settles down.

10. Complaints Committee -
a. Complaint Status Report - Mr. Owens presented his Compliance Report for the period 03/07/20 – 04/03/20 as follows: Total number of Requests for Investigations received since last meeting: 0; Total number of Board initiated investigations since last meeting: 1; Total number of Open Active investigations: 15 (4 *against non-licensees*); 9 are Formal Complaints; 2 from FY17-18; 4 from FY18-19 3 from FY19-20; 4 are still under review by Complaints Coordinator Total number of cases closed as of the April 3, 2020 meeting: 1 Disciplinary Actions: 0; Applications w/ Arrest Info: 0

DISCUSSION/ACTION ITEMS

2. Policy and Procedures – Draft Revisions incorporating Compliance Officer – The Board reviewed and discussed changes to Policy and Procedures related to job description and duties of the Compliance Officer position. Dr. Gormanous moved in favor of adopting the revisions as discussed. The Board discussed the motion. The motion passed by roll call vote as follows: In favor: (5) Boggs, Henke, Gormanous, Gibson, McNeely; Against: 0; Abstained: 0; Absent: (1) Moore

5. Technology Proposal: CERTEMY - Ms. Monic reported that she and Mr. McNeely met with this company, following the April 3, 2020 Board Meeting where the board discussed moving into the current century with regard to technology fillable forms, electronic submission of documents and online applications. Following the review of the proposal that CERTEMY offered, the Board requested that CERTEMY be present at their next regularly scheduled meeting to address questions and concerns related to security of data, company experience.

7. 2020 Legislative Review -
a. SB458- Luneau - LSBEP Housekeeping Legislation - The Board discussed the newly identified issue of how an LSSP would be identified or exempted when considering the statutory provisions for registering assistants to psychologists. Taking into consideration the recommendation of the LSSP Committee and in order to facilitate and provide guidance to the ALCC, the board agreed that it would be appropriate for the ALCC to consider an exemption in some form for an LSSP who is currently licensed (having undergone a background check and vetted credentials) and providing the same services which they are qualified to offer in a school system.

Science & Education

OCD Louisiana to Hold Consultation Group for Mental Health Professions

The professional and advocacy group, OCD Louisiana, is organizing an OCD/OC Spectrum Disorders Consultation Group for mental health practitioners and trainees to discuss topics and learn about relevant resources to provide evidence-based treatment to individuals with OC spectrum disorders, according to President Dr. Kristen Fitch.

President Dr. Kristin Fitch previously explained, "OCD Louisiana is an official affiliate of the International OCD Foundation. OCD Louisiana aims to provide education, resources, and support to the local community to increase access to effective treatment and promote awareness about OCD and related disorders [Hoarding Disorder, Body Dysmorphic Disorder, Trichotillomania (Hair-Pulling Disorder), Excoriation (Skin-Picking) Disorder, and other related disorders. We hope to develop a community for those affected by OCD and related disorders and the professionals who treat them.

"Like our parent organization, OCD Louisiana is a donor-supported nonprofit organization run by volunteers. We welcome individuals who suffer from one of these conditions, [...]

Along with President is Kristin Fitch, PhD, OCD Louisiana is led by Vice-President Leslie Higgins, PsyD, Treasurer Michele Carroll, PsyD, and Secretary Melissa Dufrene, PsyD. Suzanne Chabaud, PhD and Gail Pesses, MSW, LCSW, are Board Members.

Those interested are invited to visit the website at ocdlouisiana.org

Dr. Katie Cherry Speaks on Humor and Coping for Coronavirus Pandemic

Dr. Katie Cherry, Professor of Psychology at Louisiana State University, provided expertise about coping with humor to ShareCare reporter Amanda MacMillan for the article, "Having Trouble Dealing With the Pandemic? It's Okay to Laugh—Humor can relieve stress and help us cope—but when and how you joke about tragedy makes a difference."

Dr. Cherry is the Emogene Pliner Distinguished Professor of Aging Studies as well as the Director of Research and Community Outreach, LSU Life Course and Aging Center. Her new book is *The Other Side of Suffering: Finding a Path to Peace after Tragedy*. Cherry summarizes 12 papers that provide an academic foundation for the six healing principles she presents: faith and humor; respect and gratitude; and acceptance and silver linings.

The ShareCare author writes, "Laughter can be good for us any time, but its health benefits may be especially important during periods of uncertainty. Chronic stress can contribute to harmful inflammation and weakened immune function, but studies suggest that laughing may reduce levels of stress hormones and bolster the immune system."

"Humor does have healing powers, Cherry says, but it's necessary to recognize that 'one size does not fit all when it comes to the choice of coping strategies.' And when it comes to using laughter to deal with life's stressors, she adds, 'sensitivity, discretion and respect are key.'"

Stress Solutions

by Susan Andrews, PhD

Sleep – More Important Than Ever

Research says the average American misses 200-300 hours of needed sleep each year. This is known as a sleep debt.

Studies suggest that healthy adults have a basal sleep need of seven to eight hours every night. Where things get complicated is the interaction between the basal need and sleep debt. For instance, you might meet your basal sleep need on any single night or a few nights in a row, but still have an unresolved sleep debt that may make you feel more sleepy and less alert at times, particularly in conjunction with circadian dips, those times in the 24-hour cycle when we are biologically programmed to be more sleepy and less alert, such as overnight hours and mid-afternoon.

What do obesity, chronic high stress, heart disease, diabetes, hypertension, and depression have in common? If you guessed sleep deprivation, my hat's off to you.

While there is no "magic number" of hours that we should sleep, it is now firmly established that you cannot lose weight if you do not sleep a solid 7-8 hours a night.

Cortisol is not the only factor that inhibits weight loss but it is a big one. Some physicians are willing to flatly state that you cannot lose weight if you do not get to bed early and get a solid 7 or 8 hours.

What getting a good night's sleep can do for you:

1. A good night's sleep has a positive effect on your blood pressure, meaning that for most of us it goes down at night. If your hours of sleep are interrupted or too short, your blood pressure may never fall low enough.
2. Insulin resistance is reduced by good sleep. Dr. Michael Breus, a psychologist and sleep specialist, emphasizes the fact that even short-term sleep loss (being awake for approximately 36 hours) can cause blood glucose levels to be higher than normal.
3. A routine schedule for sleeping will help your body keep its internal biological clock running smoothly. You will be more alert, with good reaction time and physical ability, in other words, less accident-prone.

How psychologists can help

Many psychologists are focusing on sleep habits in the patients they are treating. A study in the Journal of Clinical Sleep Medicine, looking at adults with insomnia, found that more than 85% of the study sample who completed 3 or more sleep-focused treatment sessions were able to nod off faster and stay asleep longer. A 6-month follow-up revealed that those patients who had 3 or more sessions spent significantly less money on health care and had fewer doctor visits – compared to the 6 months before their therapy sessions focused on sleep habits. The weekly therapy sessions included relaxation exercises and education on topics such as activities to avoid doing 2 hours before bedtime (like exercise, heavy meals, and smoking).



Dr. Susan Andrews is a Clinical Neuropsychologist, an award-winning writer/author (her book Stress Solutions for Pregnant Moms, published in 2013, has been translated into Chinese,) and 2016 Distinguished Psychologist of the Louisiana Psychological Association.

Dr. Buckner Named LSU Distinguished Faculty

Julie Buckner, PhD, Professor of Psychology and Director of Clinical Training, has been awarded the 2020 LSU Distinguished Faculty Award. This award recognizes faculty members with sustained records of excellence in teaching, research, and/or service.

Dr. Buckner is a Professor and Director of Clinical Training in the Department of Psychology at Louisiana State University and the Director of LSU's Anxiety and Addictive Behaviors Laboratory & Clinic. She is also a Clinical Associate



Dr. Buckner

Professor in the Department of Psychiatry at LSU-Health Sciences Center and a Visiting Professor at the London South Bank University School of Applied Sciences. She is also a licensed clinical psychologist.

Dr. Buckner's program of research primarily focuses on: (1) delineation of causal and maintaining factors implicated in substance use disorders, especially the role of affect-related vulnerability factors; and (2) development and evaluation of empirically-informed treatment and prevention protocols for substance use disorders, including treatment for co-occurring anxiety-substance use disorders.

Dr. Buckner has had over 150 publications and has been involved in several NIH grants. Earlier this year, Dr. Julie Buckner was named the G. Alan Marlatt Mid-Career Research Award winner for 2020, announced at this year's annual meeting of the Association for Behavioral and Cognitive Therapies (ABCT) Addictive Behaviors & Anxiety Disorders Special Interest Group.

Dr. Boudreaux Recognized for Lifetime Achievements

President of the Louisiana Psychological Association, Dr. Alan Coulter, named Dr. Ron Boudreaux for the LPA President's Award, at a June meeting of the association. Dr. Coulter pointed to Boudreaux's pioneering career in establishing a comprehension system of public mental health services for children, youth and families in Louisiana, and as the Chief Psychologist for the state Office of Mental Health, noted Coulter.

In the 1980s, Dr. Boudreaux became the director of children's services for the state Office of Mental Health. He later served as the Program Director for CASSP – the Child and Adolescent Service System Program, a federal grant-funded program to transform the then traditional community mental health clinic-based

service system to what is now recognized as the standard of care; i.e., child and family community-based services and supports offered throughout community settings, including homes and schools.

Dr. Boudreaux spearheaded development of innovative services such as child and family intervention teams, home-based crisis intervention programs, care management, and parent respite programs. He worked closely with judges to establish juvenile justice programs and reforms. And, he facilitated the development of a standard definition for the educational exceptionality of Emotional/Behavioral Disorder for use by the State Department of Education Bulletin 1508 to promote services and supports in schools.

In the 1990s, Dr. Boudreaux's work to establish a



Dr. Erin Reuther, center, with Dr. Lacey Seymour (L) and Dr. Lucinda DeGrange, front right.

Dr. Erin Reuther Honored for Service

The Louisiana Psychological Association (LPA) has named Dr. Erin Reuther, PhD, ABPP, recipient of the 2020 Distinguished Service Award, announced at a recent meeting.

This award is given to an individual who has made significant contributions to the professional field of psychology in Louisiana and beyond, by their professional service, noted to the officials.

The Awards Committee recognized Dr. Reuther for her dedication and leadership in legislative issues and as special task team leader for matters related to Covid-19, as well as for her accomplishments in the role of President-Elect.

"In her leadership of the Legislative Affairs Committee, Dr. Reuther has created an active work group of psychologists who have been monitoring legislation

which affects mental health issues in Louisiana. She is also leading LPA's efforts to gather and disseminate information on COVID-19 during a time of crisis for psychologists in the state.

"Through her work on these committees, Dr. Reuther has demonstrated the abilities of a true leader who is able to bring together psychologists of different backgrounds and to shape them into an effective work group," said the Committee. "In her role as President-Elect of LPA, Dr. Reuther has also provided outstanding leadership to the Executive Council."

Dr. Reuther is a licensed and board-certified clinical psychologist. She works at Children's Hospital New Orleans, providing patient care to children and adolescents with pediatric illness in both inpatient and outpatient health/pediatric psychology.

comprehensive system of care for children, youth and families continued under the Federal Block Grant State Mental Health Plan. He continued to build coalitions to integrate services across the state child-serving agencies, and through advocacy groups, such as the Federation of Families, and the State Mental Health Planning Council. During this time, Dr. Boudreaux was also promoted to the Chief Psychologist for state mental health system, and in this capacity provided policy/procedure development and operational command for

psychological services across the state, including internship programs. Dr. Boudreaux was very active in developing and implementing policies and procedures to divert children from hospitalization to less restrictive, more effective community-based care.

"Dr. Boudreaux's professional career is truly exemplary of the dedicated public service of a psychologist who has significantly advanced the state of the art of public mental health for children, youth and families in Louisiana," said Dr. Coulter.

A Shrink at the Flicks

Beanpole A Review by Alvin G. Burstein

This is a brilliant, daring 2019 Russian film directed by Katimir Balagov. It takes the American viewer to a place that many of us have never been, one in which survival is an open question. The circumstance of its actors being unknown to us makes them more real, gives their anguish more bite. The trials of their lives, grinding poverty, agonizing shame, crippling post-war injuries, are not familiar to many of us, but the central question posed by the film is stark and existential: what makes life worthwhile?

The question is not glib. Its answer is not a given. Not in this film.

The setting is 1945 Leningrad. World War II is over, but the city is in shambles. Food is scarce and many buildings remain in ruins. We see a hospital staffed by overworked nurses and doctors with only primitive and limited resources at their disposal struggling to care for injured soldiers not yet recovered from their battlefield injuries.

The film's central characters are Ilya, nicknamed Beanpole because of her slenderness and height, now working as a nurse in the hospital, and Masha, her battlefield companion in the past, who has just left the military and is returning to Leningrad to join her former colleague as a nurse at the hospital.

The two veterans, intimate friends, contrast strongly in their appearance and behavior. Ilya is blonde and pale-eyed, her height intensifying her fragility, Masha is short, red-haired, dark-eyed, vibrating with tension and purpose. Ilya suffers from what the subtitles call "post-concussion syndrome" but seems a form of catatonia. She experiences seizures, during



which she becomes mute and unresponsive, though not unconscious, lasting for minutes. Masha had left a physically challenged young son in Ilya's care, but Ilya had suffered a seizure during which the child died. Only when she arrives in Leningrad will Masha learn that her only child is dead, and that her wartime injuries have made her unable to bear another.

This intensely tragic situation has a counterpart. Stephan is a veteran whose injuries have left him quadriplegic, completely paralyzed from the neck down, with no chance of recovery. His wife comes to the hospital to see him and learns for the first time of his hopeless condition. They talk about what this means to them and their children. Given their economic situation, they recognize that he cannot be cared for at home. He thinks of a transfer to a nursing home as a dark and humiliating slide into death. They find the courage to ask his doctor, Nikolay Ivanovitch, if euthanasia, a mercy killing, could be arranged. Nikolay, concerned about the risk to his career, arranges for Ilya surreptitiously to give Stephan the fatal injection.

The tragedies ratchet up. Masha has an intense, almost monomaniacal, need to have a replacement child. Because her injuries foreclose that, she pleads with Ilya to become the surrogate mother and wants Nilkolay to be the father. Both are shocked, and in different ways, repelled by the notion. With manipulative cunning, Masha, having learned of the doctor's complicity in Stephan's death, threatens him with exposure, and taxes Ilya with guilt for having permitted the death of Masha's son, pressuring the couple to carry out her design. Ilya agrees, finally, but with a stipulation. Masha must be in the bed when she and Nikolay have sex. They comply.

There is more to the film. Masha's frail son. Her feckless suitor. His mother's privileged elegance.

The movie ends with a flicker of hope, but those questions nag: What is a life worth? When is it worthwhile?

Guest Columnist, Dr. Alvin Burstein

Burstein, a psychologist and psychoanalyst, is a professor emeritus at the University of Tennessee and a faculty member of the New Orleans-Birmingham Psychoanalytic Center with numerous scholarly works to his credit. He is also a member of Inklings, a Mandeville critique group that meets weekly to review its members' imaginative writings. Burstein has published flash fiction and autobiographical



courtesy photo

pieces in e-zines; *The Owl*, his first novelette, is available at Amazon. He is, in addition to being a movie fan, a committed Francophile, unsurprisingly a lover of fine cheese and wine, and an unrepentant cruciverbalist.

Special Feature

Could More Police Psychology Help? *continued*

colleagues been assisting public sector law enforcement organizations in designing and implementing screening instruments to help deal with these issues for over three decades. Morris is both a psychologist and attorney, and studied the concept of natural justice at the World Court in The Hague to better understand of how to test fairly.

Dr. McKay Bonner, an industrial-organizational psychologist in Monroe, said that not only do psychologists need to stick to their scientific base of facts, but to be truly helpful and comprehensive, psychologists must learn the culture and work environment of law-enforcement personnel.

"We must learn and understand the culture and environment that they work in," she said. "We cannot leave our office, open a book, lecture to them for two hours on mental illness, and expect it to make a difference. We must spend time with them, go on ride-alongs –at midnight, experience some of their training classes. We must understand them, how to talk to them, the best methods for them to learn..."

Dr. Bonner has worked closely with the police in Northeast Louisiana for decades. She is the Public Safety Psychologist for several police, sheriff, and fire departments. For almost 20 years, she has conducted a variety of

evaluations for pre-employment, fitness-for-duty, and officer-involved shootings.

Dr. Bonner and her husband, police Sgt. Mark Johnson, serve on the Advisory Council of the Northeast Delta Crisis Intervention Team, known as CIT, covering 12 parishes in the northeast part of the state. She and her husband have now trained over 1300 individuals, mostly in the law enforcement field, through a combination of more than 100 classes, ranging from 4 hour continuing education classes through the 40 hour complete CIT class.

Dr. Charles Burchell has also worked in this area for decades. While he currently has cut back on his independent practice, and does not render police psychological services on an ongoing basis, he maintains professional connections, such as his membership in the Society of Police and Criminal Psychology.

"Police Psychologists continue to address two law enforcement agency concerns—negligent hiring and negligent retention—through specialized services such as psychological pre-employment screening," said Dr. Burchell, "rendering of clinical support services to sworn officers and other personnel, fitness for duty evaluations, consultation to law enforcement management, training on behavioral issues that are pertinent to law enforcement, and provision of services that may be peculiar to law enforcement operations ...".

Negligent hiring and negligent retention may be relevant to the Minneapolis tragedy, where Mr. Floyd was killed. Personnel records cited widely now in the media report that Chavin had numerous complaints.

Minneapolis had had problems. In 2017, *APM Reports* found that four of the five psychological tests had been eliminated, dropping below national standards. As recent as October 2019, *City Pages* reported that Minneapolis activists were pushing for mental health screenings and reforms in how officers were hired, assigned, and disciplined. One proposal called for the officers to be subject to screenings every three years.

Responding to public criticism, the Minneapolis police department hired a new psychologist in 2018 to improve screening procedures. However, officials' choice for the contract came under criticism when it was found that they hired a psychologist with limited experience in police psychology.

Not many psychologists have worked to build the comprehensive networks related to policing and developing trust with various segments of the community, as Dr. Bonner.

"Psychology has much to offer. However, we cannot dabble in research and training

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Industrial-organizational psychologist, Dr. McKay Bonner, (L) and husband Sgt. Mark Johnson, (C) talk with Dr. John Simoneaux (kneeling) at a past meeting about violence prevention. Ms. Michelle Faust, LCSW (R) listens to the discussion. Bonner and Johnson are Co- Coordinators for the Northeast Delta Crisis Intervention Team.



Special Feature

Could More Police Psychology Help? *continued*

with law enforcement," she warns. "We must be committed and remember our roots of scientific research and competencies. That is how we can make a difference. And, it is an extremely worthwhile endeavor."

Bonner has taught multiple courses at the North Delta Regional Police Academy, including courses such as Emotionally Disturbed Persons–Mental Illness, Deescalation, Stress Management, Cultural Diversity, and Police Survival.

"Psychologists can be key to helping the current crisis in the U.S., Dr. Bonner said. "We can especially help with law enforcement research and training. But, it is critical that we remember our educational and professional training. We need *scientific* research to guide decisions - not just based on emotions or what we think but what we can prove. We need to know what will help and what will be a waste of time, resources, or actually be detrimental."

Bonner follows this model with intensive involvement with all aspects of the law enforcement-community systems. As Co-Coordinator and the Co-Lead Instructor for the Northeast Delta Crisis Intervention Team, spanning 12 parishes in the northeast part of the state, she has extensively worked with and trained law enforcement and public safety personnel throughout Louisiana, as well as the nation.

Dr. Bonner and Sgt. Johnson serve on the Advisory Council and help achieve the overarching goals of the CIT, goals that also address the larger community, to promote safety for everyone by providing law enforcement individuals with the training needed to effectively respond when encountering a person with a mental illness or in mental distress.

Their mission statement includes the following:

The Northeast Delta CIT Program promotes officer safety and understanding when dealing with persons in a crisis. We emphasize safety to all concerned – consumers, the communities, and law enforcement.

...We are grounded on the principles of dignity, kindness, and hope for persons with a mental illness. Our endeavors



are only possible through the collaborative efforts between persons with a mental illness, family members, advocates, government and elected leaders, community professionals, mental health providers, and law enforcement professionals.

We cannot succeed alone. The Northeast Delta CIT goes beyond a crisis intervention team. We are truly a "Community Intervention Team."

The effort has been very successful. "We have received recognition for our work," said Dr. Bonner, who has presented information about the innovative program at the CIT International Conference. The group has also been awarded the Louisiana Peace Officer's Standards and Training accreditation, called POST. This, "... is a really big deal," Dr. Bonner said.

"We have also conducted CIT Train-The-Trainer for agencies throughout Louisiana and published about the work in an international journal," she said, which extended the benefits greatly across the state. they have found that CIT skills, including verbal de-escalation, were used in over 80% of the CIT officer reports.

Officers learning the crisis-management skills have praised the training. "One of the best and most relevant classes

I have ever taken for law enforcement." And, "I will use these skills every day," and "Every officer, really everybody, needs to take this class."

Dr. Bonner is also an Associate Professor at the University of Louisiana at Monroe and teaches in the Criminal Justice & Psychology Departments, is a reviewer for the *Journal of Police and Criminal Psychology*, and authored or co-authored many journal articles and book chapters.

She has also presented at the professional conferences of the Society of Police and Criminal Psychology, the American Psychological Association, and Professional Training Resources, Inc. Examples include, *A Successful Rural Multijurisdictional CIT Program: A Quantitative & Qualitative 10 Year Review*, presented at the 2017 APA Annual Conference; "Recruiting and hiring minorities into policing, with international considerations," in *International Journal of Crime, Law and Social Issues*; "The Intersection between law enforcement and persons with a mental illness," in *Crime, Punishment, and the Law*; and "Doing more with less: The advantage of reserve officers in law

enforcement," in *Innovations in Police Volunteering*.

Bonner is a regular in the Society for Police and Criminal Psychology (SPCP), an eclectic professional organization that encourages the scientific study of police and criminal psychology and the application of scientific knowledge to problems in criminal justice.

Another organization of police psychologist is the Consortium of Police Psychology Services (COPPS). In 2011, Dr. Penelope (Penny) Dralle and colleague Dr. Charles Burchell met with colleagues in New Orleans where Dr. Dralle served as President for the Consortium.

Dr. Dralle, a clinical and consulting psychologist, has served as Consulting Psychologist for the New Orleans Police Department (NOPD), as associate professor for the Louisiana State University School of Medicine (retired), and member of the Blue Ribbon Committee on NOPD Police Recruiting (now Consortium of Selection and Recruitment for NOPD). She coordinated and supervised pre-screening operations for the hiring of officers for the city.

Dralle has been in the middle of the reforms in the field for

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Special Feature

Could More Police Psychology Help? *continued*

over 40 years. “Testing for police officers started before the '60s,” Dralle noted. “In 1967, a Presidential commission recognized the importance of assessment. The goal was that by 1975 every law enforcement agency would be using some sort of standardized test to determine the emotional stability of law enforcement candidates.”

In 1976, the FBI and the Law Enforcement Assistance Administration (LEAA) of the Department of Justice sponsored the National Working Conference on the Selection of Law Enforcement Officers at the FBI Academy in Quantico, VA. The first conference of the LEAA, was held at Quantico, Va., in 1979. The meeting attracted professionals from all over the country. In 1984, at another later informal meeting at the FBI, Gabriel Rodriguez, of Louisiana, helped organize COPPS.

“I started working with the city in the mid 1970s, with Dr. Arthur J. Gallese,” Dralle said, “who moved to New Orleans after leaving a position as Research Coordinator at the Dept. of Public Welfare in St. Paul, Minn. He had trained at University of Minnesota and was an expert in the use of the MMPI when he joined the faculty at LSUMS.”

Over the years the standards of practice for screening and assessment of law enforcement have become more codified with guidelines published by the Psychological Services Section of the International Association of Chief of Police and the Society for Police and Criminal Psychology, looking at what is acceptable for how a department goes about assessing candidates.

Dralle was asked to take over pre-employment selection work for the NOPD after Hurricane Katrina, and she offered the Police and Civil Service Departments of New Orleans a standardized approach to the selection and evaluation of their candidates, enlisting other experienced professionals in the community to participate.

She has worked to share information with others in conference presentations such as “Developing a Partnership to Enhance the Police Recruitment and Retention in New Orleans: A Case Presentation,” “Critical Incident Response for Louisiana Law Enforcement Personnel and their Families: A Journey in Crisis Intervention for the Unrecognized Victims of Crime,” and “Ethical Issues in the Psychiatric/ Psychological Evaluations of Police Recruits.”

“The commonly used tests have been 'normed' and 'renormed,'" Dralle notes, "and new tests have been developed to address specific problems. For example, the Matrix-Predictive Uniform Law Enforcement Selection Evaluation Inventory was published in 2008 by Drs. Robert Davis and Cary Rostow of Baton Rouge.”

The late Dr. Robert Davis, founder of Matrix, Inc., a Police Psychological Services Corporation, was senior author

of the M-PULSE™ —the Matrix-Predictive Uniform Law Enforcement Selection Evaluation Inventory, as well as the comprehensive post-offer evaluation methods.

Dr. Davis was one of Louisiana's examples of a psychologist closely involved with the police. He served as Chief Police Psychologist for the East Baton Rouge Sheriff's Office, and as Police Psychologist for the Louisiana State Police in Baton Rouge. He was trained at the Law Enforcement Training Program, Louisiana State University, 147th Basic Training Academy.

Board certified in Police Psychology and Forensic Psychology, he was nationally known for the development of inferential statistical models for the actuarial prediction of discrete liabilities in law enforcement and other public safety professions.

Over the years, Davis and colleague Dr. Cary Rostow published numerous articles about employee selection for law enforcement professionals, most notably the *M-PULSE Inventory: Matrix-Predictive Uniform Law Enforcement Selection Evaluation Inventory*, published in 2008 by MHS, Inc., Toronto.

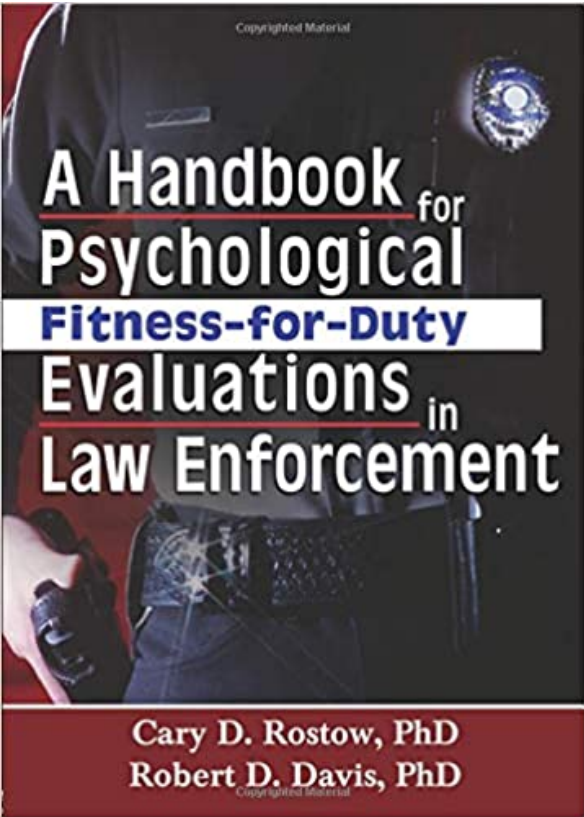
Rostow and Davis also wrote *Fitness for Duty Evaluations for Law Enforcement Officers: A Guide for Law Enforcement Executives and Police Psychologists*, by Haworth Press in 2004.

Their many scientific publications included, “Psychological Police Officer Selection” for *Law Enforcement Executive Forum*, “An Investigation of Biographical Information as a Predictor of Employment Termination among Law Enforcement Officers” in *Journal of Police and Criminal Psychology*, and “Group Differences in Detected Counterproductivity among Law Enforcement Personnel: Implications for Organizational Diversity,” in *Quaderni Di Psicologia Lavoro*, with S. Dilchert, and Denise Ones.

Davis and Rostow, along with colleagues, also published “Compulsive Traits and Police Officer Performance,” in *J. of Police and Criminal Psychology*, and “Law Enforcement Officer Seniority and PAI Variables in Psychological Fitness for Duty Examinations,” in *J. of Police and Criminal Psychology*, and “Psychological Screening,” in *Law and Order*.

In 2010 Drs. Davis and Rostow provided chapters, “Issues in Law Enforcement Fitness-For- Duty Evaluation,” and “The Use of the M-PULSE Inventory in Law Enforcement Selection,” for *Personality Assessment in Police Psychology: A 21st Century Perspective*.

Dr. Davis worked closely with many colleagues in the Louisiana community including Dr. Ivory Toldson, a leader in the Black community. Along with Dr. Rostow, Drs. Davis and Toldson worked



Dr. Cary Rostow and the late Dr. Robert Davis authored numerous works about police psychology.

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together on a grant awarded by the National Institute of Justice, Office of Justice Programs, and produced, *"Profiling Police: Evaluating the predictive and structural validity of an actuarial method for screening civil liabilities among police officer candidates."* The three presented together at the 2004 Annual Convention of the American Psychological Association in Hawaii and also at the Annual Meeting of the Academy of Criminal Justice Sciences in 2004.

Today, Matrix is led by Dr. Wm. Drew Gouvier and Dr. Joseph Comaty.

Dr. Gouvier has been practicing in neuropsychology and clinical psychology for 30 years and currently holds the rank of Professor Emeritus in the Department of Psychology at Louisiana State University, and remains active there in research and graduate training, where he also served as the Department's Director of Public Service.

"In homage to Paul Meehl," said Dr. Gouvier, "it is all about having science behind the selection, and that absolutely requires a database of actual officer feedback over time to establish the validity of the evaluation. The data collection needs to be an integral and ongoing part of the evaluation system," he said.

"There is not a single Good Cop profile to serve as a match to sample criterion. Rather, empirical prediction is actuary based, and not subject to the simple Daubert Challenge that is directed at decisions based—even in part—on clinical decision making," Dr. Gouvier explained.

"Practice models must favor a risk management mentality much more than the traditional clinical service model. Tests must be validated for their purpose, and test batteries need to be validated as a whole. Even with a selection of valid measures, the use of clinical judgment to combine and differentially weigh discordant test results make the decision open to the Daubert Challenge as well."

The M-PULSE Inventory is a screening instrument designed for law enforcement officer selection. It can be used either pre-offer to identify candidates' liability potential,

or post-offer as part of a total assessment battery that includes historical, interview, and observational data, notes the company.

The assessment produces results which help predict officer misconduct, and gauges attitudes, values, and beliefs and facets of personality that are of importance to police work. Examples include:

- Interpersonal Difficulties – At risk for problems with personal relationships.
- Chemical Abuse/Dependency – At risk for problems associated with chemical abuse/dependency.
- Inappropriate Use of Weapon – At risk for inappropriate use of a weapon.
- Unprofessional Conduct – At risk for conduct that is inappropriate for an officer while on duty (e.g., verbal abusiveness, aggressiveness, rudeness, ethical violations).
- Excessive Force – At risk for use of excessive force or aggressive behaviors that are inappropriate.
- Sexually Offensive Conduct – At risk for violation of sexual boundaries.
- Criminal Conduct – At risk of being arrested, charged, detained, or convicted of criminal activity or corruption.
- Racially Offensive Conduct – At risk for racially inappropriate behavior (e.g., racism or targeting a particular race in law enforcement).

Dr. Charles Burchell, a Black psychologist, believes that the public is calling for change. "The increasing scrutiny of law enforcement by the general public with regard to racially differential employment of overly aggressive, violent, and in many cases illegal behavior of police—see Black Lives Matter movement—appears to be calling for a fundamental change in policing in America," he said. Examples include some calls for defunding of police department or overhaul of police operations and functions, Dr. Burchell said.

"Beyond continuing deployment of police psychological services [...], I feel that psychology's role in this public health crisis is limited because psychologists function in an advisory capacity and do not have

authority to mandate any of our professional recommendations," he said. "I do think structural changes are needed in primarily municipal law enforcement. Even where federal monitoring is in place, changes can be significant but slow and incomplete.

"For example, in 2011, the New Orleans Police Department was placed under a federal consent decree and many recommendations have been implemented, but a recent news report said that NOPD task force officers routinely stop people on questionable legal grounds, engage in unsafe practices, and operate with insufficient supervision, and that almost identical problems were identified nine years ago," Dr. Burchell said.

"The City of Baltimore, MD is also under federal supervision, has also made changes, but serious problems remain. One area that I believe that the role of psychologists can be strengthened is increased research in a variety of areas. But here again, what is the willingness of departments to deploy such evidence-based recommendations?" he said.

"I think that going forward, psychologists—clinical/counseling, industrial-organizational, social—can be valuable resources in helping to design new law enforcement and criminal justice delivery systems that hopefully can serve and protect all citizens in an equitable and trustworthy fashion. We will see."

Dr. Dralle is also concerned. "There are serious problems in policing today and there is a need to address long-standing and widespread implicit racism. After the publication of the guidelines for screening and evaluation by the Police Psychology Services Section (PPSS) of the International Association of Chiefs of Police (IACP) and participation in the training programs for PPSS, our screening program continued to evolve to meet the new standards," she said.

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"Over the years the research associates from the Department of Civil Service and I have assessed the psychological screening process for disparate impact and we have never noted any violations of the four-fifths rule used to assess racial or sex discrimination. [...] Psychologists have also been involved in the training and ongoing assessment of police recruits.

"During the recent Department of Justice (DOJ) consent decree, a member of the consent decree monitoring team strongly suggested that we should use a test based on Australian applicants to screen our applicants. In addition, the DOJ monitoring team wanted more information about applicants' psychological history and suitability of recruits to be exchanged with them, with NOPD, and with the citizen police monitors.

"In 2017, I decided not to renew my contract with the city for consultation with the NOPD. It was based on differences of opinion with some of the suggestions made by the DOJ consultants. In addition, I was dealing with professional concerns about my ability to select candidates who could respond to the needs of community policing and who could handle the societal shifts in support and attitude towards policing. As policing has become the last social program with adequate funding and facilities to handle persons who are outside the acceptable norms, their scope of responsibility has become excessively broad and possibly overwhelming," Dralle said.

Dr. Courtland Chaney has been involved in discussions regarding civil rights/racism and policing from his professional perspective of an I-O psychology practice. He also is Public Affairs co-chair for the Louisiana Psychological Association.

In late 2016, after the death of Alton Sterling, Chaney began advocating for the development of a behavioral sciences training series for police in Louisiana.

"In order to facilitate this advocacy," Chaney said, "I involved LSU Digital and Continuing Education and other individuals, including McKay Bonner, who had done police training for some years.

"These efforts culminated in a pilot training session on July 25, 2018 in which we provided an overview of the kinds of topics we thought would help the police and briefly presented some substantive behavioral science information. Upon the conclusion of the session, participants said they would discuss it further among themselves, though there was so much mandated training now, it would be unlikely that more training could be required," Chaney said.

"Police Psychology," said Dr. Bonner, "has a much longer history than most psychologists realize. Many decades of work have occurred to help psychologists do a good job with pre-employment evaluations, law enforcement training, stress counseling, etc. This is not a new field of study.

"... there is another important area that is not my area of expertise," Bonner said, "counseling with the families of the LE [law enforcement] officer and/or the officers themselves. Right now they are needing emotional support. Psychologists can help," she said. "... it will be most effective if the psychologist is well-versed in the LE culture and environment."

Dr. Dralle said, "Prior to the end of my work with NOPD, it seemed to me that the job of effectively selecting police officers was becoming very confusing. If we selected officers who were invested in community policing, how would these individuals handle the negativity and lack of support from the community or the policing culture. As the job of police officer became less desirable and the applicant pool became smaller the job of policing also became more negative and less respected.

"The criteria for success were also harder to define. I chose to back away from this work and hope that a new generation of police psychologists might be better able to handle the issues and questions that were confronting me," Dralle said.

"Personally, I know there are many more good police officers than bad ones. In addition, I cannot imagine safety if there are no officers available to protect the older and physically weaker citizens. There has to be some equitable and effective way to work this out that does not require taking sides for or against policing."



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