

ERADICATING THE PLAG UE: CHARGING

nationally

behavioral disorders, and various drug addictions. Consequentially, domestic violence batterers pose a uniquely dangerous risk to society because even a few brief incidents of their rage can translate into years of suffering for their victims.

Because of the unique risk that domestic violence batterers pose to their present and future victims, a more precise and effective national approach to sentencing and, possibly, rehabilitating domestic violence abusers is needed and long overdue. Psychological research and batterer assessment studies have suggested that many domestic violence offenders exhibit mild to severe symptoms of behavioral personality disorders.¹³ Behavioral individuals to react with abusive behavior when they are faced with painful thoughts and emotions.¹⁴ Thus, individuals with personality disorders will exhibit behavior that deviates significantly from societal norms.¹⁵

While current state-mandated BIPs successfully rehabilitate some batterers, these programs will likely fail to rehabilitate batterers proven to rehabilitate domestic violence offenders with personality disorders.¹⁶ However, there exist particularly heinous offenders, who must

12. Children and Domestic Violence NCTSN, NAT'L CHILD TRAUMATIC STRESS NETWORK, <http://www.nctsn.org/content/children-and-domestic-violence> (last visited Nov. 17, 2017).

13. See Bonem et al. *supra* note 9, at 215. Approximately half of partner violent men in primarily court-mandated clinical samples possess prominent personality disorder traits, with even more showing relevant signs and features of these conditions. Casey T. Taft et al., Personality, Interpersonal, and Motivational Predictors of the Working Alliance in Group Cognitive Behavioral Therapy for Partner Violent Men, 72 J. OF CONSULTING AND CLINICAL PSYCHOLOGY 349, 349 (2004).

14. See generally Derrick R. Tollefson, A Mind-Body Approach to Domestic Violence Perpetrator Treatment: Program Overview and Preliminary Outcomes, 18 J. OF AGGRESSION, MALTREATMENT & TRAUMA 17, 22 (2009) (discussing that the root cause of abusive behavior can be found in the Identity System of an abuser). Abuser rehabilitation should focus on bringing the abuser's Identity System to a 'resting' state in which normal, natural thought does not lead to tension and overwhelming emotions. See *id.* at 22, 25; see also AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS 461 (American Psychiatric Publishing, 5th ed. 2013) [hereinafter "DSM-5"]; AMERICAN PSYCHIATRIC ASSOCIATION, DIAGNOSTIC AND STATISTICAL MANUAL OF MENTAL DISORDERS § (explaining that "[d]isruptive, impulse control, and conduct disorders include conditions involving problems of self-control of emotions and behaviors that are unique in manifesting through aggressive behavior).

15. Men are much more likely than women to exhibit symptoms of behavioral disorders. See DSM-5 *supra* note 14, at 461.

16. Mark W. Lipsey et al., Effects of Cognitive Behavioral Programs for Criminal Offender, 6 CAMPBELL SYSTEMATIC REVIEWS, Aug. 2007, at 23 (stating that there is little doubt that CBT is capable of producing significant reductions in the recidivism of high-risk offenders under favorable conditions).

The Diagnostic and Statistical Manual Of Mental Disorders

programs that are meant to help them, then there is only one program

DYDLODEOH WR WKHP WRDW SURJUDP LV VWDWH

Mina Elmasry

83. Telephone Interview with Anastasia Sagorsky, Deputy District Attorney, Los Angeles County District Attorney's Office (June 1, 2017).

Mina Elmasry holds a Bachelor of Science in Psychobiology from the University of California, Los Angeles and will be receiving his Judicial Doctorate from Southwestern Law School in May of 2018. 7 KLV LV 0U (OPDVU\TV IHLAWWES BY SUCCESS OLFDWLR his legal career to his mom, Sonia Elmasry, who taught him the value of wisdom and diligence. Mr. Elmasry thanks Los Angeles County Deputy District Attorney Lilianna Gonzalez for her invaluable wisdom and mentorship. Mr. Elmasry also owes extreme gratitude to his mentor, Los Angeles County Deputy District Attorney Anastasia Sagorsky, for her invaluable wisdom and encouragement throughout his law school career. He also thanks the following Los Angeles County Deputy District Attorneys for their invaluable wisdom and for allowing him to consult them with his domestic violence policy opinions: Michele Daniels, Susan Schwartz, Abigail Baron, and Lauren Fields. He also thanks the following esteemed Southwestern Law School faculty members: Professor Robert J. Calkins, Professor Robert J. Calkins, Professor Robert J. Carpenter, Joerg Knipprath, and Julie Waterstone. Mr. Elmasry is also grateful to the editors and staff of the Southwestern Law Review. He thanks them for giving the victims of domestic violence a voice in this publication. Disclaimer: the views and opinions expressed in this article are those of the author and do not necessarily reflect the views, opinions, policy, or position of any other person, entity, organization, or government office, including those mentioned in this paragraph or any other paragraph of this article.