

## **Predicting Batterer Recidivism Five Years After Community Intervention**

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*The purpose of this study was to examine batterer recidivism rates 5 years after community intervention and to determine differences that discriminate between recidivists and nonrecidivists. Of the 100 men included in the sample, 40% were identified as recidivists because they were either convicted of domestic assault, the subject of an order for protection, or a police suspect for domestic assault. A discriminant analysis was conducted using a variety of background and intervention variables. Five variables were selected that significantly discriminated between recidivists and nonrecidivists and correctly classified 60.6% of the cases. Men who had been abusive for a shorter duration prior to the program, court ordered to have a chemical dependency evaluation, in chemical dependency treatment, abused as children, and previously convicted for nonassault crimes were more likely to be recidivists. Variables relating to intervention did not significantly predict recidivism. Implications for community intervention programs are discussed.*

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**KEY WORDS:** batterer; abuser; recidivism; intervention.

### **INTRODUCTION**

Community intervention projects to address the widespread problem of wife abuse were initiated in the 1980s in response to a growing awareness of the need for reform. These projects coordinate the intervention of law enforcement, the criminal justice system, and social services in cases of domestic assault to promote a comprehensive community response. Projects typically have developed proarrest policies, prosecution and sentencing

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guidelines, and counseling and education programs for court mandated batterers.

The need for police reform was supported by research findings indicating that the arrest of batterers lead to the reduction of new incidents of abuse (Berk and Newton, 1985; Jaffe *et al.*, 1986; Sherman and Berk, 1984). In response to these findings police departments across the country began instituting policies that mandated arrests in domestic disputes when there is evidence that an assault has occurred (Cohn and Sherman, 1987).

Criminal and civil court procedures were developed to promote victim involvement and increase conviction rates. Community intervention projects have sought to strengthen protection (restraining) orders by requiring formalized civil court hearings and arrests for violations of orders.

Counseling programs for batterers have increased in number as the courts have chosen to order treatment as a condition for dismissal, probation, or as part of a restraining order. Gamache *et al.* (1988) used a multiple baseline design to evaluate three community intervention projects and found significant increases in arrests, successful prosecutions, and the number of men court ordered to counseling programs.

## RECIDIVISM RATES

Numerous studies have taken place to evaluate predominantly cognitive-behavioral counseling programs that have indicated lower rates of physical abuse for treated groups, although most were not able to control for other variables that may have influenced outcomes (Saunders, 1989). Programs with court mandated clients have reported recidivism rates at around 30%, based upon the reports of partners at follow-up periods varying from six months to one year (Edleson and Grusznski, 1988; Shepard, 1987). In a comparison of group treatment programs, Edleson and Syers (1990) found that between 32% to 54% of men were reported to be violent at a 6-month follow-up depending upon the treatment model. Dutton (1986) reported more favorable findings with 16% of wives relating no physical abuse at follow-up (which varied from 6 months to 3 years). However, this study only included violent acts that were likely to lead to arrest, which was not the case in the other studies reported.

Rearrest rates have also been examined as a measure of treatment success. Using matched comparison groups, Dutton (1986) found that treated men had a rearrest rate of 4%, compared to 40% for untreated men. As noted earlier, the follow-up period varied from 6 months to up to 3 years. Drawing from small samples, two studies reported rearrest rates of 15% up to 6 months after treatment (Douglas and Perrin, 1987; Leong

*et al.*, 1987). Steinman (1988) examined recidivism rates for a community intervention project and found that 20% of the men had either been rearrested or cited for a domestic assault twelve months later. With the exception of Dutton (1986), these findings are unimpressive when considering that Sherman and Berk (1984) reported a rearrest rate of 19% at a 6 month follow-up for arrest only.

Steinman (1988) examined the relationship between correlates of abuse and recidivism, as well as the effect of legal sanctions. Higher recidivism rates were found for cases involving minorities, for those that occurred during early morning hours, and when the assailant had later been charged with an unrelated crime. When legal sanctions and correlates of abuse were considered together, men whose victims needed medical care were less likely to be recidivists.

Fagan (1989) suggests that sanctions are more likely to deter batterers with little prior history of violence or prior injuries than those with more severe histories. In an evaluation of six programs, Fagan found that recidivism rates were lower for less severe cases if they were prosecuted, but the imposition of more serious sanctions for those with more severe histories was associated with increased recidivism. However, he acknowledges that this may be due to weak punishments. Those with more serious cases had more extensive court involvement for stranger violence and family violence.

Chen *et al.* (1989) conducted a regression analysis and found that larger numbers of prior violence charges and longer periods after the sentence were significantly related to a greater probability of recidivism. When a nonlinear model was used to assess the effects of treatment, abusers who attended 75% or more of the sessions were less likely to be recidivists.

DeMaris and Jackson (1987) found that men who had witnessed parental violence had significantly higher recidivism rates. Those who lived with their partners after counseling, had alcohol problems, and would not call a counselor were somewhat more likely to recidivate.

Hamberger and Hastings (1988) reported that treatment completers had lower rates of recidivism over a 1-year follow-up period when compared to program dropouts. In a second study, dropouts were younger, had lower employment levels, higher levels of pretreatment police contact for alcohol and drug problems and nonviolent offenses, and had higher levels of overall psychopathology (Hamberger and Hastings, 1989). Grusznski and Carrillo (1988) found that men who had completed treatment reported fewer indirect threats of violence, had a higher level of education, were more likely to be employed full time, witnessed abuse more often in their family of origin, were less likely to be victims of child abuse, scored higher on the FIRO-B subscale of expressed control, and had more children.

Gondolf and Fisher (1988) used cluster analysis to develop a typology of batterers. Two of the four types had higher rates of abuse and were labeled "sociopathic" and "antisocial." Sociopathic batterers were characterized by previous arrest, extrafamily violence, animal abuse, and severe substance abuse. Antisocial batterers were less injurious and had lower arrest records than sociopathic batterers, although they were more likely to use weapons. They were also likely to have been violent outside the home.

This research was designed to address batterer recidivism in relation to community intervention. The studies to date have reported recidivism rates for follow-up periods varying from 6 months to 3 years and have suggested that variables relating to the batterer's background and the type of intervention can influence recidivism rates. Specifically, the questions that were addressed in this study were: (1) What are the recidivism rates 5 years after community intervention? and (2) Which background and intervention variables discriminate between batterers who recidivate and those who do not?

## METHOD

### Subjects

The sample for this study was drawn from the Duluth Domestic Abuse Intervention Project (DAIP), which was one of the first community intervention programs in the country. The project includes a mandatory arrest policy where there is probable cause, prosecution guidelines that discourage the dismissal of charges, routine presentence investigations that allow victim and DAIP staff input, and sentencing guidelines that include stayed jail sentences for first time misdemeanors with court ordered participation in the counseling and education program. The civil court issues orders for protection (OFP), where abuse is found to exist, restraining the abuser from contacting the victim, and ordering participation in the DAIP counseling and education program. Participants attend 12 weeks of counseling groups that focus on anger management skills and 10 weeks of education groups that focus on the use of abuse to maintain power in relationships. Further description of the program is available in Pence and Shepard (1988).

A total of 100 men was included in the study sample. These men had contact with DAIP during the first three months of 1985 and had been included in an earlier study (Shepard, 1987). The men ranged in age from 19 to 58, with a mean age of 31.9. Eighty-five percent were white, 6% were American Indian, and 4% were black.

In 1985, 29% had less than a highschool education, 34% had a highschool education, and 30% were educated beyond a highschool degree. Income levels were low with 56% of the population reporting incomes below \$10,000 a year and only 9% reporting incomes above \$30,000. Sixty-one percent of the abusers were the husband or former husband of the woman they had abused. The men had a mean number of 1.2 children.

Almost one third of the men (31%) reported at intake that they had witnessed wife abuse in their family of origin. About one quarter of the men (24%) reported being physically abused as a child. Over a third of the men (37%) were ordered by the court to complete a chemical dependency evaluation, suggesting presence of drug or alcohol problems. In 1985, 44% reported that they had undergone chemical dependency treatment. Victims reported in 1985 that 59% of the men had been abusive for 2 years or less, while another 20% had been abusive for 5 years or more.

Only 4% of the men had been convicted of nondomestic assault in the past, while 15% had been convicted of a previous domestic assault. Twenty-three percent had previous convictions that did not involve assault. Sixteen percent had appeared in both the criminal and civil courts for domestic assault, while 39% had been in criminal court only and 37% in civil court only. Only 9% were ordered to serve jail time by the court for the domestic assault that lead to their participation in DAIP. The men attended an average of 9 days of counseling and 9 days of education groups. Sixty-six percent of the men had completed the full program of 22 counseling and education sessions.

### Procedures

Data were collected on the following variables: age, education, income, marital status, race, length of relationship with victim, number of children, previous convictions for nondomestic assaults, previous convictions for domestic assaults, days served in jail for the domestic assault which led to the program referral, previous convictions for nonassault crimes, wife abuse in family of origin, victim of child abuse in family of origin, court ordered chemical dependency evaluation, previous chemical dependency treatment, completion of DAIP program, type of court intervention, duration of abuse in the relationship, number of counseling sessions attended, and number of education sessions attended.

Data on subject's characteristics were collected from agency records and questionnaires completed 5 years ago during the time of program participation. The DAIP intake sheet was the source for some of the background information and is completed by staff while interviewing the man.

Other background information was obtained from questionnaires that were completed by men and their partners or former partners for another study that was conducted during the time they attended the program. The Minnesota Bureau of Criminal Apprehension provided data on criminal records.

Recidivism rates included the following variables: convictions for domestic assault, orders for protection because of domestic abuse, and police contacts for suspicion of domestic assault. Data on recidivism rates were collected from several secondary sources. The Duluth police department provided data on local police contacts, including those where arrests were made and those where the man had been a suspect, but not arrested. The Minnesota Bureau of Criminal Apprehension provided statewide data on criminal records. The information provided included felony and gross misdemeanor assaults. Some communities report other misdemeanor assaults to the statewide data source, while others do not. In Minnesota, domestic assaults are charged as fifth degree criminal assaults when they do not involve substantial injury. While information on these assaults was available for the Duluth community, the rates may have been underreported for abusers who moved to other Minnesota communities that do not report these data and for those who moved out of the state.

DAIP records were reviewed to determine how many men had been the subject of an OFP during the past 5 years and whether or not they had been convicted of subsequent arrests. Records were also reviewed to determine whether or not they had completed the counseling program and how many counseling and education sessions they had attended.

It should be noted that the reliance on records for this study limits recidivism rates to only those assaults identified by the justice system in the state of Minnesota. The vigorous pursuit of domestic assault cases in communities that have intervention projects increases the likelihood that recidivists will be identified by the system during a 5-year period. However, it is probable that some men continued to be abusive but were successful in eluding the justice system. Police suspects who were not later convicted of abuse were included in recidivism rates because of the likelihood that they had been abusive to their partner.

Discriminant analysis was conducted to identify the most influential variables in differentiating recidivists from nonrecidivists. The dependent variable was structured at the nominal level, with recidivism including conviction, OFP(s), and police suspect. Support for use of discriminant analysis with ordinal data, which was the case for some of the variables, is documented by Eberie (1983).

Initially, discriminant function analysis was conducted using 18 variables. The variables of jail time and convictions for nondomestic assault

were excluded from this analysis because of their low frequency within the sample. All of the 18 variables were not expected to be necessary to discriminate between the groups. A stepwise procedure in a backward direction was used in which all variables were initially considered to be "in" and the variable with the smallest univariate  $F$  statistic was cast out at each step. Those variables which together resulted in the largest multivariate  $F$  statistic (4.225,  $p = 0.00$ ) were selected for the discriminant function. According to Klecka (1980), "The stepwise procedure is a logical and efficient way to seek the best combination, but it cannot guarantee that the end product is indeed superior to all others" (p. 53).

## RESULTS

Forty percent of the men were identified as recidivists because they had fallen into one or more of the recidivism categories. Twenty-two percent had been convicted for domestic assault, 15% had been the subject of an OFP, and 33% had been police suspects for domestic assault. Six percent of the men had been both convicted and the subject of an order for protection. A majority of the police suspects (59%) had also been convicted for another offense or been the subject of an OFP.

The discriminant analysis procedures resulted in the selection of five variables: duration of abuse in the relationship, court ordered chemical dependency evaluation, chemical dependency treatment, child abuse victim in family of origin, and previous convictions for nonassault crimes. One significant function was identified indicating that this set of variables discriminates between recidivists and nonrecidivists (Wilks' lambda = .81, Chi Square = 19.27,  $p = 0.00$ ). The canonical correlation (.44) indicates a moderate relationship between the discriminate function and recidivism.

The discriminant function coefficients are listed in Table I in the order of their relative contribution. Duration of abuse was the largest contributor and indicates that recidivists were abusive for a shorter period of time prior to beginning the program than nonrecidivists. Recidivism is more likely to occur when a chemical dependency evaluation has been court ordered. Having undergone chemical dependency treatment contributed to recidivism to a lesser extent. It should be noted that 60% of those who were court ordered to have a chemical dependency evaluation had undergone chemical dependency treatment. Having been abused as a child and previous convictions for nonassault crimes were smaller contributors to recidivism.

The strength of the discriminant function in predicting recidivists and nonrecidivists in the sample can be seen in Table II Four cases were ex-

**Table I.** Standardized Canonical Discriminant Function Coefficients for the Selected Discriminating Variables

Variable	Coefficient
Duration of abuse prior to program	-0.676
Chemical dependency evaluation	0.517
Chemical dependency treatment	0.393
Child abuse victim	0.289
Previous convictions not for assault	0.158

**Table II.** Classification Results for Predicted Group Membership for Recidivists and Nonrecidivists

Actual Group	N	Predicted Group	
		Recidivists	Nonrecidivists
Recidivists	39	26 66.7%	13 33.3%
Nonrecidivists	55	24 43.6%	31 56.4%
<u>Total correctly classified</u>		<u>60.6%</u>	

cluded because of missing data. The percentage of correctly classified cases for the total sample is 60.6%. The function was most successful in predicting recidivists, with 66.7% being correctly classified. Nonrecidivists were correctly classified in 56.4% of the cases.

## CONCLUSION

The findings of this study should be interpreted with caution given several methodologic shortcomings noted earlier: the use of records which underreport rates of violence, the selection of a sample from only one agency, and the limitations of stepwise procedures in discriminant analysis.

The recidivism rate of 40% is higher than other studies, although the five year follow-up period is considerably longer. The rate of repeat convictions (22%) is similar to the 20% rearrest rate reported by [Steinman \(1988\)](#) at a 12-month follow-up. As noted earlier, it is likely that the recidivism rate underestimates the extent of continued abusive behavior. Psychological abuse was not examined and has been reported to be more prevalent and difficult to eliminate (Edleson and Brygger, 1986; Shepard, 1987).



The results of the discriminant function indicates that characteristics of the batterer were more important in predicting recidivism than was the form of intervention. Variables relating to intervention, such as the number of counseling and education sessions attended, completion of the program, and the type of court intervention (criminal, civil or both) did not predict recidivism. The findings also indicate that there are other variables not included in this study that are important to the prediction of recidivism.

The finding that recidivists were abusive for shorter periods of time prior to their initial contact with the program appears counterintuitive and does contradict an earlier finding that batterers with shorter histories of violence are less likely to recidivate ([Fagan, 1989](#)). However, this earlier finding was based upon a 6-month follow-up period and may not accurately reflect behavior over the long term. In our study, data on the duration of abuse were collected from partners in terms of how long the batterer had been abusive to them prior to the program. For those men who had been abusive in other relationships this variable does not accurately reflect the duration of their violent behavior. For this reason and because this may be a chance finding, further study of the duration variable is needed to determine patterns of abusive behavior over the long term.

Possible reasons for the duration finding should also be considered. One can speculate that the men who had been abusive longer had experienced more negative consequences for their behavior and were more receptive toward change. Men who batter may follow a pattern whereby behavior does not change until there are increasingly high costs or greater risks involved. This may be analogous to "hitting bottom" for the alcoholic. Partners of these men may have had more time to assemble supportive resources that provided greater protection from further violence and may be more likely to have given up on the relationship. Clinically, this suggests that assumptions should not be made that a short term problem will be less severe and require less intervention. On the other hand, there is the possibility that men who have been abusive for a long time may be receptive to change.

The two variables relating to chemical dependency indicate that alcohol and drug abuse are important contributors to recidivism. DeMaris and Jackson (1987) also found that alcohol problems were related to recidivism. [Eberle \(1982\)](#) found some evidence that batterers who abused alcohol were more violent. Severe substance abuse characterized highly abusive batterers in Gondolf and Fisher (1988). While this study did not determine the type or quantity of chemical dependency treatment received, it does indicate that chemical dependency treatment should not be seen as a deterrent to future violence. It appears that chemical dependency

treatment programs should place a stronger emphasis on addressing violent behavior.

Batterers who were abused as children appeared to be somewhat more likely to recidivate. Violence in the family of origin has been frequently cited as contributing to later domestic violence (Straus *et al.*, 1980). Men who report being abused as children may find it more difficult to adopt new behaviors that they were never exposed to as children. Men who had previous convictions for nonassault crimes were also somewhat more likely to recidivate and this may be related to an overall tendency toward criminal behavior. Steinman (1988) also found that being charged with a crime unrelated to abuse was related to higher rates of abuse.

In Gondolf and Fisher (1988) the two types that included the highly abusive batterers represented 37% of their sample. These men were referred to as "system failures" and were seen as "largely untouched by the system despite a history of socially undesirable and criminal behavior" (p. 66). The recidivists in this study may represent a similar population of men who are referred to counseling programs, but unlikely to benefit from them. In 1985, the DAIP counseling and education program accepted almost all the men referred to the program. These results suggest that screening procedures must be developed to identify those men unlikely to benefit from counseling programs.

The impact of jail time remains to be further studied, as only nine of the 100 men in this study served time as part of their original sentence. While Fagan (1989) suggests that more severe sanctions lead to more violence on the part of highly abusive men, strict sanctions were rarely applied in the programs studied. This study suggests that alternatives to counseling programs, such as, jail time must be given stronger consideration.

Finally, this study indicates the need for an emphasis on preventative measures in our communities, particularly in the areas of child abuse and chemical dependency. While intervention projects can strengthen the response of communities in addressing domestic violence, they can have limited impact upon the behavior of some individuals whose behavior patterns are deeply entrenched in a troubled history.

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