

1) Nationally, research repeatedly indicates that recidivism rates are reduced for those who complete a batterer intervention program (BIP); in contrast, a recent study in Washington shows mixed results.

- a. Massachusetts study: Those who completed a certified BIP were significantly less likely to be rearrested for any type of crime: 47.7% vs. 83.6%; any violent crime: 33.7% vs. 64.2%; violation of a protection order: 17.4% vs. 41.8%. (Bocko, S., C. Cicchetti, L. Lempicki, and A. Powell. *Restraining Order Violators, Corrective Programming and Recidivism*. Boston, MA: Office of the Commissioner of Probation, November 2004.)
- b. Dallas study: Twice as many program dropouts as completers were rearrested for any charge within 13 months: 39.7 vs. 17.9%; the difference for assaults was 8.1% vs. 2.8%. (Eckhardt, C. "Stages and Processes of Change and Associated Treatment Outcomes in Partner Assaultive Men." Final Report for National Institute of Justice, August 2003.)
- c. Chicago study: Of more than 500 court referred batterers to more than 30 BIP programs, recidivism rates after 2.4 years average were 14.3% for completers; 34.6% for noncompleters. (Bennett, L., C. Stoops, C. Call, and H. Flett. "Program Completion and Re-Arrest in a Batterer Intervention System." *Research on Social Work Practice*, 17(42)(2007): 42-54.)
- d. Florida study: The odds that completers would be rearrested were half those of a control group that were not assigned to a program. (Feder, L., and L. Dugan. "Testing a Court-Mandated Treatment Program for Domestic Violence Offenders: The Broward Experiment." Final report for National Institute of Justice, 2004.)
- e. Multi-state study: Abusers who completed their program reduced their risk of reassault in a range of 46-66%. (Gondolf, E. *Batterer Intervention Systems*. Thousand Oaks, CA: Sage, 2002.)
- f. Topeka study: A review by court services found that 81% of those who completed the Family Peace Initiative Program in a five year time frame were not charged with another crime and did not have another protection order placed against them in that county.
- g. "Abusers who complete batterer programs are less likely to reabuse than those who fail to attend, are noncompliant, or drop out. The difference can be substantial." (Klein, A. "Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges. " Special Report for National Institute for Justice, June 2009: 68.)
- h. Washington study: A comparison was done of various criminal justice responses in reducing recidivism in those who batter. Persons attending a "victim-oriented treatment" which focuses on "changing beliefs, attitudes, and behavior through empathy and education,...is designed to be emotional and engaging and changes

the focus from blame, judgment...” (p.23) were least likely to recidivate in general (25%) and with respect to domestic violence offending (12%), and had a high compliance rate (64%). Those attending batterer intervention classified as “domestic violence treatment” (undefined), had a higher recidivism rate in general (45%) and with respect to domestic violence offending (29%), with a low compliance rate (38%). How decisions were made on whether a program was determined one or the other remains unclear, and many Washington BIP programs appear to be able to fit both classifications. Persons attending programs classified as “domestic violence treatment” were found to be as likely to recidivate as those who received only fines/proscriptions, and more likely to recidivate than those who attended anger management. However, as noted by the author, “one possible explanation for these treatment effects may be a selection bias by judicial officers in selecting sentence conditions” (p.21), and can result in “higher risk offenders being placed in the more intensive domestic violence treatment”(p.22), thereby skewing the comparison and creating a disadvantage for domestic violence treatment. Additionally, “offenders with sentences that combined jail, probation, and treatment were the lowest of any sentence involving jail” (p. 19). (George, T. *Domestic Violence Sentencing Conditions and Recidivism*. Washington State Center for Court Research: Grant No. 2010-BJ-CX-K005)

2) When the effectiveness of BIPs is questioned, it is often due to the inclusion of everyone referred to the program rather than those who completed the program.

- a. Broward and Brooklyn studies: Jackson analyzes two experimental design studies: “The Broward Experiment”, by Feder and Forde, and “The Brooklyn Experiment”, by Davis and Taylor. Feder and Forde studied batterers who were on probation; random selection determined if they attended a batterer’s intervention program. If selected to not attend, no additional sanctions were given. Davis and Taylor studied batterers directed to them through the court; used a control group whose members were given community service responsibilities; used an experimental group whose members attended an 8 week, 39 hour program; and another experimental group whose members attended a 26 week, 39 hour program. Whereas Feder and Forde concluded that there was no real benefit incurred through treatment, Davis and Taylor found considerable differences in behavior between those who attended the 26 week program and the control group. No behavioral differences were found between those who attended the 8 week program and the control group. Jackson notes that although both studies had limitations, the Feder and Forde experiment did not consider time in treatment. Rather than measuring the impact of treatment, this study essentially measured the impact of being placed in the treatment group. (Jackson, S., L. Feder, R. Davis, C. Maxwell, & B. Taylor (2003). *Batterer intervention programs: Where do we*

go from here? (No. NCJ 195079). Washington, D. C.: U.S. Department of Justice Office of Justice Programs, National Institute of Justice.

- b. Effectiveness with noncompleters is often out of the hands of the program, and is reliant on the criminal justice system immediate response. Programs cannot operate successfully in isolation. Numerous studies have found court monitoring, compliance hearings, supervision, and other criminal justice action can increase attendance rates. (Klein, A. "Practical Implications of Current Domestic Violence Research: For Law Enforcement, Prosecutors and Judges." Special Report for National Institute for Justice, June 2009.)

2) Length of BIP program can make a difference.

- a. Brooklyn study: As noted above, this study compared an 8 week and 26 week program that used the same curriculum, the same number of hours. The 8 week program showed no significant difference from the control group. The 26 week program showed significant difference even though the most difficult cases were sometimes diverted from random assignment into the 26 week program. (Davis, R., B. Taylor, and C. Maxwell. "Does Batterer Treatment Reduce Violence? A Randomized Experiment in Brooklyn." Final Report to National Institute on Justice, January 2000.)

3) Anger management has not been found to be effective in reducing recidivism in those who batter, with the exception of the Washington study.

- a. Massachusetts study: There was no difference in rearrest rates for those who completed anger management programs and those who failed to complete. Those who completed anger management recidivated at higher rates than those who completed BIPs even though those referred to the BIPs had significantly more criminal history, more past order violations, more longstanding substance abuse histories, and less education than those attending anger management. (Bocko, S., C. Cicchetti, L. Lempicki, and A. Powell. *Restraining Order Violators, Corrective Programming and Recidivism*. Boston, MA: Office of the Commissioner of Probation, November 2004.)
- b. Maine study: This study was prompted after it was noted that the Federal Office of Violence Against Women now prohibits any of the grant money given to the states to be used to fund anger management programs for domestic violence offenders, indicating the growing consensus that anger management programs are inappropriate for domestic violence offenders. After a review of the practices in Maine to use both, the commission appointed by the governor determined that batterer intervention programs were more preferable than anger management, and urged anger management be used only in exceptional cases. (Bailey, M.B.

Improving the sentencing of domestic violence offenders in Maine: A proposal to prohibit anger management therapy. Maine Bar Journal, Summer 2006)

- c. Washington study: Offenders who completed anger management had a general reoffense rate of 35%; and domestic violence offense rate of 21%. This is better than those who received only fines and /or proscriptions (45% any offense; 29% domestic violence, and better than regular domestic violence treatment, but less effective than victim-oriented treatment. (George, T. *Domestic Violence Sentencing Conditions and Recidivism*. Washington State Center for Court Research: Grant No. 2010-BJ-CX-K005)

4) Some who batter are particularly resistant to change and will need additional or different responses/further incentive by the system to remain in the BIP.

- a. Gondolf and White explored the profiles of 580 men who batter to determine if men who repeatedly reassault their partner have a particular profile. Repeated reassaults of partners occurred at a rate of 20%. Findings included the following about these men: they do not have a significantly higher percentage of severe pathological dysfunction, although a higher percentage illustrated psychopathic tendencies; they are almost twice as likely to show antisocial tendencies, but are not determined as the most pathological; they do not fit a particular personality pattern; they are significantly younger than other batterers; they are more likely to have substance abuse problems; they are more likely to have been generally violent; they are more likely to have been previously arrested; and they are more likely to have dropped out of the intervention program within the first three months. Gondolf and White perceive batterer profiles to be on one of two continuums: paranoid and narcissistic, or avoidant and borderline. Both continuums include men who have low pathological dysfunction to men who have extreme dysfunction. Repeat reassaulters were in both personality styles, and at various levels. (Gondolf, E. W., & R. J. White. Batterer program participants who repeatedly reassault. *Journal of Interpersonal Violence*, 16(4), (2001) 361-381.)

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