A comprehensive theory of dynamic risk and protective factors

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A R T I C L E   I N F O

Keywords:
Dynamic risk factors
Protective factors
Offender agency

A B S T R A C T

The current conceptualization of “dynamic risk factors” (DRF) for criminal offending is problematic. It is generally accepted that there are significant conceptual issues in this domain, however, until recently addressing these have not been prioritized. Instead the majority of research and literature has focused on the success of DRF in predicting reoffending, and the effectiveness of treatment programmes that target DRF. Similar conceptual issues apply to “protective factors” (PF), which are frequently defined as the opposite of DRF; factors that reduce rather than increase risk of reoffending. In addition to the vagueness of these broad definitions, problems arise when researchers attempt to explain the theoretical and practical relationship between the two. Two important and challenging questions arise: 1) what exactly are these risk-related features? And 2) how do they relate to each other and criminal behavior? In this paper we argue that by building a comprehensive model of predictive agency we may be able to understand the causes of crime and desistance, and that this is crucial in improving outcomes for both those who have committed offences and the societies they live within.

1. Introduction

Dynamic risk factors (DRF) in their various forms are arguably the most utilized concept in the field of forensic and correctional practice. Yet there are a number of gaps in our current understanding of what they are and how exactly they influence offending behavior (Ward, 2016). They are typically defined as aspects of individuals and their environments that increase the likelihood of reoffending (Mann, Hanson, & Thornton, 2010). It is generally accepted that this definition encompasses a wide range of individual characteristics, social processes, behaviors, and environmental features, and that these vary in their ability to explain and predict offending. The more recent interest in features that reduce risk has prompted similar discussions about the notion of protective factors (PF; Ward, 2017). Given the frequent use of, and an interest in, these foundational concepts it is timely to investigate them in depth, and to address two key issues. First, both risk and protective factors are broad category labels that encompass a diverse range of psychological and contextual features and processes. Second, without a clear understanding of what exactly these constructs are, it is difficult to effectively link them to correctional research and practice.

This paper begins by outlining the conceptualization and current roles of DRF and PF in forensic research (both empirical and theoretical) and practice. We first take a brief look at the discovery and measurement of factors that statistically correlate with offending, as well as developments in theory utilized to explain these relationships. Next we discuss the use of DRF and PF in the assessment and treatment of people who have committed offences. We then offer criticisms of the current conceptualizations, and propose a way forward by constructing a preliminary model of the core abilities required for predictive agency, essentially the ability to engage in adaptive, goal-directed behavior. (It is important to clarify that not all goal directed behavior is intentional or conscious, and habitual, routine, or even basic cognitive processes such as perception may involve goals without being subject to awareness). Our hope is that DRF, PF, and offending can be explained as variation, and in some cases dysfunction, within the abilities required to meet human interests. According to the Predictive Agency Model to be described later in the paper, PF are the internal and external features and personal priorities that enhance individuals’ well-being and reduce the likelihood that they will harm others or themselves in the future. From this viewpoint, DRF are best understood as causes, contextual features and/or mental states that make this more difficult. This preliminary model integrates theory across disciplines, spanning multiple levels of analysis, and hopefully offers a useful (partial) explanation of criminal behavior and a better understanding of how DRF and PF function. The implications of this model include informing the day to day management of individuals in various criminal justice environments, giving meaning and context to judgements concerning risk, and facilitating person-centered and multi-faceted case formulations and treatment plans.

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http://dx.doi.org/10.1016/j.avb.2017.10.003
Received 18 June 2017; Received in revised form 29 September 2017; Accepted 12 October 2017
Available online 14 October 2017
1359-1789/ © 2017 Published by Elsevier Ltd.
2. The origins of dynamic risk and protective factors for criminal offending

2.1. Dynamic risk factors

The labels DRF and PF encompass a range of (largely) modifiable features of individuals and their environments that are known to correlate (positively or negatively) with reoffending. They are derived from aggregate data demonstrating that certain variables are statistically associated with higher and lower rates of reoffending in offending groups (Andrews & Bonta, 2010; Bonta & Andrews, 2017). These changeable features are contrasted with static correlates of risk; those that cannot be altered through intervention (e.g., criminal history, age, gender, and ethnicity). Dynamic risk factors are commonly further divided into “stable” factors (i.e., enduring characteristics), and rapidly changing “acute” factors (Hanson & Harris, 2000). For example, an individual may have a propensity to abuse alcohol or to engage in violence to solve problems (stable factors), and thus risk of further offending could be increased when he is intoxicated or experiencing conflict in his close relationships (acute factors). The stable versus acute distinction is most useful for assessment aimed at managing imminent ending while promotive factors are associated with a reduction in criminal behavior (e.g., having above average intelligence and close relationships with at least one parent; Lösel & Farrington, 2012), in the forensic domain there is greater interest in factors associated with desistance from offending once an individual has already had contact with the criminal justice system. A range of desistance factors have been discovered by researchers, and in addition, the concept of turning points, or experiences that can redirect someone towards or away from crime has been introduced (Sampson & Laub, 2005). The processes and events statistically associated with a reduction in criminal behavior include marriage, changes in self-narratives, stable employment, joining the military, and reoccurrence of crime for three major reasons. First, because the DRF in the model are essentially summaries of putative causal factors, contextual features and mental state variables, it is unclear exactly what structures and processes they are actually referring to; in other words, they are inherently vague. That is, the central seven DRF are not coherent theoretical constructs (Ward & Fortune, 2016a). Second, the GPCSL is a functional model that does not provide a description of the causal mechanisms constituting each DRF and explanation for how they influence each other. Third, relatedly, there is no attempt in the model to describe how the different DRF interact to cause crime and its recurrence. In our view, the GPCSL is best construed as a descriptive, conceptual model that loosely links background factors and DRF to crime. The integrated model of DRF and PF based on agency and its core components outlined later in this paper, represents an attempt to provide greater detail. The aim in building the model is to unpack DRF and PF into their causal, contextual, and experiential elements.

Arguably the most influential rehabilitation framework guiding forensic and correctional practice is Andrews and Bonta’s (2010) Risk-Need-Responsivity model. According to the Risk-Need-Responsivity model (RNR; Andrews & Bonta, 2010), rehabilitative resources should be preferentially directed towards individuals who score highly on various risk assessment scales (risk principle) and treatment should prioritize criminogenic needs (need principle). In addition, treatment programmes should be responsive to the characteristics of the person as well as being based upon empirically supported theory and emerging evidence of the effectiveness of interventions (specific and general responsivity principles respectively). There are additional principles within the RNR model, for instance, it is appropriate to exercise professional discretion for specific reasons related to persons and their needs. In addition, “non-criminogenic” or weakly associated factors (e.g., mental disorder) are addressed as responsibility factors in order to accommodate the complexity of human functioning. According to the RNR, practitioners should “adapt the style and mode of service according to... relevant characteristics of individual offenders, such as their strengths, motivations, preferences, personality ... and other factors” (Andrews & Bonta, 2010, p. 46). In the more recent versions of the Psychology of Criminal Conduct (PCC), Andrews and Bonta (2010) and Bonta and Andrews (2017) use the term “strengths” to cover the categories of protective and promotive factors discussed in the wider criminal justice literature. In brief protective factors (PF) are associated with a decreased risk of offending while promotive factors are associated with positive outcomes in general, regardless of the presence of risk (e.g., healthy brain development). The PCC distinguishes between risk (correlates and predictive variables), need (dynamic and functional/causal variables), and strengths (risk reducing variables), but does not offer an adequate explanation for how these variables collectively determine offending behavior.

2.2. Protective Factors

The field of correctional psychology has become increasingly interested in factors that decrease the probability of reoffending. This makes sense considering that the goal of correctional practice is to reduce the likelihood that following punishment and/or treatment individuals will harm others. While researchers have identified factors that protect persons from the onset of offending (e.g., having above average intelligence and close relationships with at least one parent; Lösel & Farrington, 2012), in the forensic domain there is greater interest in factors associated with desistance from offending once an individual has already had contact with the criminal justice system. A range of desistance factors have been discovered by researchers, and in addition, the concept of turning points, or experiences that can redirect someone towards or away from crime has been introduced (Sampson & Laub, 2005). The processes and events statistically associated with a reduction in criminal behavior include marriage, changes in self-narratives, stable employment, joining the military, and
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