



A comprehensive theory of dynamic risk and protective factors



Roxanne Heffernan, Tony Ward*

Victoria University of Wellington, New Zealand

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ABSTRACT

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.

* Corresponding author at: School of Psychology, Victoria University of Wellington, PO Box 600, Wellington, New Zealand.
E-mail address: Tony.Ward@vuw.ac.nz (T. Ward).

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 risk (discussed later in this section), and has also been conceptualized in terms of offence related vulnerability versus its manifestation in certain contexts (Ward & Beech, 2004). This view of DRF has been called the *propensities model*, and proposes that individuals display common crime related dispositions in a variety of functional domains (Mann et al., 2010).

Several meta-analyses undertaken in the 1980's and 1990's identified a core set of the best validated risk factors for criminal behavior, and pointed to the existence of a *Psychology of Criminal Conduct* (PCC; Andrews & Bonta, 2010; Bonta & Andrews, 2017). According to Andrews and Bonta (2010) and Bonta and Andrews (2017), these risk factors include crime correlates and predictors (i.e., variables statistically associated with reoffending), as well as dynamic predictors; a subset of these are thought to be *causes* of crime. Proposed causal dynamic predictors have been labelled “criminogenic needs” (Andrews & Bonta, 2010); variations in recidivism rates are hypothesized to be caused by changes in the relevant criminogenic need factor (s). In their book *The Psychology of Criminal Conduct*, Andrews and Bonta (2010) state that criminogenic needs are DRF that “when changed, are associated with changes in the probability of recidivism” (p. 49). Further, they specify that “dynamic predictors of criminal conduct or *criminogenic need* factors have great practical relevance because they inform interventions that reduce criminal behavior by identifying the targets of treatment” (p.20, italics in the original). In other words, they are viewed as potential causal factors that if effectively targeted by cognitive behavioral techniques will reduce reoffending rates. Andrews and Bonta have identified eight risk factors (seven of which are dynamic - Bonta & Andrews, 2017) which have the most empirical support in predicting reoffending: a history of criminal behavior (a static factor), antisocial attitudes, antisocial associates, antisocial personality pattern, marital and family factors, employment and school, leisure activities, and substance abuse. Andrews and Bonta (2010) and Bonta and Andrews (2017) acknowledge that these domains can be conceptualized in different ways by different researchers, for example as psychopathic traits or weak self-control.

Rather than being an *explanation* of criminal behavior, the seven factors provide *descriptions* of problems typically observed in individuals who persistently offend and in their environments. At this point in time they are best viewed as broad areas indicating vulnerability rather than as specific causes of offending. Bonta and Andrews (2017) have developed a comprehensive model of crime based on seven of their central risk factors, called the *General Personality and Cognitive Social Learning Theory of Criminal Conduct* (GPCSL). While this model describes the functional relationships between DRF and criminal conduct, in its current form it is unable to explain the onset and/or

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 reoccurrence. 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 responsivity 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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