



The conceptualization of dynamic risk factors in child sex offenders: An agency model



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ABSTRACT

The current preoccupation of criminal justice practitioners and policy makers with the prediction of reoffending has resulted in a conceptualization of risk as simply clusters of factors that correlate with recidivism. The reliance on these phenomena as explanations for the causes of sexual offending and as guides for treatment is a mistake, and in our view, the conceptualization of dynamic risk needs to be reexamined. This article begins with a discussion of the factors that increase and decrease risk of sexual offending; the focus is then widened to include agency, motivation, and values. These normative features are integrated with risk-related factors within the action-based Agency Model of Risk (AMR). This dynamic, interactional model highlights the importance of the relationship between the agent and context, with both proposed to contribute to the patterns of behavior resulting in an offense. The AMR is applied to a number of dynamic risk domains for sexual offenders, and its utility in explaining behavior and informing treatment discussed.

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The assessment of dynamic risk factors is a major concern of contemporary researchers and practitioners in the sexual offending field (Mann, Hanson, & Thornton, 2010; Ward, 2014). In part, this is because of a demand for better risk prediction measures and risk management technologies to protect the community from dangerous individuals. It is easier to take steps to minimize the risk of harm through precautionary efforts than to deal directly with the consequences of sexual abuse. Identifying the features of individuals who go on to offend and factors that minimize the chances of this occurring are priorities. However, another reason for the current preoccupation with dynamic risk and protective factors is that they offer hope of explaining offending, and as such can be used to structure assessment and treatment of individuals who commit sexual offenses. The recruitment of dynamic risk factors to formulate cases and to inform treatment is now standard clinical practice (Ward & Beech, 2015).

Running against the tide of contemporary practice, we think that the importation of dynamic risk (and protective) factors from the domain of risk prediction into the domains of etiology and treatment is deeply problematic. It assumes that dynamic risk factors are causes and refer to the psychological, biological, and social processes that actually result in sexual offenses. In our view, this is a dubious assumption, one that could quickly lead the field into theoretical and practice dead ends (Ward & Beech, 2015). A pressing concern is the lack of coherence between theoretical explanations of behavior and the prediction and management of risk (Ward, 2014). While there have been recent attempts to

link possible causal psychological factors with empirically supported variables in the sexual offending literature (e.g., Mann, Thornton, & Hanson, 2010), there is still an emphasis on prediction at the expense of explanation (Ward, 2014). Prediction is useful, but it is incorrect to assume that psychometric validity alone is proof of a causal relationship, or that it can adequately guide practice.

Over 10 years ago Beech and Ward (2004) explored the possible conceptual and causal relationships between etiological theories and static and dynamic risk factors in their Etiological Model of Risk. This model combined several influential etiological theories concerning child sex offenders with empirically derived risk factors. However, despite this work, and promising theoretical developments since that time, the relationship between risk and etiology has been relatively neglected and important questions remain unanswered. For example, it is unclear how dynamic risk factors and psychological mechanisms interact to *cause* and *maintain* sexual offending, or whether they actually refer to causes at all—as opposed to predicting recidivism.

In this paper, we take a closer look at the nature and function of dynamic risk factors, and their ability to explain sexual offending and to directly guide treatment. The first section of this paper concentrates on the current dominant conceptualization of risk, and explores how this account could be improved on through a more in-depth exploration of the content of dynamic risk factors. Four broad risk domains will be examined (cognition, self-regulation, interpersonal functioning, and sexual), and unpacked into their various components and functions, and protective factors are briefly discussed. The second section will explore what is missing from the contemporary view of risk, namely motivational and normative features. In this section we also outline a new etiological model of risk, the *Agency Model of Risk* (AMR), illustrating its

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ability to link the various facets of dynamic risk factors with sexual offending behavior. In the third section the capacity of the AMR to accommodate facets of dynamic risk factors is explored. Finally, in the fourth section, we evaluate the theoretical and practical implications of the AMR, and offer suggestions for future development of the model.

The primary aim of this paper is to encourage greater discussion concerning the motivational, psychological, and behavioral processes relating to criminal risk. We do not pretend that the AMR is the last word on the etiology of risk and appreciate that it is simply one attempt to create a conceptual bridge between risk assessment and etiological theory. However, the roots of the AMR in agency theory and evolutionary research, and its claim that dynamic risk factors are composite constructs, are new ideas that will hopefully advance our thinking about the nature of risk.

1. Risk

Empirical and theoretical research supports the conclusion that there are at least four major domains of risk (and their various components) that a causal model of sexual offending ought to accommodate: cognition, self-regulation, interpersonal functioning, and sexual (Hanson, & Harris, 2000; Mann et al., 2010; Thornton, 2013) (see Table 1). These risk factors are much like observable symptoms of psychological disorders. We cannot confidently say why they are present or how they function, but they are widely recognized (and empirically supported) as problems experienced by individuals who sexually abuse children. However, as things presently stand the relationship between dynamic risk factors and sexual offending is primarily one of association and does not imply direct causation.

In addition, as recently argued by Ward and Beech (2015), risk factors identified in the literature contain both causal and descriptive elements, which need to be teased apart in order to avoid conflating distinct constructs. For example, despite both being included in the dynamic risk category of *interpersonal problems*, lacking emotionally close adult relationships is an observable problem whereas emotionally identifying with children is better viewed as one of its possible causes.

Dynamic risk factors are composite constructs in at least three distinct senses. They are frequently discussed in the literature and appear in psychometric models as a *type* of construct whereas in fact the four general domains are heterogeneous collections of specific dynamic risk factors; thus, the general category labels are simply place-holders for clusters of heterogeneous and concrete factors. For example, de Vries Robbé (2014) unpacks the general category of dynamic risk factors evident in sex offenders into such elements as sexual preoccupation, deviant sexual interests, offense-supportive attitudes, emotional congruence with children, impulsiveness, poor cognitive problem solving, grievance/hostility, and lack of concern for others. The difficulty is that later in his monograph he outlines a proposed explanatory model that uses the general term *risk factors* in which he explores its relationship to violence and protective factors (de Vries Robbé, 2014). At best,

this use of the term is misleading, while at worst, it conflates levels of constructs. That is, it is not clear whether it refers to the overall set of domains of risk factors, the four domains themselves, or to the particular dynamic risk factors that are contained within each of the domain categories.

A further problem related to the composite nature of dynamic risk factors is that each domain is typically broken down into further features, some of which causally exclude each other. For example, in his recent summary of risk and protective factors in adult male sexual offenders, Thornton (2013) listed sexual violence and sexual interest in children as subdomains of the general dynamic risk factor of sexual interests. The problem is that the “umbrella,” so to speak, of deviant sexual interests consists of qualitatively different variables, which arguably refer to distinct causal processes and their associated problems. Finally, the description of dynamic risk factors is vague and seems to include both dispositional and state aspects. For example, the stable dynamic factor of general self-regulation includes negative emotionality (a mental state) and poor problem-solving (an enduring psychological feature). Taking into account the heterogeneous nature of dynamic risk factors, we propose that they are *composite constructs*, requiring further analysis to disentangle their various, inter-related components. We will explore this issue in greater depth below.

1.1. Risk assessment: the pre-occupation with prediction

Risk prediction largely involves actuarial (statistical) assessment tools that combine a number of empirically derived “risk factors” to form a total risk score for the individual. Risk factors were initially categorized as *static* or *dynamic*, based on whether or not they could be directly or indirectly modified. Static factors include demographic features and historical events (e.g., age and past offenses), which are unable to be altered. Dynamic risk factors can in theory be changed, for example offense-supportive attitudes might be replaced with prosocial attitudes and their associated beliefs; changes which predict reduced recidivism. For this reason a subset of dynamic factors have been termed *criminogenic needs*, and are preferred treatment targets in sex offending and general correctional treatment programs (Andrews & Bonta, 2010). Thus, researchers and clinicians believe that dynamic risk factors influence behavior because when they are successfully targeted in treatment reoffending rates decrease (Hanson & Morton-Bourgon, 2009). It is assumed that these factors are causal, but without an adequate explanation of their nature and functions it is difficult to determine whether or not this is the case (Illari & Russo, 2014). Certainly dynamic risk factors are useful for prediction because they are associated with offending in some way, but on their own they do not explain how or why offending occurs (Ward & Beech, 2015).

Dynamic risk factors have been further divided into *stable* and *acute subtypes*, based on their persistence over time (Hanson & Harris, 2000). Stable factors persist across weeks or months (e.g., antisocial attitudes), while acute factors increase the imminent risk of offending (e.g., intense

Table 1
Child sex offender dynamic risk domains.

Cognitive	Emotional	Interpersonal	Sexual
<i>Cognitive Skill Deficits</i>	<i>Poor Self-Management</i>	<i>Social Skill Deficits</i>	<i>Sexual Pre-occupation</i>
Cannot identify/solve problems	Risky/impulsive behavior (generally)	Comfortable around children	Promiscuity
Rigid thinking	Substance abuse	Incapacity for intimacy with adults	Excessive use of pornography/masturbation
Cannot describe goals	Uses sex/masturbation to cope	Immature relationships	High sex drive
Cannot predict negative consequences	Non-compliance	Aggression	Loses control when sexually aroused
<i>Offense-Supportive Beliefs</i>	<i>Negative Affect</i>	<i>Intimacy Deficits</i>	<i>Sexual Deviance</i>
Believes that sex with children is ok	Hostility toward women	No long-term/co-inhabiting partners	Views child pornography
Self as uncontrollable and entitled to sex	Lack of remorse	No close adult relationships	Unusual/harmful interests
Dangerous world	Blames others	Children friends/peers	Pedophilia
	Negative rumination	Social isolation	Distorted sexual scripts
	Conflicted desires		Wide range of previous sexual offenses

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