



Intimate partner violence in prisoners: Toward effective assessment and intervention[☆]



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ABSTRACT

This paper reviews the significant challenges that are involved in the development of services for perpetrators of intimate partner violence who are in prison. It is suggested that difficulties in accurately identifying intimate partner violence, reliably assessing risk of re-offense, and in identifying offending behavior programs that meet the specific needs of prisoners have limited the development of services in this area. As a result it is argued that unique and complex victim related issues that arise during incarceration and post-release are not adequately recognized in current correctional assessment and case management systems. Four avenues for future research and service development in this area are identified, with a view to developing the role that correctional services have to play in preventing intimate partner violence.

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1. Introduction

Violence against women has been described by some as having reached epidemic proportions (Alhabib, Nur, & Jones, 2010). While this may be an artifact of how violence is measured, large population based

surveys, such as that conducted by Perilla, Lippy, Rosales, and Serrata (2011), suggest that at least one in ten women in the United States will be a victim of intimate partner violence at some point in their life. When these prevalence rates are considered in light of what is known about the harmful effects of victimization (Golding, 1999), the case for implementing a broad range of initiatives that can prevent intimate partner violence becomes compelling. This includes those that target known offenders given that rates of recidivism among this group are particularly high (see Davis, Lurigio, & Herman, 2007), with data suggesting that, on average, victims of intimate partner violence will be re-victimized 20 times per year (Home Office, 2004). It follows that interventions that

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are even modestly successful in preventing recidivism in known offenders have the potential to have a profound impact on community safety.

Although correctional services are responsible for the management and rehabilitation of some of the highest risk and most dangerous offenders, there have been few published accounts of how correctional administrations have developed policies, services, and programs to reduce the risk of recidivism in domestically violent prisoners. The aim of this paper is to identify and understand some of the challenges that are associated with providing effective intervention in the prison setting. We suggest that the unique nature of intimate partner violence creates difficulties in accurately identifying the need for intervention in prison populations, that there are particular issues associated with assessing risk of re-offending in prisoners, and that relatively little is known about the effectiveness of behavior change programs that are delivered in the prison setting. Our focus in this paper is on intimate partner violence perpetrated by men against women. Although the term broadly refers to “acts of violence that occur between people who have, or have had, an intimate relationship in domestic settings” (Mitchell, 2011, p.1), the majority of serious violence that occurs in the home is committed by men against women. It is nonetheless acknowledged that intimate partner violence can also be perpetrated by women and occur in same sex-relationships (Johnson, 2011; Langhinrichsen-Rohling, Huss, & Ramsey, 2000; Oriel, 2012). Consequently, the arguments presented here likely also apply to female incarcerated offenders.

2. Identifying intimate partner violence in prison populations

2.1. Use of imprisonment

Recent years have seen the introduction of both legislation and policy around the western world that is thought to have led to an increase in the number of intimate partner violence perpetrators who receive a custodial sentence (Bowen, 2011a). Indeed, since the passing of the 1994 Violence Against Women Act in the United States, rates of prosecution and conviction have increased both in the US and in other jurisdictions (Garner & Maxwell, 2009). It remains the case, however, that those who receive custodial sentences will generally have committed more serious offenses than those who remain in the community, and will represent only a minority of those convicted for intimate partner violence offenses (see Steinman, 1988; Ventura & Davis, 2005). Although, sentencing practices will, of course, vary between jurisdictions, one Australian analysis of 20,000 cases dealt with by the courts found that less than one in five offenders received a prison sentence following a conviction for ‘assault occasioning actual bodily harm’ (i.e., non-sexual violence) against an intimate partner. It was only when the conviction was for the more serious offense of ‘recklessly causing grievous bodily harm’ that a prison sentence was likely (NSW Bureau of Crime Statistics & Research (BOCSAR), 2010).

A large and robust body of evidence now exists to show that imprisonment does not, by itself, lead to reduced rates of recidivism. For example, a US study reported by Gross et al. (2000) found that sentence type (advisement only, private counseling/fines, probation and participation in treatment, suspended and non-suspended jail sentences) did not systematically influence rates of recidivism in a sample of 177 intimate partner violence offenders. Also in the US, Ventura and Davis (2005) found that length of incarceration was not linked to the likelihood of recidivism in a sample of over 500 convicted intimate partner violence offenders who served periods of jail time ranging from 5 to 180 days. A third study by Wooldredge and Thistlethwaite (2005) of 3662 offenders arrested for intimate partner violence reported that the average jail term received was two months. Jail sentences were also not associated with reduced recidivism and offenders who were sentenced to split sentences (jail followed by a probation term) recidivated at a higher rate than those whose charges were subsequently dropped.

Finally, Kingsnorth (2006) examined predictors of recidivism in a sample of 872 intimate partner violence cases. Convicted offenders received an average jail term of 28.5 days and 15.8% of the whole sample was re-arrested during the 18 months following the initial arrest. Once again, jail term was not found to be associated with recidivism. The evidence therefore suggests that although jail is often used to sentence offenders who might be considered to be higher risk and who have engaged in more severe acts, the sentences handed down are most likely to be short and have little impact on rates of recidivism. There would seem, therefore, to be a need to investigate the potential for implementing a range of prison-based initiatives to both identify risk of recidivism, to develop interventions that can be offered in custody to reduce risk, and to deliver throughcare models which help to manage risk post-release. The first step, however, in developing such an approach is to identify those offenders who require such responses.

2.2. Problems in establishing prevalence

Although the prevalence of intimate partner violence in the prison population might be assumed to be high, there is very little published data that establishes the number of prisoners who have a history of violence in their intimate relationships (although we do have some data on the number of female prisoners who are victims of intimate partner violence; see an Australian study by Stone, Cunningham, & Comerford, 2008). Offense codes are, by themselves, unlikely to provide reliable estimates. This is partly because legislation differs across jurisdictions, but also because offenses are not always coded in a way that identifies intimate partner violence. If we take England and Wales as an example, no offense of ‘intimate partner violence’ exists, and although offenses committed within a domestic context may be flagged by police and court systems, these systems are not synchronized—this makes it almost impossible to track individual offenders from offense to sentence (Thompson, 2010). Similarly in Australia, while data on ‘most serious offense or charge’ are routinely collected, most intimate partner violence offenses are subsumed under other offense codes, such as ‘acts intended to cause injury’ (ABS, 2013).

Intimate partner violence may not necessarily be the offense for which a prisoner has been convicted. Rather, it may be present as an underlying issue in the context of other convictions (such as assault, serious criminal trespass, rape, murder/attempted murder, arson, property damage, threaten harm, breaches of orders, harassment and assault/resist police). Moreover, if as has been claimed, most detected intimate partner violence in the US is at the level of misdemeanor (Gondolf, 2012), then it is likely that many imprisoned offenders will have cautions for less serious types of intimate partner violence. In these circumstances, their current convictions will not reflect the context in which their offending occurred. Finally, offenders may also be incarcerated as a result of a failure to comply with less restrictive sanctions in the community (Babcock & Steiner, 1999).

This suggests that the proportion of prisoners who engage in intimate partner violence will be much higher than is indicated by index offenses alone, and that additional methods to identify intimate partner violence in this population may be useful. One potential option here is self-report. Although, it is self-evident that some offenders will choose not to disclose violence for which they have not been convicted, others may be identified in this way. For example, a study by White, Gondolf, Robertson, Goodwin, and Caraveo (2002) reported that 1 in 3 US male prisoners acknowledged recent physical violence against intimate female partners, and 1 in 10 reported that the violence was severe. Surveys of Canadian federal inmates have also suggested that about a third of all incarcerated males will have at least some history of violence against family members (e.g., Dutton & Hart, 1992). Lower rates have, however, been reported in samples of men who have been referred for treatment. Connors, Mills, and Gray (2012) report that 10% of 298 Canadian federal prisoners who were about to start treatment said that they had ‘never’ assaulted their

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