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# Do Batterer Program Length or Approach Affect Completion or Re-Arrest Rates?

A Comparison of Outcomes between  
Defendants Sentenced to Two Batterer  
Programs in Brooklyn

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## EXECUTIVE SUMMARY

Despite the growing reliance of courts on batterer program mandates for defendants charged with domestic violence, there is little evidence pointing to the efficacy of one program model over another. While others have examined the effectiveness of batterer programs versus no intervention, few have focused on the impact of various program models on outcomes. This report contributes by examining program completion and recidivism outcomes for defendants mandated to two batterer programs with disparate curricula, underlying philosophies, and program lengths.

The study takes place at the Brooklyn Misdemeanor Domestic Violence Court (BkMDVC), a specialized part opened in 1997 and designed to provide an immediate, certain, and consistent response to domestic violence. Batterer programs provide one of the key tools utilized by this court and others like it to ensure defendant accountability. During the period of this study, the court relied on two batterer programs for mandated defendants. The Domestic Violence Accountability Program (DVAP) is a 26-week program designed to educate men on the social context of domestic violence and teach them responsibility for their violent behavior. Interborough Developmental Consultation Center (IDCC) is a 12-week program which relies on a cognitive-behavioral therapeutic focus to change problematic behaviors.

### Research Methodology

This study includes 291 defendants mandated to the two batterer programs during 2001 and 2002. Of these defendants, 84 (28%) were mandated to DVAP and 207 (71%) were mandated to IDCC. As indicated by this distribution, defendants were more likely to be mandated to IDCC. Analyses indicate that defendants mandated to the shorter IDCC program had a less serious criminal history and were convicted of less severe charges.

Outcomes were compared on six key measures:

- *Program Completion*: Did the defendant complete the batterer program mandate?
- *In-Program Recidivism*: Did the defendant have a new arrest on any charge during program participation?
- *One Year Post-Sentence Recidivism*: Did the defendant have a new arrest on any charge in the year after sentencing?
- *One Year Post-Program Recidivism*: Did the defendant have a new arrest on any charge in the year after program completion or failure?
- *Criminal Contempt Recidivism*: Was the defendant re-arrested on a new criminal contempt charge in the year after sentencing, signifying a new domestic violence incident with the same victim?
- *Violent Offense Recidivism*: Was the defendant re-arrested on a new violent offense at any time between initial arrest and the end of the one year post-program period?

Independent variables included program assignment (DVAP or IDCC), demographic and other defendant characteristics, criminal case characteristics, and in-program compliance.

### Program Completion

Seventy percent of all defendants completed their program mandate. Program assignment did not significantly predict program completion, although the raw percentages suggest that, as expected, defendants mandated to the shorter 12-week IDCC program may have been somewhat more likely to complete their mandate than those mandated to the 26-week DVAP program. Controlling for the disparate defendant characteristics of defendants mandated to the two programs, 68% of DVAP participants and 77% of IDCC participants completed their program mandate.

Black defendants and unemployed defendants were both significantly less likely to complete the program mandate, as were defendants whose cases took longer to process from arrest to sentencing. However, the strongest predictor of program failure was early non-compliance: defendants who had not enrolled in the program by the time of their first compliance appearance in court were significantly less likely to complete the mandate.

## Recidivism

### Recidivism Rates

New arrests were broken down into three categories: re-arrests during program participation, re-arrests within the year following sentencing, and re-arrests within the year following program completion or failure. Twenty-eight percent of all defendants were re-arrested during program participation; 34% were re-arrested within one year of sentencing (a longer period than the time of program participation); and 24% were re-arrested within one year of program completion or failure.<sup>1</sup> There were no significant differences between defendants mandated to DVAP and defendants mandated to IDCC in any of these time periods. Similarly, significant differences were not evident when isolating re-arrests for criminal contempt offenses or re-arrests for any new violent offenses. The raw percentages suggest that, while not reaching statistical significance, defendants mandated to IDCC are somewhat more likely to have a new arrest when defendant characteristics are controlled.

### Predictors of Recidivism

The single strongest predictor of re-arrest, consistent with other areas of criminal justice research, is criminal history. Defendants with prior criminal convictions are consistently more likely to have new arrests. Other consistent predictors of re-arrest were defendant age, with younger defendants more likely to be re-arrested; and defendant race, with black defendants more likely to be re-arrested.

## Conclusion

Prior to this study, the research examining the impact of underlying program philosophy on outcomes generally found no impact on future violence (e.g., Brannen and Rubin 1996; Dunford 2000; Edleson and Syers 1990; Gondolf 1999; Gondolf 2005; Jones and Gondolf, 1997; O'Leary, Heyman, and Neidig 1999; Saunders 1996). The effect of program length on outcomes was less conclusive, with some studies finding that batterers attending longer programs, while less likely to complete their program mandate, are also somewhat less likely to commit future violence (Davis, Taylor, and Maxwell 2000; Gondolf 1999). Others found no impact of program length on future violence (Edleson and Syers 1990; Hanson and Wallace-Capretta 2000).

The findings presented here further suggest that neither underlying program philosophy nor program length alone predict either program completion or future violence. When coupled with findings from the growing literature indicating that batterer programs are not a successful intervention for reducing future violence (e.g., Dunford 2000; Feder and Dugan 2002; Labriola, Rempel, and Davis 2005), these results may indicate that such programs are best conceived of as tools to ensure defendant accountability rather than as mechanisms for rehabilitation.

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<sup>1</sup> Because the final time period (post-program recidivism) begins upon program completion, new arrests during program participation (in-program arrests) are not included in this count.

## CHAPTER 1 INTRODUCTION

While several studies have examined the effectiveness of batterer programs versus no intervention (e.g., Dunford 2000; Feder and Dugan 2002; Labriola, Rempel, and Davis 2005; Palmer, Brown, and Barerra 1992), only a few studies have examined the impact of specific batterer program curricula and underlying philosophy on participant success. Among those studies that look at the influence of batterer program curricula on reducing future violence and/or arrest, few have found substantial differences, despite widely varying program requirements and curricula (e.g., Brannen and Rubin 1996; Dunford 2000; Edleson and Syers 1990; Gondolf 1999; Gondolf 2005; Jones and Gondolf, 1997; O’Leary, Heyman, and Neidig 1999; Saunders 1996).

By taking advantage of the sentencing patterns at the Brooklyn Misdemeanor Domestic Violence Court, where the District Attorney has traditionally relied on two batterer programs with differing philosophies and curricula, this study further examines the impact of program type on completion rates and recidivism. This study compares outcomes between defendants sentenced to a 26-week batterer program with an educational orientation (the Domestic Violence Accountability Program) and a 12-week batterer program with a psychoeducational orientation, in which three of five curricular clusters have a cognitive-behavioral therapeutic focus (Interborough Developmental and Consultation Center).

### Organization of the Report

The first three chapters provide background information on the project. The remainder of this chapter briefly reviews the relevant literature. The next chapter describes the Brooklyn Misdemeanor Domestic Violence Court and the two programs to which it mandates offenders. Chapter Three describes the project’s methodology and the hypotheses that form the basis of the current study. The three following chapters present descriptive data and project findings. Chapter Four compares the characteristics of offenders mandated to the two batterer programs. Chapter Five reports on predictors of program completion, while Chapter Six reports on predictors of recidivism. Finally, Chapter Seven concludes with a discussion of the findings as related to proposed hypotheses, as well as noting the policy implications.

### Review of the Literature

#### The Rise of Batterer Programs

The late 1970s saw the creation of the first batterer programs (Gondolf 1997). As feminists and victim advocates came to realize that the cycle of domestic violence was not curtailed through the services they provided to victims who then returned to the same abusive relationships, activists sought to develop more effective means of addressing domestic abuse (Healey, Smith and O’Sullivan 1998). Early service providers felt group treatment to be more appropriate than individual or couples counseling, as the group setting provided peer support for those trying to end their abusive behavior (Crowell and Burgess 1996). In addition, couples counseling was thought to run the risk of blaming the victim, while group treatment can be used to encourage offender accountability (e.g., Healey et al. 1998). Initially run primarily as consciousness-raising groups to promote anti-sexist messages, the early batterer programs gradually incorporated cognitive-behavioral therapeutic techniques and exercises. Over time, the groups also drew on skill-building exercises developed by social workers and clinical psychologists (Gondolf 1997).

Pro-arrest legislation of the 1980s and 1990s led to increased use of batterer program mandates by courts, increasing both the quantity and diversity of available programs (Feazell, Mayers, and Deschner 1984; Ganley 1987; Gondolf 1991, 1997) as well as the number of batterers attending programs; one study estimates that approximately 80% of those in batterer programs were court-mandated (Healey et al. 1998).

Courts’ rationale for using such programs varies. Some courts hope that batterer programs will rehabilitate offenders, reducing offending among those who participate. Other courts may not believe that programs have long-term impacts on batterers’ behavior, but use programs as one of several tools to

enhance defendant monitoring; as long as defendants are attending a program, they are subject to increased supervision and, therefore, new infractions are more likely to be detected. The judges at the BkMDVC are well aware of the debate over the rehabilitative impact of batterer programs, but regard programs as an effective tool for defendant monitoring and accountability.

### Program Models

As the number of batterer programs has increased, the breadth of philosophies encompassed by these programs has likewise expanded. Writers in the area characterize the philosophies somewhat differently (e.g., Association of the Bar of the City of New York 2004; Gondolf 1990; Healy et al. 1998). Gondolf (1990) classifies three models:

- Therapeutic programs, which focus on the treatment of emotional pain and/or psychological problems, which are perceived to be the root of battering;
- Psychoeducational programs, which provide instruction in cognitive and social skills to address a deficit of communication and other social skills, which are perceived to be the cause of battering; and
- Didactic/Confrontational programs, which seek to teach batterers the consequences of abuse and encourage offenders to take responsibility for their abusive behavior. The model emphasizes the sexism underlying abuse and stresses batterer accountability.

Healy and colleagues (1998) likewise identify three principal program classifications, but their characterization differs somewhat:

- The Individual Model includes all forms of individual psychotherapy (including group programs that use the group setting to stimulate change within each individual offender). Two of the most prevalent programs utilizing this model are the Cognitive model, which focuses on addressing the thoughts and feelings underlying abusive behaviors, and the Compassion model, which focuses on providing batterers with an emotional vocabulary beyond violence.
- The Family Model views domestic violence as one of many symptoms of dysfunctional interpersonal dynamics within a family. The model relies on couples' counseling and avoids assigning blame or guilt for violence.
- The Society and Culture Model is based in feminist theory, and emphasizes the role of social structures in supporting batterers' abusive behavior. This educational model stresses accountability and requires batterers to take responsibility for their own abusive behavior. The Duluth curriculum stems from this model, but in many variants may include cognitive-behavioral components as well (including aspects of the Individual Model).

Another model that has become particularly common in New York State may be termed the Accountability Model, or simply the New York Model, as many of its adherents refer to it. The New York Model was developed by the Domestic Violence Program for Men. The purpose of programs following the New York Model is to extend judicial monitoring and to hold perpetrators of violence accountable for their actions. Programs following the New York Model stress monitoring and accountability, maintaining that batterer programs should not be thought of as a rehabilitative tool. Viewing programs as a method for ending abusive behavior is seen as unrealistic at best, dangerous at worst. Like the Didactic/Confrontational model and the Society and Culture model, the New York model emphasizes the sexism underlying domestic abuse and stresses batterer accountability; however, this model holds that the curricular content of the batterer program classes are less important than the fact that the men are held accountable for attending (Frank 2005).

Regardless of how they classify program models, researchers seemingly agree that most programs rely on a combination of models. Healey and colleagues (1998) maintain that psychoeducational models based on skill-building coupled with pro-feminist attitude change are the most commonly used. Likewise,

in a review of thirty batterer programs, Gondolf (1990) finds that the majority of programs can be classified as psychoeducational, although many of these include didactic/confrontational elements as well.

The eclectic nature of most batterer programs may help to explain the dearth of studies of differential impacts by program model – it is nearly impossible to locate ideal types of any program model. Additionally, programs vary on far more than their ideological orientation: they may differ in program implementation, program duration, linkages to the court, monitoring, payment policies, and victim advocacy (Gondolf 1997). They may also differ in their level of fidelity to the model with which they publicly affiliate themselves.

Several studies have nonetheless been performed comparing alternate models. One study finds reductions in recidivism for couples attending multi-group therapy sessions versus those attending more traditional couples counseling sessions. Participants in this study were not, however, involved in the criminal justice system (Stith, Rosen, McCollum, and Thomsen 2004). Several other studies examining the effectiveness of couples counseling as compared to psycho-educational batterer programming found no significant differences between the two models (Brannen and Rubin 1996; Dunford 2000; O’Leary et al. 1999). Similarly, Edelson and Syers (1990) found no significant differences in outcomes among batterers assigned to psychoeducational programming, those assigned to a self-help group, and those assigned to a program combining the two approaches. Saunders (1996) found no difference in victim-reported violence or fear of violence between batterers assigned to a cognitive-behavioral program and those assigned to a process-psychodynamic group, although results did vary based on batterers’ psychological profile (e.g., dependent versus antisocial). Overall, in the limited literature to date there exists little evidence illustrating an impact of program orientation upon outcomes.

Results have been mixed when examining the impact of program length on outcomes. One study finds that the length of the program, regardless of content, may influence reassault; while those assigned to a shorter program were more likely to complete the program mandate, those in a longer program were less likely to be re-arrested. The authors of this particular study, however, attribute its findings not to an impact of the longer batterer program, but to the longer period of court control over the men attending the longer program (Davis, Taylor, and Maxwell 2000).<sup>2</sup> Findings from another study suggest that batterers attending longer, more intensive programs were significantly less likely to have a new severe reassault than those attending shorter, less intensive programs, even when other background factors were held constant (Gondolf 1999). However, there were no significant differences in terms of general re-arrest, controlling behavior, or victim perceptions of safety in this study. Others have found no significant differences between outcomes for defendants mandated to programs with different lengths (Edleson and Syers 1990; Hanson and Wallace-Capretta 2000).

Many states have or are developing guidelines to regulate both program content and length (Gondolf 1995). While most state guidelines favor programs based on the Duluth curriculum, some maintain that such a “one size fits all” approach may ignore the diversity of batterers (Healey et al. 1998). Such critiques have led to the creation of specialized programs targeting different batterer types based on personality, history of violence, or substance abuse. Likewise, increasingly common are programs designed to accommodate socio-cultural differences among batterers (e.g., race, ethnicity, income, and sexual orientation). However, a recent study found no benefit of such culturally tailored programming in terms of either program completion or new offenses (Gondolf 2005).

### The Impact of Batterer Programs

While there has been little conclusive research examining which batterer program models are most effective in reducing re-offense, there is a sizeable literature examining the general effectiveness of batterer programs on future violence, as compared with the absence of any such programming. Early research in this area suffered from weak methodologies and/or inappropriate comparison groups. However, five recent randomized trials of batterer programs avoid the pitfalls of poorly matched or non-

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<sup>2</sup> Defendants in both programs were mandated to attend 39 hours of treatment, but one group attended weekly sessions over 26 weeks, while the other group attended longer biweekly sessions over 8 weeks.

existent comparison samples. Of these five studies, one found that programs led to decreased rates of re-offending (Palmer, Brown, and Barerra 1992); three found no impact on re-offending (Dunford 2000; Feder and Dugan 2002; Labriola, Rempel, and Davis 2005); and the final study reached somewhat ambiguous results. In this study, although those mandated to attend programs initially appeared to be less likely to re-offend, actually attending a batterer program had no impact on future abuse. Moreover, there was no difference between men mandated to the program and those receiving no treatment in terms of cognitive changes, indicating that participants' attitudes toward abuse were not altered by their program attendance (Davis et al. 2000). Taken together, these studies cast doubt on the overall effectiveness of batterer programs in reducing future violence (See also meta-analyses in Babcock, Green, and Robie 2004; Feder and Wilson 2005).

## CHAPTER 2 RESPONDING TO DOMESTIC VIOLENCE IN BROOKLYN

Responding to national trends in policing, prosecuting, and adjudicating domestic violence crimes, New York State passed the Family Protection and Domestic Violence Intervention Act in 1994, instituting mandatory arrest in all domestic violence incidents. In part prompted by the increase in domestic violence cases brought about by these new policies, the Kings County (Brooklyn) District Attorney, who had already established a specialized Domestic Violence Bureau, further introduced a victim advocacy program and a no-drop policy, under which virtually all domestic violence cases are prosecuted, whether or not the victim decides to proceed with the case. The rationale behind this prosecution strategy is multi-faceted. First, it takes the prosecution decision out of the hands of the victim, and thus, hopefully, eliminates any incentive for the batterer to harass the victim to drop the case. Second, it gives the District Attorney's Office the opportunity to reach out to victims and connect them to services during the extended period that the case is pending. It is hoped that, even if the case is ultimately dismissed, the victim will be safer in light of the services she has received. Third, by keeping cases open, it keeps batterers under the watchful eye of the court longer. Thus, it is hoped that victim safety can be ensured for a longer period of time, as the court will respond quickly to any new incidents (Peterson 2003).

In 1996, the Kings County Supreme Court opened a specialized court part to adjudicate felony domestic violence cases. This court's successful implementation led to the opening of a misdemeanor court, the Brooklyn Misdemeanor Domestic Violence Court, in 1997.

### The Brooklyn Misdemeanor Domestic Violence Court

The BkMDVC is made up of three court parts – two that adjudicate all of the borough's domestic violence cases, and a third that monitors defendants' compliance with court orders. This monitoring is accomplished primarily by bringing defendants back to court for frequent, regular appearances as a condition of sentence. Defendants are often ordered to attend batterer programs simultaneous with the monitoring period, and program compliance is often a principal focus during the compliance monitoring appearance.

Each of the two all-purpose (adjudicating) court parts is presided over by a dedicated, specially trained judge, while a specially trained judicial hearing officer (usually a retired judge) sits in the compliance part. The court also employs a resource coordinator, who is charged with tracking cases in all three court parts, obtaining compliance reports from service providers, and providing the judge with compliance information. Beyond specialized staffing, the court relies on technology systems to facilitate defendant tracking. Linkages between the court and victim service agencies, which provide on-site victim advocacy, and batterer programs are also crucial to court operations.

The court's goals include the following:

- *Immediacy, certainty, and consistency:* The court seeks to provide an immediate, certain, and consistent response to domestic violence;
- *Safety:* By linking victims to victim advocacy and other services, the court seeks to enhance victim safety and provides victims with up-to-date case information;
- *Accountability:* Regular judicial monitoring of compliance with court-mandated programs and other court orders, such as Orders of Protection, results in prompt response to violations, enabling judges to ensure defendant accountability;
- *Coordination:* Case history and compliance information are shared across criminal justice agencies and community-based service providers, allowing for a uniform and coordinated response to violations; and
- *Technology:* Data systems designed especially for the court provide judges with updated case and compliance information, intended to help judges to make informed decisions.

In 2002, the BkMDVC disposed 9,157 domestic violence cases. Of these cases, 18% pled guilty or were convicted, 30% received an adjournment in contemplation of dismissal (an interim disposition that is usually changed to a dismissal six or twelve months later if the defendant stays out of trouble), and 51% were dismissed. Of those pleading guilty or convicted, 51% received a conditional discharge, 35% received jail time, 7% received probation, 5% were mandated to community service, and 1% received a fine. It is unknown what percentage of those receiving a conditional discharge also received a program mandate.

### The Batterer Programs

During the period covered by this research, the BkMDVC relied principally on two batterer programs. Key characteristics of the two programs are outlined below in Table 1.

### The Domestic Violence Accountability Program

The Domestic Violence Accountability Program (DVAP) follows an educational model incorporating many of the tenets of the New York Accountability Model. According to the participant handbook, DVAP is designed to educate men on the social and political context of domestic violence and to teach men responsibility for their own violent and abusive behavior. The classes are designed to help participants understand their beliefs about violence and other forms of abuse. The program emphasizes accountability and compliance with program requirements. DVAP does not claim rehabilitation as one of its intended goals, focusing more exclusively on the goals of accountability and monitoring. Like the traditional Duluth model of batterer programming, DVAP intends itself to serve as one part of a larger coordinated community response, working with the criminal justice system to facilitate judicial monitoring.

DVAP is run by a New York City victim service agency, Safe Horizon, and is a 26-week program that meets once a week for an hour and fifteen minutes. The program accepts only court-mandated men, who are required to pay \$35 a week in addition to a \$30 registration fee, although documentation of low income may result in a reduced fee. Classes are available in both English and Spanish. Classes are conducted in a classroom format, with group leaders facilitating discussions, keeping participants on-topic, and encouraging them to question their own assumptions. Throughout, participants are encouraged to take responsibility for their abusive behavior.

In order to encourage defendant accountability, DVAP participants are required to comply with a number of program rules, which are explained to participants at an initial orientation session. Participants must complete a total of 26 classes with no more than three absences, and no consecutive absences. Absences are excused only when documentation of in-patient hospitalization of the participant or a family member, death of a family member, or religious observation is provided. Participants arriving late to class are considered absent. Participants are not allowed to leave the classroom during sessions for any reason. Class fees are paid by money order by all participants at the beginning of each session. No drugs or alcohol are permitted; participants who are suspected of coming to class under the influence of drugs or alcohol may be asked by instructors to leave. Weapons, cellular phones, and pagers are also prohibited in class. All participants are expected to actively contribute to class discussions. Participants may be asked to leave the class for aggression, sleeping in class, and other disruptive behavior.

Researchers attended both a DVAP orientation session and a class to get a better sense of how the program was conducted. During the orientation session, which began within five minutes of the scheduled time, the orientation leader gave participants a copy of the program handbook and explained the program rules in detail. Participants were required to sign in and pay the program fee at the beginning of class and to sign out at the end of the session. One participant came to class without the program fee and was asked to leave and return the following week with a money order. After reviewing the program rules, the program representative instructed participants that anyone who did not feel that they could comply with the rules should return to the judge who mandated them to the program and ask for another mandate. He reminded participants that it is better to be honest with the judge early on than to begin the program and

fail to complete the 26 weeks. Participants were then free to ask questions prior to signing out of the orientation session.

The class attended by researchers also began promptly. The class was facilitated by two instructors, one male and one female. Participants signed in and paid their program fees prior to beginning the day's lesson. The lesson plan involved a video reenacting a domestic abuse incident that resulted in the husband's murder of the wife. However, due to difficulties with the video equipment, the video could not be played. Instead, the instructors summarized the video for the class. In addition, instructors read from another account of domestic abuse, this one describing the abuse of a prostitute by her pimp. The class was then opened up for discussion, with instructors calling on participants who had their hands raised, and occasionally asking for input from the less vocal participants. They asked participants to reflect on each others' comments as well as on the course materials. The instructors emphasized that, although the examples given in the course materials were extremes, violence in all its forms is inappropriate. However, it was not clear that participants grasped this message; many seemed to focus on the particulars of the very graphic examples. The instructors maintained control over participants throughout the class period. For the most part, participants appeared to be engaged in the discussion.

#### Interborough Developmental Consultation Center

The second program primarily used by the court during this time period, Interborough Developmental Consultation Center (IDCC), draws on a psychoeducational model. Like DVAP, IDCC is designed to reeducate participants about the roles of power and control in domestic abuse. However, this program also seeks to effect behavioral change by helping participants to identify abusive behaviors and replace them with healthy alternative actions. Much of IDCC's focus is on communications, with activities intended to help participants recognize ineffective methods of communication and replace them with more effective tools.

The program includes five topic "clusters." During the first cluster, participants are introduced to the program rules and guidelines, invited to tell their own story, and encouraged to begin thinking about violence as one means of communication that failed. Discussion during this cluster focuses on the role that power and control play in communications. Participants are asked to reflect on their own patterns of communication in an anger journal and are instructed to take a "time out" when they recognize that they are getting angry. In the second cluster, participants are introduced to the idea that violence is a choice and are encouraged to explore the reasons behind their own choice of violence. Participants and instructors discuss distorted beliefs and displaced anger that may be at the root of "inappropriate communications" and violence. In cluster three, participants identify patterns and themes behind their violence and are encouraged to take responsibility for both the violence and the decision to change their violent behavior. In addition, barriers to direct communication (e.g., cultural, familial) and effective ways of coping with these barriers are explored. The impact of violence on children and patterns of response to women beginning in childhood are also discussed. In cluster four, reasons for seeking out and staying with certain partners are explored. The responsibility of the participant to change abusive behavior is reinforced to avoid projection of responsibility onto the partner. In the final cluster, participants identify areas of continued vulnerability and develop plans for maintaining non-aggressive behavior.

IDCC is a free twelve-week program designed to help batterers identify and change abusive patterns in their relationships. It is open to both court-mandated and voluntary participants, though the majority of participants are court-mandated. The group meets weekly and is led by a single therapist. Groups are open-ended and rely on participants who have been in the program longer to model appropriate behavior for those participants who are newer to the program. Although the curriculum is defined by the five clusters described above, because groups are open to participant discussion, clusters may not be discussed in the same order each time. For instance, if in the course of the group discussion of the first cluster, participants bring up something related to cluster four, the next week's discussion might address cluster four before the group returns to cluster two.

During the researchers' site visit to IDCC, the class was scheduled to begin at 9:15 a.m. However, only four participants had arrived by this time, so the therapist waited another fifteen minutes to begin.

When no additional participants had arrived by 9:30, the class began. Over the course of the session, three additional participants arrived, each of them at least half an hour late. The therapist reminded the first two late arrivals that they should try to be on time. When the final arrival arrived, he had a question for the instructor and she stepped into the hall to discuss the issue with him, encouraging the participants to continue their conversation in her absence.

The class began with the therapist asking participants to talk about what they learned from their homework. None of the participants recalled their homework, so the therapist distributed copies of a handout, entitled “The Anger Episode Model.” Participants were then given a few minutes to review the handout, which described how a trigger leads to general arousal and anger. After participants had reviewed the information, the therapist asked for volunteers to describe an incident that triggered their anger and to tell the group how they dealt with the situation. The therapist then asked volunteers to identify alternative ways that they might have dealt with the trigger.

Throughout the session, the participants controlled the direction of the conversation. Although some of the suggested ways to deal with triggers were more appropriate than others, the therapist seemed reluctant to evaluate the suggestions of participants. The conversation veered off-topic several times, at one point resulting in the detailed discussion of a movie plot to serve as evidence that the police target certain populations. Despite the digressions from the lesson plan and the movie synopsis, the therapist did not intervene to curtail what ultimately became a session of shared grievances. In addition, when a new referral to the group was invited to tell his story, he related an extremely implausible scenario in which his girlfriend was responsible for his arrest, which neither the group leader nor the other participants challenged.

Shortly after this site visit, court staff from BkMDVC attended an IDCC session and had a similar experience to that of the researchers. Based on this observation, the court determined that IDCC was not an appropriate service for the court’s mandated defendants and ceased using it.<sup>3</sup> As of this writing, the court continues to look for an alternative local free program for low-income defendants.

Because the court no longer mandates defendants to IDCC, the policy implications of the findings reported here are not program-specific recommendations for BkMDVC. Instead, the findings should be interpreted as a general examination of the impact of program structure, philosophy, and mandate length on outcomes. As such, this report offers insight into programs beyond the specific programs utilized by BkMDVC during the period in question.

Table 1. Program Descriptions

	DVAP	IDCC
<b>Program Length</b>	26 weeks	12 weeks
Cost	\$30/week + \$35 registration	Free
Accepts Voluntary Participants	No	Yes
Accepts Court-Mandated Participants	Yes	Yes
Absence Policy	No more than 3 absences, no consecutive absences	No more than 3 absences without documentation
Class Format	Classroom	Open-Ended Discussion
Emphasis	Education; Accountability	Communication

<sup>3</sup> Because the data for this research pre-dated the court’s decision to cease mandating defendants to the IDCC program, this decision did not impact the current study.

## CHAPTER 3 RESEARCH METHODOLOGY

### Case Identification

The subjects of this research are defendants adjudicated in the Brooklyn Misdemeanor Domestic Violence Court in 2001 and 2002. Through a review of court files, researchers identified 296 male defendants who were sentenced to one of the two batterer programs. Key identifiers, including New York State Identification Number, date of arrest, and docket number were obtained for all defendants. These identifiers were then submitted to the New York State Division of Criminal Justice Services (DCJS). DCJS was able to provide complete criminal records files for 291 of the defendants (98% of the original population). Of these, 84 (28%) had been sentenced to DVAP and 207 (71%) had been sentenced to IDCC. In addition to information on criminal history and new arrests, DCJS provided demographic data (e.g., date of birth, race).

### Selection Bias

Defendants were much more likely to be sentenced to IDCC, the free twelve-week psychoeducational program, than to DVAP. However, court staff reported that the decision to sentence defendants to DVAP or IDCC was fairly arbitrary. If this were the case, we would expect to see few significant differences between defendants sentenced to DVAP and those sentenced to IDCC. As illustrated in Table 2 below (see Chapter 3), this is not the case – there are, indeed, a number of significant differences between the DVAP and IDCC populations.

In order to reduce the differences between the two populations, several techniques to match the groups were implemented. These techniques are described in detail in Appendix A. Ultimately, we controlled for selection bias by applying standard multivariate regression techniques to the full DVAP and IDCC samples. The result of these regression analyses are equations predicting each outcome of interest (i.e., program failure, recidivism) for each of the two samples. Average defendant characteristics (i.e., the mean value of each of the independent variables) are then inserted into the regression equations and the likelihood that defendants in either of the two programs will fail to complete their program mandate and/or will recidivate in a given time period is calculated.

### Analysis

The analyses in this report rely on bivariate comparisons to determine whether there are statistically significant differences in outcomes (i.e., program completion and recidivism) based on program assignment and other key variables (e.g., demographics, criminal history, current charges, case processing). Those variables that prove significant in these bivariate comparisons are then used to develop multivariate regression models that control for the impact of other independent variables. For consistency, similar independent variables are used in all of these models, taking into account the results from the bivariate analyses. For dichotomous dependent variables (e.g., completed the program mandate or not, recidivated within a given time period or not), logistic regressions are used. However, Poisson regression, which is tailored for outcome measures that are heavily right-skewed (that is, a large number of zeros and a decreasing amount of higher numbers), is used to predict in-program recidivism, measured in new arrests per month.

For each dependent variable, the results of two regression models are presented. The first model includes baseline variables only and the second model adds relevant in-program variables.<sup>4</sup>

### Dependent Variables for the Current Analysis

All recidivism analyses in this study rely on official reports of new arrests. This undoubtedly underestimates the actual incidence of new violence; however, it is a measure commonly used, as it is likely to be more accurate than defendants' self-reports and more easily obtained than victim reports.

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<sup>4</sup> With the exception of the in-program analysis, which excludes in-program variables.

There are six key dependent variables of interest:

- **Program Completion:** Did the defendant complete the program mandate? (Of those who did not complete, reasons include: termination by the program (48%); conditional discharge extended<sup>5</sup> (23%); conditional discharge expired (12%); violation of conditional discharge with new sentence imposed (3%); violation of conditional discharge, time served or other (7%); resentenced for some other reason (5%); and unspecified non-completion (2%));
- **In-Program Recidivism:** Did the defendant have a new arrest on any charge during program participation?
- **One Year Post-Sentence Recidivism:** Did the defendant have a new arrest on any charge in the year after sentencing?
- **One Year Post-Program Recidivism:** Did the defendant have a new arrest on any charge in the year after program completion or failure/non-completion (program completion date is measured as final court appearance<sup>6</sup>)?
- **Criminal Contempt Recidivism:** Was the defendant re-arrested on a new charge of criminal contempt (violation of a protective order) in the year after sentencing, signifying a new domestic violence incident with the same victim? Although we cannot determine whether new arrests are domestic violence incidents with 100% accuracy, criminal contempt is a good proxy. And
- **Violent Offense Recidivism:** Was the defendant re-arrested on a new violent offense at any time between initial arrest and the end of the one year post-program period?<sup>7</sup>

#### Predictors of Program Non-Compliance and Recidivism

The research to date has identified a variety of demographic, criminological, and psychological factors thought to potentially influence program non-compliance and recidivism. Generally, factors associated with non-compliance and/or program failure, not surprisingly, tend also to be associated with recidivism (Bennett and Williams 2001). However, findings vary across studies, leading to some debate over whether a single group of predictors is accurate for all populations (Hamberger, Lohr, and Gottlieb 2000).

#### Demographic and Socioeconomic Characteristics

As in other criminal justice literature, younger age has been found to be a significant predictor of both program non-completion and recidivism (Baba, Galaka, Turk-Bicakci and Asquith 1999; Buttell and Carney 2002; Cadsky, Hanson, Crawford and Lalonde 1996; DeMaris 1989; Hamberger and Hastings 1989; Hanson and Wallace-Capretta 2001; Labriola et al. 2005; Puffett and Gavin 2004; Saunders and Parker 1989). However, at least one study found no significant relationship between age and target outcomes (Daly, Power and Gondolf 2001).

In considering race, some research has indicated that African-American men are less likely to complete program mandates than Caucasian men (Gondolf and Williams 2001; Hamberger and Hastings 1989; Saunders and Parker 1989; Taft, Murphy, Elliot and Keaser 2001). While some have argued that this may indicate a need for culturally-specific programming, Gondolf's (2005) recent randomized trial found that culturally-specific programming had no positive impact on either program completion or

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<sup>5</sup> Although these defendants did not complete their program mandate in the allotted time, their conditional discharge was extended and the condition of a program mandate was eliminated.

<sup>6</sup> Because only 3% of all participants received a jail sentence in addition to a program mandate and, of those who received jail time, the average estimated incarceration time was less than ten days, time incarcerated for program failure is not included in the in-program time. Instead, the count for post-program time begins on the final court date for all defendants.

<sup>7</sup> "Violent" charges include murder, rape, robbery, aggravated assault, and simple assault. These charges were selected after examining defendants' new arrest charges. Because there were relatively few new arrests for violent offenses, we included all such new arrests occurring any time between the initial arrest resulting in the defendant's inclusion in the study and one-year post-program rather than limiting them to a select period (e.g., one year post-program). Imposing such a time limit would have resulted in a sample too small to allow for identification of significant predictors.

recidivism for African-American men. Moreover, other studies have found no significant relationship between race and outcomes (Buttell and Carney 2002; Daly et al. 2001; Gerlock 2001) and one study found Caucasian participants less likely to complete programs (Pirog-Good and Stets-Kealey 1986).

Unemployment has been found by many studies to be significantly related to outcomes, with unemployed participants significantly less likely to complete program mandates and significantly more likely to recidivate (Baba et al. 1999; Cadsky et al. 1996; Daly et al. 2001; DeMaris 1989; Feder and Forde 2000; Gerlock 2001; Grusznski and Carrillo 1988; Hamberger and Hastings 1989; Labriola et al. 2005; Peterson 2003; Pirog-Good and Stets-Kealey 1986; Rooney and Hanson 2001; Saunders and Parker 1989; Sherman 1993; Taft et al. 2001). Other studies have found no significant relationship between employment and outcomes (Brown, Feldbau and O'Leary 1997; Buttell and Carney 2002; Jones and Gondolf 2001; Puffett and Gavin 2004), although this finding may be due to a high level of employment among participants in at least one of the studies (Jones and Gondolf 2001).

Education level and income have also been found to be significantly associated with program retention and recidivism in several studies (Baba et al. 1999; Cadsky et al. 1996; Daly et al. 2001; DeMaris 1989; Feder and Forde 2000; Gondolf and White 2001; Grusznski and Carrillo 1988; Rooney and Hanson 2001; Saunders and Parker 1989). That is, those with higher education and income levels are more likely to complete program mandates and less likely to recidivate, with some exceptions (Brown et al. 1997; Buttell and Carney 2002).

Marital status has been found to be significantly related to program completion and recidivism in some studies, with married defendants being more likely than single or divorced defendants to complete program mandates, and less likely to recidivate (Baba et al. 1999; Cadsky et al. 1996; DeMaris 1989; Feder and Forde 2000; Gondolf and Foster 1991; Harrell 1991). Other studies have found no significant relationship in this regard (Berk, Campbell, Klap and Western 1992; Buttell and Carney 2002; Gondolf and White 2001; Pate and Hamilton 1992).

Earlier findings regarding the relationship between compliance, employment, marital status and other demographic factors can be used as a proxy for the degree to which defendants have a stake in conformity. That is, those defendants with relatively "more to lose" through non-compliance – e.g., those who are employed, married, and have a high degree of residential stability (as measured by time at current residence) – may be more likely to be compliant (Sherman and Smith 1992).

### Mental Health and Substance Abuse Issues

Although the available data for the current project do not allow for a close examination of addiction or mental health issues, it is worth noting that these factors have predicted outcomes in other studies. Participants with alcohol and drug abuse problems and those with severe personality disorders have been found to be less likely to complete program mandates and more likely to recidivate (Baba et al. 1999; Daly et al. 2001; DeMaris 1989; DeMaris and Jackson 1987; Dutton et al. 1997; Gondolf 2002; Grusznski and Carrillo 1988; Hamberger and Hastings 1990; Hanson and Wallace-Capretta 2001; Saunders and Parker 1989). As a proxy for drug abuse, prior drug charges have also been found to be a significant predictor of program failure by some (DeMaris 1989; Grusznski and Carrillo 1988; Hamberger and Hastings 1989; Saunders and Parker 1989).

### Criminal History

Consistent with other areas of criminal justice research, much of the literature has found prior criminal history to predict both program failure and recidivism (Baba et al. 1999; Bocko, Cicchetti, Lempicki and Powell 2004; Cadsky et al. 1996; Feder and Forde 2000; Gerlock 2001; Hamm 1991; Hanson and Wallace-Capretta 2001; Harrell 1991; Peterson 2003; Pirog-Good and Stets-Kealey 1986; Puffett and Gavin 2004; Saunders and Parker 1989; Tolman and Bhosley 1991). While participants' history of domestic violence charges has sometimes been found to be predictive of recidivism (Gondolf and White 2001; Hamberger and Hastings 1993), this is not always the case (Murphy, Musser and Maton 1998). History of domestic violence – as distinct from a history of arrest for domestic violence – has not been shown to predict program failure (Gerlock 2001).

### Legal Coercion

In studies of court-based interventions with substance-abusing offenders, courts have sometimes been found to have a larger impact on compliance where the court has more coercive power over defendants (Rempel and DeStefano 2001; Young and Belenko 2002). That is, the court has a greater amount of legal leverage over defendants who are facing higher charge severity, those with an extensive criminal history, and generally any defendants for whom the repercussions of non-compliance are higher (e.g., higher jail alternatives). Consequently, defendants facing this greater legal leverage have more to gain through compliance with court orders and are, therefore, more likely to complete program mandates and less likely to recidivate.

Indeed, previous batterer program research indicates that the very fact that a program is court mandated (versus voluntary) leads to reduced drop-out rates (Daly 2001; Rosenbaum, Gearan and Ondovic 2001). However, others have found no relationship between recidivism and charge severity (Puffett and Gavin 2004) or length or severity of imposed punishments (Davis, Smith, and Nickles 1998). Likewise, the impact of sanctions – actual and anticipated – for noncompliant behavior has not been shown to reduce either program drop-out or recidivism (Heckert and Gondolf 2000; Hanson and Wallace-Capretta 2000).

### Programming

As noted in Chapter 1, there is little evidence pointing to the superiority of one program type (e.g., psychoeducational, therapeutic). However, there is some evidence that defendants assigned to shorter programs are more likely to complete than those mandated to longer programs (Bocko et al. 2004; Gondolf 1999; Davis et al. 2000), though possibly also more likely to recidivate (Davis et al. 2000). At least one study found that neither program length nor underlying philosophy impacted outcomes (Hanson and Wallace-Capretta 2000).

### Compliance

Puffett and Gavin (2004) hypothesize that early non-compliance, as measured by whether a defendant is enrolled in a program by the first court monitoring appearance, predicts later non-compliance, as indicated by failure to complete the program mandate and new arrests. Although their research found that early non-compliance did indeed predict program failure, the same significant impact was not seen on new arrests.

Compliance in the form of program completion has been shown by the majority of studies to decrease the likelihood of recidivism (Bocko et al. 2004; Eisikovitz and Edelson 1989; Gondolf 1991, 1997; Puffett and Gavin 2004; Rosenfeld 1992; Tolman and Bennett 1990; though Taylor, Davis, and Maxwell 2001 is an exception). However, this may reflect underlying differences in defendants who do and do not complete programs; i.e., defendants who complete programs may be more inclined to refrain from recidivism, regardless of any program impact.

Our analyses included most of those independent variables identified as significant in the literature:

- **Demographic Variables:** Defendant age, race, education, employment status, marital status;
- **Length of Time at Current Residence;**
- **Previous Order of Protection:** For any complaining witness;
- **Prior Criminal History:** Both prior arrests and prior convictions;
- **Arrest Charges;**
- **Arrest Charge Severity;**
- **Conviction Charges;**
- **Conviction Charge Severity;**
- **Order of Protection:** Full (“stay-away”) or limited;

- **Ever Sanctioned:** Did the defendant ever receive a bench warrant or have his case returned to the sentencing judge;<sup>8</sup>
- **Case Processing Time:** Time from first appearance in the specialized domestic violence part (i.e., first appearance post-arraignment) to sentencing; and
- **Program Variables:** Program (DVAP = 1, IDCC = 2), whether enrolled in program at first monitoring appearance, total time in program, total time from first court appearance to final court appearance, whether completed the program.

Cases missing demographic variables were examined to see if the data were systematically missing. Because it was determined that data were not systematically missing, and because only a small percentage of cases were missing any data,<sup>9</sup> the mean value by program assignment was assigned in missing cases.

### Hypotheses

Based on the findings of the literature outlined above, the following hypotheses are posited for the current study:

#### Program Model

- Hypothesis 1: When time in the program is held constant, underlying program philosophy will not have a significant impact on program completion or recidivism.
- Hypothesis 2: Defendants sentenced to the 12-week program (IDCC) will be more likely to complete the program than those sentenced to the 26-week program (DVAP), based on the length of the program.

#### Demographics

- Hypothesis 3: Younger age will predict program failure and recidivism.
- Hypothesis 4: Lower education will predict program failure and recidivism.
- Hypothesis 5: Lower stake in conformity as measured by employment, marital status, and tenure at current residence will predict program failure and recidivism.

#### Criminal and Domestic Violence History

- Hypothesis 6: Prior drug charges will predict program failure and recidivism.
- Hypothesis 7: Criminal history will predict recidivism.
- Hypothesis 8: Previous orders of protection, used here as a proxy for history of domestic violence, will predict recidivism.

#### Current Arrest

- Hypothesis 9: More severe current charges will predict program failure and recidivism.

#### Program Non-Compliance and Failure

- Hypothesis 10: Early non-compliance will predict program failure.
- Hypothesis 11: Program failure will predict subsequent recidivism.

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<sup>8</sup> This variable is only included in analyses where it can be determined that the sanction pre-dated the recidivism incident. For sanctions imposed while the defendant was participating in the program it was impossible to determine the temporal order of violations and sanctions; violations might precede or follow sanctions. Therefore, whether a defendant ever received a sanction is only included in post-program analyses.

<sup>9</sup> 8% of cases had no data on education, the variable most commonly missing. 6% of cases were missing marital status, 6% were missing length of time at current residence, 5% were missing employment, and 1% were missing race data.



## CHAPTER 4

### DEFENDANT CHARACTERISTICS

#### The Population

The third column of Table 2 presents the characteristics of the total defendant population.

Defendants are, on average, 33 years of age. Just over half of defendants are black (55%), another 33% are Hispanic, and the remaining 12% are Caucasian or another ethnic/racial group. More than half of defendants are employed (68%), married (55%), and have at least a high school education (59%). Less than a third of defendants have had a previous order of protection (31%).

Most defendants have a criminal history: 64% have at least one prior arrest and 63% have at least one prior conviction, with an average of 3.8 prior convictions. Just under one-third of the prior convictions are felony charges (31%). The most common previous conviction charges are assault (29%), drug-related charges (12%), and criminal contempt (9%).

The arrest charge most frequently leading participants to the court is assault (56%). A range of additional arrest charges lead defendants to the court, including criminal contempt (11%), menacing (8%), and harassment (8%). Although all defendants face misdemeanor arraignment charges, 31% were initially arrested on felony level charges. By sentence, the charges faced by defendants are considerably lower; nearly three-quarters of cases are disposed on a harassment charge (74%), while the number convicted of assault drops to 10%. Likewise, the severity of conviction charges is reduced: only 17% of defendants receive a misdemeanor conviction, while the remaining 83% receive a violation-level charge. A violation is not technically considered a crime, and thus a violation conviction does not lead to a public criminal record.

Fifty-nine percent of defendants receive a full order of protection, meaning that they can have no contact with the complaining witness. The remaining 41% received limited orders allowing them to see the complaining witness, but barring them from committing a new offense against her.

As noted above, 71% of defendants are sentenced to IDCC, 29% are sentenced to DVAP. Participants spend an average of nearly eight months in the program. Once defendants are sentenced to a program, nearly three-quarters of them are initially compliant with the sentence (73%), having enrolled in the program by their first monitoring appearance. Seventy percent of the defendant population goes on to complete the program mandate. Forty-two percent receive at least one sanction (either a bench warrant or a forthwith to appear in court) during the time they are in the program.

Case time from arrest to sentence is 107 days, on average. This translates to just over three and a half months. The total time spent with an open case in court (including both pre-sentence and post-sentence court monitoring time) is nearly ten months, 298 days.

#### Differences by Program Assignment

Table 3 also illustrates how these descriptive characteristics vary by program. First, defendants sentenced to IDCC are significantly more likely to be Caucasian than those sentenced to DVAP ( $p < .01$ ). They are also less likely to be married ( $p < .05$ ), but have spent more time in their current residence ( $p < .05$ ).

Although defendants in the two programs are equally likely to have had prior arrests, those defendants sentenced to IDCC are somewhat more likely to have both prior criminal contempt arrests and prior criminal contempt convictions ( $p < .10$ ), while DVAP participants are somewhat more likely to have prior weapons convictions ( $p < .10$ ).

Defendants in the two programs face similar arrest charges and charge severity, but defendants sentenced to DVAP are more likely to be disposed on an assault charge ( $p < .05$ ) and more likely to be convicted of a misdemeanor rather than a violation or infraction ( $p < .01$ ). Just about 60% of both groups receive a full order of protection.

Table 2. Defendant Characteristics and Significant Differences by Program Assignment

	DVAP	IDCC	Total
	N=84	N=207	N=291
<b>Defendant Characteristics</b>			
Average Age	32	33	33
<b>Race</b>			
Caucasian	2%	13%**	10%
Black	55%	55%	55%
Hispanic	38%	31%	33%
Other	5%	1%	2%
High School Education or Above	59%	59%	59%
Employed <sup>1</sup>	69%	67%	68%
Married <sup>2</sup>	66%	51%*	55%
Average Time in Current Residence (Years)	4.57	7.40 *	6.59
Previous OP	29%	33%	31%
<b>Priors</b>			
Any Prior Arrests	63%	64%	64%
Prior Criminal Contempt Arrests	6%	13%+	11%
Prior Assault Arrests	36%	32%	33%
Any Prior Convictions	63%	64%	63%
Average Number of Prior Convictions	4.42	3.56	3.80
Prior Violent Felony Convictions	14%	9%	10%
Prior Drug Convictions	11%	13%	12%
Prior Weapons Convictions	10%	4%+	6%
Prior Criminal Contempt Convictions	4%	11%+	9%
Prior Assault Convictions	33%	28%	29%
Any Prior Felony Convictions	37%	29%	31%
<b>Arrest Charges</b>			
Assault	55%	56%	56%
Criminal Contempt	13%	10%	11%
Menacing	7%	8%	8%
Harassment	7%	8%	8%
Other	18%	18%	18%
<b>Arrest Charge Severity</b>			
Felony Arrest	32%	30%	31%
<b>Disposition Charges</b>			
Harassment	62%	78%	74%
Assault	17%	7%*	10%
Disorderly Conduct	12%	9%	10%
Criminal Contempt	2%	3%	3%
Other	7%	2%	4%
<b>Disposition Charge Severity</b>			
Misdemeanor Conviction	27%	12%**	17%
Violation/Infraction Conviction	73%	88%**	83%
<b>Order of Protection</b>			
Full	60%	57%	59%
Limited	40%	43%	41%
<b>Compliance</b>			
In Program at 1st Compliance Appearance	77%	71%	73%
Ever Sanctioned	44%	42%	42%
Completed Program	66%	71%	70%
<b>Case Processing</b>			
Time to Sentence (Days)	106.65	107.57	107.31
Time in Program (Months)	8.88	7.53**	7.92
Average Time in Court (Days) <sup>3</sup>	325.21	286.85*	297.92

+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

Asterisks indicate significant differences in means between defendants sentenced to DVAP and defendants sentenced to IDCC.

<sup>1</sup> Includes part-time and full-time employment.

<sup>2</sup> Includes both legal and common law marriage.

<sup>3</sup> Time from first court appearance to final court appearance.

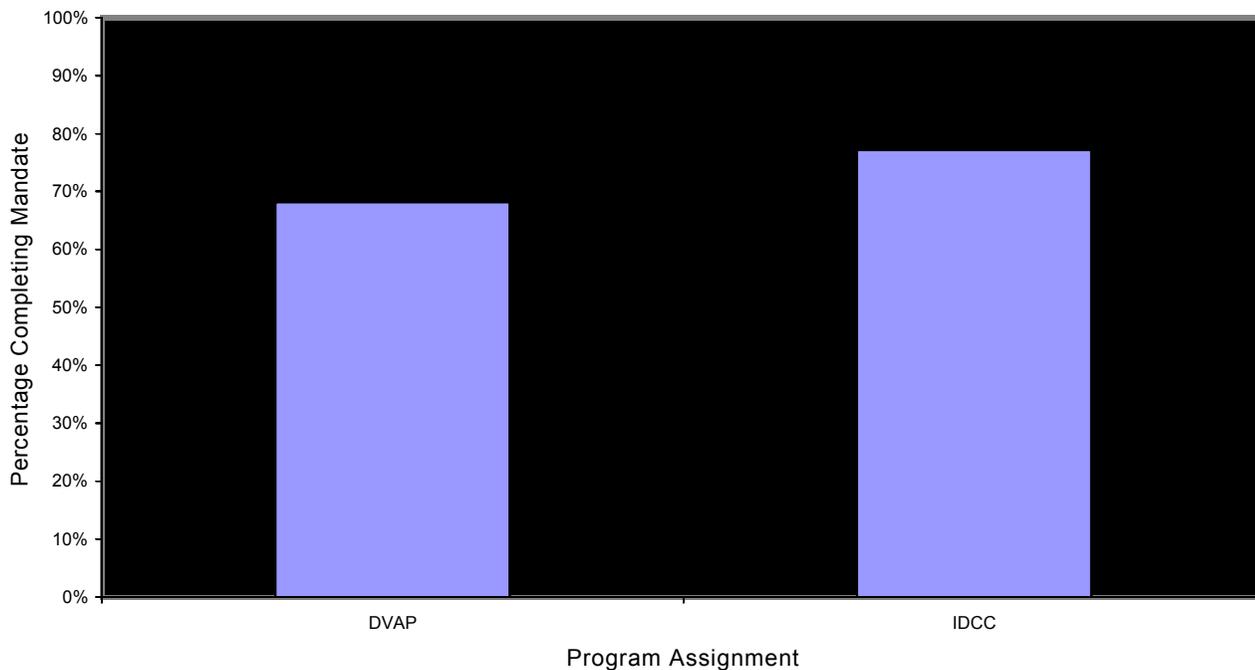
Although defendants in both programs take about as long to reach disposition and sentencing, those defendants sentenced to DVAP spend nearly forty more days in court post-sentence than participants sentenced to IDCC ( $p < .05$ ), simply because of DVAP's greater length. Actually, what is surprising is that this difference is not larger, given that DVAP defendants are mandated to fourteen more weeks in the program than IDCC defendants.

Overall, it appears that defendants sentenced to IDCC are more likely to have a domestic violence history (more prior criminal contempt arrests and convictions) than defendants mandated to DVAP, while defendants sentenced to DVAP have a slightly more serious criminal history (primarily more prior weapons convictions) and are convicted on more serious charges (assault) of greater severity (misdemeanor). Although court staff indicated that there was no systematic process to determine which program defendants would be offered, it makes sense that defendants facing higher level charges and with more severe criminal histories would be more likely to be sentenced to the longer batterer program.



## CHAPTER 5 OUTCOMES: PROGRAM COMPLETION

**Figure 1. Percentage of Defendants Successfully Completing Program Mandate by Program**



Note: No significant differences between groups.

Of the defendants sentenced to attend one of the two batterer programs, 70% completed the program mandate. This compares favorably to the 58% to 61% completion rates reported across two studies of adult misdemeanants mandated to batterer programs in the Bronx (Labriola et al. 2005; Puffett and Gavin 2004), as well as to the national literature, which rarely reports completion rates greater than 70% (Daly and Pelowski, 2000).

The results of the bivariate analysis identifying correlates of program completion are presented in Appendix B, Table B.1. Notably, those defendants mandated to the longer DVAP program are not significantly less likely to complete than those mandated to IDCC even when defendant characteristics are controlled for, as illustrated in Figure 1. Although the effect does not reach statistical significance, the raw percentages do suggest the possibility of a slightly higher completion rate among those mandated to the shorter IDCC program, as expected.

Regression models predicting program completion are shown in Table 3, below. Contrary to predictions made in Hypothesis 2, defendants mandated to DVAP are no less likely to complete their program mandate. It might seem intuitive that defendants' rates of failure must increase with length of program mandate, due simply to the increased time at risk – that is, the need to remain in compliance for six months in DVAP rather than three in IDCC. In addition, it might be assumed that the fee associated with DVAP would make defendants more likely to drop out of that program than the free IDCC. However, whether actual length of time in the program is included in the model or not, program assignment is not a significant predictor of program completion.

Table 3. Predictors of Program Completion

	Regression Coefficients	
	Model 1	Model 2
<b>Summary Statistics</b>		
Total Sample		263
Completed		183
Did not Complete		80
Chi-square for model	30.017***	72.172***
<b>Logistic Regression Odds Ratios</b>		
Program Assignment: IDCC (v. DVAP)	1.506	1.580
Age at Arrest	1.035*	1.021
Black	0.433**	0.429*
High School Diploma or GED	0.912	0.878
Employed Part- or Full-Time	1.993*	2.265*
Married	0.912	0.751
Prior Convictions	0.416**	0.643
Enrolled in BP at First Compliance Appearance		6.798***
Total Time in Court (Days) <sup>1</sup>		0.997*
Constant	0.794	0.091*

+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

<sup>1</sup> Time from first court appearance to final court appearance.

As predicted in Hypothesis 3, younger defendants are less likely to complete their program mandate in Model 1 ( $p<.05$ ), although this finding is no longer significant once in-program factors are considered in Model 2. Contrary to the predictions made in Hypothesis 4, education is not a significant predictor of program completion in either model. The stake in conformity hypothesis (Hypothesis 5) gains some support here; defendants who are employed either part-time or full-time are more likely to complete their program mandate than unemployed defendants ( $p<.05$ , Model 1 and Model 2). Marital status does not predict of program completion. Although no predictions were made in regard to race and program completion, black defendants are significantly less likely to complete their program mandate than non-black defendants ( $p<.01$ , Model 1;  $p<.05$ , Model 2).

While defendants with prior criminal convictions are predicted to be more likely to recidivate (Hypothesis 7), no prediction was made regarding the impact of criminal history on program completion. The results of this analysis indicate that while those with prior criminal convictions are less likely to complete the program mandate in Model 1 ( $p<.01$ ), this relationship is eliminated when in-program compliance factors are added. However, defendants with prior drug convictions are less likely to complete their program mandate (see Appendix C, Table C.1), as predicted by Hypothesis 6.

The single strongest predictor of program completion is early compliance. As predicted by Hypothesis 10, those defendants who enroll in their mandated program by their first compliance appearance are significantly more likely to complete their program mandate ( $p<.001$ , Model 2). Also more likely to complete their program mandate are defendants who spend less time between their first appearance in the dedicated domestic violence part (the first post-arraignment appearance) and their final appearance ( $p<.05$ , Model 2).

## CHAPTER 6 OUTCOMES: RECIDIVISM

The analyses included in this chapter cover three different time periods during which defendants may be re-arrested: during program participation (in-program recidivism), within one year of case sentencing (post-sentence recidivism), and within one year of program completion or failure (post-program recidivism). Additionally, new arrests are broken down by type of new offense and separate analyses examine whether defendants had any new criminal contempt arrests within one year of case sentencing<sup>10</sup> and whether defendants were arrested for a violent charge in any time period.<sup>11</sup>

Defendants spent an average of nearly eight months in a batterer program, although those assigned to the longer DVAP program spent more time in it (8.88 versus 7.53 months). During their time in the program, 28% of defendants were re-arrested at least once.<sup>12</sup> Within one year of their BkMDVC sentence, 34% of all defendants had at least one new arrest.<sup>13</sup> Within one year of final completion or failure of the program, 24% of all defendants had at least one new arrest.<sup>14</sup> Twelve percent of all defendants had at least one new criminal contempt arrest within one year post-sentence. Eighteen percent of defendants had at least one new arrest for a violent offense at any time between initial arrest through the one year post-program period. As noted above, violent charges include murder, rape, robbery, and assault charges.

### Program Effect

Figure 2 illustrates the percentage of defendants with a new arrest during each of the three time periods of interest, by program mandate. Additionally, the figure presents a breakdown of new arrests by charge type, indicating the number of new criminal contempt and new violent offense arrests by program. While the differences between defendants mandated to DVAP and IDCC are not statistically significant, the raw percentages suggest the possibility of a slightly increased probability of re-arrest among defendants mandated to IDCC. This raw percentage difference coupled with the high odds ratios presented in Table 4 may indicate that these differences might have reached statistical significance, given a larger sample size. Table 4 presents the results of the multivariate analyses predicting each of the outcomes of interest. Logistic regression models are used to predict whether a defendant will have a new arrest within one year post-sentence and one-year post program, as well as whether defendants will be re-arrested on a new criminal contempt offense or violent offense. Because the duration of the in-program period varies between DVAP and IDCC, to control for this variation, a “rate” variable was constructed representing the number of new arrests divided by time in program. Poisson regression was then used to predict in-program recidivism. (Similarly, Poisson regression was used to predict the number of new arrests both within one year post-sentence and within one year post-program. Because the results of the Poisson analyses predicting number of new arrests did not vary noticeably from the results of the analyses presented in Table 4, these results are not shown here.)

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<sup>10</sup> Because defendants in the BkMDVC cases are typically given a protective order lasting one year from the date of sentencing, new criminal contempt arrests within the one year post-sentence time period likely represent new violence against the same victim as in the initial case.

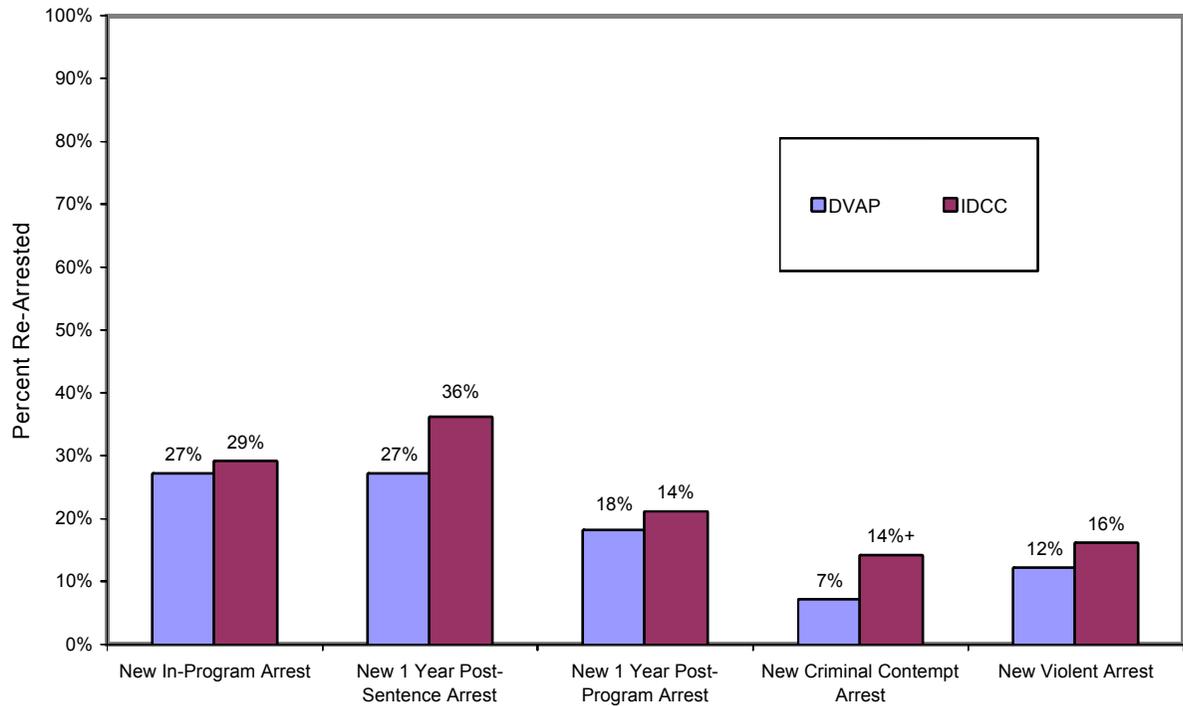
<sup>11</sup> To maximize the number of defendants facing a new charge, no time limitation is placed on this analysis. That is, defendants may have been arrested on a new violent charge any time from the initial arrest up to one year post-program.

<sup>12</sup> The results of the bivariate analysis illustrating the correlates of in-program recidivism can be seen in Appendix B, Table B.2.

<sup>13</sup> The results of the bivariate analysis illustrating the correlates of post-sentence recidivism can be seen in Appendix B, Table B.3.

<sup>14</sup> Table B.4, Appendix B presents the results of bivariate analyses examining correlates of post-program recidivism. Because this time period begins upon program completion, re-arrests occurring during program participation are not included in this analysis.

**Figure 2. Probability of New Arrest by Program Mandate**



+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

Note: The percentage of defendants with a new in-program arrest are raw percentages. Unlike the other time periods, in-program rearrests does not control for background characteristics of defendants.

As indicated by the results presented in Tables 4, program assignment (DVAP versus IDCC) is not a significant predictor of recidivism in any of the analyses, despite controlling for defendant characteristics. However, in one of the analyses, program assignment very nearly reaches the level of statistical significance. This evidence indicates that those defendants mandated to IDCC are somewhat more likely to have a new criminal contempt arrest within the one year post-sentence period (odds ratio 2.230,  $p < .10$ ), once in-program factors are controlled.

The number of days defendants in the two programs remain arrest-free (“survive”) is graphically represented in Figure 3, which presents the one year post-sentence survival curve – representing the number of days from case sentence to the first new arrest. Although the findings of the regression analysis indicate that program assignment is not a significant predictor of new arrests in the post-sentence time period, the results of the survival analysis indicate that slightly more IDCC defendants than DVAP defendants have been arrested at the one year mark, and, furthermore, that the divergence between the two groups begins to appear as early as three months following BkMDVC sentence.

#### Other Predictors of Recidivism

Although program assignment is not found to be a significant predictor of outcomes, Table 4 indicates several significant predictors. As predicted in Hypothesis 3, younger defendants were significantly more likely to be re-arrested in all time periods examined. Additionally, younger defendants were more likely to have a new violent arrest; but age did not predict re-arrest on the domestic violence-related criminal contempt charge.

Table 4. Predictors of Recidivism

	In-Program Recidivism	1 Year Post-Sentence Recidivism		1 Year Post-Program Recidivism		Any New Criminal Contempt Arrest		Any New Violent Arrest	
	Model 1	Model 1	Model 2	Model 1	Model 2	Model 1	Model 2	Model 1	Model 2
<b>Summary Statistics</b>									
Total Sample	263	263		263		263		263	
Recidivated	78	94		62		34		51	
Did Not Recidivate	185	169		201		207		212	
Chi-square for model	517.58***	33.324***	37.955***	34.394***	39.194***	10.511	15.540	31.467***	50.337***
<b>Logistic Regression Odds Ratios</b>									
Program Assignment: IDCC (v. DVAP)	-0.063	1.412	1.501	1.082	1.162	2.110	2.230+	1.175	1.340
Age at Arrest	-0.679***	0.967*	0.970+	0.957*	0.954*	0.992	0.993	0.957*	0.965+
Black <sup>1</sup>		2.130**	2.153**	1.967*	2.030*	3.019*	2.949*	1.396	1.169
High School Diploma or GED	0.004	1.542	1.540	1.156	1.149	1.093	1.003	2.249*	2.215*
Employed Part- or Full-Time	-0.549***	0.906	0.892	1.262	1.255	1.140	1.225	0.941	1.077
Married	-0.125*	0.947	1.030	0.952	1.009	1.383	1.426	0.534+	0.526
Prior Convictions	0.930***	3.231***	2.848**	5.721***	5.927***	0.817	0.790	4.398**	3.638**
Completed Program Mandate					0.805		0.446+		0.288**
Enrolled in BP at First Compliance Appearance			0.730		1.889		2.467+		1.134
Ever Sanctioned					1.148				
Total Time in Court (Days) <sup>1</sup>			1.002+		1.002		1.001		1.003+
Constant	1.695***	0.220+	0.175+	0.159*	0.031**	0.021**	0.005**	0.175+	0.091+

+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

<sup>1</sup> Race could not be included in several of the models due to multicollinearity. Shaded boxes indicate models where race was not included.

<sup>2</sup> Time from first court appearance to final court appearance.

The predictions of Hypothesis 4 are not supported by the findings presented here. Instead, defendants with at least a high school education or GED were more likely to have a new violent arrest ( $p<.05$ , Model 1 and Model 2). In none of the other analyses is education found to be a significant predictor.

Hypothesis 5 gained modest support. Defendants who were employed and thus had a greater stake in conformity were significantly less likely to have a new arrest during their program participation than unemployed defendants ( $p<.001$ ). Likewise, married defendants were less likely to have an in-program arrest ( $p<.05$ ). Married defendants were also somewhat less likely to have a new violent arrest ( $p<.10$ , Model 1), though marital status was not a significant predictor in any additional analyses.

Although no hypothesis was developed predicting a relationship between race and re-arrest, race is one of the most consistent predictors in the analyses presented above. Black defendants were more likely to have a new arrest across all time periods examined. In addition, black defendants were more likely to have a new criminal contempt arrest ( $p<.05$ , Model 1 and Model 2).

Criminal history is the strongest and most consistent predictor of future arrest across the models presented here. Consistent with the predictions made in Hypothesis 7, defendants with prior criminal convictions were more likely to be re-arrested within each of the time periods examined. Likewise, defendants with prior criminal convictions were more likely to be re-arrested on a new violent charge ( $p<.01$ , Model 1 and Model 2).

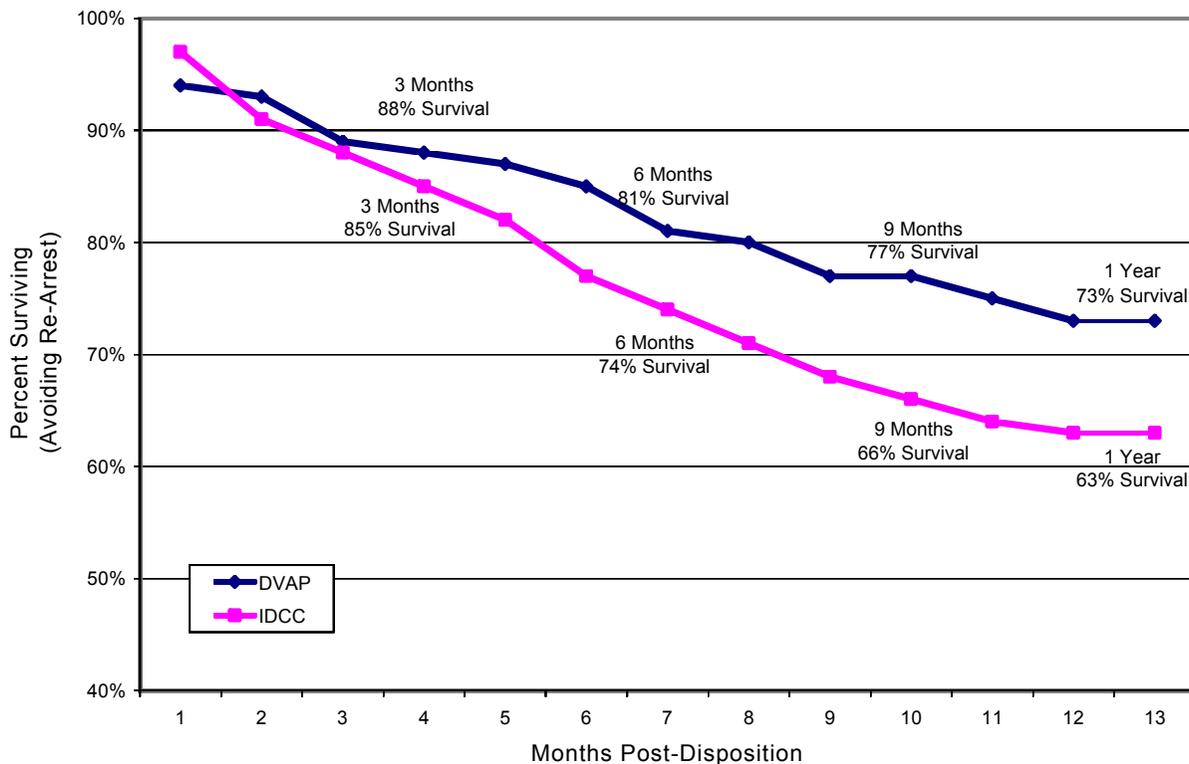
When prior drug convictions are substituted for prior criminal convictions in the model (See Appendix C), the impact of prior drug convictions is neither as strong nor as universal. However, the findings presented in Table C.2 provide some support for Hypothesis 6. Defendants with prior drug convictions were more likely to have a new arrest within one year post-sentence ( $p<.05$ ) and within one year post-program ( $p<.05$ ). In addition, defendants with prior drug convictions were somewhat more likely to have a new violent arrest ( $p<.10$ ).

Among in-program factors added to the analyses in Model 2, Hypothesis 11 gains modest support. Defendants who completed their program mandate were also somewhat less likely to have a new criminal contempt arrest ( $p<.10$ ) and significantly less likely to have a new violent arrest. These findings indicate that while differences in program philosophy and length may not influence future arrest rates, there may be something important about completing a program mandate – regardless of the specifics of

that mandate – that indicates a decreased likelihood of recidivism. Even if this is the case, however, a statistical relationship between program completion and lower re-arrest rates does not indicate that attending all of the program sessions caused the outcome of lower re-arrest rates. It is likely that other unmeasured factors predict both program failure and re-arrest.

Other in-program factors have less impact on outcomes. Counter-intuitively, defendants who were in compliance (enrolled in the mandated program) at their first compliance appearance were somewhat more likely to have a new criminal contempt arrest ( $p < .10$ ), though this finding does not reach statistical significance and early compliance is not a predictor of any of the other outcomes of interest. Likewise, while defendants who spent longer from first BkMDVC appearance to final appearance were somewhat more likely to have both a new arrest within one year post-sentence ( $p < .10$ ) and a new violent arrest ( $p < .10$ ), total time in court is not predictive of the other outcomes of interest. Whether a defendant was ever sanctioned during program participation was not predictive of outcomes.

**Figure 3. 1 Year Post-Sentence Survival Curve by Program Sentence**



## CHAPTER 7 POLICY IMPLICATIONS AND CONCLUSION

### Performance of the Hypotheses

#### Program Model

Although program assignment (DVAP or IDCC) did not significantly predict re-arrest in any of the analyses, there is some evidence that defendants sentenced to IDCC had a slightly higher probability of certain types of re-arrests – criminal contempt in particular – as indicated by the raw percentages of defendants re-arrested once defendant characteristics are controlled (Figure 2). These findings generally support Hypothesis 1, which predicts that program assignment will not have a significant impact on recidivism.

In contrast to the prediction made in Hypothesis 2, defendants mandated to IDCC were not significantly more likely to complete their program mandate than defendants sentenced to DVAP (Table 3). This is somewhat surprising, given that the program mandate is more than twice as long for DVAP participants. However, there is a small but notable difference in the raw percentages of defendants completing the program mandate, with the difference favoring defendants in the shorter IDCC program, as predicted (Figure 1).

Among other hypothesized predictors of outcomes, key findings include the following:

#### Criminal History

- **Defendants with prior criminal convictions were more likely to have a new arrest in all time periods.** Prior criminal convictions were the most consistent predictor of re-arrest across all time periods. Those with prior convictions were also more likely to be re-arrested on a new violent charge.
- **Prior orders of protection, conceived of as a proxy for a history of domestic violence, were not correlated to defendant success.** The bivariate analyses revealed no differences between defendants with previous orders of protection and those with no previous orders. (For this reason, the prior order of protection variable was not included in the multi-variate models in the preceding two chapters.)

The lack of a significant relationship between prior protective orders and failure does not necessarily mean that a history of domestic violence is a poor predictor of future violence. Instead, this finding may mean only that a history of protective orders is a poor indicator of domestic violence history. It is also important to keep in mind that the analyses examine all recidivism incidents rather than examining solely new domestic violence incidents – therefore this finding does not exclude the possibility that an extensive domestic violence history predicts future criminal behavior if only domestic violence recidivism was examined. However, the finding does suggest that any prior criminal history at all may better predict future violence than a domestic violence criminal history in particular.

#### Demographic and Socioeconomic Characteristics

- **Older defendants were more likely to complete their program mandate and less likely to have a new arrest in all time periods.** Additionally, older defendants were less likely to be re-arrested on a new violent charge.
- **Black defendants were less likely to complete their program mandate and more likely to have a new arrest in all time periods.** In addition, black defendants were more likely than non-black defendants to be re-arrested on a new criminal contempt charge.

The implications of this finding are unclear. However, it is worth noting that this research relies on official reports of recidivism – that is, re-arrest. Consequently, disparate rates of re-arrest are

likely to impact official counts of recidivism and it is possible that victims from certain backgrounds are more likely to report domestic violence to police and, therefore, that defendants from these groups may be more likely to be arrested.

- **Those with a greater stake in conformity were more likely to be successful during early participation.** Defendants who are employed were more likely to complete their program mandate and less likely to have a new arrest during their program participation. Married defendants were also less likely to have a new arrest during program participation.
- **Education did not predict outcomes.** In contrast to predictions, defendants with at least a high school diploma or GED were more likely to have a new violent arrest.

#### Mental Health and Substance Abuse Issues

- **Defendants with prior drug convictions were less likely to be successful.** Because prior drug charges and prior convictions are intercorrelated, both variables could be included in the models above. However, separate analyses (see Appendix C) replaced prior criminal convictions with prior drug convictions. Those with prior drug convictions were less likely to complete their program mandate and more likely to be re-arrested within one year post-program. Defendants with prior drug convictions were also somewhat more likely to have a new violent arrest.

#### Legal Coercion

- **Severity of current charges did not predict outcomes.** Defendants facing more severe current charges (e.g., assault or felony level charges) were not found to be more likely to fail to complete the program mandate or to recidivate in the bivariate analyses. (Thus, current charge severity was not included in the multivariate analyses.)

#### Compliance

- **Early compliance predicted future success.** Defendants who were enrolled in the batterer program by their first court compliance appearance were more likely to complete their program mandate. Likewise, defendants who completed their program mandate were less likely to have a new arrest on either a criminal contempt or violent charge.

#### Discussion

Utilizing the results of the above analyses, it is possible to identify a prototype of a domestic violence court “success”: the successful defendant is likely to have no criminal history, to be older, to not be black, and to complete his program mandate. The results of this study indicate that program length and underlying program philosophy have little impact on participants’ outcomes. Although defendants assigned to the longer, more rigorous program are somewhat less likely to have a new criminal contempt arrest, this finding did not reach significance. Moreover, this is the only area where program assignment even approached significance in predicting failure or recidivism in the regression analysis. Although the impact of program assignment does not reach statistical significance in any of the analyses, the raw percentages indicate that those defendants assigned to DVAP may be slightly less likely to be re-arrested. It is perhaps noteworthy that these findings hint at a greater impact derived from the educational DVAP, which is designed to educate and hold batterers accountable, over the therapeutic IDCC, which is designed to rehabilitate batterers.

The findings of this study and those of previous studies that indicate that batterer programs are not successful in reducing re-arrest (e.g., Dunford 2000; Feder and Dugan 2002; Labriola et al. 2005) may help to clarify the role of batterer programs in domestic violence courts. As noted above, there has long been a debate among those who rely on such programs regarding their purpose. Are such programs meant to be rehabilitative or are they merely to be used as one tool of the court in holding offenders accountable? If the answer is the former, then the findings presented here seem to indicate that the

selection of appropriate programs by the court has little impact on future outcomes. Coupled with previous research indicating the ineffectiveness of batterer programs in rehabilitating offenders, this research does not support the theory that some program structures might be more effective than others in achieving behavioral change. However, if the answer is the latter, the fact that program philosophy has little impact on recidivism is of less consequence. Instead, courts must select programs that do the most to uphold the court's tenets of accountability. In the instance of the Brooklyn Misdemeanor Domestic Violence Court, this meant ceasing to utilize a program which was felt not to hold defendants to a high enough standard of accountability. For all courts using batterer programs as an accountability tool, defining clear standards and maintaining frequent contact with local programs may aid in the mission to promote defendant accountability.



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APPENDIX A.  
DATA MATCHING TECHNIQUES

Table A.1. Predictors of Program Assignment

<b>Summary Statistics</b>	
Total Sample	272
IDCC	194
DVAP	78
Chi-square for model	27.886***
<b>Logistic Regression Odds Ratios</b>	
Age at Arrest	1.007
Caucasian	3.872+
Married	.572+
Average Time in Current Residence	1.031
Prior Weapons Conviction	.601
Prior Criminal Contempt Conviction	3.430+
Disposition Charge: Assault	.893
Disposition Charge Severity: Misdemeanor	.387+
Constant	2.518+

+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

Because the two populations vary so greatly on important variables (that is, on variables that could be expected to be significant predictors of both program success and new arrests), it was initially hoped that the populations could be matched using a propensity score matching technique that would allow the differences between the populations to be minimized. Using this technique, a logistic regression model predicting program assignment is developed based on the significant results from the bivariate analysis (see Table A.1). For each individual, a value predicting his assignment to one group over the other – the propensity score – is then assigned. Individuals from the DVAP group are then matched to the IDCC participant with the closest propensity score. However, because there are so many more defendants sentenced to IDCC in the population, this matching technique would result in the elimination of 123 IDCC defendants. Even if each DVAP defendant is matched to the nearest two IDCC defendants, the IDCC population would drop by nearly 20%. Moreover, the propensity scores of the two groups are not particularly close, resulting in “matched” defendants that are actually quite dissimilar.

The next attempt to diminish the differences between the populations was to divide the total populations into either quintiles, quarters, or thirds based on propensity score. The distribution of DVAP defendants and IDCC defendants may be unequal across groupings (quintiles, quarters, or thirds), but ideally the significant differences between the programs within each grouping will be diminished. Therefore, predictive models can be developed for each grouping. For instance, if the significant differences between DVAP and IDCC participants are found to be diminished by dividing the total populations into thirds based on propensity score, then three separate regression models predicting program completion would be developed.

Again, the differences between the two populations proved to be too great to be diminished by this technique. Regardless of how many groupings are made, significant differences between the DVAP population and the IDCC population persist. Therefore, it was determined that the differences between the two populations are so great that it is ineffective to divide the population into smaller groups, diminishing the likelihood that any predictors would be found to be significant.

**APPENDIX B.  
BIVARIATE ANALYSES**

**Table B.1. Bivariate Analysis:  
Program Completion**

	<b>Completed BP</b>	<b>Did Not Complete BP</b>
<b>N</b>	201	87
<b>Defendant Characteristics</b>		
Average Age	33	31*
Race		
Caucasian	13%	5%*
Black	48%	69%**
Hispanic	36%	26%
Other	3%	0%
High School Education or Above	59%	59%
Employed <sup>1</sup>	73%	57%**
Married <sup>2</sup>	58%	51%
Average Time in Current Residence (Years)	6.63	6.22
Previous OP	31%	31%
<b>Priors</b>		
Any Prior Arrests	59%	76%**
Prior Criminal Contempt Arrests	12%	8%
Prior Assault Arrests	32%	37%
Any Prior Convictions	58%	76%**
Average Number of Prior Convictions	3.01	5.77***
Prior Violent Felony Convictions	7%	16%+
Prior Drug Convictions	8%	23%**
Prior Weapons Convictions	5%	7%
Prior Criminal Contempt Convictions	9%	7%
Prior Assault Convictions	29%	31%
Any Prior Felony Convictions	22%	49%***
<b>Arrest Charges</b>		
Assault	56%	57%
Criminal Contempt	12%	7%
Menacing	8%	6%
Harassment	7%	8%
Other	16%	22%
<b>Arrest Charge Severity</b>		
Felony Arrest	33%	24%
<b>Disposition Charges</b>		
Harassment	76%	69%
Assault	6%	16%**
Disorderly Conduct	10%	9%
Criminal Contempt	3%	2%
Other	4%	3%
<b>Disposition Charge Severity</b>		
Misdemeanor Conviction	14%	21%
Violation/Infraction Conviction	86%	79%
<b>Order of Protection</b>		
Full	39%	55%
Limited	60%	45%
<b>Program</b>		

Table B.2. Bivariate Analysis:  
In-Program Recidivism

	New Arrest	No New Arrests
N	81	210
<b>Defendant Characteristics</b>		
Average Age	31	33
<b>Race</b>		
Caucasian	6%	11%
Black	68%	50%**
Hispanic	25%	36%+
Other	1%	2%
High School Education or Above	64%	57%
Employed <sup>1</sup>	60%	71%
Married <sup>2</sup>	47%	59%+
Average Time in Current Residence (Years)	6.50	6.63
Previous OP	38%	28%+
<b>Priors</b>		
Any Prior Arrests	81%	57%***
Prior Criminal Contempt Arrests	11%	11%
Prior Assault Arrests	43%	30%*
Any Prior Convictions	81%	56%***
Average Number of Prior Convictions	5.04	3.33*
Prior Violent Felony Convictions	12%	10%
Prior Drug Convictions	20%	10%*
Prior Weapons Convictions	6%	6%
Prior Criminal Contempt Convictions	9%	9%
Prior Assault Convictions	40%	25%*
Any Prior Felony Convictions	49%	24%***
<b>Arrest Charges</b>		
Assault	48%	59%
Criminal Contempt	15%	10%
Menacing	4%	9%
Harassment	9%	7%
Other	25%	16%
<b>Arrest Charge Severity</b>		
Felony Arrest	37%	29%
<b>Disposition Charges</b>		
Harassment	67%	76%
Assault	15%	8%+
Disorderly Conduct	12%	9%
Criminal Contempt	4%	2%
Other	3%	4%
<b>Disposition Charge Severity</b>		
Misdemeanor Conviction	21%	15%
Violation/Infraction Conviction	79%	85%
<b>Sentence</b>		
Received Jail Time	4%	3%
<b>Order of Protection</b>		
Full	59%	59%
Limited	41%	41%
<b>Program</b>		
IDCC	73%	71%
DVAP	27%	29%

Table B.3. Bivariate Analysis:  
1 Year Post-Sentence Recidivism

	New Arrest	No New Arrests
	N 99	192
<b>Defendant Characteristics</b>		
Average Age	31	33
Race		
Caucasian	7%	12%
Black	68%	48%**
Hispanic	22%	39%**
Other	3%	2%
High School Education or Above	64%	56%
Employed <sup>1</sup>	64%	69%
Married <sup>2</sup>	49%	59%
Average Time in Current Residence (Years)	6.23	6.78
Previous OP	33%	30%
<b>Priors</b>		
Any Prior Arrests	77%	57%**
Prior Criminal Contempt Arrests	14%	9%
Prior Assault Arrests	41%	29%*
Any Prior Convictions	77%	57%**
Average Number of Prior Convictions	4.94	3.28*
Prior Violent Felony Convictions	13%	9%
Prior Drug Convictions	20%	8%**
Prior Weapons Convictions	6%	6%
Prior Criminal Contempt Convictions	11%	7%
Prior Assault Convictions	38%	24%*
Any Prior Felony Convictions	46%	23%***
<b>Arrest Charges</b>		
Assault	50%	59%
Criminal Contempt	13%	10%
Menacing	4%	9%
Harassment	9%	7%
Other	24%	15%
<b>Arrest Charge Severity</b>		
Felony Arrest	36%	28%
<b>Disposition Charges</b>		
Harassment	69%	76%
Assault	12%	9%
Disorderly Conduct	12%	9%
Criminal Contempt	4%	2%
Other	3%	4%
<b>Disposition Charge Severity</b>		
Misdemeanor Conviction	19%	15%
Violation/Infraction Conviction	81%	85%
<b>Sentence</b>		
Received Jail Time	5%	3%
Order of Protection		
Full	57%	60%
Limited	43%	40%
<b>Program</b>		
IDCC	76%	69%

Table B.4. Bivariate Analysis:  
1 Year Post-Program Recidivism

	New Arrest	No New Arrests
N	69	222
<b>Defendant Characteristics</b>		
Average Age	30	33*
Race		
Caucasian	4%	12%+
Black	67%	51%*
Hispanic	25%	36%+
Other	4%	1%
High School Education or Above	59%	59%
Employed <sup>1</sup>	68%	68%
Married <sup>2</sup>	49%	57%
Average Time in Current Residence (Years)	6.77	6.54
Previous OP	35%	29%
<b>Priors</b>		
Any Prior Arrests	86%	57%***
Prior Criminal Contempt Arrests	15%	10%
Prior Assault Arrests	44%	30%*
Any Prior Convictions	86%	56%***
Average Number of Prior Convictions	5.20	3.37*
Prior Violent Felony Convictions	15%	9%
Prior Drug Convictions	23%	9%**
Prior Weapons Convictions	7%	5%
Prior Criminal Contempt Convictions	10%	8%
Prior Assault Convictions	40%	27%+
Any Prior Felony Convictions	49%	25%***
<b>Arrest Charges</b>		
Assault	51%	57%
Criminal Contempt	10%	11%
Menacing	6%	8%
Harassment	7%	8%
Other	26%	16%
<b>Arrest Charge Severity</b>		
Felony Arrest	32%	31%
<b>Disposition Charges</b>		
Harassment	71%	74%
Assault	12%	9%
Disorderly Conduct	7%	11%
Criminal Contempt	4%	2%
Other	6%	3%
<b>Disposition Charge Severity</b>		
Misdemeanor Conviction	22%	15%
Violation/Infraction Conviction	78%	85%
<b>Sentence</b>		
Received Jail Time	4%	3%
Order of Protection		
Full	53%	61%
Limited	47%	39%
<b>Program</b>		
IDCC	71%	71%

APPENDIX C.  
MULTIVARIATE ANALYSES  
(INCLUDING PRIOR DRUG CONVICTIONS)

Table C.1. Predictors of Program Completion

	Regression Coefficients
<b>Summary Statistics</b>	
Total Sample	263
Completed	183
Did not Complete	80
Chi-square for model	77.364***
<b>Logistic Regression Odds Ratios</b>	
Program Assignment: IDCC (v. DVAP)	1.685
Age at Arrest	1.018
Black	0.441*
High School Diploma or GED	0.846
Employed Part- or Full-Time	2.425*
Married	0.783
Prior Drug Convictions	0.326*
Enrolled in BP at First Compliance Appearance	7.175***
Total Time in Court (Days) <sup>1</sup>	0.997*
Constant	0.072*

+p<.10 \*p<.05 \*\*p<.01 \*\*\*p<.001

<sup>1</sup> Time from first court appearance to final court appearance.

Table C.2. Predictors of Recidivism at Three Time Periods

	In-Program Recidivism	1 Year Post- Sentence Recidivism	1 Year Post- Program Recidivism	Any New Criminal Contempt Arrest	Any New Violent Arrest
<b>Summary Statistics</b>					
Total Sample	265	265	263	263	263
Recidivated	78	94	62	34	96
Did Not Recidivate	185	169	201	207	167
Chi-square for model	805.700***	30.508***	23.724*	15.623	43.817***
<b>Logistic Regression Odds Ratios</b>					
Program Assignment: IDCC (v. DVAP)	0.068	1.498	1.167	2.252+	1.306
Age at Arrest	-0.410***	0.979	0.969+	0.991	0.975
Black	-	2.219**	2.087*	3.006*	1.266
High School Diploma or GED	-0.121*	1.434	1.023	1.000	2.100+
Employed Part- or Full-Time	0.221***	0.862	1.118	1.258	1.022