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DOMESTIC VIOLENCE AMONG YOUNG MALE OFFENDERS

By Richard R. Peterson, Ph.D.

Would criminal justice
interventions among young males
be effective in reducing
domestic violence?

Most evaluations of criminal justice interventions to reduce domestic violence have focused on the general population of male DV offenders. These studies have found that once an offender has an extensive history of domestic violence, intervention is unlikely to be successful. This suggests that intervening early, while offenders are still young, might be more effective.

To understand whether criminal justice interventions at an early age can reduce domestic violence, we need to know more about young male DV offenders.

The current study addresses three research questions:

- What are the characteristics of young male DV offenders?
- How do young male DV offenders compare to older male DV offenders and to young male Non-DV offenders?
- What factors influence pretrial re-arrest among young male DV offenders?

This *Research Brief* is adapted from
Young Male Domestic Violence Offenders In New York City (2010)
by Richard R. Peterson, Ph.D., Director, Research Department

The full report is available on CJA's web site:
www.nycja.org/research/research.htm

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The Dataset

This research analyzed data drawn from the New York City Criminal Justice Agency database in the third quarter of 2005 (see inset box).

Identifying Domestic Violence Cases

This study compared cases identified by the courts as DV cases to those that were not identified as DV cases. The courts’ definition of domestic violence is based on the nature of the relationship between the offender and the victim. When the relationship met the statutory definition of a family (cases where the victim and offender are married, formerly married, related by blood or marriage, or have a child in common) or the courts’ definition of an intimate relationship (cases where the victim and defendant are cohabiting or previously lived together, including “common-law” marriages and same-sex relationships), the courts classified the case as a DV case.

We identified comparable Non-DV cases as those where the charges involved interpersonal violence, but the relationship between the offender and the victim was not a family or intimate relationship as defined by the courts.

The Third Quarter 2005 Dataset

The dataset includes information about arrests, the court processing of prosecuted arrests, court outcomes, and pretrial re-arrests of the offenders.

The analyses were limited to cases that were disposed in the lower court (Criminal Court) and excluded cases that were sustained as felonies and disposed in the upper court (Supreme Court). (In the Bronx, where all misdemeanor cases not disposed at arraignment are transferred to Supreme Court, only Supreme Court cases that were sustained as felonies were excluded.) Since few DV cases were disposed in Supreme Court, the analyses provided information about 94% of the DV cases that resulted in criminal prosecution.

The analyses were further restricted to cases with the types of charges that typically occur in cases involving interpersonal violence: assault, criminal contempt (for violating an order of protection), harassment, crimes against children, burglary, larceny, and weapons charges.

YOUNG MALE DOMESTIC VIOLENCE OFFENDERS

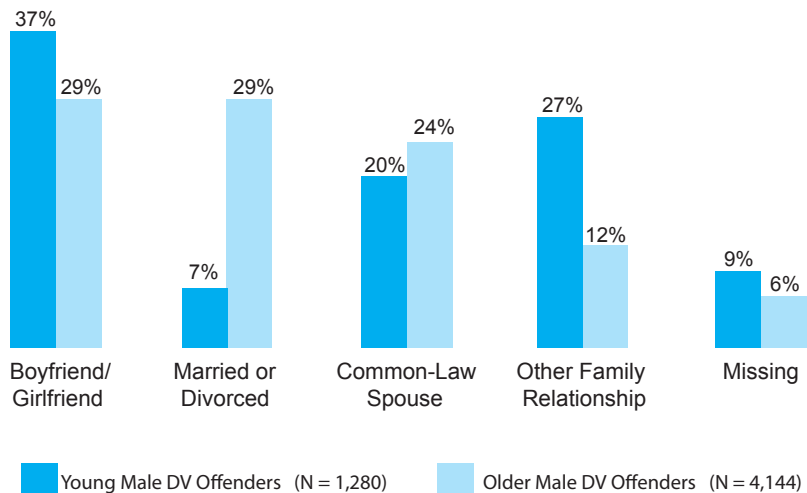
In this study, offenders age 16-24 were classified as “young” and offenders 25 and over were classified as “older.”

A. Offender and Case Characteristics

Offender-Victim Relationship

Young male DV offenders were less likely to be married to the victim, and more likely to be in boyfriend/girlfriend and “other” family relationships (usually sibling or child/parent), than older male DV offenders (Figure 1). These differences are not particularly surprising, since young men are less likely to be married than older men, and more likely to be living with parents and siblings.

Figure 1
Offender-Victim Relationship For DV Offenders



Offender's Criminal History

Over three fifths of young male DV offenders (62%) were arrested in the 2 years prior to their arrest in the third quarter of 2005 (Figure 2). This is considerably higher than the percentage of older male DV offenders (47%) and somewhat higher than the percentage of young male Non-DV offenders (57%).

A closer look at the type of prior arrests helps us to understand the reasons for these differences. Male DV offenders, whether young or old, were about equally likely to have DV arrests in the prior 2 years (29% and 27%, respectively). However, young male DV offenders were much more likely than older male DV offenders to have Non-DV arrests in the prior 2 years (51% vs. 32%). This indicates that the higher arrest rate in the prior 2 years for younger vs. older male DV offenders is due to their greater likelihood of being arrested for Non-DV offenses.

The comparisons with young male Non-DV offenders show a different pattern. Young male DV offenders were much more likely than young male Non-DV offenders to have been arrested for DV offenses in the prior 2 years (29% vs. 6%, respectively). Furthermore, young male DV offenders were actually slightly *less* likely than young male Non-DV offenders to have been arrested for Non-DV offenses (51% vs. 56%). This indicates that the higher arrest rate in the prior 2 years for young male DV vs. Non-DV offenders is due to their greater likelihood of being arrested for DV offenses.

Employment, School, and Training

Young male DV offenders were slightly less likely to be engaged in full-time activity (employment, school, and/or training program) than older male DV offenders (58% vs. 62%, Figure 3). Young male DV offenders were also less likely to be engaged in full-time activity than young male Non-DV offenders (58% vs. 62%).

Case Filing Outcome

The arrests of young male DV offenders were more likely to be declined for prosecution (DP'd) than the arrests of older male DV offenders (17% vs. 13%, Figure 4). The DP rate was even lower for young male Non-DV offenders (9%).

KEY TO FIGURES 2, 3, & 4

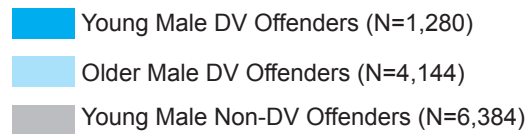


Figure 2
Offender's Criminal History

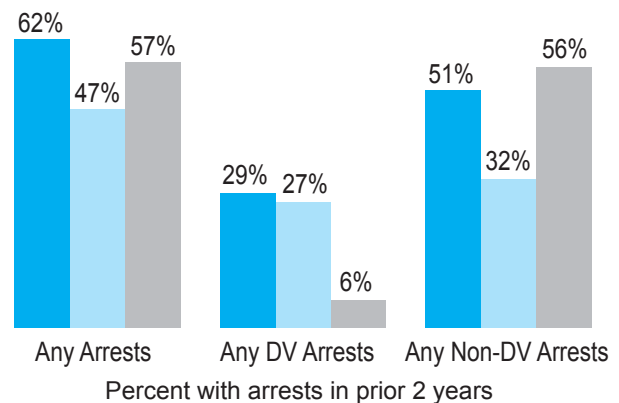


Figure 3
Employment, School, and/or Training

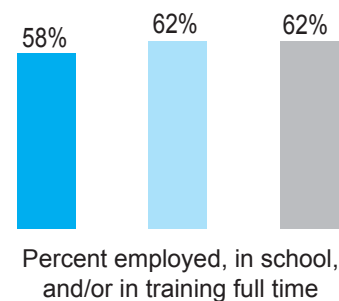
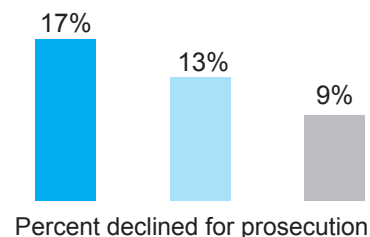


Figure 4
Case Filing Outcome



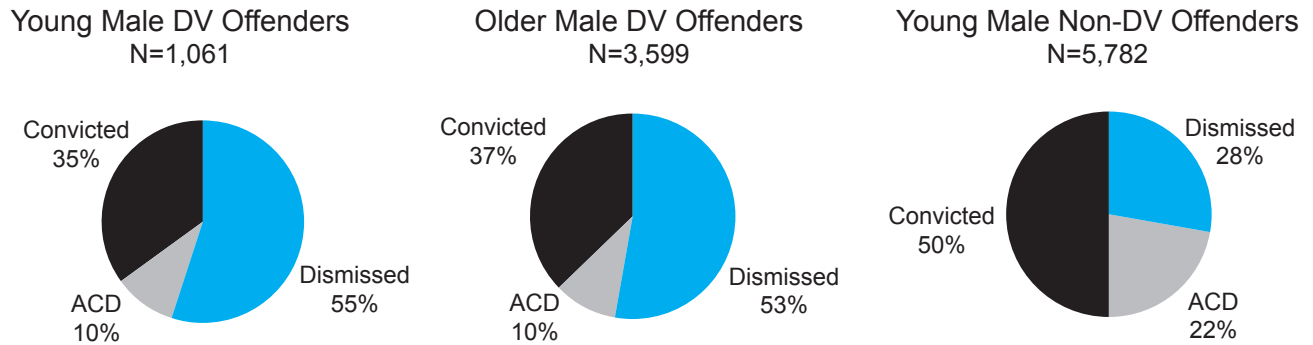
B. Case Dispositions and Sentence Outcomes

Young male DV offenders whose cases were docketed were only slightly less likely than older male DV offenders to have their cases end in conviction (35% vs. 37%, Figure 5). The two groups were equally likely to receive an ACD (10%) and over half of DV defendants in each group had their cases dismissed. Conviction rates were considerably higher for young male Non-DV offenders (50%). (See inset box for an explanation of dispositions.)

Case Dispositions in Criminal Court

In New York State, cases disposed in Criminal Court can result in one of several final dispositions: a plea of guilty, a finding of guilty after trial, an acquittal after trial, a dismissal, or an adjournment in contemplation of dismissal (ACD). In this report, convictions are defined to include pleas of guilty and findings of guilty after trial, including pleas or findings of guilty to a violation. (Although violations are not considered crimes under New York State Penal Law, they can result in a jail sentence.) Acquittals, dismissals, and ACDs are categorized in this report as non-convictions.

Figure 5
Case Dispositions in Criminal Court
Prosecuted Cases

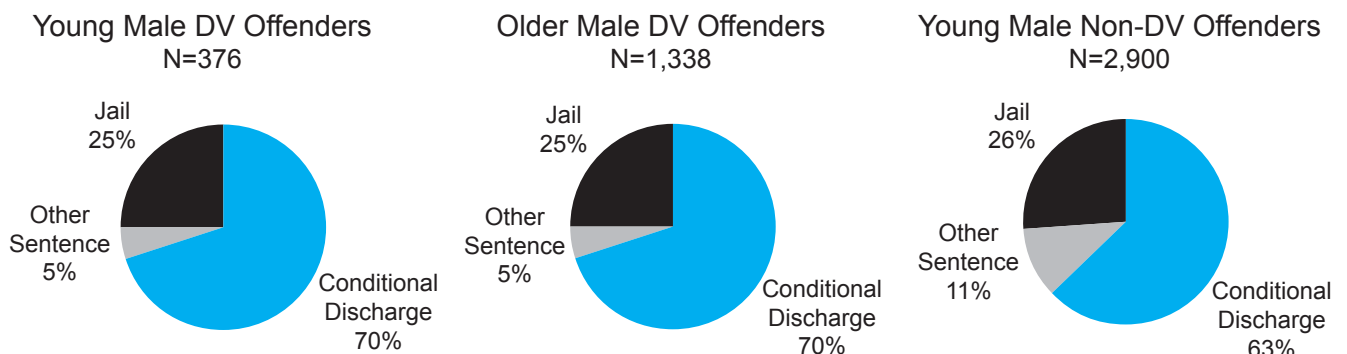


There were no differences in sentence outcomes between young male DV offenders and older male DV offenders who were convicted (Figure 6). About 25% received a jail sentence, 70% received a

conditional discharge, and 5% received other sentences. (Jail sentences include both “time served” sentences and definite sentences, i.e., sentences for a specified number of days.)

Convicted young male Non-DV offenders also received similar sentences, except that they were somewhat less likely to receive a conditional discharge (63%) and more likely to receive an “other” sentence (11%).

Figure 6
Sentence Outcomes in Criminal Court
Convicted Defendants



C. Pretrial Re-Arrest

For the analyses of pretrial re-arrest, we used a defendant-based data file, which included only the first case for each defendant during the third quarter of 2005 (see inset box).

About 28% of young male DV defendants were re-arrested during the pretrial period for any new offense (Figure 7A). This rate was about 10 percentage points higher than the rate for older male DV defendants (18%), and 5 percentage points higher than the rate for young male Non-DV offenders (23%). These results indicate that young male DV defendants pose the highest risk of pretrial re-arrest of any of the three categories of defendants considered here.

What types of offenses were defendants re-arrested for during the pretrial period? About 14% of young male DV defendants were re-arrested for new DV offenses, and 17% were re-arrested for new Non-DV offenses (Figure 7B). (These categories overlap—about 3% were re-arrested for both DV and Non-DV offenses.)

Among older male DV defendants, 12% were re-arrested for new

The Defendant-Based Data File

For most defendants who had multiple arrests, we included information in the defendant-based data file about the *first arrest*, i.e., the arrest that occurred earliest. However, for defendants whose first arrest was not for a DV case but who had a subsequent DV arrest, we selected the *first DV arrest*, not the first arrest. This procedure enabled us to identify all the defendants who had at least one DV arrest.

Figure 7A
Pretrial Re-Arrest Rates For Any New Offense Defendants Who Were Ever Released

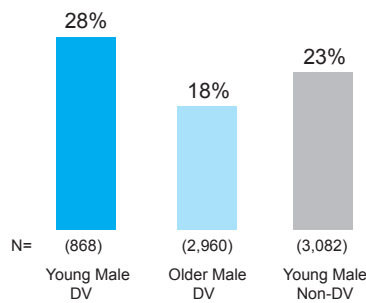
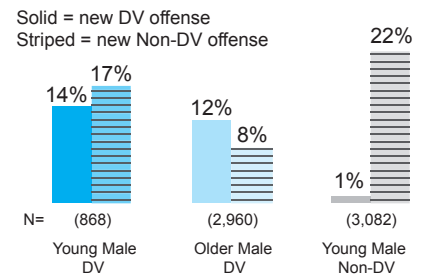


Figure 7B
Pretrial Re-Arrest Rates For New DV and Non-DV Offenses Defendants Who Were Ever Released



DV offenses and 8% were re-arrested for new Non-DV offenses. Young and older male DV defendants were about equally likely to be re-arrested for a new DV offense during the pretrial period (14% and 12%, respectively). However, young male DV defendants were much more likely

to be re-arrested during the pretrial period for a new Non-DV offense (17% vs. 8%).

These patterns suggest that many young male DV offenders are not “specializing” in DV or Non-DV offenses—rather they appear to be engaging in both types of offending.

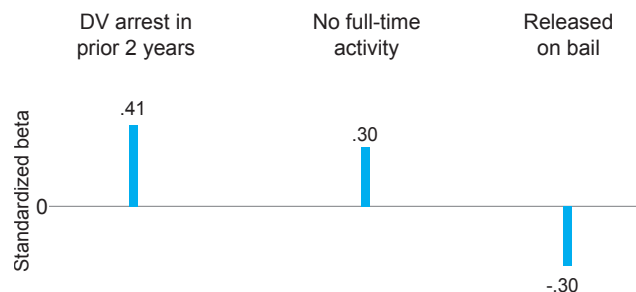
FACTORS ASSOCIATED WITH PRETRIAL RE-ARREST FOR A NEW DV OFFENSE

We developed a statistical model to identify factors that increased or decreased the likelihood of pretrial re-arrest for a new DV offense among young male DV offenders. The model examined the effect of each factor after taking time at risk into account.

Young male DV defendants who had a history of arrests for DV offenses in the prior two years were more likely to be re-arrested for a new DV offense during the pretrial period (Figure 8). Prior DV history was the strongest predictor of pretrial re-arrest for a new DV offense.

Defendants who were not employed, in school, and/or in a training program full time were also more likely to be re-arrested for a new DV offense during the pretrial period. Full-time activity may inhibit young males from committing new DV offenses.

Figure 8
Predictors of Pretrial Re-Arrest For A New DV Offense Young Male DV Offenders Who Were Ever Released (all) N=868



(See inset box, next page, for explanation of standardized beta coefficients.)

FACTORS ASSOCIATED WITH PRETRIAL RE-ARREST (continued)

Finally, young male DV offenders who were released on bail were less likely to be re-arrested for a new DV offense. This finding is difficult to interpret. It could be that bail was more effective than ROR at preventing pretrial re-arrest for a new DV offense, or it may be that bail is associated with other unmeasured characteristics (e.g., the defendant's financial resources) that accounted for this effect.

To further explore the factors influencing pretrial re-arrest for a new DV offense, we divided young male DV offenders into two groups: those who had a history of arrests for DV offenses in the prior two years, and those who did not.

Among those with a history of DV arrests in the prior 2 years, the most important predictor of pretrial re-arrest for a new DV offense was whether the defendant had any prior criminal convictions (in DV or Non-DV cases) or open cases (Figure 9). Also, defendants who had been convicted in the DV case prior to the current one were more likely to be re-arrested.

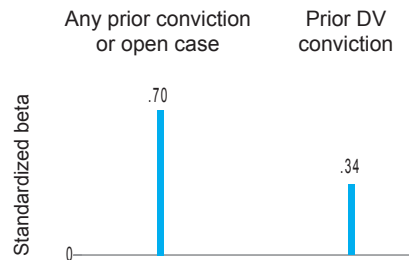
Among those who did not have a history of DV arrests in the prior 2 years, two different variables were significant predictors (Figure 10). Defendants who were not engaged in full-time activity were more likely to be re-arrested for a new DV offense during the pretrial period, while those released on bail (vs. ROR) were less likely to be re-arrested. These results are similar to those reported in the model presented in Figure 8, although the effects are larger in Figure 10.

To illustrate these results, we present re-arrest rates by full-time activity and criminal history. Among those who did not have a history of DV arrests, young male DV offenders who were not employed, in

Standardized Beta Coefficients

The blue lines in Figures 8, 9 and 10 represent standardized beta coefficients, which reflect the impact of the predictor on the likelihood of pretrial re-arrest, while controlling for other predictors in the model. The length of the line represents the size of the coefficient: the larger the coefficient (and the longer the line), the greater the importance of the item in predicting pretrial re-arrest. Lines above the base depict positive coefficients, indicating that the characteristic was associated with a greater likelihood of re-arrest. Lines extending below the base depict negative coefficients, indicating reduced likelihood of re-arrest.

Figure 9
Predictors of Pretrial Re-Arrest For A New DV Offense
Young Male DV Offenders Who Were Ever Released
With DV Arrest in Prior 2 Years (N=209)



school, and/or in a training program had a re-arrest rate of 16% for new DV offenses during the pretrial period (Figure 11). However, among those who did not have a history of DV arrests, young male DV offenders who were employed, in school, and/or in a training program had a re-arrest rate of 8%. A closer look (data not shown) reveals that it is employment, rather than school or training programs, that is primarily responsible for the difference in re-arrest rates.

Among young male DV offenders who did have a history of DV arrests in the prior 2 years, the re-arrest rate was 23% whether or not they were engaged in full-time activity. These appear to be chronic offenders who have considerable contact with the criminal justice system.

Figure 10
Predictors of Pretrial Re-Arrest For A New DV Offense
Young Male DV Offenders Who Were Ever Released
With No DV Arrest in Prior 2 Years (N=659)

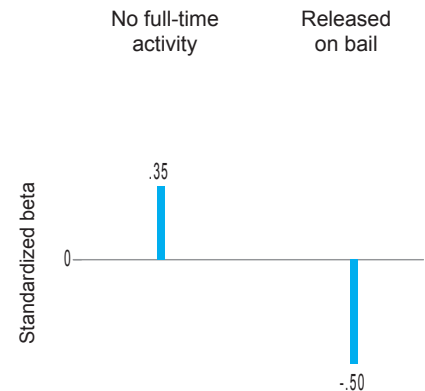
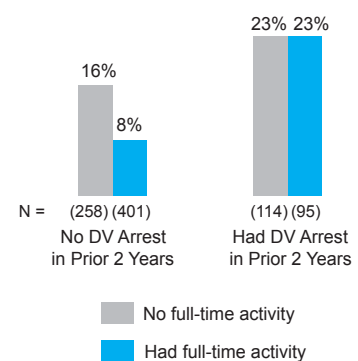


Figure 11
Pretrial Re-Arrest Rates For New DV Offenses
Young Male DV Offenders
By Full-Time Activity & DV Arrest History



SUMMARY

The typical young male DV offender was charged with a crime against an intimate partner (usually a girlfriend or common-law spouse) or against his parent or sibling. Most young male DV offenders had been arrested in the prior 2 years, many for domestic violence. Many were not engaged in full-time activity (work, school, and/or training). District Attorneys declined to prosecute about one sixth of the cases against young male DV offenders. When their DV cases were prosecuted, about one third were convicted, and one quarter of those convicted were sentenced to jail. During the pretrial period, 14% of young male DV offenders were re-arrested for a new DV offense.

Compared to young male Non-DV offenders, young male DV offenders had more extensive criminal histories. They were also more likely to have a recent arrest history than both young male Non-DV offenders and older male DV offenders. Young male DV offenders were less likely than others to be engaged in full-time activity. Young male DV offenders were more likely

to have their cases declined for prosecution than older male DV offenders or young male Non-DV offenders. Case dispositions were similar for young male DV offenders and older male DV offenders, however, young male non-DV offenders were more likely to be convicted. Young male DV offenders were more likely to be re-arrested during the pretrial period than older male DV offenders or young male Non-DV offenders.

We found only a few predictors of re-arrest for a new DV offense during the pretrial period. The strongest was whether the defendant had any DV arrests in the prior 2 years. In addition, those engaged in full-time activity were less likely to be re-arrested for a new DV offense, as were those released on bail (rather than ROR). Further exploration of these findings showed that among young male DV defendants who did not have a history of DV arrests in the prior 2 years, those engaged in full-time activity had a substantially lower pretrial re-arrest rate (8% vs. 16%) than those who were not engaged in full-time activity.

POLICY IMPLICATIONS

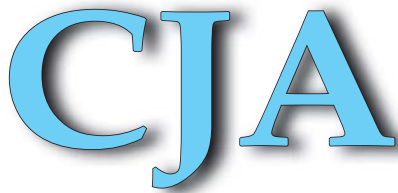
Arrests of young males for domestic violence do not appear to be isolated events among young males with clean records. Many young men are arrested for domestic violence offenses as part of a broader pattern of arrests for other criminal behavior. Moreover, they are often re-arrested during the pretrial period.

Even at young ages, many male DV offenders already have extensive criminal and arrest histories. As we found in our analyses, these histories were the strongest predictors of pretrial re-arrest. However, knowing that past arrests predict future arrests does not help to identify a way to intervene and break the cycle.

What opportunities are there for early intervention to break the cycle of domestic violence among young male DV offenders? The results of the current study suggest that criminal justice intervention is unlikely to be effective. First, there is little evidence, either in this study or in previous research, that the penalties imposed by the criminal justice system have a deterrent effect on these offenders. In fact, among those who had a DV arrest in the prior 2 years, those who were convicted in the DV case prior to the current one were *more* likely to be arrested again during the pretrial period. Second, it is not clear whether the lower pretrial re-arrest rate among those released on bail is an effect of bail, or is merely associated with the greater financial resources of those released on bail. Moreover, even if bail could reduce pretrial re-arrest

it seems very unlikely that judges would set bail more often in DV cases, for a variety of reasons (see Research Briefs #12 and #17 for a more extensive discussion of bail in DV cases). These findings suggest that early intervention in the criminal justice system may be ineffective.

The most promising possibility for early intervention identified in our study is the protective effect of employment. Among young male DV offenders who did not have a record of DV arrests in the prior 2 years, those who were engaged in full-time activity (primarily employment) had lower rates of pretrial re-arrest for a new DV offense than those who were not engaged in full-time activity. This finding suggests that employment provides young men with a tie to the community that reduces the likelihood of pretrial re-arrest. Although not examined in this study, employment may also have benefits that continue beyond the pretrial period. Significant improvements in education, training, and employment opportunities might reduce the long-term risk of recidivism among young male DV offenders. The target group for an intervention (young male DV offenders who did not have a history of DV arrests in the prior 2 years and who were not employed, in school, and/or in a training program full time) constituted 30% of the young male DV offenders in the third quarter of 2005. The size of this group may have grown in the current economic recession, making it especially urgent to address these needs.



Research Brief from

**No. 22 (January 2010)
Domestic Violence Among Young Male Offenders**

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