Domestic Violence in Washington State: 1999-2010

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Abstract

This study was designed to 1) provide rates of all domestic violence case filings in Washington State district, municipal, superior and juvenile courts from 1999 through 2010, 2) provide rates of all first-time domestic violence (DV) case filings in Washington State for 2004 and 2005, 3) provide summary characteristics of first-time domestic violence offenders and DV events, 4) describe the offending careers of first-time domestic violence offenders in the five years prior to this offense, and 5) describe the criminal trajectory of offenders during the five years after their first domestic violence offense. **Methods**: Using statewide data, rates for domestic violence charges and convictions were calculated for 1999-2010. Descriptive analysis of the profile of domestic violence offenders, including their criminal trajectory, and predictors of recidivism are included. **Results**: Conviction rates for domestic violence have decreased over the past ten years and are significantly lower than rates for charges not related to domestic violence. The majority (58%) of first-time DV offenders have offenses pre – and post- their index DV event. A small, but substantial portion of offenders (24%) have no other offenses in the five years before or after their DV event. **Conclusion**: Domestic violence continues to be an issue of concern for the Washington State courts. Further detailed analysis needs to occur to better understand the variability in offender profiles and offense rates.

Background

Significant research has been done to describe demographic characteristics of domestic violence offenders, but little work has been done to describe their criminal trajectories. This work contributes to the established literature while expanding on it to include prior criminal behavior as predictors of future domestic violence (DV) offending behavior. The goal of this work is to 1) provide an overview of domestic violence and domestic violence offenders in Washington State and 2) provide a detailed description of domestic violence offenders' criminal trajectories preceding and succeeding their first DV offense.

Definitions of domestic violence vary across disciplines and, depending on the context, can encompass anything from spousal homicide to sibling bullying. Washington State defines domestic violence as "(a) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; (b) sexual assault of one family or household member by another; or (c) stalking as defined in RCW 9A.46.110 of one family or household member by another family or household member (RCW 26.50.010)." Family or household members include "spouses, former spouses, persons who have a child in common regardless of whether they have been married or have lived together at any time, adult persons related by blood or marriage, adult persons who are presently residing together or who have resided together in the past, persons sixteen years of age or older who are presently residing together or who have resided together in the past and who have or have had a dating relationship, persons sixteen years of age or older with whom a person sixteen years of age or older has or has had a dating relationship, and persons who have a biological or legal parent-child relationship, including stepparents and stepchildren and grandparents and grandchildren (10.99.020 RCW)." This definition of domestic violence excludes child abuse and maltreatment as well as juvenile sibling violence but is more encompassing than violence between intimate partners (i.e. intimate partner violence or IPV). In addition, other forms of domestic violence between non-intimate family members (i.e. intrafamily violence or IFV) meet this definition of domestic violence. These include adult child/adult parent relationships, adult sibling relationships, and non-immediate adult family members.

Intimate partner violence is commonly thought to be synonymous with domestic violence, likely because of the frequency of IPV relative to IFV. While domestic violence is not exclusively IPV, research indicates that domestic violence most frequently occurs between intimate partners. Using numbers provided in the Federal Bureau of Investigation Uniform Crime Reporting (UCR) 2004 report *Crime in the United States*, after excluding all forms of child abuse due to a lack of distinction between adult and juvenile children, it appears that, nationally, 67% of all family violence incidents are between intimate partners (FBI, 2004). The remainder of cases are against siblings, parents, and other family members. Here, too, it is unclear what proportion of child offenders were juveniles and what proportion were adults, though it is known that 90% of offenders in family relationships were over the age of 18. Given this, 67% may actually be an underestimate of the proportion of DV cases that are between intimate partners. Although we were unable to distinguish between domestic violence cases that were IPV and IFV for this paper, based on this national data it is possible to infer that IPV cases make up the majority of all DV cases. Therefore we can conclude that the majority of, but

not all, DV cases filed in Washington State involve intimate partner violence rather than intrafamily violence.

While a significant amount of research has been done to describe the demographic characteristics of DV offenders, far less is known about their offending behavior. Two key questions when considering DV offenders are whether they exhibit generalized or specialized careers and whether the seriousness of offenses in those careers progresses in an orderly fashion (Elliott, 1994; Le Blanc and Fréchette, 1989). In general, criminology research has shown that the majority of offending behavior is generalized, but with the exception of one study (Fagan and Wexler, 1987), studies rarely distinguish between domestic violence and non-domestic violence (Piquero et al., 2003). If DV offenders are generalized criminals this would imply that domestic violence charges are just a portion of all criminal offenses.

Increasing research has focused on desistance of criminal activities. This work has examined how self-control, formal social controls, and informal social controls impact an individual's decision to continue or conclude their criminal behavior. A great deal of the desistance literature has focused on the role of cognitive processes on criminal cessation (see Muruna, 2001, 2006; Giodano et al. 2002). While this project does not attempt to take on the more nuanced measures of social desistance, it will describe patterns of criminal offending and how they may impact desistance.

Methods

The purpose of this manuscript is to 1) provide rates of all domestic violence case filings in Washington State district, municipal, superior and juvenile courts from 1999 through 2010, 2) provide rates of all first-time domestic violence case filings in Washington State for 2004 and 2005, 3) provide summary characteristics of first-time domestic violence offenders and DV events, 4) describe the offending careers of first-time domestic violence offenders in the five years prior to this offense, and 5) describe the criminal trajectory of offenders during the five years after their first domestic violence offense.

The Washington State Center for Court Research aggregates charges from across the State's judicial systems for research purposes and maintains this information in the Court Contact and Recidivism Database (CCRD). This database, which was used for this analysis, includes charging and disposition information as well as unique identifiers that allow individuals to be tracked throughout their criminal career. Using the CCRD, the study population was composed of all misdemeanor and felony cases filed in Washington State district, municipal, superior and juvenile courts between January 1, 1999 and December 31, 2010. While offense dates better describe unique offending behavior over a short period of time, significant portions of the study population were missing information on this key variable. As a result, filing dates were used because they have complete data coverage and are a good proxy for offense date. While there is some variability depending on the charge and the county in which the case is filed, on average, charges are filed within 43 days of the offense date so the lag between when an offense occurs and when it is filed is, generally, not that substantial.

Individuals with more than one case between 1999 and 2010 are included for each unique case. In cases with multiple charges filed, the study charge was selected based on the

following criteria: 1) whether any of the charges filed were DV related, and 2) which DV charge was the most severe. Therefore, for a case with multiple DV charges, the most severe DV charge was included in the analysis. Similarly, in a case with a DV charge and a more severe non-DV charge, the less severe DV charge was selected because DV charges were given selection priority. Criminal charge severity was determined using the Washington Institute for Public Policy's (WSIPP) Law Category Codes. Annually, WSIPP is tasked with updating offense severity tables so that all Washington State criminal offenses are ranked and scored. Scores for criminal offenses range from 8 (Miscellaneous misdemeanor - Sex offender fail to register) to 142 (Homicide-Murder). For individuals with multiple DV charges during the study period, but no DV charges prior to 2004, the first offense during the study period was included and all subsequent offenses were considered recidivism. Analyses were conducted for 1) individuals with a DV charge, and 2) the subsample of this group who were convicted for the DV charge. Because of their unique nature, non-criminal offenses (such as traffic and fish and game charges) were excluded.

Misdemeanor and felony DV charges were indicated from a range of categories including property, harassment, and assault. Domestic violence is identified using Juvenile Court System (JCS), District and Municipal Court Information System (DISCIS), and Superior Court Management Information System (SCOMIS) codes. JCS, DISCIS, and SCOMIS are statewide case-based electronic systems that record parties and legal instruments filed in juvenile, district, municipal, and superior court cases respectively, and include case judgments and final dispositions. Using the charging codes and available case details, court clerks manually determine whether or not the case meets the criteria of being domestic violence-related. A case is identified as domestic violence if it meets the definition of DV established by the Washington State Legislature (RCW 26.50.010). Because identifying a case as being DV-related is not an automated process, and because of user discretion in selecting cases, it must be assumed that the DV flag is being used with varying accuracy across the state. This under-identification of domestic violence cases has been acknowledged by the courts and efforts are currently underway to improve on the system. At this point, this tracking system, while flawed, is the best way to identify domestic violence-related charges at the state level.

The study control group were the remainder of criminal court cases in the study population that were not identified as being domestic violence-related. Annual rates for 1999 through 2010 were calculated per 100,000 Washingtonians age 12 and older. Individuals under the age of 12 at the time of filing constituted less than 1% of all cases and controls and were excluded from analysis. Population denominator counts were based on Washington State data from the 2000 and 2010 US Census. Rates were calculated for misdemeanors and felonies and were disaggregated by DV status. The same as study cases, offenders with more than one criminal case filed during the study period were counted for each filing that occurred. Case conviction rates are also calculated for this timeframe with guilty dispositions as the numerator and the number of cases filed as the denominator.

For analyses focusing on first-time DV offenders, a subpopulation of study cases was used. Using case records going back to 1980, individuals with first-time DV offenses between January 1, 2004 and December 31, 2005 were identified. This provides a strong indication of individuals who were first-time domestic violence offenders, though it is not definitive because

it does not account for DV charges prior to 1980, DV events where charges were not filed, and DV charges outside of Washington State.

Annual rates of first time DV offenses for 2004 and 2005 were calculated by offender demographic characteristics: age, race, and sex and case characteristics (misdemeanor and felony). Reports of age were coded as ages 12-17, 18-24, 25-34, 35-49, and 50 and older. Racial/ethnic categorization was based on case files and are generally determined by someone other than the individual charged with the crime. The state uses US Census race categories of Asian, African American, American Indian, and White. Ethnicity is an additional field where Hispanic origin is identified. The courts also include an "unknown" race category when they are unable to determine an individual's race/ethnicity. An independent, unpaired T-test was used to identify statistically significant differences in rates of DV offending across sub-populations. All results were determined statistically significant at a p-value less than 0.05.

All first-time DV offenders were tracked five years retrospectively from their filing date (i.e., January 1, 1999 to December 31, 2000, depending on original filing date) and five years prospectively (i.e., January 1, 2009 to December 31, 2010). Descriptive statistics summarizing prior offenses are presented, including offense type, offense frequency, offense severity, length of time between charges, and charge resolution. Prospective analysis includes recidivism rates for DV and non-DV related offenses and descriptive statistics summarizing these offenses. Recidivism rates for individuals with a first-time DV charge during the study period who were not convicted for the charge filed against them are also included.

Analysis was conducted using SAS version 9.2. This research was approved by the Washington State Institutional Review Board.

Overview of Domestic Violence in Washington State: 1999-2010

In order to better understand the nuances of domestic violence offenders, it is important to set the context by presenting an overview of domestic violence in Washington State. DV cases make up less than 20% of all misdemeanor cases and less than 10% of all felony cases in Washington. This trend has remained relatively stable over the past ten years (See Figure 1).

Charged DV offenders make up a relatively small proportion of the Washington State population. In any given year, approximately 735 out of 100,000 Washington residents age 12 and older will be charged with a domestic violence offense. The majority of these, 87%, are misdemeanors. This finding holds by sex as well, with
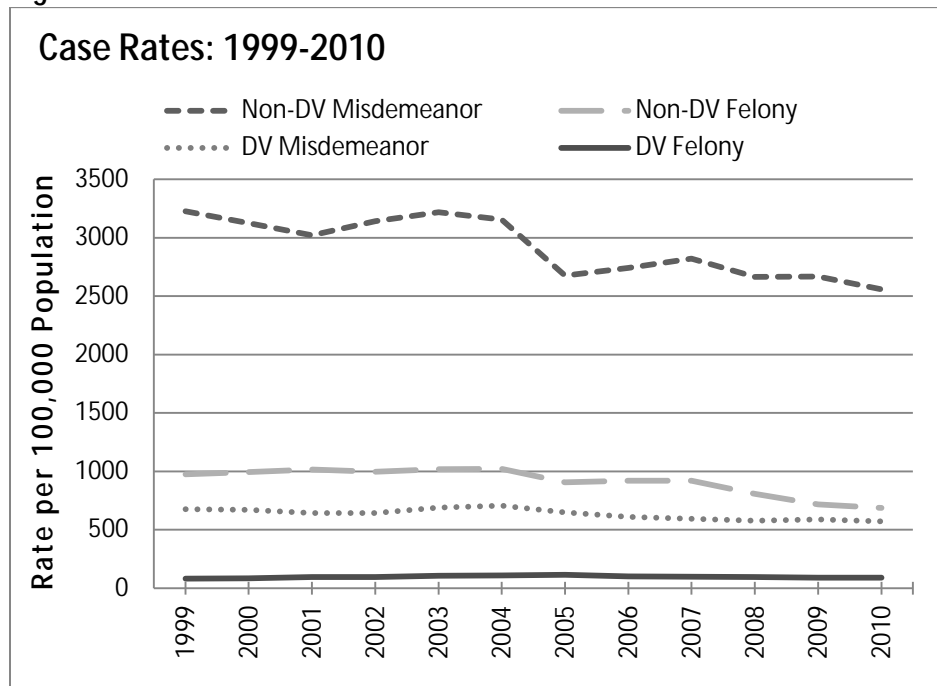
Figure 1

Proportion of all Cases that are DV Related
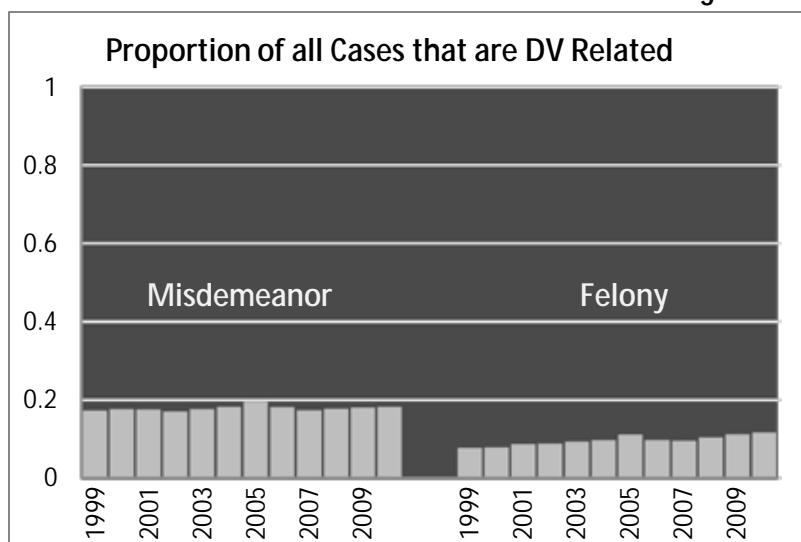
the majority of male (85%) and female (93%) DV charges being misdemeanors. While both males and females were more likely to be charged with a misdemeanor than a felony DV charge, men have significantly higher charge rates than females for felonies and misdemeanors. On average, men were three and a half times more likely than women to be charged with a misdemeanor DV offense and eight times more likely to be charged for a felony DV offense.

When looking at charging rates over time, a steady drop in case rates occurred from 1999 to 2010, with the exception of DV felony cases (see Figure 2). During this timeframe the rate of DV misdemeanor charges decreased 18% and non-DV misdemeanor charges decreased 26%. DV felony charges increased slightly from 81 per 100,000 population to 91 per 100,000 (11%) and non-DV felony charges decreased 41%. While case rates were decreased, or at minimum remaining relatively steady, the decrease in non-DV related charges is substantially greater than in DV cases.

Figure 2:

DV misdemeanor charges for males decreased from a rate of 1,083 per 100,000 males in 1999 to 868 per 100,000 males in 2010—a 20% decrease and the lowest rate in the study timeframe (see Figure 3). Male felony DV charges rose from 1999 to 2005 where it peaked at 232 per 100,000 males, then declined to a rate of 163 per 100,000 in 2010, only slightly higher than the 1999 rate (see Figure 4). DV misdemeanor rates for females remained fairly stable during the study period with a slight rise from 2003 to 2005 and then returning to rates around 275 per 100,000 from 2007 to 2010. Female DV felony rates also increased in 2005, nearly doubling from 17 per 100,000 in 1999 to 30 per 100,000, then decreasing again to 19 per 100,000 in 2010.
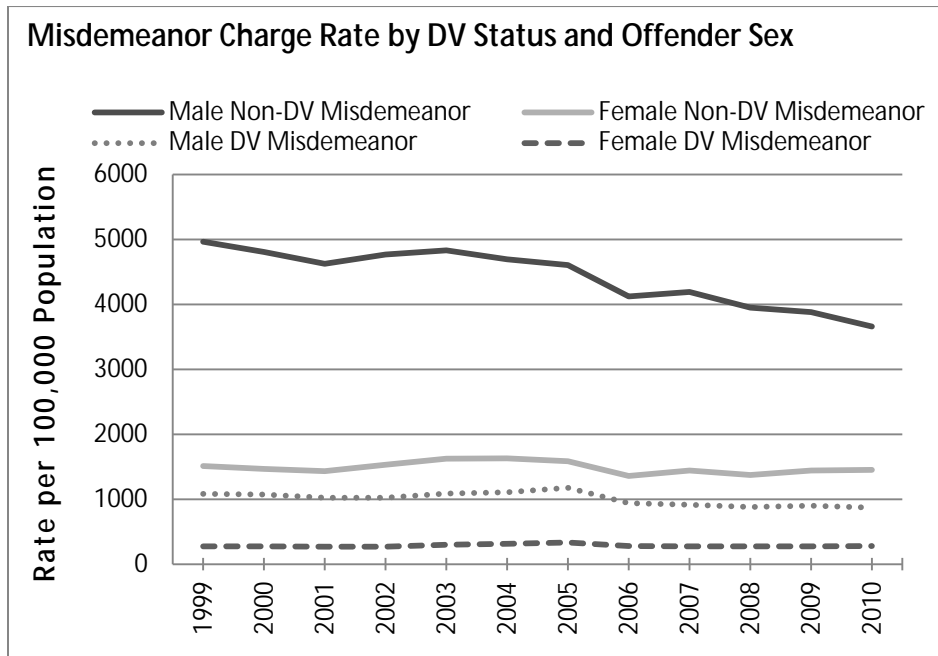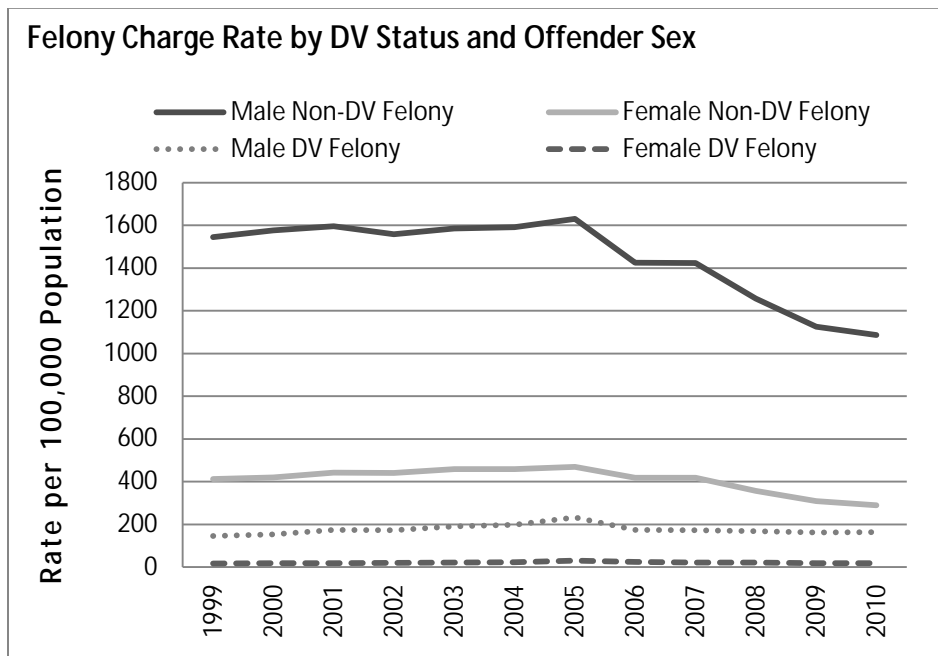
Figure 3:

Misdemeanor Charge Rate by DV Status and Offender Sex

Legend:
- Male Non-DV Misdemeanor
- Female Non-DV Misdemeanor
- Male DV Misdemeanor
- Female DV Misdemeanor

Y-axis: Rate per 100,000 Population (0 to 6000)
X-axis: 1999 to 2010

Figure 4:

Felony Charge Rate by DV Status and Offender Sex

Legend:
- Male Non-DV Felony
- Female Non-DV Felony
- Male DV Felony
- Female DV Felony

Y-axis: Rate per 100,000 Population (0 to 1800)
X-axis: 1999 to 2010

While charging rates give an overview of how prevalent DV charges are in the state, they do not account for variations in the general population. In particular, population level rates include the entire population (in this case, age 12 and older) as potential offenders. Obviously, this is not the case since a portion of the population is incapable, for reasons such as a lack of domestic relationships, to commit a domestic violence offense. Still, charging rates help paint a broad

picture of the problem. Case conviction rates, on the other hand, give a clearer picture of the outcomes for offenders who have been charged with a crime. Figure 5 shows case conviction rates for DV and non-DV charges from 1999 to 2010.

In 2010, out of every 1,000 DV misdemeanor charges, 330 resulted in a conviction. In comparison, nearly a third more non-DV related misdemeanor charges, 442 of every 1,000, resulted in a conviction. Even more striking, non-DV related felony charges were 25% more likely to be convicted compared to DV felony charges (361 compared to 480 of every 1,000). Between 1999 and 2010 case conviction rates remained relatively stable with a slight trend toward decreasing rates. Conviction rates for DV cases have reduced more in the past 11 years than conviction rates for non-DV cases. Felony DV and misdemeanor conviction rates dropped 32% and 18% respectively in the 11 year period while non-DV felony and misdemeanor conviction rates dropped 14% and 13% respectively.

With the exception of 1999, all DV cases were convicted at lower rates than non-DV cases. Felonies were convicted at a higher rate than misdemeanors for both DV (16% higher) and non-DV related offenses (10%), but both types of DV offenses were less likely to be convicted than non-DV offenses. In other words, non-DV misdemeanor cases were convicted at a higher rate than DV related misdemeanors (33%), but they were also convicted at a higher rate than more serious DV-related felonies (12%). When comparing case types by DV status, felony non-DV cases were, on average, 25% more likely to result in a conviction than felony DV cases. Similarly, misdemeanor non-DV cases were, on average, 33% more likely to result in a conviction than misdemeanor DV cases.

Figure 5:
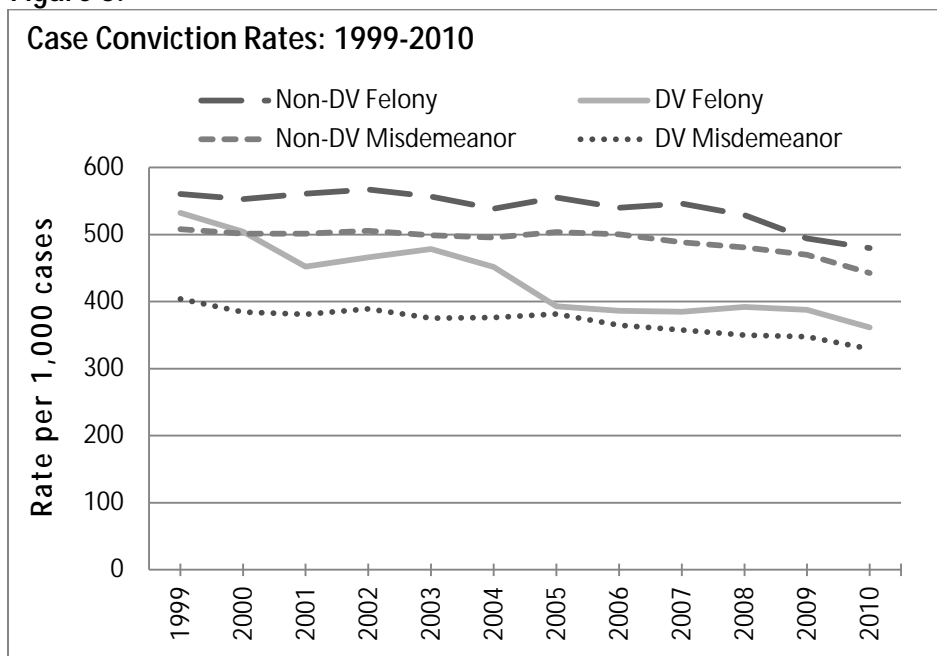
Limiting the analysis to only domestic violence offenses and disaggregating by sex, misdemeanors continue to have a lower conviction rate than felonies for both sexes (see Figure 6). Domestic violence conviction rates varied significantly by sex. Men charged with a DV offense were significantly more likely to be convicted of the charges, both felony (55%) and

misdemeanor (64%), than women. With the exception of 2002, the conviction rate for DV related felonies and misdemeanors was higher for males than any conviction rate for females, i.e. males charged with a domestic violence misdemeanor were convicted at higher rates than females charged with a DV felony or a DV misdemeanor.

Figure 6:

DV Case Conviction Rates, by Sex
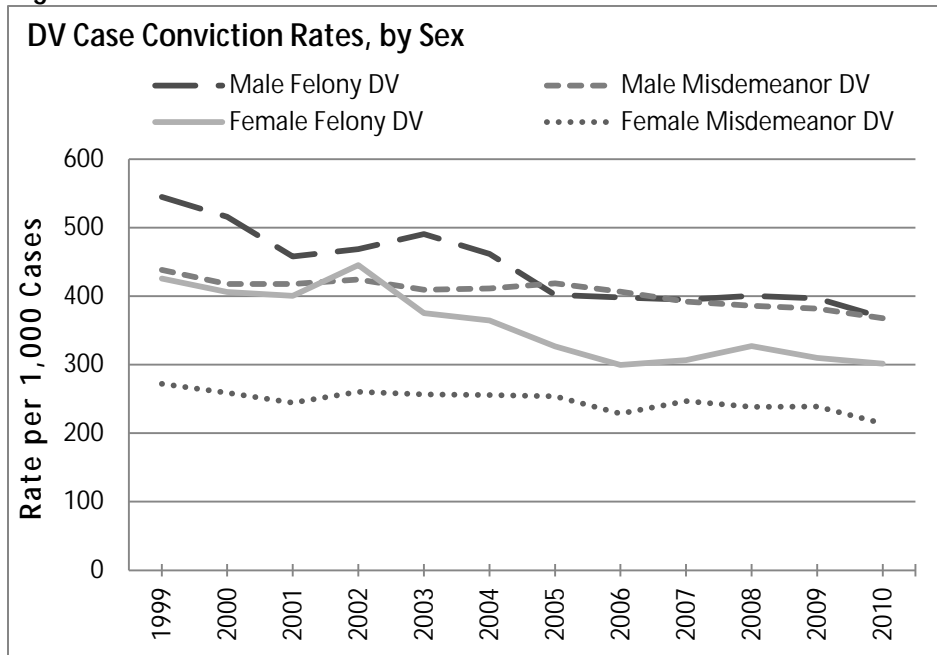
Domestic Violence Offenders: 2004-2005

Sampling all DV offenders in 2004 and 2005, it is possible to develop a demographic profile of domestic violence offenders and how they are similar and different from offenders with non-DV charges. Men made up the majority of offenders overall, accounting for 74% of all charges in 2004 and 2005; they accounted for 73% of all non-DV offenses and 78% of all DV offenses (χ^2=580.5, p<0.001). There was no statistically significant difference in age between DV and non-DV offenders. The average age of a domestic violence offender was 32 years old and the average age of a non-DV offender was 29. Reviewing Table 1, nearly half (47%) of all non-DV offenders were under the age of 25, while only 29% of DV offenders were that young. While there appear to be some differences in offending patterns by race, it is important to consider them with caution because of concerns over the accuracy of this data field. Similarly, because of the immense amount of missing data in the ethnicity field, it is inappropriate to draw any conclusions based on the ethnicity results presented.

During the 2004-2005 study period, the majority of both DV and non-DV cases (86% and 75% respectively) were misdemeanors. Over three quarters of all the DV cases (79%) were misdemeanor assaults. In contrast, misdemeanor assaults made up only 8% of non-DV cases. Half of all non-DV misdemeanor and felony cases (50% and 55%, respectively) resulted in a conviction. Only 38% of DV misdemeanor cases and 42% of felony cases resulted in a conviction. Domestic violence cases were far more likely to be dismissed than non-DV cases; 47% of all DV cases were dismissed compared to 29% of all non-DV cases.

The 86,033 unique domestic violence cases in 2004 and 2005 were filed on a total of 62,015 individuals. Nearly three quarters had only one DV charge during this timeframe (73%), and nearly all had fewer than four DV charges during this 24 month period (95%). Of the 62,015 DV offenders in 2004 and 2005, nearly a third (29.1%, N= 18,068) had a DV case prior to 2004. This left a total of 43,947 individuals who had a first-time DV charge between January 1, 2004 and December 31, 2005.

Table 1: Offender Demographic Characteristics of Domestic Violence and Non-Domestic Violence Offenses: Washington State 2004-2005

	DV Offenses N=86,033		Non- DV Offenses N=421,430	
	N	**%**	**N**	**%**
Sex*				
Male	68,141	79%	314,835	75%
Female	17,826	21%	106,083	25%
Missing	66	<1%	512	<1%
Age				
	N	**%**	**N**	**%**
12-17	3,362	4%	67,875	16%
18-24	21,853	25%	132,536	31%
25-34	25,986	30%	91,978	22%
35-49	28,998	34%	100,902	24%
50+	5,758	7%	27,565	7%
Missing	76	<1%	574	<1%
Race				
	N	**%**	**N**	**%**
White	64,682	75%	328,603	78%
Black	11,477	13%	41,354	10%
Asian/Pacific Islander	2,038	2%	10,546	3%
Indian/Alaska Native	1,685	2%	9,430	2%
Multi-Racial	1,833	2%	8,337	2%
Unknown	4,301	5%	23,105	5%
Missing	17	<1%	55	<1%
Hispanic				
	N	**%**	**N**	**%**
Yes	7,930	9%	40,122	10%
No	3,479	4%	35,643	8%
Unknown	74,624	87%	345,665	82%

Statistically significant difference at p≤0.05

First-time Domestic Violence Offenders: 2004-2005

Table 2 shows the demographic characteristics of first-time DV offenders, the sub-population of first-time DV offenders who were convicted of their charge, and first-time offenders on non-DV charges. The majority of first-time DV offenders were male and the average age was 32 (SD = 11.7). The plurality (76%) were White. Among first-time DV offenders, men overall and individuals age 24 and younger were significantly more likely to be convicted than their counterparts. First-time DV offenders were significantly more likely to be male than first-time non-DV offenders and, not surprisingly, significantly more likely to be over the age of 24. When evaluating the relationship between age and offense history it is important to note that many first-time DV offenders are charged with other non-DV offenses prior to their first DV offense.

Table 2: Demographic Characteristics of All and Convicted First-time DV Offenders Compared to First-time Offenders for Non-DV Charges

	All First-time DV Offenders N=43,947		Convicted First-time DV Offenders N=13,123		First-time Offenders, non-DV charge N=119,894	
Sex	**N**	**%**	**N**	**%**	**N**	**%**
Male	32,383	74%	10,893	83%*	80,699	67%*
Female	11,538	26%	2,229	17%	39,091	33%
Missing	26	<1%	1	<1%	104	<1%
Age	**N**	**%**	**N**	**%**	**N**	**%**
10-17	2,491	6%	902	7%*	30,023	25%*
18-24	12,113	28%	4,007	31%*	39,716	33%*
25-34	12,149	28%	3,702	28%	19,692	16%
35-49	13,637	31%	3,749	29%	20,723	17%
50+	3,524	8%	760	6%	9,621	8%
Missing	33	<1%	3	<1%	119	<1%
Race	**N**	**%**	**N**	**%**	**N**	**%**
White	33,582	76%	9,759	74%	94,032	78%
Black	4,874	11%	1,540	12%	8,017	7%
Asian/Pacific Islander	1,371	3%	306	2%	4,549	4%
Indian/Alaska Native	757	2%	264	2%	1,697	1%
Multi-Racial	714	2%	474	4%	787	<1%
Unknown	2,649	6%	780	6%	10,812	9%
Missing	0	0%	0	0%	0	0%
Hispanic	**N**	**%**	**N**	**%**	**N**	**%**
Yes	4,104	9%	1,497	11%	12,468	10%
No	2,035	5%	801	6%	10,971	9%
Unknown	37,808	86%	10,825	82%	96,455	80%

Statistically significant difference at p≤0.05.
Note: Due to rounding, some columns may not sum to 100%

Among first-time DV offenders, the majority (88%) of charges were misdemeanors. Misdemeanor assaults accounted for 80% of all cases filed. Assault was also the most common category among felony cases, making up 56% of all felony DV charges. Less than 1% of charges (N=46) were homicide. Among first-time DV offenders, over half of all initial cases filed were dismissed (52%). A third of all cases resulted in a guilty conviction (N=13,123), less than 1% (N=375) were acquitted not guilty, and the remainder received another outcome such as diversion or dismissal. Table 3 shows disposition rates for first-time DV offenders in Washington State. Not accounting for the severity of the offense, among first-time DV offenders males are more likely to be convicted of their offense relative to females (RRI=1.7), and offenders younger than 25 years old are more likely than older offenders to be convicted (RRI=1.2). When broken down by charge, a little over a quarter (28%) of misdemeanor assault charges resulted in a conviction while 40% of all felony charges resulted in a conviction. Nearly half of all felony assaults (41%) and homicide charges (46%) were convicted guilty, compared to 49% of non-DV felony assaults and 60% of non-DV homicides.

Table 3: Disposition Rates for First-time DV Offenders by Offender Demographic Characteristics: Per 1,000 charged

	Convicted	Acquitted	Dismissed
Total	299	9	523
Sex			
Male	336	10	630
Female	193	5	485
Age			
10-17	362	6	318
18-24	331	7	499
25-34	304	7	526
35-49	275	11	556
50+	216	11	618

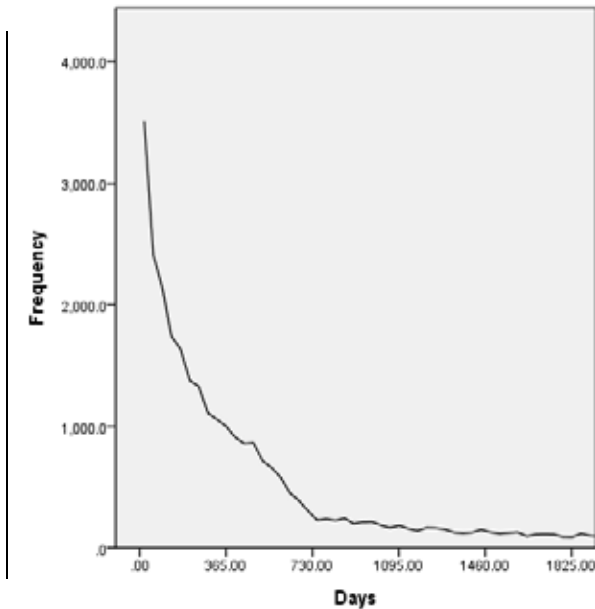**Historic Criminal Profile of First-Time Domestic Violence Offenders**

Over half (65%) of all first-time domestic violence offenders had one or more non-DV charge in the five years prior to their domestic violence charge (see Table 4). Male DV offenders were significantly more likely to have an offense history than females. Offenders under 25 years old were also more likely than older DV offenders to have criminal offenses in the prior five years.

The number of offenses in the five years prior to a first DV offense varied greatly; ranging from 0 to 53. On average, first-time DV offenders had seven non-DV charges prior to their first DV charge and the most recent charge was 397 days (approximately 13 months) prior to the initial DV charge. As Figures 7a and b demonstrate, the majority of first-time DV offenders had their most recent criminal charge within a year preceding their DV charge.

Table 4: Demographic Characteristics of First-time DV Offenders Broken Down by Offense History

	Prior Offense within 5 years of DV charge N=28,560		No charges within 5 years prior to DV Charge N=15,387	
Sex*	**N**	**%**	**N**	**%**
Male	2,2075	77%	10,308	67%
Female	6,475	27%	5,063	33%
Missing	10	<1%	16	<1%
Age*	**N**	**%**	**N**	**%**
10-17	2,140	8%	351	2%
18-24	9,238	32%	2,875	18%
25-34	7,853	28%	4,296	28%
35-49	7,788	27%	5,849	38%
50+	1,525	5%	1,999	13%
Missing	16	<1%	17	<1%
Race	**N**	**%**	**N**	**%**
White	11,747	76%	11,747	76%
Black	1,389	9%	1,389	9%
Asian/Pacific Islander	731	5%	731	4%
Indian/Alaska Native	194	1%	194	1%
Multi-Racial	126	1%	126	<1%
Unknown	1,200	8%	1,200	8%
Hispanic	**N**	**%**	**N**	**%**
Yes	2,951	10%	1,153	7%
No	1,801	6%	234	2%
Unknown	23,808	83%	14,000	91%

Figure 7.a: Number of Days Between Initial DV Offense to Most Recent Previous Offense

Figure 7.b: Number of Days Between Initial DV Offense to Most Recent Previous Offense (excluding events within six months of initial offense)
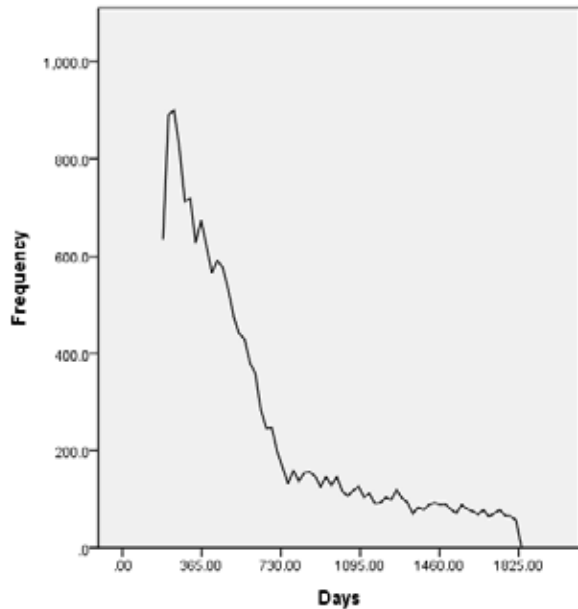
Offenses immediately prior to the first DV offense were generally of comparable severity to the DV offense. In other words, offenders rarely went from a misdemeanor criminal conduct charge to a felony domestic violence assault charge. The three most common charges prior to an initial domestic violence charge are misdemeanor assaults, misdemeanor DUI/DWI, and misdemeanor auto theft/vehicle prowl.

Five Year Prospective Criminal Profile of First-time Domestic Violence Offenders

One third (32%) of all first-time DV offenders reoffended in the five years following their initial offense (see Table 5). First-time male DV offenders were significantly more likely to reoffend, DV related or not, in the five years following their initial offense. Nearly three quarters (71%) reoffended compared to 59% of females (χ^2=538, p<0.001). Nearly all offenders (92%) who were under 18 years of age at the time of their initial DV offense reoffended in the following five years, a significantly higher rate than offenders 18 years and older (66%).

Table 5: Demographic Characteristics of First-time DV Offenders with any Court Cases in the Five Years Following their Offense

	Did not recidivate within 5 years N=14,211		Did recidivate within 5 years N=29,736	
Sex*	N	%	N	%
Male	9,473	67%	22,910	77%
Female	4,723	33%	6,815	23%
Missing	15	<1%	11	<1%
Age*	N	%	N	%
10-17	196	1%	2,295	8%
18-24	2,798	20%	9,315	31%
25-34	3,926	28%	8,223	28%
35-49	5,334	38%	8,303	28%
50+	1,938	14%	1,586	5%
Missing	19	<1%	14	<1%
Race	N	%	N	%
White	10,889	77%	22,697	76%
Black	1,203	8%	3,672	8%
Asian/Pacific Islander	709	5%	669	2%
Indian/Alaska Native	191	<1%	574	2%
Multi-Racial	113	<1%	581	2%
Unknown	1,106	8%	1,543	5%
Hispanic	N	%	N	%
Yes	1,035	7%	3,069	10%
No	205	1%	1,830	6%
Unknown	12,970	91%	24,837	84%

The overall recidivism rate for first-time DV offenders was 677 per 1,000 offenders. On average, offenders who recidivated did so approximately two years after their first DV offense (mean=779 days). The number of days between first DV offense and reoffense within the five years following the initial offense ranged from 1 to 1822 (nearly five years). There was a small portion of study cases who reoffended past the five year window. Figure 8a shows the distribution of reoffenses by length of time from initial offense. Because such a large proportion of reoffenses occur in the first six months, Figure 8b is included to show the detailed recidivism timeframe of offenders who reoffend after one month.

Figure 8.a: Number of Days from Initial DV Offense to Reoffense
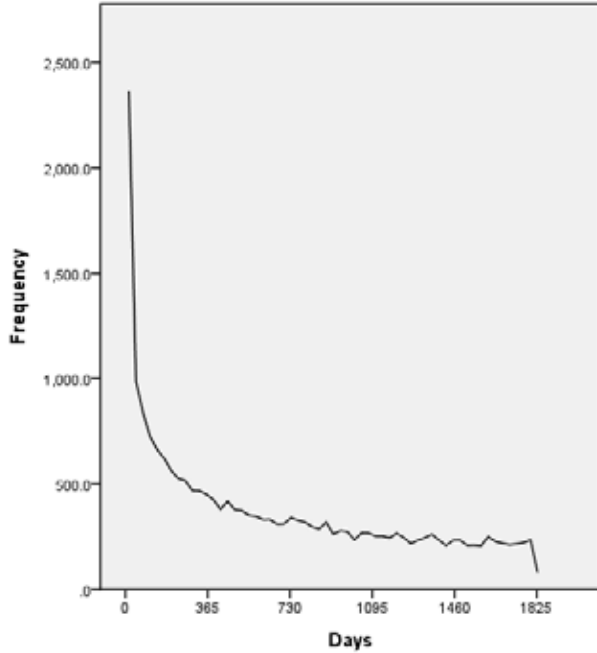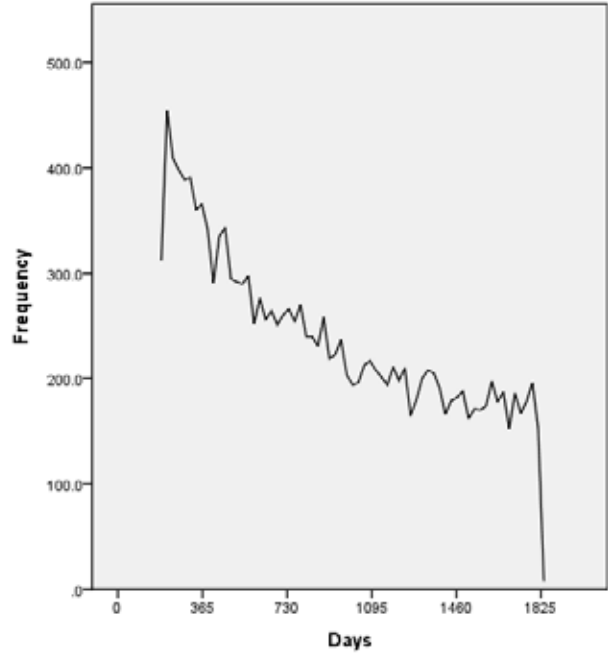
Figure 8.b Number of Days from Initial DV Offense to Reoffense (excluding events within six months of initial offense)

When only domestic violence reoffenses were considered, the five year recidivism rate decreases by half from 677 per 1,000 first-time DV offenders to 339 per 1,000 (see Table 6). Similar to overall recidivism rates, male and younger offenders recidivated on DV charges at a higher rate than their counterparts. The DV recidivism rate for males was 2.8 times higher than females. Relative to DV offenders over the age of 50, offenders under 18 had a DV recidivism event at nearly twice the rate.

Table 6: Five Year Recidivism Rates for First-time DV Offenders: Rate per 1,000 First-time DV Offenders

	Any Re-Offense N=29,736	DV Re-Offense N=14,932
Overall	677	339
Sex		
Male	707	254
Female	591	91
Age		
10-17	921	400
18-24	769	389
25-34	677	340
35-49	609	315
50+	450	225
Race		
White	676	332
Black	753	422
Asian/Pacific Islander	485	253
Indian/Alaska Native	750	404
Multi-Racial	837	436
Unknown	582	275
Hispanic		
Yes	748	383
No	899	439
Unknown	657	329

Offenders who recidivated on a domestic violence charge did so more quickly than offenders who recidivated on a non-DV charge. On average, DV recidivists had a second case filed 492 days (a little over a year) after their first case was filed. This is nine and a half months sooner than non-DV recidivists. Similar to Figures 8a and b, Figures 9a and b demonstrate that the majority of recidivism events occur in the first six months following the initial event.

Figure 9.a: Number of Days from Initial DV Offense to DV Reoffense
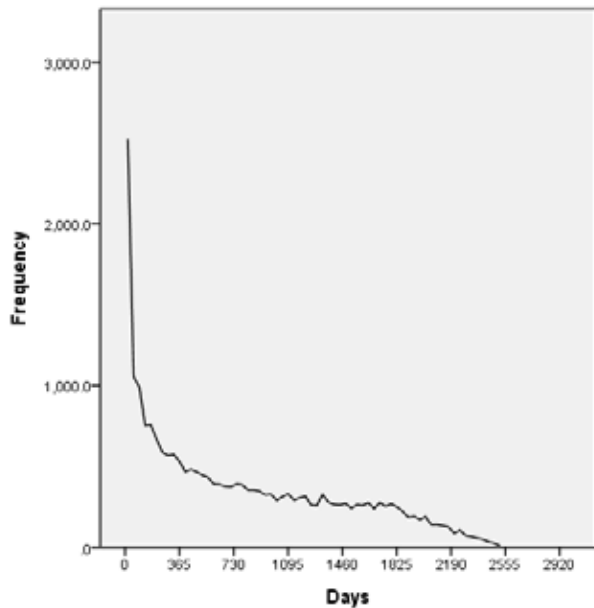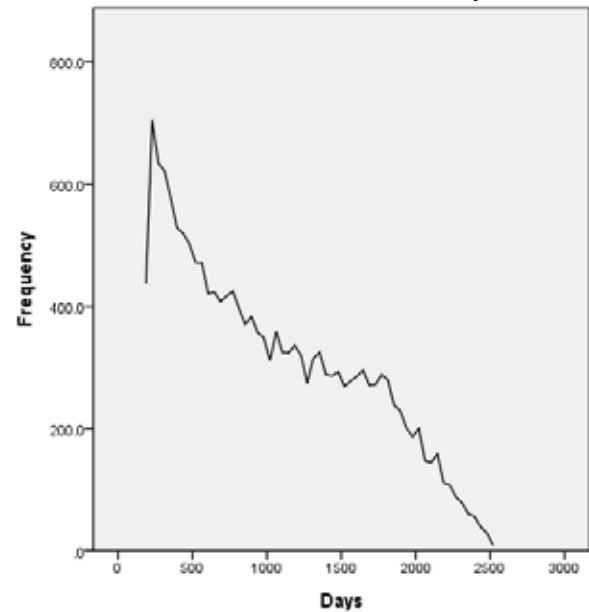

Figure 9.b Number of Days from Initial DV Offense to DV Reoffense (excluding events within six months of initial offense)

There were no significant differences in the original domestic violence charges of first-time DV offenders who did recidivate compared to those who did not. In each case, the majority (48% of non-recidivists and 79% of recidivists) of first-time DV offenders' initial charge was a misdemeanor assault. The most common criminal trajectory for a first-time DV offender is an initial charge of misdemeanor DV assault followed by a misdemeanor harassment/protection order charge or a misdemeanor assault charge. The majority of all DV reoffenses were as or less serious on the WSIPP index than the initial DV offense. Over 80% of DV recidivists second event was comparable or less severe than their initial offense, regardless of whether it was DV related or not.

In multivariate analysis, age, sex, and whether or not the initial offense resulted in a conviction were the more significant predictors of future offending (see Table 7). The offense type (misdemeanor or a felony) or the category of the initial offense (property versus assault, for example) were not statistically significantly associated with recidivism. Conviction on initial offense was the strongest predictor of future offending.

Table 7: Multivariate Models Predicting Criminal Recidivism Among First-time Domestic Violence Offenders

	Model 1	Model 2	Model 3
	β	β	β
Constant	0.85*	0.83*	0.87*
Age	-0.09*	-0.09*	-0.09*
Sex	0.10*	.010*	0.10*
Convicted	-0.007*	0.19*	0.19*
Type	0.19	--	-0.2
Category	--	0.001	-0.001

Statistically significant at p≤0.05.

Criminal Offending Before and After Index Domestic Violence Event

The plurality of first-time DV offenders (58%) had criminal offenses in the five years prior to their first DV offense and the five years following. A small portion of first-time DV offenders had no offenses prior to their first DV offense but had one or more offense in the following five years (9%). Only 8% of DV offenders had criminal offenses prior to their first DV offense, but ceased criminal activity after their first, and only, DV offense (8%). Even after controlling for the severity of the offense, women with a prior criminal history are significantly more likely to cease their offending after their DV offense than men (χ^2=18.3, p<0.01).

For a quarter of offenders (24%) the index DV offense was their only offense in the ten-year research window (1999-2009) and their only known domestic violence offense between 1980 and 2010. Identifying and understanding this unique group of offenders with one lone criminal charge has great potential. Because there are limited resources for domestic violence offender treatment, identifying offenders who are unlikely to return to the system allows resources to be targeted at other, higher risk, offenders. Looking at solitary DV offenders, women were significantly more likely than men to have a single DV offense as their entire criminal history (32% compared to 21%, χ^2=529.2, p<0.01). This result held after controlling for age, race, conviction status, and severity of index event DV charge (β=0.10, p<0.01). As age increases, offenders become more likely to have a single domestic violence event with no additional criminal events before or after the index DV event. While 95% of DV offenders age 12-17 had additional offenses, only 55% of offenders over the age of 50 had any criminal event in the five years before or after the index DV event. Single event DV offenders were charged with less severe offenses and were 2.5 times less likely to be convicted of their DV charge than offenders with multiple charges (14% compared to 35%, χ^2=1,749, p<0.01).

As previously noted, the accuracy of racial designations is questionable. Still, it is interesting to note that there were substantial differences between racial groups in offending patterns. For example, of the study subjects nearly half of all Asian/Pacific Islander first–time offenders had no prior or subsequent offenses while the proportion of other populations with only a single offense ranged between 10 and 24% (see Table 8). This difference remained even after offense severity and conviction were controlled for.

Table 8: Offending History Relative to Domestic Violence Index Event, by Race

	Single charge		Ceased after first DV charge		Initial DV & subsequent		Charges before & after DV charge		Total
	N	%	N	%	N	%	N	%	N
White	7,996	24	2,893	9	3,177	10	19,520	58	33,586
Black	867	18	336	7	460	9	3,212	66	4,875
Asian/Pacific Islander	586	43	123	9	118	9	551	40	1,378
Native American/ Alaska Native	135	18	56	7	51	7	523	68	765
Multiracial	66	10	47	7	53	8	528	76	694
Unknown	887	34	219	8	264	10	1,279	48	2,649

Discussion

Over the past eleven years, there has been a reduction in case rates, both domestic violence and non-domestic violence cases, in Washington State. Without further information it is unclear if this reduction is the result of reduced offending, offenders' reduced contact with the criminal justice system, reduced charging of DV offenses, or a combination of all three. If case conviction rates had increased over this period it may have been possible to extrapolate that the reduction in charging was the result of prosecution being more focused on cases with a higher chance for conviction. The reduction in DV case convictions, in addition to their significantly lower rates compared to non-DV cases would imply that this is not the case. Therefore, without further information it is impossible to determine if the reduction in DV cases in Washington State over the past ten years is an indicator of successfully addressing the issue of domestic violence or not.

Our results showed that 67% of the individuals with a domestic violence charge recidivate within five years of being charged for their index DV event and that the majority do it within the first two years. While the methodology is somewhat different, these findings are similar to Puffett and Gavin's (2004) finding that 67% of all domestic violence offenders were rearrested within two years of their initial arrest. Our findings were also comparable to Gondolf's 2000 study of domestic violence recidivism events (Gondolf, 2000). He found that 41% of DV offenders had an additional DV offense within 30 months of the index event. While higher than the rate in Washington (34%), his results included charged and uncharged events.

Throughout the study period, males were found to be more likely to be charged for domestic violence offenses, to be convicted of domestic violence offenses, and to be charged for subsequent DV offenses than females. While there is substantial literature supporting this finding, the cause of this difference is unclear. Hypothesized explanations include variation by gender in which events are charged (i.e., men are more likely to be charged for serious, easy to convict events while women are more likely to be charged for cases that are hard to prove in

court) and judicial gender bias (Hirschel, 2008). Similarly, younger offenders were more likely to have multiple charges and convictions relative to older offenders. Male offenders, particularly young male offenders, were significantly more likely to recidivate. Demographic characteristics, as well as conviction status of previous offense, were most highly associated with recidivism. The type or status of the criminal event do not appear to be as significant. Therefore, targeting offenders with specific charges does not appear to be an effective way to identify recidivists.

A small group of domestic violence offenders are once-only offenders, another small proportion are specialists (only committing domestic violence assaults), and the vast majority are generalists, committing both DV and non-DV related offenses. Generalists do not usually begin their criminal career with a domestic violence assault. These findings indicate that identifying offenders early in their criminal trajectory and focusing on effective violence prevention strategies may be a way to prevent DV events before they occur. Offenders who recidivate quickly are more likely to have a larger number of recidivism events, but are no more likely to commit severe offenses that offenders who take longer to recidivate. This finding would encourage courts to closely monitor offenders post-offense and to identify early recidivists for additional supervision.

There are many significant limitations to this research. While domestic violence has been defined by the Washington State legislature, there is limited knowledge on how the definition is used statewide by court clerks coding offenses. Discrepancies may result in an undercount of initial and recidivism offenses. We are also limited in our knowledge of the sentence received for DV offenses and, if it included confinement, the amount of time served. Because of this, recidivism rates may be underestimates if a portion of the population did not have an opportunity to recidivate due to confinement. Finally, we were unable to distinguish between intra-family violence and intimate partner violence. Because these different forms of domestic violence are very unique, it would not be surprising if there were substantial differences in profiles of IFV and IPV offenders. Further research distinguishing the two is needed.

Domestic violence is an issue of serious concern in Washington State and nationally. This research lays the ground work to determine if efforts to reduce domestic violence offenses in Washington are having the desired results. This research is a starting point for further investigation into what can be done to prevent domestic violence. With a better understanding of the profile of a domestic violence offender, continued efforts can be made to target this population for effective treatment. While difficult, early identification of a negative criminal trajectory can have lasting benefits in terms of reduced criminal offenses and better outcomes for victims and offenders.

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