

DOMESTIC VIOLENCE OFFENDER MANAGEMENT BOARD

THE COLORADO  
DOMESTIC VIOLENCE RISK AND NEEDS ASSESSMENT  
A PRELIMINARY ASSESSMENT



*A Report of Findings per 16-11.8-103(4)(IV) C.R.S.*

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# Introduction

The Domestic Violence Offender Management Board (DVOMB) was created by the General Assembly in July 2000 pursuant to C.R.S. § 16-11.8-103. The *Standards* created by the DVOMB have undergone several revisions. The most recent revision occurred in 2010 in order to more closely adhere to the principles of risk, need, and responsivity<sup>1</sup> (RNR; Andrews & Bonta 2010; Andrews & Dowden, 2006; Latessa & Lowencamp, 2006; Radatz & Wright, 2015). This change in the *Standards* eliminated the previous minimum treatment length of 36 weeks for all offenders and instituted a differential, risk-based treatment model (see Appendix A). Offender risk levels are assessed using a research-informed instrument, the Colorado Domestic Violence Risk and Needs Assessment (DVRNA) developed by the DVOMB. The DVRNA instrument, composed of 14 risk factors,<sup>2</sup> is designed to identify an adult **offender's risk** level that then corresponds to the intensity of treatment that should be delivered. Based on the results of the DVRNA, an offender may be placed into one of three levels of treatment intensity: low risk (Level A), moderate risk (Level B), or high risk (Level C)<sup>3</sup>. A DVOMB treatment provider who is trained on the use of the DVRNA scores the instrument, prior to the start of treatment, using official record data and information obtained while interviewing the offender.

Offenders who received a conviction or deferred judgement on a case that involves an underlying factual basis of domestic violence in Colorado are **"flagged" in the court data system**. These individuals are required to undergo an evaluation and attend treatment if ordered by the court (C.R.S. § 18-6-801).<sup>4</sup> Each year between FY 2009 and 2014, there were an average of 17,200 cases with a domestic violence (DV) flag were filed in district, county, and juvenile courts, representing approximately 15% of the total criminal cases filed in Colorado each year (Flick & English, 2016). Cases with a DV flag received convictions and deferred judgements approximately two thirds of the time between FY 2009 and FY 2014.

## Methodology

The Office of Research and Statistics (ORS) in the Division of Criminal Justice collected data related to the DVRNA and the treatment outcomes of a sample of 151 DV offenders subject to the *Standards* to determine if the DVRNA risk categories correlate with recidivism. Recidivism is defined as the occurrence of a new county or district court filing for a misdemeanor or felony within 12 months of

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<sup>1</sup> Risk - **Services provided to offenders should be proportionate to the offenders' relative level of static and dynamic risk (i.e., low, moderate, or high risk)** based upon accurate and valid research-supported risk assessment instruments; Need - Interventions are most effective if services target criminogenic needs (both social and psychological factors) that have been empirically associated with recidivism; and, Responsivity - **Effective service delivery of treatment and supervision requires individualization that matches the offender's culture, learning style, and abilities, among other factors.**

<sup>2</sup> These risk factors were identified by conducting a thorough review of the empirical literature on offender risk assessment. The risk factors include prior domestic violence incidents, drug / alcohol abuse, mental health issues, suicidal/homicidal ideation, use and/or threat of weapons in current or past offense or access to firearms, non-domestic violence criminal history, obsession with the victim, safety concerns, violence and/or threatened violence toward family members (including child abuse), attitudes that support or condone spousal assault, prior completed or non-completed domestic violence treatment, victim separated from offender within the previous six months, unemployment, and involvement with people who have a pro-criminal influence .

<sup>3</sup> Treatment levels vary in the duration of treatment and frequency of treatment.

<sup>4</sup> The judge is given the discretion to *not* order domestic violence treatment if "an intake evaluation conducted by an approved treatment program provider discloses that sentencing to a treatment program would be inappropriate, the person shall be referred back to the court for alternative disposition." (See C.R.S. § 18-6-801(1)(b).)

the offender's intake date to treatment (Denver County data were not available for this study).<sup>5</sup> Two lower risk offenders (Level A) were excluded from this analysis due to insufficient sample size. In a different DVOMB study, Level A offenders accounted for approximately 12% of the sample population of 1551 offenders (Hansen, 2016).

## Key Findings

*Are the DVRNA risk categories correlated with recidivism?*

As shown in Table 1, the DVRNA appears to classify offender risk by levels that correspond to domestic violence recidivism rates (that is, a new filing for a crime that had a domestic violence flag in ICON<sup>6</sup>). Domestic violence offenders falling into the high risk category had higher recidivism rates (17.7%) than those in the medium risk category (4.5%). A similar pattern emerged with general criminal recidivism whereby elevated offender risk determined by the DVRNA instrument was associated with higher recidivism rates: Level B offender's recidivated at 25.8%, and Level C offenders recidivated at 43.6%

*Table 1. Domestic Violence and General Recidivism Rates by Risk Level (n = 151)*

Level	n	Domestic Violence Recidivism		General Criminal Recidivism	
		n	%	n	%
<b>B</b> (Medium Risk)	89	4	4.5%	23	25.8%
<b>C</b> (High Risk)	62	11	17.7%	27	43.6%
<b>Total</b>	151	15	9.8%	50	32.7%

Note: Data extracted from the Colorado Judicial Branch's information management system, ICON via the Colorado Justice Analytics Support System (CJASS) and analyzed by the Division of Criminal Justice (DCJ).

## Limitations

In sum, this exploratory analysis of the DVRNA suggests that the instrument is placing individuals in risk categories that correspond with the likelihood of subsequent criminal behavior. This is what the instrument was designed to accomplish. However, there are important limitations to the study, described below.

Limitations to this analysis require cautious interpretations of the results. These findings are drawn from a small, non-representative sample of domestic violence offenders. Additionally, the 12 month follow-up period is a short amount of time. Official record data is likely an underrepresentation of actual DV behavior, so actual recidivism rates are likely higher than those reported here. This analysis did not include low risk (Level A) offenders due to their under representation in the total sample. Official record data is an underrepresentation of actual domestic violence behavior. Finally, municipal court data and Denver County data were not available for this study, so many misdemeanor filings were not captured.

<sup>5</sup> The use of court filings (being charged) is a conventional approach adopted by varying agencies throughout the state. Court filings provide a more reliable measure of recidivism that neither overestimate arrest rates nor underestimate conviction rates.

<sup>6</sup> ICON is the Colorado Judicial Branch's information management system.

## References

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