

A Comparison of the Batterer Intervention and Prevention Program With Alternative Court Dispositions on 12-Month Recidivism

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Abstract

Studies of batterer intervention and prevention programs (BIPPs) offer mixed results regarding their effect on recidivism. The purpose of this study was to examine the effectiveness of BIPP for cases assigned to a misdemeanor family court. This study focused on determining whether BIPP cases, compared with alternative sanctions, had significantly lower recidivism rates 12 months after program involvement. Findings indicated that BIPP was more effective than jail or regular dismissal in reducing the likelihood of future arrests, but not plea deferred adjudication and conditional dismissal. Results argue toward the efficacy of some form of treatment versus simply receiving jail time.

Keywords

domestic violence, BIPP, batterer prevention

Introduction

Intimate partner violence (IPV) represents one of the most common, yet preventable, health threats in our society. In the scholarly literature, IPV has been defined as the “actual or threatened physical, sexual, psychological, or economic abuse of

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an individual by someone with whom they have or had an intimate relationship” (Coker, 2005, p. 1). IPV-related treatment expenses and lost productivity due to domestic assaults are estimated by the Centers for Disease Control and Prevention (2012) to exceed \$8 billion annually. While women may also batter their partners in their intimate relationships, these rates are at a much lesser degree than men, with men committing 85% of all IPV-related crimes (Rennison, 2003). In general, men are more likely to engage in domestic abuse as a means of violence and control over their partner, whereas women are more likely to engage in domestic abuse for reasons of defense of their children, property, self or as a form of retribution (see S. L. Miller, 2005). Moreover, female victims have been shown to have a greater likelihood of injury necessitating medical attention (see Swan, Gambone, Caldwell, Sullivan, & Snow, 2008).

In a recent study by Black and colleagues (2011) summarizing the National Intimate Partner and Sexual Violence Survey, nearly one in three women and one in 10 men reported experiencing sexual assault, physical assault, or stalking by a current or former partner. However, estimates of the exact number of victims range widely across studies depending on population and study design. In 2008 alone, official police records indicated that roughly 552,000 females older than 12 years of age versus 101,000 males in the United States reported a non-fatal violent victimization (including sexual assault, robbery, or aggravated or simple assault) at the hands of an intimate partner (Catalano, Snyder, & Rand, 2009). Overall, 25% of women and 8% of men report being physically assaulted by an intimate partner over their lifetime (see Tilley & Brackley, 2005; Tjaden & Thoennes, 2000).

What is clear from these statistics is that IPV and domestic-related incidents are widespread and exude a vast and negative impact on communities, the health system, businesses, families, and the individual lives of the victims who grapple with the aftermath of such violence. The continuum of IPV severity stretches across many forms, from verbal abuse and threats, to social isolation and harassment, financial control, stalking, damaging of personal property, to threats of harming the victim’s family members, children or pets, to sexual violence and reproductive abuse, as well as minor to serious physical violence. Without question, the criminal justice system is also significantly influenced by the enormous influx of IPV-related cases that flood across law enforcement, correctional, and court settings. There may be considerable differences in how IPV-related cases are handled across jurisdictions depending on mandatory and discretionary arrest policies, as well as how IPV is defined by statute.

One response within the criminal justice system to address specific types of crimes and develop effective rehabilitative programs has been the proliferation of problem-solving courts (J. Miller & Johnson, 2009). The major goal of such courts is to reduce recidivism within specialized populations and address certain types of antisocial behaviors such as domestic violence (DV). However, to date “there is little in the way of evaluative research regarding DV courts so that their effectiveness in comparison to traditional approaches is an open question” (Wiener, Winick, Georges, & Castro, 2010, p. 421). Thus, there is a paucity of studies that have compared recidivism rates across offenders who have varying types of sentences in their final court dispositions. The

present study addresses this gap and provides an evaluation of recidivism rates across available case dispositions for all misdemeanor DV offenders who had cases disposed of in one court within a 1-year period in Dallas, Texas.

DV Courts and Evaluations of Criminal Justice Dispositions

The effectiveness of the criminal justice system response to IPV has much to do with how the crime of DV is defined and construed by the actors within the system (i.e., police, judges, probation officers, victim advocates, and attorneys). When considering all criminal justice interventions, DV court case dispositions and victim/offender outcomes have the least amount of empirical assessment (see Belknap, Fleury, Melton, Sullivan, & Leisenring, 2001). While the traditional response to such crimes has focused on policies that seek to identify, prosecute, rehabilitate, and/or punish offenders with forced oversight and accountability to deter future crime (Portwood & Heany, 2007), the philosophy and focus of the legal system has recently turned toward a newer orientation that emphasizes the therapeutic potential of the response of the system and its agents. As such, this emphasis on therapeutic jurisprudence (TJ) represents a departure from the normal system response to DV by incorporating psychological principles to prosecuting cases and the positive role of personnel acting within the justice system.

DV courts largely mirror the philosophy of problem-solving drug courts in the way they approach the issue of IPV (see Gover, Brank, & MacDonald, 2007). Specifically, judges act as interdisciplinary team leaders, bringing together a diverse group of prosecutors, defense attorneys, defendants, victims, social service providers, batterer intervention program providers, mental health services, and probation officers into a collaborative environment. The judge, lawyers, service providers, and corrections personnel work toward common goals that seek positive outcomes for the victims and families involved, with the long-term objective to keep the offender out of the criminal justice system, seek accountability for the crime from the offender, and keep the family safe and healthier after the court intervention (Winick, 2000). To ensure compliance, judges meet regularly with defendants, attorneys, and probation officers to review progress on program completion when offenders are sentenced to batterer intervention, anger management, or mental health programs as a condition of their rehabilitation; a system of rewards for compliance and sanctions for failure are used to hold participants accountable (King, Freiberg, Batagol, & Hyams, 2009). The yardstick for “success” in these courts is generally a reduction in recidivism, or re-arrest, especially with regard to future family violence-related offenses.

While comprehensive evaluations of DV problem-solving courts and court dispositions are limited, a recent study by Gover and colleagues (2007) reported beneficial outcomes and perceptions by court personnel, victims, and defendants in one South Carolina court that adopted a motivational approach. Interviews and reviews of case files of some 50 victims and 50 offenders revealed positive experiences and affirmative interactions between these clients and criminal justice personnel (i.e., judges, probation officers, attorneys), with a resulting increase in offender accountability. Other studies of

batterer intervention and prevention programs (BIPPs) have been less conclusive, especially when cast in the light of the deterrent effect of arrest and subsequent criminal justice responses as offenders move through the system (Wooldredge & Thistlethwaite, 2005). According to deterrence theory, increasing the severity of punishment should lower IPV and result in lower rates of reoffending behaviors.

Criminal justice responses from prosecutors who make decisions ranging from regular or conditional dismissal to the full-blown prosecution of cases have been explored in social science research as they relate to reoffending rates of domestic batterers with mixed results. Several studies have found no significant reduction in re-arrest rates between groups of offenders who had their cases dismissed, those persons put on probation with BIPP treatment, dismissals, and offenders who were sentenced to jail (Davis, Smith, & Nickles, 1998). Comparable findings were reported by Thistlethwaite, O'Brien, and Gibbs (1998) who found no deterrent effect for successful prosecutions of DV cases. Tolman and Weisz (1995) examined pro-arrest and prosecution protocols that supported court-mandated batterer treatment programs and found arrest to be a significant deterrent to recidivism over 18 months. However, offenders with lengthy priors for IPV were more likely to reoffend and differences between groups of prosecuted batterers and non-prosecuted offenders did not reach a level of statistical significance. These findings were further supported in another study that found no significant differences in recidivism rates between offenders who participated in BIPPs versus controls across south Florida DV cases (Jackson et al., 2003). Moreover, experimental studies have found little evidence of treatment efficacy in reducing recidivism (see Feder & Dugan, 2002). A meta-analysis of treatment effects found that the more rigorous the evaluation study design, the smaller the effect overall (Babcock, Green, & Robie, 2004).

In contrast, other studies have pointed to the salience of victim involvement and support for prosecutorial action as integral, at least to some extent, to the deterrent impact of full prosecutorial responses to DV offenses (Tarr, 2003). Ventura and Davis (2005) found a modest but independent effect on reducing IPV recidivism that supports deterrence, but these effects were negated when the offender received a reduced sanction such as suspended sentences or fines. Similarly, other studies focusing on the effects of imprisonment versus less punitive forms of punishment have reported reductions in re-arrest across incremental increases in the steps of punishment (Thistlethwaite et al., 1998), but most of the extant literature shows little to no main effects of jail on impacting future recidivism (Wooldredge & Thistlethwaite, 2005). Lastly, research regarding the concentration of arrests and convictions for IPV-related assaults in urban areas has shown higher levels in neighborhoods with lower socioeconomic status (SES), which suggests an ecological link with SES, concentrated disadvantage, and residential instability that negatively impact court dispositions (Wooldredge & Thistlethwaite, 2002, 2004). In sum, to date the studies that have examined the treatment efficacy of BIPPs versus other final court dispositions are relatively few in number, have had inconclusive findings, and have infrequently offered randomized sampling techniques to compare disposition outcomes across the wider spectrum of criminal justice sanctions that are available for DV-related cases. The present study

will address some of these gaps in the literature and analyzes the recidivism rates of a Dallas County misdemeanor DV court's population of cases over a 1-year period across the full range of sentencing dispositions while also controlling for other related sociodemographic-, offense-, and neighborhood-related variables that may influence recidivism.

Community-based needs with regard to DV are especially relevant in metropolitan Dallas County, which had the second highest rate of domestic-related murders in Texas in 2012, with 26 women killed (Grimes, 2013). The issue of IPV has come to the forefront of public policy and media attention in recent months since Dallas Mayor Mike Rawlings organized a rally at city hall and called for an end to DV across the city. These heightened efforts came after the tragic murder of 40-year-old Karen Cox Smith by her estranged husband as she left work at UT Southwestern (Mervosh, 2013). This rising focus on domestic assault, sexual assault, and other forms of intimate partner abuse ironically comes simultaneously as the city of Dallas reports its lowest overall murder rate in 43 years.

With these issues surrounding the problem of DV in mind, the present study was initiated by the judge that oversees County Court 10 which handles misdemeanor DV cases in Dallas County. To determine the efficacy of various disposition outcomes with regard to recidivism and batterer intervention programs designed to rehabilitate offenders, the judge asked the lead author to conduct an independent evaluation of all cases disposed within one calendar year. Toward this end, the present study includes related sociodemographic-, offense-, and neighborhood-related variables that may influence recidivism. The method and sampling strategy for the study are discussed in the section that follows.

Methods

Sample and Procedures

The County and Circuit Courts of Dallas County, Texas, handle a large volume of DV-related cases, both at the misdemeanor and felony levels. Two County Courts are *randomly* assigned misdemeanor interpersonal violence (IPV) cases, of which Dallas County Court 10 is one. The judge presiding over Court 10 was interested in conducting an outcome evaluation regarding the effectiveness of batterer intervention and prevention program (BIPP) treatment, a 20-week program with court-approved agencies that provide state-mandated programming to reduce and treat family violence/assault, versus other types of sentences for closed DV cases in County Court 10 that were disposed of between January 1-December 31, 2007. Similar to other jurisdictions, defendants in IPV cases in Dallas County have the discretion to choose from a variety of programs and interventions depending on their acknowledgement of guilt and outcome of trial and plea bargaining. As such, studies involving populations from DV specialty courts often represent a form of convenience sampling with self-selection issues of participants. Therefore, the present study utilizes a random sample of the entire population stratified by treatment and case disposition. Preliminary data were collected from case

files within the court and Dallas County Probation regarding a select number of sociodemographic, arrest, charge, case disposition, and program-related variables for all 2007 disposed cases. The 2007 IPV population for Court 10 contained 2,815 original cases, of which 423 cases represented repeat IPV offenders during the study year. (We use the term “offender” loosely here as a sizable number of these individuals were arrested but subsequently had their cases dismissed or had adjudication withheld. Offender does not equate with convicted, but is merely an arrested person, defendant, or accused person. For the purposes of this article, we shall group all individuals in the data set together and refer to them as offenders with this caveat in mind.)

When these 423 duplicate IPV cases for repeat offenders were excluded (the first arrest that originally placed the offender into the criminal justice system was kept in the data set), 2,392 unique offender cases remained for 2007. As seen in Table 1, these 2,392 cases could be classified into 12 distinct groups based on case disposition and most serious sanction: (a) BIPP conditional dismissals ($n = 240$ or 10.0% of entire sample; received and successfully completed court-ordered BIPP treatment so all charges were subsequently dropped by the District Attorney); (b) other type of conditional dismissal ($n = 180$ or 7.5%; subjects attended non-BIPP such as anger management, substance abuse, and so on, in exchange for all charges being dropped); (c) regular dismissals ($n = 344$ or 14.4%; District Attorney dropped all charges due to lack of evidence, could not locate witnesses, felony conviction occurred); (d) 5-year conditional dismissals ($n = 53$ or 2.2%; case dropped because defendant could not be located after 5 years of warrant issue date); (e) offenders who pled and successfully completed BIPP ($n = 392$ or 16.4%); (f) offenders who pled but failed to complete BIPP ($n = 242$ or 10.1%); (g) offenders who pled and received BIPP sentences but it is unclear if they ever attended and their cases were revoked ($n = 86$ or 3.6%); (h) offenders who pled and received deferred adjudication as their most serious sanction ($n = 103$ or 4.3%; including some form of community service, restitution, or other form of monetary penalties, but no treatment); (i) offenders who pled and received a fine as their most serious sanction ($n = 95$ or 4.0%); (j) offenders who pled and received jail time but no other form of treatment ($n = 632$ or 26.4%); (k) individuals who went to trial ($n = 16$ or 0.7%; grouped together since there were so few of these types of cases); and (l) other type ($n = 9$ or 0.4%; such as plea to affirmative family violence charge or probation only). These disposition classifications were used to create the stratum for randomly selecting a sample of the 2007 unique offender case files.

For sampling purposes, the aforementioned 12 disposition classifications were reclassified into eight classes for sampling. The eight classes reflect differences in treatment and/or dispositional outcomes that may affect recidivism. The treatment/outcome stratum consisted of the following eight classes: (a) BIPP conditional dismissals; (b) other type of conditional dismissals; (c) regular dismissals; (d) dismissals due to 5-year expiration; (e) BIPP (combined completed, failed, and uncertain/revoked cases); (f) plea deferred adjudication; (g) plea sanctioned with fine only; and (h) plea jail sanctioned. For each of these eight classes, 50 IPV cases were randomly selected, and all trial cases were selected, for full case file data collection as a representative sample of the entire universe of 2,392 cases disposed within 2007. The nine remaining “other”

Table 1. Stratification and Treatment Groupings for Disposed Cases in Dallas County Court 10 for 2007 ($N = 2,392$).

Treatment groups	Sample stratum	Original groups	Group name	N	%
1	1	1	BIPP conditional dismissals	240	10.0
1	2	2	Other conditional dismissals	180	7.5
2	3	3	Regular dismissals	344	14.4
2	4	4	5-year dismissals	53	2.2
3	5	5	Plea, completed BIPP	392	16.4
3	5	6	Plea, did not complete BIPP	242	10.1
3	5	7	Plea, uncertain BIPP outcome	86	3.6
4	6	8	Plea, deferred adjudication	103	4.3
4	7	9	Plea, fine only	95	4.0
5	8	10	Plea, jail	632	26.4
—	All	11	Trial, all sentences	16	0.7
—	—	12	Other	9	0.4
			Total unique offenders	2,392	100.0

Note. The population excludes 423 repeat offenders from the total number of all 2007 cases. The repeat offenders had a second to fifth arrest/offense during 2007 caseload. The unique cases were classified into 12 original groups based on case disposition. This original classification assisted in the creation of a treatment/outcome stratum, with eight classes, that was used for sampling the 2007 population. All trial cases were sampled, while 50 cases from each of the eight stratum classes were randomly selected. The cases were re-classified for analysis purposes into five treatment groups. Unless otherwise noted, the trial and "other" groups were excluded from subsequent analyses. BIPP = batterer intervention and prevention program.

cases were excluded because they represented such a small number and generalizability was limited. This sampling strategy resulted in a total selected sample size of 416 offenders (8 groups \times 50 plus 16 trial subjects). Three of the case files for the randomly selected sample were missing and were replaced randomly from within the respective group stratum. One of the randomly selected cases was missing from the 5-year conditional dismissal category and could not be randomly replaced. As mentioned, a few individuals from the 2007 population of IPV cases went to trial, and 10 were acquitted. As they represented a small portion of the cases, they were excluded from analyses. Therefore, the final sample size was $n = 405$ cases/offenders after eliminating the one missing case and acquitted trial cases. The nine groups utilized for the stratified sampling strategy were subsequently collapsed into five groups for analysis purposes. For the purposes of analyses, the sample was weighted to reflect the original distribution of group cases in the 2007 IPV population.

Geographic Location of the Sample

Residential address information was available from the court files for the population of accused offenders in 2007. This information was geocoded and assigned an x and y

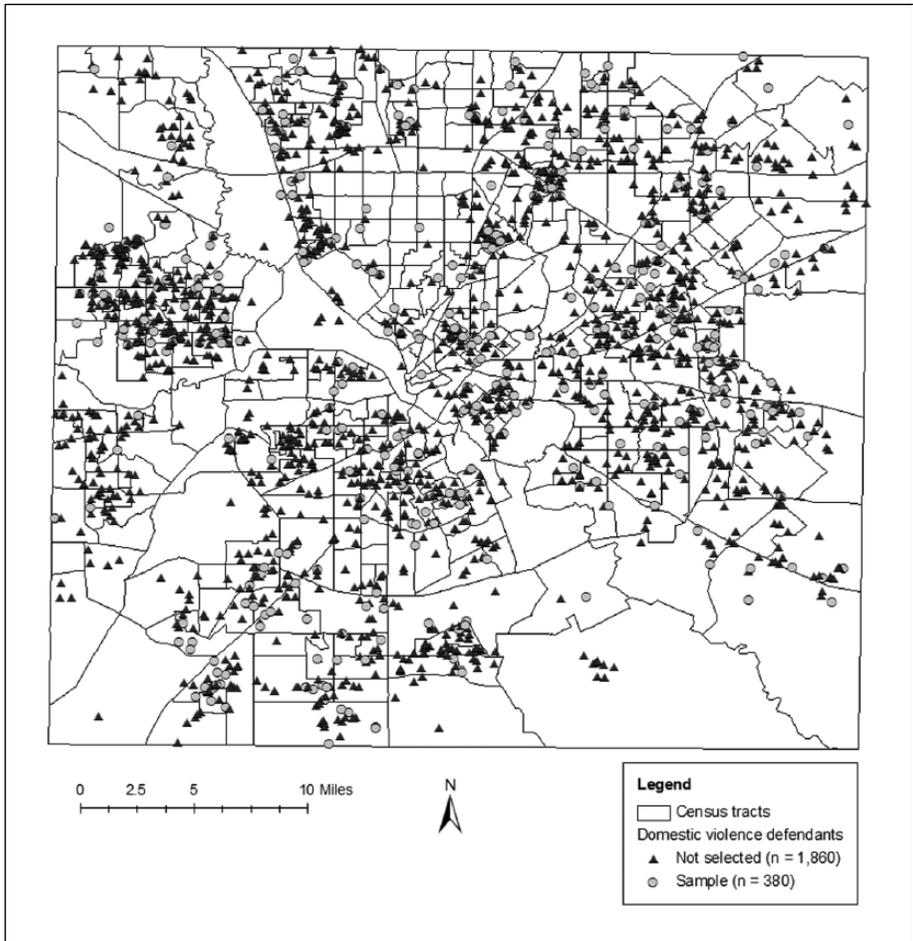


Figure 1. Residential locations for domestic violence unique offenders ($n = 2,240$) in Dallas County Court 10 case files for 2007 by sample selection.

Note. Residential locations geocoded for 2,240 unique offenders (93.6% of unique offender cases). The remaining offenders were homeless, resided outside Dallas County, or had ungeocodable address information.

map coordinate to examine the spatial distribution of Court 10's cases, which were randomly assigned to one of the two family courts. Among the population of unique offenders, geocodable addresses were obtained for 2,240 offenders (93.6%). Among the selected *sample* of unique offenders, geocodable addresses were obtained for 380 offenders (91.6% of 415 sample cases). Geocodable locations within Dallas County were not found for offenders who moved out of the county or state, were homeless, or provided incorrect address information. Figure 1 illustrates the geographic distribution of the unique offender population, based on sample selection or exclusion, across the

2000 U.S. Census Bureau tract boundaries. U.S. Census Bureau population estimates for 2007 showed 2,366,511 residents in Dallas County (U.S. Census Bureau, 2010). For the 2007 IPV population for Court 10, the cities of Irving and Mesquite consistently had the highest concentration of arrests in Dallas County. The highest number of arrests came from within the city of Irving, a large suburb west of Dallas proper. This area is predominately White and roughly half Hispanic, with an average house value of \$90,000 and average annual income of about \$46,000. The second highest area of arrests was found in the city of Mesquite, a city east of Dallas, which is an almost all-White community with average home values of \$86,000 and average annual incomes of \$56,000. In contrast, there is a striking geographic region stretching just north of downtown that continues to the county line that shows few IPV incidents. Upon further inspection, these areas share some characteristics: They are among the wealthiest and have the highest concentration of White residents in Dallas County. For example, Highland Park had only five cases of IPV in 2007, and is almost exclusively White, has an average home value of \$632,000, and has an average annual household income of \$155,000. While the distribution of IPV offenders in 2007 may not be spatially random, there appears to be heterogeneity across neighborhood sociodemographic characteristics, which highlights the fact that DV spans all racial and ethnic groups in Dallas County.

It must be noted that higher concentrations of offenders in certain geographical areas may be reflective of proactive policing efforts and policing policies mandating arrest for DV calls, rather than police prejudice toward certain sociodemographic groups or higher DV propensities within such demographic groups. Conversely, lower DV arrest concentrations may reflect reactive policing efforts and policies that do not mandate arrest for domestic calls, rather than lower propensities within sociodemographic groups.

These findings naturally raise the question of whether DV is occurring less in these neighborhoods, calls for service are down here, or discretionary arrest policies are resulting in fewer arrests in such socially privileged communities. As decades of DV research would argue that sociodemographics do not insulate families from the likelihood of family violence (Klein, 2004), these arrest numbers appear to suggest some other agency- or system-based process is occurring, but it is not possible for us to make a determination as to cause from these data. Further inquiries into both the high and low concentrations of arrest across the various areas of Dallas County offer some intriguing views into arrest realities in these areas, however, and might be of considerable interest on a prevention and intervention level to the agencies that work in these geographic locations. Discretion in arrest and dual arrest policies remain highly controversial within academia and practitioner circles (see, for example, Archer, DuPree, Miller, Spence, & Uekert, 2002), and may fluctuate considerably across agencies due to the individual policy set by the jurisdiction and/or prosecutorial and police agency, so there is also some variation that would be expected across cities and geographic locations based on department policies. Such considerations should be taken into account when considering the geographic representations of DV arrest concentration across Dallas County presented here.

Measures

Two dependent variables for recidivism were examined in this study. Lifetime criminal arrest histories were obtained from the Texas Department of Public Safety database that links with both the Texas Crime Information Center (TCIC) and Federal Bureau of Investigation's National Crime Information Center (NCIC). Twelve-month recidivism data were collected on the IPV offenders beginning the day after their court case files indicated they completed involvement with any treatment-related program or sanction. During the 12-month recidivism period, 88% of the sample had no official arrest or criminal charge on record. Among those arrested or charged during the 12-month recidivism period, the number of arrests ranged from one to three arrests and the number of charges ranged from one to eight charges. Since few offenders were arrested or charged with more than one offense (1.7% for arrests and 4.4% for charges) during the recidivism period, the recidivism measures were dichotomized such that 0 = no recidivism arrest/charge and 1 = one or more recidivism arrest/charges. The first dependent variable for recidivism reflected whether or not the offender was ever *arrested* during the recidivism period. (Note that the dichotomous variable for official charges was the same across the cases as official arrests; only official recidivism arrests are reported here.) The second dependent variable reflected whether or not the offender was arrested/charged for a DV-related offense during the recidivism period. Table 2 presents the descriptive statistics for the measures.

A *treatment* indicator was created based on court case disposition information. Treatment was categorized into five groups: BIPP, regular dismissal, conditional dismissal, plea deferred adjudication, and jail. For the purposes of the analyses, BIPP was coded as the reference group. This strategy allows each of the alternative disposition categories to be compared with BIPP, the focus of our study, in predicting recidivism.

Several sociodemographic and offense-related measures were also created as independent variables on the analyses. *Race* was coded as a dichotomous variable, where 0 = White and 1 = non-White. While there is a sizable Hispanic population in Dallas, Texas, most of the police jurisdictions did not code ethnicity separately on the charging instruments or affidavits, resulting in less than 20% of all subjects being classified as of Hispanic descent. As a result of this underreporting, missing and invalid data issue, race had to be dichotomized. *Gender* of the offender was also included in the measures, where 0 = male and 1 = female. A measure for the *age* in number of years of the offender at the time of arrest for the family court case was created, and ranged from 17-58 for the sample. In addition, *age of first arrest* in number of years was captured from the official criminal history information and included in the analyses. The criminal history records also provided information about criminal history before the IPV case for 2007. Approximately half (53.3%) of the offenders in the sample had one or more *prior arrests*. The number of prior arrests ranged from 0-36 arrests. The frequency of prior arrests indicator was highly skewed (skewness = 3.81; kurtosis = 24.62), hence it was transformed using the natural logarithm with 1 added to scores to permit logarithms of 0 offenses (after transformation, skewness = 0.76; kurtosis = -0.45).

Table 2. Descriptive Statistics for Measures.

Variable	Unweighted sample		Weighted sample	
	<i>n</i>	%	<i>n</i>	%
Gender				
Female	63	15.6	318	13.4
Male	342	84.4	2,053	86.6
Total	405	100.0	2,371	100.0
Race				
Non-White	207	51.1	1,333	56.2
White	198	48.9	1,039	43.8
Total	405	100.0	2,371	100.0
Victim's gender				
Female	347	85.7	2,122	89.5
Male	58	14.3	249	10.5
Total	405	100.0	2,371	100.0
Cohabits with victim				
No	103	25.4	513	21.7
Yes	302	74.6	1,858	78.3
Total	405	100.0	2,371	100.0
Substance use				
No	359	88.6	2,080	87.7
Yes	46	11.4	291	12.3
Total	405	100.0	2,371	100.0
Treatment^a				
Jail	54	13.3	637	26.9
Deferred adjudication	100	24.7	198	8.3
Regular dismissal	99	24.4	393	16.6
Conditional dismissal	100	24.7	420	17.7
BIPP	52	12.8	723	30.5
Total	405	99.9	2,371	100.0
Recidivism arrests				
No	356	87.9	1,982	83.6
Yes	49	12.1	389	16.4
Total	405	100.0	2,371	100.0
Recidivism DV arrests				
No	386	95.3	2,207	93.1
Yes	19	4.7	164	6.9
Total	405	100.0	2,371	100.0
<hr/>				
Variable	<i>M</i>	<i>SD</i>	<i>M</i>	<i>SD</i>
Age	32.63	9.50	32.30	9.79
Age of first arrest	25.21	8.77	24.46	8.47
Prior arrests (ln)	0.74	0.82	0.87	0.86
Disadvantage factor	0.06	0.84	0.10	0.90
Mobility factor	0.09	0.96	0.12	0.95

Note. BIPP = batterer intervention and prevention program; DV = domestic violence. Disadvantage and mobility factors were based on factor analysis results at the tract level.

^aThe treatment categories excluded the 10 acquitted trial cases. The size of this category limits statistical analysis.

The court case files provided details about particulars surrounding the IPV offense. Three measures of offense-related factors were included in the analyses. A measure was created for the *gender of the victim* (0 = male, 1 = female). In a few cases, there were two ($n = 3$, 0.7%) or three ($n = 2$, 0.5%) victims involved in the IPV offense. In such cases, the gender for the first victim was included in the analyses. Court documents also recorded whether the offender *cohabitated with the victim*. A measure reflecting cohabitation was included in the study, where 0 = no cohabitation and 1 = cohabitation. For four cases, the cohabitation information was unknown, and was recorded as no cohabitation for the purposes of this study. (Changing the missing cohabitation information for these four cases to “cohabitation” did not affect the results.) Finally, a measure for whether there was a suspected *substance involved* (alcohol and/or substances) for the offense was also included in the study, where 0 = no and 1 = yes.

The address information for the geocodable offenders ($n = 371$ unweighted cases from the $n = 405$ sample cases in this study) was used to attribute neighborhood characteristics to the individuals. Data for the 2000 U.S. Census population and housing survey for Dallas County at the tract level were used to create neighborhood characteristic indicators. Census tracts are relatively homogenous areas with respect to population, economic, and housing characteristics that typically contain 2,500 to 8,000 people. Six census measures were examined to create neighborhood measures: percent Black, proportion of female-headed households with children, percent unemployed, proportion of households below the poverty level (as defined by the U.S. Census Bureau, 2010), proportion of renter occupied housing, and proportion of persons not living in the same residence as 5 years ago. Principal axis factor analysis with varimax rotation revealed two factors (these data are available from the authors upon request) that best described these six population characteristics: concentrated disadvantage ($\alpha = .65$) and residential mobility ($\alpha = .77$). The neighborhood factors were attributed to the individuals in the sample using their address location information. (It should be noted that few of the sample individuals resided in the same tract boundaries. Therefore, multilevel regression, such as hierarchical linear regression, was inappropriate for these data.)

Results

As shown in Table 3, an examination of bivariate correlations between the measures of interest indicated several significant relationships, a few moderate in strength. Gender of the offender was negatively and moderately related to gender of the victim ($r = -.46$). Male offenders were more likely to have female victims. Age of the offender for first official arrest was moderately related to the offender's age at the time of the IPV offense ($r = .54$) and the number of prior arrests ($r = -.55$). Non-White offenders were more likely to live in areas characterized as higher in disadvantage ($r = .42$). Although some of these correlations were moderately strong, variance inflation factor scores for the regression models were well below 4, indicating that multicollinearity was not a problem (Fox, 1991).

Table 3. Zero Order Correlations of Measures for IPV Weighted Sample ($n = 2,381$).

	1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.
1. Race (1 = non-White)	1.00												
2. Gender (1 = female)	.01	1.00											
3. Age	-.08*	-.01	1.00										
4. Age at first offense	-.03	.14*	.54*	1.00									
5. Prior arrests (ln)	.01	-.24*	.10*	-.55*	1.00								
6. Victim's gender (1 = female)	.10*	-.46*	.02	-.08*	.12*	1.00							
7. Cohabitation	-.01	.11*	.03	.12*	-.14*	.00	1.00						
8. Substance use	-.17*	-.08*	.23*	.10*	.03	.05*	.09*	1.00					
9. Treatment (ref. = BIPP)	-.03	-.02	.07*	.19*	-.27*	.10*	.19*	.07*	1.00				
10. Disadvantage factor	.42*	-.08*	.02	-.17*	.18*	.05*	-.09*	-.15*	-.23*	1.00			
11. Mobility factor	.06*	-.01	-.13*	.14*	-.17*	.04	.05*	-.06*	.01	-.09*	1.00		
12. Total arrests (1 = yes)	.08*	-.04	-.15*	-.20*	.19*	.09*	-.10*	.10*	-.22*	.08*	.11*	1.00	
13. DV arrests (1 = yes)	.10*	.05*	-.11*	-.11*	.05*	.02	-.05*	.01	-.18*	.06*	.04*	.62*	1.00

Note. IPV = intimate partner violence; BIPP = batterer intervention and prevention program; DV = domestic violence.

* $p < .05$.

General recidivism arrest was significantly related to being non-White, being younger in age, being younger at time of first official arrest, more counts of prior arrests, having a female victim, not cohabitating with the victim, being under the influence of substances during IPV offense, receiving jail time, and living in neighborhoods with higher disadvantage and residential mobility. Similar bivariate results were found for DV recidivism arrest/charge, but there was a significant association with the gender of the offender and there were no significant associations with the gender of the victim and substance use during the offense.

Logistic regression was used to examine the relationships between family violence court disposition and 12-month recidivism, both general arrest and DV charge, while controlling for certain sociodemographic, offense, and neighborhood characteristics (significance level of $p < .05$). Table 4 reports the results of the logistic regression analyses for 12-month recidivism. First, the models were estimated with the sociodemographic, offense, and treatment group measures. Next, the neighborhood characteristics were added to the models.

For general arrests during the 12-month recidivism period, the sociodemographic, offense, and treatment measures accounted for 21% of the variance in arrest probability (see Model 1). Individuals who were non-White ($b = 0.46$), female ($b = 0.64$), perceived to be under the influence of a substance ($b = 1.53$), and reported to victimize females ($b = 1.36$) were significantly more likely to be arrested for any type of offense in the future. Indeed, two of the strongest predictors in the model were perceived substance use during the offense and having a female victim. Perceived substance use during the IPV offense increased the odds of any future arrest by 362%, whereas victimizing a female increased the odds by 290%. On the other hand, individuals who were older at the time of the offense ($b = -0.05$) and those who cohabitated with their victims ($b = -0.45$) were significantly less likely to be arrested.

There were two significant treatment findings. Individuals sanctioned to jail ($b = 1.23$) were significantly more likely to be arrested than those assigned BIPP treatment. Going to jail for the IPV offense increased the odds of future arrest by 243%. Individuals whose IPV case was dismissed regularly ($b = 0.67$) were also significantly more likely to be arrested during the 12-month recidivism period compared with those assigned BIPP treatment. Having the IPV case regularly dismissed increased the odds of any future arrest by 95%. There were no significant effects for plea deferred and conditional dismissal cases compared with BIPP.

When neighborhood characteristics were added to the model, there was little change in the significant effects on general arrest. The full model (Model 2) explained slightly more variance in future arrest (23%). Once concentrated disadvantage and residential mobility were controlled, race became non-significant in predicting future arrest. Individuals residing in neighborhoods with higher rates of residential mobility ($b = 0.37$) were significantly more likely to recidivate. Concentrated disadvantage did not significantly predict recidivism.

For DV arrests or charges during the 12-month recidivism period, the sociodemographic, offense, and treatment variables accounted for 17% of the variance (Model 3). Similar to total arrest, individuals who were non-White ($b = 0.82$), female ($b = 1.20$),

Table 4. Logistic Regression Results for 12-Month Total and Domestic Violence Recidivism for Weighted Sample With Group Disposition BIPP as Reference Category.

Variables	Arrests			Arrests			DV charges			DV charges		
	Model 1			Model 2			Model 3			Model 4		
	B	OR	OR	b	OR	OR	b	OR	OR	b	OR	OR
Non-White	0.46 (.13)**	1.58	1.24	0.22 (.15)	1.24	1.24	0.82 (.20)**	2.28	2.28	0.89 (.21)**	2.44	2.44
Female offender	0.64 (.23)**	1.90	2.12	0.75 (.24)**	2.12	2.12	1.20 (.27)**	3.31	3.31	1.38 (.29)**	3.97	3.97
Age	-0.05 (.01)**	0.95	0.95	-0.05 (.01)**	0.95	0.95	-0.01 (.01)	1.00	1.00	-0.01 (.02)	1.00	1.00
Age at first offense	-0.01 (.02)	0.99	0.98	-0.02 (.02)	0.98	0.98	-0.07 (.02)**	0.94	0.94	-0.06 (.02)**	0.94	0.94
Prior arrest (ln)	0.18 (.12)	1.19	1.26	0.23 (.12)	1.26	1.26	-0.49 (.17)**	0.61	0.61	-0.40 (.17)*	0.67	0.67
Female victim	1.36 (.29)**	3.90	3.23	1.17 (.30)**	3.23	3.23	1.04 (.36)**	2.84	2.84	1.08 (.37)**	2.96	2.96
Cohabitation	-0.45 (.14)**	0.64	0.56	-0.58 (.16)**	0.56	0.56	-0.28 (.20)	0.76	0.76	-0.57 (.21)**	0.56	0.56
Substance use	1.53 (.18)**	4.62	4.84	1.58 (.19)**	4.84	4.84	1.11 (.27)**	3.02	3.02	0.94 (.27)**	2.57	2.57
Treatment: (ref. = BIPP)												
Jail	1.23 (.17)**	3.43	3.11	1.14 (.18)**	3.11	3.11	1.53 (.26)**	4.64	4.64	1.55 (.27)**	4.72	4.72
Plea deferred	0.28 (.28)	1.32	1.26	0.23 (.29)	1.26	1.26	-0.27 (.50)	0.76	0.76	-0.24 (.50)	0.79	0.79
Regular dismissal	0.67 (.21)**	1.95	1.62	0.48 (.22)*	1.62	1.62	0.54 (.33)	1.73	1.73	0.45 (.33)	1.56	1.56
Conditional dismissal	-0.06 (.24)	0.95	0.92	-0.09 (.24)	0.92	0.92	-0.24 (.37)	0.79	0.79	-0.33 (.38)	0.72	0.72
Disadvantage	—	—	0.98	-0.02 (.08)	0.98	0.98	—	—	—	-0.20 (.11)	0.82	0.82
Mobility	—	—	1.44	0.37 (.07)**	1.44	1.44	—	—	—	0.17 (.09)	1.18	1.18
Intercept	-1.85 (.42)**	0.16	0.27	-1.30 (.45)**	0.27	0.27	-2.55 (.56)**	0.08	0.08	-2.68 (.60)**	0.07	0.07
-2 log likelihood	1,714.34		1,590.01	1,590.01		990.15	990.15		961.83	961.83		
Model χ^2/df	280.56/12**		290.81/14**	290.81/14**		155.33/12**	155.33/12**		160.14/14**	160.14/14**		
Pseudo-R ²	.21		.23	.23		.17	.17		.18	.18		
N	2,054		1,919	1,919		2,054	2,054		1,918	1,918		

Note. Disadvantage and mobility factors were based on factor analysis results at the tract level. Standard errors in parentheses. BIPP = batterer intervention and prevention program; OR = odds ratio; DV = domestic violence.

* $p < .05$. ** $p < .01$.

perceived to be under the influence of a substance ($b = 1.11$), and victimized females ($b = 1.04$) were significantly more likely to be arrested or charged for a future DV offense. Offenders who were older at the time of their first arrest ($b = -0.07$) and those with more prior arrests ($b = -0.49$) were significantly less likely to be arrested or charged with future DV.

For the DV-only models, there was only one significant treatment effect. Individuals sanctioned to jail ($b = 1.53$ and $b = 1.55$ for Model 3 and Model 4, respectively) were significantly more likely to be arrested than those assigned BIPP treatment. The jail treatment indicator was the strongest predictor in the DV recidivism models, with those persons having 350% greater odds of future DV arrest or charges. There were no significant effects for plea deferred, regular dismissal, and conditional dismissal cases compared with BIPP.

When neighborhood characteristics were added to the DV-only model (Model 4), there was little change. The full DV model explained slightly more variance in future DV arrest/charge (18%). Neither of the neighborhood measures significantly predict DV recidivism. Once concentrated disadvantage and residential mobility were controlled, cohabitation ($b = -0.57$) became significant in predicting future DV arrest/charge. Cohabiting with the victim reduced the odds of future DV by 44%. A cross-tabulation of cohabitation by treatment group indicated 40.1% of those not cohabitating with their victims were sanctioned to jail, compared with 10.9% plea deferred adjudication, 18.5% regular dismissal, 12.3% conditional dismissal, and 18.3% BIPP. On the other hand, among those cohabitating with their victims, 23.2% went to jail, 7.6% were plea deferred, 16.0% were regularly dismissed, 19.2% were conditionally dismissed, and 33.9% received BIPP. This finding suggested that there may be an interaction between the cohabitation measure and treatment group. Ad hoc logistic regressions were estimated to examine the interaction effects of treatment group and cohabitation on DV recidivism. None of the interaction effects were significant; however, cohabitation*jail was marginally significant ($b = -0.77$; $p = .097$).

Figure 2 provides the predicted probabilities for 12-month recidivism based on the logistic regression equations described in Models 2 and 4 from Table 4. The predicted probabilities are presented for male and female offenders separately, as well as total arrest and DV arrest/charge during the 12-month recidivism period. As can be seen, the greatest risk for recidivism is for those who received jail as a sanction for the IPV offense in 2007. The probability of recidivism for those who received jail was 2-4 times greater than those assigned to BIPP. Individuals whose IPV cases were regularly dismissed were also at greater risk of recidivism compared with BIPP. BIPP and conditional dismissal cases had similar risks of recidivism. Compared with plea deferred adjudication cases, BIPP cases had a higher risk of DV recidivism but a lower risk of general recidivism.

Discussion

The purpose of this study was to examine the effectiveness of a batterer intervention and prevention program for cases assigned to one particular misdemeanor family court

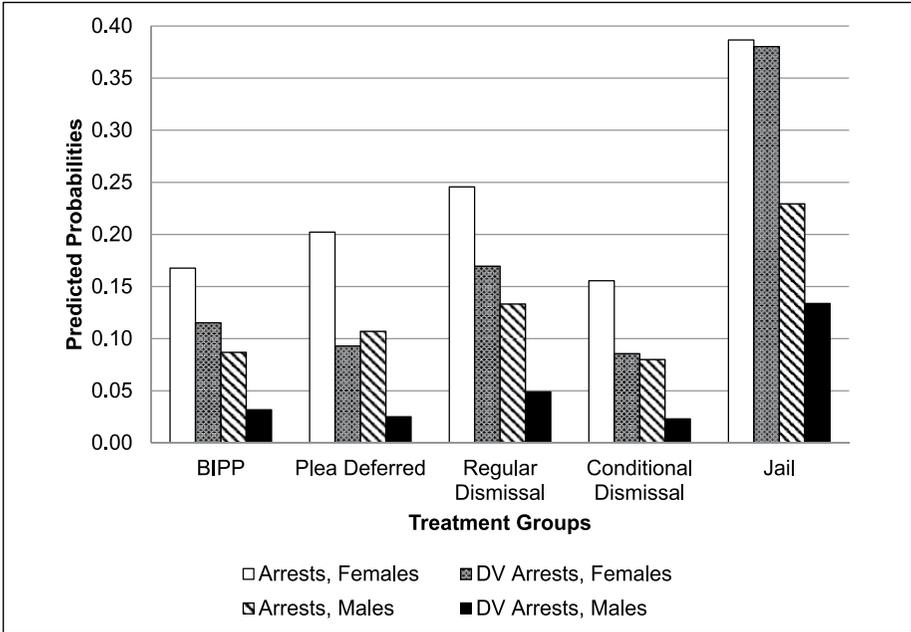


Figure 2. Predicted probabilities for 12-month recidivism total arrests and domestic violence arrests/charges by gender and treatment group.

Note. Probabilities were calculated for weighted sample logistic regression models by treatment group and gender, where race = non-White; victim gender = female; cohabitation = yes; substance use related = no; and age, age of first arrest, prior arrest frequency, concentrated disadvantage, and residential mobility equal means. BIPP = batterer intervention and prevention program; DV = domestic violence.

in reducing recidivism. This research specifically focused on determining whether BIPP cases had significantly lower recidivism rates 12 months after program involvement compared with alternative sanctions (i.e., regular dismissal, conditional dismissal, plea deferred adjudication, and jail). Logistic regressions were estimated to examine the effects of treatment type on any future arrest and future arrests or charges for DV alone, controlling for certain offender, IPV offense, and neighborhood characteristics. Overall, the findings indicated that BIPP was more effective than either jail or regular dismissal in reducing the likelihood of all future arrests. In addition, offenders who attended BIPP had significantly lower odds than those persons who served time in jail to be charged or arrested for a repeat DV-related offense within a 1-year period of their case being disposed in the court. Moreover, BIPP cases were neither more nor less effective than plea deferred adjudication and conditional dismissal. This is an interesting finding as many of the conditional dismissal cases included BIPP as a central condition of that sentence being accepted by the court. These results overall point toward the efficacy of some form of treatment versus simply receiving jail time. These findings are in conflict with other studies that have found that length of jail sentences and probation combined with jail time did not have an effect on DV

recidivism (see Ventura & Davis, 2005). However, court conviction and arrests have been linked with positive reductions in DV recidivism (see also Maxwell, Garner, & Fagan, 2002). In contrast, Kingsnorth (2006) reported no significant effects for either prosecutor decisions or sentencing dispositions for jail or treatment in 872 cases over an 18-month period.

Across the models and consistent with previous research, the strongest predictors of future arrest for both general and DV-related arrests were having a female victim, being perceived as under the influence of a substance when the IPV offense occurred, and being sentenced to jail for the offense (see review from Cattaneo & Goodman, 2005). Substance abuse has been shown to be a robust predictor of recidivism for both male and female DV offenders in a recent study by Menard, Anderson, and Godboldt (2009), even when controlling for offense and demographic characteristics of the offender. Quite surprisingly, being a female offender was also a strong predictor of recidivism here, especially with respect to DV recidivism. These findings contrast with a large body of literature that has shown higher recidivism likelihood for male offenders (see Menard et al., 2009; Ventura & Davis, 2005, for example). While it is unclear what specific process or issue may be influencing these results, it is problematic and begs the question of whether there is some sort of systematic bias driving these outcomes. Is Dallas County more punitive on women and/or less sensitive to gender-related issues (e.g., child care, transportation, gender-specific programs) that might contribute to successful outcomes for female offenders? These are questions that were posed by the Court to BIPP programs serving female offenders in an effort to understand why females had disparate outcomes to males. While few studies have focused intensively on gender differences in IPV recidivism, findings from studies such as Melton and Belknap (2003) have suggested that female offenders were less likely than their male counterparts to use threats or actual violence against their victims and were more likely to act in self-defense. Similarly, another study by Henning and Feder (2004) reported that females were more likely than males to be included in dual arrests, use weapons, or be charged with felonies; men were more likely to have lengthy criminal histories and prior DV charges. Cumulatively, these findings suggest that men and women have very different reasons for why they abuse or attack their intimate partners.

A further explanation may be that there are data issues with NCIC records used in the present study that are impacting our findings. NCIC presents more conservative arrest rates due to a lack of reporting and errors, as evidenced by the fact that 13% of the total randomly selected sample of 405 offenders arrested in County Court 10 in 2007 did not have a NCIC arrest report when the Texas Department of Public Safety provided an arrest history. As all convictions should be reported to NCIC, this fact suggests that either NCIC did not report the data that Dallas agencies sent to them or that Dallas agencies are not reporting all arrests and convictions. Recidivism is a pressing policy issue in Texas, with Texas Penal Code 22.01 (State of Texas Legislative Website, 2012) stating that another assault against any family member automatically becomes a third-degree felony. Thus, the fact that a significant number of arrest and conviction data were missing in NCIC represents a serious public safety and policy issue that impacts a much larger geographical region than just Dallas County.

Contrary to expectations, prior offending reduced the risk of future DV. This finding was not expected and is in opposition to other data that have suggested that offender characteristics and DV and general offending histories were robust predictors for future offending (see Henning & Feder, 2004; Maxwell et al., 2002). This raises the possibility that there is some mechanism here that cannot be fully identified in the present study. Is there an aging out process in effect whereby those offenders with priors are more willing to change their future behavior? There is a good chance that some of them have received some prior treatment for DV, which might in turn be increasing their likelihood of successful treatment due to repeated exposure. Or it could be that victims are not willing to report the offender for another offense, resulting in deflated official reports of IPV that are not reflective of real levels. Also unexpected was our finding that cohabitating with the victim reduced the likelihood of future DV, but that it had no significant impact on general recidivism. This finding was counterintuitive with our expectations but has some support in the literature, with Menard and colleagues (2009) finding that female DV offenders who were still in relationships with their victims were less likely to recidivate than those who had ended the relationship. These data implied that at least a portion of those offenders were still cohabitating with their victim. While an examination of treatment by cohabitation interaction effects on DV recidivism in the present study revealed no dependency between cohabitation and the treatment group assignment, there was a marginally significant negative effect for cohabitation*jail on DV recidivism. The effects of cohabitation on batterer treatment have had mixed findings in the literature, with some studies reporting men who lived with partners were more likely to seek treatment options (see Gondolf & Foster, 1991; Wooldredge & Thistlethwaite, 2005) and other research finding no effects (Chang & Saunders, 2002). Future research should explore in more depth how cohabitation affects decision-making by both the courts and family dynamics in impacting the efficacy of DV treatment as well.

The study also revealed interesting findings with regard to the neighborhood characteristics of concentrated disadvantage and residential mobility. These items are also known as “stake in conformity” variables that test the notion that batterers with more to lose and a higher stake in society will be less likely to re-abuse their partners (see Sherman et al., 1992). Surprisingly, concentrated disadvantage did not significantly affect recidivism, controlling for all else. Residential mobility, however, increased the risk of future arrest, but not for a DV offense specifically. These findings are interesting in light of other research such as that by Maxwell and colleagues (2002), which reported that employment was the only significant stake in conformity variable interacting with official reports of re-arrest, but not victim reports of re-abuse. Wooldredge and Thistlethwaite (2002) similarly found that lower levels of residential stability were related to a greater likelihood of re-arrest for DV-related offenses. Although our findings show a relationship with general recidivism, the significance of stakes in conformity measures reported here further suggests the relevance of how such variables influence reoffending behaviors contextually (see also Wooldredge & Thistlethwaite, 2004). Future studies which expand upon the present study should make every effort to include more racial and neighborhood contextual factors when considering extralegal disparities

and long-term outcomes, as there is compelling evidence across general studies regarding more punitive sentences for economically disadvantaged defendants.

This study has several limitations. First, the study was limited to examining a weighted sample of the population of IPV cases assigned to the one Dallas court in 2007. As we were not able to examine data assigned to the second misdemeanor family court, we cannot be certain of the generalizability of these findings. In addition, the sample may not be completely generalizable to the population, despite employing a stratified, random sampling technique. Moreover, the sample size was relatively small and prevented the examination of multilevel effects on the offenders' recidivism rates. The findings from this study may not be generalizable to other jurisdictions as BIPP curriculum, program length, philosophy, and format may influence overall recidivism rates. That is, depending on the unique orientation and requirements across each jurisdiction employing BIPP programming, variance may be found across offender populations that may render the findings here different when compared with other locations (see Augusta-Scott & Dankwort, 2002). Future research should examine the entire population within a jurisdiction, paying particular mind to contextual and structural factors. The results reported here should be viewed with caution as they are from one year in one county as well. Replication in larger jurisdictions and across regions would be helpful to see if the trends in this county are similar in other geographical areas.

Second, data collection issues prevented the consideration of ethnicity, particularly Hispanic ethnicity as a unique group, and are a limitation in this study. Data are dependent upon the quality of police reporting and this issue is inconsistently handled across the family violence case files. As race and ethnicity are critical issues due to problems with minority overrepresentation in the criminal justice system, it appears that such classifications might be a worthy area for local agencies to make efforts in if outcomes for various groups are to be considered in greater detail in the Dallas area. In a recent study by Bush-Armendariz and colleagues (Bush-Armendariz, Heffron Cook, & Bohman, 2011), 38% of Texan women reported experiencing DV in their lifetime. With regard to ethnicity, Texan Hispanics were at increased risk for DV exposure when compared with statewide totals, with 64% of Hispanics polled stating they or a family member had been a victim and almost 20% of Hispanic females reporting being forced to have sex against their will by their partners (Texas Council on Family Violence, 2011). With these issues in mind, the inability of our study to consider this sociodemographic variable independently points to the need for agencies to revise their policies and provide better reliability on such information for evaluation and best practices to emerge. Lastly, there are several additional sociodemographic characteristics for the offender, offense, community-related characteristics, and stakes in conformity variables that were not available for the data used in the present study. Future research that elucidates gender differences in recidivism, whether by qualitative or quantitative methods, will also add meaningfully to our understanding of the evolution of IPV.

Strengths of the present study include the use of comprehensive and intensive data collection methods across court, probation, and treatment files on offenders who came through the court. Extensive efforts were made to capture missing data by engaging community partners, court personnel, and probation officers who worked with these

clients. There was exceptional openness and cooperation with the judge in requests made by the research team that allowed us to capture address and offender information to populate accurate and complete lists of all offenders who came through the court in this 1-year period. The geocoding of addresses of the entire population of offenders by race and gender offered police, court, lawyers, and corrections personnel a look at the concentration of arrest down to the census tract level. Such data had not been presented in this manner in Dallas County until this study, and it facilitated many discussions on calls for service, discretionary arrest policies, and the outcomes of DV offenders who entered the system. While we are limited in offering a determination of the motivation or reasons for success or failure across offender samples, this work does present an analysis of dispositions regarding what types of punishment were successful or failed. With Dallas County having one of the highest rates of domestic homicide in the state of Texas, an expansion of this project to a larger scale and replication has the potential to inform public policy and make important contributions to building healthy communities and families.

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Roberto Canas is the presiding judge of County Criminal Court #10, the first Latino to hold that position. In 2013, the United States Department of Justice named his court a Domestic Violence Mentor Court, one of only three in the country. He has won numerous awards for his service and conducts trainings nationally. He recently joined the faculty of the National Judicial Institute on Domestic Violence and serves on the Mayor's Executive Task Force on Domestic Violence in Dallas. He and his wife, Tyler, are parents to Che and Eliana and companions to their rescue dog, Chico.