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## VIOLENT CRIMINALS AND REOFFENDING

NEWSLETTER DISSEMINATION OF RESEARCH

# INVESBREU

### Introduction

This *Invesbreu* is a summary of two investigations dealing with the subject of prisoners who have committed serious crimes and a study of their reoffending.

The first one analyses the persons released directly from prison without making a progression to partial release (3rd grade) or supervised release (conditional release), who had been assessed before leaving as having a high risk of reoffending. The investigation has been carried out by the Centre for Legal Studies and Specialised Training (CEJFE) research team.

The second investigation monitors their criminal history and more specifically focuses on studying the offenders who have committed gender violence crimes. The study received economic support from CEJFE through the annual research grants competition for 2016 and was carried out by professionals linked to the university and prisons.

The fundamental interest of the investigations is that they focus on studying reoffending by the persons who have committed serious crimes that arouse public alarm after a prison intervention. Both contribute original data, very little analysed here, which are essential for understanding both the biographical and the personal, penal and penitentiary profile of those offenders. They also make specific proposals for intervention with them.

A reading of both these summaries and the complete investigations published on the CEJFE<sup>1</sup> website will provide the reader with new elements for understanding violent crime from an empirical perspective and enable him to use the data to challenge persistent myths about those offenders and their treatment and rehabilitation.

With the publication of these works CEJFE aims to keep open the lines of investigation and action aimed at introducing improvements to the professionals' work processes in the sphere of penal execution.

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1. The complete investigations can be consulted in the CEJFE Research Catalogue: [http://justicia.gencat.cat/ca/ambits/formacio\\_recerca\\_documentacio/recerca/catalog\\_d\\_investigacions/](http://justicia.gencat.cat/ca/ambits/formacio_recerca_documentacio/recerca/catalog_d_investigacions/)

## Study of reoffending in high risk releases (2010-2013)

**Authors:** Manel Capdevila; Marta Ferrer; Marta Blanch; Berta Framis; Albert Garrigós, Núria Comas

### Introduction

The ultimate purpose of this research is to obtain significant complementary information that will enable the DGSP to improve policies for returning them to society and prevent new crimes being committed by this particularly difficult population.

### Goals

- 1) To discover the criminogenic characteristics of high risk prisoners released.
- 2) To discover the rate of reoffending of the high risk prisoners released and their characteristics.
- 3) To discover the impact of the specialised prison treatment on the lives of the prisoners in the prison and on their reoffending.
- 4) To discover the relation between the prediction of the risk of reoffending done with the RisCanvi (a tool for structured clinical assessment of the prisoners which is used generally and systematically in the Catalan prison services) and the reoffending observed.

### Methodology

The population that is the object of study is made up of prisoners in the prisons all over Catalonia, who had to meet two conditions:

- 1) Serving a sentence for a violent crime and released definitively from a 1st or 2nd grade or security measure between 2010 and 2013.
- 2) At the time of release, showing a negative evolution in prison and/or a HIGH prognosis of violent reoffending according to the RisCanvi criteria.

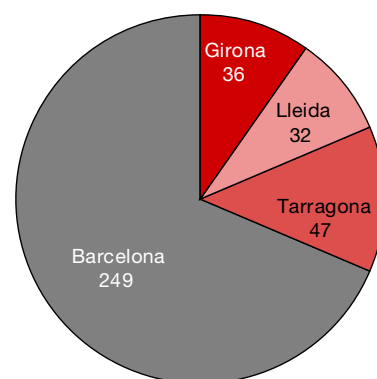
In total the sample is made up of 365 subjects.

The concept of reoffending used is *penitentiary reoffending*, understood as a re-entry into the Catalan prison system. We have also compiled reoffending in the penal execution of community service (if the person has been sentenced to a community measure and sanction), in both cases for committing a new crime after leaving prison on definitive release.

To obtain the rate of reoffending we have monitored the population that is the object of study from the moment of their definitive release until 30/5/2016, the date when the field work was terminated, to see whether they had reoffended. Therefore the monitoring period runs from a minimum of 2.5 years for the ones who left in 2013 to a maximum of 6.5 years for the ones who left in 2010.

The investigation interrelates 289 variables collected for each case. They are personal, penal, penitentiary and reoffending. Some of them have been little used in other studies, such as the psychotropic medication taken by the prisoners or the results of the specific treatment programmes. Through the website, CEJFE provides the public with the database ([Open data](#)), made duly anonymous, with all the information for use and study for anyone who wants to look into it more deeply.

**Diagram 1. Global distribution of subjects by territory**



## Results

Some of the most notable results are:

1. The prisoners who are the object of study show many risk factors for violent reoffending, more than the rest of the ordinary prison population.

There are many risk variables (personal characteristics, social and family environment and penal and penitentiary history), with far higher prevalence than the rest of the prison population (up to 40/50 points of difference according to the variable).

2. On the other hand, the rate of penitentiary reoffending by the high risk releases is 35.0%. If to penitentiary reoffending we add the cases who reoffend and are sentenced to an APM the rate of penal execution is 42.5%.

6 out of every 10 persons for whom the high risk release procedure has been activated have not reappeared in the Catalan penal execution system in the following 6.5 years' monitoring. In relation to the ordinary prison population that is a rate 5 points higher; but lower, for example, than the one for those who leave directly from 1st grade (44.0%) and similar to the rate for those who leave directly from 2nd grade (34.3%).

**Diagram 2. Rate of recidivism in high risk releases: 35.0%**



3. In the population which is the object of the study, turning out to be maladjusted in prison is not associated with being more of a reoffender or of being violent.

Although 67.5% of the cases studied which have been assessed with *high risk of committing intrainstitutional violence* according to RisCanvi (what in the study we have called the “maladjusted group”) and although this profile presents a higher proportion of risk variables (personal, penal and penitentiary characteristics) than the ones who have been classified as adapted, this maladjusted behaviour in prison does not mean a higher rate of reoffending or that when they reoffend it is more frequently for a violent crime.

4. The study confirms that a person who has not reoffended after 5 years' monitoring could be considered reformed.
5. In the case of the high risk prisoners released, serving a longer sentence in prison has no kind of impact on reoffending.

The rate of the ones who have sentences of less than 2 years is 38.5%, whilst the rate of the ones who are serving ones longer than 5 years is 36.7%. The difference is not statistically significant.

The average length of sentence in 2010 was 1,734 days and the average for 2013, 2,671.5 days. Although the length of sentence over the period 2010-2013 has increased by almost 1000 days, there are no statistically significant differences in the time they take to reoffend or the rate of reoffending.

6. 59.4% of the high risk prisoners released have done at least one specialised treatment programme. 82.7% have received psychotropic medication while serving the sentence.

		Specialised treatment	
		NO	YES
Psychotropic medication	NO	25 (6,9%)	38 (10,4%)
	YES	123 (33,7%)	179 (49,0%)

The ones who have received psychotropic medication are more frequent reoffenders: of the NO-YES (no treatment, yes medication) 39.8% reoffend; and of the YES-YES (yes treatment, yes medication) 41.3%. On the other hand, the NONO (no treatment, no medication) and the ones who have only received treatment (YES-NO, yes treatment, no medication) show lower rates of reoffending (16.0% and 21.1% respectively). The differences are statistically significant.

7. Having completed a specialised treatment successfully is not related to being granted permits to leave during the sentence.
8. In the group of the high risk prisoners released, being granted permits is not a predictor of not reoffending. That is the case in the rest of the ordinary prison population.

The granting of ordinary permits during the sentence is associated in all the studies we have done with the prisoners released who are not reoffenders. On the other hand, among the ones who have not been granted permits and are released directly and definitively from prison we find a higher proportion of reoffenders. But the high risk releases break that association and show us that there are more important factors in their reoffending than their evolution in prison.

9. Predicting the risk of violent reoffending in the high risk prisoners released is a highly complex assessment.

It is clear that the study group is filtered precisely by the selection of the high risk of reoffending itself. The problem is that in this group, which is already so selected, we rarely succeed in predicting the ones who will reoffend and the ones who will not (94.6% false positives).

The risk assessment tool used systematically since 2010 (RisCanvi) has considerably improved the focusing of the needs to be met in the different types of people sentenced, but the study shows that, once the *high risk* ones have been selected through RisCanvi, more precise tools are required to select again, and then, in the high risk group, to distinguish between the ones who need more intervention and those who do not. Progression in the grade and other intervention tools have to be submitted to that careful study which, with increasing precision, has been implemented by the DGSP through the Andrews and Bonta RNR (Risk, Necessity, Responsivity) model.

## **Longitudinal retrospective study of the criminal histories of chronic and violent criminals. Special reference to violence against women**

**Authors:** David Cuaresma and Laura Nicolas

### **Introduction**

Adopting developmental criminology as a theoretical and conceptual framework, in this investigation we tried to explain and, if necessary, predict the criminal behaviour of a representative group of violent reoffending criminals. With this general goal we worked with a considerable number of risk factors, given that they allow us to explain the changes that take place over the subjects' lives, describing the common patterns of criminal behaviour according to the different stages of life, in the progress of criminal histories that change as the individual develops.

In the particular case of crimes of violence against women (VAW), we know that most of the criminals who commit them do not specialise in this type of crime, since they have criminal records in other spheres.

The research workers have categorised the VAW aggressors in different subtypes on the basis of various criteria. It is estimated that the antisocial aggressors can account for up to 25% of the aggressors in couples. The subjects grouped in this subtype are the ones where the highest risk is concentrated and the ones that to the greatest extent prolong and repeat the VAW over their lives, as well as the ones that

have the poorest response to the rehabilitation treatment and the lowest percentage of completion.

The study of the criminal history of the antisocial VAW aggressors may be of supreme importance for designing and implementing the intervention programmes and any other preventive policy we may wish to put into practice.

Internationally, there are few longitudinal investigations with violent reoffending criminals. Longitudinal investigations of the criminals who commit VAW crimes are also scarce. This is the first retrospective longitudinal investigation to be done in Spain with these groups of criminals.

In this investigation a study of the risk factors and their prevalence in the subjects' lives has been done from the perspective of the triple criminal risk for crime (TRD) theory, proposed by Redondo (2015). He claims that the origin of criminal behaviour lies in the confluence –personal and unique for each individual– of risk factors grouped in three broad sources according to their etiological nature: personal risks (PR), lack of prosocial support (LSS) and individual exposure to criminal opportunities (Op).

## **Goals**

- 1) To analyse the criminal histories of the violent reoffending criminals, assessing their criminal activity over their lives, from childhood to adulthood, through a study of their main dimensions (start, frequency, seriousness, chronicity, duration and coperpetration);
- 2) To identify the main risk factors associated with the previously analysed criminal behaviour;
- 3) To discover any possible differences between violent and persistent VAW criminals and others who have not committed crimes of that kind.

## **Methodology**

We made a retrospective longitudinal design consisting of obtaining official data and information from the subjects taking part about their life stories and criminal histories.

The main source of official data was the sentence testimonies and the Catalan Penitentiary Information System (SIPC), which also served for the prior selection of the subjects of the study. The information from the subjects was obtained through semistructured in-depth interviews done in the prisons where they were being held.

75 participants were studied. They also responded to different selection criteria which identified them as violent reoffending criminals. A subgroup of 26 subjects were also VAW criminals.

Altogether, 465 variables were handled, including the ones from official sources (192), the ones collected directly from the interviews (199) and the scales constructed from both types of variable. They include information about global and disaggregated magnitudes in relation to the three stages of life analysed (childhood, adolescence and youth/maturity).

The statistical analyses were descriptive logistic regression type, ordinal and lineal through successive steps, aimed at establishing the risk factors associated in predictive terms with the various criminal behaviours studied so that it would be possible to establish the probability that they might occur as a function of the risk factors described.

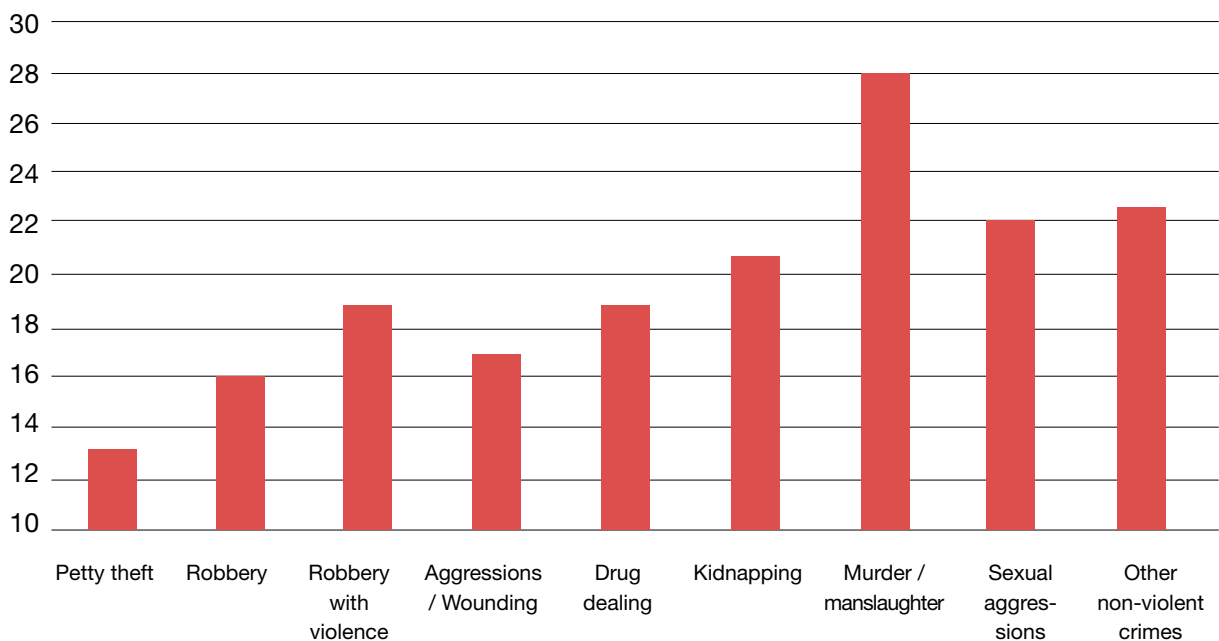
## **Results**

In the first part of the study, relating to the description of the criminal histories, we discovered that among the violent reoffending criminals it was unusual to find late starts in criminality. Moreover, the subjects who started late are less inclined to commit crimes in the company of others. The average age of starting crime, according to the information from the subjects, was 15.2 years (Figure 1).

In this group of criminals most of the criminal histories began with misdemeanours, such as petty theft. Nevertheless, when the start occurred with the commission of violent crimes, that usually happened at a more advanced age. The subjects who started earliest in crime accumulated more sentences and spent more time in prison.

Concerning the variety of crime, we observed a wide range, which in turn increased along with the number of sentences accumulated by the individual. The increase in the variety of crime was associated with an increase in coperpetration. The seriousness of the violent crimes also increased with the rise in the number of sentences. Nevertheless, in the non-violent crimes the seriousness was reduced with the greater accumulation of sentences. Concerning the probabilities of criminal reoffending, there was no difference between violent and non-violent crimes.

**Diagram 1. Average starting age in each of the crimes (information from subjects)**



Criminal coperpetration was extremely frequent in the criminal histories of the group studied. That dimension was reduced with the increase in age and in the case of the violent crimes which, in some cases, reached 100% of the crimes committed alone (e.g. crimes of sexual aggression).

In the second part of the study, relating to the risk factors associated with criminal behaviour, it emerged that the scales most closely linked with criminal behaviour were the ones corresponding to lack of prosocial support and criminal opportunities. Personal risks, however, were not much associated in this group.

The predictive models produced from the three scales of risk, developed according to the TRD model, were capable of predicting criminal behaviour at very high percentages, reaching 65.1% in the case of violent crime, and were shown to be parsimonious and powerful tools for the prognosis of crime.

Of the many variables analysed, it was the ones related to the links with antisocial friends that were most closely associated and best explained the criminal behaviour.

Concerning the evolution through life, the stage between 14 and 17 proved to be the key period in which the most important predictive variables of the model were concentrated.

Concerning the particular study of the criminal histories and the risk factors of the VAW criminals we discovered that in the histories, in general terms, there were no great differences from the other violent and persistent criminals (Table 1).

**Table 1. Comparison between the average values of the different scales (VAW vs. No VAW)**

	$\bar{X}$		Complete sample
	With VAW	Without VAW	
Personal risks (PR)	16.71	26.39	22.89
Lack of prosocial support (LSS)	20.34	24.58	23.07
Criminal opportunities (Op)	21.22	33.01	28.75
PR until 13 years old	1.62	2.65	2.28
PR from 14 to 17 years old	1.17	1.74	1.53
PR from 17 years old	.42	.29	.33
LSS until 13 years old	3.54	3.64	3.61
LSS from 14 to 17 years old	4.80	5.34	5.14
LSS from 17 years old	3.67	5.68	4.96
Op until 13 years old	5	5.39	5.25
Op from 14 to 17 years old	5.15	7.78	6.83
Op from 17 years old	2.58	6.63	5.17

The really notable differences between one group and another were found by analysing the risk factors. The criminals with VAW would have had far fewer risks of crime over their lives.

### Conclusions

The analyses of logistic regression show that the TRD model of the three dimensions of risk explains most of the variance of criminal behaviour. The set of variables that explain that variance are consistent with this theory, describing a parsimonious model in accordance with the principle of convergence of risks of different natures proposed by Redondo (2015).

By analysing the evolution of the scales of risk over a lifetime, we see that the lack of prosocial support experienced until the age of 13 and the crime opportunities perceived from 14 are the best predictors of criminal behaviour.

The results of this investigation into the variation of the risk factors at the three stages of life analysed are also consistent with Sampson and Laub's proposal (1993; 2005), when they state that informal control mechanisms have a causal effect on criminal behaviour and, at the same time, the type of social control exerted on the individuals varies according to their age.

We can state that the development of the criminal histories of the subjects studied is effectively linked to the evolution of the events in their lives.

Concerning the VAW criminals, it has been shown that the criminal history of the subjects classified as antisocial is mostly adapted to their consideration as chronic criminals but, as far as the risks of criminal behaviour analysed are concerned, they have marked distinctive features with regard to the other violent and persistent criminals. For that reason, in future investigations we should make use of personality assessment instruments to complement these results.

- 1 Inmigrantes y criminalidad en Europa. Los ejemplos de Alemania y España. Enero 1995.
- 2 La cárcel pública de Barcelona durante la etapa isabelina / La casa de corrección de Barcelona (1836-1856). Enero 1998.
- 3 El coste de la justicia penal. Privación de libertad y alternativas. Febrero 1998.
- 4 El niño abusado sexualmente como testigo / Los delitos contra la libertad sexual relacionados con menores. Marzo 1998.
- 5 Inteligencia y personalidad en el proceso rehabilitador del delincuente. Mayo 1998.
- 6 Salud y prisión. Octubre 1998.
- 7 La prensa frente a la violencia juvenil y la cárcel. Noviembre 1998.
- 8 El tratamiento de los agresores sexuales. Febrero 1999.
- 9 La victimización en Cataluña en el año 1996. Abril 1999.
- 10 Programas aplicados de psicología comunitaria con personal penitenciario. Junio 1999.
- 11 Justicia juvenil: inserción laboral y medidas en medio abierto. Octubre 1999.
- 12 Reincidencia y delincuencia juvenil. Noviembre 1999.
- 13 Violencia doméstica. Diciembre 1999.
- 14 El estado de la adopción en Cataluña (1998-1999).
- 15 Maltratos infantiles en Cataluña. Junio 2000.
- 16 Prisión y mujeres. La incidencia de los programas motivacionales en la conducta social. Un estudio evolutivo (1988-2000) en la prisión de mujeres de Barcelona. Septiembre 2000.
- 17 Evaluación de un programa de tratamiento para jóvenes violentos. Noviembre 2000.
- 18 Evaluación de la efectividad de los programas de tratamiento con delincuentes en Europa. Enero 2001.
- 19 La victimización en Cataluña en el año 1999. Mayo 2001.
- 20 El arresto de fin de semana en Cataluña (1996-2000).
- 21 Adictos a las drogas y reincidencia en el delito.
- 22 Maltratos físicos graves a bebés y menores de cuatro años ingresados en centros de acogida.
- 23 Intervención institucional. Elementos para el análisis en menores infractores o en riesgo.
- 24 Los menores extranjeros indocumentados no acompañados ( MEINA ).
- 25 La mediación penal
- 26 La reincidencia.
- 27 Familia y conducta antisocial.
- 28 Presentación de dos investigaciones del ámbito penitenciario.
- 29 Intervención en centros de justicia juvenil.
- 30 La clasificación inicial en régimen abierto de los condenados a prisión.
- 31 La reincidencia en las penas alternativas a la prisión en Cataluña.
- 32 La asistencia religiosa y la libertad de culto en las prisiones de Cataluña.
- 33 Bullying - Violencia de género. Elementos para el análisis.
- 34 Violencia de los jóvenes en la familia.
- 35 Infractores y conducta violenta.
- 36 Drogas y tratamiento penitenciario.
- 37 Perfil profesional del juez de primera instancia e instrucción de Cataluña.
- 38 Violencia de género y justicia.
- 39 Delitos sexuales y reincidencia.
- 40 Intervención con infractores juveniles.
- 41 Mediación y resolución de conflictos en entornos penitenciarios.
- 42 Perfil profesional del Secretario Judicial de Cataluña.
- 43 Predicción del riesgo de violencia en contextos institucionales. Los sistemas de control monitorizado aplicado a penados adultos.
- 44 Drogas y prisión . Medidas de seguridad y salud mental.
- 45 Modelos de política criminal y penitenciaria internacional.
- 46 Mujer y violencia de género.
- 47 La formación de los funcionarios de seguridad de los centros penitenciarios en Cataluña y Francia.
- 48 Perfil de los penados por delitos contra la seguridad del tráfico.
- 49 Intervención con agresores de violencia de género.
- 50 Intervención con infractores condenados por delitos de tráfico a programas formativos.
- 51 Abuso sexual infantil: valoración psicosocial desde el ámbito de la justicia.
- 52 Agresores en violencia de pareja.
- 53 Inserción después de la cárcel.
- 54 Extranjeros en centros penitenciarios.
- 55 Victimología y ciberdelito en menores.
- 56 La reincidencia en el programa de mediación y reparación de menores.
- 57 Intervención penal con infractores de tráfico.
- 58 Evaluación de menores infractores: factores protectores y de riesgo..
- 59 El tiempo en la justicia de menores.
- 60 Intervention in the framework of penal measures in the community.
- 61 Community service orders and tasks to educate for life in society in juvenile justice.
- 62 Victimisation of children and adolescents in care and in juvenile justice.
- 63 Conditional release in Catalonia.
- 64 Case management in Catalan prisons.
- 65 Penal measures and drug addictions.
- 66 Assessment of the Limits parenting skills training programme.
- 67 The rate of penitentiary recidivism 2014.
- 68 Comparative study of the quality of life of people with intellectual and developmental disabilities in prisons in Catalonia
- 69 New intervention programmes for offenders in the community
- 70 Managing emotions in penitentiary centres
- 71 Penal execution in the provinces