11 The Crime Control Effects of Criminal Sanctions for Intimate Partner Violence

Christopher Maxwell and Joe Garner

With the adoption of pro-arrest laws and policies in the 1980s, prosecutorial and judicial policies and practices governing intimate partner violence [IPV] cases attracted greater attention. Much of the literature regarding the prosecution of IPV noted the lack of prosecutorial vigor and the inability or unwillingness of prosecutors to file charges or obtain convictions for IPV. Some scholars subsequently argued that the insufficient follow-through by prosecutors lead in part to modest and inconsistent effects of arrest on subsequent reoffending. Advocates therefore argued for a criminal justice system that could provide sufficient resources to effectively prosecute and to provide necessary support and protection for victims.

While scholars frequently asserted a low rate of prosecution for IPV, Garner and Maxwell (2009)'s review of 135 published research reports established that, on average, one third of reported IPV offenses and three fifths of arrests result in the filing of criminal charges. In addition, about a third of arrests and half of all prosecutions for IPV result in a conviction. This finding about the more substantial use of criminal sanctions beyond arrest then brings to the forefront questions of whether any post-arrest sanction for IPV reduces the rate of subsequent incidents of violence or not. The salient public policy concern is not why is there so little prosecution but, given that substantial proportions of offenders are prosecuted and convicted, are these sanctions associated with less repeat offending, more repeat offending or with no effect at all.

This research provides a systematic review of published studies that provide evidence regarding the crime control benefits from prosecution, conviction, and sentencing of IPV offenders, assesses the nature and quality of those studies, and summarizes the reported findings about the crime control effects of criminal sanctions. Unfortunately, the research on the effectiveness of criminal sanctions for IPV does not address the underlying causal mechanisms and typically does not collect information which could permit distinguishing the effects of fear of

sanctions from victim empowerment or other potential mechanisms by which sanctions might affect future behavior. For this reason, in this article, we specify a generic crime control effect that is neutral about the mechanism by which sanctions affect future behavior. In addition, our specification considers that all types of sanctions may not have an effect that is consistent in size or direction. Therefore, we identify three hypotheses about the effects of criminal sanctions on IPV. We label these the prosecution hypothesis, the conviction hypothesis and the sanction severity hypothesis. This approach permits distinctions among three policy choices in criminal justice processing–the decision to charges, the decision to convict, and the type of sanction imposed upon convicted offenders.

Among the 135 publications used to estimate the amount of prosecution and conviction by Garner and Maxwell (2009), we have identified 30 that assess the relationship between the application of sanctions by the criminal courts and repeat offending. This review describes the characteristics of each of the studies, summarizes the substantive findings reported and evaluates the research designs, measures and methods used (see table 1). These 30 studies generated 143 statistical tests that inform one of these three crime prevention hypotheses. For each study and by each hypothesis, we present the number of reported statistical tests that show that criminal sanctions were significantly associated with less repeat offending, more repeat offending, or do not significantly affect repeat offending.

Based upon the analyses and conclusions produced by these studies, we find that the most frequent outcome reported is that sanctions that follow an arrest for IPV have no effect on the prevalence of subsequent offending. This finding holds for the prosecution, conviction and sanction severity hypotheses. However, among the minority of reported analyses that do report a statistically significant effect, two-thirds of the published findings show sanctions are associated with reductions in repeat offending and one third show sanctions are associated with increased repeat offending. Our examination of the methods used by these studies identified seven common issues that suggest that, regardless of the substantive findings reported, the research designs used in these 30 reports are inadequate to assess the relevant public policies and criminological theories (see table 1). Based upon our systematic assessment of the published studies, we conclude that the preponderance of the reported findings show no effect for criminal

sanctions; however, the quality of the methods used in this body of research provides us with an insufficient basis to support a conclusion about the use of criminal prosecution and sentencing for IPV.

To address this gap, we recommend that the field undertake a well-funded, long-term program of research that will rigorously test these and other crime control hypotheses. This program must articulate the causal mechanisms under review, model when the effects begin and dissipate, use reliable and common outcome and sanction measures, distinguish selection effects from treatment effects, incorporate rigorous multivariate analyses, and meet contemporary standards for statistical power. The National Institute of Justice-sponsored Spouse Assault Replication Program is an example of such an approach. While imperfect, this program provided the rigorous, systematic evidence necessary to assess the crime control effects of arrest for IPV. We also recommend using existing data from these 30 studies to improve our understanding of this body of research and of the crime control effects of criminal sanctions through secondary data analyses.

About the Authors

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PASK#11 Online Tables – Table 1. Sample characteristics, results and conclusions

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Study No. and Citation	Sample Characteristics:	Type of analysis, results narrative and applicable conclusions if available	Relevant interpretation, strengths and weaknesses
1. Belknap, J., & Sullivan, C. M. (2002). Longitudinal Study of Battered Women in the System: The Victims' and Decision-Makers' Perceptions. Boulder, Colorado: The University of Colorado	SITES: Ingham Co., Michigan - Boulder Co., Colorado - Denver, Colorado; 178 Prosecution cases; 100% male offenders; 55% white offenders; 1999-2000 data collection years	Pre-post Analysis. Based on interviews with 178 female victims of intimate partner violence prosecuted during 1999 and 2000, Belknap & Sullivan (2003) report statistically significant reductions in physical abuse and in psychological abuse six months and twelve months after charges were disposed in court compared to six months prior to the original arrest. The author provided no discussion on the connection between sanctions and recidivism.	We interpret these four bivariate tests as supportive of the prosecution hypothesis. STRENGTHS: This report used two types of repeat offending measured directly from victim interviews at two post arrest time periods. WEAKNESSES: The analyses sampled completed cases only and used a methodologically weak pre/post bivariate comparison of prevalence measures only. The report did not correlate variability in sanctions with repeat offending. While all sample sizes were small, pre-arrest offending were based on 178 interviews and post arrest offending were based on as few as 148 interviews. Details of statistical tests were not provided.
2. Buzawa, E., Hotaling, G. T., Klein, A., & Byne, J. (1999). Response to Domestic Violence in a Pro-Active Court Setting (pp. 256). Lowell, MA: University of Massachusetts-Lowell	SITES: Quincy, Massachusetts; 353 prosecution cases; 100% male offenders; 84% white offenders; 1995-1996 data collection years	Bivariate analysis. Based on charges filed, police criminal history records, and civil court restraining order about male defendants arraigned for domestic violence, Buzawa, et al. (1999: Table 7.7) report a statistically significant increase in the prevalence of re-arrest within 12 months of the original arrest for cases receiving more severe sanctions ranging from no prosecution to jail time. They also report repeat violence or violations of restraining orders for 49.2% of the victims interviewed at approximately 12 months after	We interpret this bivariate test as providing evidence against the sanction severity hypotheses. STRENGTHS: With a large sample of arrests in a pro-active jurisdiction, this study used official police measures to compare the prevalence of re-arrest among four distinct sanctions: cases that 1) were not prosecuted, 2) prosecuted but not convicted, 3) convicted but no jail, and 4) convicted with a jail term. WEAKNESSES: Analyses reported are

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		the presenting incident but they do not analyze the relationship of these measures to case dispositions. The author provided no discussion on connection between sanctions and recidivism.	limited to bivariate analyses of the prevalence of arrest which do not incorporate characteristics of the pro-active jurisdiction.
3. Davis, R. C., Smith, B. E., & Nickles, L. B. (1998). The Deterrent Effect of Prosecuting Domestic Violence Misdemeanors. Crime & Delinquency, 3(44), 434-442.	SITES: Milwaukee, Wisconsin; 1,133 prosecution cases; 86% male offenders; 45% white offenders; 1994-1995 data collection years	Multivariate Regression Models analysis. Based on 1,133 misdemeanor arrests for domestic violence presented for consideration during three months in 1994 and three months in 1995, Davis, et al.'s (1998: 440) multivariate analyses found no statistically significant effects on the likelihood of re-arrest for any offense within six months of the disposition of the original case comparing cases declined for prosecution with dismissed cases, cases sentenced to probation and cases sentenced to jail. They conclude: "We found no evidence that prosecution outcomes affected the likelihood of recidivism in domestic violence misdemeanor cases. The likelihood of recidivism was indistinguishable for cases resulting in nolles, dismissals, probation with batterer treatment program, and jail sentences. These findings are consistent with those from other studies in the field, none of which has demonstrated a deterrent effect of prosecution. The conclusions of four studies on the effect of prosecution are not	We interpret the comparison of not prosecuted with declined cases as one test of the prosecution hypothesis, with probation cases and with cases sentenced to jail as two tests of the conviction hypothesis. STRENGTHS: This study used large samples and multivariate techniques to analyze the prevalence of re-arrests within six months of case disposition. Cases not prosecuted were compared with dismissed cases, convicted cases given probation and convicted cases given jail. WEAKNESSES: No measures of the frequency of arrests or time to first new arrest. No distinction made between re-arrests for domestic violence or other offenses. Uncertain how variable time at risk addressed.

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		definitive; there are important methodological flaws (p. 8)"	
4. Dunford, F. W. (1990). System-Initiated Warrants for Suspects of Misdemeanor Domestic Assault: a Pilot Study. Justice Quarterly, 7(4), 631-653.	SITES: Omaha, Nebraska; 247 offense cases; 99% male offenders; 45% white offenders; 1986-1987 data collection years	Bivariate analysis. Based on official records on 136 misdemeanor domestic violence offenses not present when police arrived but subsequently arrested by warrant and 116 interviews with the victims in those cases, Dunford (1990) measured the time to first new offense and the prevalence and frequency of new offenses at 6 and 12 months. He reports that there were no statistically significant differences in the amount of repeat offending of any of his outcome measures between cases sanctioned by the court and those that were not (p. 469). The author concludes: Warranted suspects were less likely to engage in subsequent conflict with cohabitants than were those for whom no warrants were sought (p. 646). "[W]hen warranted cases in which fines, restitution, probation or jail terms were levied by the court were compared with warranted cases for which no court sanction were imposed, no statistically significant difference were found for any of the outcome measures." (p. 649)	We interpret these findings as nine tests of the conviction hypothesis, eight of which show no support for the conviction hypothesis. STRENGTHS: This study provides detailed measures of repeat offending from victim interviews and official records. WEAKNESSES: The reported bivariate analyses are based on small samples and presented in a narrative format with no coefficients or formal statistical tests.
5. Eckberg, D. A., & Podkopacz, M. R. (2002). Domestic Violence Court: Case	SITES: Hennepin Co., Minnesota; 6,187 prosecution cases; % male offenders NR;	Pre-post analysis. Based on misdemeanor domestic violence cases filed in a domestic violence court, Eckberg and Podkpcaz (2002) report reduced prevalence after 9	The difference between dispositions in the DV Court and the previous court was an increase in the conviction rate from 27 to 45 percent. We interpret these 3

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Processing Update and Recidivism Analysis. Hennepin County, MN: Hennepin County District Court Research Division.	% white offenders NR; 1998-2001 data collection years	months of any pretrial charges, any post disposition charges, post disposition domestic assault charges, and any post disposition convictions compared to the cases filed in a district court during the 1st 9 months and in a suburban court. Three bivariate correlations showed the association of the domestic violence court reduced repeat offending but only 1 is statistically significant. The authors provided no discussion on connection between sanctions and recidivism.	statistical tests as providing support for the conviction hypothesis in 1 case and no effect in two cases. STRENGTHS: This study uses multiple measures and alternative times at risk to assess repeat offending in a large sample from a specialized domestic violence court. WEAKNESSES: The analyses depend upon bivariate analyses of official records of new charges and does not directly correlate case disposition with case outcomes at the individual level. No multivariate tests were reported.
6. Fagan, J., Friedman, E., Wexler, S., & Lewis, V. S. (1984). National Evaluation of the LEAA Family Violence Demonstration Program. San Francisco, CA: Urban & Rural Systems Associates. See also Fagan, J. A. (1989). Cessation of family violence: deterrence and dissuasion. Family Violence, 11, 377-425.	SITES: Five unspecified jurisdictions throughout the U.S.; 270 offense cases; 95% male offenders; 57% white offenders; 1978-1979 data collection years	Bivariate analysis Based on follow-up interviews with women at shelters in 6 jurisdictions, Fagan (1989) reports that the interaction between injury severity, criminal sanctions and repeat offending was statistically significant. Victims with severe injuries had lower 6 month prevalence rates of new violence if legal charges had been brought; the same comparison using the Conflict Tactics Scale (CTS) was not statistically significant. If the victim had severe injuries and a conviction was obtained, there were statistically significant reductions in the CTS but not in the prevalence measure. They conclude: "…social and legal sanctions	We interpret these findings as 1 test supporting the prosecution hypothesis, 1 test of the prosecution hypothesis showing no effect, 1 test supporting the conviction hypothesis, and 1 test of the conviction hypothesis showing no effect. STRENGTHS: These analyses use offense based measures from victim interviews to assess not merely the direct effects of sanctions but the interaction of sanctions and victim injury on repeat offending. WEAKNESSES: This bivariate analysis of a relatively small sample from five diverse sites provides no test of statistical power.

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		contribute to desistance, though their effects appear to be greater for those with less severe histories of violence." (p. 413) "Batterers with shorter, less severe histories have a higher probability of desisting than those who are further along in a violence career and more severe sanctions are necessary to deter more sever batterers." (p. 413)	
7. Finn, M. A. (2003). Effects of Victims' Experiences with Prosecutors on Victim Empowerment and Re-occurrence of Intimate Partner Violence. Atlanta, GA: Georgia State University.	SITES: Gwinnett & DeKalb Co., Georgia; 170 arrest cases; 100% male offenders; 86% white offenders; 2002 data collection year	Multivariate Regression Models analysis. Based on interviews with female victims of violence by male family members who were arrested, Finn (2003: 100) reports that criminal sanctions, measured on a scale from 1 (no charges) to 6 (jail), were not associated with the prevalence of abuse or the prevalence of physical violence six months after case disposition. The author concludes: "with the exception of victims who reported that prosecutors allowed them choice in withdrawing their complaint, victims' court empowerment declined after disposition… …findings do not demonstrate that prosecutorial actions significantly affected victim's personal employment" (p. 101) "[P]unishment severity had no affect on the re-occurrence of violence." (p. 103)	We interpret these findings as two tests of the sanction severity hypothesis that show no effect for sanctions STRENGTHS: These multivariate analyses are based on victim reported offenses following case disposition and include measures of victim empowerment. WEAKNESSES: This study uses a single measure of sanctions and is based on a sample of 110 cases derived from a larger sample of 170 victims.
8. Ford, D. A., & Regoli, M. J. (1992).	SITES: Marion Co., Indiana;	Bivariate analysis. On scene arrests were randomly assigned to 3 prosecutorial	We interpret these findings as 2 tests confirming the prosecution hypothesis.

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The Preventive Impact of Policies for Prosecuting Wife Batterers. In E. Buzawa & C. Buzawa (Eds.), Domestic Violence: The Changing Criminal Justice Response (pp. 181-208). Westport, CN: Auburn House. See also Ford, D. A., & Regoli, M. J. (1993). The Indianapolis Domestic Violence Prosecution Experiment. Indianapolis, IN: Indiana University.	678 prosecution cases; 100% male offenders; 56% white offenders; 1986-1987 data collection years	treatment groups and cases starting with victim complaints to the prosecutor's office were randomly assigned to one of 4 treatment options. Ford & Regoli (1992) report lower prevalence of violence during the 6 months post disposition period compared to the prevalence of victim reported violence in the six months before the experimental incident. They conclude: "Official records provided no evidence that alternative prosecutorial tracks have an effect on the prevalence of new violence within 6 months following... ...case [disposition]." (p. 40) "There is no prosecution policy which is more successful than [another] in preventing future violence." (p. 46) "The only combination of policies and outcomes affecting new violence is permitting victims to drop charges and whether or not they do so." (p. 70)	In addition, they report no differences in the prevalence of victim reported violence based on the disposition of cases. We interpret these findings as 2 tests of the conviction hypothesis, both of which show no effect on repeat offending. STRENGTHS: Based on a large sample of prosecuted cases, these analyses measure repeat offending using victim reported offenses in a period following case disposition. WEAKNESSES: The reported bivariate analyses of case dispositions rely on only one measure of repeat offending.
9. Friday, P. C., Lord, V. B., Exum, M. L., & Hartman, J. L. (2006). Evaluating the Impact of a Specialized Domestic Violence Police Unit. Charlotte, NC: University of North Carolina at Charlotte.	SITES: Charlotte, North Carolina; 826 offense cases; 84% male offenders; 22% white offenders; 2003 data collection year	Multivariate Regression Models analysis. Based on domestic violence offenses recorded by the police, Friday, et al. (2006) use multivariate models to assess the impact of a specialized domestic violence unit and jail time on both the prevalence and frequency of repeat offending. In both tests, jail time was not related to repeat offending for a two year period among incidents where the offender was arrested. Their comparison	We interpret these findings as one test showing no support for the prosecution hypothesis and one test showing no support for the conviction hypothesis. STRENGTHS: This analysis benefits from detailed information from a large sample of arrests and a long follow-up period in a multivariate analysis. WEAKNESSES: This analysis is limited to one measure of repeat offending. The

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		of cases with dismissed charges and cases found guilty with cases found not guilty generated no statistically significant effects for either sanction. The authors provided no discussion on connection between sanctions and recidivism.	analyses of all incidents is limited to testing jail time and the analyses of arrests compares hundreds of convicted cases with seven convicted cases that were not convicted.
10. Frisch, L. A., Mackey, M. I., Hall, D., Worden, R. E., & Polllitz, A. (2001). Family Protection and Domestic Violence: Intervention Act of 1994: Evaluation of the Mandatory Arrest Provisions. Albany, NY: Division of Criminal Justice Services, New York State.	SITES: Eight Communities (two of 8 were in New York City), New York; 6,813 offense cases; 80% male offenders; % white offenders NR; 1997 data collection year	Multivariate Regression Models analysis. Based on 849 arrests for domestic violence during 1997 in four jurisdictions, Frisch, et al.'s (2001: 98) site-specific analyses consistently show no effect for conviction on officially recorded new offenses during a 12-month follow-up period. They conclude: "The presence of a penal sanction did not emerge as a deterrent to recidivism." (p. 51) "Our overall finding that arrest was associated with a reduction in aggressive recidivism is notable, especially given the relative low punishment of those arrested and the infrequent use of probation. The impact of arrest on recidivism might be even greater if conviction was routinely followed by strict supervision and incarceration upon recidivism." (p. 51)	We interpret these findings as four tests showing no effect for the conviction hypothesis. STRENGTHS: Sample of offenses from four sites measured new offenses to assess repeat offending. WEAKNESSES: These analyses were limited to the prevalence of one officially recorded outcome measure with cases with complete data in four out of eight sites.
11. Gross, M., Cramer, E. P., Forte, J., Kunkel, T., & Moriarty, L. J. (2000). The Impact of Sentencing Options on Recidivism among	SITES: Chesterfield Co., Virginia; 177 prosecution cases; 100% male offenders; 63% white offenders; 1997 data collection year	Multivariate Regression Models analysis. Based on data from 177 male offenders prosecuted for misdemeanor domestic violence between March and November 1997, Gross, et al. (2000: 309)'s analysis found no statistically significant differences	We interpret these findings as eight tests of the conviction hypothesis. All of the tests show no effect. STRENGTHS: This multivariate analysis used two measures of repeat offending with times at risk longer than is typical

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Domestic Violence Offenders: A Case Study. American Journal of Criminal Justice, 24(2), 301-312.		in repeat arrests or re-convictions over 18 months among cases that were either dismissed or given one of four types of sentences among cases that resulted in a conviction: fines, probation, suspended sentences, or jail. They conclude: None of the sentencing options explored in this research show an effect on domestic violence recidivism. (p. 309) Opportunities for recidivism do vary based on the sanction allocated. (p. 309) "It may be impossible to arrive at a full explanation of repeat domestic violence by focusing on only one component of the criminal justice system. One must consider the cumulative effect of the police, courts, and corrections, as well as the treatment modality, on domestic violence recidivism." (p. 310/311)	for domestic violence research. WEAKNESSES: This small sample study was limited to measures of the prevalence of repeat offending from official records.
12. Hartley, C., & Frohmann, L. (2003). Cook County Target Abuser Call (TAC): An Evaluation of a Specialized Domestic Violence Court. Iowa City, IA: University of Iowa.	SITES: Chicago, Illinois; 706 prosecution cases; 100% male offenders; 8% white offenders; 2000-2001 data collection years	Bivariate analysis. Among cases in a specialized prosecution program between December 2000 and February 2002 that generated conviction rates of 47.6%, Hartley & Frohman (2003: 95-96) report double the rates of re-arrest, re-conviction, and violations of no-contacts orders, and 50% shorter times to first new re-arrest and a 50% increase in the number of new arrests compared to 517 cases in a comparison group of domestic violence cases during the	Although no statistical tests of these differences were provided, based on the size of the effects, we interpret these findings as five tests with evidence contradicting the conviction hypothesis. STRENGTHS: This program used four measures of repeat offending. WEAKNESSES: These analyses are bivariate with no statistical tests. Furthermore, comparisons of conviction rates rely on aggregate rates in non-

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		same period. The comparison group had only a 21.9% conviction rate. The authors provided no discussion on connection between sanctions and recidivism.	comparable treatment and control groups.
13. Jaffe, P. G., Hastings, B., Reitzel, D., & Austin, G. W. (1993). The Impact of Police Laying Charges. In N. Z. Hilton (Ed.), Legal Responses to Wife Assault: Current Trends and Evaluation (pp. 62-95). Newbury Park, CA: Sage Publications.	SITES: London, Ontario; 90 offense cases; 100% male offenders; 95% white offenders; 1988-1989 data collection years	Type of analysis not reported. Based on interviews with victims of "wife" assault, Jaffe, et al (1993) found statistically significant reductions in the prevalence of four CTS based measures of repeat violence over a 12 month period after charges were filed in court compared to the same measures for the 12 months prior to charges being brought. Among cases where charges were not brought, they also report no reductions between 12 months before and 12 months after the incident for four prevalence measures. They conclude: "Charging was associated with a significant reduction in violent behaviors" (p. 81) "The assessment of charges to the defendant has shown to be a significant deterrent." (p. 93)	We interpret these findings as four tests providing support for the prosecution hypothesis. STRENGTHS: These analyses are based on changes in four victim reported measures of violence before and after the filing of charges. WEAKNESSES: The bivariate analyses do not measure the frequency or time to first failure, nor do they use official records of repeated offenses reported to the police.
14. Jolin, A., Feyerherm, Fountain, R., & Friedman, S. (1998). Beyond Arrest: The Portland Oregon Domestic Violence Experiment. Portland,	SITES: Portland, Oregon; 927 arrest cases; 100% male offenders; 62% white offenders; 1996 data collection year	Bivariate analysis. Based on 927 arrests for intimate partner violence between March 18th and November 27th 1996, Jolin et al.'s (1998: 97-101) analyses generate the effects of prosecution on four outcome measures based on 326 victim interviews and ten outcome measures based on official records	We interpret these findings as two tests providing support for the prosecution hypothesis, nine that provide no support, and three that reject the prosecution hypothesis. STRENGTHS: These multivariate analyses employ large samples with

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OR: Portland State University		from all 927 arrests. For nine of these measures, prosecution had no effect, for three measures prosecution increased repeat offending and for two measures prosecution reduced repeat offending. They conclude: Treatment group batterers were significantly more likely than their control group counterparts to be both prosecuted and convicted. (p. 104) Victim interview data demonstrated a reduction in re-victimization for those who received the treatment, but police records found that re-victimization was significantly higher during the six-month follow-up period for the treatment group. (p. 105/106) "Women whose battering partners are subject to criminal justice sanctions that go beyond arrest experience fewer revictimizations than the control group but are more like to seek outside help if they do." (p. 107)	multiple measures of the prevalence and frequency of repeat offending from victim interviews and official police records. WEAKNESSES: The multivariate analyses do not include demographic characteristics of victims and offenders or other sanctions besides prosecution. The full list of variables in each model and model characteristics such as sample size or explained variance are not included in this report.
15. Kingsnorth, R. (2006). Intimate Partner Violence: Predictors of Recidivism in a Sample of Arrestees. Violence Against Women, 12(10), 917-935.	SITES: Sacramento, California; 872 arrest cases; 85% male offenders; 39% white offenders; 1999-2001 data collection years	Multivariate Regression Models analysis. Based on 872 arrests for intimate partner violence whose cases were disposed by the court between January 1 and April 30, 2000, Kingsnorth's (2000: 925-26) analyses report no statistically significant effect for either the filing of charges or a conviction upon any new arrest within 18 months of the initial arrest. A separate multivariate analysis of cases that resulted in a conviction found no	We interpret these findings as one test each for the prosecution, conviction, and sentence severity hypotheses, all of which show no effect. STRENGTHS: These multivariate analyses are based on a large sample of arrests with a lengthy follow-up period. WEAKNESSES: These analyses rely on a single prevalence measure from official arrest statistics. In addition, the presence

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		effect on re-arrest for the number of days sentenced to jail. The author concludes: The following variables show no significant relationship to recidivism: cohabitation, suspect substance abuse, employment status, gender, marital relationship, and suspect age (p. 927). The author concludes that "the efforts of the criminal court system seem to have little effect on IPV recidivism… …the only system response variable associated with recidivism is the number of days to case closing… …the variables that are consistently influential are those associated with the perpetrators, namely offense severity and prior record." (p. 930).	of interaction terms in the models weakens the interpretation of the regression coefficients for criminal sanctions.
16. Klein, A. R., & Tobin, T. (2008). A Longitudinal Study of Arrested Batterers, 1995-2005. Violence Against of Violence, 14(2), 136-157.	SITES: Quincy, Massachusetts; 342 prosecution cases; 100% male offenders; 85% white offenders; 1995-1996 data collection years	Multivariate Regression Models analysis. Klein & Tobin (2008) selected cases from Buzawa, et al. (1999)'s sample and added disposition of subsequent arrests or restraining orders occurring up to the end of 2004. In an analysis comparing dismissed cases with cases sentenced to probation and cases sentenced to jail, they found significant increases in new domestic violence arrests or restraining orders associated with sentences to probation and to jail. In a model comparing jail sentences with dismissed cases and probation sentences, they found no significant differences in either the	We interpret these findings as two tests contradicting the conviction hypothesis and two tests showing no effect for the sentence severity hypothesis. STRENGTHS: With a large sample of arrests in a pro-active jurisdiction and a 9 year follow-up period, this study used multivariate models to compare the prevalence and frequency of re-arrest separately for convicted and non-convicted offenders and for offenders sentenced to probation or jail. WEAKNESSES: Outcome analyses based on re-arrest, not re-offending. The

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		prevalence or frequency of new arrests/orders across sanction groups. The authors provided no discussion on connection between sanctions and recidivism.	lengthy case disposition time might be insensitive to the short term effects anticipated by other research. The follow-up period for re-arrest begins immediately after the initial arrest, not after case disposition.
17. Marsland, L., Plecas, D., & Segger, T. (2001). Reticence and Re-assault among Victims of Domestic Violence in a Pro-Charge Jurisdiction. Cambridge, England: Cambridge University.	SITES: Abbotsford. B.C.; 74 offense cases; 100% male offenders; 73% white offenders; 1997-1998 data collection years	Multivariate Regression Models analysis. Based on telephone interviews with 74 female victims of domestic violence between April 1, 1997 and March 31, 1998, Marsland (2001: 25-26) measured repeat offending in two ways: the prevalence of new assaults within 27 months and the prevalence at which those new assaults resulted in new charges being filed. Both of these rates were reduced if charges were filed compared to cases where charges were stayed. In addition, the prevalence of new assaults did not vary among cases sentenced to probation, jail or assessed a fine. They conclude: The offender's previous criminal history and record of non-compliance are the best predictors of re-assault... ...the higher the offender's risk assessment score, the greater the likelihood that he will re-assault his victim (p. 29-30) "Regardless of victim and offender characteristics, there appears to be a relationship between the staying of charges and the likelihood of re-assault. This	We interpret these findings as providing two tests of the prosecution hypothesis showing a crime control effect and one test of the sentence severity hypothesis showing no effect. STRENGTHS: These analyses determine re-offending and re-prosecution over a 27 month period based on victim interviews. WEAKNESSES: The bivariate analysis of this small sample provides no tests of statistical significance or measures of repeat offending from official records.

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		relationship would lend support to the notion that a lack of disposition detracts from any deterrent effect that a disposition and sentence may afford." (p. 30)	
18. Murphy, C. M., Musser, P. H., & Maton, K. I. (1998). Coordinated Community Intervention for Domestic Abusers: Intervention System Involvement and Criminal Recidivism. Journal of Family Violence, 13(3), 263-284.	SITES: Baltimore, Maryland; 235 offense cases; 100% male offenders; 16% white offenders; 1994-1994 data collection years	Bivariate analysis. Based on men charged with a domestic violence related offense between January and August 1994, Murphy, et al (1998: 274-75) report that there were no statistically significant differences in the prevalence of repeat offending over a 12 to 18 month period between cases where charges were dropped or the offender acquitted, where charges were deferred or the offender was found guilty, or where the offender was sentenced to probation. This finding held when repeat offending was determined by the filing of new charges for battery or the violation of an order of protection or when repeat offending was determined by the filing of new charges for a greater variety of violent offenses. They conclude: With statistical controls for offenders' severity and background factors, the degree of intervention system involvement still contributed a significant degree of unique variance to the prediction of both recidivism variables. (p. 277). "Court orders for domestic violence counseling were associated with significantly lower probability of recidivism during a 12-18	We interpret these findings as two tests of the conviction hypothesis and two tests of the sanction severity hypothesis. All four tests show no effect. STRENGTHS: These analyses used two measures of repeat offending from official court records over a time at risk of up to 18 months after the initial charges. WEAKNESSES: These bivariate analyses used new charges, not new arrests or new offenses, had no information from victims about repeat offending and did not include measures of the frequency or time to first new repeat offense.

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		month period following prosecution on a domestic violence charge." (p. 278) "The current results provide evidence that coordinated interventions may have a cumulative effect on recidivism risk, meaning that the when combined, effects of prosecution, probation, and court-ordered counseling were associated with significant reductions in recidivism." (p. 278)	
19. Newmark, L., Rempel, M., Diffily, K., & Kane, K. M. (2001). Specialized Felony Domestic Violence Courts: Lessons on Implementation and Impacts from the Kings County Experience. Washington, D.C.: The Urban Institute.	SITES: Brooklyn Co., New York; 304 prosecution cases; % male offenders NR; % white offenders NR; 1997 data collection year	Bivariate analysis. Based on a sample of felony cases adjudicated in a domestic violence court during 1995 and two comparison samples processed in non-specialized courts during 1996 and 1997, Newmark, et al.'s (2001: 72-73) analysis of the time to first new arrest following case disposition for 304 cases found no statistically significant effect for the conviction hypothesis at 12 or 18 months after case disposition. The authors provided no discussion on connection between sanctions and recidivism.	We interpret these as two tests of the conviction hypothesis showing no effect. STRENGTHS: This multivariate sample of felony cases tracked repeat offending for 18 months after case disposition. WEAKNESSES: These analyses were limited to official records of repeat arrest and did not include measures of offense prevalence or frequency.
20. Orchowsky, S. J. (1999). Evaluation of a Coordinated Community Response to Domestic Violence: The Alexandria Domestic Violence Intervention Project.	SITES: Alexandria, Virginia; 1,910 offense cases; 100% male offenders; 21% white offenders; 1996-1997data collection years	Multivariate Regression Models analysis. Based on a criminal history check of 1,910 males arrested for intimate partner violence from January 1, 1993 to June 1996. Orchowsky's (1999: 51) analysis found a statistically significant increase in the prevalence of re-arrest for any domestic violence offense when offenders sentenced to	We interpret these findings as one test with evidence against the sanction severity hypothesis. STRENGTHS: This multivariate analysis used a large sample with a potentially lengthy time at risk. WEAKNESSES: These analyses did not include evidence about the effects of

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Richmond, VA: Applied Research Associates.		incarceration were compared with all other dispositions, including not guilty or nolle prossed, as a single group. The author concludes: "Repeat offenders were much more likely than one-time offenders to have a prior non-domestic violence offense and to have received a sentence other than incarceration for their domestic violence offense" (p. 53). "The analysis…. ….[shows] that repeat offenders are more likely to... ...have a received a non-incarcerated sentence for the current domestic violence offenses." (p. 73) "The program should seek to confirm the findings presented here through further study. If confirmed, the program should consider imposing a jail sentence on domestic violence offenders who have a prior offense history." (p 74)	criminal sanctions from victim interviews and was limited to a test of prevalence of new arrests after the original arrests (not from case disposition). In addition, the time at risk appears to vary for different offenders.
21. Peterson, R. R. (2003). The Impact of Case Processing on Re-arrest among Domestic Violence Offenders in New York City. New York City, NY: New York City Criminal Justice Agency.	SITES: New York City, New York; 6,489 prosecution cases; % male offenders NR; % white offenders NR; 1998 data collection year	Multivariate Regression Models analysis. Based on a sample of 6,489 domestic violence defendants disposed by three courts during the third quarter of 1998, Peterson (2003: 32) found no differences in the prevalence of re-arrest for domestic violence over an 18 month period of risk comparing dismissed cases with convicted cases with no jail and cases convicted and sentenced to jail.	We interpret these findings as two tests of the conviction hypothesis, both of which show no effect. STRENGTHS: The multivariate analyses compared a large sample of cases using a lengthy follow-up period following case disposition. WEAKNESSES: The analyses relied solely on official records and did not use

Study No. and Citation	Sample Characteristics:	Type of analysis, results narrative and applicable conclusions if available	Relevant interpretation, strengths and weaknesses
		The author concludes: "Declining to prosecute domestic violence cases did not have a statistically significant affect on re-arrest rates." (p. 52) "More severe case outcomes and criminal sanctions did not reduce re-arrest rates for domestic violence offenses." (p. 52) "Prosecuting, convicting and jailing domestic violence offenders did not increase the risk of re-arrest." (p. 53)	frequency or time to failure parameters for repeat offending.
22. Peterson, R. R. (2003). The Impact of Case Processing on Re-arrest among Domestic Violence Offenders in New York City. New York City, NY: New York City Criminal Justice Agency.	SITES: Bronx Co., New York; 1,435 prosecution cases; % male offenders NR; % white offenders NR; 1998 data collection year	Multivariate Regression Models analysis. Peterson (2003: 47) analyzed the effects of case disposition for 1,435 domestic violence arrests that occurred during 1998. He reports that there were no differences in repeat arrests when comparing cases declined for prosecution with cases dismissed, convicted cases, convicted with no jail, and convicted cases sentenced to jail. The author concludes: "More severe case outcomes and criminal sanctions did not reduce recidivism. There was no evidence that conviction and jail deterred future acts of domestic violence. After taking criminal history into account, we did not find lower re-arrest rates for those who were convicted, with or without a jail sentence." (p. 20) "Declining to prosecute domestic violence cases is not associated with higher rates of recidivism." (p. 20) "Prosecuting, convicting and jailing domestic violence offenders did	We interpret these findings as three tests of the prosecution hypothesis, each of which show no effect on repeat offending. STRENGTHS: The multivariate analyses compared a large sample of cases using a lengthy follow-up period following case disposition. WEAKNESSES: The analyses relied solely on official records and did not use frequency or time to failure parameters for repeat offending.

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Study No. and Citation	Sample Characteristics:	Type of analysis, results narrative and applicable conclusions if available	Relevant interpretation, strengths and weaknesses
		not increase the risk of re-arrest." (p. 20)	
23. Peterson, R. R. (2004). The Impact of Manhattan's Specialized Domestic Violence Court. New York City, NY: New York City Criminal Justice Agency.	SITES: Manhattan Co., New York; 2,134 prosecution cases; % male offenders NR; 11% white offenders; 1998-2001 data collection years	Multivariate Regression Models analysis. Based on two samples - domestic violence arrests disposed during the third quarter of 1998 (n=990) and during the first quarter of 2001 (n=1,249) - Peterson (2004: 58) reports statistically significant reductions in re-arrest for domestic violence over 12 months for cases convicted and sentenced to jail compared to dismissed cases. He reports no differences in re-arrest rates between convicted cases not sentenced to jail and dismissed cases. The author provided no discussion on connection between sanctions and recidivism.	We interpret these findings as two tests of the conviction hypothesis, with mixed results, and one test of the sentence severity hypothesis that shows a crime control effect. STRENGTHS: The multivariate analyses compared a large sample of cases using a lengthy follow-up period after case disposition. WEAKNESSES: The analyses relied solely on official records and did not use frequency or time to failure parameters for repeat offending.
24. Steinman, M. (1988). Evaluating a System-wide Response to Domestic Abuse: Some Initial Findings. Journal of Contemporary Criminal Justice, 4(3), 172-186.	SITES: Lancaster Co., Nebraska; 183 arrest cases; 100% male offenders; 72% white offenders; 1985-1986 data collection years	Multivariate Regression Models analysis. Based on a sample of 182 men arrested for intimate partner violence in Lincoln, Nebraska between June 1 to September 30, 1986, Steinman's (1988: 181) multivariate analyses found no difference in the prevalence of re-arrest over a 12 month period between arrested cases and those cited, charged but not convicted, diverted, sentenced to probation, fined less than $100, fined more than $100, or jailed. The author concluded: This study employed a regression analysis comparing the effects of arrest and post-arrest legal sanctions. No evidence was found to support the notion	We interpret these findings as one test of the prosecution hypothesis, four tests of the conviction hypothesis and one test of the sentence severity hypothesis–all of which show no effect. STRENGTHS: These multivariate analyses use a lengthy time at risk. WEAKNESSES: These analyses rely on a small sample, official records of repeat offending, and prevalence measures.

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		that post-arrest sanctions influence recidivism independent from arrest. (p. 183)	
25. Steinman, M. (1991). Coordinated Criminal Justice Interventions and Recidivism Among Batterers. In M. Steinman (Ed.), Woman Battering: Policy Responses (pp. 221-236). Cincinnati, OH: Anderson Publishing.	SITES: Lancaster Co., Nebraska; 338 offense cases; % male offenders NR; % white offenders NR; 1986 data collection year	Multivariate Regression Models analysis. Based on offenses reported to the police and offenses reported to the same department in the year following the adoption of new coordinated pro-prosecution policies, Steinman (1991) reports higher prevalence in victim reported repeat offending for prosecuted cases over a 33 month period following cases in the baseline period but no differences in the same measure comparing prosecuted and not prosecuted cases in the 14 months following the experimental period. The author concluded: "[Results] indicate that prosecutors' decisions to charge offenders and judicial sanctions were not related to recidivism directly." (p. 235) "Coordinated interventions were related to significantly less recidivism controlling for the kind of relationships that offenders had with their victims when incidents occurred." (p. 235)	We interpret these findings as two tests, one showing more repeat offending associated with prosecution and the other showing no effect. STRENGTHS: These analyses involve lengthy follow-up periods among victim interviews. WEAKNESSES: The narrative reporting these bivariate analyses are based on small samples, include no reports of statistical tests, and involve only prevalence measures with variable times at risk. In addition, this research collected but did not report official records of repeat offending.
26. Tolman, R. M., & Weisz, A. (1995). Coordinated Community Intervention for Domestic Violence: the Effects of Arrest and	SITES: Dupage Co., Illinois; 341 prosecution cases; 100% male offenders; 79% white offenders; 1992 data collection year	Bivariate analysis. Based on 341 incidents of male on female physical abuse of an intimate partner for which there was complete information on case disposition during January through March 1992, Tolman & Weisz's (1995: 490-91) analyses show no statistically significant differences for	We interpret these findings as two tests showing no effect for the conviction hypothesis. STRENGTHS: The multivariate analyses use two measures of repeat offending from official sources over a lengthy time at risk.

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Prosecution on Recidivism of Woman Abuse Perpetrators. Crime & Delinquency, 41(4), 481-495.		convicted cases in the prevalence of police reports of either new offenses or new arrests over an 18 month period of risk. They conclude: Although not statistically significant, these results show that recidivism rates were lower for men whose cases were successfully prosecuted than for those who were not arrested or whose cases were dismissed or found not guilty. (p. 491) "Arrest does appear to be a long-term deterrent" (p. 493)	WEAKNESSES: Their analyses of case dispositions do not employ information from victim interviews and do not report measures of the frequency or time to first new arrest
27. Ventura, L. A., & Davis, G. (2005). Domestic Violence: Court Case Conviction and Recidivism. Violence against women, 11(2), 255-277.	SITES: Toledo, Ohio; 519 prosecution cases; 88% male offenders; 43% white offenders; 2000-2001 data collection years	Multivariate Regression Models analysis. Based on prosecutions for domestic violence, Ventura & Davis's (2005) analyses found statistically significant reductions in the prevalence of re-arrests over a 12 month period from case disposition for prosecutions that resulted in a conviction compared to those prosecutions which were dismissed. In a separate analysis, they report that the sanction of suspended sentence or fine was associated with a statistically significant increase in the prevalence of re-arrest. They conclude: Results show a significant association between conviction and domestic violence recidivism reduction. (p. 272) If batterer's cases were dismissed, they were more likely to recidivate compared to those cases which resulted in conviction." (p. 272) Results are indicative that if sanctions	We interpret these findings as 1 test in support of the conviction hypothesis. Since the least severe sanction was associated with increased repeat offending, we interpret this finding as 1 test in support for the sanction severity hypothesis. STRENGTHS: These multivariate analyses are based on a large sample and a lengthy time at risk. WEAKNESSES: The analyses are limited to prevalence measures from official records of repeat offending.

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		imposed are suspended sentences or fines, the deterrent value of conviction may be negated. (p. 273)	
28. Wooldredge, J. D., & Thistlethwaite, A. (1999). Reconsidering Domestic Violence Recidivism: Individual and Contextual Effects of Court Dispositions and Stake in Conformity. Cincinnati, OH: University of Cincinnati.	SITES: Hamilton Co., Ohio; 3,662 arrest cases; 84% male offenders; % white offenders NR; 1993-1996 data collection years	Multivariate Regression Models analysis. Wooldredge & Thistlethwaite (1999) compared 6 categories of prosecuted domestic violence arrests with arrests that were not prosecuted. They used the time to 1st arrest, the prevalence of arrest and the frequency of arrests as outcome measures. The analyses of prevalence and frequency of new arrests were limited to the arrests that occurred within 24 months after the case was disposed or the sentence completed. Their analysis found 15 of the 18 tests of sanction effects had no effect. Three of these statistical tests – all comparisons of the treatment program with cases not prosecuted - showed less repeat offending for the treatment cases. They conclude: Suspects prosecuted from 'lower-stake' neighborhoods seem to experience suppression effects on re-arrest. The same goes for sending these suspects to jail. (p. 95) On the other hand, suspects from 'higher-stake' neighborhoods experienced escalated recidivism rates when given split sentences or jail-time. (p. 95) If suspects are only sentenced with jail time, these suspects will experience a greater incapacitative effect	We interpret these findings as 15 tests of the prosecution hypothesis showing no effect and 3 showing a deterrent effect. STRENGTHS: These multivariate analyses are based on a large sample, with multiple types of sanctions, use three outcome measures, and begin the measurement of repeat offending after the sanction has been completed. In addition, the multivariate models include controls for individual level stakes in conformity. WEAKNESSES: This study was based on police reports of any new arrest, not offending, against any victim, not just the original victim.

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		compared to only probation or a combination of jail and probation. (p. 95) If a suspect's case is ignored, these individuals may experience longer delays to re-arrest compared to those who were sentenced to the offender program, probation, jail, or any combination of the three. (p. 95)	
29. Wooldredge, J. D., & Thistlethwaite, A. (1999). Reconsidering Domestic Violence Recidivism: Individual and Contextual Effects of Court Dispositions and Stake in Conformity. Cincinnati, OH: University of Cincinnati.	SITES: Cincinnati, Ohio; 1,855 arrest cases; 83% male offenders; % white offenders NR; 1993-1996 data collection years	Multivariate Regression Models analysis. Using the same sample used by Wooldredge & Thistlethwaite (1999) and 1 outcome measure - the prevalence of new arrests within 24 months, Wooldredge & Thistlethwaite (2002) compared 4 sanctioned groups. They find that arrestees who were not prosecuted had a statistically significant higher rate of repeat offending than arrestees whose charges were dismissed or who were acquitted. They also found no difference in the re-arrest rates of not prosecuted arrestees with offenders sentenced to just a treatment program and those sentenced to a treatment program and probation or jail. The authors provided no discussion on connection between sanctions and recidivism.	We interpret these findings as three tests of the prosecution hypothesis with two findings of no effect and one finding supporting the prosecution hypothesis STRENGTHS: These multivariate analyses are based on a large sample, with multiple types of sanctions, and begin the measurement of repeat offending after the sanction has been completed. WEAKNESSES: This study was based on police reports of any new arrest, not offending, against any victim, not just the original victim and used only 1 outcome measure with a sample that dropped almost half of the probation cases because they did not have 24 months at risk after their term of probation was over.
30. Wooldredge, J. D., & Thistlethwaite, A. (2002). Reconsidering Domestic Violence	SITES: Hamilton Co., Ohio; 3,110 arrest cases; % male offenders NR;	Hierarchical Regression analysis. In an analysis of domestic violence arrests, Wooldredge & Thistlethwaite (2002) compared 2 variables - 1 for charges filed or	These findings are difficult to interpret because the reference group is a constant for all variables in each statistical model and because of the dependence of 2

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Recidivism: Conditioned Effects of Legal Controls by Individual and Aggregate Levels of Stake in Conformity. Journal of Quantitative Criminology, 18(1), 45-70.	% white offenders NR; 1993-1996 data collection years	not and 1 for whether defendant was convicted or not - in 2 models - 1 that included census tract level characteristics and 1 that included those same characteristics but at the neighborhood level. The models show increased arrest rates for cases not prosecuted but no effect for whether or not the case results in a conviction.The authors provided no discussion on connection between sanctions and recidivism.	variables (charged cases include cases that resulted in a conviction). For our purposes, we interpret these findings as 2 tests supporting the prosecution hypothesis and 2 showing no effect for the conviction hypothesis. STRENGTHS: These multivariate and multi-level analyses are based on a large sample, with multiple types of sanctions, and begin the measurement of repeat offending after the sanction has been completed. WEAKNESSES: This study was based on police reports of any new arrest, not offending, against any victim, not just the original victim and used only one outcome measure.
31. Wooldredge, J. D., & Thistlethwaite, A. (2005). Court Dispositions and Rearrest for Intimate Assaults. Crime & Delinquency, 51(18), 75-102.	SITES: Hamilton Co., Ohio; 3,662 arrest cases; % male offenders NR; % white offenders NR; 1993-1996 data collection years	Multivariate Regression Models analysis. Based on DV arrests which had at least 24 months at risk following case disposition or sentence completion, the authors compared cases prosecuted but had charges dismissed to cases with 6 other dispositions. They used time to 1st new arrest, the prevalence of arrest and the frequency of arrests as outcome measures. The 3 outcomes and the 6 comparisons with dismissed cases created 18 tests. For all 3 outcomes, the comparison	For all 3 outcome measures, the tests showed significant increased rates for the cases that were not prosecuted. We interpret these findings as three tests supporting the prosecution hypothesis. STRENGTHS: These multivariate and multi-level analyses are based on a large sample, with multiple types of sanctions, and begin the measurement of repeat offending after the sanction has been completed.

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		between the dismissed and not charged case showed significant increased rates for not prosecuted cases. They conclude: "[f]ailure to consider… differences in re-arrest that correspond with different stages of nonconviction... ...leads to the erroneous assumption that proactive prosecution policies are not worthwhile because large portions of these cases end in nonconvictions. Similarly, for those convicted, pooling the sanctions of treatment program participation with probation and jail sentences would have masked the significantly lower re-arrest rates associated with treatment and probation relative to jail-alone and split sentences." (p. 97) "Our specific results [show] possible deleterious main effects of jail sentences." (p. 98)	WEAKNESSES: This study was based on police reports of any new arrest, not offending, against any victim, not just the original victim and used only one outcome measure.