

2016

Domestic Violence Lethality Assessment Screening: Examining the Influence of Offender Race

Abigail Miracle

Western Washington University, abigail.miracle@wwu.edu

Follow this and additional works at: <https://cedar.wwu.edu/orwwu>

 Part of the [Social and Behavioral Sciences Commons](#)

Recommended Citation

Miracle, Abigail (2016) "Domestic Violence Lethality Assessment Screening: Examining the Influence of Offender Race," *Occam's Razor*: Vol. 6 , Article 3.

Available at: <https://cedar.wwu.edu/orwwu/vol6/iss1/3>

This Research Paper is brought to you for free and open access by the Western Student Publications at Western CEDAR. It has been accepted for inclusion in Occam's Razor by an authorized editor of Western CEDAR. For more information, please contact westerncedar@wwu.edu.

DOMESTIC VIOLENCE

LETHALITY ASSESSMENT SCREENING:

EXAMINING THE INFLUENCE OF OFFENDER RACE

BY ABIGAIL MIRACLE

ABSTRACT

The purpose of this study is to determine whether the prevalent racialized patterns in the criminal justice system are present in domestic violence lethality assessments. On the basis of previous evidence that the criminal justice system practices a racialized pattern that disadvantages people of color, this study tests the hypothesis that non-white domestic violence offenders have a greater risk of being accepted for monitoring by the High Risk Response Team than white offenders. To test the hypothesis, data were collected through the researcher's volun-

teer position at a non-profit organization, and from relevant law enforcement agencies. Findings indicate that non-white offenders have a greater chance of being accepted for High Risk Team monitoring than white offenders, although the correlation is not statistically significant. When controlling for criminal history, this relationship is strengthened, which leads to the conclusion that the association between non-white races and high-risk monitoring is not due to criminogenic factors.

INTRODUCTION

Recently, a number of cities throughout the United States have implemented methods to assess the dangerousness of domestic violence offenders and determine which cases are most likely to end in homicide. These tools help connect high-risk victims to services that can prevent further danger. Even if the victims of high-risk domestic violence refuse services, High Risk Response Teams may still monitor their offenders. These teams are composed of members from various organizations dealing with domestic violence offenders and victims, including law enforcement, probation, and community-based victim advocates. Although risk assessment is intended to keep victims of domestic violence safe, it can easily slip into the realm of racial profiling, which results in biased decisions about individuals.

The social movement Black Lives Matter has increased the visibility of law enforcement's maltreatment of people of color in the United States; the unfair legal treatment toward people of color manifests in high profile cases of police abuse and neglect as well as in the disproportionate representation of people of color in the prison system. It is apparent that racial bias still exists in contemporary American society. The purpose of this study is to examine the presence of racialized patterns in domestic violence risk assessment.

REVIEW OF THE LITERATURE

America has a long history of problematic race relations, which has prompted thorough research on the topic of racism within the criminal justice system. Researchers question why the proportion of incarcerated people of color—specifically African Americans—is so high relative to their representation in the general American population. Although African Americans made up only 12% of the national population in 2010, they comprised 38% of the U.S. prison population (Guerino, Harrison, & Sabol, 2011, p. 26). Is this disparity a result of racial bias within the criminal justice system? Plethoras

IT IS APPARENT THAT RACIAL BIAS STILL EXISTS IN CONTEMPORARY AMERICAN SOCIETY.

of studies have attempted to answer variations of this question, but results are inconsistent. Steffensmeier, Ulmer, and Kramer (1998) examine how age, race, and gender influence the severity of the sentence imposed by judges. Analyzing Pennsylvania's sentencing outcomes for the years 1989–1992, the researchers concluded that people who are young, black, and male are sentenced more harshly than members of other demographic groups (Steffensmeier, Ulmer, & Kramer, 1998). However, age, race, and gender did not affect sentencing decisions equally; race had a weaker effect on sentencing severity than age and gender (Steffensmeier, Ulmer, & Kramer, 1998).

In *The New Jim Crow*, Alexander provides an in-depth view of racial discrimination in the criminal justice system. Alexander asserts that the current pattern of heavily incarcerating black males under the guise of the War on Drugs strips the rights and opportunities of blacks, resulting in consequences

similar to those of the Jim Crow laws. In a broader sense, as toleration for formal institutionalized racism deteriorates, it is replaced by racial bias disguised in the form of unrestrained discretion for officials.

Blatant bigots are not the only people to hold racial biases, as a person can be racially biased and not be aware of it (Alexander, 2010, p. 107). Psychologists have developed tests that measure implicit racial bias and even people who believe they harbor no bias sometimes score as having high levels. One such study by Blair, Judd, and Chapleau (2004) found that people with more stereotypically black facial characteristics are associated with longer sentences. This pattern held for both blacks and whites. To test racial perceptions, Blair, Judd, and Chapleau (2004) presented undergraduate students with photographs of young black and white male inmates from the Florida Department of Corrections and asked the students to determine the degree to which the inmates' features were stereotypically African American. The researchers coded for the criminal histories of the inmates and analyzed the data. Analysis revealed a positive

correlation between Afrocentric features and sentence length (Blair, Judd, & Chapleau 2004). These biases flourish when there is not a stable system of checks to prohibit the use of racial bias in the legal setting (Alexander, 2010).

Steffensmeier, Ulmer, and Kramer (1998) cite schemas associating black men with criminality used by judges as the reason why they give young black men the harshest sentences. Rachlinski, Johnson, Wistrich, and Guthrie (2009) found that judges hold implicit racial biases that can influence their sentencing decisions unless they are made explicitly aware of the convict's race, under which circumstance they are able to compensate for their biases when doling out sentences. These researchers measured racial bias in judges by administering the Implicit Association Test to a sample of judges (Rachlinski et al., 2009). To determine whether this bias influences the judges' sentencing decisions, Rachlinski et al. (2009) gave the judges hypothetical cases to analyze, with race subtly suggested, and with the defendant's race explicitly stated. Judges who exhibited a white preference gave the defendant harsher sentences when primed with black-associated words (Rachlinski et al., 2009). With the defendant's race clearly stated, white judges showed no difference in their sentencing of black and white defendants, suggesting that they corrected for racial bias (Rachlinski et al., 2009). Upon reviewing a multitude of research claiming the existence of racism at all levels of the criminal justice system, Baradaran (2013) concluded that judges generally do not use racial bias in sentencing decision despite their biases against the black community. Additionally, Baradaran (2013) found that at the national level, police only demonstrate racial bias in drug related arrests.

Claims of racial discrimination require proof of racist intent, which results in very few convicted cases in court (Alexander, 2010). Tonry (2010) illustrates how American policies and police practice foster the disproportionate arrest rate and harsh sentencing of blacks. Common racial stereotypes, such as the perception of blacks as dangerous, perpetuate discriminatory ideologies. Many Americans, including African Americans, associate black with danger and white with safety (Tonry, 2010). A preference for whites coupled with a long history of white racial dominance explains why racist policies continue to be supported (Tonry, 2010).

Before conducting the current research, it is important to acknowledge the confounding variables suggested by previous scholarly studies on the topic: likelihood of calling the police, and socioeconomic status. Coker (1995) reports that black women were more likely than white women to report their victimization to the police, and that black men who victimized black women are more likely to be arrested than white men who victimized white women. Coker analyzed data from the National Crime Victimization Survey of the years 1987–1992. Restrictions on data resulted in a sample of 1,535 domestic violence incidents. Thus, according to Coker's research, higher arrest rates among black domestic violence offenders appears to be the result of the greater likelihood of the victim calling the police. Coker did not control for socioeconomic status, a factor that other researchers have found to influence the significance of the relationship between race and prevalence of domestic violence/arrest rate. Previous studies suggest that the socioeconomic disadvantages that racial minorities experience in U.S. society influence their risk for domestic violence perpetration and victimization.

Benson, Wooldredge, and Thistlethwaite (2003) posit, "The apparent correlation between race and domestic violence is confounded with the different ecological contexts typically occupied by African Americans and whites" (p. 376). Due to a history of racial segregation in housing and employment, African Americans are disproportionately residents of poor urban communities that lack education and employment opportunities. Analysis of the National Survey of Families and Households and the 1990 census support the authors' argument that neighborhood disadvantage is largely responsible for the correlation between race and domestic violence. Thus, high rates of domestic violence amongst African Americans are likely due to lower socioeconomic status. The authors acknowledge that in reality, there is an ecological divide between African Americans and whites that make it difficult to evaluate how neighborhood environment affects both groups of people (2003). Ideally the present study would control for socioeconomic status, but unfortunately this information was unavailable.

According to Kane (1999), who examined predictive factors of arrest for

THE RELATIONSHIP BETWEEN RACE AND ARREST IS STILL LESS THAN CLEAR

domestic violence offenders, race is not a significant indicator of arrest. However, Kane (2003) states, “The relationship between race and arrest is still less than clear” (p.76). Some communities practice mandatory arrest where police responding to domestic violence incidents are required to arrest the perpetrator. Zorza (1994) asserts that although mandatory arrest laws are an effective means of preventing recidivism overall, they are harmful to both black victims and black offenders. Under mandatory arrest laws, black male offenders are sentenced more harshly and are more likely to lose employment or have difficulty finding employment (Zorza, 1994). Black victims affected by mandatory arrest laws are likely to have difficulty finding employment and housing, and thus are more likely to return to their abusers (Zorza, 1994). Additionally, black female victims are more likely to be ostracized by their community

under mandatory arrest laws (Zorza 1994). The greater reliance on the criminal justice system exhibited by black victims relative to white victims is met with further negative treatment by the system.

Previous studies have not examined whether racial bias influences the likelihood that domestic violence offenders are designated as high lethality risk. The county that is examined for the current study has been using a research tool to screen for lethality of domestic violence offenders (Sargent, 2011), formally known as the Lethality Assessment Program (LAP), since 2014. The screening consists of eleven yes-or-no questions administered by a law enforcement official; a certain combination of affirmative answers leads to an automatic high-risk designation. Alternatively, if the officer administering the LAP so chooses, they can screen in the victim based on their own intuition. Victims are offered advocacy services based on their screening results, and those who are determined to be a high lethality risk are referred to the High Risk Response Team. From there, the team gathers additional information about the offender and, if possible, from the victim. The High Risk Response Team then decides whether to accept the offender into the program for monitoring.

Messing et al. (2014) examined the effects of the LAP on women in Oklahoma. In this study, researchers worked with the police who administered the LAP to the consenting victims associated with the screening. They found that victims of domestic violence who had LAP intervention were more likely to establish a code to alert friends and family of their danger and more likely to obtain medical care and protective devices, such as pepper spray or mace (Messing et al., 2014). Victims from the intervention group were also more likely to improve the security of their home, go where their partner could not find them, receive a protection order, or have their offender go to jail. Messing et al. (2014) included race of the victim as a variable in their study to compare demographics of the intervention group and the comparison group, and found no significant racial

differences between groups. The sample consisted of 43% white victims and 29% black victims.

Complementing previous research regarding correlations between domestic violence and race, this present study will attempt to determine whether race influences designation of offenders as “high-risk” by the High Risk Response Team. The team is made up of members from various community organizations that encounter domestic violence offenders and/or victims. The discretion used when selecting offenders to monitor for the High Risk Team is an area where racial bias can come into play; in the case of LAP screening, police are given the opportunity to practice discretion by checking the “screened in by officer’s belief” box and designating the offender as high-risk. Previous research suggests that many people, including those that work in the criminal justice system, hold implicit racial biases that associate blackness with danger. This study will be a new contribution to the literature because it is the first study to examine whether race influences the likelihood that domestic violence offenders are designated as high lethality risk.

HYPOTHESES

The first hypothesis states that non-white domestic violence offenders will be more likely to be accepted for monitoring by the High Risk Team than white offenders. The second hypothesis states that the association between offender race and High Risk Team monitoring will not be explained by factors pertaining to criminal history.

DATA AND METHODS

The data used in this study were collected from a county in the Pacific Northwest. The LAP reports were accessed by a researcher and used to obtain information about the offenders designated as high-risk and accepted to be monitored by the High Risk Team. To obtain information about the control group of offenders, the researcher requested a random sample of police reports involving domestic violence calls from the county’s

two largest law enforcement agencies. Using names and birthdates included on the law enforcement reports, the researcher looked up arrest histories of the offenders electronically. Although the LAPs and reports contain information about both the domestic violence offender and victim, the unit of analysis for this study will be the individual domestic violence offender.

Between November 2014 and March 2016, the High Risk Team designated 24 offenders high-risk. In order to determine whether offender race influences a designation as high-risk, a comparison group of domestic violence cases that were not designated as high-risk was needed. To obtain a control sample, the researcher compiled a complete list of the LAPs administered in the county for January through September of 2015 (n=427). The county’s law enforcement jurisdictions implemented the LAP within the past two years. Two local

jurisdictions were associated with the vast majority of the LAPs; the police station for the main city provided 134 LAPs for this portion of 2015, and the county sheriff's office provided 213 LAPs, whereas the highest LAP count for the police stations of peripheral towns was 20 for the same time period. Due to this great divide, only cases from the city police station and the county sheriff's office were considered in analysis. An online random number generator was used to select two sets of 25 numbers: one for the police LAPs and one for the sheriff LAPs. The researcher requested the corresponding reports for these 50 LAPs from the police departments. Due to redacted information and pending reports, only 31 domestic violence offenders were used in the control sample. The present study focuses exclusively on offender characteristics. The selected random sample of 31 cases represents the population of domestic violence offenders who experienced law enforcement contact in the county but were not accepted for monitoring by the High Risk Response Team. The total population of the county is over 200,000.

To construct a dataset for this study, a case number was assigned to each case to keep the offenders' and victims' identities confidential. The main

dependent variable in the study indicates whether the offender is monitored by the High Risk Response Team and is entered as a dummy variable where (1 = offender is monitored by team) and (0 = offender is not monitored by team). The main independent variable, offender race, was entered as a dummy variable where (1 = white) and (0 = non-white). Potential race differences in domestic violence offences are controlled for by randomly selecting a control group of domestic violence offenders from the pool of arrested offenders.

For each case, every answer on the LAP was entered by code into the dataset as a dummy variable where (1 = yes) and (0 = no/unknown). Each affirmative answer is indicative of lethality risk. LAP questions representing lethality risk factors are stated as follows:

1. Has he/she ever used a weapon against you/ threatened you with a weapon?
2. Has he/she threatened to kill you or your children?
3. Do you think he/she might try to kill you?
4. Does he/she have a gun or can he/she get one easily?
5. Has he/she tried to choke you?
6. Is he/she violently or constantly jealous or does he/she control most of your daily activities?
7. Have you left him/her or separated after living together or being married?
8. Is he/she unemployed?
9. Has he/she ever tried to kill himself/herself?
10. Do you have a child that he/she knows is not his/hers?
11. Does he/she follow or spy on you or leave threatening messages?

Dummy Variable
a variable that can have two possible values: 0 or 1.

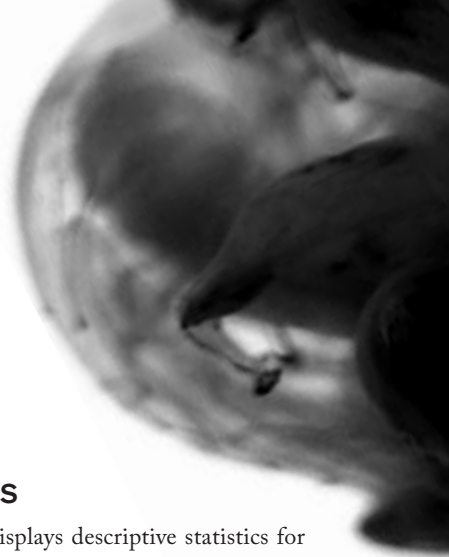
If the victim answers “yes” to any of the first three questions or to any four of the last eight questions, the victim screens in due to protocol. These eleven question variables were used to compute a composite variable indicating the offender’s LAP score. The LAP score ranges from zero to eleven with zero indicating the lowest level of potential dangerousness and eleven indicating the highest level of potential dangerousness. The two questions that are included on the LAP, but do not influence high-risk designation are “Is there anything else that worries you about your safety?” and “Was he/she using drugs or alcohol at the time of the incident?” Variables for these questions were also coded as dummy variables where (1 = yes) and (0 = no). Another variable, SCREEN, indicates whether the offender screened in as high-risk according to protocol (1), by officer belief (2), or not at all (3). The variable screen was recoded to be a dummy variable where (1 = offender screened in) and (0 = offender did not screen in).

Demographic information from the law enforcement reports for both the offenders and victims was entered into the dataset. Victim race was entered as a dummy variable where (1 = white) and (0 = non-white). Offender gender was coded as a dummy variable where (1 = male) and (0 = female). Victim gender was entered as a dummy variable in the same fashion. Ages of offender and victim in 2015 were entered numerically.

Additional variables include two dummy variables indicating whether the offender was involved in a protection order. One variable is for civil protection orders in which the victim has actively pursued the order (1 = civil protection order present) and (0 = no civil protection order), and the other is for criminal no-contact orders which are instituted by the court without the agreement of the victim (1 = no-contact order present) and (0 = no no-contact order). Another variable indicates the number the offender’s previous arrests, which ranges from zero to 34 arrests.

RESULTS

Table 1 displays descriptive statistics for the variables measuring dangerousness in this study. Due to the redacted information from the high-risk cases, Table 1 does not represent the full sample. One explanation could be that the greatest proportion of offenders were accepted for monitoring during the first few months that the High Risk Response Team began meeting when the LAP protocol implementation was slow and some law enforcement agencies did not send LAP records to the team. For the 24 cases in which LAP protocols were available, 60% of the victims in the sample answered that their offender is jealous and controlling ($n = 23$). Forty-six percent of victims answered that their offenders spy on them or leave them threatening messages ($n = 17$). Fifty percent of the samples screened in as high-risk with the LAP according to protocol ($n = 18$) and 6 percent of the sample screened in as high-risk with the LAP based on the belief of the officer ($n = 2$). Only 44 percent of the sample did not screen in as high risk using the LAP. Information regarding arrests and protection orders is included for all offenders in the sample, but since offenders may have arrests and



Variable	Description	Mean	S.D.
LAP VARIABLES			
	1 = YES		
Weapon Use	Whether offender ever used a weapon against victim or threatened victim with a weapon	.22	.42
Threat to Kill	Whether offender has threatened to kill victim or victim's children	.30	.46
Might Kill	Whether victim thinks offender might kill him/her	.14	.35
Gun Access	Whether offender has access to a gun	.33	.48
Choke	Whether offender has tried to choke victim	.35	.48
Jealous and Controlling	Whether offender is violently or constantly jealous or tries to control most of victim's daily activities	.62	.50
Separated	Whether victim and offender have been separated after living together or being married	.44	.50
Unemployed	Whether offender is unemployed	.41	.50
Suicide	Whether offender has ever tried to commit suicide	.27	.45
Child	Whether victim has child that offender knows is not his/hers	.11	.31
Spy	Whether offender follows or spies on victim or leaves victim threatening messages	.46	.511
Protocol	Whether victim screened in with LAP according to protocol	.50	.51
Officer Belief	Whether victim screened in with LAP according to the belief of the officer	.06	.23
Did Not Screen In	Whether victim did not screen in by LAP or officer belief	.44	.50
Drug & Alcohol	Whether offender was using drugs or alcohol	.50	.51
Arrests	Previous number of arrests for offender	5.11	7.22
Criminal No Contact Order	Whether offender has current criminal no-contact order	.52	.50
Civil Protection Order	Whether offender has a current civil protection order	.24	.38

TABLE 1. Descriptive statistics for dangerousness variables in the analysis of domestic violence lethality assessment, 2015.

NUMBER OF CASES = 24

protection orders in different states that are not accessible within the state system used for this study, the information may not be complete. Offenders who are recorded as having zero protection orders may have protection orders that were not accessible to the researcher. The average

number of previous offender arrests is five. Fifty-two percent of the offenders in this sample have criminal protection orders (n = 27) and 24 percent of the offenders have civil protection orders (n = 12).

Descriptive statistics for the variables measuring demographic characteristics of domestic violence offenders are displayed in Table 2. The information is presented separately

Variable	Description	N	Mean	S.D.
HIGH RISK TEAM MONITORED				
Focal Independent Variable				
Race of Offender	Whether offender is white (1=yes)	24	.75	.44
Race of Victim	Whether victim is white (1=yes)	14	.86	.36
Additional Independent Variables				
Age of Offender	Offender's age in years	24	34.63	10.48
Age of Victim	Victim's age in years	13	31.31	7.69
Gender of Offender	Whether offender is male (1=yes)	24	1.00	.00
Gender of Victim	Whether victim is female (1=yes)	20	1.00	.00
CONTROL GROUP				
Focal Independent Variable				
Race of Offender	Whether offender is white (1=yes)	31	.84	.37
Rave of Victim	Whether victim is white (1=yes)	34	.79	.41
Additional Independent Variables				
Age of Offender	Offender's age in years	29	41.07	13.85
Age of Victim	Victim's age in years	17	38.94	12.46
Gender of Offender	Whether offender is male (1=yes)	31	.71	.41
Gender of Victim	Whether victim is female (1=yes)	34	.59	.50

TABLE 2. Descriptive statistics for demographic variables in the analysis of domestic violence lethality assessment, 2015.

for the group monitored by the High Risk Team and for the control group. Of the 24 high-risk monitored offenders, 75% are white and 26% are non-white. Of the 31 control group offenders, 84% are white and 16% are non-white. Of 14 victims of monitored offenders, 86% are white. For the control group 79% of 34 victims are white. The average offender age for the monitored group is 35 years with a standard deviation of 11 years. The average victim age is 31 with a standard deviation of 8 years. Among the control group, the average offender age is

41 years with a standard deviation of 14 years. In the monitored group, 100% of the offenders are male and 100% of the victims are female. There is more gender variation in the control group; 71% of the offenders are male and 59% of the victims are female.

Table 3 displays cross tabulations of the lethality assessment variables by

race of offender. Almost 41 percent of white domestic violence offenders versus 54.4 percent of the non-white offenders are monitored by the High Risk Team. Although this 14 percent difference is not significant, these findings indicate that the High Risk Team is more likely to monitor non-white offenders than white offenders. Offenders can be deemed dangerous via the LAP either by protocol (the victim answers “yes” to a certain number of questions) or by the officer’s belief. Forty-eight percent of the white offenders in this study screened in due to protocol and none screened in due to officer’s belief. Of non-white offenders, 16.7 percent screened in due to protocol and 33.3 percent screened in due to officer’s belief. This finding suggests that officers are more likely to perceive danger

when responding to domestic violence calls with non-white than white offenders. However, these results must be viewed with caution because of the small number of cases that screened in on the basis of officer belief (n = 2).

To explore the influence of criminogenic factors on race differences in the designation of domestic violence offenders as high danger, the researcher ran a t-test with the offender’s LAP score, number of prior arrests, and race, as well as cross tabulations between protection orders and race. These results are presented in Table 4. Among white offenders, the mean number of prior arrests is 5.82, but for non-white offenders, the mean number of prior arrests is only 3.50. This finding contradicts the literature, which suggests that people of color tend to experience higher rates of arrest than whites, but the difference is not statistically significant. Whites in this study also have a higher LAP score than non-whites with a mean score of 3.89 compared to the mean score of 1.50 for non-white offenders. The difference between LAP scores is statistically significant. These findings suggest that the victims of white offenders are significantly more likely than the victims of non-

TABLE 3.
Cross tabulations
for variables in
Domestic Violence
Lethality Assessment
Study, 2015.

Lethality Variable	Race Variable		Chi-Square	df
High Risk Team	White	Non-White	Total	
High Risk Team Monitored	40.9%	54.4%	43.6%	0.67
Not High Risk Team Monitored	59.1%	45.5%	56.4%	
	100.0%	99.9%	100.0%	
LAP Screening				
Screened in with LAP by Protocol	48.3%	16.7%	42.9%	11.27**
Screened in with LAP by Officer Belief	0.0%	33.3%	5.7%	
Did not Screen in with LAP	44.8%	50.0%	45.7%	
	100.0%	100.0%	100.0%	

NUMBER OF
CASES = 55

Criminality Variable	White	Non-White	t	N
Number of Prior Arrests	5.82	3.50	.904	54
LAP Score (0-11)	3.89	1.50	2.64*	34
Chi-Square				
Civil Protection Order	22.7%	27.3%	.101	13
Criminal No-contact Order	52.3%	63.6%	.46	30

TABLE 4.
Criminal history by race of offender t-test and cross tabulations

*p<.05, **p<.01, ***p<.001.

Focal Independent Variable	Model 1		Model 2	
	b	Exp(b)	b	Exp(b)
Offender is White	-0.368	.692	-0.856	0.354
Control Variables				
Number of Arrests			.254*	1.290
Civil Protection Order			.267	0.289
Criminal No-contact Order			3.384***	29.491
Intercept	0.000	1.000	-2.724*	0.066
Nagelkerke R²	0.007		0.527	

TABLE 5.
Results of logistic regression analysis predicting the log-Odds of offenders being monitored by the High Risk Response Team: Lethality Assessment Study 2015.

*p<.05, **p<.01, ***p<.001.

NUMBER OF CASES = 54

white offenders to report that the perpetrator has engaged in behaviors identified as high danger on the LAP tool.

Civil protection orders require the victim to request the order be issued. Twenty-three percent of the white offenders in the study have known current civil protection orders and 27.3 percent of non-white offenders in the study have known civil protection orders. Criminal no-contact orders are issued by the state and are usually associated with domestic violence charges. Fifty-two percent of white offenders and 64 percent of non-white offenders in the study have current criminal no-contact orders. These differences are not statistically significant, but they do suggest that non-white offenders are more likely to have protection orders in place. If the presence of protection orders influences the designation of offenders as high risk, this difference might explain why non-white offenders are more likely than white offenders to be accepted into the High Risk Response Team monitoring program.

Table 5 displays results of logistic regression. This technique allows for the introduction of control variables in the assessment of the impact of race on the designation of high-risk among domestic violence offenders. Results for Model 1, which includes only the key independent variable of offender race, suggest that white offenders are less likely than non-white offenders to be monitored by the High Risk Team. The odds of being monitored by the High Risk Response team are 30 percent lower among white offenders as compared to non-white offenders (Exp. B = .692, p > .05). In Model 2, criminal history control variables are added to

the analysis. By controlling for known factors of criminal history, the effect of race becomes stronger. The odds of being monitored are 65 percent lower for white offenders compared to non-white offenders after control variables for prior number of arrests and protection orders are included (Exp. B = .354, $p > .05$). Criminal history plays a larger role than race in determining high-risk team involvement. Criminal no-contact orders and arrests have strong positive, statistically significant effects on team monitoring. The effect of civil protection orders is insignificant. In Model 2, control variables are introduced including number of arrests, whether or not the offender has a civil protection order, and whether the offender has a criminal no-contact order or a civil protection order. The Nagelkerke R² value indicates that the ability to predict High Risk Monitoring is increased 53 percent with knowledge of race, previous arrests and protection orders.

These results indicate that non-white domestic violence offenders have a greater likelihood of being monitored by the High Risk Team than white offenders. Because of the small number of cases ($n = 55$), this finding is not significant. Factors indicating offender's criminal history are positively associated with

High Risk Team monitoring, but they do not explain the relationship between race and High Risk monitoring.

CONCLUSION

The analysis in this study is consistent with previous research that found patterns of race effects in the criminal justice system. Following the pattern, the High Risk Team disproportionately accepts non-white offenders for monitoring. This pattern suggests that racial bias may be influencing the team's decisions as to whom they accept for monitoring. The relationship between monitored offenders and race could be due to factors other than bias that could not be measured in the current study. This study would benefit from being repeated with a larger sample size. The results that were not statistically significant in this study may be significant if a larger sample size were used for the control group. Due to the complicated nature of domestic violence and racial biases, the whole story cannot be portrayed through quantitative analysis. Qualitative research would enrich the understanding of the patterns found in quantitative studies such as this one.

This study is intended to help recognize systematic racialized patterns that may often go unrecognized since they are embedded in the criminal justice system and our society at large. The value of this study is that it may help to raise awareness of ingrained racialized patterns. Results from this study may be used to inform the High Risk Team and other criminal justice system agents that there is a pattern of disproportionate racial representation in domestic violence offenders who are deemed dangerous by the system. In order to eliminate unfair treatment of non-white individuals, we must first acknowledge present biases and act accordingly to correct patterns that disadvantage people of color.

REFERENCES

- Alexander, M. (2010). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York: The New Press.
- Baradaran, S. (2013). Race, Prediction, and Discretion. *The George Washington Law Review*, 81(1), 157–222.
- Benson, M.L., Wooldredge, J., Thistlethwaite, A.B., & Fox, G.L. (2004). The Correlation between Race and Domestic Violence is Confounded with Community Context. *Social Problems*, 51(3), 326–342.
- Blair, I.V., Judd, C.M., & Chapleau, K.M. (2004). The Influence of Afrocentric Facial Features in Criminal Sentencing. *Psychological Science*, 15(10), 674–679.
- Coker, A.L. (1995). Police Involvement in Domestic Violence: The Interactive Effects of Victim Injury, Offender's History of Violence and Race. *Violence Victims*, 10(2), 91–106.
- Guerino, P., Harrison P.M., & Sabol, W.J. (2011). Prisoners in 2010. *U.S. Department of Justice, Bureau of Justice Statistics*, NCJ 236096, 1–38.
- Kane, R.J. (1999). Patterns of Arrest in Domestic Violence Encounters: Identifying a Police Decision-Making Model. *Journal of Criminal Justice*, 27(1), 65–79.
- Maryland Network Against Domestic Violence (2011). *Lethality Assessment Program Maryland Model for First Responder: Learning to Read the Danger Signs*. Bowie, MD: Sargent, D.M.
- Messing, J.T., Campbell, J., Wilson, J.S., Brown, S., Patchell, B., & Shall, C. (2014). *Police Departments' Use of the Lethality Assessment Program: A Quasi-Experimental Evaluation* (Document No, 247456). Washington, DC: U.S. Department of Justice, National Criminal Justice Reference Service.
- Rachlinski, J.J., Johnson, S.L., Wistrich, A.J., & Guthrie, C. (2009). Does Unconscious Racial Bias Affect Trial Judges? *Notre Dame Law Review*, 84(3), 1195–1244.
- Steffensmeier, D., Ulmer, J., & Kramer, J. (1998). The Interaction of Race, Gender, and Age in Criminal Sentencing: the Punishment Cost of Being Young, Black, and Male. *Criminology*, 36(4), 763–798.
- Tonry, M. (2010). The Social, Psychological, and Political Causes of Racial Disparities in the American Criminal Justice System. *Crime and Justice*, 39(1), 273–312.
- Zorza, J. (1994). Must We Stop Arresting Batterers?: Analysis and Policy Implications of New Police Domestic Violence Studies. *New England Law Review*, 28(4), 929–990.