The "Worst of the Worst": Detectives' beliefs about dangerous, violent, offenders and how to deal with them.

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Abstract

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The "Worst of the Worst": Detectives' beliefs about dangerous, violent, offenders and how to deal with them.

Abstract

Police detectives come into contact with a community's most dangerous, violent offenders, but there is little empirical research concerning detectives' beliefs about the characteristics of these violent offenders. Twenty experienced detectives compared the characteristics and attributes of two offenders they believed to be the most dangerous, repeat, violent offenders in their community with two violent offenders who they believe were less dangerous. Eighty offenders were identified in total. Thirteen bipolar *dangerous-less dangerous* constructs that differentiate the most dangerous violent offenders from other violent offenders were identified. The most frequently identified themes, mentioned by three quarters or more detectives, were being a heavy drug user (particularly of amphetamines), being impulsive, and not thinking of the consequences of their actions. The next three themes, mentioned by half of the respondents were: extensive and regular offending; breadth of offending; and, wishing to portray oneself as a 'tough guy'. One theme detectives did not mention frequently was mental illness as being associated with the most violent offenders, suggesting detectives may miss mental illness in their interactions with offenders. Detectives suggested responding to the most dangerous violent offenders with longer sentences, extensive monitoring and better intelligence.

The "Worst of the Worst": Detectives' beliefs concerning to dangerous violent offenders and how to deal with them.

Many authors have pointed out that there is a scarcity of research about how detectives investigate violent crime (Brodeur, 2010; Brookman & Innes, 2013; Westera, Kebbell, Milne & Green, 2014). The most detailed research was conducted by the *Rand Corporation* in the 1970's concerning investigating crime generally, rather than violent crime specifically (Chaiken, Greenwood & Persilia, 1976). However, there has been little research as thorough as that since then. This is surprising as detectives come into contact with a community's most dangerous, violent offenders and for this reason it would seem worthwhile to ask detectives' about the characteristics of these offenders. Detectives attitudes to violent offenders are important because detectives get to see offenders close-up, in raw circumstances when crime occurs, unfiltered by the delays and biases in the prosecution process – such as offenders having time to sober up, clean themselves up, and think of explanations for their behavior.

Detectives' beliefs about violent offenders are also important because they shed light on the characteristics of a wider variety of violent offenders and offences than are included in conviction studies. For example, the 'Stern Review' (Stern, 2010) reports that conviction rates for violent offences are only around six per cent, similar to that of rape. Reasons for such a low conviction rate are diverse. Some assaults do not result in a conviction because the victims are intoxicated at the time of the offence and so not credible witnesses in the eyes of prosecutors (see for example, Beicher & Spohn, 2012; Cunningham et al., 2014; Pilgrim, Gerostamoulos & Drummer, 2014), some choose to withdraw from the prosecution process, and in some cases responsibility for the violence may be difficult to determine because it is one person's word against another (Stern, 2010; Wittebrood, & Junger, 2002). Either way, this means that detectives

may see a more complete side of the range of violent offenders than is reflected in conviction studies.

Despite these limitations, we do know a great deal about violent offenders from research and risk assessment tools based on convicted offenders. One of the first, and arguably the most thoroughly researched, "actuarial" tool for assessing risk of violence is the Violence Risk Appraisal Guide (VRAG; Harris, Rice, & Camilleri, 2004). An actuarial tool relies on statistical analysis and objective information to predict risk. In the case of the VRAG this involves scoring twelve items. The items are: separation from biological parents; alcohol problems; school problems; marital status; criminal history; failure of conditional release (e.g., breaching bail conditions); age; victim injury; victim gender; personality disorder; mental illness; and, psychopathy (Quinsey et al., 2006). A number of studies and reviews have indicated that the VRAG has good predictive validity for violence (e.g., Campbell, French & Gendreau, 2009; Gray, Taylor, Fitzgerald, MacCulloch, & Snowden, 2007; Harris, Rice, & Camilleri, 2004).

The most predictive of the 12 items on the VRAG of future violence is psychopathy (Quinsey et al., 2006) as measured by the Psychopathy Checklist Revised (PCL-R). This tool has been shown to be reasonably accurate in predicting offending including violent offending (Hare, 1991; Hare, Clark, Grann, & Thornton, 2002), although it does not outperform the VRAG (Quinsey et al., 2006). The checklist consists of 20 items including factors such as impulsivity, need for stimulation/proneness to boredom, pathological lying, and lack of remorse. Importantly, with regard to psychopathy, one would expect low-risk individuals to have some risk factors present but it is only a high score overall, where an individual has a scores on a substantial number of the twenty items, that leads to a categorization as high-risk. A given cut-off score is used to determine increased risk (Hare, 1991). Individuals of high risk may get to this score in

different ways. For example, some may show a great deal of manipulation of victims whilst others may show higher levels of violence (see Cooke, 2008). This is important for police assessment of risk because not all high risk offenders will have the same characteristics and histories.

An alternative to actuarial risk assessment is structured-professional judgment. With this approach information collection is suggested by empirically-based guidelines and then the professional makes a judgment concerning overall risk. With regards violence the most frequently used tool is the HCR-20. The letters stand for 'Historical', 'Clinical' and 'Risk' (Douglas et al., 2014). The historical factors are items such as a history of problems with violence, relationships and alcohol/substance abuse. The clinical factors are items such as problems with insight, personality disorders and major mental disorders. The tool also includes dynamic factors associated with changing risk. These include items such as potential future problems with living accommodation and the presence or absence of personal relationships where additional support can be provided. More recently the tool has been revised to take into account the most recent research and to increase practicality but retains similar items (Douglas et al., 2014; and for an example of administration see, Logan, 2014). Clearly, there is a substantial overlap with the VRAG.

The implication of the research on risk is that police detectives dealing with violent offenders should be able to recognise the key factors associated with violent offending to be able to respond effectively in their role. If they cannot, this is concerning, and likely to impact on their ability to recognise dangerous offenders and reduce violent crime. Whilst it would seem logical that detectives should be aware of the key factors associated with violence, the literature is replete with examples of where professionals in the justice system have beliefs that contradict

the available empirical literature (e.g., Vrij, Akehurst, & Knight, 2006). It is also possible that detectives see risk factors that are not indicated in the literature because they are aware of dynamic, acute, factors because they are often seeing offenders at a time close to when an offence has been committed. While, as Douglas et al. (2014) state, "there have been literally thousands of research studies on violence generally" (p.95) it is remarkable how few have involved the police – in this study we seek to remedy this.

To do this we used a method for developing a deep understanding, derived from Kelly's personal construct theory: the Repertory Grid Technique (RGT; Kelly, 1955). The RGT can be used to explore how respondents construe the world or their implicit theoretical beliefs about different constructs (Fransella, Bell, & Bannister, 2004; Smith & Flanagan, 2000). Kelly suggests it is helpful to conceptualize belief systems as sets of linked bipolar constructs where the positive is grounded against a negative opposite. Hence, the RGT involves first defining elements. In the present study, described in detail later, the elements are what respondents perceive as the characteristics of the most violent offenders in contrast to less violent offenders. For example, one construct that might differentiate the worst offenders from other offenders might be *drinks heavily* versus *only drinks socially*.

The present study

The purpose of the present study is to clarify experienced detectives' perceptions of the characteristics of the worst, violent offenders using a modified RGT to identify constructs, and semi-structured interviews to identify key characteristics, of the "Worst of the Worst" violent, offenders. In addition, the presence of very violent offenders in the community is a cause for concern, therefore we asked why they are still at large and what can be done.

Method

Participants

A police service in Australia agreed to participate in this study. Twenty experienced detectives were nominated by their managers in their Criminal Investigation Branch to participate because of their experience investigating violent offences. The detectives had all qualified by first working as a uniformed constable for at least two years then completing a three-year detective training program. The detective training program combined classroom teaching, with monitoring and coaching in the workplace, whilst conducting detective work. All detectives who were nominated agreed to participate in an interview for approximately one hour during work time. All interviews were conducted in person. The mean age of detectives was 41 years ($SD = 5$); 17 were male and 3 were female. The detectives were experienced, having served in the police for 9 to 28 years ($M = 19$ years, $SD = 6$) and as detectives from 3 to 23 years ($M = 13$ years, $SD = 6$).

Data collection and analysis

Each detective was interviewed as follows.

Repertory Grid Technique. Each participant was asked to think of four violent offenders: two offenders they believed to be the most dangerous, repeat, violent offenders in their community currently, and two they considered to be violent offenders but who they considered less dangerous. Participants were allowed to interpret dangerousness in whatever way they wanted. Participants were then given four square cut-outs with the letters A, B, C, D written on them and were asked to write down the initials of the two most dangerous violent offenders on the back of the A and B squares, and the initials of two less dangerous offenders on the back of

the C and D squares. The idea for writing initials on the back of the squares was to ensure anonymity and the squares were destroyed at the end of the interview. The participants were then asked to make various contrasts between the characteristics of the dangerous versus less dangerous offenders through a series of comparisons. For example, one comparison is, "what is similar about A and B that is different to C?" Another is, "what is similar about C and D that is different to A?" The idea is to list as many things that come to mind for each combination of the letters until all constructs are extracted. This happens when constructs start to be repeated. The authors had a repertory grid into which they put the categories (for a detailed explanation and description of using the Repertory Grid see Fransella, Bell, & Bannister, 2004).

The authors read through each of the constructs and developed a 'dictionary' of terms. For example, one participant said that two violent offenders "take lots of drugs" compared with a less violent offender who "occasionally takes drugs". Another participant said that a dangerous offender was "always on drugs" whilst a less dangerous offender "does not use drugs". These phrases were combined into the dictionary term "heavy drug user". Fifty items were identified in total. The RGT procedure was adapted from Kelly (1955) but no numerical ratings were given to each construct for brevity and because previous experience has shown police officers become frustrated at having to repeatedly give ratings on a scale. Once the dictionary was completed participants' responses were coded into these terms. To ensure the coding scheme was reliable the responses of four (20%) participants were independently coded into the identified themes by a second rater. Kappa correlations were calculated between the raters for each participant (Fleiss, Levin & Paik, 2004) and varied from .77 to .88 with a mean of .82 meaning reliability is satisfactory.

Semi-structured interview. In the semi-structured interview participants were asked to, "Name three strategies that police could use to help reduce the risk of the dangerous offenders of reoffending". Responses were probed with regards how the strategies might work and how they might be implemented. Participants were next asked, "Name three obstacles to stopping dangerous offenders from reoffending". Again, detectives were probed concerning each obstacle and how each obstacle could be overcome. The themes of reducing offending and obstacles were separately content analyzed into a coding dictionary. Again, the responses of four participants were independently coded into the identified themes by a second rater. For the theme of reducing risk all Kappa correlations were 1.00 and so the average of the four was also 1.00. For the theme of obstacles to stopping dangerous offenders from reoffending the Kappa correlations varied from .63 to 1.00 with a mean of .91.

Results

Repertory Grid Technique

To recap, each of the twenty detectives compared the characteristics and attributes of offenders they believed to be the most dangerous, repeat, violent offenders with violent offenders who they believed to be less dangerous. Thus, 80 offenders were identified in total. Thirteen bipolar, *dangerous-less dangerous* constructs were identified by at least 25% (n=5) of the sample as differentiating the most dangerous, violent offenders from other, less-violent offenders. These constructs are displayed in Table 1. Two constructs were identified as being most prevalent, identified by 75% or more detectives. The first was being a heavy drug user, with amphetamines being singled out as drug that was particularly associated with extremes of violence. The second was offenders being impulsive and not thinking of the consequences of their actions.

Three constructs were mentioned by 50% of the respondents. One construct was an *extensive* offending history which was offending occurring for a long period of time and regularly over a long time for example from childhood through to adulthood. Participants also identified the slightly different construct, *breadth* of offending – this construct concerned committing a wide variety of offences at any particular time, for example committing assaults, thefts and frauds all over a short period of time. The final construct identified by half of respondents was the desire to portray oneself as "tough guys" either through appearances (e.g., displaying tattoos, driving 'gangster-styled' cars, and appearing aggressive) and enjoying having a reputation for being violent.

Other themes included dysfunctional family and/or few family ties, and heavy alcohol abuse – both identified as factors by 40% of respondents. Family problems could include ineffectual parenting of the offender and/or the parents of the offender having alcohol and substance abuse problems. For older offenders it often meant little family relations either with parents of the offender's own children, partner and former partners. Heavy alcohol abuse was usually combined with additional drug problems.

Less frequently identified themes were a high propensity for violence for little reason mentioned by 35% of respondents. This included, for example, 'road-rage' attacks, spontaneous attacks on strangers for little reason, and violence against vulnerable people such as elderly neighbors. Thirty five percent also identified anti-social peers and in some cases links to organized crime groups. Being an older offender was identified by 30% of participants with most violent offenders often being in their thirties and forties. Thirty per cent of detectives identified using weapons, including firearms, as a construct which also makes the consequences of their violence more severe. Finally, 25% of the participants identified a construct of being

uncooperative with police, for example by resisting arrest or refusing to be interviewed. The final construct was manipulation and grooming of vulnerable victims.

Table 1

Overall rankings and frequencies of attributes associated with dangerous violent offenders identified by 25% or more of detectives.

Rank	Attribute	Number Mentioning (N=20)	Percentage (%)
1	Heavy drug user (mainly amphetamines)	16	80
2	Impulsive/does not think of consequences	15	75
3=	Extensive offending history/regularly commits crime	10	50
3=	Breadth of offending/range of offences	10	50
3=	'Tough guy' image/reputation	10	50
6=	Dysfunctional family/no family ties	8	40
6=	Heavy alcohol use	8	40
8=	High propensity for violence for little reason	7	35
8=	Criminal associates/organized crime associates	7	35
10=	Older	6	30
10=	Use of weapons (including firearms)	6	30

| 12= | Uncooperative/aggressive to police | 5 | 25 |
| 13= | Grooms/coerces/selects vulnerable victims | 5 | 25 |

Reducing the risk of reoffending

Detectives were asked what strategies could be used to prevent the most dangerous violent offenders from offending. Again we will report only the themes where 25% or more (n=5) mention a theme. The most frequent theme (n=13) was the extensive monitoring of offenders. For most detectives this meant the police checking what offenders are doing in their day-to-day lives, for example with a home visit, and determining if they are currently offending – although some also suggested that offenders should be placed on a formal register as part of this monitoring. The next most frequent theme was longer custodial sentences (n=9) with many detectives saying that the violent offenders were back in the community and offending too soon after they had been convicted for a previous offence. Detectives suggested that longer sentences for the most dangerous offenders would act as a deterrent and keep the offender away from potential victims. The final theme was intelligence that was identified as critical by some detectives (n=7) to identifying who is currently a violent offender or who is likely to be in the future.

Obstacles to stopping dangerous violent offenders from reoffending

When asked what obstacles there were to stopping dangerous violent offenders from offending only two themes were mentioned by 25% or more of the detectives. The most frequently mentioned theme was that the punishment was too lenient for the crime (n=11). The

only other theme identified by 25% or more was that detectives lacked resources such as time or staff (n=8).

Discussion

To recap, the purpose of this research is to explore detectives' beliefs about the characteristics of violent offenders. Our rationale for this is that the views of detectives are rarely solicited, and therefore, little is known about their attitudes and beliefs about violent offenders. If they have biases or gaps in their understanding it is worth knowing what they are. Alternatively, they may have a unique perspective concerning offenders because they deal with them close-up - without the filters that exist between offenders and the justice system. We found a great deal of consistency between how detectives think of the most violent offenders and risk assessment tools such as the VRAG (and by implication other risk assessment tools that include the same or similar items like the HCR-20). For example, the most predictive of the 12 items on the VRAG for future violence is psychopathy (Quinsey et al., 2006). While psychopathy was not identified *per se*, the two characteristics identified most frequently by detectives are associated with psychopathy (Hare, 1991), specifically the psychopathic trait of 'need for stimulation/proneness to boredom' and 'impulsivity'.

According to Hare's (1991) definition need for stimulation/proneness to boredom includes substance abuse and the most frequently identified factor by detectives was high levels of drug use - particularly amphetamines. Detectives' identification of amphetamines as increasing violence is consistent with an extensive literature that links violence to amphetamines (Boles & Miotto, 2003; Kosten & Singha, 1999). Violence has been suggested to be more extreme because amphetamines have a longer duration of effect than other drugs such as alcohol

and cocaine (National Institute on Drug Abuse, 1998) and because after large doses of

amphetamines, certain individuals may experience violent outbursts (Roth, 1994) with chronic

use more closely related to violent behavior than any other drugs (Boles & Miotto, 2003;

McKetin et al., 2014). In addition to amphetamines alcohol abuse was identified as a factor in

violence too which is consistent with some of the literature on risk of violence (Harris, Rice, &

Camilleri, 2004)

Behaving impulsively, and not thinking of the consequences of actions is, as previously

mentioned, also associated with psychopathy and consistent with a great deal of literature that

identifies impulsiveness as being a major personality factor associated with offending (e.g.,

Farrington & Welsh, 2007). Impulsive individuals attach more importance to the immediate gain

(e.g., hurting someone who is annoying them; frightening and intimidating victims) than long-

term outcomes (e.g., being convicted; the impact on their employment) and this puts them at

higher risk of committing crime than those with lower impulsivity (Wilson & Herrnstein, 1985).

Impulsivity also appears reflected in the theme of 'high propensity for violence for little reason'

in which detectives suggested that violent responses were often unprovoked or disproportionate

to the provocation.

Detectives identified other VRAG items. With regards criminal history and failure of

conditional release, detectives identified several themes in this category – extensive offending

histories, regularly committing crime and a wide range of offending beyond violence. In

addition, pro-criminal attitudes were arguably identified by detectives saying some offenders

deliberately portrayed themselves as tough guys, being uncooperative and aggressive to police

(see Andrews & Bonta, 2010, for a discussion of pro-criminal attitudes as a risk factor).

Detectives also mentioned offending frequently whilst on bail – this was a topic of particular

concern for detectives as they felt that they had done their job in catching criminals only for the Courts to immediately release the criminal.

Dysfunctional family relationships, including with an intimate partner, were identified. This maps onto VRAG items concerning separation from a biological parent and marital status and is consistent with an extensive developmental criminology literature indicating the importance of stable family relationships in preventing criminal behavior (Farrington, 2007). Age at index offence was not mentioned although it was pointed out that many of the most violent offenders were older indicating they had persisted longer in their violence than their counterparts. Of course, another reason for this is that their offending may have been over a longer time which made them more memorable and gave them a greater opportunity to come to the attention of the police. Use of weapons was identified as a dangerousness theme. Unsurprisingly, using weapons can inflict greater injuries and makes a person more dangerous and whilst not included on the VRAG is included in other risk assessment tools (e.g., Kropp & Hart, 2000).

When detectives were asked how reoffending could be reduced and what barriers prevented them from reducing violence, one answer was given frequently: longer custodial sentences. Arguably longer sentences will incapacitate a high-risk offender and prevent them from offending against the public and may also allow for their criminogenic needs to be addressed which in turn should reduce their offending (Andrews & Bonta, 2006). Indeed, longer sentences could include longer supervision in the community including monitoring of behavior and use of alcohol and drugs. Essentially, the implication of this is that violent offenders should be sentenced with consideration of their levels of risk with regards violence. Of course, this is much easier said than done. Risk assessment is a far from exact science (see for example, Skeem,

Polaschek, Patrick, & Lilienfeld, 2011), particularly for police and judges who are not specially

trained. The challenge is to identify those who are genuinely of high risk of continuing to be

violent compared with the majority of those who will desist (Farrington, Ohlin & Wilson, 1986).

Such a risk assessment might be useful as an intelligence and monitoring tool for

prioritizing individuals that are in the community and likely to offend. This was the most

frequently identified strategy and obstacle to reducing dangerous violent offenders' offending.

Detectives' suggestions for preventing future violence focused on monitoring, intelligence and

identifying serious violent offenders early on in their criminal career. Potentially tools like the

VRAG, adapted to also include intelligence, could provide a framework for identifying high-risk

offenders. In turn this could be useful to prioritize offenders. The greatest limitation identified by

detectives was resourcing – detectives believed they did not have enough resources to target

everyone they believed to be committing dangerous violent offences. Both resourcing and

targeting the most dangerous people may have the same solution. A risk assessment tool could be

used to prioritize the worst offenders and focus resources more effectively.

Whilst many risk factors that are well documented in the literature were mentioned by

detectives, some items were not. Mental illness is the most prominent oversight. For example, as

well as being a VRAG item, in a recent review of the prevalence of severe mental illness in

33,588 people in prison worldwide, 3.6% of male offenders had psychosis and 10.2% of male

offenders had depression (Fazel & Seewald, 2012). Of course, this does not include forensic

mental health facilities where the frequency of mental illness will be much higher. The line

between drug abuse and mental illness becomes blurred when one considers the use of cannabis

and amphetamines that have a complicated relationship with psychosis and violence (Green,

Young & Kavanagh, 2005; Topp, Degenhardt, Kaye & Darke, 2002). It is possible detectives are

confusing mental illness with drug use or identifying drug use whilst being unaware of comorbid mental illness. This is an important point, and it seems that detectives might need more training in recognizing and responding to mental illness.

Finally, school problems were not identified. There might be two reasons for this: first, problems at school may seem minor compared with the more serious offences the offenders were now committing; second, police have no data concerning school or indeed offending as a juvenile (in this jurisdiction at least) because the records are erased at 17. Knowledge of juvenile offending would seem to be important for predicting who will become future serious offenders. Caveats do need to be applied to these findings, however. Detectives' perceptions may be different to reality and there is some evidence to suggest detectives' perceptions of offenders are biased (e.g., Smith & Alpert, 2007). Further, the characteristics of these violent offenders may not be the same in other jurisdictions suggesting that offender targeting needs to be adapted for different areas.

Overall, a picture emerges of violent offenders that is consistent with the literature on risk of violence broadly. The most frequently identified themes were being a heavy drug user (particularly of amphetamines), being impulsive, and not thinking of the consequences of their actions. The next three themes mentioned by half of the respondents were: extensive and regular offending; breadth of offending; and, wishing to portray oneself as a 'tough guy'. The implication of this is that trainee detectives might benefit from training in these aspects of risk assessment so that they are more able to identify characteristics associated with the most violent offenders. The omission of mental illness as a factor suggests that detectives might benefit from education that provides a greater understanding of mental illness and its influence on offending. Finally, detectives expressed a desire to have a better way of knowing who the most violent

offenders in the community are. Identifying and communicating this risk to detectives would

help here. Taken as a whole, this research suggests that we can, and should, make better use of

detectives' knowledge of violent offenders to understand violence in our communities.

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