

# Violence Risk Assessments: A Guide to Evaluating Violence Risk in Criminal Cases

---

 [verdugopsych.com/violence-risk-assessments-a-guide-to-evaluating-violence-risk-in-criminal-cases/](https://verdugopsych.com/violence-risk-assessments-a-guide-to-evaluating-violence-risk-in-criminal-cases/)

Emin Gharibian, PsyD

Violence risk assessments are becoming more common in the criminal justice system. Forensic psychologists are conducting these evaluations on behalf of the court, defense attorneys, and probation and parole departments.

Violence risk assessments are used in a variety of situations in criminal cases including pre-trial proceedings, mitigation, sentencing, and determining suitability for parole and probation.

Despite the fact that violence risk assessments are more prevalent, there is still confusion regarding what a violence risk assessment is, how it can and should be used, and the benefits and limitations associated with a violence risk assessment.

The goal of this article is to provide an overview of how violence risk is formulated, the different approaches to formulate violence risk, and the benefits and limitations of a violence risk assessment.

## What is a Violence Risk Assessment?

---

A common misconception regarding violence risk assessments is that they can precisely predict an individual's future violence risk. **There is no way to predict whether or not someone will become violent in the future.**

Violence risk assessments have moved away from a violence prediction model to a clinically relevant risk assessment/ management model.

Under the contemporary conceptualization of violence risk assessments, "risk" is now viewed as:

1. Highly dependent on situations and circumstances
2. Dynamic and subject to change
3. Varies along a continuum

Under the old model, evaluators determined if an individual was "dangerous". The goal now is to determine the nature and degree of risk the individual may pose for certain kinds of behaviors in light of anticipated conditions and contexts.

Violence risk assessments are evidence-based procedures that help us identify historical and current risk factors as well as protective factors. Evidence-based refers to decision making guided by relevant research, theory, and statistics.

An evidence-based violence risk assessment tool is a measure that has numerous meaningful violence risk factors that have been identified through research. Common evidence-based risk factors include substance use problems, psychopathic personality features, anger, impulsivity, antisocial peers, antisocial attitudes, a history of violence, young age at the first violent act, stress, treatment nonadherence, lack of social support, and mental illness.

The risk factors can vary depending on the population that is being evaluated. For example, evidence-based risk factors in juveniles might be slightly different than risk factors in adults.

We will go over the two common instruments used to evaluate violence risk in adults and in juveniles later in the article.

A violence risk assessment helps identify situations where an individual is more likely to become violent and situations where their risk of violence might be lower. It can also help identify protective factors and management techniques that help mitigate violence risk.

There are two methods that are commonly used to conduct a violence risk assessment:

1. The nondiscretionary approach using actuarial/ statistical methods
2. The discretionary approach using structured professional judgment (SPJ)

## Actuarial Assessment of Violence Risk

---

Actuarial assessment tools are structured instruments composed of risk/protective and static/dynamic factors.

Actuarial instruments are designed to not measure anything. Their goal is to predict a specific outcome in a specific population over a specific period of time.

The items in the scale are selected either rationally (based on theory or experience) or empirically (based on their outcome in test construction research).

The items are weighted and combined according to an algorithm to yield a decision. In violence risk assessment, the "decision" is the estimated likelihood of future violence (e.g., re-arrest for a sexual and/or violent crime) over some period of time.

The benefit of using an actuarial assessment is that human judgment biases are removed from the clinical decision-making process, giving them higher perceived usefulness in legal settings.

The drawbacks of actuarial risk assessment tools often outweigh the benefits. Here are some criticisms of actuarial risk assessment tools.

- Items not included in the assessment tool may not be taken into account when assessing violence risk.
- The instrument only looks at a small set of risk factors and does not incorporate other factors into the risk assessment. The items might not be conceptually or practically relevant to the real world.
- Actuarial assessment tools focus on the probability or likelihood of future violence by comparing the individual's profile to see how similar they are to recidivists vs. non-recidivists in a specific study.

The instrument might predict that there is a 10% risk of violence but it does not consider situations or context.

- They provide a number that is hard to translate to the real world with regard to how to manage that risk. They do not provide information on the nature of the violence (e.g., imminent risk of serious physical injury, long-term risk of sexual harm), or what can cause violence (e.g., mental disorder), or whether certain conditions can manage the risks (e.g., imprisonment versus something less restrictive).
- They do not provide guidance or information on how risk can be mitigated. This is an important consideration since risk assessments are utilized in pre-trial proceedings, mitigation, sentencing, and determining suitability for parole and probation.

Commonly used actuarial risk assessment tools used include:

- Level of Service Inventory (LSI)
- STATIC-99
- Violence Risk Appraisal Guide-Revised (VRAG-R)

For example, the STATIC-99 is an actuarial instrument developed to assess risk for sexual and violent recidivism in adult males who have been charged with or convicted of a sexually motivated offense.

The 10 items in the STATIC-99 were not selected because of their relevance or importance according to the scientific and professional literature. They were chosen because they significantly discriminated between known groups of recidivists and non-recidivists in four samples of sex offenders from Canada and the United Kingdom.

A STATIC-99 requires a thorough review of records. It is up to the evaluator if they want to complete an interview. The evaluator gives a numerical score between 0 and 3 for each item, following the instructions contained in the test manual.

The item scores are then summed to yield total scores, ranging from 0 to 12. The score is used to assign the offender to a relative risk category or to estimate the absolute risk (specific probability) he will commit sexual violence over the next 5, 10, or 15 years.

Evaluators are advised not to use judgment or discretion to change the STATIC-99 risk estimates in light of factors not included in the test (such as age, physical health, treatment completion, etc....)

## Structured Professional Judgment (SPJ)

---

SPJs identify risk factors using empirical support and provide definitions and coding rules for risk factors. These features are intended to help improve the reliability and predictive ability of the assessment.

The SPJ approach also allows for professional judgment when making final decisions regarding violence risk. SPJs provide guidelines for making decisions but they do not impose strict cutoffs or algorithms for determining violence risk.

When using SPJs we consider the relevance of risk factors to the individual being evaluated. We make decisions about the severity of the risk based on the number, pattern, severity, frequency, and duration of risk factors.

We also look at the probable degree of intervention that would be necessary to mitigate violence risk. Unlike actuarial measures, SPJs **assist in the development of risk management plans based on an understanding of the causes of past violence.**

The SPJ approach has been criticized for allowing professional judgment to form part of the final decision-making process. Critics argue that this reduces its reliability and validity.

Studies that have compared actuarial and SPJ measures have generally found that SPJ decisions fare as well or better than actuarial decisions.

Commonly used structured professional judgment tools include:

- Historical, Clinical, Risk-20 (HCR-20)
- Psychopathy Checklist-Revised (PCL-R)
- Structured Assessment of Violence Risk in Youth (SAVRY)

Historical, Clinical, Risk-20 (HCR-20) is a popular and commonly used structured professional judgment tool for assessing violence risk in adults. The Structured Assessment of Violence Risk in Youth (SAVRY) is similar in its approach to violence risk assessment; however, it is for juveniles.

The HCR-20 includes the following historical risk factors with guidelines on how to identify and code these risk factors.

- Violence
- Other antisocial behavior
- Relationships
- Employment
- Substance Use
- Major mental disorders (e.g. psychotic disorders or serious mood disorders)
- Personality disorders
- Traumatic experiences
- Violent attitudes
- Response to treatment/ supervision

Recent clinical risk factors include:

- Level of insight into their mental illness, violence risk, and need for treatment
- Violent ideation or intent
- Recent symptoms of a major mental disorder (e.g. psychotic disorders or serious mood disorders)
- Affective, behavioral, or cognitive instability
- Compliance and response to treatment

The risk management scale takes into consideration future problems with the following:

- Professional services and plans
- Living situation
- Personal support
- Compliance and response to treatment
- Stress management and coping skills

These risk and protective factors are taken into consideration to provide a risk formulation (low, moderate, or high) regarding future violence risk, the risk for serious physical harm, and risk for imminent violence.

The formulation allows us to identify risk management techniques that can be utilized to help mitigate and manage various risk factors.

For example, imagine an individual has schizophrenia and whenever they are non-compliant with their medications, they become either violent and assaultive towards others or harm themselves.

The risk formulation will identify the situations where they have become violent in the past and the circumstances that potentially caused violent behavior. The formulation will also identify ways to help mitigate violence risk.

For example, a recommendation might be that the person cannot safely and effectively live independently in the community and should be living in a board and care facility where their medication compliance can be closely monitored and supervised.

## Violence Risk Assessment Case Example

---

The best way to understand a violence risk assessment is by going over a real case example. The risk assessment was completed using the SAVRY.

This following case involves a youth who was arrested for allegedly planning a school shooting. A violence risk assessment was completed to determine his violence risk should he be released on house arrest rather than be incarcerated in a juvenile hall.

The juvenile was caught in school with a map of the school, a list of names, and was overheard telling a friend that he was planning a shooting. The police had also found weapons in the house that belonged to the juvenile's father (who was a gang-member) and had subsequently fled.

It is important to note that in this case, his mother had left his father over a year ago, kicked him out of the house, and the weapons were hidden in the house and the family did not know they were there.

Through a review of records and interviews with the juvenile and their family, the following risk factors were identified:

- **Historical risk factors:**
  - The current offense
  - The age of the juvenile when the event took place
  - A history of parental criminality (his father)
- **Social/ Contextual Risk factors:**
  - Growing up in an unsafe neighborhood with high levels of gang activity
- **Individual/ Clinical risk factors:**
  - Low interest and commitment to school

- **Protective Factors:**

- A close group of friends and a lack of interpersonal problems
- Strong social support system consisting of his mother, siblings, and grandparents
- A positive attitude towards authority and a lack of behavior problems in school prior to his arrest
- Good behavior and a history of following the rules at home
- No gang involvement and no association with gang members
- Commitment to improving his academic performance at school which was verified by his teachers and mother
- His father is no longer involved in the family and is not in the home

Although the juvenile's crime was very serious, using a violence risk assessment tool like the SAVRY indicated that **his overall risk for violence was low and that his protective factors far outweighed the minimal risk factors that were present.**

Risk is a dynamic construct and it can go up and down. In this case, the juvenile's risk for violence would go up if his father returned home, if weapons were in the home, if he were to get involved in gang activity or associate with gang members, if he stopped following the rules, or if he no longer listened to authority figures.

## Conclusion

---

Violence risk assessments are becoming more common in the criminal justice system. Forensic psychologists are conducting these evaluations on behalf of the court, defense attorneys, and probation and parole departments.

Violence risk assessments are used in a variety of situations in criminal cases including pre-trial proceedings, mitigation, sentencing, and determining suitability for parole and probation.

A common misconception regarding violence risk assessments is that they can precisely predict an individual's future violence risk. **There is no way to predict whether or not someone will become violent in the future**

The two common approaches to assessing violence risk are actuarial methods and structured professional judgment (SPJ).

SPJs identify and provide guidance on how to rate various risk factors. Most importantly, they assist in the development of risk management plans to help mitigate violence risk based on an understanding of the causes of past violence.

We are hoping that this overview helped explain how we conduct violence risk assessments and the important role they play in the criminal justice system.