

THE RECIDIVISM OF RAPISTS: A RETROSPECTIVE ANALYSIS OF STATIC AND DYNAMIC RISK FACTORS

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Abstract

The aim of this retrospective study was to examine the association between static and dynamic risk factors and recidivism among convicted rapists in the Republic of Serbia. The sample comprised 560 convicted rapists recorded between 2014 and 2023, with data collected from official records of correctional institutions. The analysis included static risk factors, such as demographic characteristics, criminal history, and sentence length, as well as dynamic factors, including substance abuse, participation in rehabilitation programs, and engagement in work and educational activities. The results indicate that recidivists of other sexual offenses (excluding rape) were older than non-recidivists, whereas education, marital status, and sentence length did not show significant differences. Personality disorders were significantly more prevalent among recidivists, particularly those who committed other sexual offenses, whereas employment engagement was more frequent among non-recidivists. Participation in rehabilitation programs, particularly anger management, was more common among rape recidivists. Alcohol and drug-related issues did not reach statistical significance. The findings highlight the necessity of integrated assessment of static and dynamic risk factors in recidivism prevention, with personality disorders and work engagement being especially relevant for risk evaluation. These results have practical implications for treatment and risk assessment, emphasising the recommendation for longitudinal follow-up after release from prison.

Key words: rape, recidivism, sexual offenders, static and dynamic risk factors, risk assessment.

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РЕЦИДИВИЗАМ СИЛОВATEЉА: РЕТРОСПЕКТИВНА АНАЛИЗА СТАТИЧНИХ И ДИНАМИЧКИХ ФАКТОРА РИЗИКА

Апстракт

Циљ ове ретроспективне студије био је да се испита повезаност између статичких и динамичких фактора ризика и рецидивизма код осуђених силоватеља у Републици Србији. Узорак је обухватио 560 осуђених силоватеља евидентираних у периоду између 2014. и 2023. године, а подаци су прикупљени из званичних евиденција установа за извршење кривичних санкција. Анализа је обухватила статичке факторе ризика, као што су демографске карактеристике, криминална историја и дужина изречене казне, као и динамичке факторе, укључујући злоупотребу психоактивних супстанци, учешће у рехабилитационим програмима и ангажованост у радним и образовним активностима. Резултати показују да су повратници у другим сексуалним кривичним делима (искључујући силовање) били старији у односу на нерацидивисте, док образовање, брачни статус и дужина казне нису показали статистички значајне разлике. Поремећаји личности били су значајно учесталији код рецидивиста, нарочито код оних који су поново извршили друга сексуална кривична дела, док је радна ангажованост била чешћа код нерацидивиста. Учешће у рехабилитационим програмима, посебно у програмима управљања бесом, било је учесталије код рецидивиста силовања. Проблеми повезани са алкохолом и дрогама нису достигли статистичку значајност. Налази указују на потребу за интегрисаном проценом статичких и динамичких фактора ризика у превенцији рецидивизма, при чему су поремећаји личности и радна ангажованост посебно релевантни за процену ризика. Ови резултати имају значајне практичне импликације за третман и процену ризика, уз наглашену препоруку за лонгитудинално праћење након отпуста из затвора.

Кључне речи: силовање, рецидивизам, сексуални преступници, статични и динамички фактори, процена ризика.

INTRODUCTION

Rape is one of the most severe criminal offenses against sexual freedom, with serious consequences for victims, their families, and society. It constitutes a crime against personal liberty in the sphere of sexual life and is therefore classified among sexual offenses (Đorđević & Bodrožić, 2024). Although legal definitions vary across jurisdictions, contemporary legal systems increasingly emphasise the central role of consent, recognising that the absence of voluntary consent constitutes a criminal offense. In the Republic of Serbia, rape is defined in Article 178 of the Criminal Code as coercion into sexual intercourse or an equivalent act through the use of force or threat of immediate attack on life or body (Đorđević & Bodrožić, 2024; Criminal Code of the Republic of Serbia).

Sexual offenders, particularly rapists, represent a specific category of offenders due to their complex psychosocial and criminogenic characteristics, which distinguish them from other offender groups (Baić & Lajić, 2017; Lussier & Blokland, 2017; Hanson & Morton-Bourgon, 2005). Their

criminal behaviour is shaped by the interaction of static risk factors (e.g., prior criminal history, age) and dynamic factors (e.g., substance abuse, mental health status, motivation, treatment engagement) (Baić et al., 2019a; Mulder et al., 2010; van den Berg et al., 2024; Zgoba et al., 2023; Yukhnenko, 2020).

Despite persistent public and institutional myths portraying sexual offenders as uniformly high-risk recidivists, empirical evidence points to substantial heterogeneity within this population (Baić et al., 2019b; Lajić et al., 2022). Differences are evident in psychological profiles (Oljača, Baić & Radovanović, 2024) as well as in rates of repeated sexual offending (Lussier et al., 2024). Recidivism estimates vary considerably depending on offense type, follow-up duration, and methodological approach (Hanson et al., 2009; Harris & Hanson, 2004; Lussier et al., 2023; Lussier et al., 2025).

Meta-analytic findings further demonstrate that sexual recidivism rates are generally lower than commonly assumed, ranging from approximately 5% over three years (Langan et al., 2003) to about 11.5% with longer follow-up periods (Hanson et al., 2009), while general recidivism rates are substantially higher. Prior sexual convictions remain among the strongest predictors of future sexual reoffending, whereas advancing age is associated with reduced risk (Harris & Hanson, 2004). Importantly, recidivism is not a uniform phenomenon: a relatively small subgroup of offenders exhibits high risk, while the majority show a considerably lower likelihood of reoffending (Hanson et al., 2009).

Understanding both static and dynamic risk factors is therefore essential for effective prevention and treatment strategies (Coulter & Lloyd, 2023; Hanson & Morton-Bourgon, 2005; Kalaivanan et al., 2025; Yukhnenko et al., 2020). At the normative level, the criminal law concept of recidivism, rooted in the principle *Multiplicata transgressione crescat poenae inflictio*, has generated ongoing legal and policy debates. In Serbia, amendments to the Criminal Code in 2019 introduced recidivism as a mandatory aggravating circumstance, thereby restricting judicial discretion and strengthening penal policy at the level of general norms (Bodrožić, 2019; Đorđević & Bodrožić, 2020).

Research also underscores the importance of broader psychological and social factors, including antisocial traits, impulsivity, reduced empathy, personality disorders, adverse childhood experiences, and social marginalisation, in understanding sexual offending and recidivism (Craig et al., 2008; Farrington, 2003; Juszczak & Korzeniewski, 2016; Oljača et al., 2021).

Taken together, these findings highlight the need for a detailed retrospective analysis of risk factors and profiling of convicted rapists in order to improve risk assessment systems and develop more effective treatment, prevention, and criminal-law responses. Such efforts reflect the evolutionary nature of criminal law and the principle *ius criminale semper reformandum est*, grounded in ongoing advances in criminology, penology, and forensic psychology.

Overview of the Current Study

This study presents a retrospective analysis of the association between static and dynamic factors and recidivism among convicted rapists, based on data obtained from official records of penal and correctional institutions in the Republic of Serbia for the period from 2014 to 2023.

The aim of the study was to identify high-risk subgroups of offenders through the analysis of static demographic and criminological characteristics, as well as to examine the role of dynamic factors—such as alcohol and drug abuse and participation in rehabilitation programs—in increasing or reducing the risk of recidivism. Particular attention was given to the association between the length of imposed prison sentences and prior convictions for sexual and non-sexual offenses and the likelihood of reoffending, as well as to the effects of participation in rehabilitation programs.

The study distinguished three types of recidivism: sexual, violent, and general. Static factors included time-invariant characteristics, such as prior criminal history, age at the time of the offense, and the severity of previous offenses, whereas dynamic factors encompassed changeable circumstances, including mental health status, substance abuse, and engagement in rehabilitation programs.

The analysed static factors comprised basic demographic characteristics, criminal history, length of served prison sentence, and the presence of mental or personality disorders. Dynamic factors included alcohol and drug abuse, participation in rehabilitation programs, and occupational and educational engagement during imprisonment.

METHOD

Sample and Procedure

A total of 560 individuals convicted of the criminal offense of rape (Article 178 of the Criminal Code of the Republic of Serbia) between 2014 and 2023 were included in the study. Official data for scientific research purposes were provided by the Ministry of Justice of the Republic of Serbia, Directorate for the Execution of Criminal Sanctions (Ref. No. 7-00-00001/2024-02/26, dated April 25, 2024), following a formal request from the University of Criminal Investigation and Police Studies (Ref. No. 02-128/1).

The highest percentages of convictions for the criminal offense of rape were recorded in 2023 (16.4%) and 2014 (13.8%), while the lowest percentages were observed in 2021 (6.8%) and 2022 (4.3%). Sociodemographic characteristics of the sample are presented in Table 1. The average age of convicted individuals was 45.42 years ($SD = 19.24$). The imposed prison sentences for the committed offense ranged from less than one year to 19 years, with an average length of incarceration at the time of data collection being 4.02 years ($SD = 3.49$).

The majority of respondents had completed either primary (38.8%) or secondary education (21.8%), were unemployed (78.8%), and did not have a partner (60.4%). Regarding recidivism, most respondents were not repeat offenders for rape or other offenses classified under crimes against sexual freedom. However, 12.7% of the respondents were recidivists specifically for rape, while an additional 26.3% were recidivists for other criminal offenses classified under crimes against sexual freedom, excluding rape.

Table 1. Sociodemographic characteristics of the sample

Characteristic	Category	N	%
Education	No primary education / illiterate	57	10.2
	Incomplete primary school	56	10.0
	Primary school	217	38.8
	Secondary school	122	21.8
	Higher education	12	2.1
	Missing data	96	17.1
Employment	Unemployed	441	78.8
	Employed	91	16.3
	Retired	7	1.3
	Missing data	21	3.8
Marital status	Cohabiting	58	10.4
	Single	338	60.4
	Married	140	25.0
	Widowed	15	2.7
	Missing data	9	1.6
Recidivism	No	342	61.1
	Yes, other offenses	147	26.3
	Yes, rape	71	12.7

Data Analysis Plan

Given the presence of missing data in certain variables obtained from the official records of the Directorate for the Execution of Criminal Sanctions, the number and percentage of missing values were reported in the Results section, either for the total sample or for specific subgroups, depending on the analysis. Due to the nature of the data, no imputation procedures were applied; all analyses were conducted exclusively on available official records.

Data analysis included frequency analysis to describe sample characteristics, Pearson's χ^2 test to examine associations between categorical variables, and one-way analysis of variance (ANOVA) with post hoc tests to assess group differences on continuous variables. All statistical analyses were performed using SPSS for Windows (IBM Corp., 2015).

RESULTS

*Sociodemographic Profiles of Different Groups
and Differences between Groups*

The sociodemographic profile of individuals convicted of rape is presented in Table 2, categorised into three groups: non-recidivists (CSO-NR), recidivists for other criminal offenses (CSO-OR), and recidivists for rape (CSO-RR).

Table 2. Sociodemographic profile of non-recidivists and recidivists for offenses against sexual freedom

Variable	Value/ Category	CSO-NR		CSO-RnR		CSO-RR	
		N	%	N	%	N	%
Age	Minimum	19		25		18	
	Maximum	78		78		78	
	Mean	44.61		47.82		44.32	
	Standard deviation	22.29		11.89		14.94	
	Missing data (NA)	0		0		0	
Years in correctional institution	Minimum	0		0		0	
	Maximum	19		17		15	
	Mean	3.91		4.29		4.02	
	Standard deviation	3.45		3.48		3.73	
	NA	20		0		7	
Education	No primary education / illiterate	38	11.11	13	8.84	6	8.45
	Incomplete primary school	36	10.53	13	8.84	7	9.86
	Primary school	126	36.84	63	42.86	28	39.44
	Secondary school	79	23.10	28	19.05	15	21.13
	Higher education	7	2.05	2	1.36	3	4.23
	NA	56	16.37	28	19.05	12	16.90
Employment	Unemployed	263	76.90	125	85.03	53	74.65
	Employed	57	16.67	22	14.97	12	16.90
	Retired	6	1.75	0	0.00	1	1.41
	NA	16	4.68	0	0.00	5	7.04
Marital status	Cohabiting	30	8.77	19	12.93	9	12.68
	Single	210	61.40	83	56.46	45	63.38
	Married	86	25.15	40	27.21	14	19.72
	Widowed	9	2.63	4	2.72	2	2.82
	NA	7	2.05	1	0.68	1	1.41

Note. CSO-NR - individuals convicted of a sexual offense but not reoffenders. CSO-RnR - individuals convicted of a sexual offense and reoffended for sexual offense, but not for the crime of rape. CSO-RR - individuals convicted of a sexual offense and reoffended for sexual offense of rape. NA - missing value.

The CSO-RR group exhibits the highest values in terms of age and the number of years spent in correctional institutions. Regarding education, employment, and marital status, pronounced similarities can be observed among the analysed groups. The majority of respondents have completed primary education, while a smaller percentage have attained secondary education. In terms of employment, unemployed offenders predominate across all three groups. Concerning marital status, most individuals in each group are without a partner, while a smaller proportion are married.

Results of the one-way ANOVA indicated that there were statistically significant differences among the tested groups in terms of the age of convicted individuals ($F(2, 557) = 4.98, p < .01$), but not in terms of the number of years spent in prison ($F(2, 530) = 0.59, p > .05$). Regarding the age of the convicted individuals, the CSO-NR group was statistically significantly younger ($MDIF = -4.18, p < .01$) than the CSO-RnR group, whereas differences between the remaining groups were not statistically significant (Figure 1).

Regarding educational, employment, and marital status, no statistically significant differences were identified among the groups in terms of education ($\chi^2(10) = 5.14, p = .883$) or marital status ($\chi^2(8) = 4.98, p = .790$). However, marginally significant differences were found in employment status ($\chi^2(6) = 12.14, p = .059$). Compared to the other two groups, the CSO-RR group had the lowest unemployment rate as well as the highest percentage of missing data.

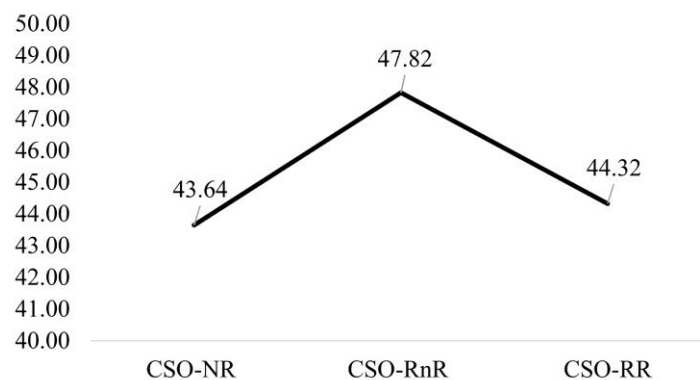


Figure 1. Mean age of CSO-NR, CSO-RnR, and CSO-RR groups

Note. CSO-NR - individuals convicted of a sexual offense but not reoffenders. CSO-RnR - individuals convicted of a sexual offense and reoffended for sexual offense, but not for the crime of rape. CSO-RR - individuals convicted of a sexual offense and reoffended for sexual offense of rape.

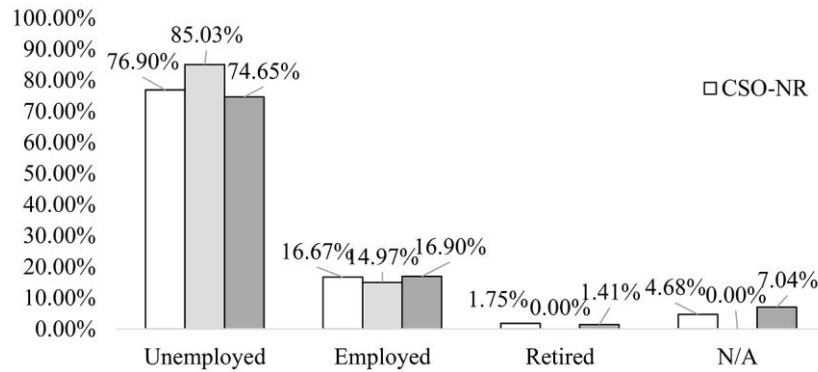


Figure 2. Relationship between employment status and CSO-NR, CSO-RnR, and CSO-RR groups

Note. CSO-NR - individuals convicted of a sexual offense but not reoffenders. CSO-RnR - individuals convicted of a sexual offense and reoffended for sexual offense, but not for the crime of rape. CSO-RR - individuals convicted of a sexual offense and reoffended for sexual offense of rape.

Profiles of Dynamic Factors of Different Groups and Differences between Groups

Table 3 presents the distribution of dynamic risk and rehabilitative factors across three offender groups: non-recidivists (CSO-NR), recidivists who reoffended with a non-rape sexual offense (CSO-RnR), and recidivists who reoffended with rape (CSO-RR). Statistically significant group differences were identified for four variables: personality disorders, participation in specialised rehabilitation programs, anger management programs, and work engagement.

Personality disorders were significantly more prevalent among recidivists, with the highest rates observed in the CSO-RnR group (43.97%), followed by CSO-RR (32.76%), and the lowest prevalence among CSO-NR individuals (19.86%) ($\chi^2 = 24.56$, $p < .001$). Participation in specialised rehabilitation programs was most frequent among CSO-RR offenders (20.59%), followed by CSO-NR (18.89%), and least frequent among CSO-RnR offenders (5.19%) ($\chi^2 = 15.06$, $p = .001$). A similar pattern was observed for anger management programs (CSO-RR: 16.18%; CSO-NR: 6.81%; CSO-RnR: 2.22%; $\chi^2 = 13.81$, $p = .001$).

Significant group differences were also found for work engagement ($\chi^2 = 16.26$, $p < .001$), with the highest employment rates among non-recidivists (70.59%), followed by CSO-RR (60.29%) and CSO-RnR offenders (51.11%). No statistically significant differences were observed for mental illness, alcohol- and substance-related problems, standard rehabilitation programs, educational engagement, or participation in cultural activities (all $p > .05$).

Table 3. Profiles of dynamic factors of different groups and differences between groups

		χ^2	p	CSO-NR		CSO-RnR		CSO-RR		Total	
				N	%	N	%	N	%	N	%
Mental illness	No	2.78	.249	229	83.27	89	76.07	47	81.03	365	81.11
	Yes			46	16.73	28	23.93	11	18.97	85	18.89
Personality disorders	No	24.56	.000	222	80.14	65	56.03	39	67.24	326	72.28
	Yes			55	19.86	51	43.97	19	32.76	125	27.72
Alcohol-related problems	No	.18	.913	183	66.30	75	64.10	39	66.10	297	65.71
	Yes			93	33.70	42	35.90	20	33.90	155	34.29
Psychoactive substance-related problems	No	1.33	.514	240	86.33	96	82.05	49	83.05	385	84.80
	Yes			38	13.67	21	17.95	10	16.95	69	15.20
Standard rehabilitation program	No	2.65	.265	131	40.43	52	38.52	34	50.00	217	41.18
	Yes			193	59.57	83	61.48	34	50.00	310	58.82
Specialised rehabilitation program	No	15.06	.001	262	81.11	128	94.81	54	79.41	444	84.41
	Yes			61	18.89	7	5.19	14	20.59	82	15.59
Specialised rehabilitation program for anger management	No	13.81	.001	301	93.19	132	97.78	57	83.82	490	93.16
	Yes			22	6.81	3	2.22	11	16.18	36	6.84
Work engagement	No	16.26	.000	95	29.41	66	48.89	27	39.71	188	35.74
	Yes			228	70.59	69	51.11	41	60.29	338	64.26
Participation in the educational process	No	3.80	.149	278	86.07	123	91.11	63	92.65	464	88.21
	Yes			45	13.93	12	8.89	5	7.35	62	11.79
Participation in cultural activities	No	.015	.993	270	84.11	114	84.44	57	83.82	441	84.16
	Yes			51	15.89	21	15.56	11	16.18	83	15.84

Note. CSO-NR - individuals convicted of a sexual offense but not reoffenders. CSO-RnR - individuals convicted of a sexual offense and reoffended for sexual offense, but not for the crime of rape. CSO-RR - individuals convicted of a sexual offense and reoffended for sexual offense of rape. $DF = 2$.

Study Limitations

Research based on static factors, such as demographic and criminological data, has several limitations. Although static factors allow for the identification of individuals at elevated risk, they do not provide precise predictions of future recidivism and fail to account for changes in personal characteristics or environmental conditions over time. Moreover, reliance solely on static factors limits the understanding of causal mechanisms and intervention possibilities, which require the inclusion of dynamic risk factors.

At the same time, static factors offer important practical advantages, particularly in terms of data availability and reliability. In contexts characterised by limited resources, a lack of standardised assessment instruments, and restricted access to data on dynamic factors, static indicators can still

provide useful risk-related information, especially for judicial decision-making. Their stability is further ensured by the fact that they are derived from officially recorded and adjudicated offenses.

Finally, recidivism data in the present study were based exclusively on official records of prior convictions, without the possibility of post-release follow-up. Consequently, the findings do not represent longitudinal recidivism rates, a limitation that should be considered when interpreting the study's results.

DISCUSSION AND CONCLUSIONS

This retrospective study, conducted on a sample of 560 convicted rapists in the Republic of Serbia between 2014 and 2023, examined the association between static and dynamic factors and the risk of recidivism. The findings provide important insights into the profiles of convicted rapists and identify factors relevant to improving risk assessment and treatment strategies.

Among the static risk factors, age emerged as a significant predictor, with individuals who reoffended with other sexual offenses (excluding rape) being statistically significantly older than non-recidivists, consistent with prior research indicating a decline in recidivism risk with increasing age. In contrast, education level, marital status, and length of imprisonment did not differentiate the groups, supporting their limited predictive value and suggesting that sentence length alone does not substantially influence the risk of reoffending.

Dynamic factors showed a stronger association with recidivism. Personality disorders were significantly more prevalent among recidivists, particularly among those who reoffended with other sexual offenses, underscoring the role of psychopathology in the persistence of criminal behaviour. Employment emerged as a protective factor, highlighting the importance of social stabilisation in preventing recidivism. Participation in specialised rehabilitation programs, especially anger management interventions, was more common among recidivists convicted of rape, which may indicate the need for more intensive interventions for high-risk offenders. However, these findings do not allow conclusions regarding the causal effectiveness of treatment, given the absence of longitudinal data.

Overall, the results emphasise the importance of an integrated approach that combines static and dynamic risk indicators. While static factors contribute to the identification of high-risk subgroups, dynamic factors provide a foundation for planning targeted interventions and improving treatment programs. In particular, the findings highlight the need for systematic identification and treatment of personality disorders, as well as for promoting employment and social integration among convicted offenders.

This study represents one of the most comprehensive analyses of rapists conducted in Serbia to date and the first to differentiate sexual, violent, and general recidivism using a large institutional dataset. The findings offer a basis for improving risk assessment procedures, developing more precise treatment protocols, and shaping criminal justice policies aimed at managing and rehabilitating high-risk sexual offenders. Further research incorporating post-release follow-up is necessary to enhance understanding of long-term recidivism patterns and treatment outcomes.

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РЕЦИДИВИЗАМ СИЛОВАТЕЉА: РЕТРОСПЕКТИВНА АНАЛИЗА СТАТИЧНИХ И ДИНАМИЧКИХ ФАКТОРА РИЗИКА

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Резиме

Ово истраживање испитује везу између статичких и динамичких фактора ризика и вероватноће повратништва код лица осуђених за кривично дело силовања у Републици Србији. Упркос распрострањеним уверењима о високим стопама рецидивизма, претходна истраживања показују значајну хетерогеност у профилима сексуалних преступника, као и различите ризике поновљеног преступа у зависности од старости, криминалне историје, психопатолошких карактеристика и социјалних услова.

Циљ овог рада био је да се кроз ретроспективну анализу података из званичних евиденција утврди који статички (старост, демографске карактеристике, претходна осуђиваност, дужина казне) и динамички фактори (поремећаји личности, злоупотреба алкохола и дрога, радни и третмански ангажман) разликују између осуђеника који нису повратници, повратника за друга сексуална дела и повратника за силовање. Узорак је обухватио 560 осуђених лица у периоду између 2014. и 2023. године, а примењене статистичке технике укључивале су анализу фреквенција, Пирсонов χ^2 тест и једнофакторску ANOVA анализу.

Резултати указују да од статичких фактора једино старост показује значајну разлику између група, при чему су повратници за друга сексуална кривична дела били старији од осуђеника који нису повратници, док образовање, брачни статус и дужина казне нису имали предиктивну вредност. Динамички фактори показали су јаснију повезаност са поновљеним извршењем кривичног дела: поремећаји личности били су знатно чешћи међу повратницима, што указује на могућу улогу психопатологије у одржавању делинквентног понашања, док је радни ангажман деловао као заштитни фактор. Учествовање у специјализованим програмима, нарочито програмима за управљање бесом, било је чешће међу повратницима за силовање, што може одражавати повећану препознату потребу за интервенцијом, али ретроспективни дизајн заснован на административним евиденцијама не омогућава процену ефективности ових програма.

У целини, налази указују на значај примене интегрисаних модела процене ризика који комбинују статичке и динамичке индикаторе ради бољег одређивања степена ризика и циљања интервенција на оне факторе који су променљиви и подложни третману. Добијени резултати потврђују потребу за систематичнијом проценом поремећаја личности, већом подршком радној и социјалној стабилизацији током издржавања казне и прецизнијом евалуацијом постојећих рехабилитационих програма. Будућа истраживања треба да обухвате праћење осуђених након отпуста како би се добили подаци о дугорочним резултатима третмана и стварним стопама рецидивизма, што представља кључни предуслов за унапређење политика у области извршења кривичних санкција и заштите од сексуалног насиља.