

Domestic Violence Offender Program Standards

Developed by:
**Nebraska Domestic Violence
Sexual Assault Coalition**

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Appendices

Appendix A

Definitions

ACCOUNTABILITY—Accountability is a process whereby men who batter or abuse make themselves available for scrutiny and feedback on their efforts to achieve lives free of violence, acts of domination and coercion and of fear-inducing conduct. This process requires periodic examination of the offender's conduct, particularly as it relates to any victim and his children.

BATTERING—Battering is characterized by a pattern of intentional coercive behaviors that include repeated physical abuse, emotional psychological abuse, sexual assault, destruction of pets and property, financial abuse, progressive social isolation, deprivation, and intimidation.

DOMESTIC VIOLENCE INTERVENTION PROGRAM STANDARDS AND REVIEW COMMITTEE (DVIPSRC)—The DVIPSRC operates through the Nebraska Domestic Violence Sexual Assault Coalition and will annually monitor and review offender intervention programs. DVIPSRC will include one member of the Coalition (chosen by the executive director of the Coalition), plus representatives from the three coordinating programs (Family Violence Council of Lincoln, Domestic Violence Coordinating Council of Omaha and Domestic Violence Intervention Program of North Platte), representatives from domestic violence/sexual assault programs that are members of the NDVSAC, representatives from approved men's domestic violence intervention programs, representatives from Adult Probation and members knowledgeable in the field of offender intervention programs and/or behavioral health. Except the Coalition representative, DVIPSRC members will determine replacements when individuals leave the committee for any reason. Duties of the DVIPSRC will include: to approve initial applications of offender intervention programs, to annually monitor and review the offender intervention programs, to annually review the offender intervention program statewide guidelines, and to promulgate a list of approved offender education trainings.

FACILITATOR/CO-FACILITATOR—A facilitator/co-facilitator is one who instructs offenders in the group setting by helping them learn and one who leads by example. The facilitator/co-facilitator also has the authority to determine progress of an offender and the authority to recommend continued participation or termination from the program.

FAMILY OR HOUSEHOLD MEMBER—Family or household member is defined in Nebraska Revised Stat. section 42-903 (Reissue 1998, as amended 2004) as including spouses or former spouses, children, persons who are presently residing together or who have resided together in the past, persons who have a child in common whether or not they have been married or have lived together at any time, and other persons related by consanguinity or affinity, and persons who are presently involved in a dating relationship with each other or who have been involved in a dating relationship with each other. For purposes of this subdivision, dating relationship means frequent, intimate

associations primarily characterized by the expectation of affectional or sexual involvement, but does not include a casual relationship or an ordinary association between persons in a business or social context.

GOOD STANDING—An offender is considered in good standing if the offender has met the following four requirements: a) has completed all homework assignments; b) is current on group fees; c) has met group attendance policies; and d) is compliant with all group rules.

INTAKE WORKER—An intake worker determines the eligibility for participation in the intervention program.

INTERVENTION—Intervention refers to the array of activities undertaken to stop men from using domestic violence, to persuade them to stop engaging in coercive conduct and to encourage them to develop skills and strategies for achieving violence-free lives.

NEBRASKA DOMESTIC VIOLENCE SEXUAL ASSAULT COALITION (Coalition)—The Coalition is a statewide advocacy organization committed to reducing violence against women and children in Nebraska. The primary goal of the Coalition is to provide training and technical assistance to the community based domestic violence and sexual assault programs across the state.

OFFENDER—Offender is a person who commits an act of domestic abuse.

OFFENDER INTERVENTION PROGRAMS—Offender intervention programs include the various methodologies of education with men who batter that are aimed at safeguarding the victim and changing the perpetrator.

STAFF—Staff includes agency personnel, such as receptionists, office managers, etc. who have no direct contact with offenders and have no authority in decision making regarding their participation.

SUPERVISOR—A supervisor is one who directs the agency programming and observes the work and performance of the rest of the agency personnel. The supervisor may have the ability to hire and fire agency personnel and may also assist in any decision making regarding offender participation.

VICTIM—A victim is a person against whom the offender directs his abuse or battering. This may include partners, children and other family or household members. Regarding notifications in these standards, victim also includes the participants' current intimate partner and any women the participant has a child in common with.

Appendix B

Starting a Men's Domestic Violence program

Here are some guidelines when considering starting a men's domestic violence intervention program:

1. Is there a coordinated, criminal justice system response team (CRT) effort? If not, it may be highly dangerous to victims to start an intervention program that doesn't have the support of all the key players including the local domestic violence program, law enforcement, prosecution, probation and the courts.
2. If there is a CRT effort in place, has it successfully agreed upon policies and procedures that consider victim safety and offender accountability? If not, it would be better to wait until after the policy, procedure writing is complete before starting the men's domestic violence program.
3. If the community appears ready, the men's domestic violence program must then make sure it fits within this coordinated response structure. To meet the state standards the men's domestic violence program will have to show that it is cooperating with the CRT and has victim safety procedures that are satisfactory to the local domestic program that is a member of the Nebraska Domestic Violence Sexual Assault Coalition.
4. You will need to meet the state standards developed by Coalition and monitored by the Domestic Violence Offenders Standards Review Committee. You can contact the Coalition at 402-476-6256 or help@ndvsac.org to get copies. The standards are also available on the Internet at www.ndvsac.org.
5. Some key points relating to the standards:
 - Group facilitators and the program supervisor must have proper training. According to the state standards, this means that one of the facilitators must have had approved training before the group begins and the other must do so within six months. The favored training is the "Duluth Model" training. You can contact Bob Moyer, Standards Review Committee Chairman, at bmoyerfvc@windstream.net to determine when Duluth model trainings are available and whether an alternative training is acceptable.
 - Facilitators must also have a Bachelors degree in a human service-related area OR an equivalent combination of college courses and/or applied experience.
 - You will also need to demonstrate you have the policies, procedures, forms and other materials in place that will meet state standards. The Coalition can provide sample materials that meet the state standards.
 - You will want to contact your local domestic violence program that is a member of the Coalition to make sure your victim safety plan is adequate.

Appendix C

Steps in the review process of the Domestic Violence Offenders Standards Review Committee

1. For a new program or for a program moving to a new jurisdiction, you must start by contacting the Nebraska Domestic Violence Sexual Assault Coalition to ask for a list of material to prepare for review.
2. The Coalition will send a list of materials that need to be prepared. This includes all of the forms, contracts, policies and letters the program will need to operate. In addition, you will be asked to create MOUs with Adult Probation districts you will serve and with your local victim services program if the BIP is not part of a victim services program.
3. Once this material is completed, send it to the Nebraska Domestic Violence Sexual Assault Coalition and ask for a site visit review.
4. You will be contacted by a representative of the state standards committee. You may be asked to do additional work on the materials before a site visit is scheduled. Or, you may be asked to set up a site visit.
5. If ready for a site visit, a date will be set up for the review. The program director must be available. At least one of the program facilitators should attend, too. Someone will need to be able to provide information on how victim contacts are completed.
6. The review process takes about 3 hours. A team of 3 reviewers will complete the review.
7. After the review is completed, the reviewers will complete the review form and a letter summarizing the review will be drafted. Normally, about 2-4 weeks after the review, you will receive the letter and the review.. In the interim the program remains in good standing unless noted otherwise by the review team.
8. The review letter will identify whether the program has been found to meet the guidelines or not.
9. If there are deficiencies which appear to be correctable, the letter will spell out steps and actions to take to overcome the deficiencies. The letter will suggest a timeline for overcoming the deficiencies. As long as the program is working toward overcoming these deficiencies within agreed upon timelines, it will remain in good standing.
10. On-site inspections will be required upon application for initial certification and every two years thereafter. In the "renewal" years, programs must complete an evaluation form and return it to the DVIPSRC to be kept on file. Programs must also return updated staff information and evidence of staff's compliance with continuing education requirements. The "renewal" review will also include checks with local victim services program and local Adult Probation office to insure a good working relationship is continuing. Completion of the renewal process and evaluation does not preclude the DVIPSRC from conducting on-site inspection of any batterer intervention program at any time, with or without prior notice to the program, or requiring the BIP to provide additional information to insure ongoing compliance with the standards.

Appendix D

Lethality Assessment

Documentation of lethality assessment should include the following:

- History of threats of homicide or suicide;
- History of ideation of homicide or suicide;
- Violence outside the home, to others, or in front of others;
- Increased severity and frequency of violence;
- Possession of, access to, or a history of weapon use;
- Degree of obsessiveness and dependency on his victim;
- History of episodes of rage;
- History of depression;
- History of use of drugs, alcohol or other substances;
- History of sexual abuse of the victim and others; and
- Access to the victim.

Appendix E

Probation Report forms

[PROGRAM NAME]

[PROGRAM CONTACT INFORMATION]

Client Name: _____

Number of weeks completed: _____

Probation Officer's Name: _____

**Facilitator's Evaluation of Client's Overall Participation
(as observed in group)**

A: Acceptable. Client can continue in program

NI: Needs Improvement. Client must improve behavior or face forced discharge (termination) from program

Items Evaluated (check appropriate column at right)

	A	NI
Cooperation	___	___
Attentiveness	___	___
Not being argumentative	___	___
Not being disruptive	___	___
Participation in group discussion	___	___
Completes homework assignments	___	___

Comments:

Signature: _____ Date: _____
(Evaluator/Facilitator/Coordinator)

Facilitator Names: _____

**** Please note, compliance with group requirements is not proof that the individual has stopped battering/abusing behaviors. It is simply a report on the individual's behavior while in this controlled setting.**

[PROGRAM NAME]
[PROGRAM CONTACT INFORMATION]

DIRECTOR'S REPORT

Client:

Timeframe for Report:

Program Compliance:

- Individual is in compliance with program requirements
- Individual is not in compliance with program requirements

Attendance:

- | | | |
|--|--------------------------|----------|
| <input type="checkbox"/> Satisfactory | Classes Attended: | # |
| <input type="checkbox"/> Unsatisfactory | Classes Missed: | # |
| <input type="checkbox"/> # of Weeks Required | | |

Payment of Fees:

- Satisfactory
- Unsatisfactory

Balance Due: _____

Comments:

Appendix F

Memorandum of Understanding between [BIP Program] and District [#] Probation

This is an agreement between [BIP Program] hereinafter called the Program and District [#] Probation, hereinafter called Probation.

- I. Purpose and Scope
 - a. The purpose of this MOU is to clearly identify the roles and responsibilities of each party as they related to the effective and efficient communication around probationers involved in the Program's services.
- II. Responsibilities of the Program
 - a. The Program shall contact Probation when an individual has completed the orientation/intake process.
 - b. The Program shall complete written monthly reports on each probationer involved in the Program's services and will submit these by an agreed upon date to Probation.
 - c. The Program shall participate in monthly staffing, via phone or in person, to discuss probationer cases and participate in planning around individual probationers.
 - d. The Program shall contact probation within 48 hours of a discharge.
 - e. The Program shall contact probation within 24 hours of new violence.
- III. Responsibilities of Probation
 - a. Probation shall contact the Program when an individual is placed on probation and has been referred to the Program for services.
 - b. Probation shall participate in monthly staffing, via phone or in person, to discuss probationer cases and participate in planning around individual probationers.
 - c. Probation shall contact the Program within 48 hours of filing a motion to revoke probation and/or if the probationer absconds.
- IV. It is mutually understood and agreed by and between the parties that:
 - a. Any modification to this agreement must be agreed upon by both parties.
 - b. This agreement can be terminated by one or both parties, in writing, and will become effective within 30 days of notice by the terminating party to the other.
- V. Funding
 - a. This MOU does not include the reimbursement of funds between the two parties.
- VI. Effective date and Signature
 - a. This MOU shall be effective upon the signature of both parties' authorized officials. It shall be in force from [date] to [date]. The Program and Probation indicate agreement with this MOU by their signatures.

Probation Authorizing Official Signature

Program Authorizing Official Signature

Date

Date

Appendix G

Memorandum of Understanding between [BIP Program] and Victim Services Program

This is an agreement between BIP Program, hereinafter called the Program and the Victim Services Program.

I. Purpose and Scope

- a. The purpose of this MOU is to clearly identify the roles and responsibilities of each party as they relate to the referral and provision of victim services.
- b. The Program and the Victim Services provider agree to use the Domestic Violence Offender Program Standards as the guide to the implementation of the Program.

II. Responsibilities of the Program

- a. The Program shall include the following in the initial victim notification letter (*this is a suggested list which can vary by jurisdiction*):
 - i. an overview of the Victim Services Program services and referral services available to victims
 - ii. Victim Services Program 24 -hour Hotline card
 - iii. Victim Services Program Advocate card
- b. The Program shall maintain a relationship of open communication with the Victim Services Program, without violating victim confidentiality.
- c. The Program shall notify the Victim Services Program within 48 hours if a participant of the Program is discharged or within 24 hours of discovery if new violence occurs. This does not discharge the Program's requirement to notify the victim directly.

III. Responsibilities of the Victim Services Program

- a. Victim Services Program shall provide services to victims upon referral from the Program.
- b. Victim Services Program shall provide the following materials to the Program (*another suggested list*):
 - i. an overview of the WCA services and referral services available to victims (in both paper and electronic form)
 - ii. WCA 24 -hour Hotline cards
 - iii. WCA Advocate cards
- c. Victim Services Program shall maintain a relationship of open communication with the Program, without violating victim confidentiality.

IV. It is mutually understood and agreed by and between the parties that:

- a. Any modification to this agreement must be agreed upon by both parties.

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- b. This agreement can be terminated by one or both parties, in writing, and will become effective within 30 days of notice by the terminating party to the other.

V. Funding

- a. This MOU does not include the reimbursement of funds between the two parties.

VI. Effective date and Signature

- a. This MOU shall be effective upon the signature of both parties' authorized officials. It shall be in force from Month Day, Year until the next program review by the Nebraska Domestic Violence Sexual Assault Coalition's Domestic Violence Offender Program Standards Review Committee. The Program and Victim Services Program indicate agreement with this MOU by their signatures.

Victim Services Program
Authorizing Official Signature

Program Authorizing Official Signature

Date

Date

Appendix H

Guidelines for Victim Contact

Providers will routinely contact all victims within four working days of the offender's enrollment. The provider will make at least three documented attempts by telephone. If telephone contact is unsuccessful, the provider shall use first class mail to send a letter, retaining a copy for the victim file. The letter will express concern for the victim and the children and will provide general information about the intervention program, the local domestic violence center and other related advocacy services. If the letter is returned unopened, the letter and envelope will be retained in the victim file.

When making telephone contact, the providers will identify themselves and ask if this is a good time to talk. If it is not, ask for a convenient time to call back and the best number to use. Always remember that victim participation is completely voluntary. If the victim refuses, it should be recorded.

When speaking with the victim, advise her that the call is out of concern for the victim and children's safety. Inform the victim that the offender is aware that you are making this contact and that any information shared will not be disclosed to the offender. Give the victim the name and telephone number of the nearest domestic violence/sexual assault program. Validate the perception that the victim is not responsible for the offender's violence and control.

Follow-up contacts may be made monthly. The provider will notify the victim by telephone within four working days after the offender is involuntarily terminated from the program. All attempts at victim notification will be documented in the file. If after three attempts contact is not made, a letter of notification may be sent by first class mail and a copy retained in the file. If the letter is returned unopened, both the letter and envelope will be kept in the file.

The provider must **immediately** attempt to notify the victim when there is a forced discharge (termination) from the program. The BIP must complete victim notification attempts within the first 24 hours after termination from the program.

The provider must immediately report any threat of violence from an offender to a prior victim or potential victim. If unable to reach the victim, the provider must immediately contact local law enforcement. These actions must be documented in both the offender's file and the victim's file.

All information obtained from the victim shall be deemed confidential and will not be disclosed to any third party without specific written authorization from the victim or upon order of the court. Signed authorization will be maintained in the victim contact file.

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Appendix I

Letters for Victim Contact: Announcing enrollment in class

DATE

Dear (Victim or current Partner Name),

This letter is to inform you that (Participant's Name) has been court ordered to attend batterer's intervention program (BIP). (Participant's Name) gave us your name as the victim of his abusive behavior.

(Participant's Name) is required to attend classes that will provide information about all aspects of domestic violence and ways to change his behavior. The program is ?? weeks and (Participant's Name) is required to attend classes every (Wednesday?? night from 6:00 pm to 9:00 pm). **However, attending these classes does not guarantee a change in his behavior either while he is attending or after completing the program.**

Your safety is important. If (Participant's Name) is abusive or if you have any concerns or would like additional information, the following resources can help you:

Name and telephone number of the local of DV Program

Name and telephone number of the BIP

Name and telephone number of adult probation officer

If you are not sure what to do, please call the local domestic violence program at 333-3333. An advocate is available 24 hours a day to assist in safety planning, discuss your concerns and options, and provide supportive services. All contact with the DV program is confidential. You won't be charged for using the services of the DV program.

Attached is additional information about the Batterer's Intervention Program. Please read this information carefully. The (Participant's Name) has been informed that you will receive this information and that the program will contact you when (Participant's Name) completes the program, is terminated from the program and if the program believes you may be in danger of imminent harm.

You are under no obligation to help (Participant's Name) complete any BIP requirements. In addition, (Participant's Name) eligibility or continued participation is **not** contingent in any way on your participation or contact with the BIP. However, we look forward to answering questions you have about the program. Please contact me at 333-3333.

Sincerely,

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Announcing termination (administrative discharge) from class

DATE

Dear (Victim or Partner Name),

This letter is to inform you that (Participant's Name) was terminated on (date) from the (batterer intervention program name) which he began attending on (date). (Participant's Name) was terminated because he failed to comply with program rules that he agreed to abide by as a condition of participation in the program. The referral source (probation officer) has also been notified of his termination.

Your safety is important. The following free and confidential resources can help you:

Name and telephone number of the local of DV Program

Name and telephone number of the BIP

Name and telephone number of probation officer

If you are not sure what to do, please call the local domestic violence program at 333-3333. An advocate is available 24 hours a day to assist in safety planning, discuss your concerns and options, and provide supportive services. All contact with the DV program is confidential. You won't be charged for using the services of the DV program.

Sincerely,

JUNE 15, 2012

Announcing completion (contractual discharge) of class

DATE

Dear (Victim or Partner Name),

This letter is to inform you that (Participant's Name) completed (on date) the Batterer's Intervention Program. He has attended all required classes which provided him with information about all aspects of domestic violence and ways to change his behavior. However, the experience of people providing batterer intervention programs is that many participants who complete the program may not change their behavior or may not be able to maintain changed behaviors.

Your safety is important. If (Participant's Name) is or becomes abusive or if you have concerns or would like additional information, the following free and confidential resources can help you:

Name and telephone number of the local DV Program

Name and telephone number of the BIP

Name and telephone number of probation officer

If you are not sure what to do, please call the local domestic violence program at 333-3333.

An advocate is available 24 hours a day to assist in safety planning, discuss your concerns and options, and provide supportive services. All contact with the DV program is confidential. You won't be charged for using the services of the DV program.

Sincerely,

Information sheet for inclusion in letters to victims



A Partner's Guide to Batterer Intervention Programs for Men

- ◆ The purpose of batterer intervention programs (BIP) is to provide an opportunity for abusive men to learn how to behave in non-abusive ways in intimate partner relationships. The programs are one resource for the courts when administering justice to men who have committed domestic violence against an intimate partner.
- ◆ Batterer Intervention Programs include orientation/intake, assessment and weekly classes for at least 24 weeks. Weekly sessions are 90 minutes (*program should fill in appropriate information*)
- ◆ The classes are educational in nature. They are not therapy. The classes provide a fully developed curriculum of information about men's violence toward women and how to end it in their relationships and in the community. Group participants are taught about all aspects of domestic abuse, including the impact that physical, emotional and verbal abuse has on both adult victims and children. The intent of the classes is to have the participant focus on his own behavior.
- ◆ Intimate partner violence is often about use of power and control tactics and is not caused by anger problems or communication problems in the relationship. Victims of abuse do not cause abuse. Anger management classes do not replace Batterer Intervention Programs and cannot be substituted for each other.
- ◆ Many factors are required to motivate men to want to quit being abusive. These include legal and financial sanctions, as well as making men take responsibility for their own behavior and the consequences for it. Group participants in batterer intervention programs are not allowed to blame the victim for their own violence, nor can they shift responsibility to their (or your) use of alcohol or substance abuse.
- ◆ Women who are abused often hope their partner will change. However, it is important to note that your partner's (or ex-partner's) attendance at a batterer intervention class **does not guarantee that he will change his behavior toward you even if he completes the program.** During the weekly classes, the group facilitators clarify that any man who chooses to stop all acts of domestic abuse is, and always has been, able to do so permanently. He has to want to stop his behavior

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and be willing to live his life differently. Many women report experiencing abuse after a participant has completed the program.

- ◆ Some men continue to be both emotionally and physically abusive during and after attending classes. Some men stop or diminish their physical violence while increasing emotional abuse or other threatening behaviors. For your safety, you should know that:

An advocate at the domestic violence and sexual assault program is available to discuss your options with you and support you in making your own decisions. The advocate can help you develop a safety plan for yourself and your children. Any contact with advocates at the domestic violence and sexual assault program is confidential and you won't be charged any fees.

**(Name of local domestic violence and sexual assault program and phone number(s))
(24-Hour Crisis Line)**

- ◆ Participating in couples or other family counseling with someone who has been abusive is dangerous. Participation in such counseling shouldn't take place until the abuser has completed a batterer intervention program. Even then, the situation should be re-evaluated, to determine whether couples or other family counseling will be safe. You should not be asked by the batterer intervention program to participate in any way in the program. A batterer intervention program is designed to teach men non-abusive behaviors. They are not designed to save marriages or fix relationships. The program providers won't make recommendations regarding the status of your intimate partner relationship.
- ◆ In Nebraska, a committee established by the Nebraska Domestic Violence Sexual Assault Coalition reviews batterer intervention programs to determine if they meet established standards. Programs that meet these standards are then recommended for use by courts in Nebraska. Abusers who are attending programs that have not been found to meet state standards by this committee are unlikely to change their behaviors. If you have questions about the state standards, which programs meet the standards or any other questions about batterer intervention programs you can contact the Nebraska Domestic Violence Sexual Assault Coalition at 402-476-6256 or the chairperson of the state committee, Bob Moyer. Moyer can be reached at the Family Violence Council in Lincoln at 402-489-9292 or at bob@fvclincoln.org