

M E M O R A N D U M:

DATE: January 11, 1999

TO: CHIEF JUDGES

FROM: John D. Ferry, Jr.

SUBJ: Administrative Policy Memorandum 1999-01; Batterer Intervention Standards

In July 1997, the Governor established the Task Force on Batterer Intervention Standards. The charge given the multi-disciplinary task force was to "develop statewide standards for programs providing services to court-ordered perpetrators of domestic violence and to make recommendations for improving the courts response to this crime(domestic assault)." After a year of intensive work, the task force finalized their recommendations and presented them to the Governor, who has endorsed them. The purpose of the standards are to:

1. Provide guidelines for ethical and accountable intervention systems to better protect victims and other family members.
2. Provide a framework for the use of batterer intervention as a part of the continuum of the coordinated community response to this criminal behavior.
3. Establish the **minimum** level of respectful, humane, consistent, and appropriate intervention provided to persons convicted of a domestic violence related criminal charge.
4. Enhance public awareness of domestic violence issues, give batterers increased access to appropriate

intervention (treatment) services, and reinforce the concept that violent behavior is unacceptable.

5. **Assist in helping judges** and others identify Batterer Intervention Services (BIS) that are reliable, predictable and responsive sources of intervention (treatment).
6. Provide the public **and the court** with realistic expectations of service.

These standards set out a process and establish a criteria for:

- Case Intake
- Lethality Evaluation
- Requiring mandatory reporting of child abuse and neglect as well as other criminal behavior
- Establishing a minimum curriculum
- Establishing recommended methods for treatment including, group size and facilitation
- Identifying contra-indicated treatment methods including couple and family counseling, and alternative dispute resolution
- Establishing completion criteria
- Establishing methods for identifying contractual and non-compliance discharge from the treatment program
- Establishing recommended program policies
- Establishing recommended length of treatment program (a minimum of 26 sessions). (Sessions are usually provided once a week)
- Establishing prerequisite credential for facilitators, program coordinators, interns, volunteers etc. (treatment staff)

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- Establishing a minimum number of training hours per year for facilitators
- Establishing program reporting(record keeping) standards

In an effort to provide judges with information on all recommended and appropriate options with which to address issues associated with domestic violence, enclosed please find a copy of the Batterer Intervention Standards. To facilitate use of the standards, we are also providing a checklist that courts can and should provide to any program desiring to qualify to provide court ordered batterer treatment.

Implementation of the Batterer Intervention Standards is part of a joint effort between the State Court Administrative Office, the Governor's Office, the Prosecuting Attorneys Association of Michigan and, the Family Independence Agency, Domestic Violence Prevention and Treatment Board to facilitate the use of high quality batterer treatment programs and to strengthen the coordination of justice system response to the crime of domestic violence. As a part of this effort, we urge you to work closely with your county prosecutors office, probation department and local domestic violence shelter program.

The checklist can be used by a local domestic violence coordinating council to evaluate batterer treatment programs. It can also be distributed (as a self-evaluation document) by courts that do not have a local coordinating counsel.

We believe adoption of the standards is an important step towards ensuring quality batterer treatment programs and, will assist local courts and other agencies involved in preventing or prosecuting domestic violence crimes in dealing with these matters more effectively. Our goal in the justice system is to keep victims safe and to hold abusers accountable.

Please contact Pam Creighton at (517) 373-4843 if you have any questions concerning the standards or their implementation.

cc: Regional Administrators
Trial Court Administrators
James Covault
Pamela Creighton

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**BATTERER INTERVENTION PROGRAM
APPLICATION FOR PROVIDERSHIP**

Date: ____/____/____

Name of Program:

Address:
.....

Telephone Number: (____)

Fax Number: (____)

Email Address:

Areas To Be Served:
(Counties or Cities)

TERMS AND CONDITIONS:

It is understood and agreed upon by the undersigned that (1) Providership status granted as a result of this application is for the purpose of providing specialized treatment as set forth in accordance with the Michigan Batterer Intervention Services Standards, created by The Governor’s Task Force on Batterer Intervention Services Standards; (2) I have read the Michigan Batterer Intervention Services Standards in their entirety and I agree to adhere to all program standards, policies and procedures contained within that apply to my Batterer Intervention Service (treatment program); (3) I understand that my Batterer Treatment Program will be expected to maintain the standards set forth in the Michigan Batterer Intervention Services Standards; (4) I understand that any failure to correct deficiencies after proper notification by the Court, Coordinating Council or other local reviewing entity may result in cessation of referrals to my Batterer Intervention Service (5) this approval is subject to annual renewal.

Any misstatement or misrepresentation in the application process may be cause for denial or revocation of providership.

Chief Executive Officer (please print)

Chief Executive Officer (signature)

____/____/____
Date

**PURPOSE AND PHILOSOPHY
OF BATTERER INTERVENTION**

Domestic Violence is an epidemic and deserves everyone's attention. A coordinated community response is the most effective intervention and the BIS is a vital part of that continuum.

As part of the coordinated community response, the BIS must be consistent and accountable. It must be part of the coordinated community response. BIS is not a punishment; it provides an opportunity for batterers to change their criminal behavior. It must not take the place of jail, probation, or other monitoring.

Batterer intervention programs must strive to promote increased safety for victims, children, and other family members.

PURPOSE OF STANDARDS

Batterer intervention standards:

- Provide guidelines for ethical and accountable intervention systems to better protect victims and other family members;
- Provide a framework for the use of batterer intervention as a part of the continuum of the coordinated community response to this criminal behavior;
- Establish the minimum level of respectful, humane, consistent and appropriate intervention provide to persons convicted of a domestic violence related criminal charge;
- Enhance public awareness of domestic violence issues, give batterers increased access to appropriate intervention services, and reinforce the concept that violent behavior is unacceptable;
- Assist in helping judges and others identify Batterer Intervention Services (BIS) that are reliable, predictable and responsive sources of intervention; and
 - Provide the public and the court with realistic expectations of service.

STANDARDS SECTION

Compliance		<u>ADMISSION TO PROGRAM</u>
Yes	No	
		<p>Intake: comprehensive intake is conducted with each individual, including</p> <ol style="list-style-type: none"> 1. Personal and family history; 2. Medical history; 3. Violence history; 4. Criminal history; 5. Lethality evaluation; 6. Drug and alcohol use screening; 7. Mental health screening.
		<p>Referral: the BIS program provides appropriate treatment and/or referral for individuals with concurrent alcohol/drug, medical or mental health problems.</p>
		<p>Lethality evaluation: the BIS program conducts a lethality evaluation of each individual.</p>
		<p>Mandatory reporting:</p> <ol style="list-style-type: none"> 1. Duty to warn: the BIS provider has written policies in place that comply with all legally mandated reporting requirements regarding suspected child abuse and neglect, and the duty to warn victims and other third parties. 2. Criminal behavior: the BIS provider has a written policy requiring reports to probation or the court of any criminal behavior or violation of court order relating to domestic violence that is relayed by the batterer during the course of service.

Compliance		<u>PROGRAM CONTENT AND STRUCTURE</u>
Yes	No	
		<p>Curriculum: the curriculum includes</p> <ol style="list-style-type: none"> 1. Identification and confrontation of abusive and controlling behavior; 2. Identification and discussion of effects of violence on victims and children; 3. Promotion of responsibility and accountability of batterer; 4. Identification of cultural and social influences that contribute to violence; 5. Identification and practice of non-abusive behavior.
		<p>Modality:</p> <ol style="list-style-type: none"> 1. Group sessions are the primary mode of intervention; 2. Group size is maintained at 3-15 participants; 3. Group facilitation, when practical, is conducted by a male and a female; 4. Mixed gender groups are prohibited; 5. Inappropriate interventions are prohibited, including: blaming or intimidating the victim; couples or family counseling; alternative dispute resolution; and other approaches that stress psychopathology, poor impulse control, anger management, addiction, early childhood experiences or skill deficits as the primary cause of battering.

	<p>Completion criteria: the BIS provider has a written policy in place establishing criteria for successful completion of the program, including: attendance and participation in a minimum of group sessions; no reported incidents of violence during the course of the service; the appearance that the batterer has ceased stalking, threatening and other unwanted contacts with the victim and/or children; acknowledgment by the batterer of the responsibility for using assaultive, abusive and controlling behavior; compliance with other services required as a condition of intervention, such as drug and alcohol counseling; and full compliance with the financial requirements of the intervention.</p>
	<p>Noncompliance discharge: the BIS provider has a written policy in place establishing criteria for noncompliance discharge, including: continued domestic violence, stalking or other criminal behavior; failure to make appropriate use of the intervention service; failure to comply with other intervention conditions or provisions of the participant's contract; violation of BIS program policies or group rules; violation of any provisions of a court order; and failure to pay program fees.</p>

Compliance **PROGRAM POLICIES**

Yes	No	
		<p>Participant rights: the BIS provider has a written policy outlining participant rights, which is provided to each participant.</p>
		<p>Confidentiality: the BIS provider has a written policy prohibiting disclosure, without the written consent of the participant, of any confidential communications made during the course of service, except as required under mandatory report requirements.</p>
		<p>Permission to release information: as a condition of receiving service, each participant is required to sign an information release authorization, granting permission to the BIS provider to release specific information to the victim, referring court and probation department.</p>
		<p>Cooperation with domestic violence service providers: the BIS provider invites domestic violence service providers to participate in developing and regularly reviewing the BIS policies and procedures, especially those pertaining to victim safety.</p>
		<p>Contact with victims: the BIS provider has a policy and procedure for informing victims about the program.</p>
		<p>Cultural competency: the BIS provider has a written policy regarding responding to cultural differences among participants.</p>
		<p>Fees: the BIS provider has a written payment policy, which includes provisions for indigent participants. Participants are expected to contribute to the payment for the program.</p>
		<p>Duration of program: the BIS program has a minimum duration of 26 sessions, exclusive of intake, conducted over a minimum of 26 weeks. Group sessions are a minimum of 90 minutes each and a maximum of 120 minutes each.</p>
		<p><i>Does the program duration exceed 26 sessions?</i></p>
		<p>Liability: the BIS provider maintains professional liability and any other insurance required by state law.</p>

		Non-discrimination: the BIS provider complies with all Michigan statutes regarding non-discrimination.
		Refusal of service: if the BIS provider refuses service to any batterer, the program makes a referral to an appropriate agency and/or back to the court.
		Record keeping: the BIS provider keeps case files on each participant including: communications with the court; communications with the participant; documentation of reasoning for program completion, discharge and/or intervention; attendance and participation information; payment information; contracts; release forms; and intake information. Any record of communications with the victim is kept in a separate file.
		Re-offense: the BIS has a written policy addressing consequences for batterers who re-offend during the course of service, which include reporting the offense to probation and/or the court, and discharge from the program. Participants are given a copy of the policy.
		Reporting methods: the BIS provider has an agreement with the referring court regarding reporting procedures.

Compliance

Yes	No	<u>PROGRAM STAFF</u>
		Credentials for facilitators: <ol style="list-style-type: none"> 1. Each facilitator has experience and training in interpersonal skills, group dynamics, and specific issues in domestic violence as it relates to both victims and batterers; 2. Each facilitator has a bachelor's degree, or two years equivalent experience involving direct contact work with victims and/or batterers; 3. Each facilitator has 40 hours of direct, face-to-face facilitating or co-facilitating experience in batterer intervention groups; 4. Each facilitator has 40 hours of training including: causes and dynamics of domestic violence, legal issues surrounding domestic violence, facilitation skills with batterer intervention groups, characteristics of batterers, victim safety and sensitivity to victims, and assessment and intake skills with batterers; 5. If any facilitator has a history of being a batterer, the individual has completed a BIS program and there has been no reported violence for a minimum of two years; 6. The BIS provider can provide documentation showing compliance with the above credentials for facilitators.
		Credentials for program coordinators: coordinator(s) of the BIS program have as a minimum a Master's degree with one year of work experience in domestic violence, or a Bachelor's degree with two years of work experience in domestic violence, in addition to the requirements for facilitators.
		Credentials for interns, volunteers and trainers: individuals working within the BIS program as interns, volunteers and trainers co-facilitate only with an individual who meets the facilitator requirements.
		On-going training: all facilitators participate in a minimum of 20 hours per year of continuing education regarding domestic violence issues.

Compliance

Yes	No

COLLABORATION WITH THE COMMUNITY

Coordinated community response: the BIS provider participates in a coordinated community response to domestic violence by working with the courts, prosecution, law enforcement and victim services.

PROGRAM INNOVATION

Variance from the standards must be done in conditions that assure the highest standards for victim safety, participant rights and other ethical concerns. The following methods may be used to ensure legitimate innovations:

- Scientific research conducted under the supervision of an Institutional Review Board; or
- Written requests to the local domestic violence coordinating council detailing the innovation, the rationale and the need to vary for existing standards in order to accomplish the innovation. Procedures taken to safeguard victim safety will be outlined as well as the method for evaluation

Additional Documents that may be attached with the application:

- * A narrative demonstrating an understanding of the established minimum standards and how the program will implement these standards. Including a focus of your understanding on the A) Purposes of Standards, B.) Purpose and Philosophy of Batterer Intervention, and C.)Definitions.
- * Documentation outlining the program's fee schedule.
- * A copy of the program curriculum outline.
- * A copy of the program's Policy Manual.
- * A copy of the program's brochure (if applicable).
- * A copy of the program's duty to warn policy.
- * Copies of all degrees, certificates and/or documentation of required education, training and experience for each program staff member as outlined in the standards.
- * Copies of updated, complete resumes for all program staff.
- * Job descriptions for specific program staff.