

**Batterer Intervention Program Standards  
Advisory Committee  
January 20, 2010  
9:00 am – 12:00 pm**

**Attendees:**

Appointed Members: Cynthia Stinson, Mark Cadotte, Audrey Broyles, Hardy Myers, Carol Krager, Jayne Downing, Chiquita Rollins, Michael Davis, Don Chapin, Priscilla Marlow

Appointed Members by Phone: Eric Mankowski, Vivien Bliss

Guests: Jacquie Pancoast

**Welcome – CVSD Director Cynthia Stinson** – Thanked subcommittees for meeting while she was out on leave and especially Hardy for leading the Rules subcommittee.

**Self introductions**

**Approval of September 4, 2009 minutes** – No edits suggested by the committee, approved by consensus.

**Subcommittee Reports**

Education – Left off in September with requests for comments on the Judges FAQs. Cynthia reminded the AC that the FAQs are a living document so it can be reviewed on an on-going basis even after posted to the website. If someone finds while presenting it that something is not clear or needs added, just bring it back to the group or subcommittee. We need to make sure that the FAQs reflect how the length of intervention was determined instead of just stating that the length of the program should be 48 weeks. However, CVSD can go ahead and prepare to put the most recently revised FAQs on the website.

Survey – Eric has not gotten all of the comments received integrated into the report. If anyone still has comments on the report, please forward them to Eric. If Eric gets no additional comments, Cynthia suggested approving the report with the subcommittee and bringing the final report to the AC. About 20 programs that completed the survey did not report on their additional requirements for completion of their program. Eric would like the AC's approval to have his student assistant (Ashley) to follow up with them by phone. There were no concerns by AC, approval granted by consensus. Eric will have Ashley move forward with the assignment. Eric found out about a new report compiled from surveys of 276 programs from 47 states. Eric will get the report to Cynthia as soon as it is available by .pdf.

Ashley is also working on her thesis, dealing with 5 topics from the survey and looking at snapshots of time when a couple of different surveys were done. She should have it finished in about 6 months. Eric will be able to report to the AC on that when she is finished. Cynthia offered Ashley the opportunity to come speak to the AC and present the information if that would be beneficial for her. Jayne offered some research she had done that maybe helpful to

Ashley so that she does not have to reproduce the same work. Jayne could not remember the exact timeframe but she will forward the results to Eric to see if they are helpful. Roz will send a copy of the survey out to the AC again.

Rules – The subcommittee has now reviewed all of rules and Roz integrated member comments/conversation into the rules. The next step will be to go back through the rules, revisit the comments and refine the actual language of the rules. If you had sections within the rules you have had flagged for some time, please forward your comments or suggestions to Roz and they will be reviewed at the subcommittee level. Cynthia's hope is to have an annotated copy of rules for the next AC meeting and then we will take part of the next two AC meetings to go through the whole set of rules. Cynthia would like to have amended rules in place by the Fall at the latest and as most of you know, this is a lengthy process. Roz will send out the Rules with comments. Cynthia and Roz will work on setting a target date to have the rules amended and then work backwards on a timeline and have it ready for the next AC meeting.

### **Length of intervention conversation– All**

We need to find a way to clarify in the Rules that the Rules only govern BIPs. Some programs always honor the jurisdiction's length of intervention as a "completed program" because the jurisdiction has the power, not the program. Other programs sign the release order with a clause stating something like "Offender has attended \_\_\_\_ weeks of treatment, however to complete our program he must complete \_\_\_\_ more weeks of treatment." They feel the 48 weeks in the Rules give them a basis to persuade the offender to complete their treatment program. Depending on who the referral source is, like the court, the proceeding statement is meaningless because if the treatment is mandated, they don't care if the offender has completed the program, only the number of treatment weeks he was required to. Using this statement too often could cause the program to lose credibility. Many on the AC feel we need an avenue to work with the referring source to enforce the standards set out in the Rules.

Some judges think 48 weeks costs too much, feel that some men are not "real" criminals and deserve a break. The problem some treatment providers on the AC feel is the law looks at a single incident, how bad the victim(s) were hurt and does not see the pattern that has not been reported or resulted in convictions. There was discussion from both sides regarding compelling arguments for length of treatment; whether it should be a shorter or longer length of time. If there is a set length of time that "fits" everyone.

There is research on how long it takes to change a person's thinking and belief system, but not about how much time to change their action necessarily. Programs feel the longer they have their "eyes" on an offender, the longer a victim has time to look into changing their situation.

Some research (AC members, please provide name) said it takes two years to change batterers, so when Oregon decided on 48 weeks, some on the AC feel as this was already a compromise.

Cynthia suggested writing a letter from the AC to Dr Latessa to inquire about application of the general criminal guidelines to batterers. Jayne, Vivien, Chiquita and Chris will work on drafting the letter to get questions answered.

Anyone ever mandated for shorter time but stay for 48 weeks? Chris – yes several do, his program tries to avoid attaching a number to the progress or session and rely on the culture that has been created. Vivien has had only a few (2-5) participants per year stay longer than they are sentenced.

Is there an assessment after about 12 weeks into the program? Completion is not just attending, it is participating as well. After provider has had opportunity to gauge offender and it is determined to not be a money maker policy, then judge could decide on length of intervention. There needs to be a trust issue between the referring source and the programs. The AC could draft language for rules to approach court about length of intervention.

So many offenders never show up or drop out after short amount of sessions. If have lower threshold requirements, this would occur more frequently. As coordinated community response, need to address the ability for those who need to attend to be able to afford to attend.

CVSD can look into funding for training. All money right now is restricted for victim services.

Cynthia acknowledged there is no bright light that 48 weeks is the magic number; longer has advantages and programs are moving toward longer intervention sessions. We need to acknowledge the conflict we have with the courts on length of intervention within the rules. She is not hearing that we want to move away from 48 weeks. She would like the subcommittee to move back to the rules to noodle with language including length of intervention. Audrey does not agree with 48 weeks. She would like to move to more of a conversation with the court instead of the requirement of 48 weeks...move away from a set number. Have the rules require that more or specific curriculum is covered instead of a specific length of time. Audrey understands that by suggesting something less than 48 weeks, then that is what people will move toward. There was agreement from the AC that the subcommittee should work with language dealing with the length of intervention.

For discussion possibly at the next meeting. Chris wants to discuss how some programs “restart” participants. What does it really take for a participant to be done with the program so it is viable? Some programs have many more hoops for the participant to go through. The participant is never done because he has to “restart” at the beginning after so many sessions because of this or that.

## **Other**

Chiquita wanted to talk about some of the Washington County homicides. According to the paper, the perpetrator had gone through batterer intervention and was on probation. Is there information we can learn as a group. Wondering if there is information we can gain on this person about successful treatment, what this person “looked” like. Chris suggested contacting P&P. Also suggested looking into the other homicides that had gone through intervention. Jayne offered that Oregon does have a law to review fatality, but not happening due to funding. Carol does know that in February she will be taking part in a meeting that has to do with DV fatality review that is an internal DHS meeting. Cynthia asked her to carry her seat on this committee to say that we are interested in reviews and would be willing to give assistance.

Hardy wondered if review looked into education and services provided or offered to victim from employer.

Risk for violence and risk for lethal domestic violence are not the same. DOC has a staff position collecting recidivism DV data at the county level that is being referred to the state level, Mark will see if we can get access to that data. . Concern that misdemeanor referrals are going to programs that are not compliant with the Rules (anger management) while felony referrals are going to programs and have been asked to collect recidivism data.

Cynthia is aware that AG Kroger is very interested in the issue of Domestic Violence. Cynthia will provide information so that Batter Intervention is a part of any statewide plan to address DV. DOJ was able to fund a DV Resource Prosecutor Position with VAWA money that is similar to the existing DUII Prosecutor at the Criminal Justice Division. This will be a person who has been a prosecutor who will provide training and technical assistance to prosecutors and to law enforcement, and may assist with prosecution of DV cases across the state when necessary. BIP members wondered with the DV Prosecutor would be part of the BIP AC.

Chris – Mult Co Judge McKnight – monthly readings about what we know is evidence based.

**Set next meeting date**

April 2010 – SART is 21 & 22, Child Abuse Summit 27<sup>th</sup>

Chiquita will give a report on Multnomah County's fatality review process.

Carol will present on DHS's February and following meetings regarding DV fatality review.

Mark will report on what he found out about recidivism DV data from DOC.