

Essential Elements and Standards of Batterer Intervention Programs in Kansas



UNITED AGAINST VIOLENCE

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I. Philosophy and Purpose

The Kansas Essential Elements and Standards for Batterer Intervention Programs were created to set minimum standards by which it is recommended that all agencies that operate intervention programs for batterers of domestic violence shall operate.

The mission of batterer intervention in Kansas is to eliminate domestic violence by providing intervention to batterers that creates accountability for their behavior, promotes safety of victims, and affects social change which leads to cultural values that prohibit rather than support battering within intimate family, household, engagement or dating relationships. Batterer intervention participants may also need additional services for mental health/psychiatric assistance, drug and alcohol treatment, parenting education, or other issues. The need for these services should be screened for and appropriate referrals made, but these additional treatments are in addition to the batterers intervention program. They may be provided simultaneously when deemed appropriate by treating professionals and the batterer intervention provider.

II. Theoretical Overview of Batterer Intervention Programs

The following information is presented to give an understanding of the essential theoretical perspective on which these standards are based.

- Violence is part of an effective strategy for creating and maintaining power and control at home, work, and in public. Underlying issues of psychiatric disorder, mental health issues, drug and alcohol abuse, childhood trauma, etc. may be present in batterers and treated appropriately, but those treatments should not substitute for batterers intervention. In rare cases the mental health professional and batterer intervention provider may determine a batterer is not appropriate for batterers intervention and recommend other treatment first, which will then enable the batterer to later participate in an intervention program.
- Battering within an intimate relationship is a systematic pattern of physical, sexual, and psychological abuse predominantly directed by men against women, and often children and pets. Rather than a series of independent acts or events, it is most often part of a process by which the batterer maintains control and domination over the victim.
- Domestic violence and battering are analogous terms. Abuse refers to specific categories of tactics used by a batterer such as, economic abuse, emotional or psychological abuse, sexual abuse, etc.
- Battering encompasses all races, ethnic groups, education levels, social and economic classes, sexual orientation, religions, and physical and mental abilities.
- Battering causes fear and may result in profound psychological damage, permanent injury, or death.
- Battering has adverse long-term psychological, emotional, physical, and economic affects on all family members and effects the community at large.
- Children who grow up in violent homes have higher risks for behavioral problems, including suicide, substance abuse, and juvenile delinquency; boys who witness battering are more likely to batter their female partners as

adults than boys raised in nonviolent homes.

- Battering may escalate over time, increasing in frequency and severity, and danger particularly escalates when the batterer perceives the victim/partner may be leaving.
- Battering contributes to the overwhelming state of violence in our society and is frequently related to other forms of violence including gang violence, homicide, drug crimes, hate crimes, and child abuse.
- Batterers strongly defend their violence by denying, minimizing, justifying, and rationalizing their behavior and they often appear logical and rational when convincing others of their innocence.
- Battering involves choices by batterers and they must chose to be nonviolent and nonabusive in order to ensure the safety of their victims/partners.

III. Standards

A. Framework

1. Batterer intervention programs shall operate within a framework of the following fundamental tenets:
 - a. Batterer intervention programs shall, above all, be committed to safety of victims of domestic violence and their children
 - b. Battering is a pattern of behavior: not a singular event.
 - c. Battering is not an addiction or disease
 - d. Batterers are not powerless over "persons, places, or things".
 - e. "Codependency " and "enabling" are inaccurate, inappropriate and victim-blaming terms for survivors of battering
 - f. Batterers are solely responsible for their violence and abuse
 - g. Batterers must be held accountable for their violence and abuse
 - h. Alcohol and substance abuse do not diminish their responsibility for battering and is not a causal agent for violent behavior. However, because alcohol and drug abuse is an aggravating factor, it should be addressed.
 - i. Batterer intervention services must never advocate for batterers in the legal arena.
 - j. Family and couples intervention modalities are not appropriate, initially, for batterers.

B. Program Goals

1. Batterer intervention programs should focus on interrupting, avoiding, and ending violence and abuse and on the batterers capacity to change.
2. Batterer intervention programs shall utilize the following goals in program implementation.
 - a. To increase the safety of victims, family members, and the community as a whole.
 - b. To assist the batterer to understand that acts of violence, abuse and use of power and privilege are a means of controlling the victim's actions, thoughts and feelings.
 - c. To encourage the batterer to acknowledge the battering and recognize it as a behavior choice, and to accept responsibility for its impact on the victim and others.
 - d. To increase the batterer's willingness to change the battering behavior by

examining the negative effects of the behavior on all relationships with the victim, the children, friends, community, and self.

- e. To expand the batterer's understanding of the cause of personal violence and battering by examining the cultural social and personal factors that influence choice to be violent.
- f. To teach the batterer practical skills for non-controlling and nonviolent ways of relating in interpersonal relationships.
- g. To encourage the batterer to become accountable to those who are battered, to take whatever actions are necessary to comply with the safety needs of the victim(s) and to make reparations for the effects of the battering.

IV. Essential Elements of a Program

A. Elements

1. Program intervention methodology shall primarily consist of the group processing approach using education and intervention since groups:
 - a. Provide greater opportunity for confrontation and accountability than does individual work,
 - b. Are more successful in decreasing the batterer's isolation and dependence on his partner, and
 - c. Are more cost effective.
2. The program shall challenge the batterer's belief system of power and control.
3. Violence shall not be condoned under any circumstances. All abusive behaviors, intentional or unintentional, shall be challenged and if necessary reported to the court or other appropriate authorities.
4. The program shall maintain the philosophical beliefs that:
 - a. Criminal consequences may result from battering behavior
 - b. Batterers choose to be abusive
 - c. The batterer shall be held accountable for personal actions and violence
5. Payment is an indicator of responsibility. The batterer shall assume financial responsibility for the intervention. It is suggested that fees be based on a batterer's ability to pay (i.e., sliding scale), thus enabling the batterer to afford the program.
6. Couples counseling, family counseling, marital counseling, pastoral counseling or mediation may be used only as an adjunct to the primary program, and only after careful screening.

V. Program Role in Community

A. Criminal Justice System

1. The role of the program within the criminal justice system shall be as either a diversion or post-conviction sentencing condition.
2. Batterer intervention programs shall develop relationships with the judicial system to increase court referrals and improve court response to noncompliance as well as minimize lenient sentencing. Batterer intervention programs should provide the judicial system with information regarding the intervention program and batterers of domestic violence. Intervention programs should recommend strong judicial response to batterers who drop out or are otherwise terminated from the intervention program.

B. Community-wide Coordination

1. The program shall not exist in isolation and shall have a responsibility for developing a community approach, as domestic violence is a community problem, not the responsibility of one agency or organization. The program shall work cooperatively with the victim services and domestic violence programs as well as with other key agencies such as courts, prosecutors, law enforcement and probation officers. It is also recommended that each program participate in a domestic violence community response initiative.
2. The program shall have linkages with other service providers in order to make appropriate referrals.

C. Victim Service Program

1. Programs shall establish cooperative relationships with local domestic violence victim programs in order to ensure support, information and advocacy for victims (see list of domestic violence programs in the resource section).

Recommendation:

It is suggested that batterer intervention programs and domestic violence victim service programs understand or have an informal relationship that is reflected in cross training and cooperative outreach efforts.

2. It is essential that services to partners/victims be provided in a separate context specifically for victims and not as a part of the batterer intervention program.
3. Batterer intervention programs should not be the primary resource to victims of domestic violence. This does not suspend the batterer intervention program of its duties to provide safety and referral services to victims.

VI. Technical Considerations

Treatment for substance abuse and other problems, which may be deemed necessary as a part of a total intervention program, do not replace intervention for domestic violence. It is understood that intervention may require more than confronting and educating on violent and/or battering behavior and may include referrals to develop a sober and drug free life-style, social skills, self-esteem, employment training, mental health treatment and parenting skills.

A. Selection of participants

1. Intervention is appropriate when there is reason to believe that an individual is controlling and/or abusive in an interpersonal relationship(s). An initial assessment can be voluntary or required by an employer, the court, SRS, or another agency working with the family. The assessment process should be designed to identify those who use abusive tactics in an attempt to control and disempower their victim/partner. Those who do not fit this category should not be recommended for the batterers intervention program.
2. The batterer intervention program shall have the ultimate authority of selection of participants and development of intervention plans for those who are referred to the program.

B. Screening of Batterer Participants

1. The program shall have necessary preliminary information prior to engaging in an evaluation process to determine the suitability of the batterer for the program. The program shall require the following information from the batterer at intake.
 - a. Name, telephone number, mailing and living address, date of birth, social security number, employer, address and telephone number of place of work, and emergency contact information.
 - b. Partner and/or victim's name, telephone number, mailing and living address, work telephone number and address. This information can be waived if it jeopardizes the safety of the victim or is unavailable.
 - c. A history of violence towards adults, children, pets, and inanimate objects.
 - d. A history of abuse in current and past relationships. The program must complete a dangerousness assessment that may help to assess the risk

- of future behavior.
- e. A history of past and current criminal behavior.
 - f. A social history.
 - g. A history of alcohol and drug abuse, including participation in treatment programs and arrests or incarcerations for DUI or any other related incidents.
 - h. A history of mental health problems or disruptive behavior. If the program has concerns about the batterers mental stability and ability to participate in the program, the program should delay admission until a mental health evaluation can be completed. If a client discloses having a mental health disorder, he must sign a release form to make available to the program a copy of the diagnosis, treatment plan, and medications prescribed and currently used.
 - i. A signed agreement. After reviewing the program rules, the batterer must sign an agreement that includes the rules, goals, responsibilities, confidentiality restrictions, and fees. This agreement should also include a statement that all information they have given is true, correct, and current. Withholding or giving false information and not informing the program of any changes may result in termination and referral back to the court or referring agency.

C. Expectation of Batterer Participation

1. The process of evaluating a batterer shall involve the initial intake and will continue even after the batterer has been allowed to enter the intervention program. The process shall concentrate on the batterer's suitability for the intervention program by continuing to evaluate the following:
 - a. Attendance at sessions
 - b. Attitude and cooperation with program rules
 - c. Active participation
 - d. Freedom from violent and abusive behavior. Note: coordination with law enforcement, probation, and victims is necessary to determine the batterer's freedom from violence
 - e. Compliance with financial responsibility

D. Risk Assessment

1. Risk assessments should be completed at intake and monitored as the facilitators deem necessary.

2. Victims must be cautioned that assessment of risk is impossible to determine with complete accuracy due to the volatile and unpredictable nature of domestic violence. Domestic violence may become lethal at any time.

E. Group Participants

1. Composition of the groups shall be restricted to batterers of domestic violence.
2. Great caution should be used in combining male and female participants.
3. Combining participants who batter their intimate partner with those who abuse their children is not ideal, but sometimes necessary. If combining these participants, the facilitator should monitor for suitability and fit to ensure that all participants' needs are met.

F. Facilitation

1. Groups should have co-facilitators. For the purpose of modeling healthy egalitarian relationships, reducing the potential for collusion, and to monitor the group process, groups should be co-facilitated by one male and one female facilitator, when possible.
2. The size of each group shall not exceed 20 batterers. A group of 8 to 15 batterers is preferred.
3. Conditions imposed on batterers. The program shall have the responsibility to impose any reasonable conditions on participation in the intervention program that it deems appropriate.

G. Curriculum

1. Each program shall have specific written curriculum, which includes a minimum of the following:
 - a. Identification, discussion, confrontation and change of abusive and controlling behavior to victims, including partner and children. All forms of domestic violence shall be identified and challenged. Specific attention to physical, emotional, verbal, mental, sexual and economic abuse, as well as intimidation and the destruction or damage of pets or property. Other

- methods of control shall be included.
- b. Identification and discussion of the effects battering has on victims, including children who witness such violence. The short and long term effects of abuse and violence are to be presented. Batterers shall be expected to take responsibility for creating these consequences. The goal of these exercises shall be to build empathy.
 - c. Confrontation of excuses for battering. This shall include a philosophical stance that violence and abuse are the sole responsibility and choice of the batterer, and are never justified.
 - d. Identification and discussion of non-cooperative and abusive forms of communication and quick fix responses.
 - e. Identification and practice of cooperative and nonabusive forms of communication, positive communication skills, long term solutions and responsible ways of treating partners, children, and others.
 - f. Identification of cultural and social influences that contribute to battering behavior. The program shall not allow these issues to excuse or justify individual responsibility of abuse and violence.

H. Prohibited Practices

1. Batterer intervention programs shall not use the following educational approaches.
 - a. Victim Blaming:
Any intervention approach that blames the victim or places the victim in danger is prohibited. There is no behavior on the part of the victim which causes or excuses abuse. Batterers bear sole responsibility for their actions.
 - b. Victim Coercion or Mandates:
Any approach that coerces or mandates participation of the victim is inappropriate.
 - c. Couples, Marriage or Family Therapy:
Couples, marriage or family therapy is prohibited as the primary curriculum.
 - d. Circular Process or Family Systems Approach:
Any approach that uses a systems theory mode, which treats the violence as a mutually circular process or any other model that minimizes the responsibility of the batterer and places responsibility for the violence upon the victim is prohibited.

e. **Addiction Models:**

Addiction counseling models, which identify the violence as an addiction and the victim and children as enabling or codependent in the violence, are prohibited.

f. **Containment Approaches:**

Any approach that attempts to use containment methods in an attempt to de-escalate the violence is prohibited.

g. **Impulse control Models:**

Use of theories or techniques that identify poor impulse control as the primary cause of violence is prohibited.

h. **Psychopathology:**

Any approach that identifies psychopathology on the part of either party as the primary cause of violence is prohibited.

I. Restricted Practices

1. Batterer intervention program shall not use the following techniques as primary educational approaches.

a. Psychodynamic interventions, which link causes of the violence to past experience and unconscious motivations, may not be used as the program's primary experience approach. This may be used as one technique within a broader educational approach.

b. Communication enhancement or anger management techniques may not be used as the program's primary educational approach. This may be used as one technique within an educational approach described in these standards.

c. Fair fighting techniques, getting in touch with emotions or alternatives to violence and nonthreatening ventilation techniques may not be used as program's primary educational approach. This may be used as one technique within a broader educational approach.

J. Batterer Confidentiality and Safety Checks

1. Victim safety and batterer accountability are central to effective batterers intervention programs, therefore, confidentiality is limited. Programs must advise batterers of the specific limitations of confidentiality.

2. To facilitate communication necessary for periodic safety checks and case monitoring the program shall require the batterer to sign the following releases:

- a. Inform the victims and if unavailable within 24-hours, the victim advocate that the batterer is enrolled in the program.
 - b. Provide information for safety purposes to the victim and if unavailable within 24-hours, the victim advocate.
 - c. Prior and current treatment agencies to provide information on the batterer.
 - d. Provide information on the batterer to relevant legal entities including the Courts, parole and probation officers, community corrections, and court services.
 - e. Provide information to any person whose safety appears to be at risk from the batterer's potential violence and lethality, i.e. the current and past intimate partner.
 - f. The program is permitted to disclose information to the court or investigative body about a batterer when he/her or his/her heir, executors or administrators file suit of complaint against the batterer intervention program which arises out of, or is connected with, the intervention rendered or denied to such batterer by the program.
3. Programs may require a batterer to sign additional releases including, but not limited to:
- a. Provide the victim and if unavailable within 24-hours, the advocate with periodic updates regarding the batterer's participation.
 - b. Discuss group attendance arrangements with the batterer's current employer.

K. Length of Program

1. The program shall be a minimum of 20 weekly group sessions. Intake and orientation are in addition to these sessions. Each session shall be a minimum of 90 minutes, and not exceed 2 hours.

L. Victim Notification

1. Upon admission of the batterer, the intervention program shall notify the victim in a face to face interview. Phone and mail contact may be used only after assessing victim safety. The contact should provide:
 - a. The purpose of the program
 - b. The procedure for reporting further offenses

- c. A preliminary assessment for the victim's own use in determining risk
- d. Limitations of the program
- e. Resource information regarding victim services

2. Programs shall, either directly or through a domestic violence victim service program, assist victims in developing a safety plan. If the victim cannot be contacted, the responsible program should be able to document at least three attempts to contact the victim. If it is necessary for the batterer intervention program staff to assist the victim, they should receive training in safety planning development from KCSDV or a member domestic violence victim service program in safety plan development.

M. Notification of Batterers Progress

1. The intervention program shall notify victims of any change in the status of the batterer within the program, including the denial of admission or termination of the batterer from the program. Batterer intervention programs may also notify victims of the batterer's completion of the program and any recommendations.

N. Notification of Safety Concerns

1. The intervention program shall have a written policy, which ensures that any potential victim of a batterer in the program is warned regarding any threats to his/her life within at least 24 hours. If the victim cannot be contacted, it must be documented that all reasonable avenues to contact the victim have been exhausted. In addition to notifying the victim, appropriate reports should be made to law enforcement and/or the courts when prudent.

VII. Victim Involvement

A. Victim Generated Information and Participation

1. Victims shall not be obligated to participate in any way in the intervention program with the batterer. The role of the victim in relation to the program shall be solely that of providing information. Information shared by the victim shall be used only with the victim's written consent and only after a discussion of the victim's safety pertaining to the disclosure of the information shared and after written authorization is given from the victim. The victim has the right to refuse further information about the batterer.

VIII. Public Relations Efforts

A. Public Statements and Materials

1. Batterer intervention program shall make an effort to involve a local domestic violence victim's service provider in the development of any public relation's material.

IX. Research

A. Notice of Research

1. KCSDV shall be notified of all research studies done with intervention programs.

X. Agency Structure

A. Supplemental Requirements

1. Proof of insurance (general/professional liability, fire, etc.).
2. Intervention programs shall adhere to the federal guidelines regarding safety of employees and should have specific policies regarding employee safety vis-à-vis the intervention program.
3. Intervention programs shall also develop policies for staff regarding work with batterers.

XI. Personnel Qualifications

Batterers are a separate category of offenders that require specialized training to manage and treat.

A. Employees

1. Facilitators employed by the program shall be violence free. No program shall hire any individual who has been:
 - a. A batterer of domestic violence or abuse, unless the program director is satisfied that the (potential) staff member has successfully completed an intervention program and remained violence free. Primary facilitators must be free from any criminal convictions, diversions, or similar agreements in his/her life for at least five (5) and co-facilitators for at least three (3) years. They must have a clear and present view of the focus of the program and what would be expected of them. The program must also seek input from the (potential) staff members', victims and or partners and the intervention program the individual completed. When such input is not available, attempts to obtain it must be documented.
 - b. A victim of domestic violence unless the program director is satisfied that the potential staff member has successfully dealt with issues related to the domestic violence. The staff person must be free of violence, battering relationships and free from relevant criminal convictions, and have a clear and present view of the focus of the program and what would be expected of them.
2. All new staff members or current staff shall be required to sign a statement they are violence free, as stated in the previous section. This statement should include a list of specific behaviors that disqualifies them for employment.
3. The program shall have a policy which seeks to ensure that staff employed by the program shall not abuse alcohol, use illicit drugs or abuse prescription drugs and never allow alcohol or drugs to impair their individual ability to function in a responsible and professional manner while performing work duties.
4. Staff members employed by the program shall have a background free of conduct, that bears adversely on his/her ability to provide required services.

Staff shall not engage in conduct resulting in a criminal conviction, or any other conduct, criminal or otherwise, deemed to impair the individual's ability to provide services or which jeopardizes the purposes of the program.

5. Any staff member of the program who has allegedly engaged in conduct described above shall be placed in a position which involves no contact with either batterers or victims of domestic violence until it can be verified that such charges are unsubstantiated.
6. The program shall have a written ethics policy covering sexual contact with program participants and other staff, conflict of interest, personal issues regarding domestic violence and issues of power and control, racism, sexism, homophobia, discrimination and criminal activity.

XII. Training Requirements for Program Facilitators

A. Training/Experience of Facilitators

1. Each facilitator must have experience and training in interpersonal skills, group dynamics and specific issues in domestic violence as it relates to both victims and batterers.
 - a. Primary facilitators must have:
 1. A bachelor degree, or, in lieu of a bachelor's degree, two years of experience involving direct contact work with victims and/or batterers, AND
 2. 40 hours of direct, face-to-face co-facilitating experience in batterer intervention groups, AND
 3. 40 hours of training including, but not limited to: 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 (at least 8 hours), and assessment and intake skills with batterers. This training curriculum must be approved by the KCSDV, BIC Committee.
2. Facilitators shall be able to provide documentation of their qualifying training.

C. Education and Training Requirements for Program Supervisors and Coordinators:

1. Intervention program supervisors/coordinators shall have a master's degree in social work, counseling, or a related field, or a bachelor's degree in same with two years of intensive work experience in domestic violence.
2. Intervention program supervisors/coordinators shall have at least 50 hours of orientation and training before working unsupervised. Sixteen hours of this training requirement must consist of training on victim's issues. This training must be approved by the KCSDV, BIC Committee.
3. Coordinators shall be able to provide documentation of their qualifying

XIII. Conflict of Interest

A. Avoidance of Conflict of Interest Issues

It is important that both actual and apparent conflicts of interest among assessment providers, batterer intervention programs, and concurrent treatment providers be avoided.

1. Batterer intervention program staff shall be neutral and detached from direct power of court referral of batterers to intervention programs. However, it is strongly recommended that Batterers Intervention Programs be involved in coordinated community response initiatives.
2. Batterers who have been assessed by the intervention program as abusing drugs and/or alcohol, will be given the necessary referrals for addressing this problem. Addressing this problem can be required prior to admission or completion of the program, depending on the debilitating effect.

**XIV. Process for Amending Essential Elements
and Standards of Batterer Intervention
Programs in Kansas.**