

Chapter XI: Domestic Violence Supervision and Treatment

The Special Supervision Services Branch provides specialized supervision and treatment/referral services in domestic and family violence as well as anger management matters. In instances where the Court or United States Parole Commission (USPC) orders domestic violence treatment as a special condition of parole, supervised or mandatory release, probation, Civil Protection Order (CPO), or Deferred Sentencing Agreement (DSA), the offender is assigned to a domestic violence supervision team. Offenders requiring batterer counseling are referred to the Domestic Violence Intervention Program (DVIP), a psycho-educational/cognitive behavioral program that provides counseling and treatment services to batterers who are Court-ordered for treatment. Exceptions to this standard may also be admitted for treatment with the approval of the Associate Director. Those batterers with sufficient finances (or insurance coverage) are referred to Agency- and Court-approved treatment providers who conduct fee-based services on a sliding scale. Those offenders without sufficient financial resources receive treatment services from DVIP CSOs.

A. Domestic Violence Supervision

Offenders with domestic violence convictions are supervised in specialized teams that supervise offenders with domestic violence and family violence convictions and/or dispositions. The teams are staffed by CSOs who are specially trained in domestic violence case management and counseling. The Domestic Violence (DV) supervision team is responsible for monitoring offenders, encouraging offender compliance with conditions of release, and reporting violations in accordance with CSOSA policy. Offenders supervised by a DV supervision team may be referred to domestic violence treatment.

1. Eligibility

Offenders placed on supervision by a releasing authority (D.C. Superior Court or the United States Parole Commission) for a domestic violence offense are eligible for assignment to a DV supervision team. The DV supervision teams supervise offenders involved in probation matters, Civil Protection Orders (CPOs), and Deferred Sentencing Agreements (DSAs) cases, as well as parole and supervised/mandatory release cases.

2. Referral Process

The Domestic Violence offender is to be directed by the Court to report for intake at the Offender Processing Unit (OPU). OPU schedules offenders to meet with the DV supervision CSO within one (1) day. Domestic violence cases also may be transferred from probation general supervision teams if multiple dockets are involved, one of which must be a domestic violence matter.

The following criteria will be used for assigning Domestic and Family Violence Cases:

- Any case that has a Domestic Violence Docket.

- Cases on supervision status for Assault/Domestic (probation, parole and supervised release); Civil Protection Orders and Deferred Sentence Cases.
- Cases that have a special condition of Domestic Violence, Family Violence or Anger Management / Domestic Related Counseling.
- Cases that have an identified victim with an intimate or familial relationship to the offender (i.e., spouse, girlfriend, child, parent, sibling, other relative) for the supervision case (i.e., threats, destruction of property, stalking, etc.).
- Out-of-State Civil Protection Orders
- Out-of-State Deferred Sentence Cases with less than one year of supervision.
- Out-of-State Criminal Cases and Deferred Sentence Cases with more than twelve months of remaining supervision are assigned to the Interstate Compact Branch.
- Sex Offender and Mental Health cases will supercede Domestic Violence Case assignments.

3. Program Requirements

Consistent with CSOSA policies and procedures, the offender participates in appropriate orientation sessions for supervision and treatment.

4. General Case Management/Supervision

General case management/supervision activities for DV offenders include:

a. Screening

All DV offenders are screened at OPU to ensure the correct assignment of cases to DV supervision teams. Cases with no domestic violence issues are not accepted by DV supervision teams and are assigned to other CSS teams for supervision. These may be cases where an assault not involving a family member or intimate relationship has occurred. Sex Offender or Mental Health Cases with Domestic Violence conditions will be assigned for supervision to the appropriate specialized teams by OPU.

b. Assessment/Evaluation

The CSO initiates the CSOSA AUTO Screener (risk and needs assessment) during the initial interview (see Chapter V-The Auto Screener). This assessment determines the offender’s level of supervision and needs. The CSO also reviews the Court-ordered conditions and assesses the offender’s attitude, willingness to accept personal responsibility for his or her behavior, and remorse about the offense, as well as any other needs not addressed in the Court order and makes appropriate recommendations and referrals.

c. Special Conditions

The CSO will review and address any special conditions contained in the USPC Certificate of Release or Court order. The CSO also may petition the Court to add a special condition, if the CSO determines it to be beneficial to the offender.

d. Supervision/Treatment Plan

The USPC or Court-imposed supervision conditions provide the basis for the prescriptive supervision plan. These conditions may vary according to the judge, the nature of the offense committed, and/or the offender’s physical, mental and emotional needs. Within 25 days of the initial supervision visit, the CSO establishes a prescriptive supervision plan. The prescriptive supervision plan is based on the results of the AUTO Screener and the conditions set forth in USPC or the Court’s order/agreement.

e. Referrals

The CSO makes appropriate referrals for Domestic Violence parenting, anger management, community service, drug testing and treatment, alcohol treatment, employment/education (VOTEE), psychiatric/psychological evaluations and/or treatment and any other referrals deemed necessary. Most offenders assigned to a DV supervision team also are referred to the Domestic Violence Intervention Program (DVIP) for treatment.

f. Victim Contact

The CSO is required to make contact with the victim to give them CSOSA contact information, obtain information about the incident, verify that the offender is in compliance with a stay away order if applicable, advise if the offender is terminated from treatment services, and provide the victim with information on the CSOSA Victim Services Coordinator and other victim service resources in the community.

i. Victim Contact Standards

The following contact standards apply to supervision, treatment and vendor personnel:

1. Initial Contact must be made within 7 business days of receiving the case.
 - Telephone Call
 - Letter
2. Follow-up Contact - every 90 days.
 - Telephone Call
 - Letter
3. Stay Away Orders - every 30 days
4. Cases that require Crisis Intervention - every 30 days.
 - Re-arrest
 - Victims Services Intervention
5. Sources for Victim Contact Information:
 - Court papers
 - Pre-Sentence Reports
 - Victim Services
 - Offender

In those cases where the victim is a minor, the child is not to be contacted. The petitioner who filed on behalf of the minor child will be contacted instead.

NOTE: If the victim states that he/she wants no calls from CSOSA, the worker will document this information in the running record and only send correspondence in accordance with the established Agency contact standards.

g. Case Conference/Staffing

The SCSO may schedule a case conference with a CSO as a result of a case audit (consistent with CSOSA policy). An SCSO case conference also is held with the CSO and offender to impose sanctions for non-compliant behavior. The CSO also may request a case staffing to discuss problematic matters. Supervision and DVIP staff will also conduct case staffing to discuss the offender's treatment progress. The SCSO, CSO, other agreed upon individuals, and possibly the offender himself or herself may be required to attend the supervision case conference.

h. Program Completion/Discharge/Transition/Termination

CPO cases generally have term durations of one year, while DSA cases generally have supervision terms for nine months. Term durations in general supervision matters in probation, parole and supervised release matters are determined by the orders of the releasing authorities. The Court and USPC determine the duration of the offender's community supervision and any special conditions that may be required.

The CSO also may request early termination (prior to scheduled expiration) for offenders who comply fully with supervision condition requirements (consistent with CSOSA policy). Early probation termination may be granted at the discretion of the Court. (See CSS guidance, which should be included as the victim is to be notified prior to any early termination request submitted to the Judiciary).

i. Sanctions/Incentives

In DSA cases, the offender has an incentive to complete the DSA so that his or her case will be dismissed ("nolle prosequi"). In such instances, the offender will not have a conviction for his or her offense, if the offender successfully completes the supervision requirements.

All other sanctions and incentives are to be implemented in accordance with CSOSA sanctions and incentives policies and procedures.

Statutory Authority: Section 11232 (b) (2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 ("Revitalization Act"), Pub. Law 105-33, 111 Stat. 712, D.C. Code §§ 24-1231 *et seq.* (1996 Repl., 1999 Supp.) (Trustee's Authority); D.C. Code § 24-101 *et seq.* (1996 Repl.) (Probation authority); D.C. Code § 24-201, 2 (a) (3) and 28 D.C.M.R. § 213(1987) (Parole's authority).

B. Domestic Violence Treatment

The Domestic Violence Intervention Program (DVIP) provides counseling services to domestic and family violence offenders referred by a DV supervision team. The purpose of DVIP is to reduce battering behavior in intimate family relationships through the use of a psycho/educational cognitive behavioral treatment model, and by providing group counseling services to persons who either admit to, or are found guilty of, any offense related to domestic conflict. The DV supervision teams supervise the batterer and encourage compliance with all conditions of release, whereas the DVIP treatment team serves as the batterer's treatment component. The program engages the offender in a program orientation session followed by 22 weeks of group counseling sessions facilitated by specially trained CSOs or private service providers. The DVIP also facilitates a twelve-week Anger Management Program that is

specifically designed to serve offenders ordered into anger management classes by releasing authorities instead of domestic violence treatment. DVIP staff also conduct training programs and workshops for community groups as well as provide presenters for various professional associations in the criminal justice field.

The DVIP is a fee-based program that offers services based on the financial circumstances of the referred offender. Offenders with sufficient financial resources pay private vendors for services, based upon a sliding scale fee of \$10.00 to \$20.00 per session. Offenders must pay a one-time initial fee (\$20 or \$40) when they begin treatment with a vendor. Offenders assessed as eligible for a sliding scale fee pay \$20.00 and those who meet the income requirement for full fee pay \$40.00. For those offenders without the financial resources to pay a private vendor for services, CSOSA offers non-fee groups. During the 22-week group counseling sessions, the offender continues to report to his or her supervising CSO as required.

DVIP also is committed to raising the awareness of the community with respect to domestic violence issues through education and training. DVIP collaborates with members of the government, as well as the private and community sectors, as an educational and consultative service in an effort to raise awareness of and reduce domestic violence.

1. Eligibility

The DVIP accepts domestic violence offenders who are mandated by the Court and USPC to receive counseling as a condition of one of the following Court orders:

- a. Civil Protection Orders;
- b. Deferred Sentencing Agreements;
- c. Judgment and Commitment Order (Probation Order);
- d. Out-of-State Supervision (as approved through the Interstate Compact Office);
or
- e. Parole, Supervised or Mandatory Release Certificates.
- f. Pre-Trial Matters

Offenders suffering from untreated psychiatric, psychological or emotional disorders, including untreated drug and/or alcohol problems, are ineligible to participate in DVIP services. This restriction is in recognition that the offender needs to address the primary issues of substance abuse, mental health and other treatment needs first, before any potential benefit can be derived from participation in a psycho-educational/cognitive behavioral program, such as DVIP. Offenders with a probation term of less than six months also are ineligible for DVIP services. Referrals for Domestic Violence treatment also come from Sex Offender and Mental Health teams.

2. Types of Cases

The DVIP serves juveniles who are charged as adults in CPO matters. The types of matters that are referred to DVIP for batterers counseling are as follows:

- a. Pre-trial/Pre-disposition—Criminal adult cases can be referred to DVIP and are placed in treatment prior to trial or disposition;
- b. Probation (Adult)—Cases having as a release condition participation in batterer’s counseling or DVIP are referred to the program;
- c. CPOs—Cases involved in the Court’s Family Branch, with treatment mandated as a condition of a CPO, or as a condition for assessment in visitation, custody and/or reunification (child abuse) matters may be referred to DVIP; and
- d. Volunteers—Non-Court involved cases where individuals have committed on a voluntary basis to participate in counseling when they have already been Court-ordered into community supervision. Such cases are limited in placement in DVIP, but are considered due to the paucity of domestic violence counseling services available in the District of Columbia;
- e. Deferred Sentencing Agreements (DSAs); and
- f. Parole, supervised and/or mandatory released cases.

3. Referral Process

Offenders will be directed from the Courtroom to the OPU located at 300 Indiana Avenue, N.W. OPU will immediately assign the offender to an appropriate DV supervision team, based on PSA assignment.

The offender will report to the assigned CSO. If treatment has been ordered, the CSO will complete the DVIP automated referral in SMART and will schedule the offender for an orientation session with the DVIP.

a. Domestic Violence Treatment Information in SMART 3

The Domestic Violence Intervention Program staff utilize the SMART treatment module to orient, monitor, and track offenders referred for domestic violence treatment.

All offenders who are referred for domestic violence treatment are to be referred in SMART, using the CSO Referral process that is exactly the same method used to refer offenders for substance abuse and other supportive services, except that the type of referral to be selected is Domestic Violence Treatment Evaluation. If

staff encounter any difficulty in referring an offender electronically in SMART for domestic violence treatment, they are to contact the IT Help Desk directly for assistance.

In addition to using the SMART CSO referral process to refer offenders for domestic violence treatment evaluations, all domestic violence treatment notes for offenders referred to domestic violence treatment through the SMART CSO referral process will be maintained in the offender's domestic violence treatment tracking module in SMART, just like substance abuse treatment referrals, instead of in the offender's SMART running record. (refer to SMART Note 65 to review how to access SMART treatment notes).

4. Program Intake Requirements

The DVIP intake procedures are as follows:

- a. All referrals to Domestic Violence treatment orientation are to be made in SMART. The supervision CSO will electronically complete the DVIP Treatment Orientation Referral Form (found under the CSO Referral Screen in SMART as a drop-down). Upon completion of the referral, the SMART system will automatically generate a date and time for the offender to report for orientation with the DVIP staff. In addition, upon completion of the electronic referral, SMART will automatically generate a "DV Orientation Letter" that outlines specific reporting instructions and is to be handed to the offender.
- b. The DVIP Community Supervision Assistant (CSA) and/or the DVIP Treatment Vendor Coordinator will be notified of those individuals scheduled for orientation by accessing the SMART Treatment Evaluation and Referral Screen (under the evaluation header).
- c. Group assignments are to be made based upon the following criteria: type of DVIP treatment noted on the referral (i.e., family violence, male/female batterers, anger management and employment statuses).
- d. Once a group type has been determined, then the offender is to be assigned (based upon his/her employment status) to either a non-fee group (conducted by trained CSOs) or a fee-based group (conducted by contracted vendors). Sliding scale fees for applicable offenders are assigned based upon that person's income/ability to pay.
- e. The Community Supervision Assistant (CSA) prepares a sign-in sheet for the orientation session and a case file for each offender. A working folder is prepared for cases assigned to private vendors. The CSA then forwards the

case file to either the CSO who coordinates fee-based vendor services, or the CSO who coordinates non-fee services.

- f. Specially trained CSOs conduct a two-hour orientation session. During the orientation session, the designated CSO:
 - i. Introduces the DVIP program staff, describing their training and experience;
 - ii. Distributes the DVIP participant manual;
 - iii. Reviews the treatment program philosophy, goals and objectives;
 - iv. Discusses local and national domestic violence laws;
 - v. Explains what program concepts and skills will be covered during the 22-week batterer's or family violence treatment sessions. The program's concepts are also explained to the twelve week anger management group participants. Discusses the definition of domestic violence and introduces the Duluth Power and Control Wheel (instructional model);
 - vi. Reads, explains and requires each offender to sign the DVIP participant program contract that sets forth program rules, guidelines and regulations governing participation in treatment (fee-based and non-fee based) sessions; and
 - vii. Allows offenders to introduce themselves and discuss their current domestic violence charges, and explains why the offenders are in the batterers' treatment program (this is to determine whether participants are willing, at this stage, to take responsibility for their violent and abusive behavior.)

- g. The DVIP SCSO or his/her designee will assign offenders to private sector service providers or to DVIP CSOs for treatment. In addition, special consideration and placement accommodations are extended to Spanish-speaking and other non-English speaking individuals. Interpreter services are available to offenders who do not speak English or Spanish and the hearing impaired.

5. Case Management and Treatment Activities

General case management and supervision activities include:

a. Assessment/Evaluation

The DVIP CSO completes progress notes after each session with the offender. In addition, a treatment assessment progress report is prepared and submitted to the supervision CSO every 30 days. The assessment gauges the offender's progress in the program and his or her willingness to accept responsibility for past or

current use of violent and controlling behavior. The results of the assessment may indicate the need for additional sessions.

b. Treatment Modality

The DVIP utilizes the eight theme Duluth Educational Model curriculum that include the following formal concepts:

- i. Non-Violence;
- ii. Non -Threatening Behavior;
- iii. Respect;
- iv. Trust and Support;
- v. Honesty and Accountability;
- vi. Sexual Respect;
- vii. Partnership; and
- viii. Negotiation and Fairness.

The group sessions are conducted by Duluth Model Certified CSOs and Court approved community-based service providers. The eight themes are discussed progressively over the 22-week treatment process. The curriculum is augmented with other psychosocial culturally competent materials related to domestic violence intervention.

Offenders attend a 90-minute group session once per week, and are required to actively participate in the group session by discussing their violent/abusive behavior with other group members. Offenders also are required to complete homework assignments and bring their DVIP/FVIP or anger management manuals to class. During the course of the program, offenders continue to report to their supervising CSO in accordance with their designated supervision level.

c. Referrals

All referrals (substance abuse, employment, mental health, medical, etc.) are channeled to the supervising CSO. If the DVIP CSO determines that the offender needs to be referred to treatment, the DVIP CSO will contact the supervising CSO to recommend that a referral be made.

d. Victim Contact

The CSO is required to make contact with the victim to give them CSOSA contact information, obtain information about the incident, verify that the offender is in compliance with a stay away order if applicable, advise if the offender is terminated from treatment services, and provide the victim with information on victim services.

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NOTE: If the victim states that he/she wants no calls from CSOSA, the worker will document this information in the running record and only send correspondence in accordance with the established Agency contact standards.

e. Case Conference/Staffing

Staffing conferences are conducted monthly between the DVIP SCSO and DVIP CSO. The CSO facilitates a group discussion on one of his or her cases. The CSO discusses the offender's general performance, as well as any pertinent issues. The case staffing conferences are conducted in a peer group format to allow the individuals present to provide feedback to the facilitating CSO. Vendor cases (fee-based) are staffed on an as needed basis.

f. Program Completion/Discharge/Transition/Termination

Offenders are discharged from DVIP either through successful completion of or termination from the DVIP. To successfully complete the program, offenders must attend all 22 group sessions, openly discuss their violent and abusive behavior, bring all materials to the session, and complete homework assignments to include two safety plans and two control logs. All offenders will complete the program successfully unless they are terminated before the end of their term. When the offender is discharged from the program, either through successful completion or termination, the CSO completes the termination or completion report and forwards it to the DVIP SCSO. The report contains an assessment of the offender's overall performance as it relates to personally understanding and applying the concepts set forth in the DVIP curriculum, conduct in the group sessions, and progress in adjusting his/her behavior to dealing with violence and abuse.

Offenders who complete the program successfully sign a contract with the DVIP CSO agreeing to remain violence free. A copy of the contract is filed in the supervision case file. The DVIP SCSO reviews and approves the report (termination or completion) and forwards it to the supervising CSO and SCSO. The DVIP CSO provides offenders who complete the program successfully with a Preliminary Completion Report and Certificate that is a brief appraisal of the offender's performance and serves as verification of his or her program completion.

g. Sanctions/Incentives

If an offender is absent from any treatment session, the offender will have to attend an additional session and will be sanctioned by the supervision CSO.

Disruptive behavior, being under the influence of drugs and/or alcohol during a group session, failure to complete homework assignments, and/or failure to bring program materials to the session will result in the offender being sanctioned by the supervision CSO for group non-compliance and possibly expelled from the program (if recommended following a case staffing).

The offender must attend a make up session at the end of the program for any missed sessions. An offender may be terminated from the program due to repeated incidents of the behavior noted above or re-abuse (a new verifiable incident of abusive and controlling behavior). The DVIP staff may be ordered to testify at revocation or review hearings regarding violations of program rules and/or re-occurrence of abuse or violence.

Statutory Authority: Section 11232 (b) (2) of the National Capital Revitalization and Self-Government Improvement Act of 1997 (“Revitalization Act”), Pub. Law 105-33, 111 Stat. 712, D.C Code §§ 24-1231 *et seq.* (1996 Repl., 1999 Supp.) (Trustee’s authority); D.C. Code § 24-201 *et seq.* (1996 Repl.) (Probation’s authority); D.C. Code § 24-201.2(a) (3) and 28 D.C.M.R. § 213 (1987) (Parole’s authority).