



BATTERER INTERVENTION PROGRAM STANDARDS

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Fundamentals

Men's Program Standards

These standards have been established for programs providing education to men who have used physical violence or abuse toward an intimate partner. This may include those who have been ordered into an intervention program by a Nebraska court.

These standards apply regardless of the sexual orientation of an offender. Although there are women in heterosexual or homosexual relationships who also perpetrate intimate partner abuse related crimes, these standards do not apply to intervention programs that currently exist in Nebraska for such women.

In the vast majority of cases, as experienced in this State and as confirmed by national statistics, the victim/survivors of domestic abuse are overwhelmingly women and the batterers are men. It is intended that these guidelines be a guide for new and existing programs toward the development and delivery of services to men who have acted abusively toward a partner or spouse. The reasons that men use physical violence and other forms of abuse toward an intimate partner may be different than reasons women do this, and as such the response may need to be different as well. For this reason, separate standards for programs addressing men's use of abuse are appropriate.

Historically, society has sanctioned men's, but not women's, use of abusive tactics, including violence, to maintain dominance in relationships. Men's use of these abusive tactics, including violence, within the context of the family has been normalized and at times even protected as appropriate male privilege. As a result, some men have learned to believe they are entitled to use abusive tactics, including violence, in their relationships.

Intervention programs for men who abuse maintain that the perpetrators of domestic abuse are solely responsible for their actions. They reject notions of provocation or loss of control and assert that perpetrators carefully select the targets of their abuse and choose the circumstances of their violence, including the amount of injury inflicted by their assaults.

Because men who abuse choose violence, they can also choose to stop abusive behaviors, including use of violence, in their intimate relationships. Intervention programs that comply with these standards are charged with educating men to consider the options for ceasing abusive behavior and embracing belief systems respectful of women. Intervention programs also must recognize that the decision to not use abusive behaviors, including violence, rests exclusively with the perpetrator.

The safety of the victim(s) supersedes the interests of the perpetrator and the men's intervention program. The intervention program will clearly state that the programs are targeted at changing men's abusive behaviors, not salvaging marriages or relationships.

Definition of Domestic Abuse

The terms domestic abuse and domestic violence are often used interchangeably. For the purpose of these standards, and as a reference for those who provide intervention services to perpetrators of domestic abuse, the term domestic abuse is used and is understood for these standards as follows:

Domestic abuse is an attempt to control the behavior, emotional, and/or intellectual life of another person and to diminish or prevent that person's free choice. Abuse can include physical harm, arousing fear or preventing a victim from doing what he/she wishes. Relationships in which one partner uses assault and coercion can be found among married and unmarried heterosexuals, lesbians and gay males. Not all forms of domestic abuse are criminal.

It is a myth that batterers resort to violence when they lose control. In fact, abuse is deliberate. Offenders are responsible for their behaviors. For men, the most prevalent cause of domestic abuse is his belief that he is entitled to use abusive behaviors against his intimate partner. Commonly, abusers learn this belief system by living in a society which condones or promotes violent behavior, however there are other causes. Abuse may consist of one, or a combination of two or more of the following behavioral elements:

- Physical assault against an intimate partner, children, pets or other people close to the victim
- Threats, including threats:
 - Of bodily harm or to well-being,
 - To privacy such as regarding sexual orientation or immigration status, or
 - To children, pets, or other people close to the victim
- Verbal and emotional abuse such as intimidation, coercion, isolation or degradation.
- Economic forms of control such as withholding or denying access to money or other basic resources, sabotaging employment, housing or educational opportunities.
- Sexual assault or sexual abuse, including coercion
- Social isolation such as possessiveness, jealousy, denying communication with friends and family, inhibiting access to transportation and telephone.
- Stalking, harassing and ongoing monitoring and pursuing of the victim
- Damaging the victim's property

Statutory Definitions of Domestic Abuse

Nebraska law now defines domestic abuse in three places.

Domestic Assault

Domestic assault is defined as a crime in Nebraska State 28-323, which states:

- (1) A person commits the offense of domestic assault in the third degree if he or she:
 - (a) intentionally and knowingly causes bodily injury to his or her intimate partner;
 - (b) threatens an intimate partner with imminent bodily injury;
 - (c) or threatens an intimate partner in a menacing manner.

- (2) A person commits the offense of domestic assault in the second degree if he or she intentionally and knowingly causes bodily injury to his or her intimate partner with a dangerous instrument.
- (3) A person commits the offense of domestic assault in the first degree if he or she intentionally and knowingly causes serious bodily injury to his or her intimate partner.

For purposes of this section, intimate partner means a spouse; a former spouse; persons who have a child in common whether or not they have been married or lived together at any time; and persons who are or were involved in a dating relationship. For purposes of this subsection, 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.

Protection from Domestic Abuse Act

In the Nebraska civil code, domestic abuse is defined. Nebraska Revised Statutes section 42-903, the Protection from Domestic Abuse Act, defines abuse as the occurrence of one or more of the following acts between household members:

- (a) Attempting to cause or intentionally and knowingly causing bodily injury with or without a dangerous instrument;
- (b) Placing, by means of credible threat, another person in fear of bodily injury. For purposes of this subdivision, credible threat means a verbal or written threat, including a threat performed through the use of an electronic communication device, or a threat implied by a pattern of conduct or a combination of verbal, written, or electronically communicated statements and conduct that is made by a person with the apparent ability to carry out the threat so as to cause the person who is the target of the threat to reasonably fear for his or her safety or the safety of his or her family. It is not necessary to prove that the person making the threat had the intent to actually carry out the threat. The present incarceration of the person making the threat shall not prevent the threat from being deemed a credible threat under this section; or
- (c) Engaging in sexual contact or sexual penetration without consent as defined in section 28-318.

“Family or household member” includes 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 subsection, 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.

Parenting Act

In the Parenting Act, 43-2922 (8) defines “domestic intimate partner abuse” as:

an act of abuse as defined in section 42-903 and a pattern or history of abuse evidenced by one or more of the following acts: Physical or sexual assault, threats of physical assault or sexual assault, stalking, harassment, mental cruelty, emotional abuse, intimidation, isolation, economic abuse, or coercion against any current or past intimate partner, or an abuser using a child to establish or maintain power and control over any current or past intimate partner, and, when they contribute to the coercion or intimidation of an intimate partner, acts of child abuse or neglect or threats of such acts, cruel mistreatment or cruel neglect of an animal as defined in section 28-1008, or threats of such acts, and other acts of abuse, assault, or harassment, or threats of such acts against other family or household members. A finding by a child protection agency shall not be considered res judicata or collateral estoppel regarding an act of child abuse or neglect or a threat of such act, and shall not be considered by the court unless each parent is afforded the opportunity to challenge any such determination.

In addition, the Parenting Act also establishes definitions for economic and emotional abuse. Here are the definitions in 43-2922:

(9) Economic abuse means causing or attempting to cause an individual to be financially dependent by maintaining total control over the individual's financial resources, including, but not limited to, withholding access to money or credit cards, forbidding attendance at school or employment, stealing from or defrauding of money or assets, exploiting the victim's resources for personal gain of the abuser, or withholding physical resources such as food, clothing, necessary medications, or shelter;

(10) Emotional abuse means a pattern of acts, threats of acts, or coercive tactics, including, but not limited to, threatening or intimidating to gain compliance, destruction of the victim's personal property or threats to do so, violence to an animal or object in the presence of the victim as a way to instill fear, yelling, screaming, name-calling, shaming, mocking, or criticizing the victim, possessiveness, or isolation from friends and family. Emotional abuse can be verbal or nonverbal.

Sexual Assault

Sexual assault is defined in four separate statutes. First degree sexual assault is defined in Neb. Rev. Stat. §28-319.

(1) Any person who subjects another person to sexual penetration (a) without the consent of the victim, (b) who knew or should have known that the victim was mentally or physically incapable of resisting or appraising the nature of his or her conduct, or (c) when the actor is nineteen years of age or older and the victim is at least twelve but less than sixteen years of age is guilty of sexual assault in the first degree.

Second and third degree sexual assault are defined in Neb. Rev. Stat. §28-320.

(1) Any person who subjects another person to sexual contact (a) without consent of the victim, or (b) who knew or should have known that the victim was physically or mentally incapable of resisting or appraising the nature of his or her conduct is guilty of sexual assault in either the second degree or third degree.

Nebraska law does not recognize an exception allowing for the sexual assault of a spouse. In other words, the sexual of assault of a spouse is still a crime. Nebraska law also provides for sexual assault of a child in the first degree, second degree and third degree in Neb. Rev. Stat. 28-319.01 and 28-320.01.

Purpose of Standards

The purposes of creating these standards to:

- promote consistency of services statewide and to provide a process to evaluate those services;
- inform courts and State agencies that basic intervention models exist for services to offenders of domestic abuse;
- provide a model for intervention for abusive individuals in Nebraska which is approved by this committee;
- establish a minimum level of responsibility, service and accountability expected from providers;
- enhance the public's awareness of domestic abuse and encourage a community context that does not tolerate abuse and use of violence; and
- remind providers that intervention services are an important part of community strategies to end violence against women and children.

Purpose of Intervention Programs

The purposes of the programs are to:

- hold offenders accountable, challenge their beliefs, and teach new skills to help offenders change their behavior;
- provide role models while educating offenders about non-controlling behaviors;
- collect data to assist with evaluations of programs and recidivism;
- confront collusion and victim-blaming by offenders and others;
- challenge myths about domestic abuse;
- providing referrals to other agencies for needed services;
- heighten public awareness by making information available to the community; and
- report compliance and noncompliance to the courts or other referral sources.

Principles of Practice

Programs must recognize and have policies that state the following:

- Separate programs for men and women are required to address gender-specific dynamics of abuse.
- Domestic abuse cuts across all lines of race, ethnicity, education, social class, sexual preference, age, religion, geography and physical and mental ability.
- Domestic abuse is rooted in societal imbalance of power between intimate partners.

- Abuse is not tolerated under any circumstance. All behavior, whether intentional or unintentional, has consequences and is the sole responsibility of the actor. Offenders must learn that engaging in abusive behavior has serious consequences.
- Domestic abuse is a learned and chosen behavior and therefore can be unlearned. New ways of participating in intimate relationships can be implemented. Domestic abuse is rarely caused by disease, diminished intellect, addiction, mental illness or any external person or event.
- Domestic abuse is not caused by alcohol or drug use, although it may be a factor and may increase the lethality of domestic abuse.
- Each individual is totally responsible for their own acts, no matter what the circumstances. The person who chooses to abuse is responsible for the abuse, not the person who is the target of abuse.
- Intervention with offenders may give the victim a false sense of security and may serve as a substantial disincentive to separation and other safety planning. Therefore, intervention must be undertaken with particular care to safeguard victims.
- No intervention program for offenders should be initiated in a community unless there is a program for domestic abuse victims that provides safe housing, advocacy and support services.
- It is in the best interest of the victim to expand networks of support through involvement at a domestic violence/sexual assault program or other agency offering information, advocacy and support. Therefore, offender intervention services should make timely, informed referrals for victims.
- Victim contact is a valuable support for intervention, but it may endanger the victim's safety. The safety of the victim always supersedes the interests of the offender in an offender program.
- Victims are entitled to access information from programs for perpetrators of abuse on program philosophy and curriculum content, as well as on the attendance, and termination from the program.
- In intervention with men who abuse, service providers have a special duty to warn victims of threats.
- Offenders should pay all or part of their own program costs to indicate accountability.
- Program plans should allow for individual needs of participants such as physical disabilities or functional illiteracy and attempt to accommodate people with language barriers or physical disabilities either individually or through referrals.
- Providers will maintain individual professionalism. They will maintain a personal demeanor that is consistent with a professional appearance and attitude. Providers will be violent-free in their professional and personal lives as set out in these standards.
- Providers must cooperate with other interrelated agencies, including service providers for victims and the criminal justice system. Continued interagency communication and

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cooperation is essential to assess the lethality of the offender, the potential for harm to the victim, and the effectiveness of the programs.

- The standards may undergo review and revision. The review and revision process will be consistent with experiences of new knowledge, skills and methods.

Collaboration Standards

Safety for victims of domestic abuse must always be the primary goal of an intervention program. So, intervention programs must establish cooperative, accountable relationships with local domestic violence/sexual assault programs, the Nebraska Coalition to End Sexual and Domestic Violence (Coalition) and the criminal and juvenile justice systems, including probation and Children and Family Services.

Batterer intervention programs shall not exist in isolation. Intervention programs must develop within a community approach. Aspects of collaborations could include referral protocols with courts, client reporting procedures, participation in coordinated response coalitions and victim safety procedure protocols with domestic violence/sexual assault programs.

Batterer intervention programs must establish procedures for safeguarding victims of abuse, understand laws on domestic abuse, and the operation of the justice system.

An MOU for a new BIP shall not exceed one year. Subsequent MOUs can be signed for a two-year duration.

MOU with Victim Services Program

If a batterers program is not provided by victim services program that is a member of the Coalition, the program must demonstrate a working relationship with the victim services program in its service area that is a member of the Coalition.

An MOU must be signed between the executive director of the Coalition's member program(s) in the program's service area and the person responsible for insuring that the program complies with these standards.

This MOU must be signed by both parties prior to the program initiating service and remain in effect for the program to remain in compliance with state standards. The MOU should outline the specific steps the program will take designed for victim safety, including victim contact procedures, and what role the victim services program will play in the victim safety response. A sample MOU is included in Appendix G.

MOU with Probation/Courts

To work toward an increased level of accountability, programs must communicate with Probation/Courts regarding participants who are court directed/mandated to attend.

An MOU must be signed between the Adult Probation District in the program's service area and the person responsible for insuring that the program complies with these standards. This MOU must be signed by both parties prior to the program initiating service and remain in effect for the program to remain in compliance with state standards. A sample MOU is included in Appendix F.

At a minimum, programs should provide the following information to Adult Probation:

Monthly Contact:

- Each program must complete an individual monthly report on all program participants who are on probation. This report must be submitted to the identified probation officer by a date decided upon by both the program and probation.
- Monthly Reports must be completed using the Standardized form (see appendix E – use revised form)
- Programs must participate in a meeting monthly to staff cases.

Change in Status or Non-Compliance Contact:

- Programs must inform probation/court if the participant is terminated from the program within 48 hours of termination.
- Each program must contact the individual probation officer within 24 hours of discovery of any new violence on behalf of the participant.

Involvement With and Referrals From Other Sources

Providers may choose to accept referrals from non-judicial sources. While it is good practice to have a MOU with other referral sources, it is not a requirement of these Standards.

Transfer Policy

- Any individual transferring from one Nebraska program to another Nebraska program as a result of a termination must start over with the second program.
- Any individual in good standing in a Nebraska program who seeks to transfer to another Nebraska program as a result of a lifestyle change that makes it impossible for the program participant to continue in the program may do so without losing time in the program.
- Any individual in good standing in a Nebraska program who seeks to transfer as a matter of preference to another Nebraska program may do so, but the program participant must start over.
- Any individual transferring into a Nebraska program from another program not on the approved provider list must start over unless the program participant is in good standing in a program that appears to conform to these standards. Program verification must be made by the staff of a Nebraska program.
- Program participants who want to transfer to a different program must sign a release of information so that the two programs may contact each other to establish the status of the program participant in the new program and share any other relevant information about that program participant.
- A program participant is considered in good standing if:
 - all homework assignments have been completed;
 - group fees are current;
 - group attendance policies have been met;
 - and all contract requirements have been met.

Advertising/Public Information Policy

Programs will establish a media policy addressing advertising and public information. Elements of this policy will include:

- Advertising for offender programs should indicate they are a part of a community response to domestic abuse and not the sole means for ending domestic abuse.
- Offender programs will clearly state the programs are targeted at changing batterers' violent behaviors, not salvaging marriages or relationships.
- Advertising should not link batterer programs with any couples counseling, marriage counseling or other form of family counseling.
- Advertising should not predict success or success rates.

Structural Components

Program Content

Length

The minimum length of the intervention program should not be less than 30 weekly group sessions lasting for 90 minutes per session, excluding breaks. This does not include intake, orientation, and exit sessions.

Appropriate Intervention Approaches

- The preferred model for batterer intervention programs are group sessions co-facilitated by one male and one female for the purpose of modeling healthy egalitarian relationships.
- The model is educational. It addresses abuse in both a personal and social context through gender-based expectations, beliefs and attitudes. The model acknowledges that violence is a learned behavior, so perpetrators can learn to behave differently.
- Individual intervention is strongly discouraged; however, it may be provided when an individual is unable to participate in a group setting at the discretion of the program coordinator; no qualified group program is available; if the individual's participation would be too disruptive for other group members; or the individual's safety would be compromised by participating in a group program. Individual intervention must be documented by the provider in the individual's case file and must be limited to domestic abuse issues.
- Individual programming may be utilized when mental health issues, substance use or behavioral issues would disrupt the program for others. Ongoing individual intervention must be provided under the same requirements of these standards, including cost per session, as if they were attending a group.
- Individual programming should not be used as an occasional substitute for missing group.
- Providers may decide whether groups are open (accepting new members on an ongoing basis) or closed.
- Groups must be of same gender.
- Programs must have policies that address same sex offenders participating in the group. Participation in the program may be on a case by case basis and should address safety of the individual.

Also, the following interventions may occur while ordered to the batterer intervention program if the provider deems it appropriate:

- Treatment for mental or substance abuse problems.
- Individual counseling to address other issues the perpetrator may have, such as overcoming childhood trauma.

The Use of Technology to Facilitate a Remote Group

No Batterer Intervention Program provider is authorized to use electronic communications device, such as but not limited to telephones or computers, to allow participants to participate in a program remotely. Any program desiring to provide remote access through the use of an electronic communications device must develop policies and procedures specific to this practice. These policies and written procedures must be submitted to the State Standards Committee for review and approval prior to providing such access to a group. Failure to comply may cause a program to lose the ability to provide programming in a traditional setting.

Inappropriate Intervention Approaches

Victim safety is the primary consideration in any intervention approach and the following approaches do not meet the standards and are inappropriate as a substitute:

- Any approach that blames or intimidates the victim or places the victim in any danger. There is no behavior on the part of the victim which causes or excuses abuse. Perpetrators bear sole responsibility for their actions.
- Any approach that coerces, mandates or otherwise requires victim participation. Couples, marriage or family therapy is not likely to be effective during the batterer intervention program, can be dangerous and increase possible lethality concerns, and is discouraged. Such programs are not a substitute for a batterer intervention program. Program facilitators should not provide couples counseling to current group members as it may impact victim safety. A group facilitator must take into consideration the issue of victim safety before providing or referring couples counseling to a former group member.
- Any mental health interventions which excuses the violence, such as childhood abuse experienced by the program participant.
- Communication enhancement or anger management programming which lay primary causality of violent behavior on anger or provocation is not a substitute for batterer intervention programming.
- Any approach that uses the behavior of others to excuse the behavior of the participant, such as victim blaming.
- Counseling models that identify the victim and children as enabling or codependent in the violence.
- Any approach that settles for less than abuse-free behavior.
- Theories or techniques that identify addiction as the primary cause of the violence.
- Methods that identify psychopathology or personality disorder on the part of either party as a primary excuse of violence.
- Couple counseling, couple groups, mediation, marriage enhancement weekends or family therapy. Victims shall not be compelled to participate in any aspect of the batterer intervention.
- Treatment for mental or substance abuse problems can't be substituted for an intervention program.

Fees

- A fee for services, no matter how minimal, will be assessed and paid by the offender. It is recommended that the offenders pay in a regular, consistent basis. Responsibility for the all or a portion of the financial cost of the program is an essential element of perpetrator accountability.
- Participant fees may be based on a sliding scale and based on the program's determination of the offender's ability to pay. Programs must accept indigent participants.
- Payment will not be accepted from anyone other than the participant except when a state agency is court ordered to pay some portion of the fee.
- Programs should not seek payment from third party payors, such as insurance.

Attendance Policy

- The program participant must complete all of the sessions of the intervention program as provided in the contract that program participant signs. However, the offender cannot begin that program until intake and orientation are completed.
- Notice of this policy must be signed by the offender and placed in his file.

Curriculum Content

- Program topics must follow a model that depicts an overall system of physical and sexual abuse where the perpetrator uses methods of power and control over a victim. Those tactics include:
 - Using sexual violence;
 - Using physical violence;
 - Using intimidation;
 - Using emotional abuse;
 - Using isolation;
 - Minimizing, denying and blaming;
 - Using children;
 - Using male privilege;
 - Using economic abuse; and
 - Using coercion and threats.
- Perpetrator intervention providers must provide information on each of the following content areas in the intervention sessions:
 - The perpetrator's responsibility for the violent and abusive behavior;
 - The definition of domestic abuse;
 - Healthy sexual relationships;
 - The myths and beliefs about domestic abuse, including myths about provocation;
 - Listening and communication skills and listening with empathy;
 - Problem solving skills;
 - Stereotypical gender role and societal expectations, including male privilege;

- The effects of domestic abuse on victim, children, self, and others;
- Dispelling myths about substance use/abuse causing domestic abuse; and
- The role of religion, ethnicity, sexual or gender orientation, and culture in domestic abuse.
- Intervention programs will make no differentiation between forms and levels of intensity of violent behaviors.

Intake and Orientation Procedures

The program has authority to accept or reject referrals and therefore, the program will develop and use criteria for acceptance or rejection for intervention services. Some perpetrators are not ready or are not appropriate for an intervention program. For example, some perpetrators may have behaviors or medical conditions that would make a group process inappropriate or ineffective. If a program does not have the capacity to make an adequate assessment for compounding problems, such as substance abuse or mental illness, referrals for assessments, in collaboration with probation officers, should be done by the appropriate agency with follow up to the intervention program. The criteria for accepting/rejecting clients should be included in the program's policies and procedures.

Intake

The following intake standards should be implemented:

- During intake and periodically thereafter, the program will assess for lethality and risk of harm to others. Appendix D lists a minimum list of information a program should obtain when assessing for lethality and risk of harm. Risk assessments throughout his involvement in the program are required. Offenders of domestic abuse have the potential to greatly injure or kill others. While an offender's behavior cannot be predicted or accounted for by program staff, because primary program objectives seek to provide for the safety of the victims and contribute to efforts to hold offenders accountable, assessing for lethality or risk of harm are an important part of the program structure. Changes that may occur in the offender's life during the time he is involved in the program, such as increased alcohol use or a breakup with a partner, can increase his potential for lethality or risk of harming others. The program should have a written policy establishing follow up from an evaluation.
- The program shall review the contract for services with the individual that clearly spells out obligations in the program and the nature of the intervention program.
- If the program rejects a court-mandated applicant for intervention services, it must advise the court or referring agency of the basis for rejection. This information shall be provided to the individual if the individual is a self-referral.
- The program does not discriminate against any applicant based on race, class, age, physical handicap, religion, educational attainment, ethnicity, national origin or sexual preference.

Orientation

All clients should receive an orientation prior to beginning the program. An orientation outline and a statement acknowledging the need to attend must be in each offender's file. Orientation may be provided individually or with a group of program participants. Orientation must include:

- The definition of domestic abuse;
- An introduction of the power and control wheel;
- An introduction of the equality wheel;
- An overview of the program's rules and regulations;
- An overview of effects of domestic abuse on children; and
- An outline of program content showing the dynamics of power and control, the effects of abuse on the victim, children and others, gender roles, socialization and the nature of the abuse.

Notification and Contact of Victims, Current or Former Partners Including Those Who the Perpetrator Shares a Child in Common With

Safety of intimate partners who are impacted or may be impacted by perpetrators' behaviors is of the utmost importance and is the first priority of any batterer intervention program. As a result, programs are required to make reasonable attempts to notify victims, current or former partners, including those who the perpetrator shares a child in common with about the perpetrators' participation in the program.

(NOTE: In the remainder of this section, the word victim refers to victims, current or former partners, including those who the participant has had children with.)

This notification is required for the purpose of enhancing the safety of victims and children and providing information about the intervention services, the importance of safety planning and the availability of services from local domestic violence/sexual assault programs.

For these reasons, batterer intervention programs shall have written policies and procedures that govern victim notification and contact. These written policies and procedures must effectively address victim safety. Contact is not for purpose of promoting rehabilitation of men who batter. Contact initiated by a batterer intervention program shall consist of notifying the victim of the following:

- **Notification of completion**
- **Notification of termination**
- **Notification of imminent threats to health or safety (duty to warn)**
- **Notification of "milestone" events during the intervention, such as warning participant he is danger of termination**

Programs are required to notify participants that they will make these victim contacts.

Initial Victim Notification:

- The program shall have a policy to notify victims, in writing, within no more than 5 business days after the participant has signed the program contract. The program's policy

shall require reasonable efforts to determine a correct address to send the written information to victims. The policy shall at a minimum include seeking a correct address from at least 2 sources which might have this knowledge, such as the program participant, law enforcement or adult probation. The policy will include the documenting of efforts to determine a correct address to send information.

- Batterer Intervention Programs may conduct initial notification by telephone, however, the letters and accompanying information are still required. Notifications must include the following information:
- Information about the Batterer Intervention Program including program structure, program content and program philosophy.
 - The limitations of the program, including a statement that participation in a BIP does not ensure the participant will stop any or all abusive behaviors.
 - Contact information for the local domestic violence/sexual assault program.
 - Name and contact information for probation office.
 - A clear statement that the victim is not expected in any way to help the participant complete any BIP requirements and that the participant's eligibility for the BIP's services is not contingent in any way on victims participating in the intervention.
 - Provision for further contacts.
 - Copy of "*A Partner's Guide to Batterer Intervention Programs for Men* found in Appendix I
- Programs should not provide any information that suggests behavioral change guarantees or success rates of the program.
- The BIP shall document in writing initial notification. If written notification is returned, it shall be appropriately filed. If phone contact is initiated, the BIP must also document this for the victim's file. **No victim contact information shall be kept in the participant's file.**

Notification of Participant Completion or Termination

- The BIP shall notify the victim, in writing or by phone if appropriate, within 5 business days of the participant's completion of the program.
- The BIP shall have a policy to notify the victim of the participant's termination from the program. The program must attempt to contact the victim within the first 24 hours after the participant's termination from the program
- Notification shall include:
 - Notification that the offender has completed or been terminated from the program;
 - Contact information for the local domestic violence/sexual assault program;
 - Name and contact information for adult probation office; and
 - A clear statement that completion of the program does not ensure the participant will stop any or all abusive behaviors.

Documentation of Victim Contact

- The program shall have a policy to document in writing all efforts to contact a victim.
- The program shall have a policy regarding documenting victim contact. All documentation regarding victim contacts or attempted contacts should be kept in separate files and not linked to a participants file.
- The program shall have a policy regarding returned mailings to a victim.

Notification of Imminent Threat to Health or Safety (Duty to Warn)

- The program shall have a policy that requires an immediate attempt to notify the victim of any real or perceived threats to the victim's health or safety. Attempts at immediate victim notification must be made by phone or in person. The BIP must disclose participant information when the BIP, in good faith, believes such disclosure is needed to prevent or lessen an imminent threat to health and/or safety. No authorization to release information is required under these circumstances.
- The program shall have a policy that considers staff's responsibilities if a program participant appears suicidal.
- This duty to notify victims of imminent threat is not limited to situations where the participant has been hostile or made threats. The program has a duty whenever it reasonably believes, for whatever the reason, including simply intuition that a health and safety threat exists.
- The BIP shall immediately contact law enforcement when the BIP, in good faith, believes there is a real or perceived threat to another person or the public. No authorization to release information is required under these circumstances.
- The BIP shall attempt to immediately contact the supervising adult probation officer of the participant when the BIP, in good faith, believes there is a real or perceived threat to another person, self, or the public. No authorization to release information is required under these circumstances.
- Any real or perceived threats to the health or safety of another person, self, or the public issued by the offender shall be documented in writing in the offender's file.

Victim Initiated Contact

Standards require that program policies address victim initiated contact with facilitators. The ideal policy includes involving a victim advocate from a local domestic violence/sexual assault program in conversations with victims. However, it is recognized this may not be possible in all areas of the state which is the reason all BIP programs must be connected to their local Community Response Teams or victim service provider. Victims may choose to interact with a facilitator for different reasons and programs should have policies and procedures in place that address the following:

Batterer Intervention Programs should not be the primary advocacy resource to victims. Referrals to a local domestic violence/sexual assault program that is a member of the Coalition should be made for ongoing advocacy. Such referrals are essential to avoid conflict of interest and because of the expertise of the advocacy program in safety planning and related issues.

If a victim initiates contact with any BIP staff, **BIP staff shall not inform the program participant about the contact.**

In response to victim initiated contact, BIP programs must clearly state that the individual making contact is under no obligation to provide any information, that refusal to do so won't affect the status of the participant and that any information shared with the BIP will be kept confidential unless the program receives express authorization to disclose the information or unless release of information is required by law or court order.

In considering whether to receive information from victim initiated contact, the BIP shall prioritize safety over any other concern. When a program concludes that victim contact is unsafe, the program will end all victim contact except to warn about immediate threats, dangers, and risks posed by the program participant. This guideline is true even though use of the information may help improve the intervention with the program participant.

Confidentiality

Victims

Intervention programs shall maintain the confidentiality of victims, unless confidential verbal communications are specifically waived by the victim in writing.

- Intervention programs shall not persuade or coerce victims to waive confidentiality and shall inform victims of the limits to confidentiality. They are:
 - The program has a duty to report child abuse or vulnerable adult abuse according to state law.
 - The program has a duty to warn the intended victim if the client makes an explicit threat to harm someone else. The program also has a duty to warn when the client exhibits characteristics that suggest dangerousness.
- Intervention programs must keep separate records for the program participant and victim. Separate record keeping reduces the risk of inadvertent disclosure. Information about victims, even in separate case records, should be kept to a minimum.

Program Participants

Program participants in intervention programs are accorded and notified in writing the limits to confidentiality. (See Program Participant Contract Components)

Other Persons Attending Men's Domestic Abuse Intervention Groups

No person may observe an intervention program session who does not have a valid purpose to be there. Appropriate notice should be given to the coordinator or facilitator of the intervention program before an outside person attends the group. A valid purpose to visit a program may include a facilitator from another BIP group to observe how it functions, BIP committee members, or Probation or other relevant case (or court) personnel. A valid purpose does not include reporters/media or students attending for purposes of a research project or degree requirements and not intending to serve as a facilitator.

Program Participant Contracts and Rules

Contract Components

Program participants should receive a copy of the signed contract and the offender rules. To ensure informed consent, the following issues must be addressed in offender contracts for intervention programs:

- Length of program;
- Criteria for termination, including a clause noting that failure to comply with terms of the contract, including group rules, could lead to being terminated, and should at a minimum address the following:
 - Attendance policies and consequences of inadequate attendance;
 - The expectation of active participation, including sharing personal experiences, values and attitudes and completing group activities and assignments;
 - An agreement to stop violent and threatening behaviors, to be non-abusive and non-controlling in relationships, to comply with all court orders, and to cooperate with the rules for group participation;
 - Other program expectations, such as written exams, concurrent treatment requirements, rules regarding possession of weapons, and any other conditions on participation in the intervention program;
 - Fees/methods of payment;
 - Drug and alcohol policy, including the requirement that the offender attend sessions free of drugs or alcohol;
- Note that groups may have visitors from time to time who have an appropriate purpose for attending, such as Adult Probation officers; and
- Each program participant must have validly executed written waivers of confidentiality upon entering the program and must update waivers that expire during the duration of the program. These waivers are related to:
 - Contact with any victim of the offender for information sharing about acceptance, rejection, change of program participation or termination of the offender;
 - Duty to warn and protect victims, law enforcement and third parties related to any risk of serious harm posed by the offender;
 - When the offender is mandated to intervention services by the court, the waiver specifies that all information regarding the offender's participation will be revealed to the probation office and the court; and that the appropriate office within the justice system must be apprised of a mandated offender's failure to participate, further acts of violence and termination. Reports required by the court and probation regarding participation in intervention services;
 - The right to confidentiality within the specified limits, and the requirement that participants safeguard the confidentiality of other group members;
 - When the confidentiality waivers expires. The program should provide a specific date when the waiver expires.

- Requirement that the program participant provide important, relevant documents such as documents related to prior violence, prior or concurrent treatment services, or execute appropriate releases of information to obtain the privileged information.
- Allowing current program to obtain information from any prior men's batterer intervention program the program participant has attended.

Participant Rules

Every intervention program shall have written participant rules and guidelines. These rules should be distributed to offenders upon completion of intake. The rules may be included in the participant contract or be separate and included in the contract by reference. If the rules are separate, the participant contract must require that the participant conform to the rules as a condition of participation in the program. The rules shall include specific guidelines about:

- attendance,
- fees,
- appropriate clothing,
- assignments,
- smoking/food or drink consumption,
- alcohol/drug use,
- group structure and rules,
- termination,
- re-admission, and
- confidentiality.

Termination

Termination for Noncompliance

The program shall develop guidelines for termination so that decisions are uniform and predictable, and to prevent discrimination against any participant based on race, class, age, physical handicap, religion, educational attainment, ethnicity, national origin or sexual preference, except as the program is not able to provide adequate intervention services based on the state of its current development, personnel or resources.

Programs shall terminate participants who commit an act of violence or violate a protection order upon considering the impact such termination might have on victim safety. At a minimum any information about a violent act provided by the participant shall be provided to the appropriate probation officer.

Evaluation for termination may be undertaken in other circumstances, including but not limited to:

- Failure to maintain regular attendance;
- Failure to actively participate;
- Repeated lateness to group meetings;
- Failure to admit any abusive behavior;

- Disruptive behavior in group;
- Failure to make appropriate use of the intervention program;
- Failure to comply with other intervention conditions which are part of the offender's contract;
- Failure to pay fees;
- Violation of any provisions of a court order, particularly when the offender is court-mandated to the program;
- An inability to function in a group.

Noncompliance with the contract, with a court order or with group rules shall be documented in writing in the participant's file.

The program shall have an established procedure for written notification about a termination for noncompliance. This procedure must include written notification to participants, victims, current partners and/or women the participant had has a child with, and others as needed, such as the court and/or adult probation when the offender is court mandated to participate.

Completion

The program shall have established criteria for program completion that may include, but is not limited to meeting all financial obligations and compliance with the contract and group rules.

Communications with the offender, the victim and the court specify only that the offender has completed the program based on adequate compliance with the contract and any court order. It is advised that release for completion is not predictive of recidivism. The intervention program will not refer to completion of the program as "graduation" or "successfully completing the program." The program shall not provide a certificate of completion. The program will not express to anyone the prediction of future behaviors of any of the offenders.

The program shall have an established procedure for notification of victims about program completion.

The program shall have an established procedure that notifies the court of the program completion of court-mandated offenders.

The program shall have an established procedure for notifying the local agency overseeing the intervention program of the program completion.

Staff/Program Ethics & Accountability

Program

Intervention programs and the paid and volunteer staff of these agencies will meet standards promulgated by the Coalition as well as those outlined by professional groups with which they are affiliated, for example:

- American Psychological Association,
- National Association of Social Workers,
- American Association of Pastoral Counselors, or
- American Medical Association.

Intervention programs must establish and maintain cooperative working relationships with local domestic violence/sexual assault programs, battered women, the local community response team and the Coalition. This will include written MOUs with the local domestic violence/sexual assault victim services program and adult probation districts that spell out roles and responsibilities for each party.

Intervention programs shall acknowledge in all of their services and professional endeavors that the safety of battered victims is the foremost goal of intervention.

Staff and facilitators of intervention programs shall not offer any opinions predicting behaviors.

All program providers shall develop a written policy regarding confidentiality consistent with these guidelines.

At the time of their annual review, programs must complete and submit to the state standards committee a form provided to them that identifies program staff, whether program staff have completed required training or not, and whether program staff have met standards for annual training.

Failure to meet these standards will result in the program not being identified as an approved provider according to these standards. Providers previously approved may be removed from referral lists for noncompliance with these standards.

Program Personnel

All program personnel, including staff, facilitators, co-facilitators, supervisors and any other paid or unpaid personnel shall maintain the consistent attitude that the offender is solely accountable for his violence.

Weekly group sessions with five or more enrolled clients should be co-facilitated on a regular basis.

Programs shall develop written employment policies and codes for personnel conduct that reflects the following elements and ethical considerations:

- Program staff must be violence and abuse free in their own lives for the past two years in order to work with batterer intervention programs. Abuse includes stalking, criminal mischief, or non-violent acts that are intended to or do create fear or harass another individual. The existence of a criminal charge of a crime of violence, harassment, stalking or terroristic threats, absent an acquittal, juvenile court proceeding, or no contact order, restraining order or any order of protection shall be evidence of violence or abusive behavior regardless of where the case is found. Any of these incidents committed by program staff must be disclosed to their program supervisor within 24 hours of the occurrence. These program staff shall not continue involvement with the program.
- Programs must complete a criminal background check and a Nebraska child/adult abuse central registry check prior to hiring personnel. Also, prior to hiring, programs will ask applicants about abusive and controlling behaviors they have used in their relationships. It is recommended in making this inquiry that applicants are asked to review a comprehensive list of abusive behaviors.
- Not engage in problematic consumption of legal drugs, alcohol or other substances.
- Not use illegal drugs.
- Not communicate or act in ways that perpetuate attitudes of victim-blaming, sexism or misogyny.
- Continually engage in a process of education and self-reflection on violence against women, particularly in intimate relationships.
- Exhibit behaviors that are consistent with the batterer intervention programs.
- Seek divestiture of gender-based institutional privilege both personally and in the intervention program.
- Immediately report suspected child abuse by an offender pursuant to Neb. Rev. Stat. section 28-711 (Reissue 1998).
- Maintain open communication and seek conflict resolution with personnel in domestic violence/sexual assault programs, other human services agencies and the justice system.
- Will not harass or exploit offenders including the avoidance of any type of sexual intimacies with any offender in the intervention program.

Programs shall have written policies regarding retention and termination of personnel.

Conflicts of Interest

People working for batterer intervention programs – either paid or volunteer – should not have conflicts of interest with the program. Among other things, conflicts of interest are:

- Receiving gifts, compensation or other consideration of value from any participant. Or, receiving gifts, compensation or other consideration of value from any other party that might give the appearance of being designed to influence assessment of a participant.
- Being employed by another agency/organization in a manner that is deemed to be a conflict of interest by the Batterer Intervention Program Standards and Review Committee.

- Being employed by another agency/organization where disclosure by the BIP participant of his actions might create confidentiality breaches.
- A facilitator, who is in private practice as a counselor or therapist, shall refrain from recruiting potential clients who are or have been in the batterer's program for which they also work. If a participant requests a referral, facilitators working for the program can provide a list of potential providers or refer the participant to probation, parole or other such court-related monitor of the participant.
- The program shall not receive any financial consideration from a referral organization for making a referral to a participant.
- Special consideration should be given when program staff are related to a program participant to ensure that a conflict of interest does not impact participation. Program facilitators should refrain from providing couples counseling to current and former group members as it may impact victim safety.

Research

In undertaking research, providers and researchers accept responsibility for the selection of research topics and methods used in investigation, analysis and reporting that will enhance the safety and integrity of victims and advance the elimination of domestic abuse. Research personnel should work in collaboration with domestic violence/sexual assault programs, local community response teams and advocates. Researchers must protect the confidentiality of victims who are the subjects--or victims whose offenders are subjects--of any research.

Violations

Violations of these ethical/accountability standards should be reported to the BIP standards committee. Violations should be reported by the program within 7 days of learning of the violation.

Personnel Qualifications and Training

Trainers and Trainings

The Coalition will maintain a list of trainers or trainings that qualify for training requirements below. This list will be created and maintained with input provided by the BIPSRC.

Staff Training

Coordinators, Facilitators, and Intake Worker Training

Facilitators, Co-Facilitators and Intake Workers must have the following qualifications and training:

- Bachelors degree in a human service-related area OR an equivalent combination of college courses and/or applied experience.
- Completed structured training specific to Nebraska on the basics of domestic abuse and additionally attend an offenders' education curriculum (Emerge or Duluth). One facilitator must have had the approved training before the program begins and the other facilitator must have the approved training within six (6) months of the program beginning. This shall include training on how to conduct a class, the process, what forms are used and group dynamic issues.
- Continuing education is required. All offender program providers must complete 12 hours of continuing education training annually. A variety of topics relevant to improving skills and enhancing the development of the program through workshops, seminars, videos and reading will also be accepted as part of the requirement. The provider must document dates of attendance and relevance of the training if the training is not on the list of trainers or trainings in order to remain in compliance with these Standards.

Supervisor Training

Supervisors must have the following minimum qualifications and training:

- Bachelors degree in a human service-related area OR an equivalent combination of college courses and/or applied experience.
- Completed approved training on the basics of domestic abuse.
- Individuals with supervisory roles at the time of these standards are exempt from this requirement.

Victim Contact/Services Representative

Staff having regular victim contacts (as defined elsewhere in standards) who are not required to meet the above training requirements must have the following qualifications and training:

- Individuals working for a program within the Nebraska Network of Domestic of Domestic Violence and Sexual Assault Programs must adhere to the Program Standards for Nebraska's Domestic & Sexual Violence Programs.
- Individuals working for any other batterer intervention provider must attend 8 hours training approved by the Coalition within 3 months of assuming the contact

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responsibility. Staff must also receive 6 hours of continuing training as approved by the Coalition which can be applied toward the 12 hours of continuing training for staff identified above annually.

Staff Supervision

Each program will establish a supervision program to insure that standards are continuously being met.

Program Review and Listing

List of Approved Providers

Programs that have been reviewed and meet the minimum standards outlined in this document will be listed as an approved BIP provider. The Coalition will forward this list to Nebraska Probation Administration and may post the list of approved providers on its website. Once a program has successfully completed the application process and initial review, the program agrees to abide by the approved policies. The BIP provider voluntarily agrees to participate in and successfully complete an in-person review at least once every three years and a review of documentation in the remaining years in order to remain on the list of approved BIP providers. The BIPSRC may request to do additional in-person reviews with a BIP provider for any reason and at any time.

Application Process

Programs wishing to receive initial approval must:

- Complete the application form;
- Supply needed information as requested;
- Demonstrate the ability to meet these Standards;
- Create in writing MOUs with Adult Probation districts and local domestic violence/sexual assault victim services programs; and
- Participate in an in-person, on-site review with the BIPSRC.

Once an in-person review takes place, the program will receive a letter from the BIPSRC with its findings. If the BIP provider is unable to show that it is in compliance with these standards, the BIPSRC may provide suggested changes to the BIP provider along with a timeline for making necessary changes. The BIP provider will not be identified as an approved provider until the BIPSRC believes that the minimum standards found in this document have been met.

Renewal of an Approved BIP provider

Programs must undergo annual reviews in order to remain on the list of approved BIP providers. An in-person must take place at least once every three years. An in-person review process is similar to the Application Process outlined above. If a program is not required to participate in an in-person review it will need to participate in a review of its documentation. Programs participating in a document review must:

- Complete an evaluation form and return it to the BIPSRC;
- Provide updated staff information and evidence of the staff's compliance with continuing education requirements;
- Provide copies of current MOUs if applicable; and
- Provide other documentation requested at the time of the review.

The BIPSRC may contact the local victim services program and local Adult Probation offices to insure that MOUs are being followed. The BIPSRC will review documentation provided during the review and through contacts with victim services programs and with Adult Probation. If it is determined that a BIP provider needs to make changes to remain in compliance the BIPSRC will

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notify the provider of these changes and the program will be given a period of time to comply with the request.

The BIPSRC may temporarily remove a BIP provider from the list of approved providers during this period if it is believed the non-compliance could have a negative impact on victim safety. The BIP provider will also be removed from the list of approved providers if the BIPSRC believes the provider has failed to make requested changes following a review. Nebraska Probation Administration will be notified of any changes in the status of a program on the list of approved BIP providers.

The BIPSRC may request to do additional in-person reviews with a BIP provider for any reason and at any time.

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.

BATTERER INTERVENTION PROGRAM – Batterer intervention programs include the various methodologies of education with men who batter that are aimed at safeguarding the victim and changing the perpetrator. Marriage or couples counseling and anger management are not appropriate methodologies for this population.

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.

CRT – A Coordinated Response Team (CRT) is a multi-disciplinary group of professionals within a community working toward an end goal of eliminating domestic violence in a community.

BATTERER INTERVENTION PROGRAM STANDARDS AND REVIEW

COMMITTEE (BIPSRC)—The BIPSRC operates through the Nebraska Coalition to End Sexual and Domestic Violence (Coalition) and will annually monitor and review batterer intervention programs. BIPSRC 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 Coalition, representatives from approved men's batterer intervention programs, representatives from Adult Probation and members knowledgeable in the field of batterer intervention programs and/or behavioral health. Except the Coalition representative, BIPSRC members will determine replacements when individuals leave the committee for any reason. Duties of the BIPSRC will include: to approve initial applications of batterer intervention programs, to annually monitor and review the batterer intervention programs, to annually review the batterer 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 abuse, to persuade them to stop engaging in coercive conduct and to encourage them to develop skills and strategies for achieving violence-free lives.

NEBRASKA COALITION TO END SEXUAL AND DOMESTIC VIOLENCE

(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.

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 anyone the participant has a child in common with.

Appendix B – Starting a Batterer Intervention Program

Here are some guidelines when considering starting a batterer 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/sexual assault 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 batterer intervention program.
3. If the community appears ready, the batterer intervention program must then make sure it fits within this coordinated response structure. To meet the state standards the BIP 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 Coalition to End Sexual and Domestic Violence.
4. You will need to meet the state standards developed by Coalition and monitored by the Batterer Intervention Standards and Review Committee. You can contact the Coalition at 402-476-6256 or visit the Coalition's website at <http://www.nebraskacoalition.org> to get copies.
5. Some key points relating to the standards:
 - This document are standards expected in a functioning BIP. Policies created by a program should incorporate the concepts found in the standards, but should not necessarily adopt the exact language of the standards.
 - Group facilitators and the program supervisor must have proper degrees, experience, and training as established by these Standards. Contact the Coalition to determine training availability and approval.
 - 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/sexual assault 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 Batterer Intervention Standards and Review Committee

1. For a new program you must start by contacting the Coalition to ask for a list of material to prepare for review. Existing programs planning to expand service to another county must contact the Coalition to determine what must be completed in order to be approved as a BIP provider in that county.
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 Coalition and ask for a site visit review.
4. You will be contacted by a representative of the Batterer Intervention Standards and Review Committee. At this point the representative will provide further guidance or set up a site visit.
5. The program supervisor, a facilitator, and victim contact/services representative must be available during the site visit. Program staff will be asked to describe the operations of their program and may be required to respond to hypothetical scenarios in order to show operational compliance.
6. A team of 2 or 3 reviewers will complete the review.
7. A letter will be sent to the program outlining the findings of the review process within 2-4 weeks after the review. This letter will identify whether the program has been found to meet the standards or outline any deficiencies. An existing program will be provided an opportunity with a specified time to correct these deficiencies and will remain in good standing unless the review team determines a deficiency may have a significant impact on victim safety. New programs may be required to have final approval before accepting clients.
8. The review committee will provide notice to Nebraska Probation Administration regarding the status of the program.
9. On-site reviews will be required upon application for initial certification and every third year thereafter. In the “renewal” years, programs must complete an evaluation form and return it to the BIPSRC 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 BIPSRC 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 – Inventory for Dangerousness

Facilitators should have an ongoing awareness of behaviors that may suggest a high level of dangerousness or lethality:

- History of threats of homicide or suicide;
- Previous domestic abuse with any partner;
- Increased severity and/or frequency of violence;
- Possession of, access to, or a history of weapon use;
- Extreme jealousy or obsessiveness behavior toward a victim;
- Stalking, including the use of stalking that uses technology;
- History of use of drugs, alcohol or other substances;
- Victim is pregnant or has been assaulted in the past while pregnant;
- Victim has children that are not children of the abuser;
- Strangulation;
- Change in relationship status (recent breakup, protection order, or victim has new partner); and
- History of sexual abuse of the victim and others.

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 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:

_____ Satisfactory	Classes Attended:	#
_____ Unsatisfactory	Classes Missed:	#
_____ # of Weeks Required		

Payment of Fees:

_____ Satisfactory
_____ Unsatisfactory

Balance Due: _____

Comments:

Appendix F – Sample MOU with Probation

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 termination.
 - 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 – Sample MOU with Victim Services Program

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 terminated 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 victim services and referral services available to victims (in both paper and electronic form)
 - ii. 24 –hour Hotline cards
 - iii. 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.
 - 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

MAY 23, 2016

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

VI. Effective date and Signature

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 Batterer Intervention Program Standards and 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 five 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 provide general information about the intervention program, the local domestic violence/sexual assault program 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 that the victim is not responsible for the offender's violence and control, the offender is responsible.

Follow-up contacts may be made according to the desires of the victim. The provider will notify the victim by telephone within five working days after the offender has completed 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 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.

MAY 23, 2016

Appendix I – Sample 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 abuse 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/sexual assault 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,

MAY 23, 2016

Announcing termination 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 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/sexual assault 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,

MAY 23, 2016

Announcing completion 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 abuse 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 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/sexual assault 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

- The purpose of batterer intervention programs (BIP) is to provide an opportunity for those who use abuse 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 abuse against an intimate partner.
- Batterer Intervention Programs include orientation/intake, assessment and weekly classes for at least 30 weeks. *(program should fill in appropriate information)* 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 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 the abuse in any way. Anger management classes do not replace Batterer Intervention Programs and cannot be substituted for each other. Domestic abuse is not caused by anger, it is about power and control.
- 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.
- Individuals 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 change in behavior toward you even with completion of the program.** During the weekly classes, the group facilitators clarify that any individual who chooses to stop all acts of domestic abuse is, and always has been, able to do so

permanently. The individual has to want to stop the behavior and be willing to live life differently. Many victims report experiencing abuse after a participant has completed the program.

- Some abusers continue to be both emotionally and physically abusive during and after attending classes. Others 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/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/sexual assault program is confidential and free.

**(Name of local domestic violence/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. Batterer intervention programs are designed to teach 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 Coalition to End Sexual and Domestic Violence (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 Coalition at 402-476-6256.