

To: Senate Judiciary Committee
From: Michelle McCormick, Executive Director (KCSDV) delivered by Jessica Lucas, lobbyist
Re: Proponent Testimony for HB 2192
Date: March 13, 2025

Chairperson Warren and Members of the Committee:

The Kansas Coalition Against Sexual and Domestic Violence (KCSDV) is a nonprofit organization located in Topeka, with 25 member organizations who provide direct services to victims of sexual and domestic violence in all 105 Kansas counties. I am here today representing our Coalition and these programs, who provide critical, lifesaving services to Kansans. Services include emergency shelter, emergency helplines, counseling and support groups, accompanying victims to medical, court, and law enforcement appointments, and other supportive services. These services are provided to victims and survivors 24 hours a day, 7 days a week. Kansas domestic and sexual violence programs serve on average more than 60,000 Kansans each year. And according to research, that is likely only 40% of those who could use the services, due to the barriers to getting assistance.

What may be lesser known is that KCSDV provides annual training for victim advocates and allied professionals (law enforcement, healthcare, social services etc.) so they can be competent in responding to these complex issues. We trained over 4000 professionals last year. KCSDV also provides expert consultation on the issues of sexual and domestic violence and does so through an average of 1500 contacts for technical assistance each year. In addition, KCSDV collaborates to center the needs of victims and survivors in public policy initiatives through our work with state-level committees, such as co-chairing with the KBI the Kansas Sexual Assault Response Advisory Committee. And we perform the accreditation of the 25 direct service organizations, to ensure that high-quality services are provided consistently throughout the state.

KCSDV supports HB 2192, a bill that would limit or prohibit work release for people who are convicted of a second or third offense of domestic battery. We praise Representative Mike Thompson for bringing this bill on behalf of a survivor constituent of his and have collaborated with him to make this bill even better. We understand that increasing the time an offender is in custody will lead to an increased financial burden for local Sheriff departments. However, this is the cost to help keep victims and survivors safe in our communities.

KCSDV supports the House’s amendments to the bill that would make it mandatory for “first time” convicted domestic battery offenders to get a domestic violence offender assessment. This is already mandatory for offenders of second and third domestic battery offenses. Making this assessment earlier could help prevent subsequent offenses and start to get to the root cause of the offender’s harmful behavior.

Additionally, there is a “Frequently Asked Questions” sheet attached to our testimony since we are not available to testify in-person today.

| | Current Law: First DV Conviction KSA 21-5414(c)(1)(A) | Change by House Amendments to HB 2192 re: only the First DV Conviction |
|--|--|---|
| Class of Crime | Class B Person Misdemeanor | Same as current law |
| Fine | Not less than \$200, nor more than \$500 | Same as current law |
| Jail Time | Not less than 48 consecutive hours, nor more than six months’ imprisonment | Same as current law |
| Domestic Violence Offender Assessment | Optional at the Court’s discretion | Mandatory domestic violence offender assessment |

KCSDV respectfully requests this Committee support the passage of HB 2192.

Respectfully submitted,



Michelle McCormick, LMSW
Executive Director
Kansas Coalition Against Sexual & Domestic Violence

Frequently Asked Questions related to HB 2192

(including House Committee of the Whole amendment added on 2/20/2025)

Question:

What is a Kansas domestic violence offender assessment (KDVOA)? Who conducts the KDVOA?

Answer:

The Kansas Attorney General's Office has adopted essential elements and standards for the certification of Batterer Intervention Programs (BIP) who are allowed to conduct and complete a Kansas Domestic Violence Offender Assessment (KDVOA). [KSA 75-7d01](#), [KAR 16-12-1](#)

A statewide list of certified Batterer Intervention Programs is located [here](#).

The Kansas Domestic Violence Offender Assessment (KDVOA) is a tool that includes a multi-step process, where the trained assessor from a certified BIP completes a bio-psycho-social assessment with an offender who has been referred. This assessment includes a clinical interview with the offender, review and compilation of collateral information (like police reports, arrest affidavits, and other information from probation or diversion offices), a validated risk assessment (DVSI-R) of the offender, and assessment recommendation for BIP placement. [KAR 12-12-5](#)

Question:

Does this bill make changes to how the Domestic Violence Offender Assessment is given?

Answer:

No, this Domestic Violence Offender Assessment is still conducted by a certified Batterer Intervention Program. The only thing this bill does with regards to the DVOA is that it makes it a requirement for an offender convicted of a first offense of domestic battery to undergo the assessment. Current law requires offenders of second, third, and subsequent convictions of domestic battery to undergo the assessment already.

Question:

Who pays for the domestic violence offender assessment?

Answer:

The offender – the person convicted of domestic battery under [KSA 21-5414](#).

Question:

In the Kansas Domestic Violence Offender Assessment, would their previous charges, convictions, protection orders be figured into the assessment?

Answer:

In the KDVOA, is a multistage process—clinical interview, collect collateral information. Most time people are referred from the Court or District Attorney's office as a part of that the assessor is requesting background information on the interviewee and that information is factored into the assessment.

Question:

Does this bill change the fine amount that can be assessed to the offender?

Answer:

No, the fine amounts are not changed by this bill currently.

Question:

What is the purpose of batterer intervention programing (BIP) in Kansas?

Answer:

The mission of batterer intervention in Kansas is to hold those who batter accountable, create nonviolent behavior, and promote safety for victims. On a wider scale, batterer intervention seeks to create social norms that reject rather than affirm or ignore battering within intimate partner and household relationships. Batterer intervention participants may also need additional services for mental health/psychiatric assistance, drug and alcohol treatment, parenting education, or other issues. Those who batter should be screened for these issues and referred to appropriate resources but these treatments should be in addition to, not in lieu of, a batterer intervention program.

The Essential Elements and Standards of Batterer Intervention Programs in Kansas (2022).

<https://www.ag.ks.gov/home/showpublisheddocument/10340/638460276498870000>.