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House Judiciary Committee

SB 304

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Mr. Chairman and members of the committee,

Thank you for the opportunity to provide testimony in support of Senate Bill 304. Batterer intervention programs (BIP's) assist those who perpetrate domestic violence to change their behaviors from abuse to nonviolence, creating greater safety for victims and communities. In Kansas, the *Essential Elements and Standards for Batterer Intervention Programs* were originally created by the Kansas Coalition Against Sexual and Domestic Violence with input from the Office of Judicial Administration, the Office of the Attorney General, the Kansas County and District Attorney's Association, several batterer intervention programs, the Governor's Grants Office, mental health providers, and victim advocates to assure minimum standards would be followed by BIP programs. While a few BIP programs followed the standards, this document was largely ignored until the Governor's Domestic Violence Fatality Review Board updated the standards to be consistent with best practice, and requested the Attorney General begin to certify programs that voluntarily use these standards. Attorney General Paul Morrison began the process. A Batterer Intervention Program Advisory Board was developed by Attorney General Steve Six, and the Attorney General's Office has been working toward this goal ever since.

As you may recall, in 2010 the Governor signed into law the Domestic Violence designation law or "Jana's Law". In this, the Attorney General was given the authority to promulgate the rules and regulations with regard to the domestic violence offender assessment to be used by the Courts. In response, the Attorney General's Office created the Kansas Domestic Violence Offender Assessment (KDVOA), and we have trained 152 BIP staff in its use throughout the state. Currently, all but 5 judicial districts have programs that are certified or engaged in the process of becoming certified (see attached map).

While we have come a long way in getting certified batterer intervention services located throughout the state on a voluntary basis, and in the development and use of a high quality standardized assessment tool, there are some problems that will grow without

establishing the appropriate guidelines regarding who can provide this assessment, who can provide intervention services, and what criteria they need to meet:

- 1) *Those who perform assessments and provide intervention services must have specialized training in this field.* While many fields of study provide a sound general base for this work, there is currently no degree in the helping professions that adequately trains professionals to do this specialized work. Research indicates a referral to a batterer intervention program whose staff meets minimum training requirements and uses a modality that has been proven effective, as outlined in our standards, makes a difference in the outcome.¹
- 2) *Where certified programs are not required by the community, sub-standard programs can thrive.* You might note that Wichita has many programs engaged in becoming certified, but not one certified program yet. The BIP Advisory Board received a report at their last meeting that Wichita BIP program providers are frustrated that they cannot afford to do assessments and follow the standards while the municipal court continues the use of 1-day and other substandard programs. Providers who operate a 6 month program cannot compete with 1-day programs in the same community effectively. This legislation could be beneficial to both the courts and the providers: it would lift the weight from individual prosecutors, court service officers, or judges who may wonder whether or not the program they are ordering someone to participate in meets minimum standards, and it would provide an environment where poor quality does not set the standard of service.

We are asking for you to consider making one small change to SB 304. While the measures taken in SB 304 to “grandfather in” current service providers is beneficial, the current language will not provide adequate time for some, particularly in the Wichita area, to complete the certification process. Due to this, we ask that you consider the changes prepared by the revisor’s office that extend the date by which a program must be certified to January 1, 2013, to be eligible to be grandfathered in.

Thank you for your consideration of SB 304.

¹ Aldarondo, E., & Mederos, F. (Eds.). (2002). *Programs for men who batter: Intervention and prevention strategies in a diverse society*: Civic Research Institute.