

**INDIANA COALITION AGAINST DOMESTIC VIOLENCE STANDARDS FOR  
BATTERERS INTERVENTION PROGRAMS**

*Effective 1/01/02  
Revised 5/18/07, Approved 5/20/07*

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## **STANDARDS FOR BATTERERS INTERVENTION PROGRAMS**

### **I. INTRODUCTION**

The intent of these Standards is to insure overall quality and consistency for service providers (both individuals and organizations) who work with men who batter. A Batterers Intervention Program (BIP) is a community program that makes victim safety its first priority, establishes accountability for batterers and promotes a coordinated community response to domestic violence.

These standards were developed by a committee of the Indiana Coalition Against Domestic Violence. The committee is made up of service providers and advocates who work with women who are battered and providers of BIPs in the state. These standards are the result of conversations amongst this committee and a review of the standards available from other states.

For the purposes of these ICADV Standards, the definition of domestic violence is a pattern of assaultive or coercive behavior, including physical, sexual, or psychological attacks, as well as economic coercion, that adults or adolescents use against an intimate partner. Intimate partners include spouse, former spouse, those living or having lived as if a spouse, those having a child in common, those having a past or current sexual relationship, or a past or current dating relationship.

### **II. MISSION STATEMENT**

It is the mission of the committee, and actualized by these standards, to increase safety of victims, their families, and the community from continued acts of domestic violence by setting standards that increase accountability of service providers and men who batter.

### **III. PURPOSE**

Intervention standards promote the elimination of domestic violence by providing guidelines for ethical and accountable intervention practices to protect victims, their families and the community while seeking to eliminate domestic violence. Intervention standards mandate that only the highest level of ethical and informed practice is acceptable and encourage provider responsibility in reaching these standards.

Intervention standards remind providers that intervention services are one of numerous important community strategies to end violence against women. Intervention standards establish the minimum level of responsibility, service, and accountability expected from providers. Standards provide a measure against which program performance and efficacy can be evaluated, while providing a basis for future program development.

Intervention standards help insure that men who batter receive services that are non-abusive, that support change, and that hold program clients accountable for their behavior.

Intervention standards provide information about appropriate intervention methods so that the public has a measure with which to evaluate these services.  
Intervention standards foster statewide collaboration among providers.

These standards are based on the presumption that providers and programs are working with adult men who batter in heterosexual relationships and as such, these standards are designed for that population. Programs or providers who plan to work with populations other than heterosexual adult men must demonstrate training and expertise in those areas (e.g. adolescents, women who batter, offender intervention in same-sex relationships, etc.)

#### **IV. PRINCIPLES OF PRACTICE**

ICADV recognizes three core principles that are the foundation for any form of work with men who batter; each principle has a number of activities that ICADV sees as critical practices under the principle. The core principles of practice, in this order, are:

- Safety
- Accountability
- Collaboration

Each of these principles is discussed in more detail below

##### **Safety**

The safety of battered women, their children, their families, and the community as a whole are paramount and of critical importance in any work with men who batter. This means that:

1. The rehabilitation and confidentiality of men who batter is secondary to the victims' safety.
2. Ending *violence* takes precedence over saving relationships, or treating chemical dependency and mental illness.
3. Batterers Intervention Programs shall not be co-educational.
4. Substance abuse, addictions, and/or mental illness counseling/treatment is not an appropriate intervention for domestic violence and may not be substituted for the BIP.
5. Anger management counseling/treatment is not an appropriate intervention for domestic violence and may not be substituted for a BIP.
6. Couples counseling is not an appropriate intervention and may not be substituted for the BIP.

## **Accountability**

There are two levels of accountability that are critical for BIPs to engage in: ensuring the accountability of the men who batter, and ensuring that the BIPs themselves and their providers are accountable. Fulfilling the principle of accountability means that:

1. The BIP must be vigilant against becoming an advocate or witness on behalf of the participant.
2. Group sessions must be the primary approach for the BIP.
3. BIP will emphasize the accountability of male participants.
4. There will be no discrimination based on race, class, age, religion, ethnicity, national origin, sexual orientation or handicaps in hiring of employees or in providing services to batterers.
5. BIP providers agree to sign and abide by the ethical standards in this document.

## **Collaboration**

In order to engage in safe and accountable work, BIPs must work in collaboration with local programs who serve victim/survivors of domestic violence, law enforcement, ICADV and others. Collaboration is an essential ingredient to working with men who batter and includes:

1. Measuring effectiveness must be in collaboration with Indiana Coalition Against Domestic Violence (ICADV).
2. In cases where substance abuse, addictions, and/or mental illness have been identified the treatment intervention must be separate from the BIP.
3. No funding efforts will compete with victim advocate services.
4. Being an active participant in local coordinated community response efforts.

## **V. WAIVER OF CONFIDENTIALITY**

BIPs will require men who batter to sign an explicit, written waiver of confidentiality at the time of intake, which will give the BIP permission to make reports, to testify, to otherwise communicate as needed, and to reveal file and other information regarding the participant to each of the following:

1. The referral source, if legally mandated.
2. The court, prosecutor, police, probation and child protective agency of the referring county.
3. The victim/partner/survivor or her designated advocate.
4. Administrative and professional personnel who need information for record-keeping, monitoring, or professional development.
5. Any entity or person to whom the BIP is legally bound to report suspected abuse or neglect of a child or protected adult.
6. Any person to whom the BIP must report in order to fulfill its duty to warn or protect.

The waiver may include a specified end date, but an exception must be included in the text of the waiver that extends the waiver beyond the end date where necessary in order to prevent the participant from avoiding legal consequences for criminal or violent acts or in order for the BIP to respond to a court subpoena for information or testimony.

## **VI. ETHICAL STANDARDS FOR BIP PROVIDERS**

Ethical Standards for BIP Providers (The term “provider,” for this section, applies to all staff and volunteers who work with batterers, including co-facilitators, facilitators, and supervisor/trainers).

**All BIP providers and administrators will abide by the following.**

AS A BIP PROVIDER OR ADMINISTRATOR, I DO AFFIRM THAT:

1. **I will make victim safety my first priority in working with men who batter.**
2. **I will make accountability of men who batter and program accountability my second priority.**
  - (a) I will immediately report to all appropriate legal authorities
    - Any additional violence (which includes but is not limited to physical violence, stalking, criminal trespass, and invasion of privacy) admitted to by a BIP participant.
    - Any suspected neglect or abuse of a child or protected adult.
    - Any additional violence by a BIP participant sworn to by a third person, where such reporting will not further endanger the victim or witness.
  - (b) I will help prevent the unethical or unskilled practice of BIP intervention. I will report to the appropriate authorities any practice of BIP intervention by untrained or unqualified persons and any unethical conduct or unprofessional modes of practice by other BIP providers.
3. **I will collaborate with advocates against domestic violence in the design and overseeing of our BIP’s work.** I will welcome independent advocates to oversee, observe, and give feedback about the Program and services provided. I will participate in a coordinated community response against domestic violence. I will respect the limits of present knowledge in my public statements and not make any claims that are not substantiated by valid studies and statistics developed in collaboration with independent victim advocates.
4. **I will conduct myself in my personal and professional life in a manner consistent with the principles of nonviolence and sobriety.** I will be vigilant regarding my own power and control issues, seeking to identify and change any sexist, racist, and homophobic attitude in my personal belief system. I will not use physical violence or tactics of abuse. If I have been physically violent, I will document completion of a certified BIP and/or will comply with such other measures of accountability required by the BIP committee of ICADV. I will be violence-free in my own life for three years prior to facilitating in a BIP. I will not abuse drugs, including prescription drugs, or alcohol. I will be alcohol and drug free when performing BIP services. If I have an addiction problem (including

substance, gambling and sexual addictions), I will undergo treatment and attain sobriety as a precondition to providing BIP services. I will immediately disclose to the manager of my BIP if I am arrested for or have been convicted of any related charge, including, but not limited to, battery, domestic battery, stalking, criminal trespass, invasion of privacy, abuse or neglect of a child or protected adult, or any charge involving drugs, alcohol, gambling, pornography or other sex-related crime.

**5. I will avoid personal, professional, or business relationships that conflict with the interest of the BIP and those it serves.**

I will never engage in a relationship with a present or past program participant, a partner or ex-partner of a participant, or a family member of a participant that would in any way compromise their health and well-being or the complete integrity of the BIP, or that could impair professional judgment, or increase the risk of exploitation. I will avoid even the appearance of impropriety. I will not engage in any behavior with any of these persons that I would be unwilling to disclose fully to my colleagues, legal authorities, and the public. Specifically, I will not engage in sexual or romantic activities with participants, victims, partners, or their family members for at least two years after last professional contact, and even then, not where such behaviors could reasonably contribute to the suffering of any person or the impairment of the BIP intervention effort. I will avoid working with participants who have close relationships with members of my family or significant business associates. I will not accept gifts or benefits from participants that might impair the integrity of the relationship or might invite special treatment.

**6. I will treat all program participants, their partners, and victims fairly.** I will not discriminate because of race, class, age, religion, educational attainment, ethnicity, national origin, sexual orientation, or economic condition. I will act to guarantee that all persons, especially the needy, the disadvantaged, and those outside the cultural and language mainstream, have equal access to BIP resources and services. I will charge fees that are fair, reasonable, and consistent with a participant's ability to pay. I will fully explain from the beginning all program rules and policies affecting fee payment, enrollment, program standard, discharge, and completion. I will apply consistent program rules to all participants.

**7. I will protect the confidentiality of participants, their partners, families, and victims, subject to the primary duty of victim safety.** In doing so, I will follow the rules established by state and federal law, by the ICADV standards, and by my BIP.

**8. I will protect and enhance the professionalism, dignity, and integrity of the BIP.** I will never participate in lessening program quality or duration for pecuniary or personal reasons. I will not offer services, testimony, or public pronouncements outside the recognized boundaries of my competency. I will not misrepresent my qualifications, education, experience, affiliations, or memberships.

## **VII. EDUCATIONAL AND TRAINING REQUIREMENTS FOR BIP PROVIDERS**

## A. Initial Qualifications

Individuals must meet one of the following criteria in order to be deemed a qualified service provider by ICADV:

- 1. Co-Facilitator:** To qualify to co-facilitate a BIP class or group session with a qualified BIP Supervisor/Trainer or Facilitator, an individual must show:
  - a. Evidence of 60 hours of formal training approved by ICADV. A Minimum of 40 hours of this training must be specific to Domestic violence. The remaining 20 hours shall include evidence of training in each of the following areas of group facilitation skills, cultural diversity, substance abuse, and mental health.
  - b. Evidence of observing a minimum of 26 different ICADV-approved BIP sessions.
  - c. The observation of sessions must be conducted so as to include an entire 26 session curriculum.
  
- 2. Facilitator:** To qualify to facilitate a BIP an individual must show:
  - a. Evidence of meeting all the requirements of a Co-facilitator.
  - b. 100 hours of formal training approved by ICADV. A minimum of 60 hours of this training must be specific to domestic violence. The remaining 40 hours shall include evidence of training in each of the following areas of group facilitation skills, cultural diversity, substance abuse, and mental health.
  - c. Evidence of co-facilitating a minimum of 26 additional BIP sessions with a BIP Supervisor/Trainer.
  
- 3. Supervisor:** To qualify to supervise a BIP, an individual must show:
  - a. Evidence of meeting all the requirements of a Facilitator.
  - b. 120 hours of formal training approved by ICADV. A minimum of 80 hours of this training must be specific to domestic violence. The remaining 40 hours shall include evidence of training in each of the following areas of group facilitation skills, cultural diversity, substance abuse, and mental health.
  - c. Evidence of facilitating a minimum of 26 additional BIP sessions as a Facilitator under a Supervisor/Trainer.
  
- 4. Trainer:** To qualify to train staff or others related to BIP work, an individual must show:
  - a. Evidence of fulfilling the requirements of a Supervisor.
  - b. Have a minimum of 3 years experience as a supervisor (or the equivalent thereof).
  - c. Successfully complete the “train the trainer” offered by ICADV.

**Commentary 1:** *This protocol details how and with whom the supervisory relationship is formed, and establishes basic expectations of the supervision. Our intent is to create a process that is feasible for all Indiana practitioners to comply with, while holding high standards for ethics and competence.*

*Protocol*

*ICADV has on file a list of persons already recognized as supervisors and programs that have already been certified under these standards. These individuals and programs would automatically be appropriate for establishing a training/observation relationship. It is expected that a person seeking recognition as co-facilitator, facilitator, or supervisor (hereinafter called a "candidate") will directly contact one of these recognized individuals and enter into an agreement that will comply with the standards. This agreement will incorporate by reference this protocol, the ethical standards, and a release so the supervisor can make reports to ICADV regarding the candidate.*

*A candidate should expect to pay a reasonable fee to the supervisor for services rendered.*

*During the course of the observation, the supervisor will expect to see to it that the candidate is observing groups that are competently operated, whether conducted by the supervisor/trainer or a recognized facilitator. Each candidate will be expected to observe an entire curriculum cycle in order to fulfill the observation requirement. Each candidate will also "client" during the observation stage, so that s/he will interact as a group participant and will complete curriculum assignments reflecting work on her/his own power/control issues in the same manner as participants.*

*During the course of supervised co-facilitation or facilitation, the supervisor will create meaningful and extended opportunities for the candidate to lead groups under supervision, and will give immediate written and oral feedback after each session. The supervisor is expected to coordinate training experiences to augment the candidate's direct group experiences and to teach principles of group facilitation, understanding of domestic violence, accountability, and all of the topics necessary to the candidate's complete understanding and training. These sessions may be delivered in longer formal training or in brief training sessions connected with each session. The supervisor will keep records of these sessions.*

*At each stage, the candidate will be given critical feedback and will be evaluated by the supervisor. A supervisor has the authority to determine that a candidate is not able or willing to advance further, based upon professional observation, and may terminate the training relationship for this reason. If this happens, the supervisor will make a report to ICADV, giving a copy to the candidate. The candidate may respond in writing. A candidate may renew his/her request for observation or supervision six months after rejection.*

*Once the agreed stage of observation or supervision has been completed, the supervisor will so certify in writing to the candidate, giving a copy to ICADV. ICADV will accept this certificate as evidence of compliance with this section of the BIP standards.*

*\*Proviso: During these early years when there are relatively few certified programs and supervisors in Indiana, in cases where, due to lack of availability in a candidate's region, observation or supervision would require unreasonable hardship of travel, ICADV may elect to approve supervision with a program or a person that meets fundamental principles of these standards and that subscribes in writing, with approval of the BIP Standards Committee.*

**Commentary 2:** *The domestic violence specific training must include approved content addressing the following:*

- 1. Overview and definitions of DV (Indiana state law definitions, federal definition, local jurisdictional definition, victim-centered or feminist definition, dynamics of domestic violence, cycle of violence, power and control wheel, impact of domestic violence, affects on children of being exposed to domestic violence, etc);*
- 2. Victim-Empathy (effects of domestic violence on women, why battered women stay/return, victim safety, partner notification, crisis intervention, referrals and referral processes, etc.);*

3. *Dynamics of Battering (why men batter, batterer tactics, assessing predominant aggressor, etc.) and Working with Men who Batter (assessment, engaging men, group facilitation, lethality assessment, cultural competence, etc);*
4. *Administrative (duty to warn, confidentiality [of partner and men who batter], custody issues, safety protocols, operating a safe and accountable program, being part of a collaborative community response, etc).*

*The topics in parentheses are meant as a guide to the kinds of educational training topics that ICADV feels should be covered. These are not required, but provide a general guide as to the kinds of topics ICADV is expecting qualified service providers to be trained in.*

*ICADV reserves the right not to give credit for Domestic Violence Trainings that are deemed as being counter to the philosophy or mission of ICADV.*

## **B. Continuing Education**

Individuals must show evidence of participating in a minimum of 10 hours of formal continuing education specific to domestic violence annually to maintain their status as a qualified service provider.

**Commentary:** *The “formal training” required for certification of service providers and the “formal continuing education” required annually of all service providers must be documented in a form that allows the ICADV to understand (1) the date of the training (2) the exact topic covered (3) the hours allocated to the topic (4) the identity and credentials of the trainer.*

*Typically, a clear copy of the standard certificate of training issued by the trainer will be good documentation. If ICADV feels that the certificate is ambiguous or lacks any of the required information, we will request supplemental documentation. Supplemental documentation may include (but is not limited to) handouts, agendas, training outlines, syllabi, or affidavits from the trainer.*

*Occasionally, applicants for certification will seek to use college courses to fulfill training requirements. This is acceptable; however the applicant will only be credited for one hour of training for each semester-hour of the course. It will be necessary to submit enough documentation to demonstrate that the actual content of the college course matches the topic required by ICADV. Often, a copy of a transcript alone is too vague.*

## **VIII. SERVICE STANDARDS AND CONTENT**

**The BIP will develop and maintain a policy and procedures manual that shall include the following:**

### **A. Service Standards**

1. BIP will not rely on victim/survivor/partner participation. Victim/survivor/partner may contact BIP regarding domestic violence concerns, to obtain information about BIP, and to receive victim/survivor/partner referral service.
2. BIP sessions will be for same-gendered participants only, rather than coeducational. The BIP and the agency operating the BIP will not provide

- couples counseling involving the batterer until after the batterer/participant has successfully completed the BIP, and not thereafter if facilitators and advocates have reason to be concerned about the victim/partner's safety.
3. As a condition of program completion, each participant must attend a minimum of 26 weekly sessions, consisting of at least 1.5 hours each.
  4. A minimum of 24 of the 26 sessions will be group sessions.
  5. BIP class size should not exceed 18.
  6. The BIP will establish objective criteria for program completion that will be enforced uniformly.
  7. All on-going BIP groups shall be conducted by qualified personnel under supervision of a supervisor.
  8. The BIP will have an established procedure for notification of victim/survivor/partner about expulsion and/or completions.
  9. Any communication regarding program completion must include the following statement: *Program completion is not predictive of future nonviolence or nonabusive behaviors.*
  10. BIP shall require that participants sign a contract that shall include but is not limited to the following:
    - a. I will not abuse anyone else or myself as long as I am in this BIP. This includes verbal, emotional and psychological abuse, threats of suicide, and threats of violence. I will inform the BIP facilitator of what happened and will openly talk about the situation and accept the consequences for my behavior.
    - b. I agree that the reason I am in the BIP is to learn not to be violent or abusive. I will not be violent or abusive in this group or in my personal life.
    - c. I will participate openly, honestly, and actively in group discussions, and I will abide by all BIP rules. If personal problems arise (e.g. drug abuse, mental health issues), I will seek appropriate treatment as a condition of my participation in the BIP. I will voluntarily cooperate if my BIP facilitator requests that I obtain an assessment for any of these problems.
    - d. I will provide the correct address and phone numbers of my victim/survivor/partner and will notify my BIP facilitator of any changes. I hereby give my BIP facilitator and other individuals working with BIP facilitator permission to give out the following information to the victim/survivor/partner: when I start and stop the program, referral information to counseling and support services, safety options, and any other information pertinent to safety.
    - e. I understand that I may not be informed of any communication that takes place between the victim/survivor/partner and BIP facilitator and I waive any right to have access to or be informed of the nature, content, or existence of any such communication.
    - f. I understand that safety to others and myself is priority and will be enforced by the BIP facilitator.
    - g. I understand that all suspected child abuse and neglect will be reported as defined by Indiana law.

- h. I understand that all suspected battery, neglect, or exploitation of an endangered adult will be reported as required by Indiana law.

**Commentary:** *Although the data is ambiguous at this point, experience suggests that longer term programs are more beneficial than shorter term programs. Although ICADV maintains the current standards of 26 weeks, we encourage programs and communities to explore developing groups of longer duration.*

## **B. Curriculum Content**

1. The central focus of any BIP curriculum will remain on participant responsibility and accountability for their beliefs and actions. It will actively challenge all abusive behaviors or victim blaming.
2. Any BIP curriculum used or developed by BIP programs will include, but is not limited to, the following:
  - a. Definition of domestic violence.
  - b. Dynamics of power and control.
  - c. Socialization, including gender roles and equality.
  - d. Batterer's responsibility for past and future abusive behaviors.
  - e. Relationship between substance abuse, mental illness and acts of violence with a distinction that there is not a cause and effect relationship.
  - f. Relapse prevention plan that provides alternatives to all forms of abuse.
  - g. Challenging the beliefs that promote abusive behavior.
  - h. Nonviolent alternatives.
3. Sessions will be based on ICADV-approved curriculum rather than on client's individual assessment or treatment plan.
4. BIP curriculum should reflect an awareness of cultural diversity.

## **C. Expulsion from BIP**

1. The BIP will develop guidelines for expulsion so that decisions are uniform and predictable and so that discrimination does not occur against any participant based on race, class, age, physical handicap, religion, educational level, ethnicity, national origin, sexual orientation, or gender.
2. The following are considered grounds for expulsion and are expected to be a part of any BIP program policy and protocol:
  - a. Continued abuse or physical violence.
  - b. Failure to comply with the attendance policy.
  - c. Failure to comply with condition of the participant's contract, such as involvement in a substance abuse program for drugs and alcohol, involvement with mental health treatment, etc.
  - d. Violation of group and program rules.
  - e. Violation of a court order pertaining to violence and/or abuse or intervention process.
  - f. Bringing Weapons or illegal substances to program property.
  - g. Threats or violence to program staff.

3. Non-compliance with the contract, with a court order or with group rules will be documented in writing.
4. The BIP will establish a written procedure that immediately notifies the referral source of the expulsion of all mandated participants.

## **IX. PROGRAM MONITORING**

**In order to be certified by ICADV, a BIP will establish a written working agreement with a local independent domestic violence program or advocate that is recognized by ICADV.** The local domestic violence program or advocate will be referred to as the “monitor”. This written agreement will include:

1. Identification of the persons responsible for implementation from both organizations.
2. A system for conflict resolution in the event it is needed.
3. The following criteria to guide monitors in the evaluation of programs and direct services:
  - a. Does the BIP promote the cessation of domestic violence and the overall safety and empowerment of victims of domestic violence?
  - b. Is the BIP accountable and responsive to the partner/survivor/victim? In particular, does the BIP protect her safety, her confidentiality, and her right to information?
  - c. Is the BIP accountable and responsive to ICADV and local domestic violence advocates?
4. A statement that monitors may not in any way provide direct service to the BIP participants.
5. A commitment that the BIP will involve the monitors in the process of establishing program principles, policies, and procedures at an early stage where the monitors’ input will affect the results.
6. A commitment that the BIP will involve the monitors whenever policies and procedures are being reviewed and changed.
7. A commitment that the BIP will consult with monitors in the recruitment, selection, and training of staff, and value monitors’ concerns about ongoing staff behavior and performance.
8. A protocol that details how the BIP will record program sessions, or provide other meaningful ways that monitors can observe or listen to direct services being provided. The protocol for monitoring of groups will include:
  - a. The frequency of monitoring with a minimum of one time per quarter per facilitator.
  - b. A statement that the monitor is recording/evaluating the effect of staff facilitation on victim safety and batterer accountability, not evaluating participants, and is obligated to honor participant confidentiality.
  - c. The criteria for group monitoring, which is based upon use of the ICADV-approved monitoring forms and procedures.
  - d. A directive that monitors return all recordings and forms to program administrator for confidential filing, that group tapes may be erased, but

monitoring forms are kept for three years during which time ICADV may audit.

9. A statement that the BIP will collaborate with the monitors in community-wide strategies to end domestic violence.
10. A format and timetable for regular feedback to the BIP, for follow-up on feedback, and for a formal, annual evaluation of the BIP by monitors, all of which will be retained for three years and may be audited by ICADV. This feedback and evaluation will cover all aspects of monitoring, including program development, staffing, direct services and collaboration in the community-wide DV response.
11. A commitment that the BIP will compensate monitors for services rendered in a manner that is mutually acceptable.

**Commentary:** *On-going monitoring by independent victim advocates is mandatory for any ICADV-approved program. Monitoring is the most important method by which a program remains open and responsive to the perspective of victims of domestic violence. It is expected that a program will follow a protocol that will involve monitoring by victim advocates at every level of the program's existence, including the formulation of philosophy and policy, the revision of policy and procedure, the hiring and training of staff, the oversight of groups and other direct client services, and the program's commitment to community-wide collaboration as an ally with domestic violence advocates.*

## **X. PARTNER CONTACT**

Definition: "Partner contact" refers to any mail, phone, e-mail, or face-to-face contact, direct or indirect, with any partner, victim, survivor, or ex-partner/victim/survivor of a BIP participant, before, during, or after his enrollment in the BIP.

In order to be certified by ICADV, a BIP will:

1. Establish and follow written rules requiring that only trained victim advocates, who are not providing direct services to the BIP participant, may perform partner contacts.
2. Establish a policy requiring that the BIP, and all of the BIP staff, have a duty to warn and protect victims, partners, children and others against whom the BIP participant has made a threat of violence.
3. Establish policies ensuring that those performing partner contacts will:
  - a. Take steps to be sure that telephones, mail, and other communication media are as secure as possible against intrusion by the participant or others.
  - b. Keep partner contact records separate from the BIP participant file and protect all such records from discovery or subpoena unless there is documented explicit consent by the partner/victim/survivor involved.
  - c. Provide partner/victim/survivor with contact information for local shelter and criminal justice victim advocate.
  - d. Inform partner/victim/survivor of her right to confidentiality and that she may consent to disclosure of her report but cautioning her only to do so if she has a safety plan and believes disclosure will not reduce her safety.

- e. Inform the partner/victim/survivor that neither the outreach person, nor the BIP staff nor the legal system can guarantee her safety nor guarantee that disclosure of her information will not result in a violent reaction by the BIP participant.
  - f. Inform the partner/victim/survivor that her option to provide a witness statement or a complaint to the legal system cannot be exercised confidentially or anonymously, although she may receive some help in determining the timing and method by which a participant is confronted.
  - g. Inform the partner/victim/survivor, prior to inviting her to share information, that any information she shares involving suspected child abuse, or abuse of elder adults cannot be confidential and must be reported to the legal system.
  - h. Carefully document, in writing, the wishes of the partner/victim/ survivor regarding the use of any information she has given, including her consent or lack thereof.
  - i. Assume that she has denied consent to disclose her information to anyone, including the BIP facilitator, the legal system, the BIP participant, or others, unless she has explicitly stated otherwise and outreach staff have documented her wishes in writing.
  - j. Not pressure or convince the partner/victim/survivor that she should agree to disclosure of her information, agree to confrontation of the BIP participant, or agree to make a report or take any action that she may feel is not in her best interest for safety and empowerment.
  - k. Remember that a BIP participant's current partner may have different or conflicting needs or interests from a past partner, or from the participant's victim/survivor.
  - l. Assume that the partner/victim/survivor may, accurately or inaccurately, relay to the participant what was said by BIP staff during the outreach.
  - m. Not assume that the partner/victim/survivor will be able to "follow through" with administrative or legal steps that seem logical to program staff.
  - n. Not offer therapy, counseling, communication, mediation, or reunification with the BIP participant.
  - o. Treat the partner/victim/survivor with respect at all times.
4. Establish and follow a written procedure directing whether and how *systematic* partner contacts will be performed or attempted. Certified programs are encouraged but not required to perform systematic partner contacts. If performed, program policy will direct that the limited purpose of systematic contacts is to:
- a. Inform her of the participant's entry in or removal from the program.
  - b. Outline BIP content and procedures.
  - c. Answer questions about BIP and clarify any misinformation she may have been given.
  - d. Invite her to make future contact with any questions, concerns, or reports of violence or contract violations that may arise.
  - e. Invite her to attend support groups or orientations for partners/victims/survivors.

- f. Inform her of BIP participant's program status regarding dates and times attended, payments made, completion or removal from BIP.
  - g. Share BIP staff concerns/evaluation/observations of his in-group participation, while cautioning her that she should not assume that the BIP participant's good conduct in the program or completion of the program is a predictor of future nonviolent choices or positive change.
  - h. Invite her to evaluate participant's progress, identify areas of concern, or report re-offenses.
  - i. Discuss safety planning.
5. Establish and follow rules guiding all staff in the safe and proper conduct of *special inquiry* contacts. Special inquiries to partners/victims/survivors shall be made in order to follow up on suspected participant re-offense or to warn victims or others of threats made by the BIP participant. These rules will specify that the limited purpose of a special inquiry is to:
  - a. Warn her of any threats made toward her or others by the BIP participant.
  - b. Ascertain victim safety.
  - c. Invite her to make a witness statement if she believes it is in her best interests to do so.
  - d. Inform her of her right to confidentiality.
  - e. Inform her of her options regarding the use of information given by her.
6. Establish and follow rules guiding all staff in the safe and proper conduct of "*responsive*" partner contacts (those *initiated by the partner/victim/survivor*). These rules will specify that the purpose of such contacts will be to:
  - a. Receive and record information given by her.
  - b. Inform partner/victim/survivor of her right to confidentiality and how to lodge a complaint if desired.
  - c. Help her with safety planning.
7. Establish and follow rules prohibiting any BIP staff from serving as an agent in furthering the interests of the batterer's program participant in legal matters or in negotiating or mediating with partner/victim/survivor in any way.
8. Establish and follow rules to guide BIP staff in handling of communications and confrontations with BIP participant regarding partner contacts, including:
  - a. Prohibiting any informing or confronting of the participant unless the partner/victim/survivor has given explicit, informed consent, documented and dated by outreach staff.
  - b. Preparatory safety plan development by victim/survivor/partner, anticipating a violent or abusive reaction to the confrontation.
  - c. Not informing/confronting the participant if the BIP staff, in consultation with victim advocates, have reason to believe that to do so will create an unacceptable risk of retaliation abuse.
  - d. A reminder to BIP staff that their reporting the product of partner contacts to the legal system is tantamount to confronting the participant, and should not be done without express informed consent from the partner/victim/survivor. In cases when, by law, the BIP must report an incident without partner/victim/survivor consent (e.g., suspected child abuse/neglect) staff will allow the victim/survivor/ partner time for safety

planning and will work with her and the legal system to determine the timing and method of reporting that will maximize safety.

**Commentary:** *Because some form of contact with the partner/victim/survivor is inevitable in the course of operating a BIP, it is vital that the BIP have policies that direct by whom and how it will be performed. Partner contact may take place in several forms: (1) Systematic contact is the BIP's standard practice of initiating contact with each participant's partner/victim/survivor at certain intervals during and after his program enrollment, in order to give her information and receive any input she may choose to offer. Systematic contact usually involves sending a regular orientation mailing at the beginning followed by periodic phone outreach contacts. Orientation sessions may also be offered to partners. (2) Special inquiry contacts might be made when a BIP participant discloses or implies that he might have re-offended, expresses an intention to be violent or re-offend or when the BIP receives a police report raising allegations of re-offense. This contact is to inquire about the victim's safety, inform her of her options, and offer her assistance and advocacy. (3) Responsive contacts may happen when the partner/victim/survivor initiates contact with BIP staff for any reason. BIP staff must be trained to handle such contacts appropriately.*

*Partner contact can be dangerous and should only be conducted by staff who are properly trained in victim rights/victim safety. BIPs must not allow partner contact to be made by staff who may have a conflict in responsibilities, including those who may have a personal or professional relationship with the BIP participant.*

## **XI. DUTY TO WARN**

To be certified by ICADV, a BIP will establish a written policy requiring that the BIP, and all of the BIP staff, have a duty to warn and protect victims, partners, children and others against whom the BIP participant has made a threat of violence. This policy will detail the criteria for determining when a duty to warn arises, and the procedures staff are expected to follow.

**Commentary:** *The exact terms of the duty to warn can be drafted by each BIP, provided that the interests of safety and empowerment to survivors, victims and children are protected. We recognize that there are many professions represented in BIP staff, and that many agencies providing batterer intervention programs have duty to warn requirements in other fields. This standard gives each provider a chance to maintain some internal consistency.*

*It must be remembered that the offender who is the participant in the BIP does not have an absolute right to confidentiality, and that the BIP should, through the written release, require that confidentiality be waived as to the victim/survivor, especially where violence appears to be intended.*

*It should also be understood that the field of domestic violence is unique in that a person can be devastated by non-physical violence as well as physical violence. This standard invites the BIP to consider extending the duty to warn to intended or anticipated acts of non-physical violence as well as physical violence.*