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GOVERNOR

STATE OF MAINE
DEPARTMENT OF CORRECTIONS
111 STATE HOUSE STATION
AUGUSTA MAINE
04333-0111

RANDALL A. LIBERTY
COMMISSIONER

Memo

To: Suzanne Salisbury, House Chair, Criminal Justice and Public Safety Committee
Anne Beebe-Center, Senate Chair, Criminal Justice and Public Safety Committee

From: Randall A. Liberty, Commissioner, Maine Department of Corrections

Cc: Maryanne Turowski, Senior Policy Officer, Governor Mills

Date: March 22, 2023

Re: Annual report on the Domestic Intervention Program in accordance with 34-A MRSA §1214.

Dear Senator Beebe-Center, Representative Salisbury and Members of the Criminal Justice and Public Safety Committee,

The Maine Department of Corrections submits this annual report on the Domestic Violence Intervention Programs to you in accordance with 34-A MRSA § 1214.

Should you have any questions or request further information related to the report, please contact my office.

Sincerely,

Randall A. Liberty,
Commissioner

RAL/keb

Maine Domestic Violence Intervention Programs

This annual report regarding Maine Domestic Violence Intervention Programs (DVIPs) is provided by the Maine Department of Corrections (DOC) Office of Victim Services (OVS) and is presented to the First Regular Session of the 131st Maine Legislature (Title 34-A M.R.S.A. §1214(5)). This is the twentieth annual Domestic Violence Intervention Program report (previously called the annual Batterer Intervention Program report). This report includes a brief overview of DVIPs, in collapsed form due to the report provided by MCEDV which provides the detailed overview of the progress made in 2022.

A DVIP operating in the State of Maine must be certified by the DOC in order to receive court referrals (Title 17-A M.R.S.A. § 1804(6) and Title 19-A M.R.S.A. § 4116, previously § 4014). The current DVIP certification process is outlined under DOC rule (found on the Secretary of State website, section 03-201, Chapter 15). This rule outlines the procedures and standards governing the certification and monitoring of the DVIPs, pursuant to statute. Attachment A lists the currently certified DVIPs and one recently expired DVIP across the State.

Prior to the COVID-19 pandemic, the DVIPs were to be held “in-person” only. Since the pandemic, a rule change was implemented to allow DVIPs to have alternative options for programming. The rule has not been amended since then. Attachment B reflects the most recent rule.

The statute and rule also require that the DOC, in consultation with the Maine Commission on Domestic and Sexual Abuse, develop and, on a biannual basis, review a certification process for DVIPs. The review process may include input from various agencies and organizations listed in the rule and any others deemed appropriate by the DOC. Since 2022, the standards review committee has met every month working towards recommended changes. The standards are being reviewed thoroughly, each topic discussed in detail, all voices are heard, and final recommendations will be made through this process. Ample time has been given for each issue to be discussed and the process is likely to be completed by the end of 2023. Once the draft document has been developed, the document will be submitted to the Attorney General’s Office for review in accordance with the rule-making process, as well as being put out for public comment.

In 2019, as a result of Public Law 2017, Chapter 431 “An Act to Enhance Maine’s Response to Domestic Violence,” the DOC contracted with the Maine Coalition to End Domestic Violence (MCEDV) to implement a plan for the partial reimbursement of DVIPs for indigent

participation fees, training programs to sustain and expand the accessibility of DVIPs, and the reimbursement of mileage expenses for DVIP programs. Attachment C reflects Public Law 2017, Chapter 431.

In order to continue the efforts resulting in Public Law 2017, Chapter 431, in 2021 as a result of Public Law 2021, Chapter 448 “An Act To Ensure Access to and Availability of Violence Intervention Services To Reduce Domestic Violence in Maine,” the DOC further contracted with MCEDV to continue the plan as outlined above. Due to this continued funding, a second report titled “CDVIP Statewide Coordination, Training, and Technical Assistance” which provides the 2022 overview was submitted by MCEDV at the year end of 2022. Attachment D reflects Public Law 2021, Chapter 448. Attachment E reflects the MCEDV “CDVIP Statewide Coordination, Training, and Technical Assistance” status report.

As stated in the 2021 DOC OVS annual report “as a result of the work done in Public Law 2017 Chapter 431, additional legislation was proposed and passed in the form of Public Law 2021, Chapter 174 “An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming.” As provided by this law, the term “batterer intervention” was changed throughout Titles 17-A, 19-A, 22, and 34-A to “domestic violence intervention.” along with other changes. Attachment F reflects Public Law 2021, Chapter 174 “An Act To Implement the Recommendations of the Department of Corrections for Certified Batterer Intervention Programming.”

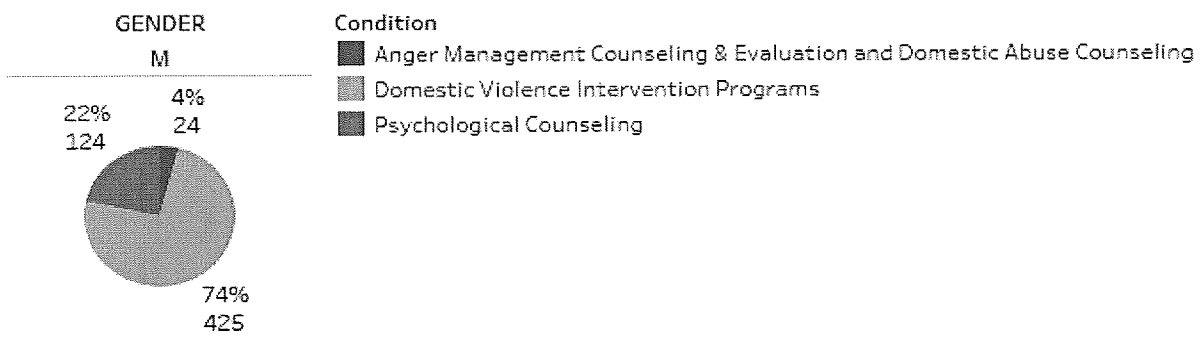
The OVS collects yearly data from each DVIP across the State, and the data is compiled into a statewide total. The 2022 enrollment and completion data includes: number of males reported to have enrolled in the DVIPs, males reported to have completed the programs, females reported to have enrolled in the DVIPs, and females reported to have completed the programs. The statewide combined male and female data submitted is reflected in Attachments G and H.

As well, yearly data on probation conditions for 2022 was collected using the same criteria as used since the 2018 report. It consists of offenders with a conviction for a domestic violence related charge as identified in statute and with a period of probation and has been obtained from the DOC offender records database (CORIS). The data includes a comparison of the probation conditions imposed as part of the sentence. Probation conditions compared were (1) anger management counseling, anger management evaluation and/or domestic abuse counseling, (2) certified DVIP and (3) psychological counseling. The DOC is not able to

provide data regarding those ordered to attend DVP due to court-ordered deferred disposition, as mandated by DHHS, or by way of a referral source other than the DOC.

The chart and graph below reflect the current (as of the end of 2022) 464 male probationers with a domestic violence conviction statewide with a total of 573 conditions.

| Condition | Count | Approx. Percent |
|--|-------|-----------------|
| Anger Management Counseling & Evaluation and Domestic Abuse Counseling | 24 | 4% |
| Domestic Violence Intervention Programs | 425 | 74% |
| Psychological Counseling | 124 | 22% |
| Total Male Conditions | 573 | 100% |
| Total Male Probationers | 464 | |

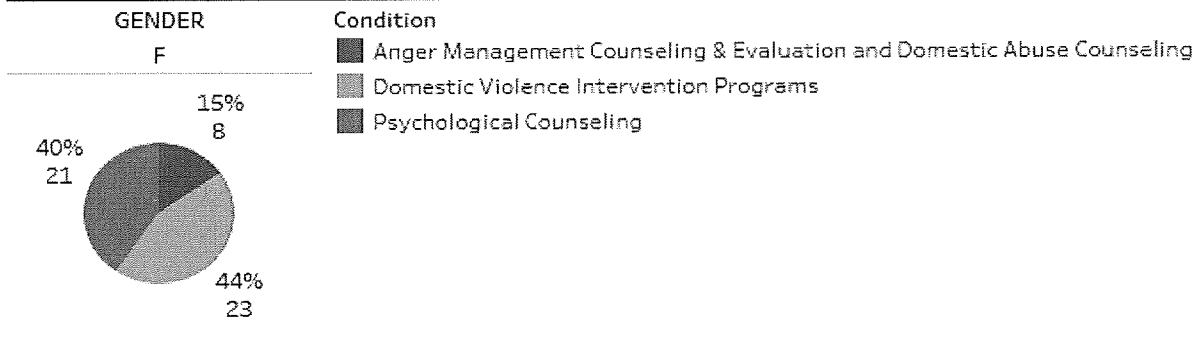


The chart below reflects the five-year percentage comparison of each condition according to each male condition ordered by percentage.

| Condition | Count 2018 | Count 2019 | Count 2020 | Count 2021 | Count 2022 |
|--|------------|------------|------------|------------|------------|
| Anger Management Counseling & Evaluation and Domestic Abuse Counseling | 8.00% | 6.00% | 7.00% | 8.00% | 4.00% |
| Domestic Violence Intervention Program | 65.00% | 69.00% | 69.00% | 69.00% | 74.00% |
| Psychological Counseling | 27.00% | 25.00% | 24.00% | 23.00% | 22.00% |
| Total Male Conditions | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

The chart and graph below reflect the current (as of the end of 2022) 44 female probationers with a domestic violence conviction statewide with a total of 52 conditions.

| Condition | Count | Approx. Percent |
|--|-------|-----------------|
| Anger Management Counseling & Evaluation and Domestic Abuse Counseling | 8 | 15% |
| Domestic Violence Intervention Programs | 23 | 44% |
| Psychological Counseling | 21 | 40% |
| Total Female Conditions | 52 | 100% |
| Total Female Probationers | 44 | |



The chart below reflects the five-year percentage comparison of each condition according to each female condition ordered by percentage.

| Condition | Count 2018 | Count 2019 | Count 2020 | Count 2021 | Count 2022 |
|--|------------|------------|------------|------------|------------|
| Anger Management Counseling & Evaluation and Domestic Abuse Counseling | 19.00% | 15.00% | 13.00% | 28.00% | 15.00% |
| Domestic Violence Intervention Program | 31.00% | 42.00% | 39.00% | 35.00% | 44.00% |
| Psychological Counseling | 51.00% | 42.00% | 48.00% | 37.00% | 40% |
| Total Male Conditions | 100.00% | 100.00% | 100.00% | 100.00% | 100.00% |

17-A MRSA §1807, sub-§ 6, requires a court to provide justification when participation in a DVIP is not ordered as a condition of probation in sentencing a person for a domestic violence crime. This same provision requires a prosecuting attorney to provide justification when participation in a DVIP as a condition of probation is not recommended in a plea agreement for a person convicted of a domestic violence crime.

As reported since 2019, the Judicial Branch has a “Statement of Prosecuting Attorney Regarding Domestic Violence Intervention” form. Below is the number of forms submitted to the Court by prosecuting attorneys since 2019. Attachment I reflects the form used.

| | 2019 | 2020 | 2021 | 2022 |
|--|------|------|------|------|
| Statement of Prosecuting Attorney Regarding Domestic Violence Intervention | 65 | 29 | 24 | 16 |

As stated in previous reports, there is no simple way to track why DVIP is not ordered as part of a sentence and the DOC is not able to provide data regarding those not ordered to attend DVIP.

Finally, significant progress has been made across the State of Maine due to the funding noted above compiled with the efforts of the MCEDV. It is recognized that the 2022 report submitted by MCEDV exhibits progress made toward the coordination and collaboration of the Domestic Violence Intervention Programs and stakeholders across Maine. The continuation of this effort and investment is needed in order to increase survivor safety.

This concludes this year’s report.

ATTACHMENT

A

Certified Domestic Violence Intervention Programs

| Androscoggin, Franklin and Oxford Counties | | |
|--|--|--|
| Program | Meeting Time | Meeting Location |
| Alternatives to Abuse (Safe Voices) (Male Program) Director: Courtney O'Brien P.O. Box 713 Auburn, ME 04212 (207) 207-212-6827 (Certified until 9/14/2023) | Please come fill out the Intake form to learn more | To Enroll in class, please fill out Intake form at https://safevoices.org/get-help/certified-batterer-intervention-program |
| Alternatives to Abuse (Female Program) Director: Courtney O'Brien P.O. Box 713 Auburn, ME 04212 (207) 207-212-6827 (Certified until 9/14/2023) | Please come fill out the Intake form to learn more | To Enroll in class, please fill out Intake form at https://safevoices.org/get-help/certified-batterer-intervention-program |
| Aroostook County | | |
| Program | Meeting Time | Meeting Location |
| Northern New England Community Resource Center (Male Program) Director: Charles Moody P.O. Box 164 Houlton, ME 04730 (207) 694-3066 (Certified until 5/4/2024) | Monday, 6:00 p.m. - 7:30 p.m. | Chamber of Commerce, Presque Isle, ME |
| | Wednesday, 6:00 p.m. - 7:30 p.m. | Houlton Regional Hospital Houlton, ME |
| | Thursday, 6:00 p.m. - 7:30 p.m. | Cary Medical Center Caribou, ME |
| Choices (Female Program) Director: Desirée Chasse Contact: (207) 728-3199 (Certified until 9/9/2024) | Call for more details | |

Cumberland County

| Program | Meeting Time | Meeting Location |
|--|--|---|
| A Different Choice (Male Program) Director: Matthew Perry P.O. Box 704 Portland, ME 04104 (207) 233-5997 (Certified until 7/18/2023) | Monday 5:00 - 6:30 p.m. & 7:00 - 8:30 p.m. Wednesday 4:00 p.m. - 5:30 p.m. & 6:00 p.m. - 7:30 p.m. Thursday 5:30 p.m. - 7:00 p.m. Friday 8:30 a.m. - 10:00 a.m. | All classes held in person at: 655 Riverside Street, Portland |

Eastern Cumberland, Sagadahoc, and Lincoln Counties

| Program | Meeting Time | Meeting Location |
|--|--|--|
| Alternatives to Abuse (Safe Voices) (Male Program) Director: Courtney O'Brien P.O. Box 713 Auburn, ME 04212 (207) 207-212-6827 (Certified until 9/14/2023) | Please come fill out the Intake form to learn more | To Enroll in class, please fill out Intake form at https://safevoices.org/get-help/certified-batterer-intervention-program |
| | | |
| | | |

Knox and Waldo Counties

| Program | Meeting Time | Meeting Location |
|--|--|------------------|
| DV Classes for Men (Male Program) Director: Saige Weeks 262 Harlow Street Bangor, ME 04401 (207) 973-3650 (207) 973-3699 (fax) For intake call (207) 270-2963 | Monday, 5:15 p.m. - 6:45 p.m. Tuesday, 1:00 p.m. - 2:30 p.m., 4:30 p.m. - 6:00 p.m., 6:30 p.m. - 8:00 p.m. Wednesday, 4:30 p.m. - 6:00 p.m. & 6:30 p.m. - 8:00 p.m. Thursday, 6:30 p.m. - 8:00 p.m. | |

| | | |
|--|--|--|
| (Certified until 10/27/2024) <i>*For class information and to schedule an intake call: Stephen Madera 207-270-2963 or Serena Buday 207-659-0736.</i> | | |
|--|--|--|

Hancock County

| Program | Meeting Time | Meeting Location |
|--|------------------------------------|------------------|
| Choice V (Male Program) Supervisor: Astor Gillis 59 Franklin St., B Ellsworth, ME 04605 (207) 667-2730 (Certified until 12/15/2023) | Tuesday, 5:00 p.m. - 6:30 p.m. | Online |
| DV Turning Points (Female Program) Supervisor: Astor Gillis 59 Franklin St., B Ellsworth, ME 04605 (207) 667-2730 (Certified until 02/22/2024) | Wednesday, 10:00 a.m. - 11:30 a.m. | Online |

Kennebec and Somerset Counties

| Program | Meeting Time | Meeting Location |
|--|---|---|
| ChangeWork (Male Program) Director: Richard Langley ChangeWork P.O. Box 304 Augusta, ME 04332 (207) 623-8637 ext. 304 https://www.familyviolenceproject.org/changework/ | Thursday, 3:00 p.m.-4:30 p.m. & 5:00 p.m.-6:30 p.m. & 7:00 p.m.-8:30 p.m. Friday, 9:00 a.m.-10:30 a.m. | Centerpoint Community Church 155 West River Road Waterville, ME |
| | Wednesday, 5:00 p.m.-6:30 p.m. & | Skowhegan Federated Church |

(Certified until 7/14/2023)

| | |
|--|--|
| 7:00 p.m.-8:30 p.m. | 13 Island Avenue Skowhegan, ME |
| Wednesday, 5:00 p.m. - 6:30 & 7:00 p.m. - 8:30 p.m. | Central Church 20 Mission Avenue Augusta, ME |
| * Rolling intakes for Menswork are held weekly, please call 207-446-3386 for scheduling. | |

Respect ME (Female Program)

Director: Robert Rogers, KBH;
Michelle LeClair, FVP; Skyla Littlefield

Contact: rrogers@kbhmaine.org or 207-474-8368
ext. 3607, cell phone: 207-861-2465;

5 Commerce Drive
Skowhegan, ME 04976
(207) 873-2136 x 3607

(Certified until: 8/9/2023)

| | |
|--|---|
| Monday, 9:00 a.m. - 10:30 a.m. | Kennebec Behavioral Health 66 Stone Street Augusta, ME |
| Tuesday, 3:30 p.m. - 5:00 p.m. | Kennebec Behavioral Health 67 Eustis Parkway Waterville, ME |
| Wednesday, suspended until in person can happen. | Kennebec Behavioral Health 5 Commerce Drive Skowhegan, ME |

Knox, Lincoln, Sagadahoc, and Waldo Counties

| Program | Meeting Time | Meeting Location |
|--|--------------------------------------|----------------------|
| Time for Change Women's Group (Female Program) Director: Rebekah Paredes P.O. Box A Rockland, ME 04841 800-522-3304 Certified until: 7/21/2023 | Wednesdays - 10:00 a.m. - 11:30 a.m. | Being Held Virtually |

Penobscot and Piscataquis Counties

| Program | Meeting Time | Meeting Location |
|--|--|--|
| DV Classes for Men (Male Program) Director: Saige Weeks 262 Harlow Street Bangor, ME 04401 | Monday, 5:15 p.m. - 6:45 p.m. Tuesday, 1:00 p.m. - 2:30 p.m., 4:30 p.m. - 6:00 | Penquis 262 Harlowe Street Bangor, ME Richard Brown Admin Building |

| | | |
|---|--|---------------------------------------|
| (207) 973-3650 (207) 973-3699 (fax) For intake call (207) 270-2963 (Certified until 10/20/2024) <i>*For class information and to schedule an intake call: Stephen Madera 207-270-2963 or Serena Buday 207-659-0736.</i> | p.m. & 6:30 p.m. - 8:00 p.m. Wednesday, 4:30 p.m. - 6:00 p.m. and 6:30 p.m. - 8:00 p.m. Thursday, 6:30 p.m. - 8:00 p.m. | 572 Bangor Road Dover-Foxcroft, ME |
| | | |

| | | |
|---|-----------------------|--|
| Turning Points: A non-Violent curriculum for Women (Female Program) Director: Amanda Cost P.O. Box 653 Bangor, ME 04402 (207) 479-6733 (Certified until 11/19/2022) | Call for more details | |
|---|-----------------------|--|

Washington County

| Program | Meeting Time | Meeting Location |
|---|----------------------------------|------------------|
| Step Forward, Leaving Violence Behind (Male Program) Director: Missy Fairfield P.O. Box 1466 Ellsworth, ME 04605 (207) 255-4934 (Certified until: 12/10/2023) | Wednesday, 5:00 p.m. - 6:30 p.m. | Online |

York County

| Program | Meeting Time | Meeting Location |
|---|---|-------------------------------|
| Violence No More, HOPE (Male Program) Director: Patricia Ledoux 15 York Street, Building 9, Suite 201-H Biddeford, ME 04005 | Monday, 5:00 p.m. and 7:00 p.m. (online) Tuesday, 6:30 p.m. Wednesday, 5:00 | 60 School Street, Saco, Maine |

| | | |
|---|--|-------------|
| (207) 283-8574 (Certified until 11/15/2023) | p.m. and 7:00 p.m. (online) Thursday, 5:00 p.m. and 7:00 p.m. (online) | |
| | Thursday, 9:30 a.m. | Sanford, ME |
| Turning Points at Caring Unlimited - A Non-Violence Curriculum for Women (Female Program) Director: Susan Giambalvo (800) 239-7298 (207) 490-3227 (Certified until 06/25/2023) | Thursday, 10:00- 11:30 a.m., virtual | |

Last modified 2/27/2023

ATTACHMENT B

Chapter 15: BATTERER INTERVENTION PROGRAM CERTIFICATION *(Revised 1/15/21)*

Summary: This chapter outlines the procedures and standards governing the certification and monitoring of Batterer Intervention Programs, pursuant to 19-A M.R.S.A. §4014.

1. Procedures and Standards for Batterer Intervention Programs (relating to psychological, physical, verbal and sexual abuse)

1.1 Definitions

A. Domestic Abuse

In the context of this document, the definition of the term "domestic abuse" refers to the definition of "abuse" in 19-A M.R.S.A. §4002.

"Abuse" means the occurrence of the following acts between family or household members or dating partners.

1. Attempting to cause or causing bodily injury or offensive physical contact, including sexual assaults under Title 17-A, Chapter 11, except that contact as described in Title 17-A, §106, sub-§1, is excluded from this definition;
2. Attempting to place or placing another in fear of bodily injury through any course of conduct including, but not limited to, threatening, harassing, or tormenting behavior;
3. Compelling a person by force, threat of force or intimidation to engage in conduct from which the person has a right or privilege to abstain or to abstain from conduct in which the person has a right to engage;
4. Knowingly restricting substantially the movements of another person without that person's consent or other lawful authority by: removing that person from that person's residence, place of business or school; moving that person a substantial distance from the vicinity where that person was found; or confining that person for a substantial period either in the place where the restriction commences or in a place to which that person has been moved;
5. Communicating to a person a threat to commit, or to cause to be committed, a crime of violence dangerous to human life against the person to whom the communication is made or another, and the natural and probable consequence of the threat, whether or not that consequence in fact occurs, is to place the person to whom the threat is

communicated, or the person against whom the threat is made, in reasonable fear that the crime will be committed; or

6. Repeatedly and without reasonable cause:

- a. following the victim; or
- b. being at or in the vicinity of the victim's home, school, business, or place of employment.

B. Batterer Intervention Program

1. The term "batterer intervention program" refers to a community-based educational program which is one component of a coordinated community response to domestic abuse where the main goals are:
 - a. working toward the safety of victims; and
 - b. holding domestic abuse offenders accountable for their actions.
2. The community-based educational programs for domestic abuse offenders (hereafter called "BIPprogram") referred to in these standards are designed specifically to intervene with court referred adults, but are not limited to court referrals.

C. Domestic Violence Center

1. The term "domestic violence center" refers to a network of programs and services for victims of domestic abuse. There are two coalitions of domestic violence centers in Maine. The Maine Coalition to End Domestic Violence (MCEDV) is comprised of eight of Maine's domestic violence centers. Each domestic violence center is a private, independent, nonprofit agency which provides individual crisis intervention, legal information, and advocacy for people affected by domestic abuse, as well as support groups and shelter options for victims of domestic abuse and their children. These services are confidential, free of charge, and based on a self-help model. In addition, domestic violence centers provide training, education, and consultation to community groups, schools, public officials, and services providers to improve the community's response to domestic abuse. The Wabanaki Women's Coalition (WWC) is comprised of the five tribal domestic violence centers in Maine. Each of these tribal domestic violence centers provides individual crisis intervention, legal information, and advocacy for predominately Native Americans affected by domestic abuse, as well as support groups and shelter options for victims of domestic abuse and their children. These services are confidential, free of charge, and based on a self-help model. In addition, they provide training, education, and consultation to community groups, schools, public officials, and service providers to improve the tribal community's response to domestic abuse.

2. In the case of a domestic violence center which is not a member of the MCEdV or WWC, that center which is providing the services described above will serve as the collaborator in that jurisdiction.
 3. For the purposes of this document, hereafter "domestic violence center" will be referred to as "DVC."
- D. **Monitoring** consists of observation of and consultation about the performance/operation of a BIP program in order to promote the safety of victims of domestic abuse. Monitoring must be provided by staff of a DVC as outlined in section 5.8 A or by a third party monitor as outlined in section 5.8 B.
- E. **Supervision** is the internal oversight of the process and content of the BIP program by a qualified primary supervisor as defined in section 4.5 C.
- F. **Staff** means both paid and unpaid staff.

2. Certification

2.1 Oversight of the Maine Standards for Batterer Intervention Programs

- A. The Maine Department of Corrections, hereafter called "DOC", shall be the lead agency responsible for implementation of these standards, through its Victim Services Coordinator. Only BIP programs that hold a valid certificate granted by the DOC shall be utilized for court referrals. A certificate shall be valid for two years unless suspended or revoked.
- B. The DOC, in consultation with the Maine Commission on Domestic and Sexual Abuse, shall develop and, on a biannual basis, review a certification process for BIP programs. The review process may include input from representatives of the following agencies and organizations and any others deemed appropriate by the DOC:
1. domestic violence centers;
 2. batterer intervention programs;
 3. the judicial system;
 4. local law enforcement;
 5. victims of domestic violence;
 6. health and human service agencies;
 7. schools;
 8. hospital emergency departments;
 9. community corrections;

10. groups working with victims of child abuse;
 11. groups working with victims of sexual abuse;
 12. groups coordinating supervised visitation; and/or
 13. other stakeholders.
- C. BIPPrograms will be assessed a fee for program certification.
- D. Certification of BIPPrograms will be for a period of two years as referenced in section 2.1 A.
- E. If anyone has a dispute regarding the certification of a BIPProgram, which appears to be at an impasse, it will be the responsibility of the DOC, in consultation with the Maine Commission on Domestic and Sexual Abuse, to attempt to bring such a dispute to resolution.

2.2 Application for Certification

- A. Each BIPProgram requesting certification or renewal of certification shall submit a completed application to the DOC containing all of the information requested, to include, but not be limited to:
1. demonstration of the BIPProgram's ability to meet these standards;
 2. an overview of the BIPProgram content;
 3. proof of successful completion for all co-educators at a national batterer intervention training or similar training determined to be sufficient by the DOC;
 4. documentation of a working agreement with the local DVC in each county the BIPProgram may operate in or request for waiver of this requirement providing specific reasons for the request;
 5. documentation of a working agreement with the DOC Regional Correctional Administrator;
 6. demonstration of need for a BIPProgram, or another BIPProgram, in the geographic area (initial certification only);
 7. name, address, and telephone number of the BIPProgram and all sites; and
 8. a statement of ownership of the BIPProgram, that discloses the names, address, and telephone numbers of all owners, directors, and officers of the corporation, and any members of any governing or advisory boards.

2.3 Denial, Refusal to Renew, Suspension, and/or Revocation of Certification

A. Definitions

1. **Denial:** action taken by DOC to not certify a BIProgram.
2. **Refusal to Renew:** action taken by DOC at the end of a two year certification period rejecting a BIProgram's application for renewal.
3. **Suspension:** action taken by DOC in lieu of revoking or refusing renewal of certification that stipulates the Program must correct the noted deficiencies within the time specified.
4. **Revocation:** action taken by DOC removing a BIProgram's certification after the DOC has certified the Program, but before the BIProgram's two year certification has expired.

Any of these actions make the affected BIProgram ineligible to receive any referrals unless and until the program is certified, its certification is renewed, or the suspension is lifted.

B. Each of the following, in and of itself, may constitute full and adequate grounds on which to deny, suspend, revoke, or refuse to renew certification to operate a BIProgram:

1. failure to submit information required for certification;
2. failure to meet any of these standards for BIPrograms;
3. denial of entry to agents of the DOC to conduct site visits or inspections or any other attempt to impede the work of agents of the DOC;
4. obtaining or attempting to obtain certification by fraud, misrepresentation, or by the submission of incorrect, false, and/or misleading information;
5. criminal conduct by the owners, staff, or administrators as evidenced by criminal convictions;
6. operation of a BIProgram after the expiration of certification;
7. operation of a BIProgram in a manner which fails to fulfill the terms of the program - client agreement; or
8. operation of a BIProgram in a manner which endangers the health or safety of clients and/or victims of domestic abuse.

2.4 Recourse of Programs when Certification has been Denied, Refused Renewal, Suspended and/or Revoked

- A. A BIP program whose certification has been denied, refused renewal, suspended and/or revoked by DOC will receive in writing, by certified mail, a program compliance letter outlining the standards that the Program is not in compliance with and the time frames allowed to bring the BIP program into compliance.
- B. The BIP program has 60 days from the date of notification of denial, refused renewal, suspension and/or revocation of certification to resubmit the application, clearly indicating remediation for deficiencies. DOC must respond to this information within 60 days of receipt.
- C. The BIP program may appeal the DOC response to the Commissioner of Corrections within fifteen days of receipt of the response.

3. Coordinated Community Response to Domestic Abuse

3.1 Goals

- A. A coordinated community response to domestic abuse occurs when diverse segments of a community work together for two common goals:
 - 1. the safety of the victims of domestic abuse; and
 - 2. to end domestic abuse.

3.2 Coordinated Community Response to Domestic Abuse

- A. During development, implementation, and evaluation of BIP programs, BIP program staff must consult, cooperate, and coordinate with representatives of the following agencies and organizations:
 - 1. domestic violence centers;
 - 2. the judicial system;
 - 3. local law enforcement;
 - 4. health and human service agencies; and
 - 5. community corrections.
- B. During development, implementation, and evaluation of BIP programs, BIP program staff are encouraged to consult, cooperate, and coordinate with representatives of the following agencies and organizations:
 - 1. other certified BIP programs;
 - 2. victims of domestic violence;

3. schools, including community adult education programs;
4. hospital emergency departments;
5. groups working with victims of child abuse;
6. groups working with victims of sexual violence;
7. groups coordinating supervised visitation;
8. groups providing services to diverse populations; and/or
9. other related services.

3.3 BIProgram - DVC Collaboration

- A. The BIProgram shall acknowledge the experience of victims, who are experts on their own safety, and the important role of the DVC in responding to domestic abuse through:
 1. consulting with the local DVC on all written curricula, publications, and public relations materials of the BIProgram;
 2. publicly acknowledging the contributions of the battered women's movement to their efforts and that BIPrograms exist in support of the goals of the DVC;
 3. consultation with the local DVC when seeking funds in a way that competes with funding for DVC;
 4. always encouraging victims to contact their local DVC;
 5. inviting the local DVC advocates to attend BIProgram groups;
 6. participation in a community response to domestic abuse; and
 7. negotiating an ongoing working relationship with the local DVC and accepting feedback in order to hold themselves accountable to the battered women's movement, acknowledging that a working relationship may go beyond these standards.

3.4 Partner Contacts

- A. A partner contact is the verbal and/or written exchange of information between a victim and a designated representative of the local DVC.
- B. The purpose of the partner contact is to provide the victim with:
 1. support and validation;
 2. information about the BIProgram;

3. information about the local resources for victims;
 4. assistance in developing a safety plan; and
 5. information about the DVC as an ongoing resource for victims.
- C. Within seven days of enrollment in the BIPprogram, unless the time frame is modified by any working agreement with the local DVC, the BIPprogram shall provide the local DVC with the names and addresses of:
1. the domestic abuse offender enrolled in its program;
 2. any adult or child victim identified in available police reports and/or court proceedings; and
 3. current partner of the domestic abuse offender.
- D. The BIPprogram must never initiate written or verbal contact with victims except in the following situations:
1. when a victim may be in jeopardy (verbal communication only);
 2. notification of the domestic abuse offender's admission into the BIPprogram (written communication only);
 3. notification of when the domestic abuse offender is discharged from the BIPprogram (written communication only); and
 4. when a change in the format of BIPprogram classes is required as outlined in section 11.
- E. In no case is a BIPprogram to initiate contact with a victim if such contact would jeopardize the safety of the victim or domestic abuse offender or violate federal or state confidentiality laws.
- F. Should a victim initiate contact with a BIPprogram, the victim must always be referred to the local DVC for supportive services.

3.5 Financial Responsibility for BIPprogram - DVC Collaboration

- A. Costs incurred by the DVC for providing services to partners in the context of their outreach efforts will be the responsibility of the DVC.
- B. Any costs incurred as the result of supervision, training, and/or monitoring by the DVC or a third party monitor of the BIPprogram shall be reimbursed by the BIPprogram.

4. BIP Program Model

4.1 BIP Program Format

- A. BIP Programs must be:
 - 1. held in an in-person group format with no more than 15 participants nor less than 3 participants registered, unless the program is granted a waiver by DOC;
 - 2. educationally oriented;
 - 3. restricted to perpetrators of domestic abuse;
 - 4. comprised of the same gender; and
 - 5. have rolling or open admission (no waiting lists).
- B. The group must be co-educated by appropriately trained male and female co-educators, except that a group serving female domestic abuse offenders may be co-educated by two female co-educators. "Co-educated" means that each co-educator contributes substantially equally in the facilitation process. (See section 4.5 for definition of appropriately trained.) At the discretion of the program director, exceptions may be made for individual classes to accommodate special circumstances, including, but not limited to, illness, vacation, weather, etc.
- C. There shall be no recording of an in-person class except for quality assurance purposes by educators and/or monitors only. Recordings must not be disseminated. Each BIP program shall have a protocol in place to ensure that any recording is destroyed within 30 days after the recording is made.

4.2 Inappropriate BIP Program Format

- A. The following formats, methods, and treatment modalities must not be used by certified BIP programs working with domestic abuse offenders:
 - 1. individual counseling;
 - 2. couples or conjoint counseling;
 - 3. anger management;
 - 4. systems therapy;
 - 5. addiction counseling (identifying violence as an addiction);
 - 6. family therapy; or
 - 7. medication management.

- B. Unless specifically authorized in these standards, educators must not concurrently provide services to a domestic abuse offender and the offender's victim, current partner or minor children.

4.3 Target Population

- A. These standards are specifically designed for adults who abuse their intimate partners, although other domestic abuse offenders may participate in BIP programs. It is important that appropriate models be implemented for men who abuse their female partners, for women who use violence against their male partners, and for same sex or transgender abusers.

4.4 Length of the BIP program

- A. BIP programs must be a minimum of 48 classes over a minimum of 48 weeks in duration.
- B. Each weekly session must be at least 90 minutes long, with check-in consuming no more than 30 minutes.
- C. Each participant's attendance must occur at a rate of one class per week counted towards the 48 class requirement.
- D. The BIP program intake must not be considered one of the 48 weeks.
- E. Domestic abuse offenders who have completed a minimum 48 week BIP program should be given the opportunity of voluntarily continuing their participation or returning to the BIP program at a later date.

4.5 BIP program Staff Selection, Supervision, and Training

- A.
 - 1. Staff must have had no convictions or protective court orders or court-approved consent agreements for offenses involving violence during the last ten years.
 - 2. Staff must not have had any criminal conviction within the last ten years, unless granted a waiver to work for the BIP program from the DOC.
 - 3. Staff shall not be on administrative release, probation, parole, supervised release for sex offenders, or other supervision post-conviction, or deferred disposition for any state or federal criminal offense.
 - 4. The BIP program shall develop and maintain hiring criteria.

- B. All BIP program staff having direct contact with domestic abuse offenders must:

- 1. receive training in a curriculum used by the BIP program that is based upon, and adheres to, models developed by acceptable nationally

recognized programs or similar training in a curriculum determined to be sufficient by the DOC and that is consistent with these standards;

2. provide certification of completion of this training prior to or within 6 months of being hired to co-educate groups;
 3. be provided with on the job training with an experienced supervisor, to include a minimum of observation of six sessions of group, followed by co-educating an additional six sessions of group with a trained experienced educator prior to assuming responsibility for a group; and
 4. attend a minimum of 6.25 hours per year continuing education on topics agreed upon by MCEV, WWC, and the Maine Association of Batterer Intervention Programs (MABIPS). It will be the responsibility of the primary supervisor of the BIP program to maintain training records:
- C. Any individual identified as the Program Director or a "primary supervisor" must have at least two years documented experience in the following areas:
1. direct work with victims;
 2. direct work with domestic violence perpetrators;
 3. group work; and
 4. supervision of employees.

4.6 BIP Program Curriculum

- A. The BIP programs must include at a minimum in their curriculum that:
1. stress, a life crisis, and chemical dependency are not causes of domestic abuse, but ongoing substance abuse increases the risk of re-offense;
 2. domestic abuse is a choice a domestic abuse offender makes to use power and control over an intimate partner;
 3. domestic abuse offenders are solely and exclusively responsible for their controlling and abusive behavior;
 4. the effect of abuse on victims, including children who witness abuse, is harmful; and
 5. abuse is never justified.

4.7 BIP Program Fee Structure

- A. Except for federal, state, or charitable organization funding (which must not include insurance), a domestic abuse offender is solely responsible for paying for participation in a BIP program.

- B. A domestic abuse offender must be charged at least a nominal fee. Programs may charge on a sliding fee scale.

5. Administrative Standards

5.1 BIP Program Intake Process

- A. The BIP Program shall schedule an intake into the BIP Program within two weeks, absent good cause, from the time the domestic abuse offender contacts the BIP Program.
- B. At the intake, the domestic abuse offender must enter into a written agreement with the BIP Program, which must include the following:
 - 1. the responsibilities of the domestic abuse offender;
 - 2. the responsibilities of the BIP Program;
 - 3. an agreement to stop all forms of violence;
 - 4. the minimum length of the BIP Program;
 - 5. signed waivers of confidentiality and/or appropriate releases;
 - 6. the fee structure and the weekly fee due from the offender;
 - 7. criteria for discharge;
 - 8. a copy of the complaint procedure; and
 - 9. readmission criteria.
- C. During intake, the BIP Program must obtain the following information from the domestic abuse offender:
 - 1. full legal name of domestic abuse offender;
 - 2. current home address and mailing address (if they are different);
 - 3. current home telephone number, cell phone number, or telephone number of contact if the domestic abuse offender does not have a telephone;
 - 4. date of birth;
 - 5. name of employer, and current work address and telephone number of employer;
 - 6. partner and/or victim name (if they are different);
 - 7. current driver's license number, or photo ID card;

8. make, model, year and license plate number of the vehicles used by the domestic abuse offender;
 9. history of any substance abuse;
 10. psychiatric history including homicidal and suicidal ideation;
 11. history of any weapons possession and usage; and
 12. history of abusive behaviors.
- D. Within six weeks after the domestic abuse offender begins the BIP program, the domestic abuse offender must provide the BIP program with the following independent descriptions of the domestic abuse offender's abusive behavior, including, but not limited to:
1. police reports (if applicable);
 2. administrative release, probation, parole, supervised release for sex offenders, or other post-conviction supervision or deferred disposition conditions (if applicable);
 3. legal pleadings, including, but not limited to, civil petitions and civil and criminal complaints (if applicable);
 4. court orders, including, but not limited to, protective orders, and court-approved consent agreements (if applicable); and
 5. previous child protective service reports (if applicable and available).
- E. The following must be notified in writing of the domestic abuse offender's acceptance into the BIP program within 7 days, unless the time frame is modified by the DVC working agreement:
1. the domestic abuse offender;
 2. the victim and/or current partner, unless notification of the victim would jeopardize the safety of the domestic abuse offender or violate federal or state confidentiality laws;
 3. the domestic abuse offender's Probation Officer (if applicable);
 4. the local DVC; and
 5. the referral source, including, but not limited to, the prosecuting attorney's office, pre-trial agency, or Department of Health and Human Services (DHHS).

- F. At minimum, the information to be contained in the communication referred to in section 5.1 E must include:
 - 1. the date the domestic abuse offender begins the BIPProgram;
 - 2. limitations of the BIPProgram; and
 - 3. that victims are not required to have any contact with the DVC and/or BIPProgram.
- G. A copy of the participant agreement must be provided to the referral source and pre-trial agency (if applicable). A copy of the agreement must be made available upon request from the victim or DVC.
- H. A BIPProgram may only accept referrals of persons residing in a county in which the BIPProgram has a working agreement with the local DVC, unless the program is granted a waiver by DOC.

5.2 BIPProgram Discharge or Leave

- A. Reasons for discharge from a BIPProgram include that:
 - 1. the domestic abuse offender has completed the 48 week program to the satisfaction of the BIPProgram staff, based upon criteria contained in the participant agreement;
 - 2. the domestic abuse offender has five absences during the 48-week BIPProgram;
 - 3. the domestic abuse offender fails to pay the weekly fee determined by the BIPProgram (the offender must be discharged if the offender fails to pay the fee for 4 sessions); and/or
 - 4. the domestic abuse offender does not comply with the rules of the BIPProgram.
- B. A domestic abuse offender may request medical or other leave of absence for good cause with approval of the Program Director, who must consult with the referral source. If approved, the offender is allowed to continue the BIPProgram from the last class prior to the approved leave.
- C. The following must be notified in writing within 7 days of the domestic abuse offender's discharge or leave from the BIPProgram:
 - 1. the domestic abuse offender;
 - 2. the victim and/or current partner, unless notification of the victim would jeopardize the safety of the domestic abuse offender or violate federal or state confidentiality laws;

3. the domestic abuse offender's Probation Officer (if applicable) (the Probation Officer must also be immediately notified verbally of a discharge, unless the discharge was due to the offender's completion of the program);
 4. the local DVC;
 5. the prosecuting attorney's office if a Probation Officer is not involved; and
 6. DHHS if involved; and
 7. the presiding judge of a Domestic Violence Monitoring Docket, if the domestic abuse offender is enrolled in a Domestic Violence Monitoring Docket.
- D. At minimum, the information to be contained in the communication referenced in section 5.2 C must include:
1. the date the domestic abuse offender was discharged or given leave from the BIPProgram;
 2. the reason for discharge or leave; and
 3. recommendations, which may include, but are not limited to, assessment for additional services or further action by the Probation Officer, which may include revocation.

5.3 Re-Admission to BIPProgram after Discharge

- A. Except as set out below, a domestic abuse offender who has not successfully completed 48 weeks and returns after being discharged must start at intake unless the domestic abuse offender is allowed to start at week 1 by the Program Director.
- B. If the discharge was based upon absences, the offender is allowed to start at five classes before the last class prior to discharge.
- C. If the discharge was for non-payment of fees, after consultation with the referral source, the Program Director may allow the offender to receive credit for all classes attended and paid in full as long as the offender continues to pay the fee on schedule after the offender's return.
- D. Notwithstanding the above, any domestic abuse offender who has not successfully completed 48 weeks and returns after being discharged and who was discharged due to committing another domestic abuse offense or who committed another domestic violence offense after discharge must start at intake.

5.4 Transfer of Credits

- A. Each certified BIPProgram must accept transfer of credits for weeks satisfactorily completed at another BIPProgram certified in the State of Maine provided the domestic abuse offender was in good standing with the other

program at the time of transfer and no more than three months has elapsed since the last class attended at the previous BIP program. Absent good cause, no transfer of credit may occur if more than three months has elapsed since the last class attended at the previous BIP program.

- B. Each participant requesting transfer of credit must obtain a letter of referral from the previous program, setting forth the number of weekly credits that the domestic abuse offender has earned, the number of absences, and that the participant is in good standing, and present it to the new program prior to receiving any credit(s) for weeks completed.

5.5 Complaint Procedure

- A. Before filing any complaint against a BIP program, the domestic abuse offender shall make an attempt to resolve the complaint in an informal manner by talking with the educator(s).
- B. If unable to come to an agreement with the educator(s), the domestic abuse offender shall contact the Program Director who shall attempt, as soon as possible, to resolve the complaint.
- C. If the complaint remains unresolved, a formal written complaint may be made to the Department of Corrections, 111 State House Station, Augusta, Maine 04333-0111, Attention: Victim Services Coordinator. A copy of the complaint must be provided by the offender to the BIP program Director, DVC and referral source.
- D. A victim may file a formal written complaint to the Department of Corrections, 111 State House Station, Augusta, Maine 04333-0111, Attention: Victim Services Coordinator. A copy of the complaint will be provided to the BIP program director and the DVC as part of the investigation.

5.6 Confidentiality

- A. All written and/or oral communications, including electronic communications, from or to victims must be held in confidence by the BIP program, except for mandated reporting requirements.
- B. Notwithstanding the above, the BIP program may provide information to the DVC so that the DVC may offer safety planning resources.

5.7 Record Keeping

- A. Domestic abuse offender and victim records (if any) must be maintained in separate files with no record or reference of partner contact beyond the initial letter to the victim and/or partner about the domestic abuse offender's admission into the BIP program.
- B. There must be at least minimal documentation for each group session attended, which must include:

1. date;
 2. topic; and
 3. amount of time spent in group.
- C. Monthly status reports must be provided by the BIP program to the domestic abuse offender's Probation Officer or other referral source. Reports must include, but are not limited to, the following information:
1. attendance;
 2. current payment status; and
 3. compliance with other BIP program rules.

5.8 Approval and Monitoring Process

- A. Any costs incurred as the result of monitoring of the BIP program shall be the responsibility of the BIP program.
1. BIP programs must arrange for monitors to attend a BIP program class at least quarterly per educator pair. Monitoring may occur more frequently upon agreement between the BIP program and the DVC or third party monitor, as applicable.
 2. BIP programs must arrange for monitors to provide verbal communication to the BIP program regarding the performance/operation of each observed class immediately after the class and written communication within 30 days. The BIP program is required to provide the documentation of monitoring to the DOC Victim Services Coordinator and the local DVC.
- B. Third Party Monitors must be utilized when the local DVC is unable, unwilling, or fails to monitor the BIP program or is operating the BIP program.
1. Selection of third party monitors must be made pursuant to criteria developed by the MABIP, the MCEDV, and WWC.
 2. When a new third party monitor is used, the BIP program is required to provide the monitor's name and qualifications to the DOC Victim Services Coordinator, the local DVC, WWC, and MCEDV.
 3. Documentation of monitoring sessions must be sent to the local DVC.

6. Waiver

- A. The DOC may waive the requirements of these standards if and only if specified herein.

- B. All requests for waivers must be directed to the DOC's Victims Services Coordinator, who must make the final decision on a waiver request in his or her sole discretion.

7. Jail and Correctional Facility Programs

- A. Programs offered in a jail or DOC correctional facility do not meet the definition of a certified BIP program. Credit toward attending a certified BIP program must not be given or transferred for any participation in any jail or DOC correctional facility program.

8. Duty to Warn

- A. When a domestic abuse offender enrolled in a BIP program makes an overt or covert threat of harm to self or others, the educator must promptly warn the following persons or agencies in the following order:
 1. Appropriate local, county, and/or state law enforcement agency(ies);
 2. Victim or other person threatened, if current contact information is available;
 3. Probation Officer, if applicable; and
 4. Appropriate DVC(s).

9. Mandatory Reporting

A. Required report of child abuse or neglect to DHHS

BIP program educators must immediately report or cause a report to be made to the DHHS, Child Protective Services, and/or *Indian Child Welfare Act* caseworker when the educator knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected by a person responsible for the child or that a suspicious child death has been caused by a person responsible for the child.

B. Required report of child abuse or neglect to Prosecutor's Office

BIP program educators must immediately report or cause a report to be made to the appropriate prosecutor's office when the educator knows or has reasonable cause to suspect that a child has been or is likely to be abused or neglected by a person not responsible for the child or that a suspicious child death has been caused by a person not responsible for the child.

C. Required report of elder abuse, neglect or exploitation to DHHS

BIProgram educators must immediately report or cause a report to be made to DHHS when the person knows or has reasonable cause to suspect that an incapacitated or dependent adult has been or is likely to be abused, neglected or exploited.

10. Ethics

- A. BIProgram staff must not discriminate against a domestic abuse offender based on age, race, religion, gender, gender identity, sexual orientation, disability, national origin, or socioeconomic status.
- B. A domestic abuse offender should be treated with dignity and respect by BIP program staff regardless of the nature of the offender's crimes or conduct.

11. Declaration of State of Emergency

- A. This section may be invoked by the DOC in the event that the Governor has declared a State of Emergency or at the discretion of the DOC, in consultation with the Maine Commission on Domestic and Sexual Abuse, in order to respond to serious health and safety risks.
 - 1. A BIProgram shall, if possible, be held in an in-person group format that complies with all guidelines relating to the State of Emergency or as determined by the DOC, as applicable.
 - 2. If it is not possible for a BIProgram to hold an in-person group that complies with all such guidelines, the BIProgram shall offer a video conferencing group.
 - 3. If a domestic abuse offender or the BIProgram has reasonable and articulable health and safety related concerns related to a specific offender, the BIProgram shall inform the referral source, and the domestic abuse offender shall be given the option to participate with an in-person group via video conferencing or to participate in a video conferencing group, as applicable.
 - 4. Participation in a group via video conferencing must be on camera for the full duration of the class, except as outlined in section 11.A.6, or as approved by the educator(s).
 - 5. Participation via video conferencing must be in real time only. There shall be no recording of a video conferencing class except for quality assurance purposes by educators and/or monitors only. Recordings must not be disseminated. Each BIProgram shall have a protocol in place to ensure that any recording is destroyed within 30 days after the recording is made.

6. If a domestic abuse offender for whom there are health and safety related concerns does not have access to video conferencing technology, the domestic abuse offender may be given the option to participate via a phone call to an in-person group or video conferencing group. The use of this option to deliver the program must occur only in consultation with the referral source and must be limited to only that period of time necessary to allow the domestic abuse offender to gain access to video conferencing technology.
7. A BIPprogram must notify victims, the local DVC, MCEDV, and DOC about any changes to the BIPprogram format, unless notification to a victim would jeopardize the victim's or domestic abuse offender's safety. Notification must include information about local victim advocacy services. The BIPprogram shall provide victim contact information to the DVC so that victim advocates may contact the victim(s), unless the contact would jeopardize the victim's or domestic abuse offender's safety.

B. These standards must be followed in all other respects.

STATUTORY AUTHORITY:

19-A M.R.S.A. §4014; Resolve 2013 ch. 3

EFFECTIVE DATE:

April 29, 1998 (Major Substantive)

STATUTORY AUTHORITY:

19-A M.R.S.A. §4014(1). The Maine Department of Corrections is adopting a proposal to revise the existing standards for the certification of batterer intervention programs pursuant to 19-A M.R.S.A. §4014 (1) to revise the Standards as a result of the 2002 biannual review. The Maine Department of Corrections developed the proposed rules in consultation with the Maine Commission on Domestic and Sexual Abuse in accordance with the provisions of 19-A M.R.S.A. §4014(1). The proposed revisions to the Batterer Intervention standards will result in improved operation of the Batterer Intervention Programs.

EFFECTIVE DATE:

June 26, 2003 - filing 2003-167 (Major Substantive)

STATUTORY AUTHORITY: 19-A M.R.S.A. §4014(1). The Maine Department of Corrections is adopting a proposal to revise the existing standards for the certification of batterer intervention programs pursuant to 19-A M.R.S.A. §4014 (1) to revise the Standards as a result of the 2004 biannual review. The Maine Department of Corrections developed the proposed rules in consultation with the Maine Commission on Domestic and Sexual Abuse in accordance with the provisions of 19A M.R.S.A. §4014(1). The proposed revisions to the Batterer Intervention standards will result in improved operation of the Batterer Intervention Programs.

EFFECTIVE DATE:

July 23, 2005 - filing 2005-247 (Major Substantive)

REPEALED AND REPLACED:

June 20, 2008 – filing 2009-211 (Major Substantive)
April 4, 2013 – filing 2013-074 (EMERGENCY, Routine Technical)
August 11, 2013 – filing 2013-198 (Routine Technical)
November 13, 2017 – filing 2017-172 (Routine Technical)

CORRECTED:

May 17, 2018 – Section 5.5, reinserted paragraph D.
May 18, 2018 – Section 5.5, changed the Section heading by removing the word
“Participant”.

AMENDED:

January 15, 2021 – filing 2021-002 (Routine Technical)

ATTACHMENT C

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND AND EIGHTEEN

H.P. 369 - L.D. 525

An Act To Enhance Maine's Response to Domestic Violence

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Report on effectiveness of programs. The Department of Corrections shall submit to the joint standing committee of the Legislature having jurisdiction over criminal justice matters a report regarding the effectiveness of certified batterers' intervention programs, including any suggested implementing legislation, by December 5, 2020. The joint standing committee may report out legislation addressing the report.

Sec. 2. Sunset of funding for programs. Notwithstanding any provision of law to the contrary, funding provided to the Department of Corrections, Office of Victim Services related to expenditures for certified batterers' intervention programs may not be provided beyond fiscal year 2020-21 without explicit legislative approval.

Sec. 3. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Office of Victim Services 0046

Initiative: Provides funds for partial reimbursement of certified batterers' intervention programs for indigent participant fees. These funds are appropriated on an ongoing basis but not after June 30, 2021.

| GENERAL FUND | 2017-18 | 2018-19 |
|--------------------|------------|------------------|
| All Other | \$0 | \$100,000 |
| GENERAL FUND TOTAL | <u>\$0</u> | <u>\$100,000</u> |

Office of Victim Services 0046

Initiative: Provides funds for training programs to sustain and expand the accessibility of certified batterers' intervention programs. These funds are appropriated on an ongoing basis but not after June 30, 2021.

| | | |
|---------------------------|----------------|-----------------|
| GENERAL FUND | 2017-18 | 2018-19 |
| All Other | \$0 | \$20,000 |
| | <hr/> | <hr/> |
| GENERAL FUND TOTAL | \$0 | \$20,000 |

Office of Victim Services 0046

Initiative: Provides funds for partial reimbursement of mileage expenses for certified batterers' intervention program facilitators who are providing testimony and information required by the court regarding offender participation in certified batterers' intervention programs as a condition of release. These funds are appropriated on an ongoing basis but not after June 30, 2021.

| | | |
|---------------------------|----------------|----------------|
| GENERAL FUND | 2017-18 | 2018-19 |
| All Other | \$0 | \$5,000 |
| | <hr/> | <hr/> |
| GENERAL FUND TOTAL | \$0 | \$5,000 |

Office of Victim Services 0046

Initiative: Provides funds for the Maine Coalition to End Domestic Violence for the administrative expenses associated with additional funding for certified batterers' intervention program expenses. These funds are appropriated on an ongoing basis but not after June 30, 2021.

| | | |
|---------------------------|----------------|-----------------|
| GENERAL FUND | 2017-18 | 2018-19 |
| All Other | \$0 | \$25,000 |
| | <hr/> | <hr/> |
| GENERAL FUND TOTAL | \$0 | \$25,000 |

**CORRECTIONS, DEPARTMENT OF
DEPARTMENT TOTALS**

| | | |
|-------------------------------------|----------------|------------------|
| | 2017-18 | 2018-19 |
| GENERAL FUND | \$0 | \$150,000 |
| | <hr/> | <hr/> |
| DEPARTMENT TOTAL - ALL FUNDS | \$0 | \$150,000 |

ATTACHMENT D

APPROVED
JULY 9, 2021
BY GOVERNOR

CHAPTER
448
PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

S.P. 478 - L.D. 1491

**An Act To Ensure Access to and Availability of Violence Intervention
Services To Reduce Domestic Violence in Maine**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. Appropriations and allocations. The following appropriations and allocations are made.

CORRECTIONS, DEPARTMENT OF

Office of Victim Services 0046

Initiative: Provides funding for partial reimbursement of certified batterers' intervention programs for indigent participant fees.

| | 2021-22 | 2022-23 |
|---------------------------|------------------|------------------|
| GENERAL FUND | | |
| All Other | \$200,000 | \$200,000 |
| GENERAL FUND TOTAL | <u>\$200,000</u> | <u>\$200,000</u> |

Office of Victim Services 0046

Initiative: Provides funding for increased administrative expenses associated with additional funding for certified batterers' intervention program expenses.

| | 2021-22 | 2022-23 |
|---------------------------|-----------------|-----------------|
| GENERAL FUND | | |
| All Other | \$62,500 | \$62,500 |
| GENERAL FUND TOTAL | <u>\$62,500</u> | <u>\$62,500</u> |

Office of Victim Services 0046

Initiative: Provides funding for training programs to sustain and expand the accessibility of certified batterers' intervention programs.

| | 2021-22 | 2022-23 |
|---------------------------|-----------------|-----------------|
| GENERAL FUND | | |
| All Other | \$25,000 | \$25,000 |
| GENERAL FUND TOTAL | <u>\$25,000</u> | <u>\$25,000</u> |

| CORRECTIONS, DEPARTMENT OF DEPARTMENT TOTALS | 2021-22 | 2022-23 |
|---|-------------------------|-------------------------|
| GENERAL FUND | \$287,500 | \$287,500 |
| DEPARTMENT TOTAL - ALL FUNDS | <u>\$287,500</u> | <u>\$287,500</u> |

ATTACHMENT E



MCEDV.

The Maine Coalition
to End Domestic Violence

CDVIP Statewide Coordination, Training, and Technical Assistance

January 1 through December 31, 2022

Overview

During the 2022 calendar year, the Maine Coalition to End Domestic Violence (MCEDV) and the Maine Department of Corrections (MDOC) continued their collaborative efforts to support the work of Maine's Certified Domestic Violence Intervention Programs (CDVIPs) toward victim safety, offender accountability, and a consistent coordinated community response statewide. Maine's 130th legislature appropriated continued and increased funds to support the statewide coordination, training, and technical assistance, including the partial reimbursement of reduced fees for very low-income participants in CDVIP.

Statewide Coordination and Technical Assistance

MCEDV has continued to provide partial reduced fee reimbursement to Maine's CDVIPs to support equitable access and outcomes for participants who are income eligible. Statewide, an average of 197 CDVIP participants qualify for reduced fees each month with eleven programs typically requesting reimbursement. Through regular meetings with the CDVIP network, MCEDV has identified a need to increase the reimbursement rate to keep pace with the costs of offering CDVIP classes.

MCEDV and MDOC have continued to work in concert with Maine's CDVIPs, Domestic Violence Resource Centers, and partnering organizations to respond to the ongoing COVID-19 pandemic effectively. This response has included full network meetings twice monthly, periodic updates to system partners, and strategic problem-solving and technical assistance.

Several legislative changes were made as a result of recommendations in the 2020 report to the Maine legislature that impacted Maine's CDVIPs; and both MCEDV and MDOC have provided support in the implementation of that new legislation. At the CDVIP Network meetings, MCEDV has continually checked in about the implementation of new legislation

that requires local District Attorneys' offices to provide victim contact and incident information to CDVIPs.

MCEDV has convened and facilitated conversations to focus on issues in CDVIP, including:

- Relevant, appropriate, and safe DV intervention for Q+ people ordered to CDVIP – MaineTransNet, MCEDV, Family Violence Project – ChangeWork, Partners for Peace – *This work is currently on hold due to lack of funding, organizational capacity limitations, and the lack of established curricula and best practices for serving this population effectively and safely.*
- Program transitions and sustainability – Volunteers of America – Choices, Penquis, New Hope Midcoast, Safe Voices, Through These Doors – *see detailed update below.*
- Options for Participants Post-Completion of CDVIP – Family Violence Project – ChangeWork, Violence No More – *This work is currently on hold due to staffing transitions and program capacity limitations.*

MCEDV collaborates with MDOC in the monthly facilitation of the biennial Standards Review Team which started in November of 2021. The Standards Review process is expected to take 18 months to complete.

MCEDV observed classes and completed monitoring reports at 12 programs. Some of the women's programs were not holding classes, and some scheduling difficulties prevented observations within the fiscal year. In 2023, MCEDV will prioritize monitoring of classes under new management. MCEDV's annual monitoring is in addition to the quarterly monitoring of each facilitator pair that is done by DVRC or 3rd party monitors.

MCEDV continues to respond to requests for consultation and TA from programs. Examples of the kinds of TA requests received include assistance with training needs, assistance with local Coordinated Community Response efforts, clarification on best practices related to program administration and class facilitation, and specific victim safety and offender accountability challenges.

MCEDV participates in several national conversations about DVIP programming and policy, including the National BIP Network, convened by David Garvin of the New Mexico Coalition Against Domestic Violence, and an emerging workgroup at the Battered Women's Justice Project focused on criminalized survivors in DVIPs.

CDVIP Network Changes

In early 2022, Mary O'Leary, Director of the Choices CDVIP housed at Volunteers of America Northern New England (VOANNE), announced her plans to retire by the end of the year. After careful consideration, the VOANNE team determined that they needed to find a new

parent organization for this vital work. Mary and the team at VOANNE reached out to MCEDV for assistance in this effort. After a series of conversations with the DVRCs and CDVIPs in and adjacent to the Midcoast catchment area (Knox, Waldo, Lincoln, Sagadahoc, and part of Cumberland counties), the decision was made to split the territory between two existing CDVIPs – Penquis and Safe Voices. In the fall, Safe Voices took on administration of the classes in the southern part of the area (Bath/Brunswick/Topsham) and Penquis took over the northern area (Belfast/Rockland). This transition has gone relatively smoothly, largely due to the level of communication and coordination that was already in place due to the regular convening of the CDVIP Network. Ongoing technical assistance is likely to be needed due to the complexities of multiple CDVIPs and DVRCs providing services in the same area; attention to the needs of the local Coordinate Community Response efforts will be essential.

There are currently 15 domestic violence intervention programs certified by the Maine DOC, including 8 men's programs and 7 women's programs. The full list of CDVIPs can be found on the [MDOC website](#).

Training

MCEDV has reimbursed the cost of foundational training for DVIP staff and monitors in nationally recognized DVIP models, including the Duluth (Creating a Process of Change) and Emerge curricula. This model of foundational training for new staff has provided flexible means for them to be fully trained in a timely and cost-effective way. Eight individuals have received training in the Duluth *Creating a Process of Change* curriculum, including 2 DVRC advocates that monitor men's CDVIP, 5 CDVIP staff, and 1 advocate from Her Safety Net, an organization that serves New Mainers and hopes to be more involved in CDVIP through their collaboration with Safe Voices. Two CDVIP staff from Penquis requested reimbursement for training in the Emerge curriculum to support their ability to take on additional classes from the Midcoast Choices program which used that curriculum.

In addition to this foundational training, MCEDV reimbursed costs for participation in the following national training opportunities:

- Battering Intervention Services Coalition of Michigan Annual Conference – 3 attendees (2 in-person, 1 virtual)
- Duluth Advanced Facilitation Webinar Series – 1 attendee
- Domestic Abuse Intervention Strategies – 1 attendee

MCEDV supported individual program consultation for Volunteers of America Northern New England's Choices DVIP as they navigated organizational and staffing changes. They consulted with Melissa Scaia of Global Rights for Women to do a combination of classroom observation and feedback as well as programmatic consultation.

MCEDV offered a three-part (6 hours total) webinar series on Change Within DVIP with international experts on domestic violence intervention work, Melissa Scaia, Scott Miller, and Ulester Douglas. The three parts included:

1. Can CDVIP Participants Change: May 2, 2022 – 45 participants
2. Conditions for Change: May 23, 2022 – 50 participants
3. We are the Work: June 6, 2022 – 45 participants

Feedback about the webinar series was positive and included comments like:

- “Now I am trying to be more mindful again, of victims' safety. This series was a great reminder of what is most important and that is victim safety.”
- “Great presenters!”
- “I really like these short panel discussions. Great format.”

MCEDV provided a Turning Points training (12 hours total) for staff of women's DVIPs for 18 participants. Feedback about that training series included comments like:

- “Everyone is engaging and informative.”
- “I feel like this is the first training in a while to actually challenge me (many DV trainings go over the same/similar content repetitively—which is also important, but you know what I mean).”
- “The best trainer I have had.”
- “I so enjoyed this training, the presenter, and my fellow attendees. I enjoyed the breakout sessions, which is unusual for me. The ability to practice what we learned was invaluable.”

| Turning Points Spring 2022 – Evaluation Summary | Yes (by session) |
|---|---------------------------------------|
| Increase your knowledge, skills and capacity to do your work? | 1. 100% 2. 89% 3. 86% 4. 83% |
| Change any beliefs/attitudes about DV? | 1. 0% 2. 33% 3. 14% 4. 33% |
| If no, did it affirm your beliefs? | 1. 100% 2. 67% 3. 86% 4. 67% |
| Teach you about DV intervention? | 1. 50% 2. 89% 3. 100% |

| | |
|---|---------|
| | 4. 100% |
| Provide info about DA&V intervention resources? | 1. 50% |
| | 2. 78% |
| | 3. 86% |
| | 4. 83% |
| Prepare you to keep victim safety and offender accountability at the center of your work? | 1. 100% |
| | 2. 89% |
| | 3. 71% |
| | 4. 83% |
| Provide useful and practical information? | 1. 100% |
| | 2. 89% |
| | 3. 86% |
| | 4. 83% |

MCEDV and the CDVIP Network has designated the first CDVIP Network meeting of each month to be focused on peer training topics, and the MDOC has agreed that those meetings count toward the training required of CDVIP staff by Maine's standards. Topics have included:

- Resistance - Courtney O'Brien
- Addressing Participant "Progress" - Jon Heath and Karen Wyman
- Discussing Current Events in DVIP Classes – Rob Rogers and Courtney O'Brien
- Handling CPS Referrals – Chuck Moody and Karen Wyman
- Collaborating with Probation – Patricia Ledoux

The group also used some of these meetings to discuss emerging issues, like handling "pre-mandated" participants, establishing in-person Covid protocols, and discussing plans and feedback about MCEDV-hosted trainings. In 2023, plans are in place to build foundational knowledge of the criminal legal and child welfare systems, the CDVIP primary referral sources and key community partners.

MCEDV ended the fiscal year (6/30/2022) with unspent funds and coordinated with DOC to roll those funds over to support training in the next fiscal years. This was a result of both reduced costs in providing virtual training and the delayed availability of funds due to the legislative appropriations process.

Budget Update

| Administration | ACTUAL TOTAL SPENT | TOTAL IN BUDGET | Remaining |
|-------------------------|--------------------------|--------------------|-------------|
| Year 1 (7/1/21-6/30/22) | \$48,518.24 | \$62,500.00 | \$13,981.76 |

| | | | |
|----------------------------------|-----------------------------------|----------------------------|---------------------|
| Year 2 (7/1/22-6/30/23) | \$0.00 | \$62,500.00 | \$62,500.00 |
| | | | \$76,481.76 |
| Training | ACTUAL TOTAL SPENT | TOTAL IN BUDGET | Remaining |
| Year 1 (7/1/21-6/30/22) | \$19,939.00 | \$25,000.00 | \$5,061.00 |
| Year 2 (7/1/22-6/30/23) | \$0.00 | \$25,000.00 | \$25,000.00 |
| | | | \$30,061.00 |
| Participant Reimbursement | ACTUAL TOTAL SPENT | TOTAL IN BUDGET | Remaining |
| Year 1 (7/1/21-6/30/22) | \$130,175.00 | \$200,000.00 | \$69,825.00 |
| Year 2 (7/1/22-6/30/23) | \$0.00 | \$200,000.00 | \$200,000.00 |
| | | | \$269,825.00 |
| TOTAL | ACTUAL TOTAL SPENT | TOTAL IN BUDGET | Remaining |
| As of 6/30/22 | \$198,632.24 | \$575,000.00 | \$376,367.76 |

Summary

Maine continues to benefit from a strong collaborative approach to the work of Certified Domestic Violence Intervention Programs. A silver lining of the COVID-19 pandemic has been an increase in the degree of collaboration and connection between and among community partners statewide. This has allowed for greater coordination, collaboration, and peer support across the state. Collectively, we have a better understanding of the landscape of DV intervention work, and we are better able to make progress with consistent communication and connection with one another. MCEDV observes more communication between DVIPs and their partnering DVRCs, among DVIPs, and with community partners. All of which leads to increased hopes for greater safety and autonomy for survivors, meaningful accountability for those who commit abuse, and the potential transformation of cultures and communities into ones where respect is the norm.

The state CDVIP Network and the Standards Review Team continue to identify issues to address and strategies for addressing them in ways that safeguard safety and accountability and build a stronger and more consistent statewide Coordinated Community Response. MCEDV is grateful for the partnership, victim-centered approach, mutual support, and funding from the Maine DOC.

ATTACHMENT F

APPROVED
JUNE 11, 2021
BY GOVERNOR

CHAPTER
174
PUBLIC LAW

STATE OF MAINE

IN THE YEAR OF OUR LORD
TWO THOUSAND TWENTY-ONE

H.P. 587 - L.D. 782

**An Act To Implement the Recommendations of the Department of
Corrections for Certified Batterer Intervention Programming**

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §1501, sub-§9, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

9. Recognize domestic violence and certified batterers' domestic violence intervention programs. Recognize domestic violence as a serious crime against the individual and society and to recognize batterers' domestic violence intervention programs certified pursuant to Title 19-A, section 4014 as the most appropriate and effective community intervention in cases involving domestic violence.

Sec. 2. 17-A MRSA §1804, sub-§6, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

6. Exception to limits when person ordered to complete batterers' domestic violence intervention program and pay restitution. If the State pleads and proves that the enumerated Class D or Class E crime was committed by the person against a family or household member and the court orders the person to complete a certified batterers' domestic violence intervention program as defined in Title 19-A, section 4014, the person may be placed on probation for a period not to exceed 2 years, except that, on motion by the person's probation officer, the person or the court, the term of probation must be terminated by the court when the court determines that the person has:

- A. Served at least one year of probation;
- B. Completed the certified batterers' domestic violence intervention program;
- C. Paid in full any victim restitution ordered; and
- D. From the time the period of probation commenced until the motion for termination is heard, met all other conditions of probation.

As used in this subsection, "enumerated Class D or Class E crime" means any Class D crime in chapter 9, any Class D or Class E crime in chapter 11, the Class D crimes described in sections 302 and 506-B and the Class D crimes described in sections 554, 555 and 758.

Sec. 3. 17-A MRSA §1807, sub-§2, ¶D, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

D. Undergo, as an outpatient, available medical or psychiatric treatment, or to enter and remain, as a voluntary patient, in a specified institution when required for that purpose. Failure to comply with this condition is considered only as a violation of probation and may not, in itself, authorize involuntary treatment or hospitalization. ~~The court may not order and the State may not pay for the person to attend a batterers' intervention program unless the program is certified under Title 19-A, section 4014;~~

Sec. 4. 17-A MRSA §1807, sub-§2, ¶D-1 is enacted to read:

D-1. Complete a certified domestic violence intervention program. The court may not order and the State may not pay for the person to attend a domestic violence intervention program unless the program is certified under Title 19-A, section 4014;

Sec. 5. 17-A MRSA §1807, sub-§4, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

4. Findings or explanation required in certain cases when completion of ~~batterers' domestic violence~~ intervention program is not ordered as a condition of probation. If an individual is convicted of a crime under chapter 9 or 13 or section 758 that the State pleads and proves was committed by the individual against a spouse, domestic partner or sexual partner; a former spouse, domestic partner or sexual partner; a victim with whom the individual is living or lived as a spouse; or a victim who is or was a dating partner of the individual and the court does not order as a condition of probation that the individual complete a ~~batterers' domestic violence~~ intervention program certified pursuant to Title 19-A, section 4014, the court shall make findings on the record of the court's reasons for not ordering the individual to complete a ~~batterers' certified domestic violence~~ intervention program. If a plea agreement submitted to the court in accordance with Rule 11A(b) of the Maine Rules of Unified Criminal Procedure does not contain a provision ordering the individual to complete a ~~batterers' certified domestic violence~~ intervention program, the attorney for the State shall indicate, in a writing submitted to the court, the basis for the plea agreement's not including completion of a ~~batterers' certified domestic violence~~ intervention program as a condition of probation. For purposes of this subsection, "dating partner" means a victim currently or formerly involved in dating the individual, whether or not the individual and the victim are or were sexual partners. For purposes of this subsection, "domestic partner" means one of 2 unmarried adults who are domiciled together under a long-term arrangement that evidences a commitment to remain responsible indefinitely for each other's welfare.

Sec. 6. 17-A MRSA §2102, sub-§1, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

1. Information provided to victim. ~~When practicable, the~~ The attorney for the State shall make a good faith effort to inform each victim of the following:

A. The details of a plea agreement, including a deferred disposition, before it is submitted to the court;

B. The right to comment on a plea agreement, including a deferred disposition, pursuant to section 2103;

C. The proposed dismissal or filing of an indictment, information or complaint pursuant to the Maine Rules of Unified Criminal Procedure, Rule 48, before that action is taken;

D. The time and place of the trial;

E. The time and place of sentencing;

F. The right to participate at sentencing pursuant to section 2104; and

F-1. The termination of probation pursuant to section 1804, subsection 6; and

G. The right to comment on the proposed early termination of probation, early termination of administrative release or conversion of probation to administrative release, pursuant to section 2105.

Sec. 7. 17-A MRSA §2108, sub-§2, as enacted by PL 2019, c. 113, Pt. A, §2, is amended to read:

2. Disclosure to law enforcement or victims' service agency. Records that pertain to a victim's current address or location or that contain information from which a victim's current address or location could be determined may be disclosed only to:

A. A state agency if necessary to carry out the statutory duties of that agency;

B. A criminal justice agency if necessary to carry out the administration of criminal justice or the administration of juvenile justice;

C. A victims' service agency with a written agreement with a criminal justice agency to provide services as a victim advocate; or

D. A person or agency upon request of the victim;

E. A certified domestic violence intervention program in which the defendant in a criminal proceeding involving the victim has enrolled or will enroll; or

F. The domestic violence center serving the same county as the certified domestic violence intervention program in which the defendant in a criminal proceeding involving the victim has enrolled or will enroll.

Sec. 8. 19-A MRSA §1653, sub-§2, ¶E, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2, is amended to read:

E. The order of the court may not include a requirement that the State pay for the defendant to attend a ~~batterers'~~ domestic violence intervention program unless the program is certified under section 4014.

Sec. 9. 19-A MRSA §4013, sub-§1, ¶A, as amended by PL 2019, c. 188, §1, is further amended by amending subparagraph (9-F) to read:

(9-F) One member, appointed by the Governor, who has experience working in ~~batterers'~~ domestic violence intervention programs;

Sec. 10. 19-A MRSA §4013, sub-§4, ¶A, as amended by PL 2001, c. 240, §2 and PL 2003, c. 689, Pt. B, §7, is further amended to read:

A. The chair of the commission shall appoint members of the panel who have experience in providing services to victims of domestic and sexual abuse and shall include at least the following: the Chief Medical Examiner; a physician, a nurse, a law

enforcement officer, the Commissioner of Health and Human Services, the Commissioner of Corrections, the Commissioner of Public Safety, a judge as assigned by the Chief Justice of the Supreme Judicial Court, a representative of the Maine Prosecutors Association, an assistant attorney general responsible for the prosecution of homicide cases designated by the Attorney General, an assistant attorney general handling child protection cases designated by the Attorney General, a victim-witness advocate, a mental health service provider, a facilitator of a certified batterers' domestic violence intervention program under section 4014 and 3 persons designated by a statewide coalition for family crisis services. Members who are not state officials serve a 2-year term without compensation, except that of those initially appointed by the chair, 1/2 must be appointed for a one-year term.

Sec. 11. 19-A MRSA §4014, as amended by PL 2013, c. 424, Pt. B, §8, is further amended to read:

§4014. Certification of batterers' Certified domestic violence intervention programs

1. Rules establishing standards and procedures for certification. The Department of Corrections, referred to in this section as the "department," shall adopt rules pursuant to the Maine Administrative Procedure Act, in consultation with the Maine Commission on Domestic and Sexual Abuse, that establish standards and procedures for certification of batterers' domestic violence intervention programs. The department, in consultation with the commission, shall review and certify programs that meet the standards. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

3. Information sharing with certified domestic violence intervention programs.
In a criminal proceeding that results in the issuance of a court order that directs a person to complete a certified domestic violence intervention program, within 7 days of the issuance of the order, the attorney for the State shall provide to the certified domestic violence intervention program in which the person has enrolled or will enroll:

A. The incident report from a law enforcement agency submitted to the attorney for the State that is most relevant to the criminal proceeding, which the certified domestic violence intervention program is authorized to receive pursuant to Title 16, section 805, subsection 5; and

B. The last known contact information for the victim in the criminal proceeding.

Sec. 12. 22 MRSA §4036, sub-§1, ¶I, as amended by PL 1995, c. 694, Pt. D, §43 and affected by Pt. E, §2, is further amended to read:

I. The court may not order and the State may not pay for the defendant to attend a batterers' domestic violence intervention program unless the program is certified under Title 19-A, section 4014.

Sec. 13. 34-A MRSA §1206-A, sub-§1, ¶B, as amended by PL 2017, c. 407, Pt. A, §151, is further amended to read:

B. "Community intervention program" means a program operated at the community level providing services designed to intervene in the risk factors for reoffending, including, but not limited to, mental health, sex offender treatment, social service and

substance use disorder treatment programs, but not including a ~~batterers'~~ domestic violence intervention program under Title 19-A, section 4014.

Sec. 14. 34-A MRSA §1214, sub-§5, as amended by PL 2017, c. 407, Pt. A, §153, is further amended to read:

5. Report regarding ~~batterers~~ domestic violence intervention programs. Beginning January 2003 and annually thereafter, the department shall report to the joint standing committee of the Legislature having jurisdiction over criminal justice matters regarding the work of ~~batterers~~ domestic violence intervention programs. The report must include information regarding: meeting program benchmarks and goals, developing and implementing new programs, measuring effectiveness of existing programs and communicating and coordinating efforts with providers of substance use disorder services, literacy support and other services with whom ~~batterers~~ persons ordered to complete a domestic violence intervention program may need to work in order to participate meaningfully in a ~~batterers~~ domestic violence intervention program.

ATTACHMENT G

STATEWIDE DOMESTIC VIOLENCE INTERVENTION

PROGRAM STATISTICS - MALE

January 1, 2022 to December 31, 2022

| | |
|---|-------------|
| Total number of men who were enrolled in the program | 1223 |
| Number of men who completed the program | 321 |
| Number of men who left without completing the program | 95 |
| Number of men who left without completing the program (expelled) | 228 |
| Non-DV Number of men who re-offended and went to jail while attending | 42 |
| DV - Number of men who re-offended and went to jail while attending | 67 |
| Number of men who completed but were required to attend again | 209 |
| Number of referrals from MDOC probation | 585 |
| Number of referrals resulting from filings or condition of release | 33 |
| Number of referrals from DHHS | 42 |
| Number of protection from abuse referrals | 3 |
| Number of self referrals | 33 |
| Transfers from other Domestic Violence Intervention Programs | 38 |
| Number of other referrals | 54 |
| Number of deferred dispositions | 272 |
| Number of men with special needs | 31 |
| Number of men referred to another provider for mental health services | 31 |
| Number of men referred to another provider for substance abuse | 17 |
| Number of men referred to another provider for literacy services | 0 |
| Number of men referred to another provider for parenting services | 5 |
| Number of men referred to another provider for vocational services | 0 |
| Number of men referred to another provider for employment services | 2 |
| Number of men referred to another provider for financial services | 4 |

ATTACHMENT H

STATEWIDE DOMESTIC VIOLENCE INTERVENTION

PROGRAM STATISTICS - FEMALE

January 1, 2022 to December 31, 2022

| | |
|---|----|
| Total number of women who were enrolled in the program | 92 |
| Number of women who completed the program | 24 |
| Number of women who left without completing the program | 13 |
| Number of women who left without completing the program (expelled) | 7 |
| Non-DV Number of women who re-offended and went to jail while attending | 2 |
| DV - Number of women who re-offended and went to jail while attending | 2 |
| Number of women who completed but were required to attend again | 2 |
| Number of referrals from MDOC probation | 30 |
| Number of referrals resulting from filings or condition of release | 4 |
| Number of referrals from DHHS | 13 |
| Number of protection from abuse referrals | 0 |
| Number of self referrals | 9 |
| Transfers from other Domestic Violence Intervention Programs | 4 |
| Number of other referrals | 0 |
| Number of deferred dispositions | 24 |
| Number of women with special needs | 14 |
| Number of women referred to another provider for mental health services | 12 |
| Number of women referred to another provider for substance abuse | 12 |
| Number of women referred to another provider for literacy services | 0 |
| Number of women referred to another provider for parenting services | 2 |
| Number of women referred to another provider for vocational services | 1 |
| Number of women referred to another provider for employment services | 3 |
| Number of women referred to another provider for financial services | 10 |

ATTACHMENT I

MAINE JUDICIAL BRANCH

STATE OF MAINE

V.

Defendant

"X" the court for filing:

☐ Superior Court ☐ District Court

☐ Unified Criminal Docket

County: _____

Location (Town): _____

Docket No.: _____

STATEMENT OF PROSECUTING ATTORNEY REGARDING
DOMESTIC VIOLENCE INTERVENTION
17-A M.R.S. §1807(4)

I, _____, prosecuting Attorney for the State of Maine, hereby state that the inclusion of a Certified Domestic Violence Intervention Program was not part of the plea agreement offered in this case for the following reason(s):

☐ Domestic Violence Intervention is not appropriate given the following facts:

☐ A Certified Domestic Violence Intervention Program is not reasonably accessible in this case.

☐ Defendant does not have the financial means to pay for a Certified Domestic Violence Intervention Program and alternative funding is not available.

☐ Defendant completed a Certified Domestic Violence Intervention Program, namely _____ on (mm/dd/yyyy) _____.

☐ Defendant has completed or is enrolled in the following alternative treatment that is appropriate in this case: _____.

☐ Other: _____

Date (mm/dd/yyyy): _____

Attorney for the State

Printed Name and Bar Number

ADA Notice: The Maine Judicial Branch complies with the Americans with Disabilities Act (ADA). If you need a reasonable accommodation contact the Court Access Coordinator, accessibility@courts.maine.gov, or a court clerk.

Language Services: For language assistance and interpreters, contact a court clerk or interpreters@courts.maine.gov.