



FACT SHEET

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Report: **2005-130**

The California State Auditor released the following report today:

Batterer Intervention Programs
County Probation Departments Could Improve Their Compliance With State Law,
but Progress in Batterer Accountability Also Depends on the Courts

BACKGROUND

State law requires an individual who is placed on probation for a crime of domestic violence to complete a 52-week batterer intervention program approved by a county probation department (department). These programs, which are funded with the fees paid by participating batterers, are structured courses designed to stop domestic violence. State law mandates that departments assume certain responsibilities as overseers of the programs, such as designing and implementing an approval process for programs and annually performing on-site program reviews. In addition, state law requires a department to notify the court if a batterer is violating any probation requirements and gives the court the authority to administer consequences.

The audit consisted of (1) interviews with all 58 departments, (2) a review of a representative sample of departments in five selected counties, and (3) a review of 125 randomly selected batterers in those five counties. At least 25,000 batterers in California were enrolled in programs as of May 2006.

KEY FINDINGS

- The overall completion rate for batterers enrolling in a program in 2004 was 54 percent, and more than 25 percent of those we reviewed who completed the programs did so after committing violations of program or probation requirements.
- Although the most frequent violation was for noncompliance with attendance policies, the departments we reviewed had differing policies, and all were more lenient than statutory provisions.
- Some departments are counseling and referring batterers back to programs after being terminated for violations, rather than notifying the courts. This practice is in conflict with statutory provisions that require departments to notify the courts of violations.
- The ability to impose consequences on noncompliant batterers makes the role of the courts crucial in batterer accountability. Yet sometimes courts notified of violations simply return batterers to programs without imposing any additional jail time, even though batterers had multiple prior violations. This practice may be sending the unintended message to batterers that they can avoid the program requirement without any significant penalty for doing so.
- Some counties have batterers appear regularly in court for progress reviews, which appears to provide greater accountability and may improve outcomes.
- The departments are not consistently performing on-site reviews as required by statute to ensure that the programs are complying with statutory requirements.

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