

For the Sake of Safety, Accountability, and Community: Referring Offenders to Certified Batterer’s Intervention Programs

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Members of the judiciary can better serve domestic violence victims by referring offenders — when they are referred rather than incarcerated — to batterers intervention programs (BIPs) that are certified by the Domestic Violence State Coordinating Council under the Tennessee BIP Rules. Rules for BIPS were established in 1999 by the Tennessee Legislature: *T.C.A. §§38-12-110 and 36-3-601*. Only programs that demonstrate that they are abiding by the Rules can be certified. The purposes of the Rules (and the BIP certification process) are to:

- a) assist judges in identifying BIPs that follow best practices
- b) ensure that BIPs hold batterers accountable for their behavior
- c) ensure that BIPs operate in a manner that promotes victim safety
- d) provide guidelines for BIPs to coordinate their efforts with those of other private and public entities in the community that also seek to end domestic violence.

By referring offenders to a certified BIP, a court can be certain that the program’s rationale, structure, and curriculum have been monitored for compliance with the Rules. Referring to a certified BIP lends confidence that the standard set by the Rules has been met for the program’s personnel policies, as well as its personnel training and credentialing. Finally, a court that refers to a certified BIP can rest assured that the program has provided evidence of best practices for batterer accountability, for victim protection, and for serving the interests of the community in ending domestic violence.

Changing behavior is a difficult and gradual process. Certified BIPs are constrained by the Rules to follow best practice program models that increase the probability of behavioral change for batterers. These practice models ensure that a certified program is organized, has a clearly articulated rationale, and is using a structured curriculum that can be inspected and monitored. The Rules require that programs employ experienced personnel and that program personnel seek ongoing training. By using methods that neither shame batterers nor collude with them, such practice models hold batterers accountable for their abusive behavior while teaching and modeling non-abusive alternatives.

The Rules spell out specific provisions that certified BIPs must make for the safety of victims, their families, and associates. These provisions involve establishing collaborative and cooperative relationships with victim service providers and other experts in victim safety. The provisions involve guidelines for safe and confidential communication with victims and their advocates, for information storage and retrieval, and for reporting batterer threats and non-compliance to both victims and appropriate authorities, including the court. The provisions establish the obligation of certified BIPs to inform victims of the limits of batterers' intervention services and to refer victims to appropriate domestic violence services and advocates. In addition to these provisions, statistical evidence shows that domestic violence victims tend to be safer during the time batterers are engaged in BIPs; the Rules ensure that the duration of certified BIPs will be no less than 24 weeks.

Evidence suggests that a coordinated community response is the most effective method of decreasing domestic violence and abuse. Certified BIPs are required by the Rules to engage with their communities in domestic violence prevention and cessation and encouraged to define

themselves as part of a community effort. Certified BIPs assist their communities in efforts to offer a full range of services for keeping victims safe and holding batterers accountable.

Reporting requirements for certified BIPs increase the level of communication between various parties working with batterers and with their victims. Because certified BIPs are required to be in contact with victim advocates, with shelters, with probation and parole and other law enforcement entities, as well as formally reporting to the courts, it is less likely that domestic violence cases will slip through the cracks between services and more likely that services will be coordinated and effective. Compliance with the Rules requires that a certified BIP be a full participant in, if not a catalyst for, a coordinated community response to ending domestic violence.

Certified BIPs are required by the Rules to be accountable to the courts for batterer compliance. In adhering to the Rules, certified BIPs supervise batterers in specific ways, including attendance and compliance, during their time in a program, and they regularly report the results of such supervision to the courts. Certified BIPs assist courts in their own efforts to be accountable to the community, to keep victims safe, and to end domestic violence, by offering a standardized and monitored alternative to batterer incarceration.

A list of BIPs currently certified in Tennessee is available at www.tcadsv.org. Assistance and information for programs seeking certification is also available at that website. If a BIP in your area is not on the list, please encourage its representatives to comply with the Rules for Batterers Intervention Programs established by the State of Tennessee and to seek the certification that ensures they are employing best practices for safety and accountability.

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