

Domestic Violence Offender Management Board
Colorado Department of Public Safety
Division of Criminal Justice

Summary of the Revisions to Section 1.0

New Language	Highlighted Changes
<p>SECTION 1.0 Introduction to the Domestic Violence Offender Management Board</p> <p>The Colorado Domestic Violence Offender Management Board (hereafter Board) was created by the General Assembly in the Colorado Department of Public Safety in July 2000 pursuant to § 16-11.8-103, C.R.S. The legislative declaration in the Board’s enabling statute states that the consistent and comprehensive evaluation, assessment, treatment and continued monitoring of domestic violence offenders at each stage of the criminal justice system is necessary in order to lessen the likelihood of re-offense, to work toward the elimination of recidivism and to enhance the protection of current and potential victims (§ 16-11.8-101 C.R.S.)¹. The Board was charged with the promulgation of standards for the evaluation, assessment, treatment, and monitoring of domestic violence offenders defined in § 16-11.8-102, C.R.S. and the establishment of an application and review process for approved providers who provide services to domestic violence offenders in the state of Colorado. The evaluation, assessment, treatment, and behavioral monitoring of domestic violence offenders shall only be provided by those individuals whose name appears on the DVOMB Approved Provider List pursuant to § 16-11.8-104(1).</p> <p>The Board is committed to carrying out its legislative mandate to enhance public safety and the protection of victims and potential victims through the development and maintenance of</p>	<p>The introductory paragraphs to Section 1.0 did not change substantively. Revisions include:</p> <ul style="list-style-type: none">- Minor language edits- Footnotes added <p>Information about the Board, membership, and mandates were removed and replaced with a reference to the DVOMB Bylaws. The rationale for this is that the DVOMB Bylaws already contain this information and could be referenced instead.</p>

¹ Although the term assessment does not appear in § 16-11.8-101, the DVOMB has included this term as part of the treatment process defined by the DVOMB Standards pursuant to § 16-11.8-102(4).

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<p>comprehensive, consistent and effective standards for the evaluation, assessment, treatment and behavioral monitoring of adult domestic violence offenders. The Board will continue to explore the developing literature and research on the most effective methods for intervening with domestic violence offenders and to identify best practices in the field.²</p>	
<p><u>1.01 Purview of the DVOMB</u></p> <p>I. Pursuant to § 16-11.8-103(4)(a)(II) C.R.S., the DVOMB <i>Standards</i> apply to adult domestic violence offenders who have committed a crime, the underlying factual basis of which has been found by the court on the record to include an act of domestic violence, and who are placed on probation, placed on parole, or placed in community corrections (i.e. direct sentence, DOC inmates occupying state funded community correction beds), or who receive a deferred judgment and sentence.³ The DVOMB Standards apply to post-conviction and pre-sentence offender evaluations.⁴ Domestic violence convictions pursuant to local municipal codes are not explicitly included in the DVOMB statutory mandate, but evaluation and treatment pursuant to the <i>Standards</i> can inform these cases as a guide.</p> <p>II. There may be other individuals in need of evaluation, assessment, treatment, and supervision who do not meet the statutory definition of a domestic violence offender or are not under the jurisdiction of the Colorado criminal justice system. Approved Providers should consider the use of the DVOMB <i>Standards</i> as a best practice guideline and at their</p>	<p>In Section 1.01, the statutory language defining the purview of the DVOMB was added to provide clarification. Prior versions of the Standards made reference to “court-ordered” domestic violence offenders. This ostensibly suggested that the DVOMB Standards applied only to those who are on probation or court monitored and excluded offenders on parole and/or in community corrections. This section also:</p> <ul style="list-style-type: none"> - Defined that the DVOMB has purview over pre-sentence offender evaluations for domestic violence offenders; - Includes a provision about how the Standards should be interpreted with local municipal cases; - Added case law and statutory references. <p>A new paragraph was added to this section that addresses populations that do not fall under the purview of the DVOMB. Approved Providers are sometimes referred clients without a criminal case involving domestic violence (e.g. domestic relations court, voluntary client). This section</p>

² For more information about the Board, membership, and mandates, please see the DVOMB By-laws.

³ Pre-plea matters are not subject to the purview of the DVOMB Standards.

⁴ C.R.S.18-6-801(1)(b), Partners in Change v. Domestic Violence Offender Management Board, within the Division of Criminal Justice of the Department of Public Safety of the State of Colorado, Case Number 06cv10083

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<p>discretion for cases that do not fall under the purview of the DVOMB. For more information, please see Appendix A.</p> <p>III. The DVOMB <i>Standards</i> use a variety of terms referencing persons who are subject to these <i>Standards</i>. The terms that are frequently used in the <i>Standards</i> include domestic violence offender, offender, and client. These terms of reference are used in different sections of the Standards based on the focus of a given section (e.g., treatment, supervision, etc.), as well as the preferred language of professional stakeholders who frequently reference that section. The DVOMB notes that the use of the term ‘domestic violence offender’ is consistent with the statutory definition identifying a person who committed a crime, the underlying factual basis of which has been found by the court on the record to include an act of domestic violence. However, the DVOMB recognizes that the use of the term domestic violence offender is in no way intended to label individuals by their behavior, or suggest that those who undergo treatment cannot live a violence and abuse free life-style.</p>	<p>states that Approved Providers can consider using the DVOMB Standards as a guide at their discretion.</p> <p>Another paragraph was added to this section that explains why follow-on Sections of the Standards, may use different terms to refer to offenders. Currently, the Standards refers to domestic violence offenders as offenders. This change gives context as to why future revisions to Section 5.0 refer to the offender as the client.</p>
<p><u>1.02 General Overview of the Evaluation and Treatment Process</u></p> <p>I. Upon order by the Court or Parole Board, an offender is required by statute to receive an evaluation and attend treatment as recommended.⁵ The offender evaluation will result in treatment recommendations that assess the offender’s need for treatment, determine what type of treatment is needed, and identify the initial risk level and any additional needs the offender may have related to</p>	<p>In this section, the DVOMB sought to create an abbreviated overview of the process of the treatment. This description is not detailed and broadly written to give individuals who may not be familiar with the Standards an idea of what to expect. This can be helpful to new professionals, victims, and offenders referred to domestic violence offender treatment.</p>

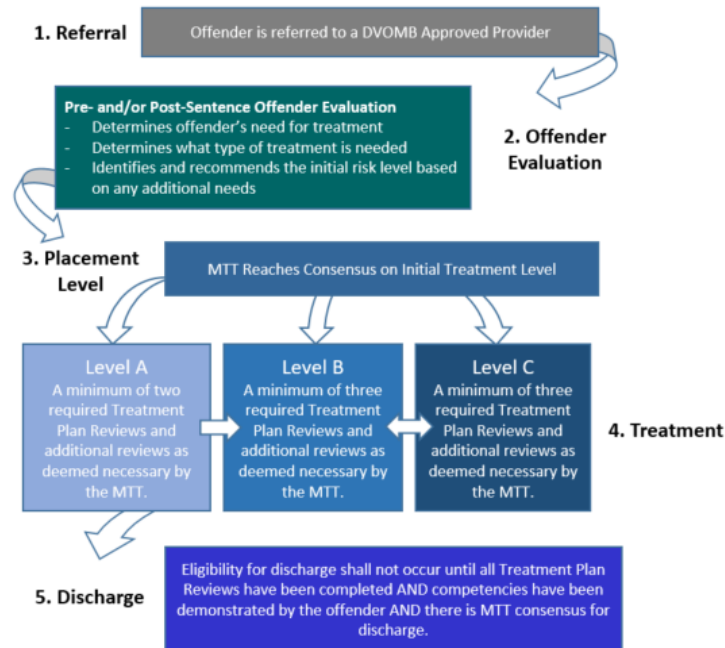
⁵ C.R.S. 18-6-801(1)(a)

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<p>containment, stabilization and safety (Section 4.0). Please refer to the Figure 1 below for a visual depiction of this process.</p> <p>II. Treatment is the comprehensive set of planned therapeutic experiences and interventions designed to assist the offender in changing any power and control dynamics, abusive thoughts, and behaviors (Section 5.01). Treatment requires the offender to attend in-person group or individual sessions at a minimum of once a week or more depending on the offender's treatment level (Section 5.03). Treatment is individualized and progress is assessed during a Treatment Plan Review (TPR), which occurs every two to three months (Section 5.07). The degree to which an offender progresses in treatment and remains compliant is based on meeting goals associated with the core competencies rather than the passage of a specific amount of time or sessions (Section 5.08).</p> <p>III. Progress through treatment and victim safety is monitored by the Multi-Disciplinary Treatment Team (MTT) consisting of the Approved Provider, the supervising officer, a Treatment Victim Advocate (Section 7.0), and any other adjunct member of the MTT (Section 5.02). The MTT communicates regularly and shares information about the offender during the course of treatment in order to mitigate risks, support accountability, and improve victim safety. At the conclusion of treatment and as required by the Standards, an offender can be discharged as complete, unsuccessful, or administratively (Section 5.09).</p>	<p>The definition of treatment as added and references to Section 5.0 were added.</p> <p>This section was added to introduce the Multi-Disciplinary Treatment Team (MTT) and describes the basic functions of the MTT.</p>
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Figure 1. Overview of Offender Treatment



A figure was created to create a visual depiction of the process that will ultimately replace the flow chart located at the end of Section 5.0. The rationale for this is that the flow chart would be helpful at the introduction of the Standards instead of in Section 5.0 where it is sometimes overlooked.