

Kansas Senate Judiciary Committee

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Hearing on SB 215

BATTERER INTERVENTION PROGRAM ANALYSIS:

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The decades-long campaign to reduce domestic violence in Kansas has been marked by a series of major legislative initiatives, all aimed at curtailing the cycle of abuse that torments the lives of women (and some men, as well) who are trapped in life-threatening relationships.

The most recent initiative came in 2012, when the Kansas Legislature passed the Kansas Batterer Intervention Program Certification Act. The act mandated an intense level of intervention for repeat offenders, a decisive and dramatic change of courtroom procedures.

On their second conviction for domestic violence, offenders would be “tagged” and ordered to complete a six-month batterer intervention program. Those who refused or failed to complete the program would be sentenced to jail.

The initiative was broadly supported by advocates in the domestic violence community, with the notable exception of the City of Wichita, which testified against the legislation. The City’s concern was that the new law would increase jail fees assessed against the city by the county, and also that it took away the independent discretion of the local court. (CITE: COW committee testimony, City Council agenda report).

Now, six years later, some key questions need to be answered:

- **Did the initiative work? Did “tagged” DV offenders complete the six-month counseling? Was the cycle of abuse stopped by the counseling?**
- **Did the program reduce the level of domestic violence in Kansas communities?**
- **Did it result in fewer domestic violence homicides?**
- **Did it result in additional jail fees that burdened the budgets of local government, as the City of Wichita predicted? (the predicted outcome assuming offenders would fail to enter and complete the six-month program)**

No specific analysis has been performed to date and the accountability of the 2012 legislation is not well described.

The Kansas Bureau of Investigation compiles an annual report titled “Domestic Violence, Stalking, and Sexual Assault In Kansas As Reported by Law Enforcement Agencies.” The report is comprehensive in many respects, but it does not address the questions above.

The two legislative committee testimony excerpts below provide an indication of the disagreement between the City of Wichita and BIP advocates during the 2012 session:

DORTHY STUCKY HALLEY COMMITTEE TESTIMONY 3-06-2012

Where certified programs are not required by the community, sub-standard programs can thrive. You might note that **Wichita has many programs engaged in becoming certified, but not one certified program yet. The BIP Advisory Board received a report at their last meeting that Wichita BIP program providers are frustrated that they cannot afford to do assessments and follow the standards while the municipal court continues the use of 1-day and other substandard programs.** Providers who operate a 6 month program cannot compete with 1-day programs in the same community effectively. This legislation could be beneficial to both the courts and the providers: it would lift the weight from individual prosecutors, court service officers, or judges who may wonder whether or not the program they are ordering someone to participate in meets minimum standards, and it would provide an environment where poor quality does not set the standard of service.