
SUMMARY FINDINGS

NEW MEXICO BATTERER INTERVENTION PROGRAM (BIP) TASK FORCE 2015

PURPOSE AND BACKGROUND

Questions arose during the 2014 State of New Mexico legislative session about the effectiveness of domestic violence Batterer Intervention Programs (BIP) in reducing recidivism. The need to answer those questions became the driving force behind Senate Memorial 52. That legislation created a statewide task force charged with exploring whether such programs work, for whom and under what conditions.

Program effectiveness is clearly an urgent and legitimate issue. States and other governmental entities understandably expect and are entitled to receive a return on the investment made in these programs and services. The expectation is that offender interventions work for their intended purposes. However, too many variables in the implementation of programs and uneven and inconsistent criminal justice system responses to domestic violence have confounded attempts to accurately evaluate BIP effectiveness. Consequently, it has proven difficult to draw firm conclusions about the efficacy of these programs. Nonetheless, stopping violence at its source, before serious consequences develop, is widely agreed to be a worthy goal and logical approach.

To those ends, the Batterer Intervention Program Task Force was convened in April 2015. Co-chaired by the Children, Youth and Families Department (CYFD) and the New Mexico Coalition Against Domestic Violence, (NMCADV), the task force was made up of stakeholders from a variety of disciplines across the state and met 5 times, formally, over a 6-month period. A steering committee met an equal number of times outside of the general meetings to discuss and sort out information presented during the task force meetings.

The task force brought together experts within the domestic violence field in New Mexico as well as national and international experts and researchers in an attempt to capture and assess the best available information on the effectiveness of BIPs. The effort represented the first such gathering of its kind and garnered significant national and international participation and attention.

COSTS TO THE COMMUNITY

Whether BIP's are effective is a salient question only if there is something at stake. In the case of domestic violence, the costs to the community are well documented. Poverty, substance abuse, homelessness, truancy, lack of education, depression and mental illness, criminal behavior, unemployment, child abuse and a host of physical diseases, such as diabetes, heart attacks, strokes and even some cancers, are a few of the short and long term consequences of exposure to domestic violence. The costs of law enforcement intervention, courts, child protective services calls, medical

treatment, and lost work time are also high. In 2013, Forbes Magazine reported the annual costs of domestic violence nationwide to be \$8.3 billion; a combination of higher medical costs (\$5.8 billion) and lost productivity (\$2.5 billion). The cost to New Mexico is proportional and significant.

In an analysis of 2013 data (most recent year available), provided by Dr. Betty Caponera, New Mexico police responded to 18,954 domestic violence calls. Those calls led to over 12,000 new cases of domestic violence in magistrate courts, and 2,254 district court cases. These figures include only those entities that voluntarily report and so cannot be considered a full and complete estimate of the scope of the problem, which is presumably much greater than these figures indicate.

Because domestic violence is generational, no community can flourish where it is prevalent and goes unchecked. It therefore strongly benefits the state to reduce or prevent the incidence and severity of domestic violence. Any investment that reduces violence will produce a return many times over. The foregoing is based in fact; costs are real, tangible and well documented by agencies such as the CDC, Kaiser Permanente, National Center for Injury Prevention and Control and others.

SCOPE OF WORK

Issues within the purview of the task force included: 1) identifying the current state of domestic violence offender services in NM as presented by staff of CYFD; 2) ensuring that offenders are assessed and placed into programs and services that meet their needs and address the risks that they pose; 3) exploring program approach and curricula including best practices for implementation; 4) researching the existing literature on effectiveness; 5) gauging the criminal justice system response to and effect on domestic violence offender behaviors including recidivism.

Below is a summary of task force findings and recommendations presented here as adjunct to the full report. Supporting documents and video recordings from the BIP Task Force meetings can be accessed at www.NMCADV.org.

FINDINGS AND RECOMMENDATIONS

CURRENT STATE OF BIP IN NEW MEXICO

- CYFD is the state agency with responsibility for BIP programming.
There are 38 BIP programs in New Mexico, 22 of which receive CYFD funding. Approved programs meet the requirements of the CYFD promulgated Rule (8.8.7 NMAC) that defines criterion and standards for the provision of services. The rule outlines minimum requirements regarding staff training, policies and procedures, curriculum topics, and oversight of approved programs.
- CYFD is charged with:
 - Managing State of New Mexico funds awarded by CYFD to offender programs
 - Approving and renewing programs
 - Ensuring compliance with relevant state law and contract requirements
 - Maintaining an approved list of 52-week offender programs

ASSESSMENT

- Nationally, 20-25% of domestic violence offenders are responsible for 75-80% of recidivism. Because the majority of the risk and costs are attributable to a small subsection of offenders, identifying and dealing appropriately with those individuals will have a significant overall impact.
- Services to offenders will be more effective if they are holistic and include adjunct issues such as mental health, substance abuse and employment.
- Risk management must be ongoing.
- Criminal history is a major predictor of future violence and lethality risk.

RECOMMENDATIONS

- Develop an assessment tool or tools to identify high risk offenders and place them into appropriate services. Place lower risk offenders into services appropriate to them.
- Explore what additional services or linkages should be made and identify a funding source if needed.
- Involve law enforcement, courts, probation, and BIP in coordinated risk assessment.
- Seek ways to make offender criminal history available at critical junctures including BIP program intake.

PROGRAM APPROACH

- Many BIPs use a combination of existing models or have developed their own approaches.
- The task force reviewed four (4) separate program approaches. Each presenter produced some evidence for the effectiveness of his or her respective model.
- A gender based, cognitive behavioral approach appears to be appropriate for the vast majority of batterers.
- There is little evidence to suggest a length of program beyond 24 weeks. However many practitioners voiced strong, anecdotal support for longer programs.
- The well known Duluth program is not a BIP, as has been commonly presumed. It is an approach that emphasizes collaboration and cooperation among systems, one component of which includes a BIP program.
- Quality and consistency in implementation matters. The use of structured, evidence-based curricula is crucial.
- Facilitators must show fidelity to the curriculum, receive training in the model and participate in ongoing supervision. By ensuring program fidelity and consistency in training and implementation, curricula may be more usefully evaluated and an evidence base developed for future evaluation.
- Compensation for program staff is not commensurate with the level of effort and skill required. Current NM salaries average less than \$15.00 per hour, usually without benefits and often part time.

RECOMMENDATIONS

- Develop a group of BIP practitioners and others as relevant, to advise CYFD on program approaches and best practices.

- Identify and ensure adequate training and supervision in the selected approaches.
- Identify ways to increase program staff compensation.

RESEARCH

- Research is mixed and confounded by inconsistencies in both programming and criminal justice system response.
- The study most often cited to defend the claim that BIPs are ineffective is a meta-analysis, from the Washington State Institute for Public Policy. This study reported that Duluth like models, those focused on gender and power and control as causal factors, are ineffective.
- The other four task force presenters, all Ph.D. researchers, identified a number of limitations to that Washington State study. The prestigious Cochrane Collaboration, which reviews meta-analyses, stated that no conclusions should be drawn from the study.
- In addition, the Washington state study may be good science but has limited applicability, as the characteristics of program participants in the studies reviewed were not reflective of program participants generally in New Mexico and elsewhere.
- Other researcher presenters reported a moderate or better effect on re-assault/ recidivism from participation in a BIP.

RECOMMENDATIONS

- Use a wide lens and consider a variety of high quality studies when attempting to make determinations about the effectiveness of BIP programs. Do not draw conclusions based on one study that may have limited applicability. Look at the totality of what the research reveals.
- Develop a national, scientific advisory board that includes NM participation, and that involves experienced practitioners to review and recommend research projects that will advance the development of effective approaches.
- Ensure that research information informs practice and reaches BIP practitioners.
- Explore funding sources for ongoing research.
- The CYFD advisory group should recommend reasonable performance measures.

CRIMINAL JUSTICE SYSTEM RESPONSE

- The response of the criminal justice system to domestic violence is a primary factor in reducing recidivism. BIPs can support but do not replace a strong and consistent criminal justice system response.
- Program drop out-predicts recidivism. Swift and certain criminal justice system response to non-compliance improves outcomes.
- Victim safety and recidivism are not synonymous and may be mutually exclusive. Offender recidivism, though an important measurable outcome is not necessarily a measure of victim safety.

RECOMMENDATIONS

- Approach the New Mexico Sentencing Commission for assistance in ensuring a coordinated, consistent and effective criminal justice system response to domestic violence offenders.
- Identify a criminal justice system strategy for reducing recidivism and promoting safety of victims throughout the process.

CONCLUSION

- Domestic violence is an expensive and pervasive problem and any reduction in the severity or incidence of domestic violence will significantly reduce associated costs, both short and long term.
- Addressing the issues of those who commit violence is arguably an important and sensible strategy to reduce the severity and incidence of domestic violence. BIPs are effective for some offenders but more must be known about what approaches work best for which offenders.
- What is generally agreed is that outcomes improve substantially when the system responds appropriately and programs are designed and delivered based on identified best practice.
- The criminal justice system response is *the* critical factor in reducing recidivism. BIPs support and strengthen that response and provide a focus on safety for victims but are merely one part of an integrated response. BIPs cannot be expected to reduce recidivism on their own.
- NM has an existing infrastructure that allows for the improvement of services. A modest state investment will support a focus on evidence -based program implementation, program evaluation, and outcomes.