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**A Process and Impact Evaluation of the  
Specialized Domestic Violence Probation Projects  
In Peoria, Sangamon and Tazewell Counties**

199012

Prepared for the  
The Illinois Criminal Justice Information Authority

By:

Barbara Hayler, Ph.D, Co-Principal Investigator  
Mick Addison Lamb, M.A., Co-Principal Investigator

Assisted by

Beverly Rivera, Ph.D.  
Brooke Freeman, Student Research Assistant  
Misty Helm, Graduate Assistant

University of Illinois at Springfield  
Center for Legal Studies, Institute for Public Affairs

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## **EXECUTIVE SUMMARY**

In June 1999 the Illinois Criminal Justice Information Authority (ICJIA) issued a request for proposals to conduct a process and impact evaluation of the specialized domestic violence probation projects in Illinois' Peoria, Sangamon, and Tazewell Counties. The Center for Legal Studies at the University of Illinois at Springfield was subsequently awarded the contract for a one-year evaluation. The purpose of the evaluation was to assess the implementation processes of the three counties and their outcomes as well as the short-term impact of each of their specialized programs.

This executive summary provides highlights of the full report, with an emphasis on findings and recommendations. The full report is divided into eight chapters. Chapter One provides a description of the problem of domestic violence, the organization of the report and the methodology that is used in the evaluation process. Chapter Two provides a brief review of the relevant literature. Chapters Three, Four, and Five are devoted to the three counties separately. They present overviews of the programs, their operation and their goals and objectives, and an evaluation of their implementation processes. Chapter Six provides general recommendations for all three counties. Chapter Seven outlines a proposed strategy for a long-term impact evaluation of the projects.

## **METHODOLOGY**

A variety of quantitative and qualitative data collection strategies were used in this evaluation. Data sources included program documents maintained by ICJIA, case files maintained by the three probation department's domestic violence units, and interviews with

probation program staff, probation administrators, members of the local criminal justice systems and providers of intervention services who interacted with the probation programs. The research team collected information on individual offenders and on activities during their probation sentences from individual case files. The research team also made on-site visits to the three probation departments and to the intervention programs to which probationers were referred.

## GENERAL PROGRAM DESCRIPTION

All three domestic violence probation programs were established to provide specialized domestic violence probation officers within their probation departments, and to provide more intensive supervision to a selected portion of the domestic violence caseload. Domestic violence offenders sentenced to these probation programs were subject to special conditions, special intervention programs, increased supervision, and more contact with probation officers. A victim component was also incorporated that would increase officers' contacts with victims in order to better serve their needs.

## SANGAMON COUNTY

### **Program Implementation**

The Domestic Violence Probation Program (DVPP) in Sangamon County began January 1, 1999. All new domestic violence and violation of order of protection (VOP) cases were assigned to the DVPP, with two general exceptions. Domestic violence offenders who were already on probation for a non-domestic violence conviction that was considered a more serious offense and domestic violence offenders who transferred to the county to complete their probation were supervised as part of the general probation workload. The caseload

increased steadily, resulting in a larger overall DVPP caseload than was originally planned. To meet these demands, a second officer was added to the DVPP. Probationers are required to complete a batterer intervention program, and the DVPP officers established good working relationships with the two batterer intervention programs in the county.

A fast-track domestic violence court system was set up that included regularly scheduled hearings to review the status of DVPP probationers and to consider changes in their probation conditions. However, this court system does not appear to be achieving the original program goal of immediate intervention and imposition of sanctions in response to non-compliance with probation requirements.

One goal of the original proposal to establish the DVPP was to help specialized probation officers develop and maintain useful contacts with service providers and community partners, and to provide more opportunity to work with victims and with victim-oriented service providers. Our research indicates that these officers, like other probation officers, spent most of their time supervising and monitoring the offenders, and had little contact with victims.

#### Assessing Program Operation

Frequent turnovers posed several challenges for the continuing effective operation of the DVPP. Because of a backlog that delayed basic training for new probation officers for six months or more, some officers had received no formal probation training when they began work as DVPP officers. Newer officers found it more difficult to persuade prosecutors and judges to adopt new approaches to the problem of domestic violence. There have also been changes in the assistant state's attorneys assigned to prosecute domestic violence cases. A courtroom work group must work together for some time before they develop shared norms and understandings and frequent personnel changes have interfered with this process.

Probation has little influence over the charging and sentencing decisions that are made. In most cases the defendant agrees to plead guilty to a misdemeanor charge in return for a negotiated sentence of probation. No pre-sentence investigation or report is requested, and probation is not invited to provide input into the sentencing process. Increasing numbers of probationers are remaining on probation for longer than their original sentence as a result of being revoked and re-sentenced to more probation. This has contributed to a continuing increase in the DVPP caseload.

## PEORIA COUNTY

### **Program Implementation**

The Peoria County Domestic Violence Unit (DVU) was formally initiated on January 1, 1999, with two specialized probation officers. Domestic violence-related cases were screened to transfer cases appropriate for the DVU to these officers. Offenders who had already successfully completed a batterer intervention program (BIP) or who were close to the end of their probation term were generally not transferred. New domestic violence cases in which completion of the BIP program was mandated were assigned to DVU officers. Offenders who had a history of domestic violence or otherwise appeared to pose a high risk for reoffense were also assigned to DVU officers whenever possible.

One of the original DVU officers was an experienced employee, well trained in domestic violence and recruited from within the department. There has been frequent turnover in the second DVU position, and most of the officers have had little prior probation experience. Although there were two officers in the DVU as proposed, probation assigned a third officer to

carry a domestic violence caseload. This officer supervises transfer cases, as well as the probationers who are not required to complete a BIP.

Probation has little influence over charging and sentencing decisions, and the DVU officers are rarely asked for input into this process. Sentencing decisions are almost always made without the benefit of a PSI. Probation and others met with the chief judge of the circuit to develop a probation order that was specifically designed for domestic violence offenders and mandated the successful completion of the batterer intervention program. More requirements were listed on this order as standard conditions of domestic violence probation than were listed on the regular order of probation, and most applied automatically in every case. New DVU intakes are done by probation on the two days each week when the BIP also conducts intake interviews in the probation office. This speeds up the process of getting probationers into a BIP group, and makes it more difficult for a probationer to engage in active avoidance.

A specialized domestic violence court was created in 1999. The court tries and sentences all domestic violence cases. Rather than scheduling status hearings on a regular basis, as the Sangamon County court does, the Peoria County judge relies on the state's attorney's office to file petitions to revoke and to request hearings as needed.

The victim services component is part of an overall attempt to coordinate services and promote cooperation regarding domestic violence crimes. Responsibility for these services falls outside the probation department, and they have not been reviewed in any detail. The DVU contact with victims is largely coincidental, and usually occurs during attempts to make home visits to the probationer. This type of victim contact is infrequent, but can be helpful in understanding more about the offender's behaviors.

### Assessing Program Operation

The first program objective was to provide pre-trial supervision in domestic violence cases where risk assessment indicates it is needed. The purpose is to reduce the chances of additional violence during the pre-trial period. This objective has been partially met. Although the Pre-Trial Unit is not part of the DVU, the same person supervises both units. Several offenders have received pre-trial supervision, but far fewer than the 25 cases that were estimated in the original grant proposal submitted by the Peoria County Probation and Court Services Department.

The second objective was to provide victim advocacy from the earliest point in the process by having the state's attorney's office (SAO) contact victims of domestic violence and support them through the process. This objective has been partially met. The SAO has a victim-witness advocate who is assigned to work with domestic violence victims after a decision has been made to pursue a criminal case against an offender. Because these services are provided primarily to prosecuting victims of domestic violence, some victims do not receive support services through this office.

Another objective was to develop and provide specialized-caseload probation strategies of supervision in domestic violence cases. This objective was met. A specialized domestic violence caseload was created, and specialized supervision strategies were developed and implemented. The central requirement for DVU probationers is to complete BIP, and all but two of the 207 probationers whose files were reviewed were ordered to attend the program.

The DVU officers have been effective in monitoring other conditions of probation and in reporting violations of these conditions. However, the SAO and the judges hearing domestic violence cases control the imposition of sanctions to enforce these conditions. Probation

violations were submitted to the SAO for 40 probationers. Most violations were due to non-compliance with the order to attend the BIP or unsuccessful termination from that program. The SAO filed 33 Petitions to Revoke; of the 31 that were completed during the period studied, 25 were granted and six denied.

## TAZEWELL COUNTY

### **Program Implementation**

The Tazewell County Domestic Violence Probation Unit (DVPU) was formally initiated on January 1, 1999. All new domestic violence and violation of order of protection cases were assigned to the DVPU. Cases were to be divided between two DVPU officers. One officer would take the felony cases, and the intensive supervision cases that were assessed as high risk using an internal lethality checklist to assess risk of future violence. The other DVPU officer would supervise the misdemeanor caseload, which was made up of offenders assessed at moderate risk on the lethality checklist. High risk probationers would stay at maximum level for one year before being considered for a lower level of supervision. Where the lethality assessment was highest, a more intensive supervision was used which included electronic monitoring for a minimum of 30 days and a minimum of one face-to-face each week.

Caseloads grew much faster than anticipated and changes were made in the program that was originally proposed in an effort to keep caseloads at a manageable size. By January 2000 the DVPU had a caseload of 197 probationers. Those cases that did not involve intimate partners were assigned to the general probation caseload, along with any other cases that did not require the BIP as a condition of probation.

The head of the probation department resigned during the evaluation period, leading to a temporary reorganization that changed the original implementation plan for the DVPU. Rather than having separate felony and misdemeanor supervisors, the felony supervisor reviewed and assigned all cases going to the DVPU.

### **Assessing Program Operation**

Although both DVPU officers had previous experience with domestic violence offenders, they had no previous probation experience and did not receive basic probation training provided by AOIC until nine months into the program. One officer resigned early in the second year of the program. This turnover in staff and the rapidly growing caseloads challenged the effective operation of the DVPU. Midway through the first year of the program, the SAO also assigned a new ASA to prosecute domestic violence cases. The prosecutor initially assigned to prosecute domestic violence cases had worked with probation and the BIP to develop the original pre-grant domestic violence program, and had developed a highly coordinated strategy for prosecuting and supervising domestic violence offenders. The new prosecutor consulted less frequently with probation in making charging decisions and sentencing recommendations. Most of these are done by plea agreement, and the DVPU officers are rarely asked for input into this process. Even when a felony domestic violence charge is involved, which means a repeat offense, sentencing decisions are almost always made without the benefit of a pre-sentence investigation.

A key goal of the DVPU is that all domestic violence offenders are required to complete BIP as a condition of their probation. A specialized probation order that was designed for domestic violence offenders and mandates the successful completion of a BIP is used in Tazewell County. A review of the case files found that 89.9 percent of the DVPU

probationers were required to complete a batterer intervention group. Most of the remaining ten percent were not considered appropriate for assignment to the BIP, usually because their offense did not involve intimate partner violence.

Another major goal has been to help probationers develop life skills beyond those gained through the completion of a BIP. The DVPU has been successful in getting 50 percent of the probationers into drug and alcohol treatment. This was accomplished by giving the DVPU officers the discretion to require drug and alcohol assessment and/or treatment as a condition of probation.

There is no specialized domestic violence court in Tazewell County. Domestic violence cases are tried in the regular misdemeanor and felony courts. The court does not have regularly scheduled status hearings; instead the Tazewell County judges rely on the SAO to request petitions to revoke probation and other hearings as needed.

The DVPU officers filed notice of 45 probation violations during the period studied. The SAO filed only 31 petitions to revoke, seeking revocation in only 68.8 percent of the cases where violations were reported by the DVPU. The Petitions to revoke were granted in 12 cases and refused in 10 cases, with nine cases still pending at the time the study was completed. Most of those who had their probation were revoked were placed back on probation with a longer sentence. This meant that offenders were not completing their probation sentences as expected, and contributed to the growing caseload of the DVPU officers.

## PROPOSED IMPACT EVALUATION

The research team proposes to continue to collect individual-level information relating to compliance and supervision from probation files. In order to determine whether offenders

are appropriately screened into the specialized domestic violence units, we propose to work with law enforcement agencies and with the SAO of each county to track the sentences given to all domestic violence offenders and the supervising units to which they are assigned.



# CHAPTER 1: STUDY BACKGROUND

## INTRODUCTION

In 1999 the Illinois Criminal Justice Information Authority (ICJIA) issued a request for proposals to conduct an implementation and preliminary impact evaluation of the domestic violence probation projects in the Illinois counties of Peoria, Sangamon and Tazewell. In its *Request for Proposals*, the ICJIA stated that the main purpose of the study was to evaluate the effectiveness of the three projects, to demonstrate what could be done to improve them, and ultimately to support project staff as they sought local assistance and funding to continue these programs. Evaluations were also expected to include recommendations for project improvements and to provide guidance to other agencies in replicating the program or undertaking a similar project.

Since the domestic violence probation projects were relatively new, all of them having begun on or after January 1, 1999, the study was expected to include only a preliminary impact evaluation. The purpose of the impact evaluation portion of the study is to evaluate how well the project is achieving the goals and objectives it set for itself and to determine how the project is affecting its target population.

## STATEMENT OF THE PROBLEM

Domestic violence is a serious and growing problem in Illinois, according to statistics compiled by the Illinois Coalition Against Domestic Violence (ICADV, 1997). The 1990s saw substantial increases in the number of arrests and prosecutions for domestic violence, the number of orders of protection that courts issued, and the number of battered women served by shelters. In 1996 almost 46,000 women and their children

sought the services of domestic violence shelters in Illinois. In that same year the Illinois State Police (ISP) began keeping statistics on “domestic-related crimes,” defined not in terms of the official charges filed but the relationship between the victim and the offender (ISP, 1999). While domestic battery accounts for the majority of these offenses, they range from murder and aggravated sexual assault to theft and disorderly conduct. The ISP reported a total of 130,903 domestic-related crimes in 1998, up slightly from the 1997 total of 128,407.

Domestic violence incidents have long represented a recognizable and significant portion of the calls for service received by local police forces. In recent years many departments have adopted pro-arrest domestic violence policies, resulting in more arrests on these charges and more referrals for prosecution. Efforts by prosecutors, judges, domestic violence shelters and other women’s advocacy organizations have increased the proportion of charges that go to trial or result a defendant pleading guilty. As a result, probation departments are now dealing with growing numbers of dangerous and violent offenders who have been prosecuted for domestic violence offenses.

The probation departments of Peoria, Sangamon and Tazewell Counties have implemented projects designed to improve their ability to supervise these offenders and to hold them accountable for their violent and abusive behavior. An important goal of these projects is to coordinate the actions of various criminal justice and community agencies so that they reinforce and strengthen one another. As part of that effort, each program has recognized the need to attend to the victims of domestic violence as well as its perpetrators.

## ORGANIZATION OF THE REPORT

This report presents an implementation and preliminary impact evaluation of the specialized domestic violence probation projects in the three Illinois counties of Peoria, Sangamon and Tazewell. The remainder of this chapter presents the methodology used in this study. Chapter Two provides a brief review of the domestic violence literature. Chapters Three, Four and Five evaluate each of the three county projects individually. These chapters describe the program design and implementation, assess the project's operation and results, report the extent to which each project is meeting its goals and objectives, and discusses program management issues. Chapter Six presents the overall program evaluations and recommendations. Chapter Seven outlines a proposal for future evaluation activity to measure and evaluate the impact of these projects more fully.

## METHODOLOGY

The research methodology made use of both qualitative and quantitative assessments, employing a variety of data collection strategies to obtain the information needed to describe each program's operating procedures and practices. Two sources of information were particularly central to the evaluation: offender and supervision information maintained by each project in individual case files, and interviews with program staff and associated personnel. Interview subjects were identified from program documents and during preliminary interviews. The research team made at least three separate on-site visits to each probation project and conducted multiple interviews with project staff to document changes in each program and its environment.

In order to provide accurate information on the probationers and the supervisory activities carried out by probation officers, the research team collected information from individual probation files and from computerized probation records. A data collection instrument was developed to record information on probation officer activities and on the status and progress of domestic violence probationers. This data collection instrument was tested and refined using Sangamon County case files, then used to collect comparable data from the other two counties.

Information from probation files was collected in Sangamon County from February to June 2000, in Peoria County during May and June 2000, and in Tazewell County in August and September 2000. The research team attempted to collect information from 100 percent of the currently active files in Peoria and Sangamon Counties; 136 files were reviewed in Sangamon, and 207 in Peoria. In Tazewell County information was collected from 132 files representing 100 percent of the active misdemeanor caseload and approximately 90 percent of the felony cases. Basic demographic data were collected on each offender, including such variables as race, sex, gender, marital status, and education. More specific offense and offender data were also collected for use in later analysis as possible predictor variables. Data were coded as they were collected to facilitate preparation of an SPSS data file. (See Appendix A for the research code sheets.)

Attached calendars at the end of the code sheets were used to record various types of contacts with offenders by probation officers, drawing on the case notes and documentation in the file. On the first calendar sheet, office contacts noted by the probation officer were circled by date, with different symbols used to indicate completed

office visits, canceled visits, and scheduled office visits which the offender missed (“no-shows”). Further contact with the court or probation officer was also noted on the office visit calendar. The second calendar sheet was used to record information on home visits, including whether or not the offender was home at the time of the visit. While recognizing that a home visit where the probationer was not at home may satisfy certain probation supervision requirements, the research team also wanted to know whether actual face-to-face contact had been made.

The same researchers collected data in each county to assure inter-rater reliability. Inter-rater reliability addresses any concerns that information or measures recorded by different people may not be coded or classified in the same way. To assure measurement reliability, any arguable coding decisions were discussed and resolved on a case-by-case basis by the researchers.

When the study began it appeared that ICJIA might be able to develop a standardized database that would include the data needed to measure many of the areas of activity and accomplishments identified in the RFP for this project. But several months into the research project it was determined that the database would not be ready for use in time to provide information for this evaluation. The probation departments responded in different ways. Sangamon County continued to prepare brief monthly narrative reports with summary data on monthly caseloads. Tazewell County kept detailed records on new cases admitted to the specialized unit, but did not prepare summative records for the project. Peoria County continued to maintain case records in its unique computer database, from which selected reports can be generated.

Qualitative information on program “awareness” was collected through interviews. In each county at least the following persons were interviewed: the assistant state’s attorney assigned to prosecute domestic violence cases, the judge who presided in domestic violence court or who was assigned most domestic violence cases, the service providers who ran approved batterer intervention programs which probationers were required to attend, and the specialized battered women’s centers that provided the bulk of victim assistance and service programs. In addition to these core personnel, interviews were also conducted in one or more counties with the elected state’s attorney, assistant state’s attorneys who sometimes handled domestic violence cases, other judges who sometimes heard domestic violence cases, public defenders, victim/witness assistance personnel in the SAO, and law enforcement personnel who had responded to domestic violence calls. While no standardized questionnaires were administered, these interviews provided extensive information on the extent to which other portions of the criminal justice system were aware of the specialized domestic violence probation projects, the quality of the information they had, and their general perceptions of the purposes and achievements of these programs.

## CHAPTER 2: REVIEW OF THE LITERATURE<sup>1</sup>

For years police dealt with domestic battery as a family matter rather than a crime, until pressure from women's and victims' advocates, as well as a growing body of research evidence, demonstrated the need for policy changes. Police have begun to arrest batterers in increasing numbers and to develop pro-arrest policies regarding domestic violence. But arrest is only the entrance into the criminal justice system. As more arrests are made, pressure is placed on prosecutors and courts to find a way to impose sanctions and hold batterers accountable for their actions. One response has been to order domestic violence offenders into batterer intervention programs.

Batterer intervention programs are emphasized in most projects aimed at reducing domestic violence, and are central elements of the three projects evaluated in this report. But they are only one part of a coordinated community response to domestic violence. Collaborative projects attempt to coordinate the response of a variety of community agencies, extending beyond the criminal justice system, to provide both sanctions and rehabilitation to men who batter and to provide services for victims of domestic violence (Edleson & Tolman, 1992; Pence, 1983; Soler, 1987). The success of the coordinated effort in Quincy, Massachusetts has shown that effective intervention programs need to address the specific offense, provide a group setting, use a cognitive or psychoeducational approach, hold the offender responsible for his behavior, place a priority on protecting victims, and hold victims blameless for the abuse that they have experienced (Crowe, 1995).

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<sup>1</sup> Portions of this chapter have been extracted from the final report prepared by the co-principal investigators of this study as part of their evaluation of the Enhanced Domestic Violence Probation Project in Champaign County, Illinois (Hayler, Ford, & Addison-Lamb, 1999). For ease of reading, quotation marks and specific citations to this earlier report have been eliminated.

Once arrest for domestic violence became standard procedure, it was seen by many as the most effective intervention available to law enforcement. This conclusion was based partly on an experiment that found arrest to be almost twice as effective as other interventions in reducing recidivism among batterers (Sherman & Berk, 1984). More recent research has failed to support these findings, however. Studies funded by the National Institute of Justice addressed some of the weaknesses of Sherman and Berk's experimental design, and identified other factors that might contribute to successful intervention by law enforcement. In three cities arrest was not found to be more effective than other interventions, including advising or separating the couple (Dunford, Huizinga & Elliot 1990; Hirschel, Hutchison and Dean 1992; Sherman, et al. 1991). In two other communities arrest was shown to have deterrent effects (Sherman, 1992). In some cities, among some offenders, arrest was associated with increased long-term recidivism. However, these increases were reflected only in official records, not in reports from victims (Sherman, 1992). When Dunford, Huizinga and Elliot (1990) replicated the reported by Sherman (1992), they found that tracking offenders over longer time periods revealed increased recidivism rates. On the other hand, Tolman & Weisz (1992) reported that arrest significantly deterred subsequent domestic violence incidents, and that the deterrent effect of arrest did not deteriorate over 18 months. These discrepancies in research show that there is still much to learn about whether arrest is an effective deterrent for domestic violence, and under what circumstances. In almost none of the arrest studies did consistent criminal prosecution occur. In fact, the majority of those arrested were not prosecuted at all in most of the studies. Many researchers have

argued that arrest not followed by prosecution cannot be expected to deter offenders (see Hirschel, Hutchinson, Dean & Mills, 1992).

There is considerable evidence that arrest must be a part of a larger coordinated effort if it is to be an effective deterrent (Hamlin & Pehrson, 1996; Healey & Smith, 1998b). This suggests that community intervention programs that coordinate law enforcement, judicial, social service, educational, and preventive responses at the community level may have the greatest long-term impact on both the prevalence and incidence of battering in the community (Steinman, 1988). A study conducted in Baltimore found that court orders for domestic violence counseling were associated with lower criminal recidivism for battery or violation of a civil order of protection (Murphy, Musser & Mason, 1998). Lower criminal recidivism was also associated with the cumulative effects of successful prosecution, probation monitoring, receiving a court order to attend counseling, attending counseling intake, and completion of counseling. Individuals with greater involvement in this intervention system had lower recidivism rates, even though offenders with more extensive abuse histories experienced more intervention. Research studies that examine arrest in isolation have not taken the cumulative effects of coordinated community responses to domestic violence into account. These efforts may include more vigorous prosecution, victimless prosecution, harsher penalties, improved accountability of the batterer through probation, and strong victim advocacy.

Prosecution rates for domestic violence cases historically have been low (Dutton, 1988; Ford 1983). Low prosecution rates may have frustrated police and made them more reluctant to arrest batterers; they often believed their work would be useless if there

was no follow-through with prosecution (Dutton, 1987; Ferraro & Pope, 1993). Victims saw the reluctance of police and prosecutors to prosecute as evidence of unwillingness to help and protect them. Consequently, many of them did not press charges for fear that doing so would only enrage the batterer and lead to more violence (Ferraro & Boychuk, 1992; Jaffe, Hastings, Reitzel & Austin, 1993). In some ways, all of the involved parties appear to reinforce one another's failure to act.

There has been almost no study of the effects of prosecuting domestic violence arrests and its impact on re-abuse or general criminal recidivism. In a very limited study of 270 men arrested for domestic violence, researchers found that on these charges conviction and sentencing did not deter re-abuse (Fagan, Friedman, Wexler, & Lewis (1984). However, only 18 of the 270 men in the study were actually convicted. Ford and Regoli (1992) studied 700 defendants in domestic violence cases assigned to various prosecutorial outcomes, including pretrial diversion, conviction and probation, or prosecution followed by presumptive sentencing. They also found no difference among the various outcomes. Tolman and Weisz (1995) failed to find any decrease in subsequent police reports concerning defendants 18 months after prosecution, whether they were convicted, acquitted, had their cases dismissed. The study did not differentiate among types of disposition after conviction, which included both, probation and jail.

Domestic violence, even that which results in serious injury, is usually classified as a simple misdemeanor. Victims are often reluctant to risk prosecution because of the minor consequences to the batterer (Hart, 1993). Victims may be further discouraged from prosecution by the lack of protection from the batterer, the length of time involved, and the seeming indifference of prosecutors. One response to the apparent unwillingness

of victims to prosecute in domestic violence cases has been the adoption of “no-drop,” or victimless prosecution, policies. Under such a policy the prosecutor proceeds with a domestic violence case without the voluntary support of the victim, and may even subpoena the victim to compel her to testify. Some experts maintain that a no-drop policy may deter victims from reporting crimes because of the difficulties it brings into their lives. Many victims may think they have lost control of the legal process (Buzawa & Buzawa, 1990). A strong argument can be made that, at the least, jurisdictions with no-drop policies need to have reliable victim protection programs (Cahn, 1992).

Ford & Regoli, (1992) argue that interventions must be focused on improving responses to the victim. They point out that victims are likely to use criminal justice proceedings in ways that may not have been intended yet are considered successful from the victim’s point of view. For example, they argue that victims may use the threat of prosecution to negotiate their security without actually intending to follow through. This highlights the importance of considering how the goals that victims have as they become involved with the legal system may be very different from the goals of other system participants. Raising the victim’s awareness of legal and practical options is a key component of victim contact. Just as important, however is guarding against false hope that an arrest or a mandated batterer intervention program can guarantee that the victim’s partner will change. This caution needs to be balanced against respect for the victim’s right to make her own decision, even if that involves remaining with the batterer (Healey & Smith, 1998a).

Steinman (1990) conducted a study that compared the results of domestic violence cases before and after the implementation of a coordinated community effort.

He found that police actions that were *not* coordinated with other sanctions led to increased violence. However, police actions, especially arrest, that occurred *in coordination with* other criminal justice efforts, had a significant deterrent effect. Similarly, Syers and Edleson (1992) found that police visits to a home where battering occurred, combined with the eventual arrest of the batterer and a court-mandated intervention program, were significantly more likely than other combinations of criminal justice actions to end repeat incidents of domestic violence. It is not enough to have all the important players in a community doing their jobs well. There needs to be a mechanism for coordinating their efforts. A team effort is vital to an effective deterrent of domestic violence (Crowe, 1995). Unfortunately many courts throughout the country mistakenly view batterer intervention as a treatment that can provide a definite cure by itself. Consequently, batterers are often placed in a diversion program and ordered to go to a batterer intervention program without any actions being taken to set up a proper monitoring system to hold the batterer accountable.

One key element of the coordinated approach is the availability of effective batterer intervention programs and the willingness of courts to order offenders to attend. Most of the batterer intervention programs described in published articles are based on the cognitive-behavioral or social learning approach. Many programs also include a gender analysis of battering into their interventions, incorporating both social learning and pro-feminist content. Studies have not yet isolated these components in terms of their effectiveness in ending abusive behavior. There has been considerable controversy in the literature over the use of social learning approaches which are not informed by a gender analysis (Gondolf, 1987). The program most widely associated with the pro-

feminist approach is the Domestic Abuse Intervention Project in Duluth, Minnesota, which also integrates cognitive-behavioral content into its approach (Pence & Paymar, 1993). There have been suggestions that subgroups of the battering population do not benefit much from the most widely used models, and that intervention groups need to be more culturally competent and geared to the needs of each subgroup group (Holtzworth-Munroe & Stuart, 1994). For many African American men who batter, the use of ethnically sensitive approaches is essential to increase their involvement in batterer programs and the likelihood of a successful outcome. This finding may also have implications for successful program completion by batterers from other ethnic groups as well (Williams, 1994).

Most batterer intervention programs are relatively short-term, ranging from 6 to 32 weeks in length (Eisikovits & Edleson, 1989; Tolman & Bennett, 1990). Most programs are relatively structured in their format, although calls for less structured groups have been made (Browne, Saunders & Staecker, 1997; Jennings, 1987). One study lends support to the idea of pre-trial, short-term educational programs (Gondolf, 1998). These programs appear to be as effective as the longer programs, and are more efficient and less costly. However, concerns remain about program length. Longer programs may be useful as a way to monitor the long-term behavior of offenders, and may act as a deterrent to other men. The outcomes from longer programs may be affected by other features in the community, such as slow system responses to men who drop out, or lengthy delays between arrest and referral to a batterer program (Gondolf, 1998).

How successful a batterer intervention group is considered to be depends in part on what definition of success is used. Definitions of success range from any reduction in physical violence (Neidig, 1986) to a transformation of men who batter to the point they are prepared to take social action against the woman-battering culture (Gondolf, 1987). Most studies define success as the cessation of physical abuse although some accept reductions in violent behavior as a measure of success. Many now agree that ending threats of violence is also an important goal.

Most program evaluators have attempted to measure the degree to which batterer intervention programs end or reduce violent behavior, but only a few have examined threatening behavior such as verbal threats and stalking. Some researchers report that men's entitlement beliefs often lead to their seeing a woman's decision to leave the relationship as the ultimate betrayal which justifies threatening behavior, stalking and violent retaliation (Saunders, 1994; Dutton, 1988). Lethality assessments are not foolproof, but the utilization of these indicators is valuable in determining the likelihood of a physical assault or a life-threatening attack (Hart, 1990; Saunders, 1994).

When assessing physical abuse and threats of abuse the source of the information is critical. Police reports often underreport risk, compared to direct victim reports. Many crimes are not reported, and police are seeking to determine whether or not a crime has been committed rather than whether or not abuse is present (Dutton, 1986). The denial and minimization of batterers make them a particularly unreliable source of information on their own behavior. An index that combines reports of abuse from all sources will provide the most conservative estimate of program success in reducing violence, but is

likely to be a more accurate indicator of the risk or presence of physical abuse (Hamberger & Hastings, 1988).

Development of effective approaches that confront the behavior of men who batter is imperative in order to save women's lives. Babcock and Steiner (1999) found that completion of a batterer intervention program was related to a significant reduction in domestic violence requiring police involvement during a two-year follow-up period. A 15-month study of batterer programs in four cities also found that recidivism rates were lower for those who completed intervention programs (Gondolf, 1998).

Batterers who were court-ordered into intervention programs but did not complete them were more likely to commit further domestic violence than those who completed such programs. Probation officers generally could not judge who would complete programs based on a review of the offender's pre-program behavior (Babcock & Steiner, 1999). Studies showed that batterers who do complete are likely to be first-time offenders, to report a higher income, and to be more educated than program dropouts. One explanation of this finding is that these batterers may have more to lose, economically and socially, than the dropouts. Those who dropped out of programs were more likely to be unemployed and criminally entrenched, and may represent a subset of the batterer population who are not subject to the same informal social controls as others (Babcock & Steiner, 1999).

The presence of a court review process for batterer program referrals appears to substantially reduce non-compliance. Court review coupled with batterer counseling also appears to contribute to a substantial reduction in re-arrests. Some courts refer defendants to a batterer intervention program at preliminary hearings, either as a

condition of bail or as a possible diversion. Such a practice appears to be a viable alternative to post-adjudication referral, which is subject to long delays and the possibility of withdrawal or dismissal of the complaint. There is a definite advantage to a quick and certain response to non-compliance (Gondolf, 1998).

Some researchers have suggested that mental health and substance abuse counseling may be necessary for some men before they can benefit from a batterer group (Moore, Greenfield, Wilson & Kok, 1997). A survey of chemical-dependency and domestic-violence programs found that almost half the men in substance abuse treatment were batterers, and that 60% of identified female substance abusers were victims of domestic violence. Eighty percent of the treatment providers believed that these clients would benefit from increased cooperation between chemical-dependence and domestic-violence programs (Bennett & Lawson, 1994). Although a high level of association between alcohol and violence has been documented, the relationship is quite complex. The theory that alcohol or substance abuse causes violence is gradually being rejected. Evidence from both the alcohol abuse and domestic violence fields suggest that “power theory” offers a viable alternative interpretation of the documented association.

Power theory suggests that both alcohol abuse and battering are manifestations of an underlying need for power and control related to gender-based distortions and insecurities. If treatments to address alcohol abuse and battering were guided by this unifying theory, alcohol and assault treatments would be better focused, more easily coordinated, mutually reinforcing, and more effective. The objective of providing safety for victims would also be increased (Gondolf, 1995). Substance abuse treatment providers are gradually becoming more aware of this “dual diagnosis” problem, and of

the need to be aware of domestic violence risks in treating substance abusers. The Quincy, Massachusetts program, a model for coordinated efforts in stopping domestic violence, enforces probation conditions of abstinence. Offenders are required to undergo weekly urine tests, and drug and alcohol abusers are required to receive treatment (Crowe, 1995).

The National Council of Juvenile and Family Court Judges adopted as official policy in 1990 a series of recommendations for improving court practices in family violence cases (Herrell et al., 1990). These recommendations include batterer accountability in probation departments and a need for a coordinated effort in the intervention of domestic violence. This concept of establishing protocols geared toward a more coordinated response to domestic violence is becoming more commonplace. The Domestic Violence Advisory Council to the Illinois Department of Human Services, formerly the Department of Public Aid, produced the first Illinois Protocol for Domestic Abuse Batterers Programs in 1994. This protocol established treatment standards for batterer intervention programs. The most recent revision was issued in March 2000 (DVAC, 2000). In the mid-1990s a model domestic violence protocol for law enforcement, prosecution and the judiciary was published and distributed statewide by the Domestic Violence Training and Curriculum Task Force, created by the 87<sup>th</sup> Illinois General Assembly.

Intervention programs for batterers have been in existence for less than twenty-five years. Recent studies on batterer intervention advance our understanding of its possible benefits and the limitations of current responses to the problem. Research on the criminal justice response is still inconclusive about how we might best respond to

domestic violence. However, there is growing evidence that supports the importance of collaboration and coordination of efforts throughout the community. Evaluation of specific programs and activities has a role in this research agenda; there is much we still do not know. But studies which examine only one part of the criminal justice system, without placing it in the context of the larger set of community and criminal justice responses to family violence, are unlikely to give us accurate information about what works and why.

## **CHAPTER 3: EVALUATION OF THE SANGAMON COUNTY DOMESTIC VIOLENCE PROBATION PROGRAM**

### **PRE-PROGRAM ENVIRONMENT**

#### **System Resources**

The Sangamon County Probation and Court Services Department began to implement a specialized domestic violence probation program in 1999. Several other criminal justice system components had also developed specialized units or implemented related institutional changes in the late 1990s in order to improve their ability to respond to domestic violence-related crimes. The first of these endeavors was Project SAFER (Sojourn Advocates For Emergency Response), a joint project between Sojourn Shelter and Service (the Sangamon County victim services provider, referred to in this report as Sojourn) and the Springfield Police Department. This project provided two victim advocates from Sojourn and one domestic violence detective from the police department. The advocates were called by the police, and responded to the scene of the domestic violence to work with the victim as soon as the police secured the area. The detective specialized in domestic violence cases, and followed up on the cases to increase the possibility of prosecuting the offender.

In 1997 a project to implement a model domestic violence protocol was approved for funding by ICJIA. This program provided additional early response victim advocates as well as a court advocate, a second detective for the police department, a special domestic violence prosecutor in the state's attorney's office, and a clerk in the circuit clerk's office to handle the files for a proposed domestic violence court. Although this program was more inclusive than Project SAVER and provided for a more coordinated

effort against domestic violence, it did not include the sheriff's department, the probation department or the public defender.

As both police and prosecutors increased their emphasis on arrest and prosecution of domestic violence offenders, the probation department found itself supervising increasing numbers of domestic violence offenders. Probation believed that a specialized domestic violence probation program would allow it to monitor offenders more closely, holding them accountable for their abusive behavior and complementing the systems already in place.

An internal review conducted by the probation department in June 1998 identified 69 cases sentenced for domestic violence and another 13 sentenced for violation of an order of protection. These case numbers represented an increase from 1997, and were expected to continue to increase because of established priorities in other parts of the criminal justice system. Because domestic violence cases were treated as part of the general probation caseload and assigned to a variety of probation officers, there was no opportunity for any single officer to develop expertise in dealing with domestic violence offenders or victims. When the two types of cases were combined, there were enough cases to make up a complete active caseload for one probation officer.

#### County Demographics and Crime Trends

Sangamon County is located in central Illinois, about 200 miles southwest of Chicago. Its current population is 191,306 according to 1999 US Census Bureau estimates. Females make up 53% of the county population, compared to 47% males. The majority of the population is white (91%), with African-Americans accounting for 8% and other racial and ethnic groups making up the remaining 1%. Springfield is the

largest city in the county, with a population of approximately 106,000 (about 55% of the total county population). It is the state capital as well as the county seat. The economy of Springfield is predominantly white collar, with the largest employers being state government, hospitals, insurance companies, and educational institutions. The median household income was \$37,351 according to 1995 census figures. In the same year over 9% of the population had incomes under the officially defined poverty level. Although suburban-style development is appearing, much of the county outside of Springfield retains its rural character, and is served by the county sheriff, the state police, or small local police departments

The total number of index crimes in Sangamon County dropped from 11,125 in 1997 to 10,173 in 1998, a decrease of 8.5%. The number of violent index offenses also dropped from 1,584 in 1997 to 1,486 in 1998, a decrease of 6.2%. There were 936 arrests for domestic violence-related crimes in 1999, most of which were not index offenses. Domestic violence-related offenses are usually defined as those in which the relationship between the offender and the victim is that of a family or household member as defined in Section 112A-3 of the Illinois Code of Criminal Procedure, but the crime itself does not fit the definition of domestic battery or aggravated domestic battery. When the Illinois State Police reports the number of domestic violence-related crimes, it includes domestic battery and aggravated domestic battery in the total (ISP, 1999).

Sojourn was established in 1975 and was one of the first battered women's shelters in Illinois. After years of providing temporary shelter for women and children in an old house, the organization moved into a new building built as a combination shelter and office in 1998.

## INITIAL PROGRAM DESIGN AND STRUCTURE

The Sangamon County Domestic Violence Probation Program (DVPP) began in late 1998 when a probation officer was selected for the program. During the next few months the officer's existing caseload was transferred to other officers and defendants who had been sentenced for domestic violence or for violation of an order of protection were transferred to the DVPP caseload. Most existing domestic violence-related cases were transferred, but exceptions were made for offenders who had less than three months remaining on their sentence and in cases where a revocation hearing was pending. The program was formally initiated in January 1999, when the caseload changes took effect and the DVPP officer began to work exclusively with domestic violence probationers.

### Program Goals and Objectives

The DVPP proposal identified four major goals, as well as a number of more specific operational objectives. The objectives are discussed in some detail later in this chapter. The four major goals of the project were:

- To prevent or reduce future battering by expanding the surveillance of domestic violence offenders placed on probation.
- To prevent or reduce future battering through more effective integration of batterer intervention programs within probation and by making completion of a program condition of all orders of probation for domestic violence offenses.
- To prevent or reduce future victimization through more immediate and effective intervention by probation in response to non-compliance with probation conditions.
- To prevent or reduce future victimization through more effective victim services from the probation officer.

### Organizational Structure and Program Design

DVPP is one of two specialized caseload units located within the Sangamon County probation department. Probation originally planned to have one DVPP officer with a caseload made up exclusively of domestic violence offenders, working under the direction of one of the department's three supervisors. Creating a specialized domestic violence caseload would allow the DVPP officer to work closely with personnel in other specialized criminal justice units, and also with batterer intervention programs and other service providers.

Under the original program design the DVPP officer would become a specialist in domestic violence, attuned to the dynamics of these offenses and able to devise and implement specialized supervision strategies. The original design particularly emphasized two strategies: (1) mandating participation in a batterer intervention program as a condition of probation in every domestic violence case, and (2) setting up a fast-track system within the domestic violence court to allow quick responses to noncompliant behavior.

### Program Implementation

Beginning in 1999 all new domestic violence and violation of order of protection (VOP) cases were assigned to the DVPP, with two general exceptions. Domestic violence offenders who were already on probation for a non-domestic violence conviction that was considered a more serious offense remained on the caseload of their original probation officer. Most offenders who transferred to the county to complete their probation also were supervised as part of the general probation workload, since their

original probation orders did not mandate intensive supervision or impose the special conditions of probation that were part of the DVPP.

Conditional discharge cases were also assigned outside the unit, even when completion of a batterer intervention program was required. Defendants sentenced to conditional discharge are required to report to probation only at the beginning and end of the probationary sentence, unless they are charged with another crime or fail to comply with the conditions of their sentence, and therefore are not appropriate for the DVPP's strategy of active supervision. Conditional discharge cases are essentially diverted out of the criminal justice system. These offenders meet with a probation officer to go over the terms of their sentence, but the intake process is abbreviated and does not involve a complete intake report. For this reason, and because these offenders were not supervised by DVPP officers, detailed information on those offenders was not collected as part of the evaluation research project.

### **Chronology of Key Events**

The implementation of the DVPP during its first 18 months of operation included the following events:

#### **Pre-Grant Activities**

- June 1998: Survey of probation department cases found a total of 82 domestic violence-related cases currently being actively supervised.
- Summer 1998: Grant proposal to create a specialized domestic violence probation program was developed by a supervisor and submitted to ICJIA.
- September 1998: An experienced probation officer agreed to accept the specialized DVPP position in the proposed unit.

- Fall 1998: Initial meetings were held with the Springfield Police Department and the department's specialized domestic violence investigators to discuss ways of working together more effectively.
- December 1998: Probation began meeting with Alternatives to Violence (ATV), the only batterer intervention program in Sangamon County at the time, to begin work on a protocol covering probation referrals and ATV reports to probation. Agreement was reached in March 1999.

### **Year One**

- January 1999: The Domestic Violence Probation Program (DVPP) officially starts. Domestic violence cases meeting program guidelines are transferred to the caseload of the DVPP officer.
- February 1999: DVPP officer attends Domestic Violence Officer's Basic Training.
- March 1999: New supervisor assigned to DVPP.
- April 1999: Grant agreement between Sangamon County and ICJIA formally approved.
- April 1999: Domestic violence court judge sets schedule for status hearings and hearings on petitions to revoke probation; first formal step toward establishing a fast-track system of review.
- May 1999: Probation and domestic violence court judge finalize agreement to allow DVPP to request probation review hearings as needed, in order to expedite consideration of petitions to modify or revoke probation.
- May 1999: The DVPP supervisor moved out of state; replaced by a new DVPP supervisor.

- July 1999: Assistant state's attorney handling domestic violence prosecutions is replaced by a new prosecutor.
- July 1999: Men Overcoming Violence (MOV), the second batterer intervention program in the county, is certified as being in compliance with the Illinois Protocol for Partner Abuse Intervention. Begins offering services in August 1999. Probation begins discussions in September 1999 to establish a protocol covering referral and reporting.
- August 1999: A second probation officer is designated as a back-up domestic violence officer and begins supervising transfer cases and cases not ordered to complete a batterer intervention program.
- October 1999: Tracker computerized records system implemented in probation.
- November 1999: The back-up domestic violence officer is reassigned as a second full-time DVPP officer.

## **Year Two**

- April 2000: First DVPP officer transfers out of the DVPP to another probation assignment. New officer with six months experience in probation is assigned to DVPP.
- Summer 2000: DVPP supervisor works out arrangements to provide local police departments with information on domestic violence probationers to encourage awareness and monitoring. Begins discussions with state police and local departments to serve probation warrants.

- Fall 2000: Probation begins to implement a “broken windows” style of probation supervision involving more proactive supervision and more attention to small warning signs of trouble.

### **From Original Conceptualization to Operationalized Program**

The DVPP was established in January 1999. The domestic violence portion of the probation department’s caseload has increased steadily since that time, resulting in a larger overall DVPP caseload than was originally planned. To meet these demands, a second officer was added to the DVPP. Probationers are required to complete a batterer intervention program, and the DVPP officers have established working relationships with the two batterer intervention programs in the county.

A fast-track domestic violence court system has been set up that includes regularly scheduled hearings to review the status of DVPP probationers and consider changes in their probation conditions. This system takes up a great deal of the officers’ time, however, and does not appear to be achieving the original goal of immediate intervention and effective sanctions in response to non-compliance with probation requirements.

The original proposal assumed that their specialized caseloads would help DVPP officers to develop and maintain useful contacts with service providers and community partners, and would provide more opportunity for them to work with victims and with victim-oriented service providers. Our research indicates that these officers, like other probation officers, spend most of their time supervising and monitoring the offenders assigned to them. Victim services continue to be provided primarily by Sojourn and other local community agencies,

## ASSESSING PROGRAM OPERATION

This section describes the current elements of the DVPP program and assesses program operation.

### Program Elements and Operation

#### **Staffing**

The first DVPP probation officer was recruited from within the probation department, eliminating the need to train a new employee. A second probation officer began to work with DVPP in the summer of 1999 as a back-up officer, handling domestic violence cases that did not include a batterer intervention program requirement. This officer was formally assigned to DVPP in November 1999 as its second officer. DVPP continued to experience staff turnover as the original officer transferred to another probation assignment in April 2000 and was replaced by an officer who in turn resigned in late summer.

This frequent turnover poses several challenges for the continuing effective operation of the DVPP. All of the DVPP officers after the first had little prior experience in probation; several of them had worked in probation for only a few months when they accepted an assignment to the unit. Because of a current backlog that delays basic training for new probation officers for six months or more, some officers had received no formal probation training when they began work as DVPP officers. Newer officers who are less familiar with existing procedures and expectations may find it more difficult to persuade prosecutors and judges to adopt new approaches. Research suggests that members of a courtroom work group must work together for some time before they develop shared norms and understandings (Fleming, Nardulli & Eisenstein, 1992).

There have also been changes in the assistant state's attorneys assigned to prosecute domestic violence cases. The prosecutor who was handling these cases when DVPP was initiated, and who participated in developing the domestic violence court approach, was replaced midway through the first year of the program by a relatively junior assistant state's attorney.

### **Sentencing Decisions**

In 1999 a total of 433 domestic violence-related criminal convictions were reported by the Sangamon County State's Attorney's Office (SAO). Many of these defendants were not sentenced to probation and, therefore, were not studied as part of this evaluation, but a review of the sentences they received is instructive. Nineteen of these defendants (4% of the 1999 total) were given supervision, which does not necessarily result in a conviction or criminal record; 229 defendants (53%) received conditional discharge sentences; 107 (25%) were placed on probation, a variety of sentences ranging from public service work to incarceration were handed out to the remaining 78 (18%).

Probation appeared to have little influence over these charging and sentencing decisions. In most cases the defendant agreed to plead guilty to a misdemeanor charge in return for a negotiated sentence of probation. Pre-sentence investigations or other report were not requested, and probation was not invited to provide input into the sentencing process. Probation does determine the level at which each probationer will be supervised, based on standardized risk and needs assessments.

### **Conditions of Probation**

The box on the following page shows the general conditions of probation available in Sangamon County.

A key goal of the DVPP is to ensure that all domestic violence offenders sentenced to probation are required to complete a batterer intervention program as a condition of their probation. In the last two years this has become a standard condition in most domestic violence cases. Our review of case files found that 91 percent of DVPP probationers who were sentenced in Sangamon County were required to complete a batterer intervention program. The 1999 data from the state's attorney's office shows that 90 percent of the domestic violence offenders sentenced to conditional discharge were also required to complete a batterer intervention program. Most of the defendants who were not required to do so had been convicted of non-intimate partner violence or violation of an order of protection where physical violence was not involved, or they had transferred to the county from another jurisdiction. In a few cases the batterer intervention program found the offender unsuitable for participation or recommended completion of some other program first.

Because Sangamon County has not developed a specialized court order form for domestic violence cases, the batterer intervention program requirement must be written in on each order by the judge. Probation has the discretionary authority to direct a probationer to undergo an evaluation and to complete any treatment that is ordered as a result of that evaluation (condition 12), but probation prefers to see this requirement specifically ordered by the sentencing judge.

### Standard Order of Conditions

1. Immediately report to the Sangamon County Adult Probation Department upon sentencing or release from the County Jail.
2. Not violate any criminal or traffic statutes of any jurisdiction.
3. Report to or appear in person before such person or agency as directed by the Court or your probation officer.
4. Refrain from the possession of a firearm or other dangerous weapon.
5. Not to leave the State of Illinois without the prior consent of either the Court or your probation officer.
6. Report in person to your probation officer as frequently as directed, permit your probation officer to visit you at home or elsewhere, and be cooperative and truthful with your probation officer in all matters.
7. Not use or be in possession of any controlled substance or cannabis unless under medical prescription.
8. Undergo urinalysis and/or breath testing in a manner set forth by the probation department.
9. Keep the probation department informed of his/her current address at all times.
10. Pay the standard \$25.00 per month probation services fee or the lesser amount if deemed appropriate by the Court.
11. Pay court costs as determined by the Circuit Clerk.
12. Promptly undertake evaluations as determined appropriate by the Court or the probation department and thereafter successfully complete such treatment, therapy, counseling and/or remedial education as ordered by the probation department.

#### The court may also order the following:

1. Pay a fine
2. Pay restitution
3. Perform public service
4. Undergo medical, psychological or psychiatric treatment; or treatment for drug addiction or alcoholism
5. Serve a term of electronic/home confinement
6. Serve jail time

Additional conditions as deemed by the court.

## Intake and Caseload

The DVPP was originally designed to provide supervision for all defendants who had been convicted of domestic violence or violation of an order of protection (VOP) and who had been ordered to complete a batterer intervention program. Probation was actively supervising 82 such cases in mid-1998 but some of these cases were not eligible for transfer to the DVPP caseload, leading to a lower caseload for the DVPP officer at the start of the program. But within a year the program caseload had surpassed the level projected in the project proposal. In February 2000 there were 91 current cases being supervised at the maximum (n=79) or medium (n=12) levels, another 55 cases in “active administration” status, and 26 cases that had been sentenced within the past 60 days and were awaiting completion of the intake process. This created a DVPP caseload of nearly 120 cases that was being actively supervised by the two DVPP officers, all but 12 of them at the maximum level. Monthly caseload figures reported by DVPP are presented in Table 3.1.

Table 3.1: Sangamon County Domestic Violence Probation Program  
Monthly Caseload (January 1999 – June 2000)

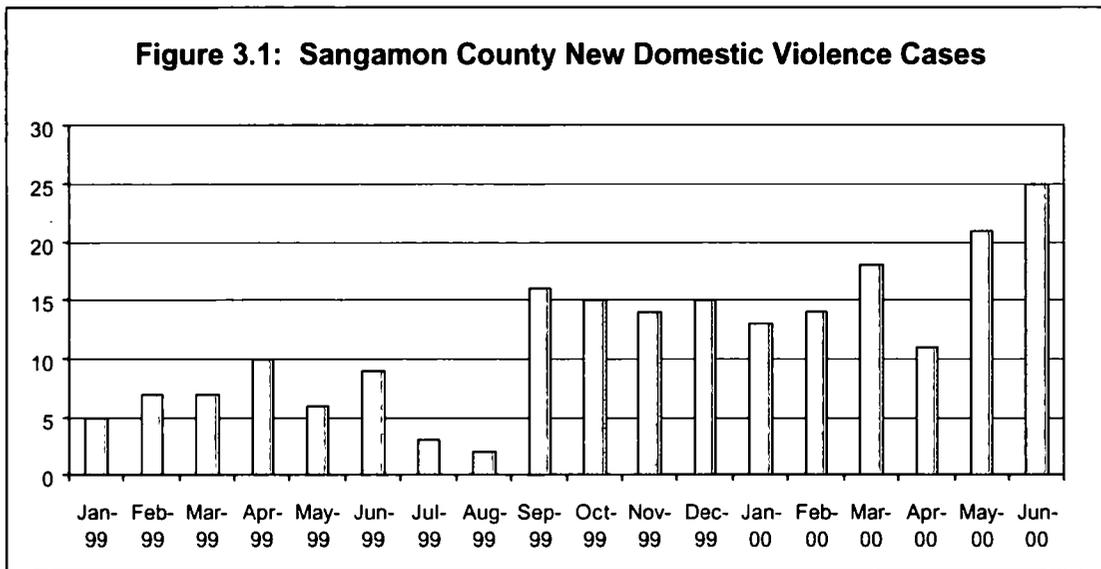
Month	Maximum	Medium	Administrative	Unclassified	Total
Jan 99	19	5	0	5	29
Feb 99	21	2	5	13	51
Mar 99	27	5	9	15	56
Apr 99	32	5	13	14	64
May 99	37	5	15	11	68
Jun 99	40	5	25	12	82
Jul 99	44	5	28	5	82
Aug 99	46	7	24	3	80
Sep 99	43	6	26	18	93
Oct 99	46	7	35	28	116
Nov 99	56	11	29	22	118
Dec 99	65	14	52	25	156
Jan 00	70	13	56	24	163
Feb 00	79	12	55	26	172

Mar 00	86	13	55	24	178
Apr 00	86	14	38	22	160
May 00	99	16	34	27	176
Jun 00	103	19	17	37	176

New cases are assigned to individual officers by the DVPP supervisor. To the extent possible, cases that appear to pose higher risks for violence and for reoffending are assigned to the more senior DVPP officer. Probation officers may take up to 60 days after an offender is sentenced to complete the intake process. During this period an offender who has been convicted of a violent crime is supervised at the Maximum Level even though the risk classification process has not been completed. Almost all domestic violence probationers are initially supervised at the maximum level, as Table 3.1 indicates.

Until the risk classification process is completed a probationer is considered “unclassified.” The large number of cases in the “unclassified” category from October 1999 on was caused by a large number of new cases coming into the DVPP each month. Monthly data on new cases assigned to the DVPP are presented in Figure 3.1. The administrative category includes cases for which the probation department has responsibility but which do not require the same kinds of field and office contacts for a variety of reasons. Offenders who have transferred out of the county or absconded without notice are classified as administrative supervision cases. Probationers who are serving jail sentences are in this category, as are some probationers awaiting revocation. The high numbers in this category early in 2000 reflects a number of different factors, and began to diminish within a few months.

Most of those placed on DVPP probation have been convicted of a misdemeanor offense, although many of these offenders have previous criminal convictions. Based on the risk and classification standards developed by the Administrative Office of the Illinois Courts (AOIC), virtually all DVPP probationers are initially supervised at the maximum level. During the first 18 months of the DVPP, all but one of the defendants assigned to the unit was initially supervised at a maximum level. Any defendant who has been convicted of an assaultive offense within the previous two years, which includes almost every domestic violence defendant, automatically reaches the cut-off point for the maximum risk category based on that alone.



AOIC supervision standards for probationers classified at the maximum level require at least two face-to-face contacts a month and at least one field contact every two months, preferably in the offender's home. These required contacts, along with intakes and initial interviews of new clients, absorb much of the DVPP officers' time. The

growing number of new clients and the ever-increasing caseload leave little time for the collateral contacts and victim contacts that were envisioned as part of DVPP.

### **Court Review and Oversight**

A major goal of DVPP was to intervene more effectively when probationers failed to comply with conditions of probation, with particular emphasis on technical violations. DVPP hoped to establish a “fast track” procedure that would allow the officers to deal with probation violations at weekly status hearings in domestic violence court. Shortly after DVPP began operating a new judge and new public defender were assigned to the domestic violence court. This caused a delay, but by April 1999 a weekly hearing schedule had been set. This schedule, which was modified several times in response to changing needs, now includes one day a week for status hearings and another for hearings on conditions to revoke or to modify probation. With the domestic court judge scheduled to change again at the end of 2000, there may be significant changes in the operation of the domestic court and the use of the “fast track” process.

Under the current system the domestic violence court judge normally sets a new probationer’s first status hearing for 60 days after sentencing. After this initial status hearing the judge determines the time of the next hearing based on the performance of the offender. This may range from one week, if the probationer has not yet begun the batterer intervention program, to 90 days if everything is in order.

Arrest warrants are routinely requested and issued by the domestic violence court judge for defendants who miss a scheduled hearing. Probationers who are arrested on warrants for failure to appear at a status hearing may serve several days in the county jail, but more often go directly to court for a hearing. If a probationer misses another status

hearing and is arrested again, the judge is more likely to add a short jail sentence to the conditions of probation. Depending on the offender's record on probation this sentence may be reduced later, allowing the offender to again be released on probation.

The circuit clerk's office informs the DVPP staff of upcoming status hearings in domestic violence court. Since the domestic violence court judge normally uses one status hearing to schedule the next one, DVPP officers generally do not have to make special motions to get their clients into court.

While Sangamon County has successfully established a regular schedule for status hearings, the processes used to modify conditions of probation or to revoke probation are not as well developed. The probation department is generally not involved with domestic violence cases until after sentencing, and pre-sentence investigations (PSIs) are rarely requested. As a result, decisions about probation conditions are often made without full and complete information. Although DVPP officers gather information about the defendant as part of the probation intake process, this information stays with probation and is not necessarily taken into consideration at future hearings.

DVPP officers normally initiate the probation revocation process by filing a notice of probation violation with the state's attorney's office and requesting a petition to revoke probation, although this process maybe triggered by something that happens during a status hearing. As probation officers, they often have considerable information on a probationer that is relevant to this action, collected during the course of probation supervision, but no process currently exists to systematically present that information in domestic violence court. Communication between the prosecutor and the DVPP officers is often limited to what takes place in the courtroom during a hearing.

Although a defendant may have violated one or more of the conditions of his probation, it may not be revoked. In many cases he is given additional time to comply, something the probation officer may already have done. Even when probation is revoked, the defendant is often re-sentenced to probation, sometimes with only a slight or even no increase in the overall sentence. This makes it difficult for DVPP officers to hold offenders accountable for continued non-compliance or for new incidents of abuse or violence, and illustrates how important it is to develop a united, coordinated approach to domestic violence.

### **Community Program Elements**

Ninety percent (122) of the probationers whose files were reviewed were required to complete a batterer intervention program as a condition of probation. Two programs currently exist in Sangamon County that are in compliance with the Illinois Protocol for Partner Abuse: Alternatives to Violence (ATV) and Men Overcoming Violence (MOV). MOV is a 16-week program operated by a drug and alcohol treatment facility. The structured format of the MOV groups has led to lengthy waits before a probationer can be accommodated in the program. As a result, most probationers are directed to ATV unless they also need to receive treatment for alcohol or substance abuse.

Probationers are required to contact the batterer intervention group within a week of being referred and to begin the program within 30 days. To reduce delays the DVPP officers call and make the ATV intake appointment during their first meeting with the probationer. If the probationer fails to keep the appointment, ATV notifies DVPP. Even with these requirements less than half of those ordered to ATV (47%) started the batterer intervention program within the required 30-day period. Another 24 percent started

during their second month on probation, 9 percent during the third month, and 5 percent during the fourth month. Almost 15 percent of those who eventually entered the batterer intervention program took more than four months to do so.

These delays were due almost entirely to avoidance tactics by the probationers who were ordered to attend. Although approximately 20% of those seeking to enter the ATV program were temporarily placed on a waiting list, even these few could usually be accommodated with a few weeks. While delays were somewhat longer at MOV, only a small number of offenders were referred there. It is interesting to note that over half of those who missed the 30-day deadline for beginning the program finally began attending before or almost immediately after their first scheduled status hearing. This suggests that closer judicial monitoring might prompt many of these probationers to begin the batterer intervention program as ordered.

Alternatives to Violence (ATV) is a 26-week batterer intervention program that generally follows the Duluth model, based on the power and control wheel and using the Duluth curriculum and vignettes to confront the batterer and enable him to change his behavior. In July 2000 ATV had an active client list of 237 men in six groups, and was preparing to start a seventh group. ATV attempts to limit group size to 25, but groups tend to exceed that number. Groups are open-ended; participants begin as soon as they have completed the intake process. Participants are required to complete a total of 26 group sessions and an exit interview before they are considered to have completed the program.

Successful completion of the ATV program requires regular attendance and a willingness to participate in program activities and discussions. Completing the program

provides the offender with an opportunity to change his own behavior and the resources to help make that possible, but it is not a treatment program in a medical sense.

Successfully completing the program doesn't "cure" a batterer of his violent behavior or guarantee that he will not reoffend. However, research suggests that when coupled with supervision and sanctions, completing a batterer intervention program is associated with a reduction in domestic assaults and battering.

ATV participants are permitted to make up two absences, but are terminated from the program after the third absence. They can also be terminated from group for non-participation, disruptive behavior, mental health issues, or new criminal charges, but the criteria for these terminations are subjective. ATV does not terminate participants for failure to pay the required group fee, and many domestic violence probationers were not paying the fees during the first year of DVPP. ATV now offers community service as an option for those who cannot pay, and terminates those who fail to either pay or perform community service.

Records of attendance and payments are sent each week to the probation department, the state's attorney's office, and the domestic violence court judge. These reports are official records and may be used as evidence in status and revocation hearings. Monthly reports reviewing each participant's progress are also sent to the referring agency. Since clients are referred to ATV by a number of agencies, the DVPP officer sends an individual letter to ATV explaining that the person being referred is on probation and asking ATV to send reports concerning the client to them. Reports are faxed to the probation office and sent on to the correct officer.

## **Victim Components**

DVPP planned to incorporate an expanded and enhanced set of victim services into the program, including regular victim contacts, but establishing contact and communicating with the victims proved to be more difficult than originally anticipated. Our review of files found that letters had been sent to the victims in 72% of the DVPP cases. In some cases probation had no way to contact the victim. Letters that were sent were sometimes returned as undeliverable, due to the transient nature of many of the victims and to inaccurate information provided by the offender. Most of the victims who were contacted showed no interest in further communication with DVPP officers. Some positive victim contacts were made, and those victims appeared to truly appreciate the extra time and effort that was extended for them.

By April 1999 the DVPP caseload had increased faster than anticipated, creating difficulties in meeting the victim contact objectives. DVPP has met with Sojourn to discuss new strategies that could be more effective ways of meeting the needs of victims. One possibility is for DVPP to share the victim information they have with Sojourn while allowing Sojourn to make the actual contacts. Since Sojourn is currently called to the scene of many domestic violence incidents, their advocates have already made some contact with many victims. Sojourn is also able to provide direct services and assistance that probation cannot.

Another promising approach would be to have Sojourn make and continue contact with those victims wishing to have further contact. Information would be shared with probation only if the victim consented. No formal agreement has been reached, but these

discussions are continuing. Both parties want to be sure that disclosure of information will not put the victim at increased risk for new abuse.

### **Offender Demographics**

Ninety-nine percent of the DVPP probationers (135 out of 136) were male. This is in accordance with national patterns of domestic violence. A variety of studies have confirmed that domestic violence, sometimes referred to as wife beating (Martin, 1983) or woman assault (Gondolf, 1995), is a crime committed largely by men against women (Healey & Smith, 1998a). Numerous law enforcement agencies have noted that when women are arrested on domestic violence charges there is often an element of self-defense involved (Healey & Smith, 1998b).

Although Sangamon County is predominantly white, more than half of the DVPP caseload is African-American. African-American offenders account for 59% (n=80) of the DVPP cases, whites represent 39% (n=53), and other minorities (one Hispanic and two Native Americans) account for the remainder.

The average probationer was just under 31 years of age, ranging from a low of 17 to a high of 53. More detailed information is presented in Table 3.2

Table 3.2: Age Distribution of DVPP Probationers

Age Range	Number of cases	Percent of Total
Age 17 through 20	17	12.5%
Age 21 through 25	26	19.1%
Age 26 through 30	24	17.7%
Age 31 through 35	23	16.9%
Age 36 through 40	27	19.8%
Age 41 through 50	18	13.3%
Over 50	1	.7%
Total	136	100.0%

The median educational achievement was high school completion (12 years of education). Fifty-eight probationers (44%) had completed some high school; an equal number had completed high school or obtained their GED equivalency degree. The remaining 15 (11.7%) had some college courses but none had obtained a college-level degree.

A slight majority of the DVPP probationers were single (54%, n=71), and another 22 percent (n=29) were divorced. The remaining 24 percent (n=31) were married, although one-fourth of those were separated at the time they began their probation sentence.

While most of the domestic violence offenders sentenced to probation did not have serious criminal records, almost all of them had at least one previous conviction, and about half of those with a record had been convicted of a felony. As Table 3.3 on the next page shows, over half of the DVPP probationers had previously been convicted on domestic battery or a related charge and almost one-third were on probation at the time of this offense.

Table 3.3: Criminal Histories of DVPP Probationers

Criminal Histories	Criminal history present		No Criminal History	
	Number	Percent	Number	Percent
Any prior convictions	130	95.6%	6	4.4%
History of domestic violence				
Arrest	104	76.5%	32	23.5%
Conviction	72	53.3%	64	47.0%
On probation at time of current offense	44	32.4%	92	67.6%

Despite this history, all but six of these offenders were convicted only of misdemeanor domestic battery. Information on charges and sentences is presented in the following tables. Table 3.4 summarizes the offenses for which these offenders were

placed on probation, while Table 3.5 presents information on the sentences imposed by the court.

Table 3.4: Current Offense Characteristics of DVPP Probationers

Offense	Number of cases	Percent
Misdemeanor Offenses	123	95.6%
Misdemeanor domestic battery	44	32.4%
Misdemeanor domestic battery with bodily harm	78	57.4%
Misdemeanor VOP	7	5.1%
Other misdemeanor offense	1	.8%
Felony Offenses	6	4.4%
Felony domestic battery	5	3.7%
Other felony offense	1	.8%

Table 3.5: Number of Months in Original DVPP Probation Sentence

Number of Months	N of cases	Percent
Less than 12 months	2	1.4%
12 months	90	66.2%
13 to 17 months	3	2.1%
18 months	21	15.4%
20 to 24 months	18	13.1%
30 months	2	1.4%

As Table 3.5 shows, although most offenders were convicted on misdemeanor charges, some were placed on probation for more than 12 months as the new sentence was added to an existing term of probation.

Domestic battery charges require that there be a present or former relationship between the victim and the offender. Table 3.6 presents summary information on the nature of these relationships.

Table 3.6: Victim's Relationship to Offender

Relationship	Number of cases (n)	Percent
Girlfriend or Live-in Relationship	78	57.4%
Wife	26	19.1%
Former girlfriend or live-in	13	9.6%
Ex-wife	6	4.4%
Mother	4	2.9%
Other less-intimate relationships	6	4.4%
Former boyfriend	1	.7%
Relationship not specified in file	2	1.5%

Because of the close nature of most of these relationships, offenders were ordered to have no contact with the victim and/or her family in 38 percent of the cases. In reviewing files the research team counted only those cases where no contact was specifically included as a condition of probation or where the obligation to comply with a civil order (sometimes called a “stay away” order) was explicitly noted on the order of probation.

A review of the 52 cases where such orders were noted revealed non-compliance in 15 of them, just under 30%. By itself, violation of a no-contact order did not usually result in the revocation of probation. Revocation was more likely to occur in such cases where new criminal charges were filed or a new order of protection was sought as a result of the contact.

Although substance abuse problems are often linked to domestic violence in the research literature (Bennett & Lawson, 1994), substance abuse problems were not identified in the majority of the DVPP cases. In part this reflected a general policy of not referring probationers for substance abuse evaluation unless substance abuse was part of the domestic violence offense or interfered with the offender's ability to comply with the terms and conditions of probation.

Abstinence from alcohol is not a condition of domestic violence probation in Sangamon County, although all probationers are ordered not to use or possess any controlled substances. Although the sentence conditions allow probation to require urinalysis and breath testing, random testing is not a frequent or regular part of DVPP probation. Breath testing was done on occasion when a probationer reported to the probation office under the influence of alcohol, primarily to support a referral for evaluation rather than to document a probation violation.

Drug testing was also done infrequently, usually in response to a report from a batterer intervention program or victim advocate that an offender was using or otherwise involved with drugs. Although the use of illegal drugs is a violation of the conditions of probation, it is not necessarily a criminal offense, which normally requires proof of possession or sale. As a result, positive urinalysis tests were also used more as catalysts for substance abuse evaluations than as grounds for probation violation charges. Twenty-one (15%) of the 136 DVPP probationers whose files were reviewed were ordered into substance abuse evaluation or treatment. Despite the fact that referrals were not made without strong evidence of a substance abuse problem, only two-thirds of these (n=14) were actually ordered into treatment as a result of their evaluation. Table 3.7 presents the outcome of these referrals.

Table 3.7: Outcome of Alcohol and Substance Abuse Treatment

Outcome of Treatment Referral	Number of cases (n)
Entered Treatment	10
Treatment successfully completed	3
In treatment with good progress reports	4
In treatment with poor progress reports	1
Terminated unsuccessfully from treatment	2
On Waitlist to Begin Treatment	1
No contact with treatment provider at time of file review	3

## PROGRAM RESULTS

### Supervision

The minimal requirements for supervision at the maximum level include:

- A face-to-face interview with the offender every other week;
- A face-to-face home contact at least once every month.

The DVPP officers were able to meet these minimum requirements. In fact the average number of office visits as well as home visits was slightly over the minimum level required. Many of the home visits were technically unsuccessful as face-to-face visits because the probationer was not home at the time of the visit. However, these “failed” home visits contribute to meeting AOIC standards if the offender responds to the notice left by the probation officer and calls to confirm his residence. In addition, “failed” home visits where the probationer was not at home sometimes allowed the DVPP officer to make productive contact with the victim (if they continue to reside together) or with family members. It is quite difficult for probation officers to meet with probationers at home on a consistent basis when the visits are unannounced and the probationer does not have a court-ordered curfew. The difficulties of home visits are made worse when the probation officer works a regular daytime schedule, particularly if the probationer is employed.

Some departments choose to schedule home visits to avoid these problems, but this allows the probationer to “stage manage” the visit. Other departments use specialized surveillance officers to make multiple home visits, through “hire-back” arrangements or by working our cooperative agreements with the Intensive Probation Supervision unit. Sangamon County has not adopted any of these approaches, choosing

instead to rely on batterer program providers and victim advocates (particularly Sojourn) to supplement the information gathered directly by probation officers.

#### Victim Contacts

The primary contact with victims was a letter mailed by probation to the victim's last known address. The DVPP was able to send letters to 98 (72.1%) of the victims. Interviews indicated that perhaps half of the letters were returned as undeliverable, but file review did not provide accurate information on the actual number of letters that were returned. No further contacts were made with 83 (61%) of the identified victims. One additional contact was made with 36 (26.5%) victims, and two contacts with eight (5.9%) victims. The remaining eight victims each had three or more contacts with a DVPP officer. Several of the contacts were incidental, occurring as officers attempted to make home visits with the probationer. DVPP officers found these chance meetings with victims helpful in understanding how the probationer was behaving at home.

#### Completion of Batterer Intervention Program

The average length of time before starting the batterer intervention program was just over eight weeks. Only half of the probationers started within the thirty-day time limit imposed by the court. Table 3.8 shows the status of those ordered to complete the batterer intervention program. At the time data were collected in Spring 2000, 11 men (9.2% of those mandated to attend) had successfully completed the program, another 73 (61.3%) were currently in the program, six (5%) had been terminated from the program as unsuccessful and 26 (21.8%) had made no contact with the program.

Table 3.8: Sangamon County BIP Status of Probationer

Result	#	%
In Program, receiving good progress reports	62	52.1
In Program, receiving poor progress reports	11	9.2
On Waiting List	1	.8
No Contact With DVP	26	21.8
Program Completed	11	9.2
Terminated-Unsuccessful	6	5.0
Other	2	1.7
Missing data	3	

The one woman in the DVPP caseload was not part of this group, since the Illinois Protocol for Partner Abuse Intervention Programs is specifically oriented to “male perpetrators of woman abuse” (DVAC, 2000). Women convicted of domestic violence offenses are normally assigned to other programs designed to promote cognitive and behavioral change. Depending on the circumstances of the offense, these may include parenting classes, anger management programs, and intervention programs for women who are both victims of and participants in domestic violence.

As Table 3.8 shows, more than one in five probationers ordered to attend a batterer intervention program had not yet made contact with the program, even though program intake interviews are scheduled shortly after the offender is sentenced. A review of files containing detailed information on program start dates indicated that the average time between sentencing and beginning a batterer intervention program in Sangamon County was 2.2 months (approximately 9 weeks), with a median time of 1.6 months (approximately 5 to 6 weeks). One probationer used a variety of delaying tactics and disappearances to put off his entry into the program for almost nine months. Table 3.9 summarizes the information on the time it took DVPP probationers to begin attending their assigned program.

Table 3.9: Number of Months between Sentencing and Beginning a Batterer Intervention Program

Number of Months	#	%
Less than 1 month	10	12.8
1 month	27	34.6
2 months	19	24.4
3 months	7	9.0
4 months	4	5.1
More than 4 months	11	14.1
Total	78	

### Probation Outcomes

#### **Changes in Supervision Levels.**

As expected, all but one of the probationers were initially classified in the maximum risk category and were supervised at that level. Probation officers are required to review each case every six months to determine if it is appropriate to reclassify a probationer to a lower risk level. Only eight DVPP probationers (5.9% of all cases reviewed) had been reclassified to a medium level of supervision at the time data were collected. In most cases the DVPP officers will not reclassify a probationer until he has successfully completed the required batterer intervention program. This routinely takes more than six months, so most DVPP probationers would not be considered for reclassification until the second re-evaluation, at the end of 12 months. Since most of the probationers are serving misdemeanor sentences of 12 months or less, reclassification rarely occurs.

#### **Probation Violations**

The DVPP officers filed violations on 52 probationers. Eight offenders received two violations, increasing the total number to 60. Thirty-seven (61.7%) were technical violations alone, while 17 (28.3%) were a combination of technical and criminal

violations and six (10%) were criminal violations. The criminal violations were split evenly between those that were domestic violence-related and those that were not. Almost all of the technical violations were the result of a probationer not enrolling in or attending the batterer intervention program. According to interviews, non-attendance at batterer intervention programs was often accompanied by failure to report to the DVPP officer on a regular basis.

### **Petitions to Revoke Probation**

In each of the cases where a notice of probation violation was filed and a petition to revoke probation (PTR) was requested by probation, the domestic violence prosecutor filed a petition to revoke probation. This reflects the fact that probation violations were commonly filed at or immediately after a status hearing, at the invitation of the assistant state's attorney. Twenty-three (38.3%) of these petitions were granted by the court, and six (10%) were denied. The remainder of the petitions were still pending with the court at the time file review was completed. A total of 22 offenders had their probation revoked and were then re-sentenced to probation, with some or all of a jail sentence stayed and hanging over their head if they did not successfully complete their probation. In eight of these cases the probation sentence was extended for a period of time ranging from one month to eight months. In one case the new sentence was actually shorter by one month due to jail time. In the 13 other cases where an offender had his probation revoked and was re-sentenced to probation, the new sentence was the same length as the original one.

### **Probation Completion and Termination**

Increasing numbers of probationers are remaining on probation as a result of having their probation revoked and being re-sentenced to more probation. This has

contributed to a continuing increase in the DVPP caseload, since the new probationers who are starting sentences outnumber the relatively few who have left probation.

A review of the files of 136 DVPP probationers found that 102 were still serving their original probation sentences; 22 had their original probations revoked and were re-sentenced to DVPP probation. Eleven probationers (8% of the total) were classified as unsuccessful; nine had absconded and two others had been revoked and sentenced to a term of imprisonment.

Recidivism rates may be considered another indicator of probationer success. During the period of review a total of 60 probation violations were filed. Six of these were due solely to new criminal offenses; half of these (n=3) were domestic violence crimes. Another 17 cases involved both technical and criminal violations. Again, approximately half of these (n=9) involved domestic violence offenses. The remaining violations were exclusively technical. The most common technical violations were failure to report to or complete the batterer intervention program (n = 24) and failure to report to probation as required (n = 21).

With 124 of the 136 probationers whose files were reviewed still on probation, the number of probationers who have completed their probation sentence or been terminated from probation is too small to permit meaningful analysis at this time. Re-sentencing and termination patterns will be tracked as part of the follow-up impact evaluation if that project is authorized.

## EVALUATION OF SANGAMON COUNTY GOALS AND OBJECTIVES

The stated goals and objectives of the Sangamon Domestic Violence Probation Program are shown in the box on the following page. This section assesses the progress that has been made on these goals and objectives during the first 18 months of the program.

### **Stated Goals and Objectives of Sangamon County Domestic Violence Probation Program**

#### **Goal 1: Prevent or reduce future battering by expanding the quality and quantity of surveillance within the community.**

- Objective 1.* Establish surveillance networks of treatment providers, significant others, victims and probation.
- Objective 2.* Increase the number and frequency of collateral contacts by probation.
- Objective 3.* Increase the type and quality of collateral contacts by probation

#### **Goal 2: Prevent or reduce future victimization through more effective victim services from the probation officer.**

- Objective 1.* Establish specific standards and specific information to be shared with the victim during the initial offender intake process.
- Objective 2.* Develop and implement on-going regular victim contact procedures for the probation term.
- Objective 3.* Develop a victim safety plan guide with Sojourn Shelter and Services (Sojourn) to be offered to victims at the probation office.
- Objective 4.* Develop a library of referral resources for victims and families, in cooperation with Sojourn.

#### **Goal 3. Reduce victimization through collaboration and integration of batterer's treatment within probation.**

- Objective 1.* Develop and implement protocols between the primary service providers and probation for referrals, evaluation, treatment, payments, reporting and timing thereof.
- Objective 2.* Make batterer's treatment a mandatory condition of all offenders sentenced to probation for a domestic violence offense.

#### **Goal 4. Reduce victimization through more immediate and effective intervention in response to offender non-compliance with probation technical violations.**

- Objective 1.* Develop a fast track procedure to respond to offender treatment non-compliance with technical violations.
- Objective 2.* Develop specific sentencing options for the court's consideration in modifying probation conditions in response to technical violations.
- Objective 3.* Develop and implement with the state's attorney's office, circuit clerk, public defender and the court a weekly status hearing call that would address technical violations by offenders.
- Objective 4.* Develop and implement a process for court notice to be initiated and sent to offenders by probation for status hearings in response to technical violations.

**Goal 1: Prevent or reduce future battering by expanding the quality and quantity of surveillance within the community.**

The goal of identifying surveillance networks consisting of multiple participants throughout the community was modified during the evaluation period. DVPP officers concentrated on trying to establish and maintain informal collateral contacts with family members and program providers. This represents an expansion of the practices followed in non-specialized probation caseloads rather than a new supervision strategy.

***Objective 1.*** Establish surveillance networks of treatment providers, significant others, victims and probation.

This objective was modified during the study period. Rather than trying to establish surveillance networks, DVPP officers developed close working relationships with Alternatives to Violence (ATV), the primary batterer intervention program in the county. DVPP officers also checked county court records before every face-to-face contact to identify any additional charges or arrests, as well as any new or modified civil or criminal orders of protection against the probationer. Significant others who reside with the offender may be contacted in the course of a home visit by a DVPP officer, but are not actively sought out.

The DVPP officers and their supervisor also met with area law enforcement officials to discuss and formalize agreements concerning the surveillance of offenders and victim safety. These discussions began with the Springfield Police Department, which has specialized domestic violence officers and accounts for the largest portion of domestic violence arrests in the county. DVPP has gradually begun to share information

on domestic violence offenders, including the conditions of probation and any outstanding court orders or warrants, with several area law enforcement agencies.

***Objective 2.*** Increase the number and frequency of collateral contacts by probation.

***Objective 3.*** Increase the type and quality of collateral contacts by probation

Sangamon County did not set specific targets for these objectives. Without baseline data on the previous number and types of contacts it is difficult to determine whether or not they have increased. In the past case notes were kept on paper, and collateral contacts were not always noted or logged. Collateral contacts are more likely to be included in the case notes now that probation is using the computerized Tracker system, but not in all cases.

Where collateral contacts were noted, they were almost always by telephone, and usually involved contact with the batterer intervention programs. A smaller number of contacts were made with substance abuse and mental health treatment providers and with other community programs to which probationers had been referred.

**Goal 2: Prevent or reduce future victimization through more effective victim services from the probation officer.**

***Objective 1.*** Establish specific standards and specific information to be shared with the victim during the initial offender intake process.

This objective was met during the first year of the program. Probation developed a detailed policy covering the way in which domestic violence cases are to be handled from case intake to termination of probation. Under this policy DVPP officers send a letter to the victim or victims in each new case, identifying themselves and informing the victim of the status of the case and the sentence imposed on the abuser. In Sangamon

County all but one of the DVPP probationers were male, and all of their identified victims were female. The victim of the single female probationer was male.

The policy calls for officers to follow up by telephone or a field visit if necessary. DVPP officers provide information on the conditions of probation that have been imposed and provide referrals to Sojourn and to the victim-witness advocate in the state's attorney's office.

**Objective 2.** Develop and implement on going regular victim contact procedures for the probation term.

This objective has been partially met. Probation has developed a detailed policy specifying contact procedures and types of information to be shared with and obtained from the victim. The DVPP officer is expected to contact the victim during the intake process, when the case risk level is reassessed (usually every six months), when a probation violation is filed, and at discharge. In addition, the office is expected to be in periodic contact with the victim throughout the term of probation.

The policy has been partially implemented, but establishing contact and communicating with the victims has been difficult. A large number of the victim letters were returned as undeliverable, and many of the victims had no phone service. Most of the victims who were contacted showed no interest in further communication with DVPP officers. As in other domestic violence programs, a small proportion of the victims or clients account for most of the contacts (Hayler, Ford & Addison-Lamb, 1999).

The extent to which DVPP officers were able to maintain on-going contact with the victim was not well documented in the case files prior to the implementation of the Tracker computer system, which occurred midway through the research period. Some

positive victim contacts were made, and those victims appeared to truly appreciate the extra time and effort that was extended for them. The current policy calls for DVPP officers to ask the victim to report any abuse or threats or other trouble with the offender to them, and to inform the victim that they will be in periodic contact to check on how things are going. These actions implicitly promise the victim that the DVPP officer will help her and help to protect her if problems arise, and may create expectations that the officer cannot fulfill. For example, the victims are asked to let the probation officer know about any trouble with the offender, but if she does so the probation officer may not be able to do anything more than refer her to the police, the courts, or Sojourn. Information from the victim may alert probation to possible violations, but unless formal charges are filed such violations are rarely considered sufficient, by themselves, to result in revocation. This sequence of events may add to the victim's sense of helplessness and powerlessness, and may end up making her feel less empowered rather than more so.

**Objective 3.** Develop a victim safety plan guide with Sojourn Shelter and Services (Sojourn) to be offered to victims at the probation office.

**Objective 4.** Develop a library of referral resources for victims and families, in cooperation with Sojourn.

The DVPP officers and their supervisor met with the director of Sojourn to establish a library of referral resources for victims and to design a victim safety plan for use by DVPP. Early in the first year of the program the resource library was established and the safety guide had been developed and put into use. The safety planning pamphlet that was developed and a Sojourn business card are included in the letter that is mailed to victims by DVPP.

**Goal 3. Reduce victimization through collaboration and integration of batterer's treatment within probation.**

*Objective 1.* Develop and implement protocols between primary service providers and probation for referrals, evaluation, treatment, payments, reporting and timing thereof.

This objective has been met. DVPP has been successful in establishing protocol agreements covering these subjects with both of the batterer intervention programs operation in the county. These protocols have improved communication and coordination between DVPP and the programs, and have allowed DVPP officers to monitor program progress and compliance much more effectively.

*Objective 2.* Make batterer's treatment a mandatory condition for all offenders sentenced to probation for a domestic violence offense.

This objective has been partially met. Both the assistant state's attorney who prosecutes domestic violence cases and the judge who hears these cases agree that those convicted of domestic violence crimes should be required to complete a batterer intervention program, and they enforce this in their sentencing agreements. While not every offender is required to enter the batterer intervention program, these exceptions represent cases where the offender has not committed the kind of intimate partner assault for which the program is designed or, in a few cases, where the offender previously completed the program. Our review of DVPP cases found that 91 percent of the cases that originated in Sangamon County were ordered to complete a batterer intervention program.

**Goal 4. Reduce victimization through more immediate and effective intervention in response to offender non-compliance with probation technical violations.**

**Objective 1.** Develop a fast track procedure to respond to offender treatment non-compliance with technical violations.

This objective has been partially met. During the first year of the program the domestic violence court developed a set weekly schedule for hearings on probation cases. Offenders were required to appear as directed for judicial status hearings to review their compliance with the conditions of probation. If a probationer did not appear for a scheduled status hearing the domestic violence court judge routinely issued an arrest warrant.

While status hearings have become a regular part of probation supervision, the procedures used to revoke probation are not as well developed. DVPP officers normally initiate the revocation process by filing a probation violation with the state's attorney's office and requesting a petition to revoke probation. The existence of a standard schedule for revocation hearings allows these petitions to be heard quickly, but final action is often delayed. Despite the existence of a fast-track process, actually revoking someone's probation still takes considerable time.

**Objective 2.** Develop specific sentencing options for the court's consideration in modifying probation conditions in response to technical violations.

This objective, which called for probation to be involved in developing standardized sentencing options, has not been met. The state's attorney's office and the domestic violence court judge have been primarily responsible for shaping sentencing options. Because most of the domestic violence cases are prosecuted as misdemeanors and resolved through guilty pleas, sentences are usually negotiated and imposed without a pre-sentence investigation (PSI).

Probation revocation and re-sentencing are handled in a similar manner. Although DVPP officers often discuss these cases informally with the assistant state's attorney who prosecutes them, in many cases communication between the prosecutor and the supervising officer is limited to what takes place in the courtroom during a hearing. DVPP is still working to develop a way to share more information before hearings on these matters so that DVPP officers and the assistant state's attorney can reach agreement on the recommendations that should be made and the information that needs to be presented to support them.

**Objective 3.** Develop and implement with the state's attorney's office, circuit clerk, public defender and the court, a weekly status hearing call that would address technical violations by offenders.

This objective has been achieved. The domestic violence court judge began holding weekly status hearings during the first year of the program, and continues to do so. Probationers are normally given a status hearing date at the time of their sentencing, scheduled in 60 to 90 days. At this hearing their progress is reviewed and another hearing date is set. If the probationer has not yet started attending the required batterer intervention program, another status hearing is generally scheduled for a week or two later, to give him a chance to comply. These hearings are used to monitor probationer progress, to modify the conditions as necessary, and to initiate requests for probation revocation. If a separate hearing is required, it can be scheduled because the hearing schedule has been established in advance.

**Objective 4.** Develop and implement a process for court notice to be initiated and sent to offenders by probation for status hearings in response to technical violations.

This objective has been partially achieved. The frequency of scheduled status hearings makes it relatively simple for a DVPP officer to bring information on probation violations before the judge. The domestic violence court judge normally uses one hearing to schedule the next. If the scheduled hearing is several weeks or months away, the DVPP officer must file a notice of probation violation with the state's attorney's office and request that a petition be filed and a special hearing scheduled. Because scheduled hearings are rarely more than 90 days apart, the assistant state's attorney generally prefers to wait for the next scheduled status hearing unless there is an obvious emergency. When a special hearing is scheduled, notice is given to the offender through the DVPP officer and by direct mail.

## MANAGEMENT CONSIDERATIONS AND FINDINGS

### Administrative Commitment

The probation department has demonstrated administrative commitment to and support for the DVPP throughout the life of the program. The proposal to establish this unit was prepared with administrative support, and implemented with the assistance of the deputy director. As the number of domestic violence offenders sentenced to probation grew during the first year of the program, a second officer was assigned to the DVPP. This allowed the program to continue to place domestic violence offenders in specialized caseloads while maintaining the desired level of supervision.

The administrative supervisors have been open to experimental and creative approaches to dealing with the high workloads that have consistently characterized the program. The DVPP officers have shared some case assignments, particularly during

staff transitions. Some cases that no longer require supervision at the maximum level have been transferred to other probation officers. To assist with the workload problems created by a high number of intakes, non-DVPP officers have been approved to conduct portions of the initial intake process for domestic violence offenders.

High turnover in and out of probation has created some administrative problems within probation. Vacancies in the DVPP have been filled by new or recently hired officers who have not yet completed the basic probation training class. This means that they are required to handle a specialized caseload before they are formally trained in basic probation supervision. Sangamon County has sent the DVPP officers to specialized domestic violence probation training as it becomes available in order to provide at least some training as quickly as possible.

Administrative commitment to DVPP by other criminal justice agencies has fluctuated. Although some police departments have identified specialized domestic violence officers, written reports do not always include the detailed information needed to assess the case and develop an individualized supervision strategy. The state's attorney's office does not regularly consult with DVPP regarding an offender's suitability for probation or the conditions that should be imposed. The domestic violence court judge strongly endorses the need to take formal action in response to abuse and violence. But in most cases when a sentence of probation has been revoked, the offender is re-sentenced to probation. These offenders remain part of the DVPP caseload, but the lack of additional sanctions leaves the DVPP officers with little leverage to obtain compliance with the sentence.

### Decision-Making and Problem-Solving Approaches

Problems within DVPP are generally resolved by agreement after discussions with the program's direct supervisor. This approach works well because the unit is small – only two officers and a supervisor – and all three parties are familiar with the kinds of cases that are being supervised and the kinds of problems that arise. Changes in operation are approached as experiments that may or may not solve the problem, leaving the officers free to propose other changes or to abandon approaches that do not work. For example, the DVPP officers alternated their attendance at status hearings for a while, each bringing files from both caseloads in order to be able to provide information on request. This freed up time to see offenders and make collateral contacts, but it eventually became apparent that one officer was not always able to answer questions about offenders on another officer's caseload to the satisfaction of the judge. This approach was subsequently dropped.

Many of the decisions that shape the work of the DVPP are not made within probation. Probation currently has little influence over who is sentenced to domestic violence probation or what conditions of probation are imposed. Efforts to provide input through the preparation of pre-sentence investigation reports have had little effect, as most decisions on charges and sanctions are reached through negotiation prior to the sentencing hearing. As a result, probationers are assigned to a DVPP officer based primarily on offense characteristics and caseload factors, since little information is available on these defendants. Similarly, probation officers are not routinely consulted on the appropriate resolution of petitions to revoke probation.

At present these kinds of issues are addressed on a case-by-case basis, with decisions often depending on personal relationships or connections. An officer who is concerned about a particular case, for example, will seek out the assistant state's attorney to provide information in support of the preferred resolution. Changes in conditions of probation must be made on an individual basis. Attempts to develop standardized policies on sentencing options or specialized domestic violence conditions of probation have not been successful. During the period covered by this study the Family Violence Coordinating Council for the judicial circuit was not an effective venue for raising or resolving these kinds of issues, in part due to continuing turnover in key personnel.

#### Communication and Information Issues

Information is effectively communicated within DVPP, usually by walking down the hall to the other officer's office. While there are no formal case "staffings," the officers share information about the probationers they supervise and about the agencies with which they work. The DVPP supervisor meets with the two officers twice a month to discuss progress, strategies and concerns. Minutes are taken at these meetings and are sent to all supervisors and to the director and deputy director. Occasionally the DVPP officers will use a staff meeting to apprise the department of the status of the DVPP. The recent move to the computerized Tracker record system means that more information about cases is written down and logged in, where it can easily be retrieved by the officer. In general, probation officers make home visits in pairs, and the two DVPP officers typically pair up for these visits.

Communication within the court system is usually informal. DVPP officers are not asked to prepare written pre-sentence investigations for use at sentencing. They are

physically present for status hearings and petitions and respond orally to questions, rather than preparing written reports or recommendations. Communication between DVPP and the domestic violence court judge is normally mediated through the assistant state's attorney who handles these cases.

Information on arrests and court actions in Sangamon County is readily available to DVPP, either through the county computer system or by direct request. Accurate and current information from other counties is harder to obtain. DVPP is currently working with some law enforcement agencies in the county to share information on domestic violence probationers, including their conditions of probation and any outstanding probation warrants.

DVPP has developed and maintains good lines of communication with ATV, a batterer intervention program that has been in operation for several years, and is establishing them with the newer MOV program. Both programs report program attendance and progress to DVPP on a regular basis. Because the programs use their intake process to gather information on both the current offense and the offender's past history of abuse, information that probation has is not automatically provided to them. As a result, useful details that are included in police reports and victim statements may not be shared.

#### Collaboration and Coordination

As noted previously, there is limited active collaboration between the state's attorney's office, the domestic violence court, and the probation department. DVPP is not involved in most sentencing decisions and has little influence over the conditions of probation that are initially assigned by the judge. Probation is only beginning to

coordinate its supervision activities with area law enforcement agencies, but its planned shift to a more proactive “broken windows” approach may lead to more collaborative activity.

DVPP and the two batterer intervention programs have developed successful collaborative relationships. Probation developed a list of actions and omissions that are considered violations of the requirement to complete the program, and both programs agreed to notify DVPP immediately if any violations occurred. Both programs also provide attendance and progress reports to DVPP, and have clear standards for termination from their programs. When a program reports a violation, DVPP immediately initiates a request to revoke probation. Termination from a program also results in a petition to revoke probation. However, even when probation is revoked, the offender is often re-sentenced to probation and again required to complete a batterer intervention program.

Communication and cooperation with Sojourn, the local victim services organization for battered women, has improved since DVPP was established. Sojourn advocates are called by the police in a growing proportion of domestic violence cases, and they also provide services and support for victims referred by probation. While much information is shared between DVPP and Sojourn, sometimes information about probationer behavior that could be relevant to victims may not be provided to Sojourn. Similarly, information that Sojourn has about offenders and abuse is not always received by probation. This is not necessarily the result of failure to cooperate, but may owe more to the different operational priorities of the two institutions.

### Program Awareness Among Practitioners

Practitioners in the domestic violence field who live or work in Sangamon County are generally aware of the DVPP. It is widely known that almost all defendants who are convicted on domestic violence-related charges are required to complete a batterer intervention program as a condition of probation. Most practitioners are also aware that DVPP is a specialized probation program, although they are less aware of the ways in which probationers are supervised. The DVPP officers appear to be known to and acquainted with most of those who regularly deal with domestic violence.

Since DVPP has been established there has been an increase in prosecutions and convictions for domestic violence, although this trend actually began before the specialized probation program was initiated. During the first 18 months of the program there has been a decrease in conditional discharge sentences and a growing reliance on probation with required participation in a batterer intervention program. The probation program is generally viewed positively because it is perceived as “getting offenders into treatment.”

## **CHAPTER 4: EVALUATION OF THE PEORIA COUNTY DOMESTIC VIOLENCE UNIT**

### **PRE-PROGRAM ENVIRONMENT**

#### System Resources

During the 1990s both the Peoria Police Department and the Peoria County Sheriff's Department adopted "no tolerance" policies on domestic violence, leading to dramatic increases in the number of arrests made for domestic violence-related offenses. Before 1998 most offenders convicted of a domestic violence-related offense in Peoria County were sentenced to conditional discharge, which does not involve active supervision by a probation officer. Beginning in 1998, the state's attorney's office began to seek probation rather than conditional discharge sentences, resulting in a substantial increase in the number of domestic violence-related cases supervised by adult probation.

In the first six months of 1998 only 97 of the 331 domestic violence offenders (about 30 percent of the 6-month total) were sentenced to conditional discharge or court supervision, while 234 offenders (almost 70 percent of the total) were placed on probation. These 234 offenders, most of whom were placed on probation for one year, were assigned to officers throughout the department. Believing that effective supervision of domestic violence cases required a more specialized approach, the Peoria probation department developed a proposal to create a specialized Domestic Violence Unit (DVU). The DVU was intended to become part of a coordinated effort to address the growing problem of domestic violence.

One of the important community resources available in Peoria County is the Center for Prevention of Abuse (CFPA). CFPA provides direct services, support and

advocacy for victims of domestic violence, sexual assault, and elder abuse. The domestic violence portion of this organization, formerly known as Woman Strength, has been active in the Peoria/Tazewell County area since the 1980s. CFPA has a history of working with victims and their families to provide shelter and assistance, including a program to help victims of domestic violence obtain orders of protection. For years it has provided self-help support groups for battered women.

In the 1990s CFPA developed a batterer intervention program that follows the Duluth model of batterer intervention, based on the power and control wheel. It uses the Duluth curriculum and vignettes to confront the batterer and enable him to change his behavior. This program is in compliance with the Illinois Protocol for Partner Abuse Intervention and serves both Peoria and Tazewell counties.

#### County Demographics and Crime Trends

Peoria County is located in central Illinois along the banks of the Illinois River. According to 1999 US Census Bureau estimates, the county has a population of 181,126. Females slightly outnumber males, 52 percent to 48 percent. The majority of the population is white (84%), with African-Americans comprising 13 percent and other races making up the remaining 3 percent. Peoria is the county seat and the largest city in the county. Its current population is approximately 113,000, which represents 62 percent of the total county population. Peoria has been in the economic doldrums for some time, losing blue collar industries that have not been replaced. The median household income according to 1995 census figures was \$36,596. In the same year over 13% of the population had incomes under the poverty level. Much of the county outside of the city of Peoria is rural.

The total number of index crimes in Peoria county rose from 12,240 in 1997 to 13,447 in 1998, an increase of 8.68%. The number of violent index offenses, however, decreased from 1,707 in 1997 to 1,380 in 1998, a decrease of 18.56%. The Center for Prevention of Abuse, located in Peoria, provides temporary shelter and counseling for women and children who are victims of domestic violence. It also provides the batterer intervention program, which is located in a separate facility across the Illinois river in East Peoria.

### INITIAL PROGRAM DESIGN AND STRUCTURE

The Peoria County Probation and Court Services Department submitted a proposal to ICJIA in 1998 to create a specialized domestic violence program that would supervise offenders convicted of domestic battery and other domestic violence-related offenses and sentenced to probation. The Domestic Violence Unit (DVU) would be located in the Investigations subdivision of Adult Probation, which also housed Pre-Trial and Pre-Sentence Investigation (PSI) units, but would also work in coordination with intensive and regular probation officers assigned to the Field Services subdivision.

#### Program Goals and Objectives

The DVU proposal had one primary goal: to provide a specialized domestic violence case management approach that would replicate the Quincy (Mass.) model of a coordinated community response. A number of subordinate objectives were also identified, and are addressed in detail later in this chapter. This goal included the following specific objectives for the probation department as a whole, each focused on a different aspect of domestic violence probation supervision:

- Provide pre-trial supervision in high-risk domestic violence cases.

- Provide on going victim advocacy from the earliest possible point in the prosecution and sentencing process.
- Develop and implement special supervision strategies for use with domestic violence cases posing the highest levels of risk.
- Develop and implement specialized probation strategies for domestic violence cases assigned to the DVU.

#### Organizational Structure and Program Design

The adult division of Peoria County Probation and Court Services is made up of three sub-divisions: Field Supervision, which includes intensive and regular probation; Investigations, which is responsible for pre-trial and pre-sentence investigations and supervision; and Special Services, which supervises community service and administrative cases. The DVU is formally located within the Investigations subdivision, but the proposal called for DVU officers to work in coordination with the probation officers assigned to Field Services. The unit would be established with two full-time probation officers supervising caseloads made up entirely of domestic violence offenders.

Anticipating that domestic violence cases would continue to account for a substantial portion of the probation department's caseload for some time, the DVU was designed with an emphasis on active supervision of a specialized group of offenders. It adopted the established probation practice of working closely with the local victim service provider, in this case the Center for Prevention of Abuse, and regularly refers victims to CFPA for needed services and support. Several of the objectives identified in the proposal called for active supervision early in the process, including pre-trial supervision of high-risk offenders. It adopted the position that the DVU should spend

most of its time on those offenders who were considered most dangerous and most likely to re-offend.

### The Quincy Model and Coordinated Community Response

The Peoria proposal set as its primary goal the replication of the Quincy model for probation intervention and supervision, but it did not define this model. The approach adopted by the Quincy probation department has been defined as “probation plus” – probation acting in coordination with other agencies. The Quincy model embraces the concept of a coordinated community response, an approach that requires a long-term commitment to stopping domestic violence, holding batterers accountable, and protecting and empowering victims of violence. Important steps in developing a coordinated community response include the following:

- Developing a common philosophical framework that guides the intervention process;
- Creating consistent policies and procedures that coordinate and standardize the intervention actions of practitioners involved in the response;
- Tracking and monitoring domestic violence cases from initial contact through case disposition to insure offender and practitioner accountability;
- Coordinating the exchange of information, interagency communication, and program decisions on individual cases;
- Providing resources and services to victims and at-risk family members to protect them from further abuse;
- Utilizing a combination of sanctions, restrictions and rehabilitation services to hold the offender accountable to the victim and to the goals of the community intervention process; and

- Evaluating the coordinated community response from the standpoint of victim safety and the goals of the intervening agencies.

In its proposal the Peoria probation department made a commitment to building a coordinated community response to domestic violence. The creation of the DVU, with its specialized caseload and focused supervision strategies, is only one part of this larger process. Developing and maintaining lines of communication and cooperation with a variety of criminal justice agencies and their personnel, as well as with community service providers and victim advocates, is an essential part of the coordinated community response approach.

#### Program Implementation

The Peoria County DVU was formally initiated on January 1, 1999, with two specialized probation officers. Each of the DVU officers quickly developed a full caseload of offenders who were supervised from the start in accordance with the AOIC standards for maximum risk levels. Because of the large number of domestic violence cases sentenced to probation in 1998 and 1999, it was not possible for the DVU to supervise all these offenders. Existing domestic violence cases and other cases involving intimate partner or intra-family violence were screened to identify cases appropriate for transfer to the DVU. Offenders who had successfully completed the CFPA batterer intervention program or who were close to the end of their probation term were generally not transferred.

New domestic violence cases in which completion of the CFPA program was mandated were assigned to DVU officers when possible. Offenders who had a history of past domestic violence or who otherwise appeared to pose a high risk for additional abuse

and violence were assigned to DVU officers whenever possible, as were the limited number of felony cases. Domestic violence cases that did not involve intimate partner violence, or where completion of a batterer intervention program was not required, were assigned to an officer in the Field Supervision sub-division who quickly developed a specialized case load as well.

### **Chronology of Key Events**

The implementation of the DVU during its first 18 months of operation included the following events:

#### **Year One**

- January 1999: Domestic Violence Unit (DVU) officially started. Two experienced probation officers were assigned to the unit, and identification of current cases appropriate for transfer to the DVU caseload was initiated.
- February 1999: One of the original DVU officers resigned from the probation department and was replaced with an officer new to probation.
- Spring 1999: Third officer assigned to DVU as an overflow officer to supervise cases where a batterer intervention program was not mandated or where supervision at a medium level is appropriate, as well as cases transferred into Peoria County.
- May 1999: Domestic violence court created to deal exclusively with cases related to family violence.
- October 1999: Original domestic violence court judge reassigned as part of a standard rotation. New judge is a former state's attorney and has been active in the judicial circuit's Family Violence Coordinating Council.

- November 1999: DVU officer hired in February received AOIC basic probation training. In December she transfers out of the DVU to another unit.
- December 1999: New probation officer with no previous experience in active supervision is assigned to fill the DVU officer vacancy.
- December 1999: Assistant state's attorney assigned to domestic violence court transfers to felony court. New assistant state's attorney assigned immediately, allowing a limited period of transition.

### **Year Two**

- February 2000: New conditions of probation issued specifically for domestic violence offenders. Developed by the chief judge of the judicial circuit in consultation with probation, the state's attorney's office, CFPA and the public defender.

### **From Original Conceptualization to Operationalized Program**

Prior to 1999 domestic violence cases were not differentiated from other probation cases, requiring all probation officers to be generalists and making it difficult to develop any specialized supervision techniques or understandings. The DVU has been successful in creating a dedicated domestic violence caseload. This has allowed the DVU officers to improve their understanding of the dynamics involved in supervising domestic violence offenders and to interact on a more regular basis with those involved in prosecuting domestic violence offenders, providing specialized programming and providing services and support to victims of domestic violence.

The DVU caseload consists of offenders sentenced on domestic violence charges, primarily domestic battery and violation of order of protection (VOP). The DVU would

like to include all cases involving domestic violence, regardless of whether it is charged as domestic battery or VOP, but the large number of cases referred to the DVU has made it difficult to expand the range of cases eligible for consideration.

Three of the four objectives identified in the DVU proposal refer to activities to be carried out by the state's attorney's office and by the probation department's pre-trial and IPS units. The project was designed to allow both agencies to focus on the assessed lethality or dangerousness of the offender and the at-risk status of the victim, and to draw on probation to supervise and monitor these offenders' behavior as early as possible. During the 18 months covered by this study there have been almost no requests from the SAO or the courts to have these specialized units supervise domestic violence offenders.

## ASSESSING PROGRAM OPERATION

This section describes the current elements of the DVU and assesses the current program operation.

### Program Elements and Operation

#### **Staffing**

One of the original DVU officers was an experienced employee recruited from within the probation department. He was already well-trained in domestic violence issues, including training as a facilitator in the Duluth model. There has been frequent turnover in the second DVU position, and most of the officers have had little probation experience. One new officer had been working in probation less than a week when assigned to the unit. After accepting the DVU position this officer was immediately

scheduled for the 24-hour AOIC domestic violence training offered by CFPA, but did not go through AOIC's basic probation training for almost a year.

Although there were only two officers in the DVU as proposed, probation has assigned a third officer to carry an exclusively domestic violence caseload. This officer supervises the cases that transfer into Peoria County, as well as the probationers who are not required to complete a batterer intervention program. The assignment of this officer to support the DVU has enabled Peoria to continue to supervise most domestic violence offenders on a specialized caseload.

Two DVU officers are trained in the Duluth model of domestic violence intervention, and facilitate groups for CFPA in Tazewell County. Their knowledge of the intervention program's curriculum and dynamics makes it possible for them to monitor the progress made by those on their caseload and to reinforce the message of the group process.

### **Sentencing Decisions**

Charge decisions and sentencing recommendations are made in the SAO, and the DVU officers are rarely asked for input into these processes. Even when a felony domestic violence charge is involved, which means a repeat offense has occurred, sentencing decisions are almost always made without the benefit of a PSI.

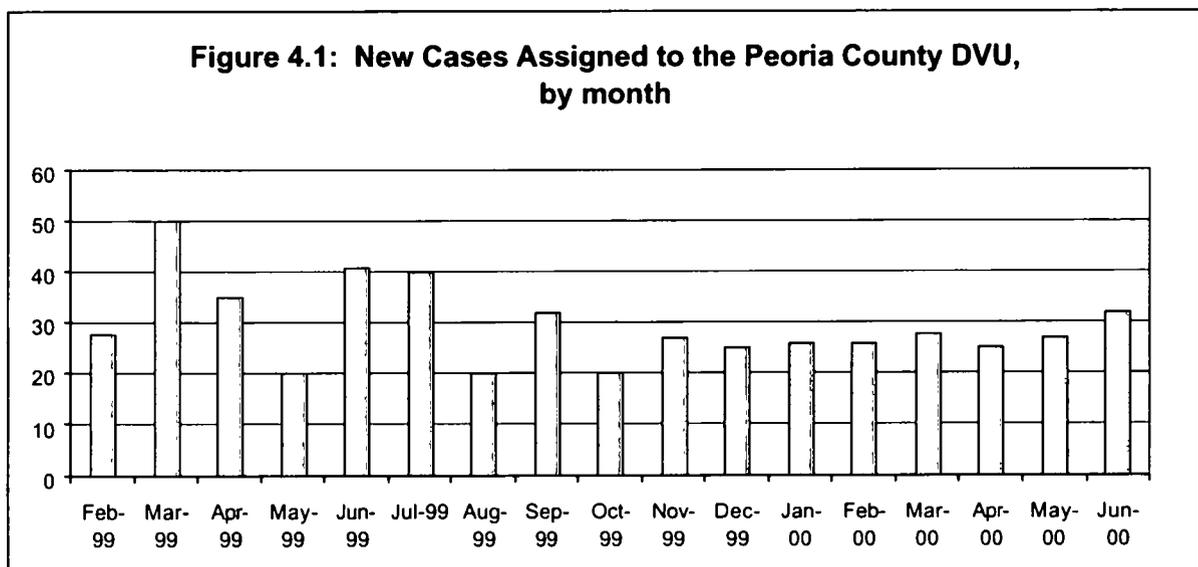
### **Conditions of Probation**

When the DVU was first established, domestic violence offenders were sentenced to probation on the standard court order. Completion of a batterer intervention program was not a standard condition of probation, and judges had to write it in on each order. Probation and others met with the chief judge of the circuit to develop a probation order

specifically designed for domestic violence offenders and mandating the successful completion of the batterers program. (See Appendix B.) More requirements were listed on the order as standard conditions of probation than for regular probation, and most applied automatically in every case. However, some of these “standard conditions” are being struck off by defense counsel as part of a negotiated plea bargain, and both the state’s attorney’s office and the domestic violence court judge are accepting these changes on a case-by-case basis.

**Intake Process**

Many existing domestic violence-related cases on general probation caseloads were transferred to the DVU early in 1999. New cases continue to be added to the DVU caseload as offenders are convicted and sentenced to probation. Figure 4.1 shows the new cases added to the DVU caseload from February 1999 through June 2000.



Whenever possible new DVU intakes are done on the two days each week when CFPA conducts intake interviews in the probation office. This speeds up the process of getting

started in a group, and makes it more difficult for the probationer to engage in active avoidance.

Only a handful of felony cases have been sentenced to probation in Peoria County since the creation of the DVU unit, even though many of the misdemeanor cases involve repeat domestic violence offenses and could be charged as felonies. Although the misdemeanor cases are initially supervised at the maximum level, based on the standard risk assessment instrument, it is appropriate to reclassify some of them after the first six-month reevaluation. Those cases are then transferred from the DVU officer's caseload to that of the third officer.

### **Court Review and Oversight**

A specialized domestic violence court in Peoria County was created in 1999. The court tries and sentences all domestic violence cases. Rather than scheduling status hearings on a regular basis, as the Sangamon County court does, the Peoria County judge relies on the state's attorney's office to file petitions and request hearings as needed.

### **Community Program Elements**

The Center for Prevention of Abuse batterer intervention program is a 26-week program that follows the Duluth model of batterer intervention and is in compliance with the Illinois Protocol for Partner Abuse Intervention. CFPA serves both Peoria and Tazewell counties. CFPA requires that anyone participating in the batterer intervention program go through an intake process before beginning to attend the group. A CFPA staff member does intakes in the Peoria probation office on certain days and DVU officers usually schedule their intakes on a day when CFPA is also in the probation office. CFPA does an assessment with each probationer entering its BIP that also helps

to identify those cases where some form of counseling or other alternative to the standard BIP may be useful. This is most likely to occur in cases involving domestic violence against someone other than an intimate partner, or in cases of same sex domestic abuse.

CFPA is currently facilitating 18 different groups of Peoria County probationers. Groups are closed, meaning they have a specific start date and end date, and are not open to new participants once they begin. With this many groups, each requiring two co-facilitators, it is sometimes difficult to locate the additional facilitators needed to allow new groups to be formed. By fall of 2000 there was a waiting list of around 100 men waiting for new groups to form. However, those on the waiting list were generally able to get into a group within two to three months.

Participants are allowed three absences and are terminated after the fourth absence. Absences may be made up by attending another group. During the first six weeks of the program the specific group that was missed must be made up, but those who have been in the program longer may attend any group to make up their absence.

Participants are expected to pay for the program according to a sliding scale.

### **Victim Components**

In an attempt to provide victim advocacy from the earliest point in the process the strategy was that the State's Attorney's Office Investigator would provide information and support to the victims throughout the prosecution. They would also provide the victim with a referral to the CFPA. The State's Attorney does have one victim witness advocate that is assigned exclusively to domestic violence victims. Since the victim component of the overall attempt to coordinate services and cooperation regarding

domestic violence crimes falls outside the probation department, the results have not been reviewed in any detail.

The DVU contact with victims is largely coincidental and occurs during attempts to make home visits to the probationer. This type of victim contact is infrequent, but is helpful in understanding more about the offender's behaviors.

### **Offender Demographics**

Males made up 92% (n = 190) of the DVU probationers. Women represented 8% (n = 17) of the caseload, a relatively high proportion compared to other specialized domestic violence units. About half of the probationers (52%, n = 107) were African American. Forty-four percent were white (n = 91), and the remainder (4%, n = 9) came from several ethnic categories (including 7 Hispanics).

The average probationer was 32 years old, with ages ranging from 21 to 76. More detailed information is presented in Table 4.1.

Table 4.1: Age Distribution of DVU Probationers

Age Range	Number of cases	Percent of Total
Age 17 through 20	28	13.6
Age 21 through 25	27	13.1
Age 26 through 30	42	21.4
Age 31 through 35	29	14.1
Age 36 through 40	33	16.0
Age 41 through 50	37	17.9
Age 51 through 60	8	3.9
Over age 60	2	1.0

Forty-three percent (n = 88) of the probationers had less than 12 years of education; 8 members of this category had not attended high school. Forty-one percent (n = 83) had completed their high school education, and sixteen percent (n = 33) had attended college. Almost half of the probationers (49%, n = 102) were single at the time

of their sentencing. Twenty percent (n = 41) were married, 18 percent (n = 38) were divorced, and 11 percent (n = 24) were separated at the time of their sentencing.

Most of the domestic violence offenders sentenced to probation did not have serious criminal records, but more than three-quarters of them had at least one prior conviction, and over half of those with a criminal record had been convicted of a felony.

Table 4.2 presents information on the offense histories of the domestic violence offenders assigned to the DVU.

Table 4.2: Criminal Histories of DVU Probationers

Criminal Histories	Criminal history present		No Criminal History	
	Number	Percent	Number	Percent
Any prior convictions	160	79.2	42	20.8
History of domestic violence				
Arrest	126	65.6	66	34.4
Conviction	88	64.7	48	35.3
On probation at time of current offense	38	18.5	167	81.5

Although the overall criminal history profile of the Peoria County probationers is less serious than that of those supervised by the Sangamon County unit, almost two-thirds of the offenders had been previously convicted of a domestic violence offense. Despite this history, only eight percent (n = 16) of these offenders were convicted on a felony charge.

More detailed information on charges and sentences is presented in the following tables. Table 4.3 summarizes the offenses for which these offenders were placed on probation, while Table 4.4 presents information on the sentences imposed by the court.

Table 4.3: Current Offense Characteristics of DVU Probationers

Offense	Number of cases	Percent
Misdemeanor Offenses	191	92.3%
Misdemeanor domestic battery	106	51.5%
Misdemeanor domestic battery with bodily harm	68	33.0%
Misdemeanor VOP	11	5.3%
Other misdemeanor offense	6	3.1%
Felony Offenses	15	7.7%
Felony domestic battery	10	4.9%
Felony VOP	3	1.5%
Aggravated assault	1	.5%
Other felony offense	1	.5%

As Table 4.4 shows, although most offenders were convicted on misdemeanor charges, almost 25 percent of them were placed on probation for more than 12 months. In most cases this occurred because the new domestic violence sentence was added to an existing period of probation. In some cases the longer sentence was a result of multiple offenses.

Table 4.4: Number of Months in Original DVU Probation Sentence

Number of Months	N of cases	Percent
12 months	149	72.0%
18 months	9	4.3%
20 months	1	.5%
24 months	34	16.4%
30 months	14	6.8%

Substance abuse problems were not identified in the majority of the DVU cases. Twelve percent of the probationers (n = 24) were ordered to submit to a substance abuse evaluation or to participate in a substance abuse treatment program. As Table 4.5 indicates, only about half of these offenders successfully participated in the mandated treatment.

Table 4.5: Outcome of Alcohol and Substance Abuse Treatment

Outcome of Treatment Referral	Number of cases (n)
Entered Treatment	12
Treatment successfully completed	5
In treatment with good progress reports	5
Terminated unsuccessfully from treatment	2
On Waiting List to Begin Treatment	2
No contact with treatment provider at time of file review	5
Other status	2

### EVALUATION OF PEORIA COUNTY GOALS AND OBJECTIVES

The stated goals and objectives of the Peoria Domestic Violence Unit are shown in the box below.

<b>Stated Goals of the Peoria County Domestic Violence Probation Program</b>
<p><b>Goal: Provide specialized domestic violence case management approach, meeting professional standards and replicating the Quincy model.</b></p> <p><i>Objective 1.</i> Provide pre-trial supervision in domestic violence cases where risk indicates the need.</p> <p><i>Objective 2.</i> Provide victim advocacy from the earliest point in the process.</p> <p><i>Objective 3.</i> Provide special supervision strategies through the intensive supervision unit to the most at-risk category of domestic violence cases.</p> <p><i>Objective 4.</i> Provide specialized-caseload probation strategy in domestic violence cases.</p>

This section assesses the progress that has been made on these objectives during the first 18 months of the Peoria DVU program. The first three objectives specify actions to be taken by the state’s attorney’s office and by other probation department units to support the DVU and provide a safer environment for victims of domestic violence.

**Goal: Provide specialized domestic violence case management approach, meeting professional standards and replicating the Quincy model.**

**Objective 1.** Provide pre-trial supervision in domestic violence cases where risk indicates the need.

The purpose of this objective is to reduce the chances of additional violence during the pre-trial period. This objective has been partially met. In its proposal, the probation department estimated that there could be about 25 domestic violence cases a year which would pose such a high risk that special pre-trial supervision would be required. Although the Pre-Trial Unit is not part of the DVU, both units are supervised by the same person. Data gathered through interviews and our review of DVU probation files revealed that several offenders had received pre-trial supervision, but less than half the estimated 25.

**Objective 2.** Provide victim advocacy from the earliest point in the process.

This objective has been partially met. The proposal called for the state's attorney's office to contact victims of domestic violence and support them through the process. The office has three victim-witness advocates, one of whom is assigned to work primarily with domestic violence victims. This advocate generally works with victims after a decision has been made to pursue a criminal case against an offender, although the volume of domestic violence cases in the county limits the time the advocate can spend with any one case. She has developed close relationships with advocates from CFPA, who provide more generalized or ongoing support and assistance.

The expectation was that early intervention would allow the state's attorney's office to identify high-risk defendants and refer those cases to probation for pre-trial

supervision. Although pre-trial supervision has been requested by the SAO in some domestic violence cases, decisions about bail and pre-trial supervision appear to depend primarily on the specific circumstances of the case and on the presence or absence of an order of protection. The SAO does not assist victims in obtaining orders of protection because of potential confidentiality problems.

**Objective 3.** Provide special supervision strategies through the intensive supervision unit to the most at-risk category of domestic violence cases.

The research team could not evaluate the extent to which this objective was met. The probation office includes an intensive probation unit, and some domestic violence offenders were specifically sentenced to intensive probation supervision. Because the team reviewed only files in the DVU, not the intensive probation unit, we did not determine whether the offenders assigned to intensive supervision posed higher risks than those assigned to the DVU or whether special supervision strategies were developed specifically for domestic violence offenders assigned to this unit. Most domestic violence offenders, including many classified as high-risk cases, were supervised by one of the DVU officers.

**Objective 4.** Provide specialized-caseload probation strategy in domestic violence cases.

This objective was met. A specialized domestic violence caseload was created, and at least some specialized supervision strategies were developed and implemented. The central requirement for DVU probationers is to complete the CFPA batterer intervention program, and an important specialized supervision strategy has developed that relies on regular contact with the program providers to assist in monitoring the offenders. All but two of the 207 probationers whose files were reviewed were ordered

to attend the batterer intervention program operated by CFPA. While 99% were ordered into the CFPA batterer intervention program, 33% had made no contact with the program when data was collected. Table 4.6 presents data on program participation.

Table 4.6: Peoria County BIP Status of DVU Probationers

Result	#	%
In Program, receiving good progress reports	61	31.9
In Program, receiving poor progress reports	12	6.3
On Waiting List	1	.5
No Contact With DVP	64	33.5
Program Completed	14	7.3
Terminated-Unsuccessful	22	11.5
Other	17	8.9
Missing data	13	

Although as many as 28 probationers had been placed on the CFPA waiting list at one time, additional groups had quickly been established to reduce this backlog. Detailed review of probation officer records showed that the primary cause of delay in beginning the batterer intervention program was the probationer's failure to make and keep appointments in order to complete the intake process.

The DVU officers work closely with CFPA and monitor the progress of probationers through the CFPA batterer intervention program. Both DVU officers have been trained as facilitators in the Duluth program model and facilitate CFPA groups outside Peoria County. As a result they are very aware of what should be happening in an offender's group, making it easier to reinforce the message and challenge resistance or denial by probationers.

The officers have been effective in monitoring other conditions of probation and in reporting violations of these conditions as they occur. However, sanctions to enforce these conditions can be imposed only with the cooperation of the SAO and the judges

hearing domestic violence cases. Notice of probation violations were submitted by the DVU to the State's Attorney's Office on 40 different probationers. Two of these offenders were reported for more than one violation. Technical violations accounted for 93% (n = 37) of the total. There were only two criminal violations, one of which was domestic violence-related. There was also one violation that was combined technical and criminal violations. Many of the technical violations were based on non-compliance with the order to complete the batterer intervention program (n = 21), sometimes combined with failure to report to probation (n = 7).

The DVU requested that revocation of probation based on probation violations in 40 cases. The State's Attorney's Office filed 33 petitions to revoke probation (PTRs) with the court. Twenty-five of these petitions (76%) were granted by the court. In most of these cases the offender's probation sentence was modified or terminated. In some cases the offender was resentenced to probation without any significant change in the conditions of probation. All of the petitions that were granted were based on technical violations. Six petitions (18%) were denied, resulting in the offender remaining on probation with no change in the conditions or length of his sentence. The two petitions which involved new criminal charges were still pending at the conclusion of data collection for this project.

The initial program design envisioned DVU officers working closely with officers in probation's Pre-Trial and Intensive Supervision Units to implement coordinated strategies that provided appropriate levels of supervision and monitoring for all domestic violence offenders. While probation has not been able to develop this level of coordination among units, the DVU has been able to meet or surpass many of the

supervision standards it set for itself. All of the DVU cases are initially supervised at the maximum level, and many of them remain at that supervision level even after they are re-evaluated. Twenty-six probationers have been reclassified as medium risk cases after the six month reevaluation.

The number of face to face office visits was slightly below the AOIC minimum requirements for offenders classified as maximum risk cases. This is due primarily to a significant number of failure-to-report violations. In contrast, the number of completed home visits exceeded the minimum AOIC requirements. In almost one-third of the cases the DVU officers were able to complete more than twice the number of face-to-face home visits required under AOIC standards, with probationers being seen at home monthly rather than once every other month.

The proposal to establish the DVU also called for officers to be more active in supporting victims of domestic violence. Because of their training and their specialized caseloads, DVU officers have a good understanding of the dynamics of domestic violence and the ways in which victims may be threatened and coerced after an arrest has been made. Because of work pressures and high caseload numbers, however, DVU officers have not been able to work extensively with victims. While DVU officers will incorporate information received from victims into their supervision strategies, the victims are generally referred to CFPA or the police for assistance with specific problems.

## MANAGEMENT CONSIDERATIONS AND FINDINGS

### Administrative Commitment and Involvement with the Domestic Violence Unit

The specialized DVU was established with strong internal administrative support and involvement from the head of probation and the unit's immediate supervisor. Given the growing number of domestic violence probation cases and the imposition of different conditions on these offenders, the probation department supported the creation of a unit that could develop specialized expertise with the dynamics of domestic violence cases. The department has also supported specialized training for the DVU officers, ranging from training as facilitators for Duluth-style batterer intervention programs to specialized training in domestic violence probation supervision.

Although there has been considerable turnover in the staffing of the DVU, at least one experienced probation officer has been assigned to it for most of its existence. The probation department has also assigned a third probation officer who is not grant-funded to carry a specialized domestic violence caseload, allowing the DVU officers to concentrate on supervising high-risk cases. Other enhancements to the program have been discussed but have not been implemented due to budget constraints.

External administrative support has come primarily from the Family Violence Coordinating Council (FVCC) for the local judicial circuit, and particularly from the Chief Judge of that circuit. This FVCC has been one of the strongest and most active in the state, although there is some evidence that it is no longer as high a priority within the criminal justice system as it once was. Specialized activities in other agencies complement and support the DVU. An assistant state's attorney has been assigned primarily to domestic violence cases and a specialized misdemeanor court has been

designated for domestic violence cases. There has been considerable turnover in these areas as well, with three different assistant state's attorneys handling this assignment since the DVU was established in January 1999.

#### Decision-Making and Problem-Solving Techniques

Intake assignments to the DVU are made by the supervisor of the unit, based primarily on whether the probationer is required to participate in a batterer intervention program. The unit supervisor, in consultation with the head of probation and the DVU officers, developed this assignment rule. It maintains a specialized DVU caseload and reduces the number of officers that CFPA deals with. Decisions about the supervision of individual probationers are made by the assigned officer, although the DVU officers frequently share information and consult on an informal basis. This is particularly true when an officer is working closely with a collateral agency such as the Department of Children and Family Services.

Given the high caseloads carried by the DVU officers, practicality and efficiency are important factors in shaping decisions. One officer requires that offenders provide a written statement describing their offense as part of the intake process. This clarifies any issues of denial or minimization, and also provides the supervising officer with information that might not otherwise be available in the file. The other officer prefers to rely on the CFPA batterer intervention program to clarify these issues. Working guidelines for reporting probation violations and initiating the revocation process have gradually developed based on the officers' experience with the state's attorney's office, but there are no written protocols.

The DVU has no significant input into charging, prosecution and sentencing decisions in domestic violence cases, even when new charges are being brought against defendants currently on DVU probation. The state's attorney's office has chosen not to refer domestic violence defendants for pre-trial supervision, despite the inclusion of this option in the original proposal creating the DVU. The sentencing judge determines whether an offender will be sentenced to intensive probation supervision (IPS) or to regular probation. Because the IPS unit is separate from the DVU, only offenders sentenced to regular probation can be assigned to a DVU officer.

DVU officers initiate the probation revocation process in almost all cases, usually by filing a formal notice of a probation violation and requesting that a revocation petition be filed. However, the decision to file such a petition with the court rests with the state's attorney's office, and the sentencing judge makes the decision about revocation. In accordance with existing policy in the state's attorney's office, most revocation requests from DVU officers were handled by a separate officer and not by the assistant state's attorney who prosecuted domestic violence cases. DVU officers gradually developed an informal process that allowed them to send revocation requests requiring immediate or special handling directly to the domestic violence ASA, even though this was not the official procedure.

#### Communication and Cooperation

Within the DVU, the specialized officers share case information on an informal basis. Emphasis is also placed on providing written documentation in the file whenever an action is taken or new information is received. This ensures that appropriate documentation is available to support requests to revoke or modify probation, and also

helps if cases are transferred or an officer leaves the DVU. However, if a probationer is reassigned to another officer based on a change in the required level of supervision, there is no process in place to provide progress or outcome information to the DVU officers. Information is entered into the computer database, but is normally available only to the current probation officer and his or her supervisor.

Communication and information flow between the DVU and the CFPA is excellent. The DVU officers are trained in the Duluth intervention model, which is used by the CFPA, and actually facilitate some of the CFPA groups that are held outside of Peoria County. The combination of training and group facilitation ensures that the DVU officers remain current with the group process and curriculum, which helps them in monitoring the progress of their own probationers.

Informal communication works well because only three people are involved in most cases: the two DVU officers who supervise probationers ordered to batterer intervention groups, and one person at CFPA who coordinates the various groups and prepares attendance records and progress reports. CFPA submits a report on the progress of each probationer once a month. These reports accurately document attendance, and provide useful qualitative comments on probationer progress in the program. However, the monthly schedule means that in some cases a problem may develop over several weeks before the DVU officer becomes aware of it.

Communication and information sharing with the city police department has improved over the course of the program, but can still be improved. Not until the second year of the DVU program did probation gain access to the police department's computerized case records. Getting copies of actual police reports and witness

statements is still difficult and time consuming because they are considered confidential documents. There are also some problems with updating probationer files. It is sometimes difficult to obtain information on new arrests, pending charges, and new or extended orders of protection.

Communication with the ASA who handles domestic violence cases is still quite limited. Unless the DVU officers call to request or provide information, little communication occurs outside the courtroom. Communication with the domestic violence court judge generally occurs through the state's attorney's office, and remains at the informal level. Probation does not provide the judge with written reports or recommendations in revocation hearings.

#### Collaboration and Coordination

As noted previously, probation is dependent on the state's attorney's office to file petitions to revoke or modify probation. The DVU has gradually learned what will be considered sufficient to justify initiating a petition to revoke probation, and has adjusted its requests accordingly. For example, delays in beginning the batterer intervention program are clearly technical violations, but by themselves are rarely considered a sufficient basis for revocation or the imposition of sanctions. These informal guidelines do not always provide the DVU officers with the options they need to hold offenders accountable for continuing abusive or noncompliant behavior. Considerable frustration exists within probation over the apparent lack of effective intermediate or graduated sanctions.

DVU has been more successful in collaborating with the Center for Prevention of Abuse (CFPA), which provides services to victims and batterer intervention programs for

offenders. The victim services provided by CFPA provide important support and improve victim safety, and the DVU officers often refer victims to CFPA. The degree of coordination between the services provided by the victim-witness advocate in the SAO and by CFPA is not clear, but CFPA provides an essential link for victims who need help and support after the offender has been convicted.

Although plans to do program intakes in the domestic violence courtroom could not be implemented, CFPA does some intakes at the probation office as well as in its offices. CFPA and the DVU officers collaborate by sharing information about offenders, although probation has not been able to provide CFPA with police reports from the offense. DVU and CFPA have a shared understanding of behavior that will lead to termination from the batterer intervention program, and DVU officers follow up promptly with revocation requests when a probationer is terminated from a CFPA group.

#### Program Awareness Among Practitioners

The state's attorney's office, the public defender, and trial judges in the county are all aware of the existence of a specialized domestic violence unit within probation, although those who do not work directly with DVU may not be aware of some of the operational and organizational arrangements. They are also aware that because of this and other specialized programs, more domestic violence offenders are being prosecuted and more of those who are convicted are now ordered into a program for batterers and actively supervised. There is an overall positive perception of the program, which is viewed as providing an opportunity to "do something" about domestic violence.

## **CHAPTER 5: EVALUATION OF THE TAZEWELL COUNTY DOMESTIC VIOLENCE PROBATION UNIT**

### **PRE-PROGRAM ENVIRONMENT**

#### **Events Leading to the Creation of a Specialized Probation Unit**

Over the past ten years domestic violence has gradually emerged as a growing priority within the Tazewell County criminal justice system. In 1993 Tazewell County adopted a pro-arrest law enforcement policy. In the same year a Family Violence Coordinating Council was organized in the Tenth Judicial Circuit, intended to bring together judges, prosecution and defense attorneys, probation officers and services providers in the circuit. Members of Tazewell County Court Services have been active participants in the council since its formation. At about the same time Tazewell County Court Services began to work with the Center for Prevention of Abuse (CFPA) to develop a specialized intervention program, based on the Duluth program model, to which domestic violence offenders could be referred. In 1994 the CFPA began its batterer intervention program to work with offenders sentenced to probation for domestic violence related crimes in Tazewell County. The project was funded by the Tazewell County Court Services through a grant from the Victim's Assistance Fund of the Illinois Attorney General's office. The batterer intervention program was able to then offer its program to probations at no cost to the probationer.

As a result of these efforts police began to make more arrests in domestic violence situations, and the number of criminal charges filed and prosecuted gradually increased. The number of offenders placed on probation increased until late in 1997 when a diversion program called Project SAVE was made available. A certified drug and

alcohol counselor and the felony supervisor of the probation department, who had experience with the CFPA batterer intervention program, jointly designed Project SAVE. The courts allowed offenders who had no previous criminal history to enter the diversion program with the understanding that if the offender successfully completed Project SAVE no charges would be entered against him.

By the end of June 1998, Tazewell County adult probation was supervising 250 domestic violence offenders, 85 of them felony cases and 165 misdemeanors. The average length of domestic violence probation was 18 months. One misdemeanor probation officer had developed an informally specialized caseload and was responsible for supervising 129 of the misdemeanor cases. However, since the average caseload size for misdemeanor officers at that time was over 200, this was not a dedicated or specialized caseload. Without a specialized program, the remaining misdemeanor cases and all of the felony offenders were assigned to officers with general caseloads and processed using routine intake risk and needs assessments. Most offenders were referred to CFPA for participation in their batterer intervention program, but the supervising officers were limited in the time they could devote to monitoring and tracking program participation and compliance. It became evident to the probation department that a specialized probation unit for domestic violence offenders would be a more efficient and effective method of handling their growing domestic violence caseload.

#### County Demographics and Crime Trends

Tazewell County is located in central Illinois along the banks of the Illinois River, south across the river from Peoria County. According to 1999 US Census Bureau estimates it has a population of 129,801. Females outnumber males 51.5% to 48.5%.

The majority of the population is white (99%) with African Americans comprising only one tenth of one percent and other races making up the remaining .9%. The median household income is \$37,862 and the poverty level is 7.8%. The county seat, Pekin, is the largest city with a population of approximately 31,958. There are five other mid-sized communities located along the Illinois River in close proximity to Pekin. The remainder of the county is mostly rural.

The total number of index crimes in Tazewell County rose slightly from 3,184 in 1997 to 3,207 in 1998, a increase of only .37%. The number of violent index offenses, on the other hand, went down from 443 to 43, a decrease of 1.7% in those same years. These numbers show much lower crime rates per capita than those counties with a large metropolitan center.

#### INITIAL PROGRAM DESIGN AND STRUCTURE

In 1998 the Tazewell County court services office developed a proposal to create a specialized Domestic Violence Probation Unit (DVPU) staffed by two full-time probation officers. The proposal was developed in consultation with the state's attorney's office, and incorporated elements of both specialized and intensive probation supervision. The officers in the unit would have a specialized caseload consisting entirely of domestic violence offenders. In addition, they would be responsible for supervising substantially smaller caseloads than other officers, allowing the opportunity for closer monitoring, more officer-initiated intervention, more detailed risk assessment and on-going evaluation, and more attention to victim services.

### Program Goals and Objectives

The general rationale for creating a specialized domestic violence probation program is to improve supervision of offenders, leading to less domestic violence recidivism and more safety and protection for victims. The DVPU proposal submitted to the ICJIA identified three primary program goals: (1) reduce domestic violence recidivism through increased referral to batterer intervention programs, closer monitoring of program participation and completion; (2) increased contact with offenders and with family members or other significant others; and establish probation's role in unified Family Court and prosecution strategies; and (3) address life skills needs of probation clients. Specific objectives related to each of these goals were also established. These objectives are addressed in some detail later in this chapter.

### Organizational Structure and Program Design

The Tazewell County DVPU was charged with conducting all domestic violence-related pre-sentence investigations, supervising assigned domestic violence offenders on probation, and networking with local domestic violence resources to help meet the needs of probation clients and victims and to develop coordinated family violence strategies. The department has two supervising probation officers who conduct the initial intake into probation, one for officers with felony caseloads and one for misdemeanor caseloads. The DVPU officers would be supervised directly by these officers.

As part of the intake process DVPU officers were to develop comprehensive case plans for each assigned client that included a problem statement and case objectives. Referrals were to be made to assessment programs and service providers as needed, and participation or progress monitored on a monthly basis. The original program proposal

emphasized the importance of addressing substance abuse issues before or along with participation in batterer's intervention programming. DVPU officers were expected to request petitions to revoke probation when offenders do not participate in programs or fail to comply with conditions of probation.

The DVPU proposal emphasized referral to, participation in and completion of a batterer intervention program (BIP). The DVPU officers were expected to maintain regular contact with the Center for Prevention of Abuse, the sole BIP provider in Tazewell County, to insure that offenders entered a program promptly, attended regularly, and met participation requirements. Officers were expected to chart evidence of non-compliance or failure to cooperate, and to use any of a wide variety of intervention strategies (ranging from support and tutoring to increased surveillance to internal sanctions) to improve participation and reduce noncompliance.

#### Program Implementation

Beginning in 1999 all new domestic violence and violation of an order of protection cases were assigned to the DVPU. Originally the cases were to be divided between the two officers with one officer taking the felony and intensive supervision caseload, which included those offenders that were assessed as maximum risk. The other officer would take the misdemeanor caseload, which was made up of those offenders that were assessed at medium risk. Offenders who had been convicted of domestic violence but had not engaged in physical violence, scored low on the Tazewell County lethality checklist and did not have a history of violent behavior could be classified as medium risk offenders. Offenders who were assessed as minimum risk cases were not included in the DVPU, but were put into the general probation caseload. The two officers were

supervised by the felony supervisor and the misdemeanor supervisor respectively, with each supervisor assigning cases to the DVPU. Maximum risk probationers would stay at the maximum level for one year before being considered for a lower level of supervision. In those cases where the lethality assessment was highest, a more intensive form of supervision was used and included electronic monitoring for a minimum of 30 days and a minimum of one face-to-face meeting each week. Medium risk probationers would stay at the medium level for a minimum of six months.

Caseloads grew much faster than anticipated and some changes were made early on in an attempt to keep caseloads at a manageable size. The felony supervisor took over the sole responsibility of screening and assigning the offenders to the DVPU officers. Those domestic violence cases which did not involve intimate partners were not considered for the DVPU and were put into the general probation caseload, along with any other cases that did not require the CFPA program as a condition of probation.

### **Chronology of Key Events**

The implementation of the DVPU during its first 18 months of operation included the following events:

#### **Pre-Grant Activities**

- June 1998: Felony supervising officer developed and submitted a grant proposal to ICJIA for a specialized domestic violence probation unit.
- December 1998: First domestic violence probation officer was assigned to DVPU.

## **Year One**

- January 1999: Domestic Violence Probation Unit formally initiated. Second officer was assigned to the DVPU.
- July 1999: New assistant state's attorney voluntarily transferred to domestic violence caseload, replacing the previous prosecutor who transferred to felony court.

## **Year Two**

- January 2000: Felony supervisor takes over responsibility for assigning cases for both officers; the responsibility was previously split between the misdemeanor and felony supervisors.
- February 2000: Head of Tazewell probation department resigned; felony supervisor for adult probation becomes acting head of adult probation department while continuing to carry out DVPU responsibilities. New court services manager hired in May.
- July 2000: Misdemeanor DVPU officer resigns and leaves Tazewell probation department. New probation officer hired into the vacant DVPU position.
- August 2000: New DVPU officer sent to Duluth for 24-hour certified training in the Duluth batterer intervention program.

## **From Original Conceptualization to Operationalized Program**

The DVPU was established in January 1999 with two designated officers. The domestic violence portion of the probation department's caseload has increased steadily since then, resulting in a larger overall domestic violence caseload and a larger DVPU caseload than was originally planned. In order to meet the demands of a larger than

anticipated caseload the DVPU officers had to reduce the amount of time spent on the less essential components of probation supervision, including some home visits and specialized efforts to remain in contact with victims. Victim contact was instead provided primarily by the CFPA. Most of the probationers were required to complete the batterer intervention program at CFPA. The DVPU officers kept open good lines of communication with the CFPA, which aided in the supervision process and in keeping the probationers accountable for their behaviors. The DVPU officers also received 40 hours of training on the dynamics of domestic violence and trained in the Duluth program for facilitating batterer groups that is used at CFPA.

The resignation of the head of the probation department created a need for temporary reorganization of the department that changed the original implementation plan for the DVPU. The resignation of one of the DVPU officers and the assignment of a new domestic violence prosecutor in the state's attorney's office slowed down the process of involving the DVPU officers in the prosecutorial process.

## ASSESSING PROGRAM OPERATION

This section describes the current elements of the DVPU and assesses program operation.

### Program Elements and Operation

#### **Staffing**

The first DVPU officer was hired in December 1998 and the second officer was hired in January 1999. Both officers were new to probation and required basic probation training. The first officer was a part-time police officer before coming into probation.

The second officer came to the probation department after having served an internship at CFPA and facilitating batterer groups. Both officers received forty hours of domestic violence training from CFPA as well as batterer intervention facilitation training in the Duluth model. Although they both had previous experience with domestic violence offenders they had not received basic probation training provided by AOIC. The DVPU officers did not receive that training until October 1999.

In February 2000 the head of the Tazewell probation department resigned and the felony supervisor became the acting head of the department until a replacement could be hired. At that time it was decided that the felony supervisor would screen all domestic violence cases and appropriately assign them to the DVPU or the general caseload. The new head of probation was hired in May 2000 and the felony supervisor went back to her regular duties but kept the responsibility for assigning domestic violence cases.

In the spring of 2000 the second DVPU officer resigned her position with probation and a new probation officer was hired to fill that position. That officer was trained in the Duluth model in August 2000 and as of this report has not received basic probation training.

These turnovers, as well as the rapidly growing caseloads, posed challenges to the continuing effective operation of the DVPU. All of the DVPU officers were hired with no probation experience. Because of a current backlog that delays basic training for new probation officers for six months or more, none of the officers received formal probation training when they began their work as DVPU officers. Newer officers find it more difficult to persuade prosecutors and or judges to adopt new approaches, because, as research suggests, members of a courtroom work group must work together for some

time before they develop shared norms and understandings (Fleming, Nardulli & Eisenstein, 1992).

To add to this difficulty the state's attorney's office assigned a new domestic violence prosecutor in July 1999. This prosecutor was transferred from DUI cases to domestic violence. The prosecutor who was assigned to the domestic violence cases when the grant was implemented was one of the people who had worked with probation and the CFPA to develop the original pre-grant domestic violence program.

### **Sentencing Decisions**

The domestic violence prosecutor makes charging decisions and sentencing recommendations. Most of these are done by plea agreement, and probation has little input into the sentencing process. Probation estimates they have only done eight to ten PSI's since the program began

A key goal of the DVPU is to ensure that all domestic violence offenders sentenced to probation are required to complete a batterer intervention program as a condition of their probation. This has become a standard condition for almost all domestic violence cases. A review of the case files found that 90 percent of the DVPU probationers were required to complete a batterer intervention group. Most of the remaining ten percent had been convicted of non-intimate partner violence or violation of an order of protection without violence. Judges were generally unwilling to order offenders who had already completed the CFPA batterer intervention program to attend it again, despite the fact that they had been convicted of more recent violent behavior. In most cases CFPA agreed that these probationers were not appropriate for their batterer intervention program.

## **Conditions of Probation**

When the DVPU was first established, domestic violence offenders were sentenced to probation on the standard court order. Completion of a batterer intervention program was not a standard condition of probation, and judges had to write it in on each order. The chief judge of the circuit and others outside Tazewell County developed a probation order specifically designed for domestic violence offenders and mandating the successful completion of the batterers program. This order was originally designed to be used in Peoria County, but since its creation it has been recently adopted by the Tazewell County court system. More requirements are listed on the order as standard conditions of probation than are enforced for regular probation, and most apply automatically in every case. The box on the following page shows the conditions of probation available in Tazewell County.

Another major goal has been to provide life skills beyond those gained through the completion of a batterer intervention group. The DVPU as been quite successful in getting drug and alcohol treatment as a condition of probation and according to the files reviewed by this research team just over fifty percent of the probationers were given drug and alcohol treatment as a condition of their probation. This was accomplished by giving the DVPU officers the discretion to require drug and alcohol assessment and/or treatment as a condition of probation.

### Standard Conditions of Probation

1. The defendant shall not violate any criminal statute of any jurisdiction.
2. The defendant shall immediately appear in person before the Tazewell County Adult Probation Office and shall make further reports and appearances as required by Probation.
3. The defendant shall refrain from possessing a firearm or other dangerous weapon.
4. The defendant shall not leave the State of Illinois without the consent of the Court or in emergencies, without approval of the Probation Office.
5. The defendant shall permit the probation officer to visit defendant at his/her home or elsewhere to the extent necessary to discharge the officer's duties.
6. The defendant shall truthfully respond to all inquiries made by the probation officer.

### Special Conditions

1. The defendant shall serve a term the Tazewell County Jail.
2. The defendant shall serve a term of periodic imprisonment in the Tazewell County Jail/Peoria County Periodic Imprisonment. Failure to timely pay required periodic imprisonment fees may result in conversion of this sentence to straight time.
3. The defendant shall timely pay a fine, restitution and all fees, costs, and mandatory assessment, as ordered.
4. The defendant shall work or pursue a course of study or vocational training.
5. The defendant shall enroll in and attend GED classes as directed by the probation officer.
6. As required by the probation officer, the defendant shall undergo and pay for, as appropriate: medical, anger control, psychological, psychiatric, drug/alcohol and domestic violence treatment.
7. The defendant shall support his/her dependents as directed by probation or by separate court order.
8. The defendant, being a minor, shall reside with a parent or legal guardian unless other living arrangements are pre-approved by probation, and shall regularly attend school.
9. The defendant shall perform public service as directed by probation.
10. The defendant shall not possess, use or consume alcoholic beverages or illegal drugs and shall submit to random testing for the presence thereof as required by probation, and shall reimburse probation the cost thereof within seven days of each such test.
11. Other (Specify):

## Intake Process

The DVPU was originally designed to provide more intensive supervision through a two-tiered domestic violence unit. A lethality assessment of each case was to be conducted at the time of sentencing. It was anticipated that the maximum risk caseload would average a maximum of 40 to 50 cases and the medium risk caseload a maximum of 70 to 80 cases. The DVPU officers would do the risk assessment immediately following sentencing. By July 1999 the caseloads were already at anticipated levels and this was putting time constraints on the DVPU officers that made it improbable, if not impossible, to be present in court on sentencing day to do the primary assessments. By January 2000 the DVPU had a caseload of 197 probationers. The new cases by month, as reported by Tazewell County, are shown in Table 5.1.

Table 5.1: Tazewell County New Domestic Violence and DVPU Cases

Month	All DV cases	DVPU cases	DVPU cases as % of DV	DVPU Felonies	DVU Misdemeanors
Jan 99	22	13	59	3	10
Feb 99	25	14	56	5	9
Mar 99	25	18	72	4	14
Apr 99	27	21	78	3	18
May 99	22	15	68	4	11
Jun 99	35	25	71	6	19
Jul 99	25	16	64	2	14
Aug 99	20	12	60	3	9
Sep 99	16	10	63	1	9
Oct 99	22	17	77	2	15
Nov 99	15	13	87	5	8
Dec 99	16	10	63	1	9
Jan 00	21	13	62	2	11
Feb 00	16	8	50	2	6
Mar 00	21	13	62	0	13
Apr 00	20	14	70	2	12
May 00	23	18	78	4	14
Jun 00	25	12	48	1	11

## **Court Review and Oversight**

There is no specialized domestic violence court in Tazewell County as there are in Peoria and Sangamon Counties. Misdemeanor domestic violence cases are tried in misdemeanor court and felony cases in felony court. The court does not have regularly scheduled status hearings, as the Sangamon County court does, instead the Tazewell County judges rely on the state's attorney's office to file petitions to revoke probation and request hearings as needed.

## **Community-Based Program Elements**

The Center for Prevention of Abuse batterer intervention program has been working with Tazewell County probation since 1994 and over the years they have established a solid relationship with each other. CFPA provides a 26- week program that follows the Duluth model of batterer intervention and is in compliance with the Illinois Protocol for Partner Abuse Intervention. CFPA serves both Peoria and Tazewell counties. CFPA requires that anyone participating in the batterer intervention program go through an intake process before beginning to attend the group. CFPA does an assessment with each probationer entering its BIP that also helps to identify those cases where some form of counseling or other alternative to the standard BIP may be useful. This is most likely to occur in cases involving domestic violence against someone other than an intimate partner, or in cases of same sex domestic abuse.

CFPA is currently facilitating six different groups of Tazewell County probationers. Groups are closed and are not open to new participants once they begin. As a result, occasionally there is a waiting list to enter the program. However, the delay is usually quite short. Participants are allowed three absences and are terminated after the

fourth absence. Absences may be made up by attending another group. During the first six weeks of the program the specific unit that was missed must be made up, but those who have been in the program longer may attend any group to make up their absence. Participants are expected to pay for the program according to a sliding scale.

### **Victim Components**

The DVPU hoped to increase contact with the victim. This was to be done through phone calls and home visits as well as a cooperative agreement with CFPA to refer all victims to CFPA so they could make contact and offer services to the victim. The DVPU sent letters to just over 30 percent of the victims and referred 45 percent of them to victim advocates or victim services. Because CFPA was seen by most victims as more clearly focused on their needs, CFPA was eventually given the primary responsibility for victim contact.

### **Offender Demographics**

According to the 132 files sampled for this study males made up 95.5% (n = 126) of the DVPU probationers. There were six females in the DVPU caseload. The probationer population was predominantly white, as is Tazewell County. Ninety-eight percent of the probationers were white; the other two were Hispanic. The average age of DVPU offenders was 32 years; with the oldest offender being 67 years. Forty-seven percent (n = 62) of the probationers had not completed high school. Forty-two percent (n = 56) had completed high school, and 11 percent had attended some college.

Most of the domestic violence offenders sentenced to probation did not have serious criminal records, but more than two-thirds of them had at least one prior conviction, usually on a misdemeanor charge. Almost half had previously been arrested

on domestic violence charges, and almost one-third had been convicted of domestic violence. Approximately 15 percent of the DVPU probationers had been on probation when they committed their current offense.

More detailed information on charges and sentences is presented in the following tables. Table 5.2 summarizes the offenses for which these offenders were placed on probation, while Table 5.3 presents information on the sentences imposed by the court.

Table 5.2: Current Offense Characteristics of DVPU Probationers

Offense	Number of cases	Percent
Misdemeanor Offenses	111	90.2%
Misdemeanor domestic battery	28	21.2%
Misdemeanor domestic battery with bodily harm	69	52.3%
Misdemeanor VOP	13	9.8%
Interfering with the reporting of domestic violence	1	.8%
Other misdemeanor offenses	8	6.1%
Felony Offenses	13	9.8%
Felony domestic battery	8	6.1%
Felony VOP	5	3.8%

## PROGRAM RESULTS

### Supervision

According to the data collected over the course of this project, the DVPU met and possibly exceeded the number of face-to-face office visits required by AOIC standards. However, because of larger than expected caseloads, home visits fell below the desired level. Because of the low rate of successful home visits in which contact was made by the offender, a problem reported by all three counties, efforts to make home visits were given a somewhat lower priority by officers looking for a way to manage their caseload.

DVPU officers, in an attempt to keep supervision at a manageable level and make the best use of their time, attempted fewer home visits as their caseloads grew.

### **Victim Contacts**

The DVPU had hoped to increase the level of contact between probation and the victims of domestic violence. However as caseloads grew much faster and larger than anticipated, victim contact was gradually reduced. This in part reflects the difficult situation in which probation officers find themselves. Their primary responsibility is to monitor and supervise the offenders who have been sentenced to probation. Often, despite the best of intentions, there are few direct services that probation can effectively provide to domestic violence victims. Letters were sent to almost one-third (n = 41) of the victims. A total of 37 other contacts, usually telephone calls, were made with victims; two victims accounted for 11 of those contacts. Most of these contacts were made early in the program's beginning, before caseloads grew. The DVPU does send the names of victims to the CFPA as a referral. CFPA has designated one person to contact these victims and to maintain continued contact if the victim so chooses. Information pertinent to the DVPU is shared by CFPA if it is deemed appropriate by the victim.

### **Completion of Batterer Intervention Program**

The court has ordered approximately 90 percent of all DVPU probationers to complete the BIP. During the time of this study too few probationers have completed the program to allow effective analysis or to provide a basis for reliable conclusions. Table 5.2 shows the results at the time the data was collected. The BIP had been completed by almost 40 percent (n = 43) of the probationers. Thirty percent were still enrolled in the

BIP (n = 34), 13% (n = 4) had made no contact with the program and 12 percent (n = 13) had been terminated as unsuccessful.

Table 5.3: Tazewell County BIP Status of Probationer

Result	#	%
In Program-Progressing	24	21.8
In Program-Not Progressing	10	9.1
No Contact With DVPU	14	12.7
Program Completed	43	39.1
Terminated-Unsuccessful	13	11.8
Other	6	5.5

### Probation Outcomes

#### **Changes in Supervision Levels**

Ninety-two percent of the DVPU probationers started their sentence classified in the maximum risk category for supervision. The project planned to supervise probationers at the maximum level for one year before considering them for reclassification. During this study over 40 percent (n = 55) of the probationers were in fact reclassified. Most of those reclassifications involved the 43 probationers who had successfully completed the BIP. A few probationers were reclassified upward because of probation violations and new offenses. Ten probationers had their original probation sentence lengthened by 12 months or more as a result of revocation proceedings.

#### **Probation Violations**

The DVPU officers filed probation violations with the SAO for 47 probationers. In 30 of these cases there was only one violation; in 17 there were two or more violations. A total of 45 violations were filed. Technical violations accounted for 62 percent of these cases; criminal violations made up 15 percent (n = 7), four of them involving new domestic violence activity. Over 20 percent (n = 10) of the violations involved a

combination of technical and criminal violations; seven of those were domestic violence - related.

### **Petitions to Revoke Probation**

In response to these 45 requests, the state's attorney's office filed 31 petitions to revoke, taking formal action in two out of three cases. The petitions were granted in 12 cases, denied in 9, and are still pending in 9 others. Most of the offenders who had their probation revoked were resentenced to probation but given a longer sentence. This meant that offenders were not getting off probation when expected and further added to the growing caseload of the DVPU officers.

### **Probation Completion and Termination**

Only one probationer had successfully completed his probation sentence at the time data were gathered for this report midway through the second year of the unit's existence. Six probationers had absconded and three were otherwise unsuccessful in completing their probation sentences. Of the 130 cases in which complete data were collected, 120 still remain on probation.

## **EVALUATION OF TAZEWELL COUNTY GOALS AND OBJECTIVES**

The stated goals and objectives of the Tazewell Domestic Violence Program Unit are shown in the box on the following page. This section assesses the progress that has been made on these goals and objectives during the first 18 months of the program. Tazewell County did not set specific targets for many of its program objectives. In many cases the objective was to increase a particular behavior. Without baseline data on the

frequency of these actions in the past, it is difficult to determine whether or not they have increased.

**Stated Goals and Objectives of Tazewell County's DVPU**

**Goal 1: Address life skills needs of offenders on probation.**

*Objective 1.* Assess individual needs.

*Objective 2.* Refer probationers to appropriate resources.

*Objective 3.* Monitor program progress.

**Goal 2: Reduce Domestic Violence Recidivism**

*Objective 1.* Increase use of and referrals to domestic violence programming.

*Objective 2.* Increase successful completion of batterer intervention program.

*Objective 3.* Increase number of probation officer contacts with probationers  
and with their family members and significant others.

*Objective 4.* Increase probation officer contacts with victims.

**Goal 3. Establish probation's role in unified family court and vertical prosecution strategies.**

*Objective 1.* Become acquainted with all courts, individuals, and existing programs.

*Objective 2.* Participate in and draft further program development as needed.

**Goal 1: Address life skills needs of offenders on probation**

One of the DVPU's goals is to increase the life skills of probationers assigned to the unit by assessing their individual needs, making referrals to appropriate resources, and monitoring their progress in those programs. Referrals to specialized domestic violence programming are specifically included as part of a separate goal.

*Objective 1.* Assess individual needs.

This objective is being met. Probationer needs are assessed at intake using the standard Illinois Adult Probation needs assessment form. This form covers education and employment needs, emotional stability and mental health, alcohol and other drug usage,

and family relationships. DVPU officers gather information from the probationer as part of this intake process. Officers routinely administer both the SASSI (Substance Abuse SSI) and MAST (Michigan Alcohol ST) assessment instruments. Probationers who have previously been in substance abuse or mental health treatment are asked to authorize release of these records. Based on this information, as well as a criminal records check and review of police reports, an individual case plan is developed for each probationer. These case plans include recommendations for addressing life skills needs.

The DVPU officers develop individual case plans that include a problem statement and case objectives for each assigned probationer. Probationer needs are informally monitored throughout the probation supervision process, primarily through office visits. DVPU officers note significant changes in a probationer's situation or needs in the computerized Tracker case notes.

Alcohol and other drug use problems and treatment needs are assessed by the probation officer through a combination of data in police reports, past criminal offenses, and assessment instruments. Although Tazewell court orders generally allow DVPU officers to order substance abuse and mental health evaluations at their discretion, without a specific court order such external assessments are rarely ordered unless the intake report clearly indicates that a problem exists.

***Objective 2.*** Refer probationers to appropriate resources.

This objective is being met in the context of limited resources. DVPU officers refer probationers to community resources and treatment opportunities, with substance abuse and mental health referrals documented most clearly in the files. A review of DVPU case files indicates that mandatory referrals to substance abuse or mental health

treatment programs are carefully weighed and are not made unless there is clear evidence of a problem. The initial referral is usually for evaluation and recommendations only unless the probationer is already participating in such treatment before probation or has been specifically ordered to treatment by the sentencing judge. When the evaluation results in a recommendation for treatment, referrals are made. The DVPU has been successful in getting 67 probationers ordered into drug/alcohol treatment and 23 have successfully completed the program while another 12 are progressing positively through the treatment program. One of the reasons for this success is that CFPA conducts an independent intake process for admission to the batterer intervention program, and can require evaluation and treatment for substance abuse or mental health problems as a condition of admission to or continuation in the program. Substance abuse problems or treatment needs that become apparent during participation in the batterer intervention program are mentioned in the monthly reports that CFPA provides to the DVPU on each probationer.

Referrals to other types of services and resources are also noted in the probation file, either through the officer's Tracker case notes or on the report forms that probationers complete at each office visit. Tazewell County requires probationers to be employed or actively seeking employment, and probation officers sometimes make specific referrals to employers who are currently hiring. Probationers who do not have a high school diploma are referred to area resources that offer GED preparation and testing.

In its initial proposal Tazewell County stated that it would maintain a monthly checklist of services ordered and referrals made for each probationer, and use that as an indicator of progress on this objective. This has not been done, largely due to heavy

DVPU caseloads and the burdens imposed by this kind of detailed record keeping. In addition, probationers are not required to take advantage of many of the services and resources that are available, such as GED or job training programs. Tazewell County has complied with the spirit of this objective by noting all referrals with which compliance is required, particularly the referral to CFPA for their batterer intervention program, and by following up to obtain actual compliance.

***Objective 3.*** Monitor program progress.

DVPU officers monitor probationer compliance with life skills programs and activities through routine office visits and through various collateral contacts. Where participation in an alcohol or substance abuse program is required or mental health treatment mandated, probationers are regularly questioned about their participation. Written progress reports are sometimes requested from the treatment provider, and informal progress updates are obtained through telephone conversations. Some DVPU probationers are required to attend Alcoholics Anonymous meetings and obtain a sign-off from the person running the meeting to confirm their attendance. Since maintaining employment is a priority within Tazewell County probation as a whole, working probationers are required to bring in copies of their paycheck stubs. Probationers who are not working are regularly required to confirm that they are actively seeking employment.

**Goal 2: Reduce Domestic Violence Recidivism**

***Objective 1.*** Increase referrals to batterer intervention program.

Tazewell County had a high rate of referrals to the CFPA batterer intervention program before the creation of the DVPU and this high rate has been maintained. Thus,

although the DVPU does not appear to have increased the rate of referrals to the batterer intervention program, it has met the spirit of this objective by maintaining existing high referral levels despite increasing numbers of domestic violence probationers.

Probationers in the DVPU have been ordered to complete a BIP 90 percent of the time. The batterer intervention program requirement is explicitly stated in the court order setting the conditions of probation. Offenders are informed of this requirement at their initial probation intake interview, generally conducted on the day of sentencing. At the first meeting with their assigned DVPU officer, which may take place several weeks later, the probationer is directed to make an appointment for an intake interview with CFPA. Files indicate that probation officers pay careful attention to this requirement, asking about the CFPA evaluation and program intake at each office visit. Probationers are given a reasonable period of time to comply with this requirement, but probation violations are filed in cases where the probationer continues to delay or postpone meeting with CFPA.

One hundred and sixteen probationers have been ordered to complete the batterer intervention program. During the last two years CFPA has increased the number and location of groups that are offered in Tazewell County to accommodate these numbers. Tazewell County probation worked with the chief judge of the judicial circuit and with the judge assigned to hear misdemeanor domestic violence cases in Tazewell County to develop a specialized set of probation conditions for domestic violence offenders. As a result the probationer's obligations are more clearly stated and are more uniform from case to case.

***Objective 2.*** Increase successful completion of batterer intervention program.

In its original proposal Tazewell County emphasized careful monitoring of probationer progress as a key indicator of progress on this objective. The DVPU has developed a reporting system with CFPA that allows its officers to track the progress of probationers in the batterer intervention program and use offender contacts to reinforce program goals and to intervene in response to noncompliant behavior. Once the CFPA intake has been completed and a start date for the program has been set, CFPA provides monthly progress reports on each probationer. These reports include both quantitative and qualitative information and highlight any major problems that are present. Quantitative information includes any missed sessions that have not been made up and outstanding fees. Qualitative information includes comments on the quality of program participation, interaction with program facilitators and other participants, and problems that may lead to termination (such as evidence of substance abuse). If CFPA terminates a probationer from the program a separate notice is sent documenting the reason for this action. CFPA issues a certification of program completion that documents completion of this requirement.

Case notes entered by the probation officers indicate that these progress reports are regularly discussed with the probationers during office visits, and the requirement to attend and participate in the batterer intervention program is emphasized. Formal probation violation notices are usually not filed unless a probationer is terminated for failure to attend or for violation of program rules.

Systematic information on program progress and completion rates was not available for comparison purposes, but general figures indicate that completion rates have actually declined since the creation of the DVPU. Tazewell County probation estimates

that more than 80 percent of the probationers referred to CFPA in the two years before DVPU completed the program. In contrast, only 64 percent of DVPU probationers had completed or were still enrolled in the batterer intervention program in spring of 2000. While these figures are not exactly comparable, they indicate that probationers now delay more before entering the program and take longer to complete the program. Completion rates also appear to have declined as sanctions are less readily available to enforce compliance.

The DVPU program has taken appropriate steps to obtain compliance with the batterer intervention program requirement. Probation violations were regularly filed during the first 18 months for failure to begin the program or failure to complete it successfully. In many cases, however, violators were not held accountable for their failure to participate in the program. Only two-thirds of the probation violations forwarded to the SAO resulted in PTRs being filed. Only 11 probationers were actually revoked due to technical violations. In many of the cases where probation was revoked, the violator was again sentenced to probation.

***Objective 3.*** Increase the number of probation officer contacts with probationers and with their family members and significant others.

The lack of baseline data makes it difficult to determine whether probation officer contacts have increased. Success in meeting this objective has instead been measured in terms of meeting contact standard goals.

DVPU officers were successful in meeting or surpassing the required AOIC contact standards for office visits, but because of increased caseloads were not able to meet AOIC standards for home visits. DVPU tried to supervise the most serious

maximum-level offenders at a more intensive level than required, with up to four contacts a month, and was often able to meet this goal. Contact expectations consistently remained high, since offenders who could be supervised at lower levels were reclassified and transferred to a probation officer outside the DVPU.

The DVPU does not appear to have met the objective of increasing probation officer contacts with family members and significant others. In the majority of cases the probation officer had very limited contact with the offender's family.

***Objective 4.*** Increase probation officer contacts with victims.

Our review of probation files did not indicate that DVPU officers had more contacts with victims than other officers supervising domestic violence offenders. Each of the DVPU officers sent informational letters to victims during portions of the study period. Victims were referred to CFPA for services and were also invited to contact the probation officer if they wished. However, these letters were not sent in a consistent manner throughout the period under review.

Contacts with victims were noted in the Tracker log. In most cases these were telephone calls initiated by the victim, reporting offender behavior or requesting help with such things as family matters, housing, or child support. In several cases victims called seeking protection from the offender. Because of the potential conflicts involved, officers referred these requests to the state's attorney's office or to CFPA.

**Goal 3. Establish probation's role in unified family court and vertical prosecution strategies.**

***Objective 1.*** Become acquainted with all courts, individuals, and existing programs.

This objective has been met. The chief adult probation officer was already familiar with these institutions and the people in them, having worked with the judicial circuit's Family Violence Coordinating Council and with CFPA for years. As DVPU officers were hired or transferred to that unit they also became a part of this network. While officers do not meet regularly with many of these parties, they are sufficiently acquainted to be able to stop by their offices or call to discuss specific cases. DVPU officers consult with CFPA frequently, and have also worked with substance abuse and mental health treatment programs and with the Department of Children and Family Services.

Changes in the people responsible for domestic violence cases in the courts and the state's attorney's office have affected probation's success in meeting this objective. Although the DVPU officers know and work with whoever currently fills the position, the working relationships are not as close.

***Objective 2.*** Participate in and draft further program development as needed.

This objective has been partially met. Probation personnel were involved in the creation of the new conditions of probation for domestic violence offenders in Tazewell County. As understandings have been worked out between probation and the state's attorney's office they have not necessarily been transformed into a formal policy or protocol. The overall goal of creating a unified family court with a coordinated strategy for prosecuting domestic violence offenders has not been achieved.

## MANAGEMENT CONSIDERATIONS AND FINDINGS

### Administrative Commitment and Involvement with the Domestic Violence Probation Unit

Representatives from the Tazewell County probation department were involved in efforts to create specialized intervention and supervision programs for domestic violence offenders well before the creation of the DVPU. The probation department and the state's attorney's office worked together to create the model for the DVPU and to implement it. Assessment instruments and screening criteria were identified in advance, and supervision guidelines for DVPU officers were in place when the DVPU was created. Having these elements in place was very helpful in getting the program started and allowed DVPU officers to concentrate on carrying out their supervision duties from the very beginning.

There was a change in department heads during the second year of the program, but the chief probation officer has remained the same and the department's commitment was not significantly affected. The high level of administrative commitment to the program is demonstrated by the county's willingness to assign one of its intensive probation supervision (ISP) officers to the DVPU to supervise felony offenders and other cases that raise issues of victim safety. Every DVU officer has received extensive training in the Duluth model for batterer intervention programs and in the dynamics of domestic violence.

Domestic violence cases continue to represent a substantial portion of the overall probation caseload. During the first 18 months of the DVPU domestic violence cases as a whole made up 22 percent of all new probation intakes. Only two-thirds of these cases

could be placed in the DVPU. The remaining ones were distributed among a few adult probation officers who have a mixed caseload but supervise a number of domestic violence offenders. Resource and budget limitations prevent probation from adding another specialized officer to the DVPU.

Administrative support and involvement from the state's attorney's office has gradually changed since the departure of the ASA who helped create the DVPU. While the SAO still assigns an ASA to specialize in prosecuting domestic violence cases, there is less interaction between the SAO and probation and less informal discussion of how cases should be handled. Tazewell and Peoria counties are in the same judicial circuit and have received comparable external administrative support from the circuit's Chief Judge and the Family Violence Coordinating Council.

#### Decision-Making and Problem-Solving Techniques

Domestic violence cases involving court-ordered participation in a batterer intervention program are signed to one of the DVPU officers by the chief probation officer. The DVPU originally included one felony and one misdemeanor probation officer, and cases were divided on that basis. As misdemeanor convictions came to represent a larger proportion of the total caseload, assignments were made based on information about the actual offense and the offender's history. Domestic violence cases where a batterer intervention program is not required are assigned to an officer outside the DVPU. This means that the sentencing judge essentially controls assignment to the DVPU by deciding whether to require a batterer intervention program. The sentencing judge can also specifically sentence an offender to intensive domestic violence probation supervision. Those cases are assigned to the IPS officer in the DVPU.

DVPU officers consult informally with each other and with the chief probation officer to resolve problems that arise in the course of supervision. They also consult with CFPA in making decisions about responses to poor program progress or absenteeism. As with other types of caseloads, DVPU officers have considerable discretion in setting office visit schedules and monitoring probationer activities. DVPU guidelines emphasize the importance of home visits and the officers were encouraged to arrange schedules that would allow them to make home visits on a regular basis.

Some decisions have been driven in part by financial concerns. For example, the batterer intervention program was originally provided to probationers at no charge, but a sliding scale fee had to be introduced to cover program costs. CFPA requires payment of the fee before a probationer is considered to have completed the program, but does not terminate anyone for failure to pay. Probationers also pay a fee when a drug test is required. In part because of these costs, officers usually order drug testing only when there is some reason to believe that the probationer has not been compliant with this requirement.

The conditions imposed in domestic violence probation by the sentencing judges have gradually changed over the first two years of the program, in part because of problems with the original conditions or the wording of those conditions that have become apparent through the revocation process. Eventually the chief judge decided to create a special court order for domestic violence cases that would include specific conditions that could be selected or excluded on a case-by-case basis. The probation department had an opportunity to have input into that process, but the actual decisions were made by the judge.

As in other counties, the DVPU has no significant input into charging, prosecution and sentencing decisions in domestic violence cases. Although probation officers almost always initiate the revocation by filing formal notice of a probation violation and requesting that a petition to revoke probation be filed, they have little input into the actual decisions made by the state's attorney's office. Over time they learn through experience what kinds of violations will result in a petition being filed and what kinds of evidence need to be provided.

#### Communication and Cooperation

Communication within the DVPU is generally informal. There are no formal case "staffings," although information is regularly shared in conversation. Officers prepare written supervision plans for each assigned probationer that are placed in the file and subject to review by their supervisor. Because of the size of the department, the chief probation officer is familiar with many of the cases and is available for informal consultations. Originally, the caseloads of the two DVPU officers were quite different and they tended to consult more with their supervisors than with one another. This has changed in the second year of the program, but the DVPU officers still pair up with officers outside the unit to conduct home visits. The DVPU officer who has IPS responsibilities regularly pairs up with another IPS officer.

The front-office probation staff are very helpful in setting up files, arranging appointments, and rescheduling appointments when necessary. The communication between DVPU and other units in probation appears to be fine, although the files indicated that current updates on community service requirements were not always accessible. Police reports are readily available in probation files and often provide

additional useful information. Responding officers will often note if there is a prior history of domestic violence calls, even if there are not previous arrests.

The flow of information between the state's attorney's office and probation needs to be improved. DVPU officers have little input into sentencing decisions, even when the offender is on probation. Decisions on petitions to revoke probation sometimes take months, particularly when a new charge is pending, and little information on the progress of these cases is provided to probation. In some cases the DVPU does not receive a clear explanation of why a request was denied or what conditions must be present for revocation to occur.

Communication and cooperation between probation and CFPA are excellent, due in part to their long history of coordinated activities. Monthly progress and attendance reports are sent to probation once a probationer has been accepted into the CFPA program. Because probationers make their own intake appointments, however, delays in completing the intake process are not consistently noted and reported to DVPU.

#### Collaboration and Coordination

Coordination between DVPU and CFPA remains strong. All DVPU officers have completed the 40 hours of training required to work at CFPA, as well as additional training in the Duluth model, which provides a shared understanding of the program process. DVPU officers take note of the qualitative assessments provided by CFPA in their monthly reports, and often address these issues in their office visits. A notice of probation violation and a request for revocation are always filed if CFPA terminates a probationer. DVPU officers also work with CFPA to find an appropriate referral if a probationer is considered ineligible for the CFPA program.

Coordination between DVPU and the state's attorney's office now occurs primarily through formal channels. The assistant state's attorney does not currently provide lethality assessments on offenders who are sentenced to probation, adding another requirement to the DVPU intake process. The state's attorney's office does not consult with DVPU on preferred outcomes in probation revocation or modification cases.

#### Program Awareness Among Practitioners

Practitioners in the domestic violence area are aware of the key elements of the DVPU program, which combines probation supervision with mandated completion of a batterer intervention program. Sentencing judges and the state's attorney's office are aware that intensive probation supervision within the DVPU is an option. The DVPU generally has a good reputation as a program that is well designed and implemented. Most practitioners described the key element of the program in terms of providing "treatment" or "counseling" to domestic violence offenders, although neither the Duluth model nor CFPA present themselves as treatment programs.

## **CHAPTER 6: GENERAL RECOMMENDATIONS**

Although the three domestic violence probation programs evaluated in this study address the same general set of problems, the environment in each county is different and each program has been individually designed and implemented. This chapter takes note of the major achievements of each programs while recommending ways in which they might be improved.

### **PROGRAM ACCOMPLISHMENTS**

The programs have succeeded in identifying the target population of domestic violence offenders and assigning them to probation officers with specialized domestic violence caseloads. As the number of domestic violence offenders sentenced to probation has increased, each county has refined its selection process in order to assign to its specialized officers those probationers who are likely to be most in need of particular kind of close supervision that the unit provides. Offenders who are supervised through these units must be convicted on a domestic violence charge such as domestic battery or violation of an order of protection. Cases that include violence against a family member but which are not charged as domestic violence are not currently assigned to the specialized caseload, in part because the batterer intervention programs are not designed for these kinds of offenders. In addition, domestic violence cases that involve non-intimate partner violence and sentences that do not include mandated completion of a batterer intervention program are commonly assigned to an officer outside the specialized unit.

In creating specialized units, the probation departments have recognized domestic violence as a caseload that poses unique challenges for successful supervision. Probation

officers have been assigned to these units on a full-time basis and have received special training to help them supervise these offenders successfully. Officers in all three counties have completed the 40-hour training that the shelter or victim's services organization in their area provides. Officers in Peoria and Tazewell Counties have also been trained in the Duluth intervention model.

Many of the specialized officers who were relatively new to probation had not gone through basic probation training at the time they accepted assignment to the domestic violence unit. Specialized domestic violence probation training should be a supplement to the basic training, not a substitute for it. Although departments do not control access to the basic training sessions, we recommend that they consult with AOIC to see if there are ways to expedite basic training for officers who are taking on specialized responsibilities.

Because of these specialized domestic violence probation units, the three counties are gaining a better understanding of their domestic violence offender populations. Although the programs have not specifically profiled the offenders they supervise, the specialized caseloads have allowed probation officers to identify patterns that are relevant to the supervision of these offenders. The officers understand that these probationers are not first-time offenders, even though this charge may be their first domestic violence conviction. Domestic violence is chronic, patterned behavior, which requires a different kind of intervention and supervision.

The probation departments have shown strong administrative support for their domestic violence units, often providing additional resources as caseloads have increased. The specialized units benefit from being supervised by experienced and supportive

administrators. In two of the counties the unit supervisor was directly involved in preparing the grant proposal that funded the unit and in designing the specialized strategies that are employed.

The specialized domestic violence units have recognized the need to draw on community resources in supervising this probation population, identified appropriate service providers, and developed working relationships with them. Most prominent among these are the organizations that provide batterer intervention programs. In Peoria and Tazewell Counties this is the Center for Prevention of Abuse, which is also a direct service provider and shelter for domestic violence victims. In Sangamon County two organizations offer programs which meet state protocol requirements, and DDVP works with both of them. Probationers are being referred to these programs in a timely manner, and each probation unit has developed a process designed to decrease the time between referral and entry into the program as well as a process for reporting probationer progress in these programs.

Probation has also recognized the importance of addressing problems of alcohol and substance abuse. Each domestic violence probation program has the authority to order testing for substance abuse and to require evaluation and treatment in these areas. They recognize that alcohol or other drug abuse and battering are not mutually exclusive problems, that dysfunctional offenders can have two concurrent problems. By seeking to address substance abuse problems where they can be documented, probation programs are recognizing the risks posed by a substance-abusing offender with a penchant for battering.

The three probation programs understand that enforcing the conditions of probation that have been imposed is an important intervention tool, and is the key to successful probation and the prevention of future offenses. Issues of power and control continuously arise in the supervision of domestic violence offenders, particularly with respect to technical violations. The probation officers are aware of the relationship between technical probation violations and more violent reoffending, and respond quickly to technical violations by filing probation violation notices and seeking petitions to revoke probation.

The specialized probation programs appreciate the serious nature of domestic violence offenses, even when the conviction is for a misdemeanor offense. They supervise these probationers as high risk offenders, based on the actual or implied violence of their offenses, working to meet the required AOIC standards for maximum risk supervision and maintaining a schedule of frequent office visits. Supervision is actually more extensive than this schedule might indicate, since probation officers receive monthly written reports from the batterer intervention programs and receive additional updates through telephone conversations.

Victim contact and victim services are recognized as important components of an effective domestic violence probation program. Each of the three programs recognizes the need to be in contact with the victims of the probationers they are supervising, and to be able to provide support to those victims. Rather than attempting to provide direct services, the probation programs focused on establishing good working relationships with victim advocates in the state's attorney's office and the local shelter and service programs for domestic violence victims.

## BARRIERS TO IMPLEMENTATION

Each of the three program proposals assumed that the probation department would be called on to conduct pre-sentence investigations (PSIs) and to provide relevant information for use in the sentencing process. This has not happened consistently in any of the programs. Instead, general guidelines have developed which presume that probationers convicted on domestic violence charges will be required to complete a batterer intervention program and will be supervised by the specialized probation unit. Prosecuting attorneys and judges have not perceived a need to gather additional information on the offender or the offense before imposing this sentence. As a result, probation does not have the opportunity to present specific background or offense information to the court or to have input into individualized sentences.

Each of the programs has encountered some problems with access to information. In order to do the best possible job of monitoring offenders and protecting victims, probation officers need complete access to information on current and past offenses. In Peoria County, for example, it was difficult for the probation department to get police reports on the incident. This meant that probation did not have the best and most complete information on the offense, and actually had to rely on the offender as a source for some of this information. Without these reports, it was also more difficult for probation to provide a complete referral to the CFPA batterer intervention program. In other counties police reports were available on the current offense, but information about earlier arrests and convictions was sketchy or unavailable. In many cases the only available information about the victim was provided by the offender, which is not a reliable source of information.

Because probation is not involved in the sentencing process, and often receives no information about these offenders until they arrive at the probation department, the specialized officers cannot intervene effectively during the early stages to protect victims. Victims are at risk of abuse, intimidation, and coercion by the offender during this time. By the time a case has arrived at probation and gone through the intake process, the victim may again be under the abuser's control, or may have given up on probation as a source of assistance.

Prosecuting attorneys, judges, and domestic violence probation officers appear to have different "mental models" of the programs. In our interviews judges emphasized the importance of getting domestic violence offenders into batterer intervention programs, which were consistently referred to as "treatment programs." Prosecutors also discussed the way in which domestic violence convictions provided leverage to get offenders into domestic violence programs. Judges and prosecutors generally agreed that probation sanctions should be used to ensure that the offender completed the batterer intervention program.

Probation officers, in contrast, saw the batterer intervention program as one of several important goals. They recognized the importance of power and control issues in offenders' lives, and noted how these influenced the dynamics of the probation supervision relationship. Probation officers believed that probationers often attempted to obtain power and exert control over the probation relationship by testing the limits of enforcement, particularly with respect to technical violations. As a result, they believed that prompt sanctions in response to technical violations were an essential part of the specialized programs.

Despite the existence of specialized domestic violence courts in two of the three counties, and a single judge who handles most domestic violence cases in the third, the process of revoking probation or imposing a sanction for a probation violation takes considerable time and is far from certain. This has been a barrier to the implementation of the specialized probation programs as they were originally designed. It has also contributed to the high caseloads in each program, since many offenders have their sentences extended or are re-sentenced to probation and do not leave the probation caseload as anticipated.

## RECOMMENDATIONS

### **Sentencing and Intake**

1. Become more proactively involved in sentencing. Probation officers currently are not asked to prepare PSIs, and do not prepare comparable post-disposition reports internally. Although preparing such a report takes time, it provides valuable information to the supervising officer and represents an important source of supporting documentation when probation violations are reported. This kind of report is also helpful in justifying requests for modifications in the conditions of probation as well.
2. Include a probation photograph as part of the intake process. Tazewell County currently does this, using a digital camera. It ensures that probation has a current photograph, permits updating as needed, and provides a photograph that can be inexpensively reprinted as often as needed when sharing information about probationers with law enforcement agencies and other coordinating agencies.

3. Streamline the process of getting a sentenced offender into a batterer intervention program. Currently this may take several months. The longer the gap between sentencing and entering a program, and less supervision the probationer is under and the greater the chance of more abuse. The first few months are crucial in setting a framework of probationer accountability for the remainder of the sentence.

### **Conditions of Probation**

1. Work with the state's attorney's office and the domestic court judge to develop domestic violence-specific conditions of probation and review them on a regular basis. The Tenth Judicial Circuit, which includes both Peoria and Tazewell Counties, has already done this. A specialized document can include conditions that would otherwise have to be written in, and can prevent problems that may arise from minor variations in language. Like the standard probation order, the specialized form can include conditions that apply in all cases unless they are struck off and conditions that must specifically be checked by the sentencing judge to apply.
2. Special consideration should be given to including the following as conditions:
  - Obey all applicable court orders. Language that is restricted to the criminal law does not automatically cover all violations of orders of protection, nor does it include relevant court orders covering child support and other family matters.
  - Live only where approved by probation officer. This language permits the probation officer to actively investigate any proposed residence for potential victims, and to impose additional requirements as needed as a condition of approval.

- Abstain from the use of alcohol and illegal substances. Evaluation and treatment for alcohol and other drug use is currently a common condition of probation. Abstinence is in many ways an easier requirement to track and enforce, and mandating it may provide the external motivation many abusers need to seek and remain in treatment. Abstinence also places emphasis on a factor that is clearly correlated with increased risk of further abuse.
- No-contact provisions in situations where the offender is not residing with the victim. No-contact orders are a standard element of domestic violence bail, but are not routinely included in probation conditions. Including this as a condition of probation takes the burden of applying for an order of protection off the victim. Since additional abuse often occurs within the first few months, even having this as a temporary condition could greatly improve victim safety.
- Language that explicitly specifies current restrictions in Illinois and federal law regarding ownership and possession of a handgun. Although these restrictions often prompt resistance and resentment, we believe it is better to confront these in the courtroom to ensure that there is no misunderstanding, and to convey the message that these conditions don't originate with the probation officer but are mandated by existing law and supported by the judge and the prosecutor.

### **Information Issues**

1. Routinely obtain police reports and related documents related to the current offense. Request copies of police reports for previous domestic violence arrests.
2. Routinely obtain documentation on any existing order of protection. Be sure that past orders of protection are also documented in the probation file.

3. Review risk evaluation and needs assessments instruments currently being used to determine what information is being gathered and why, and how it is being used.
4. Routinely share information on offense and conditions of probation with the batterer intervention program.
5. Improve documentation of participation in batterer intervention program by requesting weekly attendance records. This requirement could be satisfied by having the batterer intervention program fax group sign-in sheets to the probation office, or by sending prepared reports on a more frequent basis. Monthly reports delay probation's ability to respond quickly to problems in this area.
6. Work with appropriate county agencies to develop a reporting system that can automatically flag and report on domestic violence arrests and orders of protection. Such a system would allow probation officers to automatically receive a daily report of any of their cases who were arrested or had an order of protection filed against them. It would be desirable to have reciprocal relationships with adjoining counties.
7. Work with local police departments to make information on probationer status and conditions of probation readily available to police. Such a system would allow a police officer responding to a 911 call to know if anyone at the address was on domestic violence probation or had an order of protection on him and what probation conditions were in place, including whether the abuser should be at that address or in contact with that victim.
8. Identify key internal performance benchmarks and begin to keep records on a routine basis to establish baseline performance data within the department. This will allow

specialized units to determine what changes have occurred over time, and provide the basis for more realistic and measurable objectives as the program continues.

### **Probation Supervision**

1. Clarify the purpose or purposes to be served by home visits, and consider alternative ways of serving some of these ends. If the purpose is to meet with the probationer, a mix of announced and unannounced visits might serve this purpose. The present system of unannounced visits is very time-consuming and results in relatively few actual home contacts. If the purpose is to confirm residency, this might be accomplished by a mix of announced and unannounced visits coupled with additional police confirmation between probation officer visits.
2. Develop agreements with local and regional law enforcement agencies to involve police in community surveillance of domestic violence probationers in the course of their ordinary activities. Their reports would provide additional documentation on whether or not offenders are complying with their conditions of probation.  
  
Sangamon and Tazewell County have both made some progress in this direction.
3. Work with police to serve probation warrants and to track down and arrest absconders. In the Quincy (MA) study, absconders were found to be twice as likely to re-abuse as those who did not.
4. Increase attention to drug and alcohol abuse issues, particularly when substance use or abuse was associated with the domestic violence offense. Because there is a documented link between substance abuse and risk of reoffending, behavior in this area should be routinely monitored and documented.

5. Document informal agreements with written protocols whenever possible. Informal agreements are based on understandings between specific individuals, and often do not survive personnel turnovers.

### **Enforcement Issues**

1. Impose sanctions in response to technical violations. All three specialized programs have documented probation violations, but state's attorney's offices and domestic violence court judges have not consistently followed up on these notices. Technical violations can be seen as the "broken windows" of the probation system, and need a quick response. Since domestic violence offenders threaten community and victim safety, those violations should be given a high priority within the system. Some factors that might contribute to an improved response include:

- Better understanding of the way in which technical violations are connected to other aspects of domestic violence, and therefore need more immediate attention. For example, slow response on a technical violation may put the victim at risk and reduce her willingness and ability to cooperate with either probation or prosecution.
- Agreements between the state's attorney's office and probation regarding what forms of documentation are required to support a petition to revoke probation.
- Use of new arrests or charges as the basis to move ahead on petitions to revoke probation. Under current practice the state's attorney's office prefers to wait for the outcome of the new charge. This means that the offender's status undergoes no immediate change, even though he has violated his probation. Failure to act

quickly contributes to a perception that the offender is in control and has more power than the probation officer.

- Agreement that the issuance of an order of protection, which is based on the preponderance of the evidence, will be considered sufficient to justify filing a petition to revoke probation.
  - Agreement with the batterer intervention program on grounds for termination from program, including failure to participate. Probation should continue to request revocation based on termination from the batterer intervention program.
2. Domestic violence probation officers should prepare a written report, prior to any hearing on a petition to revoke, which includes their assessment of the risk posed by the offender and the reasons why they believe revocation or some other intermediate sanction is appropriate. This report should be sent to the state's attorney for inclusion in that office's file. This recommendation requires probation take a position on the record, and promote the use of formal sanctions where appropriate.
  3. Reconsider the routine use of judicial reviews and status hearings as they currently operate in Sangamon County. Probation should be able to identify the cases that need heightened judicial attention, allowing the domestic violence court to focus its efforts where they are most needed. This would also provide more time for disposition and sentencing hearings in domestic violence cases and for rapid action on revocation petitions.

### **Staffing**

1. Address problems of turnover within the specialized domestic violence probation units. It is important to recognize the special challenges of this caseload, including

the maximum supervision requirements. Consider the possibility of assigning additional resources, both monetary and non-monetary, to this unit, including more flex time, lower caseloads, additional staff support, and greater recognition of the role that domestic violence specialists play in reducing future homicide rates.

### **Victim Components**

1. Contact the victim as soon as possible in the probation process. Currently victim letters are sent after intake is completed, as much as 60 days after the offender is placed on probation.
2. Expand the victim component to include more attention to children. The standard conditions of probation require the probationer to support his dependants. In some counties the conditions also include a requirement to obey all court orders, which would include support orders. Tracking child support payments would provide insight into a way in which abusers often attempt to maintain power and control over their victims.
3. Develop a program to identify and contact new partners of convicted abusers. The probationer can be required to inform any new partner of his probation status and the offense for which he was sentenced. In counties where probation must approve his residence, the defendant could be required to inform his new partner of his past offense before being given permission to reside there. New partners should be offered the same services from probation as the original victims.
4. Develop a way to follow up if a victim reports any new abuse, or reports violations of the conditions of probation. If probation is going to encourage victim contact, they

need to be in a position to provide actual responses. To do otherwise serves primarily to reinforce the perception that the abuser retains power and control over the victim.

5. Clarify the existing policy on home visits with victims, and develop a written protocol to guide probation officers in making these visits both safe and productive. Home visit contacts with victims are presently limited to victims who are residing with the offender, and occur in the context of offender home visits. This creates serious safety risks for victims. Probation officers should consider scheduling one or more home visits with the victim at a time when the offender will not be home, perhaps during the time he is scheduled to attend the batterer intervention program. Probation programs should explore the possibility of making these visits jointly with a representative of the battered women's service provider.
6. Inform victims about the offender's probation status on a regular basis, including any known violations, any requests to revoke probation, and any scheduled hearings. Victims often believe that the combination of "treatment" (a batterer intervention program) and probation supervision will change the abuser. Probation has an obligation to keep her informed, particularly if there is evidence that he is not complying with probation requirements.



## CHAPTER 7: PROPOSED IMPACT EVALUATION

As part of the implementation evaluation described in this report, the research team collected data from probation files maintained by each of the three specialized probation projects. The data collection concentrated on active files, and gathered information on the offender, the offense, the sentence imposed, and selected aspects of the supervision process. These data provide the basis for the preliminary impact evaluation carried out as part of this report, and also constitute a database that can be used to analyze overall program accomplishments and impact. We will continue to collect these data on a regular basis from the three specialized probation units during the period of the impact evaluation, providing a database containing detailed information for the first three years of these projects.

In our original proposal we presented a research design involving cohort analysis. During the course of the research project it became evident that this design was inappropriate. Instead we chose to collect data on all probationers being supervised in the unit during a specific period of time. This method of data collection gave us the required mix of probationers with more and less time in the project. Because we identified the date of entry into probation, as well as the dates on which specific supervisory activities occurred, we can analyze case data based on time of entry into the program or length of time in the program to track developing changes over time.

As the original ICJIA *Request for Proposals* noted, long-term project impact is difficult to assess in a one-year evaluation, particularly one undertaken so close to the start of the projects as this one was. Therefore, the ICJIA requested that the final report

include a study design for a follow-up impact assessment of the programs under study. Our proposed study design is outlined in this chapter.

A key strategy for each of the specialized probation projects was to work closely with law enforcement, the court system, prosecutors, social services, and shelter professionals to effect a coordinated community response. During the implementation evaluation we focused on how probation had implemented its part in this larger community response. In the course of doing that we identified a number of areas where coordination was not yet in place. As part of this proposed impact study it will be necessary to conduct interviews and gather information from some of these community partners as well as from probation. This approach will provide improved understanding of the overall community response, assist in identifying barriers to full implementation of a coordinated community response, and focus on specific points of change throughout the system.

The primary purpose of an impact study is to determine what effect a specific project has on its designated target population. Before the effects of a project can be measured or described, the actual elements of the project must be documented and analyzed. An implemented project often varies from the original proposal, and its impact must be assessed based on what the project is actually doing. This work was begun as part of the implementation evaluation, but will need to be carried into the impact evaluation as well.

The target population for these projects is defined as domestic violence offenders sentenced to probation. In the impact evaluation the research team will expand its examination of the data collected on offender characteristics to provide a more detailed

profile of the project population in each county. This analysis will focus on factors which have been identified in other research studies as risk factors for additional domestic violence, including: current age; age at first arrest (including juvenile history when available); previous arrests and convictions, both for domestic violence and for other offenses; level of violence documented in previous domestic violence incidents; previous or current orders of protection, whether or not obtained by the current victim; number of previous victims; and history of substance abuse.

In order to assess the impact of the projects, it is necessary to compare the probationers assigned to them to other offenders who were not assigned to the project and did not receive the same treatment. During the implementation evaluation data collection was limited to probationers who were being supervised by the specialized projects. As part of the impact evaluation the research team will collect data from a sample of other domestic violence probation files, selecting approximately 80 files from each county. This will allow us to compare terms of probation, levels of supervision and probation conditions, clarifying differences between the two groups.

Quantitative data collection and analysis and qualitative interview data will be used to examine key questions about the impact of the effects of these projects on assigned domestic violence offenders. The following specific questions will be addressed.

**Are domestic violence offenders appropriately screened into the specialized domestic violence probation projects?**

In order to answer this question, we will work with the state's attorney's office as well as the probation department to track the sentences given to all domestic violence

offenders and the supervising units to which they are assigned. In each county some domestic violence offenders are sentenced to probation and others to conditional discharge; some of those who are sentenced to probation are assigned to the specialized units while others are not. We will compare these populations on key factors, including offense characteristics and criminal history, to determine whether general assignment guidelines exist and whether they are being applied in a consistent manner. We will also work with the state's attorney's office in each county to obtain information on the screening process that determines whether or not a formal charge will be brought.

**Are domestic violence offenders assigned to the specialized projects receiving adequate supervision and intervention services to prevent further victimization?**

We will continue to collect data on probation supervision, including office visits, home visits, collateral contacts, and required documentation. This will allow us to determine whether or not the projects are meeting their project supervision standards, as well as AOIC minimum requirements. In addition to providing summary data on patterns of supervision, we will analyze data to identify which probationers have the most contact with their probation officers and what characteristics are associated with those patterns. The research team has collected data on whether or not a "completed contact" involves actual contact between the offender and the probation officers, and that data will be analyzed as part of the impact assessment.

One of the primary supervision goals of each unit has been to meet the established standards for probation supervision as the maximum level. This has posed some challenges to officers who are supervising caseloads made up exclusively or primarily of maximum-level cases. As part of our impact evaluation we will consider how well the

established maximum-level standards describe the supervisory needs and activities of these specialized units. We will also review the re-evaluation forms to document the differences between those who remain at the maximum level and those whose supervision status is changed, and to compare the probation outcomes of the two groups.

Additional information will be collected from the batterer intervention programs on the attendance and participation of assigned probationers in these groups. During the implementation evaluation we confirmed that these records exist and may be shared with those who are authorized to review probation records. This will allow us to conduct more detailed analysis of attendance patterns and probation supervision. The research team will conduct interviews with group facilitators to identify behavior in group which is seen as a danger sign. We will also be able to examine the consequences of missed sessions and the impact of termination from the program on probationers who are subsequently allowed to re-enroll.

The research team will conduct a more detailed examination of substance abuse referrals, evaluations, treatment participation, and testing as part of the impact study. Although the use of alcohol and other drugs has not been identified as a cause of domestic violence, studies have confirmed a correlation between substance abuse and reoffense risk. We will document the ways in which alcohol and drug use is monitored during the probation sentence, and analyze these data to determine what relationships exist between substance abuse and recidivism in this population group.

**What is the quality and quantity of contact between project staff and victims? How are victims' needs for support and services met?**

During the implementation evaluation the research team collected data from probation files on types of contacts between specialized probation officers and victims. These data will be analyzed, with particular attention given to the characteristics of victims who sought assistance from probation. To supplement these data we plan to conduct interviews with the local shelters and domestic violence service providers in these counties, as well as with the state's attorney's victim-witness advocate and the staff of the batterer intervention programs.

The implementation study documented that the specialized probation officers had limited contact with the majority of domestic violence victims. Through these interviews we will examine the kinds of services and assistance that probation officers were able to provide, and document the changes that occurred in the design of the specialized programs as more victim responsibilities were shifted out of probation to more specialized service providers.

Despite these changes, probation officers remain a key contact point for victims, particularly when victims are aware of probation violations. The research team had originally hoped to interview victims to gather information on their perceptions and their level of satisfaction with these contacts. Because of the limited number of contacts that were documented, we did not do that during the implementation evaluation. During the impact evaluation we plan to interview shelter personnel and service providers in each of the three counties to gather information on what services were provided by the probation units and how they were perceived by victims. We also plan to organize several focus group sessions with domestic violence victims who are currently participating in support

groups and are willing to spend an hour talking with us about their experiences with probation.

**How responsive are project staff, state's attorneys and the courts when violations occur? Are sanctions imposed as planned?**

The implementation evaluation documented the problems that have been encountered in each of the counties in attempting to impose sanctions for probation violations, particularly for technical violations. The research team will continue to gather comparable data throughout the impact evaluation period, enabling us to identify any changes in the patterns that emerged during the first 18 months of the projects. As part of the impact evaluation the research team will analyze the relationship between documented violations and requests to revoke probation and the circumstances under which revocation occurs. We will also examine the sentences that judges impose after revocation. In order to do this we will work directly with the domestic court judge and the circuit clerk's office in each county.

During the implementation evaluation the research team focused on offenders who were currently being supervised within the specialized programs. As part of the impact evaluation we will gather information on probation outcomes for all those sentenced to domestic violence probation, regardless of when they were supervised. Relatively few probationers had completed their sentences during the period when data was collected for the implementation evaluation. Because the impact evaluation will gather data over a longer period of time there will be an opportunity to collect probation outcome data on offenders in all three projects, regardless of the length of their original sentence.

## **Domestic Violence Offenses and Recidivism**

The ultimate goal of these specialized probation projects is to increase victim safety and reduce domestic violence offenses. In order to determine whether these kinds of changes are occurring, the research team will need to gather information on domestic violence incidents in the community and how these offense patterns have changed over time. We know that enforcement patterns have changed in recent years, leading to more arrests and an apparent increase in domestic violence incidents. To place these increases in context we will work with the state's attorney's office in each county to obtain information on arrests, referrals, and prosecutions.

To evaluate the impact of these projects on domestic violence recidivism the research team will track new arrests, convictions, and orders of protection for all offenders sentenced to the specialized domestic violence probation units. Probation routinely collects this information during the offender's sentence. We will encourage the projects to carry out their own follow-up by checking county records on a regular basis and requesting an updated LEADS printout once a year. When this information is lacking, we will order this information directly as part of our research activities. The research team will work with each probation department to make special efforts to track probation absconders, who pose a greater overall risk for re-offending. Since absconders have frequently left the county, or even the state, this will require casting a wider net for criminal records.

We will also gather victim data on all new offenses, including orders of protection, to determine whether recidivist offenders are continuing to maintain existing abusive relationships or are abusing new victims. This pattern will have relevance for the

kinds of victim services that are offered, and will also help to document the contributions made by the programs to the safety of previously identified victims.

We will also monitor any changes that are made in response to this implementation evaluation report. To the extent that changes are made in the program, or in the way it is implemented, the research team will document the impact of these changes on the on-going project.

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**APPENDIX A**

**SPSS CODE SHEET FOR DOMESTIC VIOLENCE PROBATION  
PEORIA, SANGAMON, AND TAZEWELL COUNTIES**

**SPSS CODE SHEET FOR DOMESTIC VIOLENCE PROBATION  
PEORIA, SANGAMON, AND TAZEWELL COUNTIES**

Identifying information for tracking purposes

**Name of Probationer:** \_\_\_\_\_

**Date of Birth:** \_\_\_\_\_

**Case Number:** \_\_\_\_\_

**Social Security Number:** \_\_\_\_\_

**Drivers License Number:** \_\_\_\_\_

**Assigned Research ID#:** \_\_\_\_\_

SPSS CODE SHEET FOR DOMESTIC VIOLENCE PROBATION  
SANGAMON COUNTY

**Q1. Assigned research number. (id)**

\_\_\_\_\_

**Q2. Date of data collection (mm/dd/yy) (colldate)**

\_\_\_\_\_

**Q3. Sex. (sex)**

\_\_\_1 = Male

\_\_\_2 = Female

**Q4. Ethnicity. (race)**

\_\_\_1 = White

\_\_\_2 = African American

\_\_\_3 = Hispanic

\_\_\_4 = Asian

\_\_\_5 = Native American

\_\_\_6 = Bi-racial

\_\_\_7 = Other

\_\_\_8 = Unknown

\_\_\_9 = Missing

**Q5. Age. (age)**

\_\_\_\_\_

**Q6. Date of Birth ( mm/dd/yyyy). (dob)**

\_\_\_\_\_

**Q7. Marital Status (marstat)**

\_\_\_1 = Single

\_\_\_2 = Married

\_\_\_3 = Divorced

\_\_\_4 = Separated

\_\_\_5 = Widowed

\_\_\_9 = Missing

**Q8. Living With: (liv)**

\_\_\_\_\_

**Q9. Education. (edu)**

\_\_\_ Enter number of years of school completed and specify any other training

\_\_\_99 = missing

**Q10. Date Sentenced to Probation (mm/dd/yyyy). (sent)**

\_\_\_\_\_

**Q11. Probation Termination Date (mm/dd/yyyy). (term)**

\_\_\_\_\_

**Q12. Original Supervision Level (if change in level, please note and include date) (level)**

- \_\_\_ 1 = Maximum
- \_\_\_ 2 = Medium
- \_\_\_ 3 = Minimum
- \_\_\_ 4 = Administrative
- \_\_\_ 9 = Missing

**Q13. Current Offense. (offense)**

- \_\_\_ 0 = Misdemeanor-Domestic Battery/Bodily Harm 720 ILCS 5/12-3.2 (a) (1)
- \_\_\_ 1 = Misdemeanor-Domestic Battery 720 ILCS 5/12-3.2 (a) (2)
- \_\_\_ 2 = Felony-Domestic Battery
- \_\_\_ 3 = Aggravated Assault
- \_\_\_ 4 = Interfering with reporting Domestic Violence
- \_\_\_ 5 = Stalking
- \_\_\_ 6 = Aggravated Stalking
- \_\_\_ 7 = Misdemeanor Violation of an OP 720 ILCS 5/12-3.0
- \_\_\_ 8 = Felony Violation of an OP
- \_\_\_ 9 = Other (specify)\_\_\_\_\_
- \_\_\_ 99 = Missing

**Q14. Counts (number of charges in current offense)**

- \_\_\_ 1
- \_\_\_ 2
- \_\_\_ 3 or more

**Q15. Class of Current Offense. (class)**

- \_\_\_ 1 = 1
- \_\_\_ 2 = 2
- \_\_\_ 3 = 3
- \_\_\_ 4 = 4
- \_\_\_ 5 = X
- \_\_\_ 6 = A (misdemeanor)
- \_\_\_ 7 = B
- \_\_\_ 8 = C
- \_\_\_ 99 = Missing

**Q16. Prior convictions of any type. (priors)**

- \_\_\_ 1 = Yes
- \_\_\_ 2 = No
- \_\_\_ 9 = Missing

**Q17. Most serious prior conviction type. (prcvtype)**

\_\_\_1 = Misdemeanor

\_\_\_2 = Felony

\_\_\_8 = Not applicable

\_\_\_9 = Missing

**Q18. Were any prior arrests domestic battery related? (prarrdv)**

\_\_\_1 = Yes (specify type and date) \_\_\_\_\_

\_\_\_2 = No \_\_\_\_\_

\_\_\_3 = Not applicable \_\_\_\_\_

**Q19. Were any prior convictions domestic battery related? (prcondv)**

\_\_\_1 = Yes (specify type and date) \_\_\_\_\_

\_\_\_2 = No \_\_\_\_\_

\_\_\_3 = Not applicable \_\_\_\_\_

**Q20. Was offender on probation at the time of this current offense? (onprob)**

\_\_\_1 = Yes

\_\_\_2 = No

**Q21. Was probationer ordered to participate in a Domestic Violence Program? (dvp)**

\_\_\_1 = Yes, name of program \_\_\_\_\_

\_\_\_2 = No

\_\_\_9 = Missing

**Q22. Prior to participation in DV program, was probationer placed on a waiting list? (dvwait)**

\_\_\_1 = Yes

\_\_\_2 = No

\_\_\_8 = Not applicable

\_\_\_9 = Missing

**Q23 . Date probationer started DV program. (dvstart)**

\_\_\_\_\_ (mm/dd/yy)

**Q24. Number of weeks required to participate in DV program. (wksrqdvp)**

\_\_\_(specify)

**Q25. Number of weeks probationer has participated in DV program (wkpartdv)**

\_\_\_(specify)

**Q26. Domestic Violence Program result. (dvpresul)**

\_\_\_1 = In program- progressing

\_\_\_2 = In program- not progressing

\_\_\_3 = Still on waiting list

- \_\_\_4 = No contact with DVP
- \_\_\_5 = Program Completed
- \_\_\_6 = Terminated- unsuccessful
- \_\_\_7 = Other \_\_\_\_\_
- \_\_\_8 = Not applicable
- \_\_\_99 = Missing

**Q27. Was probationer ordered to participate in an Alcohol/Drug Treatment program? (adtr)**

- \_\_\_1 = Yes, name of program \_\_\_\_\_
- \_\_\_2 = No
- \_\_\_9 = Missing

**Q28. Prior to participation in A/D program, was probationer placed on a waiting list? (adwait)**

- \_\_\_1 = Yes
- \_\_\_2 = No
- \_\_\_8 = Not applicable
- \_\_\_9 = Missing

**Q29. Date probationer started A/D program. (adstart)**  
 \_\_\_\_\_(mm/dd/yy)

**Q30. Number of weeks required to participate in A/D program. (wksrqad)**  
 \_\_\_(specify)  
 \_\_\_88 = Not applicable  
 \_\_\_99 = Missing

**Q31. Number of weeks probationer participated in A/D program. (wkpardv)**  
 \_\_\_(specify)  
 \_\_\_88 = Not applicable  
 \_\_\_99 = Missing

**Q32. Alcohol/Drug treatment result. (adresul)**

- \_\_\_1 = In treatment- progressing
- \_\_\_2 = In treatment- not progressing
- \_\_\_3 = Still on waiting list
- \_\_\_4 = No contact with treatment
- \_\_\_5 = Treatment Completed
- \_\_\_6 = Terminated-unsuccessful
- \_\_\_7 = Other
- \_\_\_88 = Not applicable
- \_\_\_99 = Missing

**Q33. Which police agency took the original report? (police)**  
 \_\_\_1 = City PD

- \_\_\_2 = County PD
- \_\_\_3 = Other (specify) \_\_\_\_\_
- \_\_\_9 = Missing

**Q34. Did police refer victim to advocates or other services? (polref)**

- \_\_\_1 = Yes
- \_\_\_2 = No

**Q35. What was the relationship between the victim and the offender? (vicofrel)**

\_\_\_\_\_(specify)

\_\_\_88 = not known

\_\_\_99 = missing

**Q36. Is there a no contact order? (nocon)**

\_\_\_1 = Yes

\_\_\_2 = No

**Q37. Results of the no contact order. (ncresul)**

\_\_\_1 = Complying with order

\_\_\_2 = Not complying with order

\_\_\_8 = Data not applicable

\_\_\_9 = Missing

**Q38. How many times was probationer cited for not complying with no contact order? (violnc)**

\_\_\_1 = 1 (specify date) \_\_\_\_\_

\_\_\_2 = 2 (specify date) \_\_\_\_\_

\_\_\_3 = More than 2 (specify number and dates) \_\_\_\_\_

\_\_\_4 = Not applicable \_\_\_\_\_

\_\_\_9 = Missing \_\_\_\_\_

**Q39. Was a victim letter sent? (vicltr)**

\_\_\_1 = Yes (advocate or services victim was referred to) \_\_\_\_\_

\_\_\_2 = No \_\_\_\_\_

**Q40. Date victim letter was sent. (vicltrdt)**

\_\_\_\_\_(mm/dd/yy)

\_\_\_ Not applicable

\_\_\_ Missing

**Q41. Number of other contacts with victim. (othervic)**

\_\_\_ (specify type and date) \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

**Q42. Who was the sentencing judge? (judge)**

\_\_\_\_99 = Missing

**Q43. Who was the State's Attorney? (sa)**

\_\_\_\_99 = Missing

**Q44. Who was the defense attorney? (defatt)**

\_\_\_\_(note if public defender)

\_\_\_\_99 = Missing

**Q45. Who was the probation officer? (po)**

\_\_\_\_99 = Missing

**Q46. Was there a Probation Violation noted in the file? (pv)**

\_\_\_\_1 = Yes

\_\_\_\_2 = No

\_\_\_\_3 = More than one filed, specify number \_\_\_\_\_

**Q47. Type of PV filed (specify reason and dates) (pvtype)**

\_\_\_\_1 = Technical \_\_\_\_\_

\_\_\_\_2 = Criminal- domestic violence \_\_\_\_\_

\_\_\_\_3 = Criminal- not domestic violence \_\_\_\_\_

\_\_\_\_4 = Technical & criminal domestic violence \_\_\_\_\_

\_\_\_\_5 = Technical & criminal, not domestic violence \_\_\_\_\_

\_\_\_\_6 = Other, specify \_\_\_\_\_

\_\_\_\_88 = Not applicable

\_\_\_\_99 = Missing

**Q48. Was there a petition to revoke (PTR)? (ptr)**

\_\_\_\_1 = No PTR

\_\_\_\_2 = PTR filed and denied (date filed) \_\_\_\_\_

\_\_\_\_3 = PTR, filed and granted (date filed) \_\_\_\_\_

\_\_\_\_4 = PTR filed and pending (date filed) \_\_\_\_\_

\_\_\_\_5 = PTR filed, no follow up by S.A. (date filed) \_\_\_\_\_

\_\_\_\_6 = More than one PTR filed (specify) \_\_\_\_\_

\_\_\_\_9 = Missing

**Q49. Date of probation revocation (mm/dd/yy). (prdate)**

\_\_\_\_88 = Not applicable

**Q50. Type of revocation (prtype)**

\_\_\_\_1 = Technical

- \_\_\_2 = Legal
- \_\_\_3 = Other (specify) \_\_\_\_\_
- \_\_\_8 = Not applicable

**Q51. Reason for revocation (specify). (prreasn)**

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**Q52. Probation results. (probres)**

- \_\_\_1 = Completed
- \_\_\_2 = Unsuccessful, reoffended
- \_\_\_3 = Unsuccessful, other (specify) \_\_\_\_\_
- \_\_\_4 = Absconded
- \_\_\_5 = Still on probation
- \_\_\_6 = Other, specify \_\_\_\_\_
- \_\_\_9 = Missing

**APPENDIX B**

**PEORIA COUNTY CERTIFICATE OF CONDITONS OF PROBATION  
DOEMSTIC VIOLENCE COURT**

IN THE CIRCUIT COURT OF THE TENTH JUDICIAL CIRCUIT OF ILLINOIS  
PEORIA COUNTY

THE PEOPLE OF THE STATE OF ILLINOIS

VS

CASE NO. \_\_\_\_\_

\_\_\_\_\_, Defendant

**CERTIFICATE OF CONDITIONS OF PROBATION**  
**DOMESTIC VIOLENCE COURT**

The defendant named above is hereby notified that he or she has been sentenced to probation for the criminal offense of Domestic Battery (class \_\_\_\_\_) or (class \_\_\_\_\_) for a period of \_\_\_\_\_ months beginning today and ending \_\_\_\_\_, 20\_\_\_\_. The defendant is further notified that the following conditions of probation are effective immediately and for as long as the defendant remains on probation. (Conditions 1 through 15 apply to all defendants. Other conditions apply if checked.)

1. The defendant must not violate any criminal law of any jurisdiction. Because **IT IS A CRIME TO VIOLATE AN ORDER OF PROTECTION**, this means the defendant must strictly obey Orders of Protection in effect.

2. The defendant must immediately report to and appear in person at the PEORIA COUNTY ADULT PROBATION DEPARTMENT, Room 520, Peoria County Courthouse, 324 Main St., Peoria, IL 61602, Phone (309) 673-6018. The defendant must make all further reports as ordered by the Probation Officer.

3. The defendant must successfully complete the **FAMILY VIOLENCE INTERVENTION PROGRAM** offered by the Center for Prevention of Abuse, Phone (309) 698-2874. This condition includes following all the rules of the program, paying required fees, and providing proof of successful completion to the Probation Department.

4. When not actively participating in the **FAMILY VIOLENCE INTERVENTION PROGRAM**, the defendant must report to the Probation Department as directed by the Probation Officer in order to complete any Family Violence Education assignments from the Probation Officer.

5. The defendant must immediately submit breath, urine, and blood samples for analysis for the presence of illegal drugs or alcohol whenever and wherever directed to do so by the Probation Officer. The defendant must pay for any tests which disclose the presence of prohibited substances.

6. In addition to the treatment ordered by condition 3 above, the defendant must undergo any other medical, psychological, psychiatric, drug, or alcohol treatment ordered by the Probation Officer. This condition includes: (1) undergoing any evaluations or assessments deemed appropriate by the Probation Officer, (2) signing releases permitting the Probation Department and the State's Attorney's Office to acquire appropriate records, (3) following all rules, regulations, and directions of any treatment provider, and (4) paying any necessary and appropriated fees.

7. The defendant must appear in person in Domestic Violence Court for a review hearing when ordered to do so by the Probation Officer.

8. The defendant must not possess a firearm or other dangerous weapon.

9. The defendant must work faithfully at suitable employment or an appropriate course of study or vocational training.

10. The defendant must support the defendant's dependents, including paying any court-ordered child support.

11. The defendant must permit the Probation Officer to visit the defendant at home or elsewhere, to the extent necessary to discharge the officer's duties.

12. The defendant must permit searches of the defendant's person, residence, motor vehicle, and effects, when requested to do so by the Probation Office; and the defendant must permit the seizure of any items of contraband and consent to the use of seized items in court.

13. The defendant must not leave the State of Illinois without prior approval of the Probation Officer.

14. The defendant must pay a Probation Services Fee of \$ \_\_\_\_\_ per month, payable on or before the last day of the month.

15. The defendant must notify the Probation Department immediately of any change in the defendant's home address, phone number, or employment status.

16. The defendant shall serve a term of \_\_\_\_\_ days/weeks of imprisonment/periodic imprisonment at the Peoria County Jail.

a. Periodic imprisonment is for work/school and the defendant must abide by the Peoria County Rules for Periodic Imprisonment.

b. The defendant shall report to the jail on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m.

c. Prior to the commencement of the defendant's jail sentence, the defendant's compliance with the other conditions of probation will be reviewed by the Court. This review will be held on \_\_\_\_\_, at \_\_\_\_\_ a.m./p.m. in courtroom 210. The defendant must be present.

17. The defendant must pay a fine of \$ \_\_\_\_\_, and costs of \$ \_\_\_\_\_, a Violent Crime Victims Assistance fee of \$ \_\_\_\_\_, and any other mandatory fees, all to be paid to the Peoria County Circuit Clerk, Room 22, Peoria County Courthouse, 324 Main St., Peoria, IL 61602. Bail is (not) to be applied toward these amounts, and the entire balance must be paid on or before \_\_\_\_\_, 20\_\_\_\_\_.

18. The defendant must pay restitution in the amount of \$ \_\_\_\_\_, payable at the Circuit Clerk's office and payable to:

\_\_\_\_\_.

19. The defendant must perform \_\_\_\_\_ hours of public service work, as directed by the Probation Department, to be completed on or before \_\_\_\_\_, 20\_\_\_\_\_.

20. The defendant must not possess or consume any alcoholic beverages; and the defendant must submit to any request by the Probation Officer for test to determine the presence of alcohol in the defendant's system.

21. (Other) \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_.

\_\_\_\_\_  
Judge of the Tenth Circuit Date

The defendant acknowledges receipt of the above document setting forth the specifications and conditions of the sentence of (Probation/Conditional Discharge) pursuant to 730 ILCS 5/5-6-3 and understands that a failure to follow these conditions could result in a revocation of the (Probation/Conditional Discharge) and resentencing up to the maximum penalty for the crime for which he was sentenced herein.

\_\_\_\_\_  
Defendant-Probationer  
Address \_\_\_\_\_  
Phone \_\_\_\_\_

**APPENDIX C**

**TAZEWELL COUNTY LETHALITY CHECKLIST**

**Tazewell County  
Lethality Checklist**

Client's name \_\_\_\_\_ Date \_\_\_\_\_

Check all that apply:

- Objectified partner (calls her obscene names, body parts, animals)
- Blames partner for perceived injuries to self
- Is unwilling to stay separated from partner (tracking/stalking, calling)
- Partner is the center of his life (centrality)
- Is obsessed with partner (cannot function: is not sleeping, eating or working)
- Feels an "ownership" of the partner
- Is hostile/rageful (feels betrayed)
- Appears to be distraught (feels abandoned)
- Is in an extremely tense, volatile relationship
- Has perpetrated previous incidents of physical violence
- Has harmed or killed pets
- Has made threats
- Sharp escalation of personal risk taking by batterer
- Is depressed
- Has fantasies of homicide or suicide
- Has made previous suicide attempts or gestures
- Is threatening suicide
- Has access to the partner
- Has access to guns
- Abuses alcohol
- Abuses amphetamines, cocaine or crack
- Has thoughts/desires/intentions of hurting partner
- Has no desire to stop his violent and/or controlling behavior
- Isolated or cut off from friends, other family, and support

Assessment of risk: Extreme \_\_\_\_\_ High \_\_\_\_\_ Moderate \_\_\_\_\_ Low \_\_\_\_\_

Evaluation summary:

Caution: A perpetrator with a few of these characteristics may still be dangerous, but the more that apply, the greater his potential for lethal behavior.

PROPERTY OF  
National Criminal Justice Reference Service (NCJRS)  
Box 6000  
Rockville, MD 20849-6000