

Tri-County Batterer Intervention Provider Network Meeting Minutes September 11, 2018

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Minutes by Jason Kyler-Yano, edited by Chris Huffine

Discussion Topic: Effective coordination between BIPs and probation

This month's meeting included a roundtable discussion between BIP providers and probation officers (POs) from Washington, Clackamas, and Multnomah counties in Oregon. A main purpose of this discussion was to facilitate open dialogue and inquiry between BIP providers and POs around roles, policies, expectations, and issues in their coordination. The discussion began with the sharing of the analogy that "we are all on the same team, but we just play different positions," and an expression of appreciation for work done on both sides. A PO representative opened the discussion by asking each county to describe whether they had DV specific judges, district attorneys (DAs), and diversion programs and how these programs might affect the work of BIP providers.

Designated DV Judges and DAs and Deferred Sentencing (DS) Programs:

The availability and function of DV specific judges and DAs as well as deferred sentencing programs for dv offenders differed by county. Deferred sentencing programs allow offenders to have the charge taken off their record if they satisfy conditions in a certain amount of time.

Clackamas County has a specialized DV team in the DAs office, but not a designated DV docket. While their judges are generally experienced and knowledgeable about DV and appropriate interventions, save for a few who might recommend couples counseling, there aren't specialized DV judges. One limitation of having deferred sentencing programs outside of the probation office is that POs do not have input nor have access to the same historical data on past diversion because it is housed in the DA's office.

Multnomah County has a specialized DV docket every Monday with judges rotating in their assignment to that docket. They also have specialized DV DAs of which 2 handle misdemeanor DV cases, a certified law student handles restraining orders, and two handle felony DV cases. All

misdemeanor cases go to the DV docket and felony cases go to a sentencing judge. While DV appropriate conditions are generally applied to DV cases, occasionally when they overlap with family or criminal law, some conflict around sentencing can occur (e.g., anger management offered as treatment). In these cases additional education for judges is provided. When there are conflicts between POs and judges around conditions, it can be confusing for BIPs.

Washington County does not have an official DV DA but there are certain DAs that take on the unofficial DV specialty. Specifically, one DA takes felony cases and 2 or 3 take on misdemeanor DV cases. While their judges are fairly good at assigning “DV packages,” they do not have DV specific judges. They do have a specialized judge that hears all of the DV violation cases as well as any BIP related matters and status checks, regardless of the sentencing judge and regardless of whether the case is misdemeanor or felony case. This happens every Monday. Cases can get difficult to sort out when there is a restraining order judge, a family law judge, and a criminal judge all with different missions working the same case.

Different Sources of Offenders Means Different Conditions and Restrictions

Depending on the source of the DV offender the conditions can vary and might seem inconsistent to BIPs. Whether an offender is on probation, post-prison, true parole, prison downward departure, or another type of case the conditions can be lighter or harsher and that background information is not always available to BIPs.

Even when only considering deferred sentencing programs, the conditions are different across counties. In Multnomah County, DS offenders are required to finish the requirements in 14 months. In Washington County they have to finish in 18 months and in Clackamas County they are supposed to finish within 12 months but no longer than 18 months.

There are also differences in monetary requirements, such that in Washington County, offenders have to pay all of their fines and fees before the deadline, and in Multnomah County they are not required to. However across all counties, these programs are usually for first-time offenders, they usually have treatment and no contact order components, and in these cases, POs do not have the same rights as they do in probation cases. Given that there are different conditions across counties and across sources of offenders, it is important for BIPs to know that they can call up POs for public information on offenders (can look up PO in Multnomah County on the PO website) or submit an ROI for more info that is not generally available.

Caseloads and Status Checks

Status checks are conducted at different times throughout a DV offender’s supervision to assess their progress through their conditions which usually include DV treatment with a BIP.

Multnomah County does a status check at the 90 day mark and at the 14 month mark (graduation day) unless there is credible evidence that a client is not compliant. Their supervision can be extended if needed. In addition to these status checks, clients are required to come into the PO’s office once a month and check in with them. Washington County does five status checks

throughout their supervision with offenders able to complete as early as 9 months and having to finish by the 18 month mark.

Multnomah averages about 65 people on the average caseload and Washington County averages about 100 on their caseload.

Communication Around Parole and Probation Conditions

For reference, an offender who is coming out of prison is either on parole or post-prison. When an offender is coming out of prison after less than a year, then they are on local prison parole. “True parole” is a rare situation where an offender is sentenced to a certain amount of time in prison, but they end up serving a fraction of that time (this is based on a sentencing matrix) and spending the rest of the sentence outside of prison on parole. An offender who has either a misdemeanor or a felony and was not sentenced to prison is on regular probation. Parole and probation can last up to 5 years, and post-prison and diversion have their own time frames. POs cannot just add conditions to their program without offender permission but can have a hearing if they feel there is an important condition that is missing (e.g., counseling, treatment, electronic monitoring, alcohol condition) and the offender does not offer permission to add it.

BIPs do not always get information on the full set of conditions of offenders' programs because at times they only receive the referral sheet. These referral sheets do include abbreviated codes of the conditions but these abbreviations are at times cryptic (e.g., just refer to their need for assessment and not the conditions assigned based on that assessment), are generally difficult to understand, and can be different across counties. Washington County does send information on their conditions with their referral sheets but it is not clear if other counties do. Additionally, conditions can change over time or be added to offenders' programs after the referral sheet has been sent. There is some work done by the parole board to developing generic abbreviations based on risk assessments which would help with communication of conditions. BIPs were specifically interested in making sure they receive information about criminal history and alcohol use restrictions to help assess risk (e.g., criminal versatility and psychopathy) and how they should respond to offenders' mentions of alcohol use in groups respectively. POs have a lot of the information that is and could be desired by BIPs, such as criminal history through the LSCMI and ODARA. As a part of the CPC, there is a renewed push for POs to send offender case plans with BIPs so that both sides have the same information and can coordinate and collaborate to mirror and support each others' work with offenders.

Training for POs

Parole and probation offices attempt to send POs out of state for training each year but that ability is based on their limited budgets. Washington County POs generally attend in state and local trainings and also host the DV camp every year. New POs receive a lot of training in their first year.

BIPs' Communication of Information to POs

After a period of the meeting where BIPs and a representative of the POs asked questions about parole and probation, the meeting transitioned to the format of POs asking questions about BIPs. POs described the challenges they face when the online coordination program, Correctional Programs Online (CPO), system is not up to date with information about offenders' treatment progress and stressed the importance that BIPs stay up to date with their sharing of information on that platform. They reported that in addition to sharing information about the larger assignments or progress, knowing events and changes that are happening in offenders' lives from bigger events (e.g., they are in a new relationship) to smaller events (they had a small conflict with their boss that got resolved) would help them to have conversations with offenders. In terms of methods of communication, POs shared that email is the most effective method of sharing information (in addition to the CPO system). BIPs reported that usually they do not share the small stuff when it seems likely that the offenders will just get through the issue.

Some BIPs rely on and appreciate the information on offenders that they receive from POs (e.g., issuance of a sanction) because they have a broader view of offenders overall lives compared with BIPs focused purview. BIPs are not always informed when a client changes POs, in part because sometimes clients are not assigned to permanent POs, and in part because there are not formalized systems for communicating this information to BIPs. For example some parole and probation offices have "officers of the day" who can share that information with BIPs but who do not automatically contact providers when POs change, and other offices send a low priority message that updates BIPs on an offenders' current PO. A plan was made for POs to compile and share up to date PO contact information with BIPs.

BIPs Sharing Case Summaries with POs

POs reported that they do not consistently receive program progress assessments of offenders (e.g., monthly, Summary Reports, discharge information) either on the CPO system or through direct communication. If sharing case assessments via the CPO system is not a good option for a BIP (e.g., when co-occurring substance abuse treatment restricts information sharing), POs suggested scanning case summaries and sharing them in a group email with POs and supervisors so that there is a digital record of that case summary that can be referred to in the future.

Evaluating BIPs Based on OARs and BIP Standards

Given POs' role in referring offenders to treatment as a condition of their probation, they wanted to have a way of evaluating BIPs specifically based on the OARs and BIP standards. Of particular interest were aspects of programs relating to graduation requirements, payment requirements, policies around making up missed payments, lengths of waitlists, and absence policies. POs shared that they would benefit from getting copies on some of the bigger assignments (e.g., accountability statement), however BIPs shared some reluctance around sharing this information because it could compromise offenders' honesty. There was also a strong statement about the importance for POs to receive the information they are requesting because their referrals to BIPs are on the line. One proposed way of improving sharing of information is for POs to visit BIPs, meet with providers, and receive training on what offenders go through in BIPs with suggestions.

General Communication and Relationship Building Between POs and BIPs

Both POs and BIPs shared a desire to improve their communication and face-to-face interactions between the two groups. Greater attendance at Tri-County meetings from POs, BIPs attending Washington County's monthly meeting with BIPs, and facilitating BIP and PO specific meetings in all three counties were all suggestions for improving communication and interaction. It was also suggested that these meetings not only include nuts and bolts discussions but also more philosophical discussions around topics that deeply influence the work of BIPs and POs, such as the process of change, the meaning of accountability, and the cultural differences between BIPs and POs. While BIPs reported that they always share information to POs about offenders' violations of conditions, they also could increase and improve their communication about gray area information (e.g., if a client seems cognitively stuck in the program, or if they are turning a corner in their process of change) with more in-person meetings and interactions with POs.

One particular topic of interest and importance was the differences in philosophical belief between BIPs and POs about how long it takes someone to change their beliefs and behaviors and how BIPs and POs should communicate when this conflicts with the standards. BIPs shared that the process of change for offenders can conflict with the time constraints of probation conditions which can require working in the gray areas of the standards. Essentially getting on the same page and sharing pertinent information on why certain offenders should be extended in their treatment was identified as an important aspect of collaboration. Sharing this information (preferably through the CPO system) gives POs a legitimate reason for an extension of treatment. This portion of the conversation concluded with both sides reiterating their commitment to the same goal of reducing DV and that they are on the same team.

Overall Takeaways:

The meeting concluded with both sides reiterating their interest in improving their communication and increasing the amount of in-person meetings they have. Several topics seemed to be repeated throughout the meeting or be particularly important to POs and/or BIPs. They are as follows. Updating CPO is very important for POs' work with offenders. POs would like to know the policies of BIPs when it comes to infractions of program policies (e.g., making up absences from treatment program) and would like there to be consistency in enforcing those policies within programs. Both POs and BIPs reported the importance of having information shared with them about program and probation infractions, rearrests, and other events, situations, or assignments that could affect either of their work. Improving communication between POs and BIPs is important for succeeding in our joint mission of reducing IPV in our communities.