

# Yolo County Probation



## Procedural Manual for AB 372 Pilot: Supervised Domestic Violence and Batterer's Intervention Services

Updated: March 2023

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## Purpose

The purpose of this document is to establish policies, guidelines and procedures associated with the eligibility, assessment, suitability, and general supervision of probationers sentenced to the Yolo County Probation Department under orders or referral for domestic violence (DV) counseling.

## Section 1: AB 372 Domestic Violence Pilot:

Existing law specifies that the terms of probation granted to a person who has been convicted of a crime listed under Penal Code Sections 1203.097 and 1203.098 (i.e., domestic violence) are required to include, among other things, successful completion of a batterer's program as defined, or if such a program is not available, another appropriate counseling program designated by the court for a period of not less than one year. The law requires the program be completed within 18 months and allows no more than 3 excused absences. The law provides for the approval of batterer's programs by the probation department and requires the program's objective be to stop domestic violence by:

- providing strategies to hold the defendant accountable for the violence in a relationship
- the defendant participating in on-going same gender group sessions; and
- several other specific requirements.

Assembly Bill (AB) 372, effective July 1, 2019, to July 1, 2022, authorized the counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz and Yolo to offer an alternative program for individuals convicted of domestic violence related offenses. The bill requires the alternative program meet specified conditions, including that the county performs a risk and needs assessment and includes components which are evidence-based or promising practices, as defined. The bill requires a county that offers a program pursuant to these provisions to collect specified data and report to the Legislature.

Full text of AB 372 is found in Attachment A.

## Section 2: Admin Background - AB 372 Steering Committee and Project Consultant

The Yolo County District Attorney's Office, in consultation with its county partners, requested that the author of AB 372 add Yolo County to the legislation to join the other five counties and become part of the Pilot DV program that took effect on July 1, 2019. The District Attorney's Office, Public Defender's Office and Probation Department met in late 2018 to form the AB 372 Steering Committee. The AB 372 Steering Committee approved the hiring of outside consultant Rocci Jackson, of Jackson Justice Solutions, who assessed Batterer's Intervention Providers (BIPs) that received referrals from Probation for domestic violence counseling services. Jackson Justice Solutions also coordinated curriculum training with the University of Cincinnati for the following BIPs in February 2019: Bobby Stewart Consulting,

Empower Yolo and Time of Change. Probation funded both the assessment provided by Jackson Justice Solutions, as well as the 40-hour training provided by the University of Cincinnati in fiscal year 2020-21 for the purpose of supporting local capacity of services. Bobby Stewart Consulting opted out of the pilot after receiving training, just before the launch date of August 1, 2020, leaving only Empower Yolo and Time of Change to provide countywide services to Court-ordered clients as referred by Probation.

The AB 372 Steering Committee approved the utilization of the Ontario Domestic Assault Risk Assessment (ODARA) tool, in conjunction with the Ohio Risk Assessment System (ORAS) Community Supervision Tool, by Probation Officers to complete thorough assessments. The Committee approved training through the University of Cincinnati's Cognitive-Behavioral Interventions – Interpersonal Violence (CBI-IPV) curriculum. Jackson Justice Solutions oversaw the training of Yolo County's BIPs and implementation of the curriculum in the Spring and Summer of 2020.

The AB 372 Steering Committee meets on a monthly basis with stakeholders and local providers to advance the implementation of the AB 372 Pilot in Yolo County. An update to the program track approved by the AB 372 Steering Committee created a 26-week CBI-DV track from individuals assessed into a moderate category of risk that started March 1, 2022. Jackson Consulting coordinated with the authors of the University of Cincinnati CBI-DV to recommend the curriculum scope for moderate clients within an appropriate duration.

### Section 3: ODARA DV Assessment Tool

The ODARA is an actuarial tool adopted by Yolo County Probation in 2019 for estimating the risk that a domestic violence offender will assault a partner again. It was created by the Ontario Provincial Police Behavioral Sciences and Analysis Section and researchers at Waypoint Centre for Mental Health Care.

ODARA scores indicate how a domestic offender compares with other domestic offenders in terms of risk for re-offense. Higher scores are related to frequency and severity of future assaults and shorter time until re-offense. The ODARA is easy to score and interpret, has shown excellent inter-rater agreement and scoring accuracy improves with brief training. Thus, the ODARA tool is an important component in efforts to promote a coordinated, cross-sector response to domestic violence.

#### **ODARA Assessment Distributions for Scoring Risk** (see Probation AB 372 Referral Process for full detail on Department Procedure for DV referrals)

ODARA Score of 0-2 = Low (10 weeks)  
ODARA Score of 3-4 = (26 Weeks)  
ODARA Score of 5+ = High\* (52 weeks)

\* An ORAS score of Mod or High administered prior to ODARA assessment may necessitate override above the ODARA SCORE to 26 week or 52-week CBI-DV services. See Assessment Scoring Matrix for CBI-DV Referrals.

Training for the use of the tool is completed online at <https://odara.waypointcentre.ca>. See Attachment B for the ODARA Scoring Form.

Additional evidence for efficacy on the ODARA updated in 2022 can be found here:

[https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server\\_9960/File/Research/Odara/ODARA%20FAQs%20WP.pdf](https://cdn5-hosted.civiclive.com/UserFiles/Servers/Server_9960/File/Research/Odara/ODARA%20FAQs%20WP.pdf)

## Section 4: Cognitive-Behavioral Interventions – Domestic Violence Curriculum

The University of Cincinnati’s Cognitive-Behavioral Interventions – Domestic Violence (CBI-DV) is currently in phased pilots across the country, including in Yolo County. The CBI-DV is designed for individuals with a recent pattern of intimate partner violence who are moderate-to-high risk on a general risk assessment. Using social learning and cognitive-behavioral approaches, the curriculum teaches individuals how to identify and manage high risk situations related to intimate partner violence, with particular emphasis on emotional regulation, such as:

- motivational engagement
- cognitive restructuring
- violence awareness
- emotional regulation
- social skills
- problem solving
- success planning

The University of Cincinnati serves as the sole owner and proprietor of the copyright for the CBI-DV manual and training program. Yolo County Probation has purchased the curriculum for piloting the program with local providers under AB 372.

## Program for Low-Risk Clients (10 weeks)

<p><b>Module 2: Cognitive Restructuring</b></p> <ul style="list-style-type: none"> <li>• Behavior is a Choice</li> <li>• High Risk Situations for Violence</li> <li>• Identifying and Changing Risky Thinking</li> </ul>	<p><b>Module 3: Violence Awareness</b></p> <ul style="list-style-type: none"> <li>• Knowing your Warning Signs</li> <li>• Identifying Patterns of Violence</li> <li>• Recognizing Your Choices</li> </ul>
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<ul style="list-style-type: none"> <li>• Putting It All Together: Countering the Internal Invitation</li> </ul>	<ul style="list-style-type: none"> <li>• Beliefs about Violence and Aggression</li> <li>• Proactive and Reactive Aggression</li> </ul>
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**Program for Moderate -Risk Clients (26 week)**

<p><b>Module 1: Motivational Enhancement</b></p> <ul style="list-style-type: none"> <li>• Cost-Benefit Analysis/• Setting a Goal</li> </ul>	<p><b>Module 2: Cognitive Restructuring</b></p> <ul style="list-style-type: none"> <li>• Behavior is a Choice</li> <li>• High Risk Situations for Violence</li> <li>• Identifying and Changing Risky Thinking</li> <li>• Putting It All Together: Countering the Internal Invitation</li> </ul>
<p><b>Module 3: Violence Awareness</b></p> <ul style="list-style-type: none"> <li>• Knowing your Warning Signs</li> <li>• Identifying Patterns of Violence</li> <li>• Recognizing Your Choices</li> <li>• Proactive and Reactive Aggression</li> </ul>	<p><b>Module 4: Emotional Regulation</b></p> <ul style="list-style-type: none"> <li>• Intro to Emotional Regulation</li> <li>• Coping by Thinking: Managing Feelings through Managing Thoughts</li> <li>• Coping by Doing: Managing Feelings</li> <li>• Practice Emotional Regulation by Using Self-Control</li> <li>• Managing Risky Feelings - Anger</li> <li>• Dealing with Jealousy</li> <li>• Examining Self-Centeredness and Entitlement</li> <li>• Managing Low Frustration Tolerance</li> <li>• Distress Tolerance</li> </ul>
<p><b>Module 5: Managing Interpersonal Relationships</b></p> <ul style="list-style-type: none"> <li>• Understanding the Feelings of Others</li> <li>• Assertiveness</li> <li>• Responding to Criticism</li> </ul>	<p><b>Module 6: Problem Solving</b></p> <ul style="list-style-type: none"> <li>• Identifying the Problem and Goal/ Brainstorming Options (One Session)</li> <li>• Planning and Trying Your Solution/ Putting It All Together (One Session)</li> </ul>
<p><b>Module 7: Success Planning (Condensed Version)</b></p> <ul style="list-style-type: none"> <li>• Developing a Plan</li> <li>• Rehearsing My Plan</li> <li>• Presenting My Plan</li> </ul>	

**Program for Moderate/High Risk Clients (52 weeks)**

<p><b>Module 1: Motivational Enhancement</b></p> <ul style="list-style-type: none"> <li>• Identifying Challenges</li> <li>• Personal Reasons to Change</li> <li>• Values Clarification</li> <li>• Cost-Benefit Analysis</li> <li>• Setting a Goal</li> </ul>	<p><b>Module 2: Cognitive Restructuring</b></p> <ul style="list-style-type: none"> <li>• Behavior is a Choice</li> <li>• High Risk Situations for Violence</li> <li>• Identifying and Changing Risky Thinking</li> <li>• Putting It All Together: Countering the Internal Invitation</li> </ul>
<p><b>Module 3: Violence Awareness</b></p> <ul style="list-style-type: none"> <li>• Knowing your Warning Signs</li> <li>• Identifying Patterns of Violence</li> <li>• Recognizing Your Choices</li> <li>• Beliefs about Violence and Aggression</li> <li>• Proactive and Reactive Aggression</li> </ul>	<p><b>Module 4: Emotional Regulation</b></p> <ul style="list-style-type: none"> <li>• Intro to Emotional Regulation</li> <li>• Recognizing Your feelings</li> <li>• Coping by Thinking: Managing Feelings through Managing Thoughts</li> <li>• Coping by Doing: Managing Feelings</li> <li>• Practice Emotional Regulation by Using Self-Control</li> <li>• Managing Risky Feelings - Anger</li> <li>• Practice Session</li> <li>• Dealing with Jealousy</li> <li>• Examining Self-Centeredness and Entitlement</li> <li>• Managing Risky Feelings - Anxiety/Stress</li> <li>• Managing Risky Feelings - Sadness</li> <li>• Thinking Before You Act</li> <li>• Managing Low Frustration Tolerance</li> <li>• Distress Tolerance</li> <li>• Practice Session</li> </ul>
<p><b>Module 5: Managing Interpersonal Relationships</b></p> <ul style="list-style-type: none"> <li>• Understanding the Feelings of Others</li> <li>• Assertiveness</li> <li>• Responding to Criticism</li> <li>• Conflict Resolution</li> <li>• Dealing with an Accusation</li> <li>• Dealing with Someone Else's Anger</li> <li>• Anticipating Risk</li> <li>• Delaying a Conversation</li> </ul>	<p><b>Module 6: Problem Solving</b></p> <ul style="list-style-type: none"> <li>• Identifying the Problem and Goal</li> <li>• Brainstorming Options</li> <li>• Planning and Trying Your Solution</li> <li>• Putting It All Together</li> </ul>

<b>Module 7: Success Planning</b> <ul style="list-style-type: none"> <li>• Developing a Plan</li> <li>• Rehearsing My Plan</li> <li>• Presenting My Plan</li> </ul>	
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**Program Incentives**

In keeping with Best Practices, clients will earn points for each class attended and upon earning 80% of the total points possible, clients will be eligible to graduate early.

1. 3 points possible to be earned for each class:
  - a. 1 Point for Being on Time
  - b. 1 Point for Being Engaged During Class
  - c. 1 Point for Completing Assigned Homework
  
2. For the 52 Week (High) clients, completing all of the above will allow a client to graduate at week 48 (4 weeks early).
  
3. For the 26 Week (Mod) clients, no incentive credit given.
  
4. For the 10 Week (Low) clients, no incentive credit given.

**Section 5: Court Terms and Conditions of the AB 372 DV Pilot**

Court terms and conditions include the following orders pertaining to the enrollment and structure of the AB 372 DV Pilot.

**BATTERER’S TERMS:**

Pursuant to Assembly Bill 372, the counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz and Yolo may offer a program for individuals convicted of domestic violence that does not comply with the requirement of the batterer’s program in Penal Code sections 1203.097 and 1203.098. Some terms that may be ordered by the Court include but are not limited to the following:

- Probationer shall report to the Yolo County Probation Department within 2 business days to participate in risk and needs assessment to determine their level of program dosage that includes components which are evidence-based or promising practices, as defined under the authority of AB 372, attend consecutive weekly sessions as referred to Yolo County Probation AB 372 approved Batterer’s Intervention Providers.
- Provide proof of enrollment in an approved batterer’s intervention program to the Probation Officer within 30 days of this order, or within 30 days of release from custody
- Not threaten, harass, or annoy in any manner
- Not contact in any manner, either directly or through any other person
- Neither possess nor have under his/her control any firearm, ammunition or any dangerous or deadly weapon
- Return to Court on \_\_\_\_\_ for review of Proof of Enrollment



## Section 6: Probation’s CBI-DV Referral Process

1. Probation Officer/Probation Aid to confirm the referral enrollment into the AB 372 DV Pilot via the minute order for clients under probation terms (formal or information). Every person is eligible to be assessed for the AB 372 DV Pilot regardless of sentencing date, provided they have been ordered to participate in domestic violence counseling by the Yolo County Superior Court.

\*Officers may refer Post Release Community Supervision (PRCS) DV clients reentering to Probation’s supervision should the supervising officer deem it necessary under assessment need outcomes. PRCS Clients who have already received 52-week DV treatment but served prison time on a violation/fresh unrelated to DV behavior may not need to be referred for BIP treatment.

2. Review LSD 2.0 for current ORAS or \*ODARA assessment score.

3. If there is no current ORAS or ODARA assessment, complete the ORAS first.

- For misdemeanor or informal matters, use the misdemeanor assessment tool. For felony matters and formal misdemeanor probation, use the felony assessment tool.
  - If the ORAS Score is Moderate or High, the client will be considered High Risk and shall be referred to the 52-week DV curriculum. (No ODARA needed)
  - Officers will utilize the Assessment Scoring Matrix for CBI-DV Referrals to establish the correct group to refer the individual into.

4. Probation Officer Assessment Scoring Matrix for CBI-DV Referrals

When to use ODARA:

- Male suspect and female victim
- Female suspect and male victim
- Same sex partners when one of the two identifies as the person of the opposite sex. This information could be available in the police report or during the assessment interview. If they refuse to share or identify as neutral, just complete/use the ORAS for referral purposes.

ODARA	ORAS	Group Assignment
Low (0-2)	Low	Low (10-week Group)

Low (0-2)	Moderate	Low (With referrals to another Criminogenic need) (10-week Group)  Moderate Antisocial domain is mod/high on ORAS (26-week group)
Low(0-2)	High	Moderate (26-week group)
Moderate (3-4)	Low	Moderate (26-week group)
Moderate (3-4)	Moderate	Moderate (26-week group)
Moderate (3-4)	High	High if Antisocial domain is mod/high on ORAS (52-week group)  Moderate if Antisocial domain is low (26-week group)
High (5-13)	Low	High (52-week group)
High (5-13)	Moderate	High if Antisocial domain is mod/high on ORAS (52 week group)  Moderate if Antisocial domain is low (26-week group)
High (5-13)	High	High (52 weeks)

\*\*If completing the ORAS-MAT without domains refer to ODARA Score (For example, if someone is Low on ODARA and Moderate on ORAS you will not be able to look at domains so you will put them in a low group.)

5. If the partners are same sex, do not use the ODARA; refer solely to the ORAS. ODARA research is ongoing for same-sex partners.
6. If the client resides out-of-county and elects to attend services in their county of residence, make the referral for 52-weeks (AB 372 services are a pilot and as such, out-of-county clients will likely not have access to the same 26-week or 10-week curriculum). If they elect to attend services in Yolo County, follow the aforementioned assessment process.
7. Submit referral to designated Probation Aid with all the supporting documents, including a case note with the assessment(s) score(s) and which BIP the client was referred to.

## 8. Override Guidance:

- The Yolo County Probation Department will make all override determinations regarding client assessments and referrals.
- The Department follows evidence-based practices that provide guidance that no more than 5% of clientele should be administratively overridden when scored by the ORAS or ODARA.
- Factors for overriding an assessment scoring include, but are not limited to:
  - Public Safety
  - Trauma responses present by victim
  - Pattern of violent behavior
- Any override will be based on the totality of the circumstances gathered from a variety of collateral sources:
  - any trauma responses made by the victim
  - any continued pattern of violent behavior involving the same victim
  - a lack of remorse or empathy when interviewed by Probation or Police, etc.
- Any override will be tracked to keep within 5% of overall cases referred in order to remain within evidence-based practices.

## 9. Violation Process

- Should a client be terminated from DV counseling and re-referred back to DV counseling, they will enter into the Tier System based on their current risk level.
- On a case-by-case basis, clients may be given credit for classes already completed when moving into the new EBP curriculum. Probation Officers should work with BIP providers to determine the level of client engagement in services.

## 11. Treatment Provider Reports (Progress Report, Successful/Unsuccessful Terminations)

- Progress reports are required to be submitted to the appropriate responsive agency by providers should the client begin exhibiting non-compliance including missing attendance, class disruptions or rules violations for in-class conduct. Reports should be made in the form of an email explaining the behavior and addressed to the designated contact(s).
  - Formal Probation/Supervision Individuals: Yolo County Probation Department assigned Officer and/or their supervising probation officer if they are out of office.
  - Informal Probation Individuals: Yolo County District Attorney's Office Designee, Yolo County Public Defender's Designee, Yolo County Superior Courts as directed by Court protocols and ordered terms and conditions. Yolo County Probation Department will NOT be notified when a person ordered on Informal/Summary Probation is discharged or exhibiting non-compliance, as we have NO jurisdiction over

Informal/Summary Probation grants. Only the Court has authority over these Informal/Summary grants of Probation and ONLY the Yolo County District Attorney's Office will be notified upon program discharge or non-compliance behavior exhibited by clients.

- Regarding termination reports (unsuccessful) for cases assigned to a supervising probation officer, supervising officer will review the termination report and determine within three (3) business days, if a violation of probation should be filed or if a re-referral may be made.
- For informal cases, treatment providers will forward or email the termination report (successful/unsuccessful) to the designates listed above within their respective departments)

## Section 7: Consulting Oversight/Training by Subject Matter Expert

### Objective

- Goal #1: Evaluate existing BIPs that provide counseling for probation referred clientele
- Goal #2 Increase BIPs abilities to provide evidence-based programs with fidelity
- Goal #3: Provide coaching for BIPs to ensure continual quality services provided to clientele.

The Yolo County Probation Department has an evidence-based approach when working with clients in the community. Officers are already using evidence-based assessment tools and case management practices that align with what research states is “best practice”. This proposal aims to ensure that partnerships with community-based organizations will increase dosage hours for probationers. By providing quality programming with fidelity, the chances of probationers completing supervision successfully increase. The hope is to also provide enough dosage to decrease recidivism rates overall with using gathered information to inform more comprehensive case plans to set goals and to systematically address barriers using Cognitive Behavioral Interventions.

### Rationale

Over the past several years, a large amount of information has been collected on the risk and protective factors for violence. Research has also identified prevention programs that can modify these risk and protective factors. The Blueprints initiative has been in the forefront in identifying exemplary programs that have been evaluated in rigorous, controlled trials, and much attention has been focused nationally on selecting and implementing quality programs.

However, identification of effective programs is only the first step in the efforts to prevent and control violence. Widespread implementation of effective programs is unlikely to impact the incidence of violent crime unless there is careful attention given to the quality of implementation – the degree to which a program is delivered as intended (American Youth Policy Forum, 1999; Biglan & Taylor, 2000; Lipsey,

1999). Research demonstrates that successful implementation is not guaranteed by a site's decision to adopt a best practices program. Many science-based programs have been adopted in different settings with widely varying outcomes. In fact, a high-quality implementation of a poor program may be more effective than a low-quality implementation of a best practice program (Gottfredson, Gottfredson, & Czeh, 2000).

Until recently, little emphasis has been given to implementing programs with fidelity in both the science and practice of prevention. As a result, most people do not recognize the importance of implementation fidelity and feel that implementation of at least some program components will be better than doing nothing. Programs must be implemented with fidelity to the original model to preserve the behavior change mechanisms that made the original model effective (Arthur & Blitz, 2000).

The concept of implementation fidelity, sometimes called adherence or integrity, is a determination of how well the program is being implemented in comparison with the original program design (i.e., is the program being delivered as it was designed and implemented in its efficacy and/or effectiveness trials). There are four primary components examined when considering program fidelity (Dane & Schneider, 1998):

1. Adherence refers to whether the program service or intervention is being delivered as it was designed or written, i.e., with all core components being delivered to the appropriate population; staff trained appropriately; using the right protocols, techniques, and materials; and in the locations or contexts prescribed.
2. Exposure may include any of the following: the number of sessions implemented, length of each session, or the frequency with which program techniques were implemented.
3. Quality of Program Delivery is the manner in which a teacher, volunteer or staff member delivers a program (e.g., skill in using the techniques or methods prescribed by the program, enthusiasm, preparedness, attitude), and
4. Participant Responsiveness is the extent to which participants are engaged by and involved in the activities and content of the program. Although the concept of implementation fidelity is not new, ways in which to operationalize or measure fidelity is a relatively recent phenomenon. Fidelity is assessed by conducting a process evaluation.

## Project Deliverables

Deliverable	Description
Deliverable #1 Consultation Services	Consultation services will include but are not limited to research on evidence-based programing, information on best practices and group management techniques for justice involved individuals.
Deliverable #2 Fidelity Monitoring	Fidelity Monitoring will include spot checks for treatment groups, one on one counseling, and case management services.
Deliverable #3 Feedback to service providers and Yolo County	Feedback will be provided verbally during the in person coaching sessions and written in a monthly summary report.

## Attachment A: AB 372 Text

### Assembly Bill No. 372

#### CHAPTER 290

An act to add and repeal Section 1203.099 of the Penal Code, relating to domestic violence.

[Approved by Governor September 7, 2018. Filed with Secretary of State September 7, 2018.]

AB 372, Mark Stone. Domestic violence: probation.

Existing law specifies that the terms of probation granted to a person who has been convicted of domestic violence are required to include, among other things, successful completion of a batterer's program, as defined, or, if such a program is not available, another appropriate counseling program designated by the court, for a period of not less than one year. Existing law requires the program to be completed within 18 months and allows no more than 3 excused absences. Existing law provides for the approval of batterer's programs by the probation department and requires the goal of a batterer's program to be stopping domestic violence. Existing law requires a program to meet certain requirements.

This bill would, effective July 1, 2019, and until July 1, 2022, authorize the Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo to offer an alternative program, for individuals convicted of domestic violence. The bill would require that alternative program to meet specified conditions, including that the county performs a risk and needs assessment and includes components which are evidence-based or promising practices, as defined. The bill would require a county that offers a program pursuant to these provisions to collect specified data and report to the Legislature.

*The people of the State of California do enact as follows:*

SECTION 1. Section 1203.099 is added to the Penal Code, to read:

1203.099. (a) The counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo may offer a program for individuals convicted of domestic violence that does not comply with the requirement of the batterer's program in Sections 1203.097 and 1203.098 if the program meets all of the following conditions:

(1) The county develops the program in consultation with the domestic violence service providers and other relevant community partners.

(2) The county performs a risk and needs assessment utilizing an assessment demonstrated to be appropriate for domestic violence offenders for each offender entering the program.

(3) The offender's treatment within the program is based on the findings of the risk and needs assessment.

(4) The program includes components which are evidence-based or promising practices.

(5) The program has a comprehensive written curriculum that informs the operations of the program and outlines the treatment and intervention modalities.

(6) The offender's treatment within the program is for not less than one year in length, unless an alternative length is established by a validated risk and needs assessment completed by the probation department or an organization approved by the probation department.

(7) The county collects all of the following data for participants in the program:

(A) The offender's demographic information, including age, gender, race, ethnicity, marital status, familial status, and employment status.

(B) The offender's criminal history.

(C) The offender's risk level as determined by the risk and needs assessment.

(D) The treatment provided to the offender during the program and if the offender completed that treatment.

(E) The offender's outcome at the time of program completion, and six months after completion, including subsequent restraining order violations, arrests and convictions, and feedback provided by the victim if the victim desires to participate.

(8) The county reports all of the following information annually to the Legislature:

(A) The risk and needs assessment tool used for the program.

(B) The curriculum used by each program.

(C) The number of participants with a program length other than one year, and the alternative program lengths used.

(D) Individual data on the number of offenders participating in the program.

(E) Individual data for the items described in paragraph (7).

(b) Offenders who complete a program described in subdivision (a) shall be deemed to have met the batterer's program requirements set forth in Section 1203.097.

(c) As used in this section, the following definitions shall apply:

(1) "Evidence-based program or practice" means a program or practice that has a high level of research indicating its effectiveness, determined as a result of multiple rigorous evaluations including randomized controlled trials and evaluations that incorporate strong comparison group designs, or a single large multisite randomized study, and, typically, has specified procedures that allow for successful replication.

(2) "Promising program or practice" means a program or practice that has some research demonstrating its effectiveness but does not meet the full criteria for an evidence-based designation.

(d) A report to be submitted pursuant to paragraph (8) of subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(e) This section shall become operative on July 1, 2019.

(f) This section shall remain in effect only until July 1, 2022, and as of that date is repealed.

Extension signed into law September 30, 2021

SB 827, Committee on Public Safety. Public Safety Omnibus.

1203.01. (a) Immediately after judgment has been pronounced, the judge and the district attorney, respectively, may cause to be filed with the clerk of the court a brief statement of their views respecting the person convicted or sentenced and the crime committed, together with any reports the probation officer may have filed relative to the prisoner. The judge and district attorney shall cause those statements to be filed if no probation officer's report has been filed. The attorney for the defendant and the law enforcement agency that investigated the case may likewise file with the clerk of the court statements of their views respecting the defendant and the crime of which they were convicted. Immediately after the filing of those statements and reports, the clerk of the court shall mail a copy thereof, certified by that clerk, with postage prepaid, addressed to the Department of Corrections and Rehabilitation at the prison or other institution to which the person convicted is delivered. The clerk shall also mail a copy of any statement submitted by the court, district attorney, or law enforcement agency, pursuant to this section, with postage prepaid, addressed to the attorney for the defendant, if any, and to the defendant, in care of the Department of Corrections and Rehabilitation, and a copy of any statement submitted by the attorney for the defendant, with postage prepaid, shall be mailed to the district attorney.

(b) (1) In all cases in which the judgment imposed includes a sentence of death or an indeterminate term with or without the possibility of parole, the clerk shall, within 60 days after judgment has been pronounced, mail with postage prepaid, to the prison or other institution to which the person convicted is delivered, a copy of the charging documents, a copy of waiver and plea forms, if any, the transcript of the proceedings at the time of the defendant's guilty or nolo contendere plea, if the defendant pleaded guilty or nolo contendere, and the transcript of the proceedings at the time of sentencing.



(2) In all other cases not described in paragraph (1), the clerk shall mail with postage prepaid, to the prison or other institution to which the person convicted is delivered, a copy of the charging documents, a copy of the waiver and plea forms, if any, and upon written request by the Department of Corrections and Rehabilitation or by an inmate, or by their counsel, for, among other purposes on a particular case, appeals, review of custody credits and release dates, and restitution orders, the transcript of the proceedings at the time of the defendant's guilty or nolo contendere plea, if the defendant pleaded guilty or nolo contendere, and the transcript of the proceedings at the time of sentencing.

(c) With the consent of the recipient expressed in writing, or orally on the record, the clerk of the court may deliver the documents, or the data contained in the documents, described in subdivisions (a) and (b) by electronic means rather than by mail if the recipient is not the person convicted.

SEC. 8. Section 1203.099 of the Penal Code is amended to read:

1203.099. (a) The Counties of Napa, San Luis Obispo, Santa Barbara, Santa Clara, Santa Cruz, and Yolo may offer a program for individuals convicted of domestic violence that does not comply with the requirement of the batterer's program in Sections 1203.097 and 1203.098 if the program meets all of the following conditions:

(1) The county develops the program in consultation with the domestic violence service providers and other relevant community partners.

(2) The county performs a risk and needs assessment utilizing an assessment demonstrated to be appropriate for domestic violence offenders for each offender entering the program.

(3) The offender's treatment within the program is based on the findings of the risk and needs assessment.

(4) The program includes components which are evidence-based or promising practices.

(5) The program has a comprehensive written curriculum that informs the operations of the program and outlines the treatment and intervention modalities.

(6) The offender's treatment within the program is for not less than one year in length, unless an alternative length is established by a validated risk and needs assessment completed by the probation department or an organization approved by the probation department.

(7) The county collects all of the following data for participants in the program:

(A) The offender's demographic information, including age, gender, race, ethnicity, marital status, familial status, and employment status.

(B) The offender's criminal history.

(C) The offender's risk level as determined by the risk and needs assessment.

(D) The treatment provided to the offender during the program and if the offender completed that treatment.

(E) The offender's outcome at the time of program completion, and six months after completion, including subsequent restraining order violations, arrests and convictions, and feedback provided by the victim if the victim desires to participate.

(8) The county reports all of the following information annually to the Legislature:

(A) The risk and needs assessment tool used for the program.

(B) The curriculum used by each program.

(C) The number of participants with a program length other than one year, and the alternative program lengths used.

(D) Individual data on the number of offenders participating in the program.

(E) Individual data for the items described in paragraph (7).

(b) Offenders who complete a program described in subdivision (a) shall be deemed to have met the batterer's program requirements set forth in Section 1203.097.

(c) As used in this section, the following definitions shall apply:

(1) "Evidence-based program or practice" means a program or practice that has a high level of research indicating its effectiveness, determined as a result of multiple rigorous evaluations including randomized controlled trials and evaluations that incorporate strong comparison group designs, or a single large multisite randomized study, and, typically, has specified procedures that allow for successful replication.

(2) "Promising program or practice" means a program or practice that has some research demonstrating its effectiveness but does not meet the full criteria for an evidence-based designation.

(d) A report to be submitted pursuant to paragraph (8) of subdivision (a) shall be submitted in compliance with Section 9795 of the Government Code.

(e) This section shall become operative on July 1, 2019.

(f) This section shall remain in effect only until July 1, 2023, and as of that date is repealed.