

SUBJECT: Accreditation for battering and intervention and prevention programs

COMMITTEE: Corrections — favorable without amendment

VOTE: 6 ayes — Madden, D. Jones, R. Allen, Hochberg, McReynolds, Noriega
0 nays
1 absent — Haggerty

WITNESSES: For — Catrina Steinocher, Women's Shelter of South Texas; Tony Switzer, Laura Wolf, Texas Council on Family Violence

Against — None

On — Victoria Trinidad, Texas Department of Criminal Justice - Community Justice Assistance Division

BACKGROUND: Code of Criminal Procedure, art. 42.12, sec. 14(c) authorizes courts that are granting community supervision (probation) to persons convicted of family violence offenses to require the defendants, at the direction of a probation officer, to attend:

- counseling sessions for the elimination of violent behavior with a licensed counselor, social worker, or other professional trained in family violence; or
- a battering intervention and prevention program, if available, that meets guidelines adopted by the Texas Department of Criminal Justice's Community Justice Assistance Division (CJAD).

Art. 42.141 requires CJAD to contract with a nonprofit organization involved in providing shelter centers, law enforcement agencies, and the legal community statewide advocacy and technical assistance relating to family violence. CJAD is required to issue contracts for programs that take into consideration requirements specified in the article. The article also establishes duties of the nonprofit organization with which CJAD contracts.

DIGEST:

Beginning September 1, 2007, programs that serve as referral option for courts that require persons to attend battering and intervention and prevention programs would have to be accredited under a process authorized by HB 2711. Courts granting probation and using protective orders in family violence cases that order persons to attend battering prevention programs would have to require attendance of an accredited program. If that referral option was not available before September 1, 2007, HB 2711 would allow persons to attend other programs that had begun the accreditation process or that were run by persons with specified types of training, according to deadlines established by the bill. Beginning September 1, 2007, programs or providers serving as referral options for courts would have to be accredited under the bill.

CJAD, with the assistance of the nonprofit organization that helps it evaluate battering programs, would be required to adopt guidelines for battering intervention and prevention programs and to accredit the programs. CJAD would be authorized to collect a one-time application fee of \$500 from each program or provider that applied for accreditation.

CJAD would be required to seek the assistance of a nonprofit organization in developing program guidelines and in accrediting programs and providers. HB 2711 would establish duties for the nonprofit association under contract with CJAD, including assisting CJAD in developing guidelines and in accrediting programs and providers that provide battering intervention and prevention services.

Commissioners courts would be authorized to adopt a family violence intervention and prevention fee of between \$3 and \$15 that would be collected at the time a divorce suit was filed. Clerks could not collect the fee from person being protected by family violence protective orders.

Three dollars of each fee would have to be remitted to the comptroller for deposit to the credit of the battering intervention and prevention account in the general revenue fund, which the bill would create. The account could be used only for the accreditation of battering prevention programs. Any remaining portion of the fee would be deposited in the county treasury to the credit of a family violence prevention account to be used for shelter or services for victims of family violence.

The bill would take effect September 1, 2005, and would apply only to court orders granting probation or protective orders or modifying an order on or after that date and to divorce suits in which filing fees are collected on or after that date.