

**TITLE 75. ATTORNEY GENERAL  
CHAPTER 25. STANDARDS AND CRITERIA FOR BATTERERS INTERVENTION  
PROGRAMS**

**SUBCHAPTER 3. BATTERERS INTERVENTION**

**75:25-3-4. Assessment**

An assessment shall be completed prior to service recommendations or acceptance into the program. Before the assessment begins, the individual shall sign acknowledgment that they are participating in a batterer's intervention program assessment which is an educational program, not a therapeutic program, and will not have the same level of confidentiality afforded by mental health services. The program will not assure confidentiality of the assessment results with respect to the Judge, District Attorney, referring agency, or victim(s). The assessment shall at a minimum contain:

- (1) client's name;
- (2) date of assessment;
- (3) address;
- (4) phone number;
- (5) current and past history of violence;
- (6) lethality risk indicators using an evidence-based assessment instrument specifically for batterers intervention;
- (7) drug and alcohol use/abuse history and screening;
- (8) mental health history and screening;
- (9) criminal history, including a report of the incident that generated the referral;
- (10) current or past history with Child Protective Services or Adult Protective Services. If currently involved with Child Protective Services, the assessment shall include a review of the Individualized Service Plan;
- (11) family and social history;
- (12) access to weapons;
- (13) history of animal abuse or cruelty;
- (14) history of sexual abuse victimization;
- (15) history of petitions for protective orders filed and disposition;
- (16) pertinent medical information, including substance abuse and incidence of traumatic brain injuries;
- (17) copies of the court documents, including but not limited to: relevant court documents in divorce cases, divorce decrees, petitions for protective orders, protective orders, any and all court orders ordering the batterer to complete a BIP;

- (18) copies of the Probable Cause Affidavit or police report and criminal information if applicable;
- (19) copies of the Department of Human Services Individual Service Plan, if applicable;
- (20) a report shall be written as outlined in 75:25-3-4.1 (4) through (6); and
- (21) initial victim and current partner (if different from the victim) notification shall be attempted as outlined in 75:25-3-4.2.

**75:25-3-4.1. Record Content**

(a) Client records shall contain, at a minimum, the following information:

- (1) Intake information:
  - (A) assessment information;
  - (B) date of intake if different than date of assessment;
  - (C) emergency contact information (not the victim or abused partner);and
  - (D) current employer, if applicable.
- (2) Service notes for each batterer shall be completed by staff or volunteer after individual contact and every weekly session which shall minimally include:
  - (A) The time, date, location and description of services provided;
  - (B) The signature of staff or volunteer providing the services; and
  - (C) A service note shall be completed by the staff or volunteer providing the service for each weekly group contact, and shall include:
    - (i) personal responsibility and accountability;
    - (ii) level of participation in services;
    - (iii) change(s) in family, social, personal, legal or work environment(s);
    - (iv) inference of use or increased use of drugs/alcohol;
    - (v) whether or not facilitator observed sufficient indications of risk requiring notification of victim or others, and
    - (vi) Referrals for supplemental services.
  - (D) Staff or volunteer service notes shall document the ongoing provision of educational components addressing the risk of battering and other violence as set forth in 75:25-3-1(b).
- (3) An individualized written contract shall be completed upon acceptance into the program prior to the first (1st)

group session; signed by the batterer; and shall include, but not be limited to:

(A) Notice that the batterer is joining an educational program, not a therapeutic program, and will not have the same level of confidentiality afforded by mental health services. The program will not assure confidentiality with respect to:

- (i) Judge, District Attorney or referring agency
- (ii) current partner
- (iii) past or current victim(s) and/or a representative designated by the victim to receive information on behalf of the victim
- (iv) parent(s) or guardians of any of the batterer's children
- (v) probation and parole
- (vi) law enforcement
- (vii) individuals toward whom there is a risk of imminent harm by the batterer
- (viii) Coordinated Community Response Team
- (ix) the domestic violence victim services program serving the area where the batterer lives or where the current or ex-partner lives, where guardians of the batterer's children live or with the domestic violence program where the batterer is currently residing
- (x) Guardian Ad Litem
- (xi) the program will promise confidentiality with respect to: the general public, news media and anyone else not covered in the expectations set forth above

(B) Attendance policy, including the length of intervention, minimum number of sessions required and the maximum length of time for completion of the required sessions.

(C) The criteria for suspension and termination, including notice that involuntary termination from a program terminates any and all attendance credits accumulated.

(D) The program's rules.

(E) A written notice in bold type which specifies "Please be advised any reasonable knowledge or suspicion of illegal activities or bodily harm, or a threat of such, to the victim, her or his property, or to third persons, or any attempt, threat or gesture to commit suicide, or any belief that child abuse or neglect is present or has occurred, will be reported to the appropriate person(s) or authorities."

(F) A list of provider program expectations, such as participation, and that the batterer will be held accountable for all abusive and violent behavior or threats of harm or expressions of intent to do harm. This includes harm to current or past victims or partners. Such acts include but are not limited to child abduction, court actions for divorce or custody, underhanded economic maneuvers, substance use, and intentionally exposing the victim(s) or partner(s) to risk of sexually transmitted diseases.

(4) Reports. The program shall develop a written policy for coordinating and complying with required reports to the court, judge, probation officer, child welfare worker and/or district attorney. In the case of court-ordered or otherwise referred batterers, a written report to the court or referring agency shall be submitted within seven (7) business days of the following events:

(A) Acceptance into the program including, but not limited to, a summary of the results of the initial assessment. Rejection or denied admission to the program including, but not limited to, a summary of the results of the initial assessment, reason for rejection or denial, and any alternative service recommendations; and

(B) Reasonable knowledge or suspicion of illegal activities or bodily harm, abuse or a threat of such, to the victim, children or to third persons; and

(C) Exit from the program including, but not limited to, the service termination report which shall summarize the type of termination and reason for termination.

(i) Rejection. Reasons for rejection shall be documented and include, but are not limited to: psychiatric history, including active or recent mental health related problems; criminal record of violent crimes; chemical dependency requiring completion of an inpatient or residential treatment program; inability to function in a group due to limited mental cognitive abilities; or needs that do not match services provided by this program;

(ii) Involuntary termination. Reasons for involuntary termination shall be documented and include, but are not limited to: recurrence of violence; arrest; absences from program sessions and activities; failure to actively participate in group sessions attended; attending a group session when under the influence of alcohol or drugs; violation of any rules of the program or violation of the BIP contract. Termination from a program

terminates any and all credits accumulated by said batterer.

(iii) Completion. Upon completion of the program, an exit interview and service termination report shall be completed and documented in the client record. It shall be documented that the client participated in planning for the client's exit from the program. The client and staff shall sign and date acknowledgment of this service or an explanation shall be documented if staff is unable to obtain the client's signature. The service termination report shall include a disclosure stating that completion of the batterer's intervention program does not indicate that the client will not re-offend; it is a report that the person has completed the necessary requirements of the certified program without any other known or reported re-offending during the time of enrollment in the program.

(5) All reports shall include specific lethality risk indicators that the court may want to seriously consider and any concerns for the safety of victims, children and/or others.

(6) All reports shall include any perceived areas of concern which may include, but are not limited to, substance abuse or mental health issues.

(7) Where required information is not obtained, efforts to comply with the requirements of this subsection shall be documented in the client record.

(8) Compliance with this 75:25-3-4 shall be determined by a review of client records for content, review of program policy and procedures, or other supporting program documentation.

### **75:25-3-13. Annual program evaluation**

(a) On or before December 31 each year, the agency shall submit an annual outcomes-based evaluation of the program's services, facilities and policy and procedures, covering the period between July 1 - June 30. This evaluation shall be carried out according to a written plan established in policy and procedures to include the plan of evaluation, quantitative data to be reviewed, and the persons to conduct the evaluation. ~~Annual reports shall include at a minimum; screened, admitted, rejected, terminated, and completed.~~ The evaluation shall include, but not be limited to:

(1) Outcomes management specific to each program component which minimally measures:

- (a) efficiency;
- (b) effectiveness; and
- (c) client satisfaction.

(2) A quarterly quality batterer record review to evaluate and ensure, at a minimum:

- (a) batterers are provided an individualized written contract;
- (b) assessments are thorough, timely and complete; and
- (c) service notes are documented as prescribed by standards.

(3) A review of critical incidents and client grievances and complaints.

(b) Upon completion, this evaluation shall be made available to the OAG, local district attorney, court, personnel and volunteers.

(c) Compliance with 75:25-3-13 shall be determined by a review of the program evaluation, policy and procedures, staff meeting minutes, and/or any other supporting documentation provided by the program.

#### **75:25-3-13.1 Statistical reports [NEW]**

(a) The agency shall maintain quarterly statistical reports on a form designated by the OAG, which shall be submitted annually along with the agency's annual program evaluation.

(b) Statistical reports shall include at a minimum screened, admitted, rejected, terminated, and completed clients, source of referral, and demographic information. Additional data may be requested by the OAG and shall be identified on the designated form.

#### **75:25-3-15. Client rights**

(a) Each client shall be afforded all constitutional and statutory rights of all citizens of the State of Oklahoma and the United States, unless abridged through due process of law by a court of competent jurisdiction. Each program shall ensure each client has the rights which are listed below:

(1) Each client has the right to be treated with respect and dignity. This shall be construed to protect and promote human dignity and respect for individual dignity.

(2) Each client has the right to receive services without regard to his or her race, ~~religion~~, sex, color, ethnic origin, age, national origin, genetic information, ~~religion, degree of~~ disability, ~~handicapping condition,~~ or legal status.

(3) Each client has the right to refuse to participate in any research project or medical experiment without informed consent of the client, as defined by law. A refusal to

participate shall not affect the services available to the client.

(4) Each client has the right to assert grievances with respect to any alleged infringement of these stated rights of clients, or any other subsequently statutorily granted rights.

(5) No client shall ever be retaliated against, or subject to, any adverse conditions or services solely or partially because of having asserted the rights as stated in this section.

(6) Each client has the right to know why services are refused and can expect an explanation concerning the reason he or she was refused certain services.

(b) Each client shall be given a copy of these rights and the provision of such shall be documented in the client record.

(c) The OAG, in any investigation or program monitoring regarding client rights, shall have unimpeded access to clients, program records and program staff.

(d) Compliance with 75:25-3-15 shall be determined by review of client files and client areas of the program.

#### **SUBCHAPTER 9. TECHNOLOGY [NEW]**

##### **75:25-9-1. Technology and system plan**

(a) The agency shall have a written plan regarding the use of technology to support and advance effective and efficient service and business practices. The plan shall include, but not be limited to:

- (1) Hardware and software.
- (2) Security.
- (3) Confidentiality.
- (4) Backup policies.
- (5) Assistive technology.
- (6) Disaster recovery preparedness.
- (7) Virus protection.

(b) Compliance with 75:25-9-1 shall be determined by a review of the facility policies, performance improvement plans and technology system plan.