

RETURNING MEN TO HONOR:

*A Guidebook for Developing Intervention and
Education Programs for Men Who Batter in
Native Communities*



*Mending the Sacred Hoop
Technical Assistant Project*



THIS GUIDEBOOK WAS DEVELOPED WITH INFORMATION GATHERED FROM THREE WORKING GROUPS THAT MENDING THE SACRED HOOP CONVENED IN JULY AND SEPTEMBER OF 2008 AND OCTOBER 2009 TO IDENTIFY AND EXAMINE THE NECESSARY COMPONENTS TO DEVELOP AND IMPLEMENT NATIVE MEN'S PROGRAMS IN TRIBAL COMMUNITIES. EACH OF THESE WORKING GROUPS WAS COMPRISED OF PRACTITIONERS WORKING IN THE FIELD OF NATIVE BATTERER INTERVENTION PROGRAMMING AND TRIBAL DOMESTIC VIOLENCE PROGRAMS. THE FIRST WORKING GROUP TOOK PLACE AUGUST 26-27TH IN SEELEY, MT AND LOOKED PRIMARILY AT WOMEN'S SAFETY, BATTERER ACCOUNTABILITY, THE NECESSARY BATTERER INTERVENTION PROGRAM INFRASTRUCTURE TO SUPPORT THESE GOALS, AND INCORPORATING CULTURAL COMPONENTS INTO NATIVE MEN'S GROUPS. THE SECOND WORKING GROUP TOOK PLACE OCTOBER 6-7TH IN MARINE ON THE ST. CROIX, MN AND FOCUSED ON BATTERER INTERVENTION AND COORDINATED COMMUNITY RESPONSES WITHIN A TRIBAL FRAMEWORK. THE THIRD WORKING GROUP TOOK PLACE SEPTEMBER 16-18, 2009 AND FOCUSED ON INCORPORATING CULTURAL COMPONENTS IN COMMUNITY ORGANIZING TO ADDRESS VIOLENCE AGAINST WOMEN, WHILE MAKING BATTERER INTERVENTION PROGRAMMING CULTURALLY RELEVANT TO FACILITATE CHANGE.

Cover Photo: Oglala Lakota elder, Vincent Brings Plenty is honored by the Tokala Society and Sundancers at the end of the four day ceremony. (Note: Photo was taken with permission from the Sandance Leader).
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Preface

Mending the Sacred Hoop approached this guide from a philosophical framework: that men’s violence against women is based on a belief system rooted in the dynamics of power & control. The use of violence against an intimate partner is a choice; battering is a pattern of abuse that has an intent and purpose—to establish and maintain control over an intimate partner. Battering is supported by social norms, gender roles/expectations, hierarchical family structure and social systems that promote dominance of one group/individual over another, and the acculturated beliefs in our communities. The impact of this abuse is fear, subordination, and dehumanization.

The following frame this guide:

- Native women are the highest victimized population in the United States by perpetrators of all races.¹
- Colonization is based in a belief that one group has the right to exert their will over another and use people and resources for their own gain.
- Violence against women is a social problem that affects individuals, families, and communities (including schools, medical, and judicial institutions), and as such, requires societal change.
- Domestic and sexual violence is about establishing power and maintaining control.
- Acculturated values and beliefs have eroded our Indigenous structures and life ways.
- We have to reclaim our own indigenous teachings on culture and values to create social change in and for our communities.

This guide is intended as a resource tool for Native communities wishing to design a program built upon tribal values, perspective, and life ways that helps men understand and address their use of violence against an intimate partner. Our goal is to provide a practical resource guide that assists the reader in developing a men’s program that has at its heart women’s safety and offender accountability, as well as the structural vision to create community change.

¹ Bureau of Crime Statistics, U.S. Department of Justice. [American Indians and Crime Report](#). Washington: 1999.

Introduction to Native Men's Program Development

As Native people, we “walk in two worlds” carrying our customs, traditions, and culture on the Native side as well as the values, beliefs, and structures introduced through colonization. Our Native teachings guide us to live harmoniously with each other and the Earth; those ways of life were disrupted with the creation of reservations, forced assimilation, and numerous attempts to eradicate Indigenous people to exploit Earth's natural resources. Indeed, our communities look and function quite differently compared to 500 years ago. Prior to European contact, elders were revered, children were cherished, men were expected to earn their status, and women were honored. Violence against Native women, which began as a tactic of colonization, continues today as its by-product: women are exploited just as the Earth is exploited; the roles of men and women have been altered. The work of confronting, addressing, and ending violence against Indian women means that we must confront, address, and change our beliefs about what it means to be a Native man and what it means to be a Native woman.

Colonization was a methodical, reoccurring, and systematic process to establish dominance (power and control) over the land and people. Battering is a methodical, reoccurring, and systematic process to establish dominance (power and control) over an intimate partner. Through colonization, tribal structure, family structure, language, beliefs, values, and traditions were disrupted with the intent to eradicate and replace them with the social and family structures, language, beliefs, and traditions of the colonizers. This history links us to the present-day, where Native women are the most likely to be the victims of intimate partner and sexual violence.² Violence against women is supported by a belief system that denies the humanity of women; the tactics used by men who batter are in many ways the tactics of colonization and the effects of colonization are being borne by the bodies and spirits of our women.

The work of a Men's Program must be two-fold: it must operate on both a community change and an individual change level. As one element of a Coordinated Community Response,³ a Men's Program must work to change the community's awareness, perception, and tolerance of violence against women (this also includes system change); while providing space and tools for Native men who batter to change their beliefs and their behavior. Without this two-level change effort in Tribal communities, women will continue to be battered—a BIP will function only as a stopgap to the violence. For instance:

² *Supra* note 1.

³ CCR is a multi-disciplinary team comprised primarily of criminal justice responders and advocates that work from a shared framework and understanding regarding intimate partner violence. See “Laying the Groundwork: BIP & CCR” p. 10-15.

“[The focus] will be on helping men change one behavior, but then they will walk back out into the community that [supported the battering behavior]. When you’re talking about Indian Country, you’re talking about our Indian men. We have to approach this [the use of violence against women] historically.”⁴

The essential element of our work to end violence against Native women is the identification of violence as a learned behavior. In other words, the use of violence against an intimate partner arises out of an individual belief system, which is informed by experience, and supported by a larger social belief system. As a *learned* behavior, such use of violence can be *unlearned* through the examination of beliefs that support the violence, the acknowledgement that the use of violence is a choice, and the will to change. The Men’s Program must work to hold men accountable for their use of violence while providing them with a space and a framework for change. Native Men’s Programs assume a role in the social change response that stresses personal responsibility for changing values and beliefs in a way that restores safety and respect for American Indian and Alaska Native women.

Key Considerations in Tribal Batterer Intervention Program Development:

- Safety for victims / survivors is imperative. The vast majority of victims of domestic violence are women and their children.
- Any efforts to bring offenders to justice or increase the level of accountability for offenders must be paired with corresponding increases in advocacy and support for victims. Without this, the level of safety is substantially diminished.
- Violence towards women tears at the core of traditional Tribal values and the health of the entire community.
- Batterer intervention must be directed at the established beliefs systems which give men the perceived right to use abusive, offensive and/or violent words and behavior. Interventions geared towards simply stopping the behavior are shortsighted and will not produce long-term change. In addition, offenders need to be able to self-examine: identify and hold up to scrutiny the belief system that promotes/upholds the use of violence, articulate the effects of their behavior on themselves, their partners, children and the community (“What effects one member of the community affects the whole community”), and through changing beliefs, change the behavior.
- The voices of women (victims / survivors) need to guide both the Coordinated Community Response and the Batterer Intervention Program.

⁴ Skye, Barry (former DAIP Native Men’s Program Coordinator). MSH-TA BIP Working Group I, Seeley Lake, MT: August 25- 26, 2008.

- The whole community is responsible for the health of the whole community. The emphasis should be on returning Native men to honor—re-defining what it means to be a man outside of a dominant culture belief system that rests upon defining manhood through defining women and children as property.
- The entire community (including courts and other agencies) needs increased levels of understanding of the dynamics and effects of violence against women. Men’s group re-education curricula need to be *at minimum* culturally informed.
- All those intervening need to model the non-violent and respectful behavior they are attempting to encourage.



Participants at the Minneapolis session share their experiences in organizing intervention work.

Laying the Groundwork: the Men's Program & the Coordinated Community Response

“From a philosophical basis, if an individual won't take responsibility for their actions, society has to step in. Traditionally, a man could choose to act wrongly; he then would face censure from the tribe. There wasn't one person [whose responsibility] this was; the community was responsible. It stands to reason that if the actions of an individual connect to the community, then the systems that intervene are all connected. It's very important that those doing BIP be connected to the community – be a part of it in order to be effective.”⁵

Framing Intimate Partner Violence (IPV), or domestic violence, as a social problem is important when developing a men's program. The program will have to intervene with individual batterers while also working to change the community's perception and tolerance for violence against women. To do so effectively you will need program partners, such as law enforcement, courts, probation, mental health and addiction services, and a supportive and well educated community that understands how violence impacts personal relationships, families, and the community as a whole:

“The focus in Native Men's Programs is not just the individual and their partner – his use of violence affects the whole community and the future of the community – the children. Sovereignty should be thought of as what you do affecting your children's children's children. The program must have a connection to the community, a connection with the community systems and the advocacy program. It must also have transparency – anyone must be able to sit in on a group.”⁶

The framework (i.e. structure, support) for a BIP is the Coordinated Community Response (CCR). A CCR is a multi-disciplinary team composed of program partners such as law enforcement, courts, probation, and advocacy that all share a common understanding of intimate partner violence; each working within their respective program to coordinate their responses in such a way that victim safety and offender accountability is upheld. BIPs work at the individual level and CCRs work at the institutional level to help change community standards. Addressing IPV as a social problem, rather than an individual relationship problem, helps you envision a

⁵ Mousseau, Marlin (Acting Ex. Director, Cangleska) and Dona Beuprey (former Domestic Violence Specialist, Menominee County Health & Human Services). MSH-TA BIP Working Group II, Marine On The St. Croix, MN: October 6-7, 2009.

⁶ Chapin, Don (Men's Program Coordinator, Crossroads Program) and William Beuprey (Director of Probation, Menominee Indian Tribe). Ibid.

program that not only provides intervention to individual batterers, but also works to change the community's perception and tolerance for violence against women.

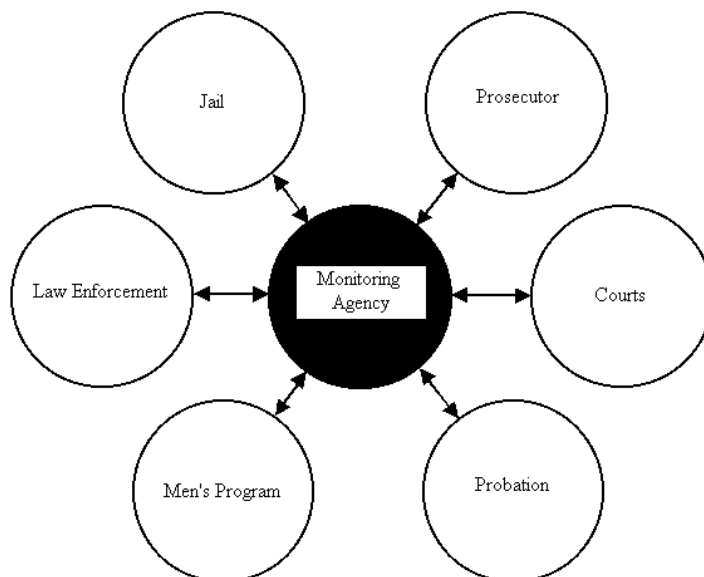
“Oneida Tribe’s Men’s Program is one of the longest running tribal BIPs; we began doing this work in 1980/81. We work with the men to help them understand that the belief system [that allows them to use and justify violence against women] isn’t theirs. We help them find their honor... Our program is spiritually- based and is 25 weeks long. It is supported/surrounded by the 12 county CCR that helps hold the men accountable.”⁷

ORGANIZING A COORDINATED COMMUNITY RESPONSE

A Coordinated Community Response (CCR) is a criminal justice intervention model that was developed to monitor compliance with legal changes as well as facilitate additional changes to address developing trends. This concept involves a multi-disciplinary approach to ensure accountability for batterers and safety for battered women. Each disciplinary agency develops a role within this collaboration,

providing a consistent response from law enforcement, prosecutors, judges, and probation officers. Most CCRs use a community-based group outside of the legal system to do the actual monitoring. This monitoring agency is often the buffer between service providers and systems people and acts as to gather and analyze information from all sources while working to ensure a cohesive response from all players. Understanding that there are many complex

jurisdictional and legal dynamics that affect Native communities, it is difficult to pose a single solution or intervention model that is relevant to all. Therefore, the CCR needs to be tailored to fit the particular circumstances of each community.



⁷ Red Hail, Gene (Men’s Program Coordinator, Oneida Nation). *Supra* note 4.



Training and education

Education on domestic violence is a large part of creating a CCR. Training on the dynamics of domestic violence should be provided regularly with the involvement of professional and community people to keep the awareness of domestic violence fresh in people's minds and to address more complicated issues like child custody, full faith and credit of protection orders, and marital rape. Working with advocacy and shelter programs, the Men's Program can provide most of the ongoing community education about domestic violence, but there may be occasions where specialized trainers will need to be brought in to cover specific areas.

Trends


Being prepared to handle changes and address new trends in regards to domestic violence cases and fluctuating resources is also a component of CCR work. The CCR team must maintain a certain amount of flexibility in order to accommodate changes in personnel and other institutional changes. To sustain and maintain an effective response a CCR must incorporate a continual process of reflection and examination; these are key elements in measuring the success of the CCR, and also provide a way to identify current trends concerning involved issues.

Community specific responses

When establishing an intervention program such as a CCR, the unique characteristics of the community must be considered. Not every community has the same level of resources or access to information. A CCR based on a criminal justice approach may not be possible or even the appropriate response for a community. Communities can develop approaches that utilize the resources currently in place and work to devise methods that build upon the baseline of services. The most important aspect of multi-disciplinary organizing is that the community creates responses where men are held responsible for their actions, women get the protection and assistance they need, and social attitudes are challenged.

Building strong community relationships

Connecting with different agencies or institutions is critical in doing intervention work. The majority of CCR success is based on building and maintaining relationships so the team can come together and handle hard issues. Typically, the team may feature various professions that have a history of non-communication and a lack of cooperation that can lead to animosity. Knowing and trusting that such resentments can and will be worked out, strengthens your response to domestic violence. Mutual respect must be part of the process. If people feel insulted or blamed, the focus shifts from the issue of domestic violence to personality issues within or between organizations. The CCR team needs to cooperate to reach the end goal of ensuring a consistent and cohesive response in which each player fulfills their role. As long as the CCR



team operates with the same understanding, they should be able to keep professional relationships with each other while working to address violence in the lives of women.

Shared Philosophy

Organizing and developing a common philosophy from which to operate is, perhaps, the most time-consuming stage of intervention work. If the purpose of organizing in our communities was to solely hold meetings and talk about domestic violence issues, we would short sight ourselves and not create lasting, effective change. Because the dynamics of battering encompass many social, political, and historical issues for Native people beyond the scope of most individual agencies, the direction of the CCR intervention team must be clear and concise. It is easy to get caught up in examining the circumstances that occurred prior to a violent episode; however, mending a couple's relationship should not be the emphasis of intervention work. When this becomes the focus, the intervention runs the risk of drifting into mediation efforts that compromise the safety of the woman and reduce the level of batterer responsibility. Having a common philosophical approach is crucial when it comes to the actual work of a CCR intervention team:

“Organizing principles must be shared, understood by each of the partnering agencies, so you don’t have conflicting points of view around ‘who are we serving – women and children, the batterer? What is my function?’ Look at collateral consequences. Understand the role of each [partner] in the CCR – understand the purpose of the system. Set out the relationships [in the CCR] by statute; written standards, written policies, codes.”⁸

Desired Outcomes

When organizing a CCR the overall goal is to ensure that law enforcement, prosecutors, and judges are consistent in following policies and procedures intended provide safety for women and accountability for offenders. Service providers working with women (advocacy) and men (BIP) play a crucial role by communicating to the institutional agencies involved the areas in which there is a breakdown in the system in achieving these goals. Each must work together to ensure consistency in response. This intervention model requires an ongoing effort of reflection and evaluation to make sure that the CCR is doing what it is supposed to do. Once properly implemented, specific methods can be created that hold perpetrators responsible for violent acts and provide enhanced safety for women in the community.

⁸ Stooft, Mel (Associate Judge, Pasqua Yaqui Tribal Court). *Supra* note 5.

BATTERER INTERVENTION PROGRAMMING – HISTORY

The current BIP model is a dominant culture model that began “at the request of battered women’s advocates”⁹ and the men allied with them (late 70s, early 80s). The input was predominately from battered women and battered women’s advocates, but there was no connection with the criminal justice system:

“Despite their commitment to accountability and to developing alternatives to clinical models, first wave BIPs provided services in a way that reproduced some of the same limitations that characterized [earlier] mental health approaches. Groups for abusive men were essentially private encounters between small gatherings of men and their counselors, not unlike many therapeutic encounters... Whatever took place in these groups remained confidential because there was no involvement with the criminal justice system. The lack of systematic involvement by the courts and other social institutions meant that there was little external reinforcement and pressure for men to seek help beyond the limited leverage their spouses could exert.”¹⁰

The second wave of men’s programs incorporated input from systems people. Most BIPs in the 90s had, and still have, a strong connection to the criminal justice system: offenders are required to attend classes as a condition of probation.

We are now in the third wave of batter intervention programming.¹¹ Tribal communities, in particular, are seeing the need for batter intervention programs to go beyond simply acting as a sanction for men who batter. Programs are stepping outside their doors and working to educate the community on what is needed in the personal change process, what is offered in the BIP curriculum, why the groups are needed, and why they should be encouraged, while engaging all men to reflect on gender issues, violence, and social norms. To further this growth, community input is needed; however, it should not detract from the primary function of BIP, which is safety for battered women and accountability for men who batter.

⁹ Aldarondo, Etiony and Fernando Mederos, “The Evolution of Programs for Physically Abusive Men”. Programs for Men Who Batter: Intervention and Prevention Strategies in a Diverse Society. Civic Research Institute, Kingston, NJ: 2002. 1-6.

¹⁰ Ibid. 1-9 – 1-10.

¹¹ Ibid.

THE ROLE OF THE MEN'S PROGRAM WITHIN THE COORDINATED COMMUNITY RESPONSE ¹²

The connection between the Men's Program, Advocacy Program and the CCR team is vital to maintaining a consistent level of accountability for men ordered into the program. By providing regular updates to the other participating agencies, the Men's Program gives judges, prosecutors and probation officers information showing offender compliance or lack of compliance with court sanctions. However, the involved agencies must always be conscious of how they use the information provided by the partners of the men in the group as it could cause an escalation of violence. Additionally, it is very important to have an advocate contact an offender's partner to detail the men's group curriculum and approach before the offender attends. Men attending group may misrepresent material presented in group to further control their partner, for instance, "The group says that you use emotional abuse to control me. It's your fault that I'm violent." Contacting a woman first and providing her with information on the BIP and group content prevents her from being further manipulated into thinking or feeling that she is responsible for the batterer's use of violence.


The role of the Men's Program is to:

- Prioritize safety for women.
- Work cooperatively with shelter or advocacy programs.
- Report acts of violence to monitoring agency (see *Tracking & Monitoring* p.14-18).
- Assess lethality.
- Focus on changing abusive behavior.
- Teach men who batter alternative behavior.
- Have consequences for breach of contract.

The Duluth Model: CCR & BIP

The "Duluth Model" is *not* a model for Batterer Intervention Programming (BIP). The "Duluth Model" *is* a Coordinated Community Response (CCR) model; Batterer Intervention Programming is incorporated into this response. This is critical, as many people confuse the Duluth Model with Batterer Intervention, and the success of a BIP is directly related to the

¹² Mending the Sacred Hoop TA Project. U.S. DoJ. Office on Violence Against Women. *Tracking and Monitoring: Building a Coordinated Community Response in Tribal Communities*. Washington: 2005.



strength of the overall CCR. The strength of a CCR rests in the monitoring agency's ability to track and monitor cases of intimate partner violence with the goal of assessing each program partner's (primarily law enforcement and the courts) response to domestic assault within the context of women's safety and offender accountability. Many communities that wish to start providing groups for men who batter, send a facilitator to Duluth's "Creating a Process of Change for Men Who Batter" training, purchase the curriculum, and believe that they have been trained in the "Duluth Model". In actuality, they have received training on how to use the Duluth Men's Group *Curriculum*, without an understanding that the Men's Program is part of an overall CCR.

When people then say the "Duluth Model" doesn't work, often they are referring to the Men's Group Curriculum, and not the intervention. While it is possible to have a strong CCR without a BIP, without a CCR, you don't have a batterer intervention program you simply provide a service (counseling, groups) for men who batter. You are neither working within a coordinated institutional systems response, nor are you able to change social norms or uphold standards around violence against women. For instance, when you hear men say, "It's a woman's city/state/tribe", you know you are changing norms; when you hear, "Women can just call 911 and you are off to jail", you know you are upholding standards. Anecdotes, however, are not a measure of women's safety; tracking and monitoring domestic violence cases to ensure that the response is what the criminal justice system says it is, and addressing gaps is the heart of CCR work.

In a CCR, program partners/team members must be cross-trained to know each partner agency's response, from the call to 911, arrest, booking, investigation, prosecution, judicial procedures, sentencing, probation, (and additional compliance with court conditions), and BIP. Tracking and monitoring means that you take 10-15 cases (as a start) and compare response to policy and procedure, assessing for women's safety and offender accountability with the goal of making change in the system response where change is needed. For example, the monitoring agency of the CCR can examine the civil court response by looking at the number of protection order requests, how many *ex parte* (emergency) requests were granted, hearings, and final orders. This last is important to the Men's Program; if participation in the Men's Program was an item in the court order, you can begin tracking how many times this relief was requested and how many times it was granted.

Tracking

Tracking is responsive; the information gathered is tracked and sorted based upon what those involved in the CCR ask for in terms of information. For instance, an advocate might be working with a woman whose partner violated a protection order six months ago. Has he come before the court on this charge? What was the outcome? Advocates tend to look for information by the name of the victim, while court personnel tend to look for information by the name of the perpetrator. BIP facilitators or program coordinators may look for specific information by the

court file number. You would want to include these designators in your tracking system. Additionally, prevalent domestic violence issues in the community determine how you organize the information you track. For example, are non-arrests an issue? You would track this and sort the information by this designator. Are firearms violations an issue? This would be an area you would track and sort.¹³ The monitoring agency would then track outcomes, and employ the same process for Criminal Court cases.

An Example of Tracking

From January to June of 2008 there were 80 requests for Orders of Protection: 75 male respondents; 5 female.

Of the female respondents, 1 request was dismissed as the relationship was parent/child, not intimate partner. 4 requests were on behalf of a minor child.

Of the male respondents, 20 requests were dismissed due to lack of evidence of immediate danger. 60 *ex parte* (emergency) requests were granted. In 20 cases, neither party showed at the hearing and the cases were dismissed. In 30 cases a hearing occurred: 10 respondents agreed to the order without a finding of domestic violence; 10 orders were granted with findings of domestic violence; 5 resulted in mutual restraining orders, 5 cases were dismissed, and 10 hearings were continued.

Within the protection order requests, there were 80 requests for exclusion from the home, 60 requests for temporary custody of the children, 20 requests for restitution, and 10 requests for property (cars, etc.).

The tracking master list below provides a visual example of how a tracking master list might be organized. Your particular tracking system and list would contain information and be sorted relevant to your community and jurisdiction.

OFP and No Contact Order Violations					
Name / Court File Number	Charge	Attorney / Defense Attorney	Update	Custodial Status / Probation	Victim's Name / Offense Date
Adams, Desi / 69DU-CR-06-7385	OFP Violation, Gross Misdemeanor & GM Aslt 69DU-CR-06-7386	Paul Schaffer / Robert Husby	Awaiting trial & VOP. 69DU-CR-06-7719 , 69DU-CR-07-160	\$4000 Cassie Bond On Probation	Patricia Isleta 10/24/06, 11/26/06, 12/14/06, 1/3/07

¹³ Eagle, Katherine (Domestic Violence Response Team, Duluth Police Department). Interview: 12/15/09.

OFFP and No Contact Order Violations	OFFP Violation	Prosecutor's Office / David Mulban	10/11/07 pretrial.	\$5000	Dorma Dreba 8/18/07
Name / Court File Number	Charge	Attorney / Defense Attorney	Update	Custodial Status / Probation	Victim's Name / Offense Date
Buckner, Andre K. / 69DU-CR-07-4457	Gm OFFPV	Paul Schaffer	Warrant	Warrant	Alison M. Mela / 2/27/07
Curry, Daniel Gene / 69DU-CR-07-3263	OFFPV, 3 rd Deg. Aslt, MD Aslt	Mark Rubin / Rebecca Shaw	Assigned and Set. 69DU-CR-07-3893	ROR	Betty Parsons 3/20/07, 5/31/07

Gross Misdemeanor and Felony Charges (Assaults and Strangulation)					
Aus, William / 69DU-CR-07-3760	Stalking	Jim Nephew / Laura Zimm	11/2/07 sentencing. NCO Issued.	\$10,000 Cassie	Marlis Whitehorse 6/24/07
Askew, Darrell / 69DU-CR-07-2440	Felony Aslt	Mark Rubin / Kevin Cornwell	10/16/07 jury trial.	\$15,000 (jail) On Probation	Jennifer LaRond 2/25/07
Berkelman, David / 69DU-CR-07-4142	GM aslt.	Paul Schaffer	10/3/07 jury trial. NCO issued.	\$6000 Cassie.	Shannel Olkee 7/10/07
Beltramo, Brian R.	Strangulation, 3 rd deg aslt, md aslt	Vern Swanum / Michael Husby	10/30/07 trial on 69DU-CR-07-3288 . NCO issued. 69DU-CR-07-1294 has a jury trial on 10/9/07. Warrant Request.	6/19/07 3 rd deg. convicted as Misd. Aslt.	Belinda Martin 11/25/06, 3/1/07, 6/8/07

Monitoring

After cases have been tracked, the CCR team would examine the reasons for case outcomes. Are the results due to court bias and/or a lack of education regarding domestic violence? Or, is the court not granting protection orders because the requests don't contain enough evidence for the judge to sign an *ex parte* (emergency) order and schedule a hearing? Another contributing factor could be that women are not receiving assistance in documenting incidents—this is where sound advocacy is important (*see "Women's Safety" p. 22*). Other outcomes could be attributed to a lack of evidence presented in the hearing, or a woman changing her mind along the way: she may have dropped the request for a protection order because there was a concurrent criminal case, and if he was convicted and sentenced in criminal court, she didn't feel she needed the order (and wasn't told to follow-up with the matter on the civil side).


Other gaps in the response might be identified as 911 domestic assault calls being changed to disorderly conduct by the responding officer (the officer may not find enough evidence, may

have bias, the incident may not fit the DV Code). Judges may not follow sentencing guidelines (inconsistency between judges: some lax, others heavy), and violations not being reported back to the court, or probation officers not monitoring offenders.

Sample Monitoring and Tracking Questions ¹⁴

1. Are probation officers advocating for a woman's safety at pre-trial release hearings?
2. Are domestic violence cases prioritized?
3. What progress has been made in developing a domestic violence unit in the police department?
4. Is the prosecutor getting better information from advocates?
5. Are judges ordering pre-sentence investigations (PSI) with regularity? Are we tracking this?
6. Are offenders doing jail time or getting ordered into the men's re-education program for violating orders for protection (OFP) in accordance with tribal codes? From the report how few are jailed or are being ordered into the men's re-education program? If so, what is being done to correct this?
7. Are probation officers contacting battered women when conducting PSIs? How do we know?
8. Are judges' sentences consistent with PSI recommendations?
9. How many offenders were court-ordered into the men's re-education program in the past year?
10. How many offenders who are on probation re-offended in the past year?
 - a) New police report.
 - b) New arrest.
 - c) Victim reported.
 - d) Was their probation revoked?
 - e) Are the charges enhanced?
 - f) Are we tracking this?
11. How many offenders court ordered into the men's re-education program were suspended in the past 12 months for failure to complete?

¹⁴ Adapted from the Domestic Abuse Intervention Project (DAIP). Duluth, MN.

- 
- a) What did the court do?
 - b) If he wasn't revoked or ordered back to the men's re-education program, what did the program do?
 - c) What happened in those cases?
12. How many respondents in OFP court were ordered into men's re-education in the past year?
 13. How often did the petitioner request the men's re-education program in her petition?
 14. Do we know why petitioners aren't requesting men's re-education classes?
 15. Are advocates meeting with women after assaults? How many assaults are filed as misdemeanors? As felonies? What is the average time that before contact?
 16. Are *ex parte* (emergency) orders being signed? Are advocates accompanying battered women to court?
 17. Is there any discussion about doing some outreach with other agencies?
 18. How would you evaluate the interagency meetings?
 19. What is being done to determine predominate aggressor? What is being done to distinguish between male and female offenders?
 20. Are offenders receiving jail time for repeat assaults in the past year?
 21. Is the police department enforcing no-contact orders?

The CCR team looks at this type of information in monitoring; this is done most effectively when an entity within the CCR, not affiliated with the "system" (law enforcement or the courts) has as its primary duty tracking and monitoring of cases. This entity looks at overall *trends*, composed of individual cases with an eye toward addressing the gaps in women's safety and offender accountability. Without the CCR and tracking and monitoring infrastructure, a batterer intervention program will not be effective.

The Purpose of a Men's Program: Safety, Accountability, and Change

The primary purpose of a men's program is to provide for women's safety; the second purpose is to hold batterers accountable for their use of violence; the third is to provide the opportunity for change on the *individual level* and to actively promote and organize for social change at the *community level*. Individual change and healing of program participants is secondary to women's safety, and ending violence takes precedence over saving relationships or treating chemical dependency or mental illness.¹⁵

Basic Elements: What Men's Groups Are and Are Not

Men's Re-education Groups provide a space and an opportunity for individuals who use violence against their intimate partners to examine the beliefs that support the use of violence and control tactics to exert power over their partners. Through a process of uncovering and examining their beliefs participants can change these beliefs and therefore change their violent behaviors. As Native people, we must acknowledge that violence against women results from the internalized oppression that is a by-product of colonization, and our approach must be framed within a historical/cultural context. Some BIPs refer to their men's groups as re-education groups. The term "re-education" acknowledges that violence against Native women is a learned behavior and as such, can be un-learned: nonviolence and respect for women can be re-learned as an integral part of Native life ways. Men's re-education addresses battering as a system of tactics aimed at gaining and maintaining power and control over an intimate partner.

Men's Re-education Groups are not:

- Group therapy (though they may be therapeutic).
- Anger management (though ways to constructively and non-violently deal with conflict are examined).
- Group counseling (though a group format is used).

While Men's Re-education Groups will employ a variety of tools (including some areas from the above list) to aid men in changing their behavior, the main issue is to address the root causes of their use of violence by identifying and critically examining the underlying beliefs that allow violent behavior to continue.

¹⁵ Indiana Coalition Against Domestic Violence, Standards for Batterer Intervention Programming, Principles of Practice: <http://www.violenceresource.org/bipstand.htm#purpose>.

WOMEN'S SAFETY

“The vision is of protecting our women and our children; working closely with our advocates. Without this, women being battered are not believed, the advocates are not believed. That’s my job, to keep that communication going. When you’re not working together [within a CCR] this vision of safety becomes a hallucination. We need our law enforcement, probation, courts, and advocates to work together – to be at the table.”¹⁶

The primary purpose of a men’s program is to implement an accountability measure for women’s safety and men’s behavior. You cannot respond to domestic violence without having a mechanism in place in your community that intervenes in violent crimes against women. Safety and accountability are intertwined; if batterers are not held accountable, safety for women is wholly compromised.

BIP Connection with the Advocacy Program

Batterer intervention efforts must be paired with sound advocacy for battered women. Sound advocacy consists of ensuring a women’s safety first and foremost, whether in the role of locating shelter in a crisis, or assisting a woman in navigating the civil and criminal justice systems. Sound advocacy means working with a battered woman in a way that does not compromise her safety, protects her confidentiality and privacy, and understands the rights of a battered woman to choose options for herself and her children even if they are contrary to what an advocate believes. Advocacy consists of supporting the choices and reality of battered women both on an individual level—working one-on-one with women; and through institutional advocacy—working with institutions/responding agencies to

Sound Advocacy:

- 1) Protects a women’s privacy & confidentiality**
- 2) Supports the autonomy of battered women**
- 3) Does not compromise a women’s safety by forcing a woman to pursue an option that she does not wish to pursue**
- 4) Preserves and promotes the integrity of battered women**
- 5) Does not evaluate a women’s need for services by how many times she has requested assistance or returned to her abusive relationship**
- 6) Works with women to promote their dignity through a difficult process**
- 7) Finds common ground in our shared experiences as women and promotes sisterhood**

¹⁶ Red Hail, Roy (Tribal Youth Services Coordinator, Oneida Nation). *Supra* note 4.

develop policies & protocols that increase women’s safety and batterer accountability. Through its connection to probation, a Batterer Intervention Program is one of these institutions.



A strong relationship with a local women’s advocacy program ensures that the issue of safety and accountability stays focused on men’s use of violence in intimate partner relationships. Battered women experience varying degrees of violence in their relationships that range from physical injuries to more subtle forms of violence, which include emotional and psychological violence such as isolation. Isolation is a tactic of power and control that limits a woman’s contact with the outside world, and can include the batterer controlling and limiting the information she receives on the purpose, goals, expectations, and group curriculum of the Men’s Program. A BIP can lessen the isolation that battered women experience and enhance safety by creating clear expectations regarding the services they provide; letting her know that the program is not a “cure all” for his use of violence, and that the responsibility for change is his. Instituting policies and procedures that incorporate safety include keeping women informed, which allows women to decide for themselves the level of lethality and the health of their relationship.

Additionally, for men attending group, the transparency of the Men’s Program—having consistent policies and working relationships with advocacy—sends the message that the agencies involved share a common goal in addressing domestic violence and reinforces that program participants will be held accountable for their behavior. Strong working relationships with the women’s advocacy program represents solidarity between other inter-agency partners and reinforces a commitment to battered women’s safety. BIP policies, such as a “Release of Information” (*see Appendix*), indicate to men’s program participants the serious nature of domestic violence and break the silence which supports the violence, reinforcing that this is not a relationship issue but a community issue. This can enhance women’s safety in that program participants know that further acts of violence while attending the program will not be tolerated.

BATTERER ACCOUNTABILITY

While the principal work of the advocacy program is to address women's immediate and long-term safety needs, a Batterer Intervention Program works primarily within the area of accountability to provide safety for women: holding men who use violence against their intimate partner accountable for their use of violence.

Batterer intervention programming enhances visibility. Having a men's program takes intimate partner violence out of the private, behind closed doors sphere of a family matter into the open and makes it a community responsibility. Within the institutional response in Duluth, MN, it is very apparent that offenders wish to be invisible – they generally don't seek help on their own and want their data kept private. In other words, they desire their use of violence against their intimate partner to remain a private, relationship issue. Many men court ordered into a batterer intervention program are involved in an on-going investigation, and they seek to protect their interests in retaining privacy. Conversely, domestic assault victims are expected to be an open book: they are the primary witness to a crime, have to reveal all acts committed against them, and must comply with all future requests for further inquiry in order to move the case forward. In other words, victims are most visible, and if a program isn't clear that they are working to provide for *women's* safety and *batterer* accountability, safety and accountability become one concept. The danger is this lack of clarity results in accountability measures being applied to the most visible person involved: the woman who is being battered. She is held accountable for providing for her own safety, i.e. "making better life choices", and the focus is taken off of the batterer's use of violence. The victim is dealt with in a vacuum.

Having a strong relationship with the advocacy program helps the BIP and other members of the CCR team to remain focused on the batterer's use of violence. Information is an essential element of a women's safety; it is necessary for battered women not only to understand the process of accountability in men's groups but also to understand that the responsibility for the violence stays focused where it belongs: on the Men's Group participant's use of violence. Men's Programs without connections to the courts or relationships with women's advocates have the potential of becoming support groups for men who use violence in their relationships, and thus endangering women. The focus can shift from the program participant's use of violence to other factors, such as his lack of education, poverty, use of alcohol or drugs, or childhood victimization.

PROGRAM ACCOUNTABILITY

Batterers Intervention Programs do not simply provide a service they must also work to change the climate of tolerance of violence against women in the community. This includes a strong commitment to the Coordinated Community Response and promoting accountability measures in the court and other institutional responses. It also includes investing in both a programmatic and personal commitment to change. This last requires a commitment to reflect on personal beliefs

and behavior—identifying and understanding the beliefs that support violence against women, beliefs that destroy the intimacy in relationships and characterize women as subservient and therefore controllable through tactics of male power and privilege. These beliefs pervade dominant culture, and have been incorporated into the social and personal fabric of Native culture as well. Men working in the Men’s Program require a comprehensive understanding of the dynamics of power-based hierarchical relationships and must have a personal commitment to supporting women’s safety and sovereignty:

“Program accountability has to start with ourselves. I have to hold myself accountable to be consistent in relationships with the other agencies (in reporting to them, for example) in our CCR. When we talk about accountability, my [personal] accountability is showing up every week, being a role model [for non-violence]. My allies (LE, probation, the courts) hold the men accountable by getting them into the program.”¹⁷

A Batterer Intervention Program rests upon accountability—holding offenders accountable for their use of violence. Additionally, the program must also hold *itself* accountable: to program participants, to victims and to the community. When a Men’s Program is accountable it:¹⁸

- Places victim/survivor safety as the top priority.
- Works to obtain a uniform, consistent and coordinated response to the issues of domestic violence, sexual assault and stalking.
- Listens to the voices of victim/survivors and victim-advocacy organizations.
- Develops a working relationship with victim advocacy and shelter programs, and acts as their ally.
- Works with other community stakeholders to improve the community’s response.
- Works to expand the community’s awareness and information about domestic violence, sexual assault and stalking.
- Provides programming which is mindful and respectful of the cultural, regional and traditional makeup of its participants.
- Provides programming that is challenging of both words and deeds and the belief systems that underlie them.
- Works to counter-act the negative effects of both intentional and unwitting collusion.¹⁹

¹⁷ Red Hail, Gene. *Supra* note 4.

¹⁸ Chapin, Don. Crossroads Non-Violence Program, Newport, OR.

- Enlists feedback from the community on the impact of the Men’s Program and its facilitators and curriculum.

MEN’S PROGRAM STAFF ACCOUNTABILITY

“The program is comprised of the staff; the staff is comprised of individuals, and each must hold themselves accountable. I have to do certain things for the program and I, by and large, have to exhibit the kinds of behaviors I am encouraging others to have—non-violence [and respect for women]. I have to look at accountability to self, to my partner and children, to the program and the community.”²⁰

Personal accountability is not only a matter for men attending group. It also applies, on an individual level, each of the men involved in coordinating and staffing the Men’s Program:

“Accountability is a life-long process; there are levels to this. Accountability is going beyond responsibility, just as honesty is going beyond simply speaking the truth. Accountability is about service, recognizing that you – program and staff – are accountable to the community, to the men in group. The components of accountability include: Listening and respecting the voices of women, honesty above truth and compassion without collusion. Facilitators must acknowledge their own use of power and control – this can include a background check. There are many layers of accountability: from answering the phone, referring services, to facilitating group consistently. To simplify, accountability means a process of life-altering change.”²¹

The following measures of accountability apply not only to men attending groups; they also apply to men who are coordinating the program, facilitating groups, and working to engage other men in ending violence against women. Accountability means:²²

¹⁹ “Collusion (in the context of facilitating men’s re-education group) is anything that stops a man from thinking about what he’s done or what he has to do to shift to non-violence. This can include arguing with men, letting blatant sexist comments go unchallenged, or undermining your female co-facilitator—anything that doesn’t challenge, but supports the men’s current world view and belief system”: Scott Miller, Men’s Program Coordinator, Domestic Abuse Intervention Project, Duluth, MN. Interview: 1/25/10.

²⁰ Chapin, Don (Crossroads Men’s Program Coordinator). Interview: 4/25/08.

²¹ Chapin, Don and Rod Kaskalla (CHANGES Men’s Re-education Program Coordinator. Community Against Violence). *Supra* note 4.

²² *Supra* note 18.


- Being willing to listen to and understand others on how your behavior has affected them and how they experience you.
- Stopping the behavior. Seek new information & education.
- Becoming honest (not just truthful) with self and others.
- Being willing to accept others' (women and children) anger as it relates to your attitude / behavior and the choices you have made.
- Acknowledging past abusive, controlling and/or violent attitude, behavior and language.
- Talking openly about what the affects of the behavior has been on others and how it effects current communication, relationships and the community.
- Acknowledging whatever level of privilege you may hold and learn how it guides your choices & impacts others.
- Seeking out others you have misrepresented the truth to and attempt to set the record straight.
- Working to hold other predominate aggressors accountable for abusive, aggressive and / or controlling behavior and assist them in efforts to make change.
- Committing to long-term change.

SOCIAL CHANGE

"In the immediate, right-now response, we forget that the change will be in those younger generations. The awareness will happen in this generation, but change will happen in the coming generations. We will work this toxicity out." ²³

You cannot “rehabilitate” a batterer without also rehabilitating the community. The first step in this process is to acknowledge the violence. Native women are at risk from *all* races of offenders—both off reservation and in our own Tribal communities from Native men. Acknowledging the violence means confronting the beliefs that make this violence acceptable. This line, from belief to action, is not a straight one—it can lie in areas that many of us term “traditional”. Examine these and use critical thinking to evaluate them—how many are the result of ongoing contact with the forces of colonization? The longer the exposure, the more likely that some of our “traditional” beliefs have incorporated the values and myths of the colonizers.

²³ Sahneyah, Dorma, (Director, Hopi-Tewa Women's Coalition to End Abuse). *Supra* note 5.



Batterer Intervention is a dominant culture model of intervention and as such, has certain weaknesses that should be identified and overcome by Tribal communities wishing to implement a Men's Program. First and foremost, dominant culture batterer intervention efforts have largely left unrealized efforts to engage the larger community. Be mindful that the dominant culture operates on the ideal of the individual, and it is under this ideal (whether consciously acknowledged or unconsciously accepted) that mainstream batterer intervention operates: it is through healing the individual that larger society is healed—the individual *is* society.

As Tribal communities, however, we acknowledge that we are all related. The individual is not held to be more important than the community at large; the individual is acknowledged as part of the community—the actions of one affect the many. It is this philosophy or value that can support the third important step of Men's Programming in Tribal communities: it is not only the individual that commits the violence—it is the community that supports that violence, either overtly or covertly. Therefore, it is the community that can change this violence that can appear to occur (according to dominant culture eyes) on the individual relationship level.

As Tribal communities we must:

- First, acknowledge the violence—see it, don't make excuses for it (“women are just as, if not more, violent than men”; “that's just the way it is”);
- Second, identify when this violence came into the community (trace colonization both in your family and the larger community's history; and acknowledge that violence against our women is a tool of colonization);
- Third, reconstruct the values and life ways that hold women as sacred;
- Fourth, revitalize these life ways in the youth and all members of the communities.

This last will not be easy. Colonization does not work unless some members of the colonized are perceived, by themselves and others, to be the beneficiaries of certain privileges—rights only given to a few over the many. This is, and has been, one of the poisons offered to our Nations—we must acknowledge that as men, even Native men, we benefit from the gender privilege “bestowed” by colonized thinking and ways of being that conveys a sense of entitlement to Native men.

However you structure your Men's Program, the program goal must be women's safety and offender accountability; and this must be consistently assessed. Ask yourself:

- Are women safer because of this program—in what ways?
- Are there practices in place that might endanger women? (See “*Information Sharing: John*” page 51.)

- Are offenders being held accountable for their actions?
- Are there program elements that can be misused beyond intention? (See “*Information Sharing: Don*” page52.)
- How can the men’s program keep acts of domestic violence visible in the eyes of responders?
- How do we structure our program to continue work toward our vision?

Ask yourself, “What did I do today to add to the safety of women in my community? How did this meeting with probation, or that men’s group, create a stronger net of safety for women?”²⁴



²⁴ Skye, Barry. *Supra* note 4.

Men's Program Development

ASSESSING COMMUNITY READINESS AND THE SYSTEMS RESPONSE


Prior to developing a batterer intervention program in your community, you must first assess your community's readiness for Batterer Intervention Programming, both at the institutional level and the larger community level. A community needs to be invested in the work to end violence against women; they need to understand how they will benefit from a Men's Program.

When developing programming, look at people in the community as allies: the strength of a community is the people who live, work and raise families within it. Community members will support the work when it comes from the roots up. Involve elders who have the knowledge, experience, and the historical framework to contextualize pre-colonization teachings and life-ways. Elders have influence in our communities; besides offering valuable perspectives on teachings and life-ways, they can be a strong source of support for a Men's Program.

Community forums can also be incorporated into your assessment of your community's readiness for a BIP; they can be used to gauge the community's beliefs around violence against women, gender roles, and tolerance for violence, and can provide the opportunity to educate and engage the community on the issues. This education and engagement can develop into community buy-in and support, a determining factor in the Men's Program's survival and success.

Questions for Community Assessment

1. Do you know of women who are battered in your community? Are they family members, neighbors, or co-workers?
2. Where do women who are battered go for services?
3. What is the level of domestic violence in your community? Is it severe (have any women been hospitalized)?
4. Have there been any focus groups or community forums to address the issue of domestic violence? If so, what resource has been used (social services, behavioral health departments, other tribal programs)?
5. Who are the people in the community that people look up to and why?
6. Is there an elder's meeting place or program in your community? Have you approached this group to get their thoughts on addressing violence against women?



Concurrently, you should also assess the current system response to domestic violence in your community; this will help you identify if your community has the system infrastructure in place to support a BIP. It will also help you identify future program partners and set the stage for mapping the response.

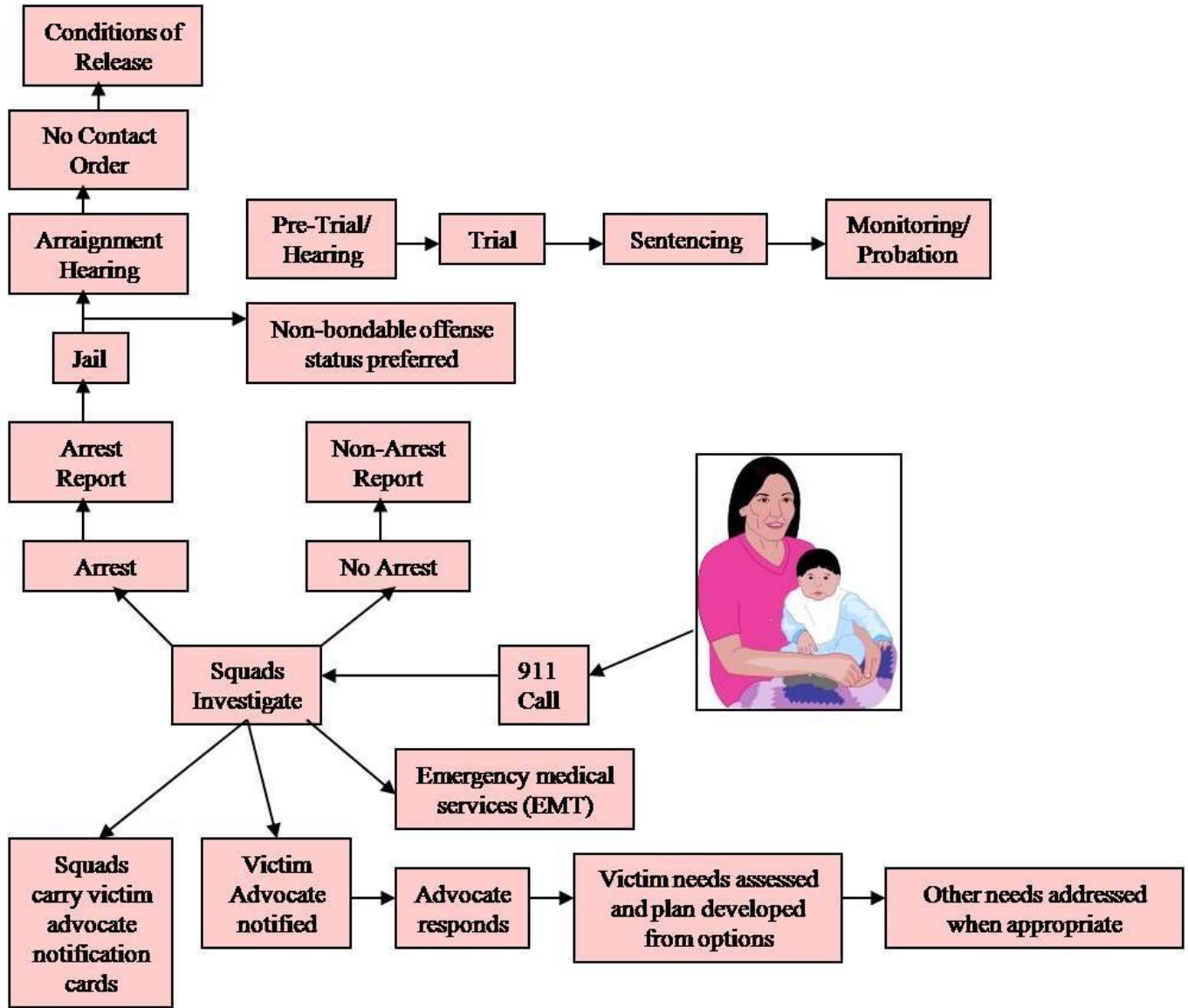
Questions to Assess the System Response

1. What systems are in place to address domestic violence?
2. What type of intervention occurs when there is a domestic violence incident?
3. Does your Tribe have a domestic violence code?
4. Is the code specific to *intimate partner violence*, or is your Tribe's DV code all-encompassing in that it addresses *family violence*, where the parameters are much broader, and include violence between parent/child, child/parent, brother/sister, etc?
5. What is the law enforcement response?
 - a. Does law enforcement have a mandatory arrest policy?
 - b. Do they have a procedure to determine predominate aggressor?
6. What is the advocacy response in your community?
7. What is the court response? Does your tribe have the resources to prosecute domestic violence cases in criminal court?
8. Does the tribe have a civil court to issue Orders for Protection?
9. Is there a probation department within your tribal court?
10. What code violation(s) would typically be handled through the tribal probation department?
11. Does your tribal court/probation make referrals to other jurisdictional agencies (state, county courts, law enforcement or probation)?

MAPPING THE SYSTEMS RESPONSE

To begin Men's Program development, start by mapping the local institutional response to domestic assault/violence. As the BIP is a part of the larger coordinated community response, allow your mapping to be broad—identify the *total* response, from first responder (911, law enforcement) on. Then, focus in on the gaps in the response: those areas in which a women's safety is compromised.


Focusing in further, note the areas in which offender accountability is a gap; and look at where the BIP might rest on the response continuum. Examine the BIP role in strengthening the response to domestic violence. In other words, assess the current response in terms of woman safety and offender accountability and begin to craft your program from this perspective.



“Native Maze Map: Navigating the Systemic Responses to Battering”²⁵

After you have completed the mapping of the inter-agency response to domestic violence, you can more clearly identify the gaps, and analyze the current agency/system policies and

²⁵ Praxis, Int’l. St Paul, MN: 2006.



procedures that are in place. This is where a CCR team is crucial, as they can look at tracking areas where gaps exist and changing policies and procedures to close those gaps, while you focus primarily on how your Men's Program will contribute in a way that enhances the community response to creating safety for women and offender accountability. Unless it is part of your role in the coordinated community response, the task of tracking and monitoring domestic violence cases through the system can fall to another member of the CCR Team—usually the CCR Coordinator. However, if monitoring and tracking DV cases is a part of your role, it can inform your work in BIP development; you will have a view point that can enhance your internal policy work in terms of providing safety and holding offenders accountable. If tracking and monitoring is not your role, begin by crafting your inter-agency policy around what information the Men's Program will need and what information it is willing to share with other agencies responding to domestic violence.

Defining the Role of the BIP²⁶

Mapping is helpful to define the role of each participant in the system; you can then begin to formulate the purpose of the BIP within the Coordinated Community Response:

- Is the focus on women's safety?
- On men changing their behaviors?
- On agencies ensuring batterer accountability? Identify these participating agencies.
- What does accountability mean? Accountability should be defined in terms of community values, the interaction of batterers with others in the community; all programs need to understand what accountability means within their particular agency role.
- How do the roles of each agency affect the family?

BUILDING RELATIONSHIPS

The Men's Program cannot operate in isolation and provide for women's safety or batterer accountability. Think about how you are including those most impacted by your work, and involve battered women and women's advocates in the development process. This can be done through a Women's Advisory Group, or network of advisors, that keeps the voices and

²⁶ Stoof, Mel. *Supra* note 5.



perspectives of women present in the Men's Program development and implementation. The women's advisory group should:²⁷

- Have an understanding of violence against women with a focus on safety and justice issues, as opposed to behavioral health.
- Be composed primarily of formerly battered women. For a Native Men's Program, the Women's Advisory Group needs to be composed of Native women.

When the Men's Program is implemented, the advisory group can also provide a resource by:

- Sitting in on (observing) men's group;
- Reviewing Men's Group curriculum;
- Reviewing program policy.


As a BIP is one component of an over-all coordinated community response (CCR) to domestic violence, it is highly recommended that you have a CCR in place before developing a men's program in your community. However, BIP development can also be the catalyst for *building* a coordinated community response. In order to build a cohesive CCR it not just the one person, or representatives of each agency, that make it a success – it is the 10 people who stand behind that one person. Community organizing is essential to building the BIP *and* CCR; effective Men's Program development incorporates community involvement from the beginning. Use a community needs assessment, as well as community, agency, court, and law enforcement input, concerns, and suggestions to facilitate what infrastructure needs to be in place, with continued community input after the program is up and running. A strong Men's Program will be inclusive of all interests and concerns around safety of women, children, and communities, with the goal of developing a strong, trusting relationship upon Men's Program implementation.²⁸

Informal or formal meetings with tribal court judges is a part of this process—educating the court about the Men's Program by presenting program goals and objectives to court staff, judges, and prosecutors. Tribal court judges need to know that the BIP does not address anger or substance abuse issues.²⁹

²⁷ Skye, Barry and Rosalie Little Thunder, Genne James, Dona Beauprey. *Supra* note 4.

²⁸ Kaskalla, Rod. *Supra* note 4.

²⁹ Red Hail, Gene. *Ibid.*



When probation can see batterer intervention programming as a resource that is helpful to an already overloaded system, they can bring their necessary support and partnership to the larger CCR and the Men's Program.³⁰ When the court sees that the BIP operates as a referral source that assists in managing domestic violence cases it can be a starting point for bringing together a coordinated community response, with BIP development as the impetus.

Ongoing community meetings can be held to discuss data collected on intimate partner violence to further community education efforts and search for other long-term solutions. From this point, meetings can be set up with tribal chairpersons and leaders in the community to explain the purpose of the BIP as an important resource to ending violence against women and to solicit their support.³¹

Your program partners (law enforcement, courts, and probation) should be included in your program development process as these are the agencies that have the largest role in holding batterers accountable.

Included in the development process is the time you will need to take to inform, educate and train your program partners about domestic violence and violence against women issues with the goal of creating institutional and social change. Present program goals and objectives to court staff, judges, and prosecutors. Develop MOUs with probation to ensure abusers are sent to the program, and set up bi-monthly meetings with probation to ensure communication is established. You will need to develop a system to track Men's Program participants (*see "Laying the Groundwork" p. 10-13 and "Reviewing & Reflecting" p. 57-58*).

Additionally, in designing Native Men's Program services that will be culturally relevant (with the goal of replacing dominant culture beliefs that support violence against women with traditional beliefs that honor women), it is important to be mindful that people with cultural knowledge (ceremonies, language, life-ways) may not be well-informed on violence against women issues and the dynamics of intimate partner violence. Having an understanding of the issues and being able to articulate relevancy is extremely important. Those speaking to group participants about traditions or conducting ceremonies must be able to connect teachings and experience to the reason the participants are attending the men's re-education group. It is critical that the message gets clearly tied back to why the teaching exist and how it can help the men better themselves, along with affirming/reestablishing a community standard of respecting women.

³⁰ Skye, Barry. Email: 11/19/08.

³¹ James, Genevieve. *Supra* note 4.

PROGRAM DEVELOPMENT STEP ONE: VISIONING

Men’s Program Mission Statement, Vision Statement, Statement of Purpose

“Mission Statement” and “Vision Statement” are often used interchangeably when talking about program policy, but they are distinct. Your *vision statement* comes from visualizing what you are working toward—the future of your community. Think about what your program *envisions*. What is the vision for the future of the community? A world where traditional ways are honored and practiced? Where women and children are honored for their sacredness? Include this in the vision statement—it will inform and provide the foundation for how work in the men’s program is done from day to day. Your *mission statement* refers to how you will get there—what your program does to get to that place that you envision as the future of your community. Thinking seven generations ahead, write out what your program will do to create this future.

Visioning

Example:

What do you believe about the change you will create in your community? Write a statement about that change. Think lofty – and summarize with a Vision Statement.

Through enhancing and implementing our traditional values we reclaim our identity and foster strength in future generations to flourish as sovereign people. Families will live together peacefully. Men will protect their families. The community will hold abusers accountable and abuse will not be passed down to future generations. Therefore our Vision is:

“To have strong healthy families to carry on our culture and traditions.”

STEP TWO: DEVELOPING THE PROGRAM MISSION STATEMENT

The framework for the program is guided by the vision. Once you have developed your program vision as defined by your core values, begin thinking about what you are going to do. Your *mission statement* refers to how you will get there—what your program does to get to that place that you envision as the future of your community.

Program Mission Statement

Example:

How will your program work towards your vision? Thinking seven generations ahead, write out what your program will do to create this future. For example:

1) Address Violence Against Native Women in our Nation by holding men who batterer accountable for their violence and providing them with the opportunity and tools for change.

2) Support the health & welfare of intimate partner relationships by role modeling a “Return to Honor” of Native men; men stopping men from committing violence against women and children.

“We will promote the Sacredness of Native Women within our community by holding men who batter accountable for their violence, and providing them with the opportunity and tools for change: restoring our personal, institutional, social, and spiritual responsibilities as Native men.”

STEP THREE: POLICY DEVELOPMENT

Your Men’s Program policy provides the foundation for your work, and should state the philosophy of your program’s response to violence against women in the community. Most programs start because people see a need or problem in the community and want to address it. Unfortunately, patience is a value that has been lost in this post-colonization era and we want immediate results. The process of discussion, visioning, debating, and coming to a shared understanding gets discarded, or is an afterthought when we hit tough spots. Many people will want to start at program implementation because they cannot be bothered with “all that philosophical stuff”, while there are those who argue that visioning and a shared understanding is no predictor of success: even without this process some programs have gone on to be successful. Looking closer, however, those programs that went on to be successful were in communities with solid advocacy services and intervention work that predated the implementation of a men’s program. If you are expanding your work or creating a new program, it is critical to do the first two steps with program staff, community representatives and collaborative partners, as it will build the support base for the program and many more people will be clear on the purpose and function.

Program Policies and Procedures

Policies can be internal as well as inter-agency. Inter-agency policies establish how you will work in a multi-disciplinary field to ensure a specific and cohesive response; an example of this

is the Memorandum of Understanding (MOU) below. The CCR must include an understanding by all participating agencies of the broad function of the BIP. All the participating agencies/programs need to have a common purpose; programs should cross-train on the purpose and defined goal of the BIP.³²

The sample MOU below is modeled off the inter-agency agreement established in Duluth, Minnesota. This type of criminal justice intervention is known as a Coordinated Community Response and is commonly referred to as the “Duluth Model” that speaks to the way the community organizations and institutional systems (911/dispatch, law enforcement, courts, probation, and jails) have established specific and cohesive responses to domestic violence cases. The primary agencies that came together under the umbrella of the Domestic Abuse Intervention Project (DAIP) came to be referred to as the “coordinating agency”, and as a team developed policies, procedures, and protocols that would guide their overall CCR response. This sample MOU is intended to illustrate agreements and highlight protocols and policies:

Sample Memorandum of Understanding (MOU): Inter-Agency Roles and Protocols³³

1. Police:

- An officer must arrest if there is a protection order and the alleged offender violated either the exclusion order by returning to the residence or a restraining order by assaulting or establishing prohibited contact with the protected party (e.g., going to her/his workplace or school).
- An officer must arrest if he or she has evidence to give probable cause that an assault occurred and the victim was physically injured or threatened with a weapon by the assailant.
- An officer must make a full written report on all domestic-violence-related cases for documentation.

2. Prosecutor:

- The prosecutor will avoid dismissing cases unless there is no justification for pursuing a conviction or insufficient evidence to obtain a conviction.
- Convictions will be sought to place legal sanctions on the assailant that are designed to (1) protect the victim, (2) offer the abuser an opportunity to change and (3) promote a

³² Stoof, Mel. *Supra* note 5.

³³ Modified from “What About the Kids” developed by the Domestic Abuse Intervention Project. Duluth, MN: 1995.

general deterrence in the community to this violent criminal behavior.

3. Probation Officers:

- A probation officer (PO) will conduct a pre-sentence investigation (PSI) on all domestic-violence-related cases.
- In conducting the PSI, the PO will make every attempt to solicit input from the shelter, the victim and the DAIP to ensure that all necessary safety measures are taken to protect the victim from ongoing assaults or harassment.
- The PO will recommend a combination of jail and rehabilitation based on the severity and history of violent behavior.
- The PO will bring all violations of probation agreements involving a new offense back to the sentencing judge in a revocation hearing.
- The PO will ensure that a revocation hearing is held if an offender fails to complete rehabilitation programs ordered.
- The PO will recommend increasingly harsh penalties for repeat offenders or assailants who fail to follow probation agreements.

4. Civil Court Judges:

- In issuing civil protection orders, judges will use a combination of orders restricting contact by the assailant with the victim, requiring rehabilitation services for the assailant, and ensuring the safety of children in all aspects of visitation and custody decisions.
- Family court judges will ensure that a system is in place that allows both parties to bring problems regarding ongoing harassment, visitation complications, and custody problems back to the court for resolution.
- Family court judges will consistently enforce orders made in regards to the protection of victims and children in protection order cases.

5. Criminal Court Judges:

- Judges will order pre-sentence investigations on all domestic-violence-related cases in order to ensure appropriate protection of the victim as part of the sentencing objectives.
- Criminal court judges will enforce probation and parole agreements with the use of incarceration if necessary for defendants who continue to harass or assault their victims or fail to comply with rehabilitation orders.

6. Men's program facilitators:

- Men's program facilitators will focus intervention on the cessation of violence by the assailant.
- Men's program facilitators will not engage in therapeutic practices which require a modification of victim behavior in order to end the violence or abusive tactics of the abuser.
- Men's program facilitators will report all new offenses back to the court unless the sole source of knowledge about that offense comes through a victim who has requested that the counselor keep the information confidential.
- Men's program facilitators will not make recommendations to the court regarding abusers obtaining custody of their children based solely on their knowledge of the abuser through the attendance in abuser groups.

7. Shelter Workers:

- Shelter workers will provide advocacy immediately following police intervention to victims of domestic abuse. In cases of arrest, follow-up will be made through home visits; in cases where no arrests were made, follow-up will be by phone or mail.
- Shelter workers will provide advocacy for each woman who wants help obtaining a protection order.
- Shelter workers will work cooperatively with the prosecutor in developing a strong case for prosecution except when doing so is a violation of a woman's confidentiality with the advocate.

9. Monitoring Agency:

- The Domestic Abuse Intervention Project (DAIP) will monitor the compliance of each agency with protocols and procedures and provide all intervening agencies with information on each case as it goes through the system in order to provide for effective networking and decision making on a case-by-case basis.
- The DAIP will facilitate interagency meetings and facilitate discussions on continued need for changes in policies, procedures or protocols in any or all parts of the system.

Internal Policies

Internal policies reference the standard you want to uphold and safeguard against potential shortcomings.

Sample Men's Program Internal Policy³⁴

Re-educational sessions are conducted in a professional, culturally competent, linguistically appropriate, challenging and cohesive manner. Facilitators are experienced and knowledgeable in the areas of Domestic Violence cessation, sexual abuse/violence, and existing curriculum modalities.

The Men's Program facilitators will address battered women's safety by:

- a) Ongoing monitoring for signs of risk and lethality
- b) Reporting such to men's program coordinator and advocate
- c) Regular check-ins with advocate

The Men's Program facilitators will address offender accountability by:

- a) Ongoing monitoring of offender's behavior and group participation
- b) Reporting failure to meet contract and/or follow rules regarding further acts of violence
- c) Regular check-in with advocate
- d) Reporting to program coordinator

The Men's Program facilitators will provide community prevention by:

- a) Emphasizing zero tolerance for abuse
- b) Not colluding
- c) Acting a role model for the community – demonstrates non-violent, respectful behavior

The Men's Program will conduct separate groups for male and female offenders. Group participants are limited to members of the same gender as self-defined during intake. Group participants are currently limited to adult offenders. Offenders under the age of 18 may not be enrolled in adult groups and must be referred accordingly until such time as groups for adolescents is offered by the Men's Program.

In following best practices for domestic violence offender intervention programs and with keeping victim/survivor and family safety the primary focus of the Men's Program, couples counseling is not a part of the Men's Program. Some other names for this type of therapy/counseling are conjoint therapy, family therapy, marriage counseling and joint therapy, none of which are appropriate for relationships in which there is domestic violence and are not included as part of The Men's Program.

³⁴ Modified from Community Against Violence (CAV), CHANGES Men's Re-education Program Policies & Procedures. Taos, NM: 2008.

Procedures

Procedures are the way in which *the policy* is carried out from day to day—the structured response, which rests upon the program mission. Identifying, as well as assessing, the local response can help you identify where specific procedures need to be placed to create the result you want. Procedures should be assessed in terms of: Are they necessary? Why? Assess each in terms of women’s safety and holding the offender accountable for the violence.

Sample Men’s Program Procedure³⁵

Court Ordered & Other Agency Referrals

The following information will be provided:

1. Monthly or weekly reports will be sent to referring agencies, per their specification.
2. Updated and completed files will be maintained:
 - a. Date of intake/orientation
 - b. Contacts made
 - c. Non-compliance: has not attended intake or orientation sessions
 - d. Non-compliance: has missed more than two sessions
 - e. Sessions attended each month
 - f. Sessions missed each month
 - g. Total sessions attended
 - h. Total sessions to complete

Non-compliance

Any individual found to be non-compliant will be referred back to the courts or referring agencies. Court or referred agency will be contacted about non-compliant status and possible incarceration.

Court Notification Policy When Offender Will Not Benefit in the Men’s Program

Every effort will be made to work with the offender to make the program workable. If the determination is made that an offender is not appropriate for the Domestic Violence Offender

³⁵ *Supra* note 34.

Program, including but not limited to:

- Psychiatric history/issues
- Limited mental capacity
- Substance abuse
- Other

The reason will be documented and recommendations will be written and sent to the court or other referring agents. Possible recommendations could be residential or intensive treatment programs for mental health treatment, and or substance abuse. All decisions will be made on a case-case basis. Mental health referrals are generally made to the Community Health Services. Several alcohol/substance abuse treatment facilities are considered for referral depending on the client situation.

Substance Abuse/Mental Health

Any individual necessitating additional services will be referred to appropriate local service providers including, but not limited to:

- Tri-County Community Services
- Big River Alcoholism Treatment Center
- Life Circle

Strategies to Hold Domestic Violence Offender Accountable

The Men's Program holds offenders accountable by requiring adherence to the group rules. Participants must arrive to group on time or will not be allowed to participate. Participants must meet the attendance requirement; otherwise, they will be reported to the referring court or agency and dropped from the group. The Men's Program holds offenders accountable for their violent behavior by using the tools provided in the curriculum, such as planned exercises, facilitated discussions, role-playing and intensive skills building. Among topics addressed are power/control dynamics, belief systems, and consequences/effects of violence. During the group, participants are not allowed to refer to their partners in a profane manner. They are required to refer to their partner by name. The message is strengthened when their peers call them to task as opposed to hearing it only from the group facilitators.

While considering policies and procedures and deciding intervention, use women's safety and offender accountability as the test, and consider all against this mission. For instance, you may

wish to hold men's group without court sentencing.³⁶ In other words, men can come to group without being sentenced to participate. How will you assist them in change? How will you provide for her safety and uphold his accountability for his actions? You may decide that groups are primarily court mandated. What is your goal? What do you want to accomplish? Is your goal individual change? If so, what is your goal beyond this? Are you envisioning a community free of violence against women? See “Visioning” on page 35 and go back to how you will work toward this in your intervention strategy.



³⁶ In order to use Office on Violence Against Women grant program funds to develop and support a BIP, OVW requires that the BIP have a connection with a court to enforce compliance and impose consequences.

Men's Program Implementation

Preparing to implement a Men's Program is similar to preparations for seasons or stages of life. Traditionally, summer was not about swimming holes and enjoying the warmth. When summer came it was the time to get things prepared for the fall harvest and winter; survival was the main concern, and time for relaxation was a luxury. In other words, no one ever waited until winter to begin cutting the firewood. Yet when it comes to Men's Program implementation many communities have failed, as they were not prepared in advance. This section is intended to give guidance in establishing a balanced foundation for BIP development and implementation.

PREREQUISITES TO STARTING A MEN'S PROGRAM

- √ **Knowledge of Domestic Violence**
- √ **Sound Advocacy Services**
- √ **Strong Coordinated Community Response**
- √ **Identify Key Leadership**
- √ **A Community that is Well-educated in Domestic Violence Issues**
- √ **Patience**

Knowledge of domestic violence

Having a solid understanding of violence against women issues means more than simply having strong feelings on the subject and speaking out about it. A thorough knowledge of the issues includes understanding all forms of social oppression (sexism, classism, racism) and how these play out in prejudice and discrimination, the dynamics of Intimate Partner Violence and counter claims of IPV (gender symmetry, gender neutral issues, etc.), and sexual violence. You must also know how to organize a community to address the issues, including organizing a multi-disciplinary teams such as a Coordinated Community Response (CCR). Most importantly, a solid understanding of domestic violence includes identifying what you don't know and knowing where to go and ask the right questions.

Sound Advocacy Services

There has been a major shift in advocacy during the past decade. In many cases, advocacy has moved away from supporting women's choices to managing women's lives. Too often, advocacy can consist of "getting her to make better decisions", write up a case plan (some call this a "safety plan" as well, although its not), and monitor her progress with making life changes. When the advocate's relationship with women is dictated by appointments and building and maintaining case files and contingencies to garner other benefits (financial or otherwise), this is well away from sound advocacy. Sound advocacy acts as a voice for the needs of women and ensures they are not re-victimized through institutional and community responses.

Strong Coordinated Community Response

A Coordinated Community Response (CCR) is a multi-disciplinary team comprised primarily of criminal justice responders and advocates that work from a shared framework and understanding regarding intimate partner violence, with an element in place that tracks offenders and compliance with program requirements. If you are in the process of developing a multi-disciplinary team in your community (with the OVW requirement for court sanctions) you can still work to establish the baseline and infrastructure of your Men's Program. The main elements of a CCR include having procedures in place to create policies as well as the ability to track compliance with policies and procedures. Additionally, the CCR must include referral mechanisms to the Men's Program and sanctions for non-compliance while maintaining connections with the community. In short, the CCR sets the standards for social expectations for offenders, creates an accountable, coordinated institutional response, and upholds community values.

Identify Key Leadership

There is a fair amount of work in developing, coordinating and implementing a Men's Program. Identify a coordinator to lead this endeavor. A coordinator will need to have a sound understanding of batterer intervention programming as well as solid community organizing and public speaking skills in order to present to and educate partners and the community on the process and goals of a men's program. Too often, communities wishing to implement a Men's Program start at the end point first. Don't start with "I'll hire (or contract) with someone to provide a group and that will solve it". There is more to addressing men's violence than simply holding a group once a week.

Create a Well-Educated Community

Build a well-educated community, or at least a DV literate one. The work is two-fold in that you have to educate multi-disciplinary team members as well as the community. A DV literate community will help you develop program staff with the qualifications and understanding of

intimate partner violence to fill open positions. Factoring this element of capacity building into your development plan will provide an educated pool of available applicants when you are ready to implement direct services.

Patience

Finally, have patience! Give yourself time (as long as one or two years) to put the necessary foundational elements in place prior to program implementation. Even in communities with the necessary infrastructure and coordinated institutional responses, it can take at least one year to find group facilitators (male and female co-facilitators are ideal), address hiring issues, and train facilitators on the curriculum and the institutional (law enforcement, courts, etc.) and advocacy response protocols of CCR members.





STEPS IN MEN'S PROGRAM DEVELOPMENT

- Set and Maintain Vision**
- Educate Community**
- Develop and Design Men's Program Services**

Set and Maintain Vision


The vision will guide you through the process of establishing a Men's Program in your community. It is vital that this vision be clear and detailed so it is not lost in the implementation process. You should have a strong connection with your Coordinated Community Response Team and Advocacy program, with a plan in place to review and remind vested community partners of the program vision and goals.

Educate Community

When developing a Batterer Intervention Program (BIP) you will need to educate the community *and* co-service providers (members of your multi-disciplinary team) on intimate partner violence. A CCR team, as the model exists, is mainly comprised of representatives of the criminal justice system—most of which are male dominated professions. Their beliefs about women affect the way they do their jobs and can also hinder efforts to address violence against women. You will need to educate your program partners on violence against women issues as well as confronting the beliefs that uphold such violence.

You will also need to educate the community, both to build program capacity (creating a pool of people able to act as men's group facilitators), and to build community support for the program. Educating the community includes not only discussing the domestic violence and the surrounding issues, but also educating them on the function of the Men's Program: that it does not address alcohol or anger issues, but focuses on changing abusive and controlling behaviors.

Be sure to plan an education/training campaign that is multifaceted and ongoing in order keep the issues at the forefront while continuing to capture the community's interest. Building a community that is well educated on the issue of violence against women requires more than simply offering an introductory domestic violence forum, training, or activity during Domestic Violence Awareness Month. Educating the community requires many training gatherings throughout the year that bring the community together to hear about violence against women and discuss the issues. Plan an education campaign that incorporates short presentations, videos, and activities to involve community members in developing public awareness and education materials. Consider providing two or more training events or gatherings every few months, and create community member working groups to take on specific tasks. For example, your



education campaign could include a series of 1-2 hour trainings covering the dynamics of domestic violence, listening surveys, and community forums incorporating videos with facilitated discussions. An effective campaign consists of a multidimensional strategy rather than sporadic individual events. Your education efforts should have clear objectives and these should connect to your larger goals.


Develop and Design Men’s Program Services

Having a multi-disciplinary team such as a CCR in place to track offenders and develop policies is a pre-requisite for starting a Men’s Program in your community. Men’s Program development includes coordinating with CCR team members to define how offenders will be monitored. Your multi-disciplinary team will vary from those in other Tribes depending upon your infrastructure; however, you will need to determine how communication and information sharing between the Men’s Program and Courts/Probation will be structured.

Batterer Intervention Programs (BIPs) traditionally function within the framework of a multi-disciplinary team such as a CCR and define domestic violence as an issue of power and control rather than a matter of mental health or anger management. You will need the coercive power of the court to ensure participant compliance and uphold accountability. For some tribes this relationship will be primarily with tribal court, for others, the program partner may be county court. In any event, working with these program partners is a necessary component in deciding program structure and internal procedures. We have spoken about the ways in which a Men’s Program can, and should, work to create social change around violence against women issues. Social change rarely comes from within institutions; rather, it comes from the community affected by the issues and institutional responses, while institutional processes adjust to respond to those changes. BIPs are unique in that they are a part of the institutional response (probation), while also working to create social change.

Your Men’s Program must also work to develop and maintain a relationship with the advocacy program. While the relationship with courts/probation is one of upholding accountability, the relationship with domestic violence advocates is one of providing safety. A key aspect of this relationship is the provision of a venue from which to respond when there is a safety issue. For instance, pending court cases can be a volatile time for a battered woman—the BIP must be aware of these issues and accessible to community partners that can respond best to safety concerns.

Recognizing that information sharing can both positively and negatively impact a woman’s safety, this stage of Men’s Program development includes creating policies, procedures and protocols that address both information sharing and confidentiality. Information sharing between the Men’s Program and program partners such as advocacy and probation is a key component to victim safety; the information obtained can be used to assess lethality when a participant demonstrates a potential risk to their partner by threats, increased levels and/or severity of



violence. Additionally, when the Men’s Program has a policy in place that informs a participant of the release of information, the participant is less likely to manipulate the system. BIPs should inform a participant during orientation of the “duty to warn” a victim and what information will be shared and with which agencies (*please see the Appendix for an example of such a form*).³⁷ Information sharing (batterer program) and confidentiality (partners of men in group/battered women) policies should convey the purpose of communicating information to vested partners such as probation and law enforcement and should list those program partners who are authorized to receive and provide information. It should also take into account that this information sharing is not a two-way street: confidentiality (both in principal and in practice) applies to the *victim* not the offender. While advocacy and the Men’s Program have a “duty to warn” the victim of possible dangers, such as threats a participant may make in group, the advocate and men’s program *do not* take information provided by the victim and share with the offender without parameters (her consent, her safety).

Batterer Intervention Programs must continually weigh the safety of battered women and offender accountability. This includes:

- Informing the partner of a man in group of the Men’s Program’s goals and expectations;
- Informing her that there is no guarantee that enrollment in the program will change him;
- Working with women’s advocacy programs to ensure that resources and information are available to battered women;
- Ensuring (when necessary) that she has a safety plan;
- Monitoring and tracking the violent behavior of offenders, while
- Being aware of the possible lethality of that behavior: the Men’s Program may enroll men whose violence is brutal and who are not amenable or willing to change.

Creating policies and procedures is vital during this phase—you can test them for possible safety risk factors prior to implementation. The following are scenarios around information sharing in the day-to-day operation of the men’s program; and are intended as examples of policy and procedure in practice that can impact women’s safety.

³⁷ The Release of Information is a written form listing agencies with which information will be shared. It should be signed by the Men’s Program participant and dated on the day of enrollment (usually Orientation/Intake).

Information Sharing - Case Scenario: “John”

John has been convicted of 5th degree domestic assault. The conditions of John’s probation include enrollment and participation in a twenty-seven week men’s program, abstaining from alcohol, no further acts of domestic violence, and compliance with an alcohol and drug treatment case plan. Linda, his partner, works for John’s mother in a grocery store. John has had to miss three classes because of a work schedule. The facilitator allows John to get credit for the missed classes by having John read three chapters of a book called “Domestic Violence No More” and write a paragraph on the focus of each chapter. John’s mother reads the chapters and does the assignment for John to turn into the facilitator. At her women’s support group, Linda tells the advocate of this situation and the advocate relays the information to the facilitator.

- What should the facilitator do in this situation?
- What are the safety concerns (if any)?
- What is the advocate’s role in this scenario?
- What is the facilitator’s role?
- How do you balance group participant accountability & women’s safety?

Case Scenario Debrief: “John”

Prior to disclosing the information, the advocate asked Linda for her consent to share the information with the men’s group facilitator. Additionally, she asked if it would be permissible for the facilitator to call Linda. Through their conversation, the facilitator and Linda determined that the information should not be discussed in with John, as he would know where it came from. The facilitator determined that Linda’s safety was primary and John’s accountability in this instance was secondary. He told Linda that he would approach the issue by quizzing John on what he learned from the chapters he read and look for an opportunity during group discussion to bring the issue to the forefront.

- What are your impressions of how the scenario played out? Assess in terms of Linda’s safety, and John’s accountability.

Information Sharing - Case Scenario: “Don”

Rachael and Don have been married for six years. Don has abused Rachael throughout the marriage, and has three incident reports related to domestic assault. Rachael has Protection Order against Don that allows him to stay in the house with no other acts of violence; however, she is thinking of dismissing the order because Don has been attending group for six weeks and appears to be making progress. In Don’s seventh week of attending group, he arrives home before Rachael returns from her job and is angry that she is late—he wants to eat dinner prior to going to group. Rachael arrives home and Don grabs her by the hair and pulls her into the kitchen. He begins to shove Rachael until she is backed against the lit stove, stating that if it wasn’t for her, he wouldn’t have to go to group. Don suddenly slams his fist against the top of the stove leaves the house. When he arrives home from group later that night, Don says he left because he has learned in group that he should take a time-out when he gets angry; he then asks Rachael if she agrees that he should have taken a time-out. Rachel is too afraid to say how she really feels, but knows that the contract he signed when he began groups prohibited the use of violence or he would be terminated. Rachael is glad that she did not drop the Protection Order but also does not think it will keep Don from using violence while living at home.

Rachel has been attending a women’s support group and discusses the recent incident with women in group and an advocate. Rachael also discusses other incidents that have happened but were not as physically abusive as the most recent. The advocate and Rachael talk to the Men’s Program Coordinator about the incident and other tactics that Don has been using at home. The Men’s Program Coordinator has concerns that Don is still using violence in his relationship and shares the information on Rachael’s situation at a monthly facilitator meeting. During the next men’s group, the facilitator discusses using time-outs including the details of Rachael’s experience. When the facilitator questions Don in group, Don responds that he has not used time-out inappropriately and that he has not used any physical violence since coming to group.

- Identify the critical safety issues in this scenario.
- What are *appropriate* information sharing elements in terms of safety & accountability?
- What are *inappropriate* information sharing elements in terms of safety and accountability?
- How might program policy and procedures either uphold or compromise *women’s safety* in this scenario?
- How might program policy and procedures uphold or compromise *offender accountability* in this scenario?
- With which CCR partners should the information be shared?

*The Role of the Men's Group Facilitator*³⁸

When developing a men's program, be certain that the groups specifically address the issues of violence in relationships and ingrained societal sexism. Groups can easily become anger management classes. Anger management alone falls short of addressing the attitudes and beliefs that give batterers permission to use violence to control their partners. The reasons batterers believe they can use violence and have a determined right to exercise it need to be addressed. Consider using a curriculum that operates from the philosophy of violence as a learned behavior. If the community believes men are not born inherently violent, but rather are molded by societal beliefs and structures within the greater community, it is then possible for all people to be cared for and nurtured into responsible adults who do not use violence in their day-to-day life. This belief makes change possible and creates a place where men can learn to change. The most successful re-education programs integrate traditional ways and language reflecting Native beliefs into their teachings.

Other issues to consider when implementing and facilitating groups for men who batter include:

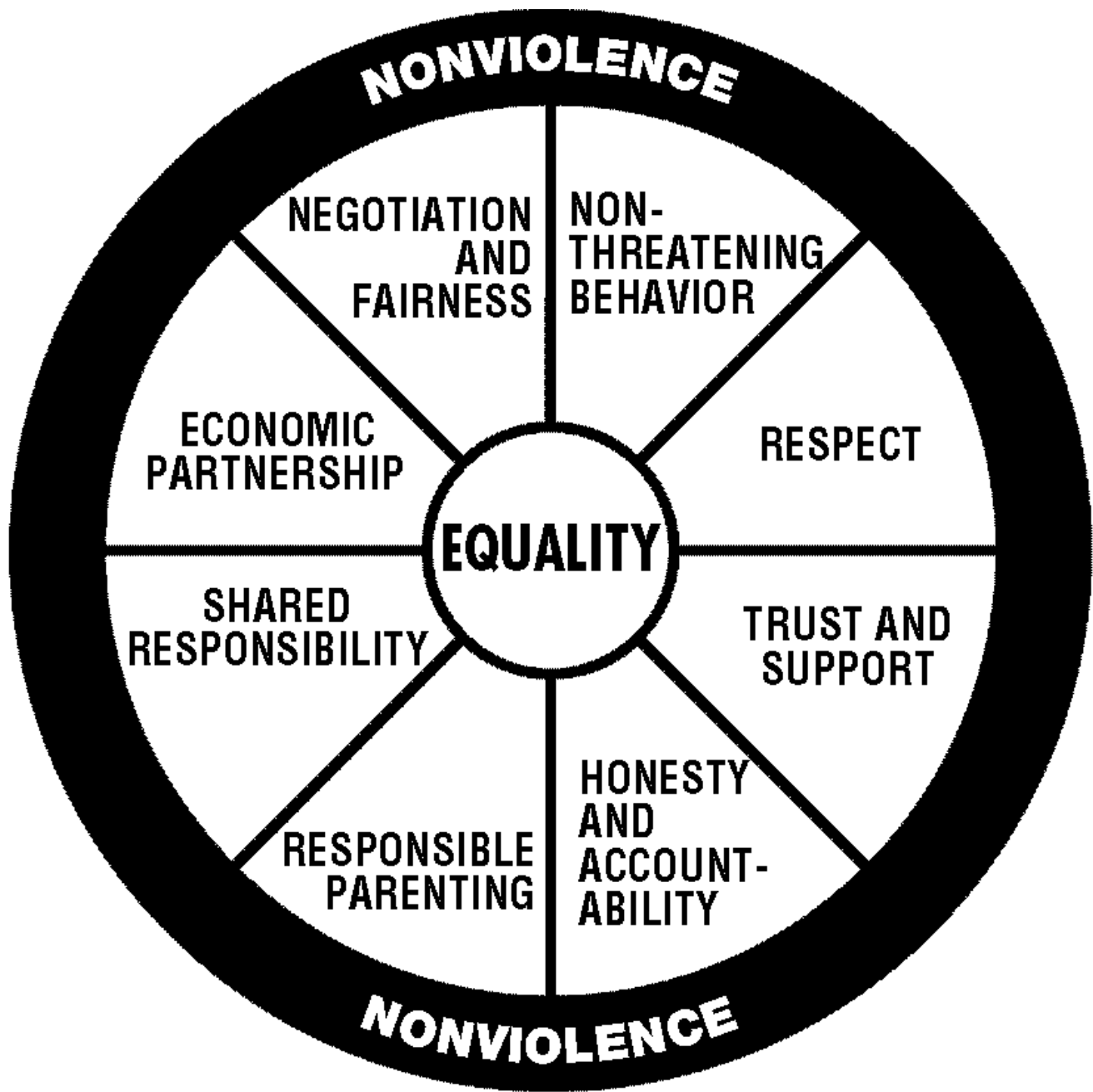
- Statements made by men in group that imply further violence;
- Facilitators who collude with batterers;
- Issues of racism and oppression;
- Men's appropriateness for groups;
- Sobriety;
- Women's use of violence.

Women's use of violence is an issue faced by group facilitators; group discussions often result in participants contending that women use violence as well. Understanding the dynamics of power and control is vital to conducting effective education groups that uphold batterer accountability. There is difference between a batterer's use of violence to control his partner and a battered woman's use of violence in self-defense or retaliation. A woman's use of physical force rarely fits the ongoing pattern of coercive or controlling behaviors described as battering.

Many communities prefer to call batterers groups men's re-education classes because the intent is not to cure an individual of violent behavior, but to examine the belief system that uphold a batterer's use of violence. Through examining these beliefs, participants can learn ways to create a relationship with their partner based on equality and respect (*see Figure 2*).

³⁸ *Supra* note 12.

Figure 2 - Equality Wheel ³⁹



³⁹ Domestic Abuse Intervention Programs. Duluth, MN.

IMPLEMENTING A MEN'S PROGRAM

Choosing/Finding Facilitators

Co-facilitation of men's groups is ideal; it lessens the opportunity for collusion between facilitator and men's group participants, and also (when co-facilitated by a woman and a man) demonstrates the equality in relationships that the Men's Program promotes. Additionally:

*"It's essential that Indian women be involved in [Native men's] programming [to provide information/perspective on] how to be in a relationship, adding to a partner's life; a woman's perspective can help him [program participant] understand."*⁴⁰

Communities wishing to develop and implement a Batterer Intervention Program should recognize that it can be difficult to find men who are able to facilitate men's re-education groups; men will be coming into the work of addressing violence against women at different levels of understanding of the issues. Certain areas can be assessed in this search:

*"Is there a willingness to have their background checked? To have their partner interviewed? Facilitators must look at themselves as a work in progress; if they think they've already got it, that's a red flag right there. It's the person who can't admit they don't benefit from a sexist society that you need to look out for."*⁴¹

In choosing men's group facilitators, the emphasis should be less on professional criteria (licensed mental health professionals, etc.) and more on choosing persons who are members of the tribal community who have an understanding of the issues of violence against women and are personally confronting and working on the multi-layered issues of sexism. They should be able to use their lived experiences, with an understanding that they are working on it—that they are a "work in progress". Men's group facilitators must be willing to "take a stand; they have to be willing to take the heat [of confronting violence against women in all its forms]. For instance, if you go into Hooters, if you order a beer, you participate [in the violence]."⁴²

Additionally, men's group facilitators must be able to team compassion with accountability: "Do you have the compassion to recognize change and the attempt to change, and at the same time, have the courage to hold someone accountable?"⁴³ Implementation includes not only hiring key staff, such as group facilitators, but also training potential group facilitators for the Men's

⁴⁰ Beauprey, Dona. *Supra* note 4.

⁴¹ Chapin, Don (Crossroads Men's Program Coordinator). Interview: 4/18/08.

⁴² *Supra* note 20.

⁴³ *Ibid.*

Program. In addition to training facilitators on existing men's group curricula (such as DAIP's *Creating a Process of Change for Men Who Batter*), you will need to plan for staff development to enhance their group facilitation skills. Having potential group facilitators attend train-the-trainer workshops and having them facilitate community discussions can give them practice before they begin facilitating groups for men who batter.

The Role of the Men's Group Facilitator⁴⁴

1. Support program participants' efforts to change controlling and violent behavior:

- Explore why participants use these behaviors, how they use them, and how they can change.
- Explore the idea of character, the ethics of their behavior, how they want to live their lives, the kind of partner/father they want to be, and what they want in a relationship.

2. Keep class focused on participants' use of violence, abuse, control and the ability to change:

- Focus on the participant, his behavior and actions, how they affect others and the changes he wants to make.
- Shift focus from his partner, the relationship, and other areas of his life to his choice to use violence.

3. Facilitate reflective/critical thinking.

- Why? How? Who made things this way? How did it get that way? What does it mean to you?
- "Nature" vs. "social construction" of power and control in relationships (challenge beliefs that say that it is a man's place to be dominant in a relationship, that men are inherently violent, etc.).

4. Maintain a compassionate atmosphere that is challenging but not colluding. Support the man; challenge the behavior.

- "Facilitation" of discussion is critical in achieving this as it's a process of discovery, acknowledgement, and realization that challenges the beliefs about

⁴⁴ *Supra* note 12.

gender roles in relationships.

- The facilitators must be actively participating on their own journey fully aware that they biases as well and conscious of those when working with men.

5. *Provide new information and teach non-controlling relationship behaviors.*

- Tools for understanding that relationships do have conflict but cannot function on “win/lose” principles.

6. *Facilitate a healthy group process. Let the class do the work.*

- Lecturing, preaching, dominating the group time is counterproductive to the men having an opportunity to disclose their behaviors.
- Facilitators are there to present an issue and keep the group focused on the topic.

7. *Seek out and be open to feedback about your facilitation skills.*

- Working often in isolation, or just with one other person, enhancing skill and ability gives way to routine, leading to rigidity
- Committing to growth and change is part of the overall process

Identify and Secure Program Site

In addition to hiring and training key program staff and group facilitators, you will also need to identify and secure the site at which groups will be held. It should be easily accessible to group participants; and for women’s safety, should be separate from other service programs (including advocacy) that a battered woman may need to access.

Program Fees

Whether program participants will pay a fee to attend group should also be decided. There are two schools of thought regarding program fees. The first is that participants who pay a fee are more likely to attend group. Additionally, it is thought that paying for program services is a sanction—linking the criminal behavior of battering to paying a fine for such behavior. It is important to note that while many programs institute fees as a means of financially supporting programming, such as group facilitator payment, fees (which should be assessed on a sliding scale) will rarely support a full-time position.

The other school of thought is that program fees actually reduce a participant’s ability to attend group due to poverty/financial hardship. It becomes a question of the intent behind assessing

fees—what do you wish to accomplish? How does charging a fee for service align with your program vision and mission? The example and questions below are intended to provide a means to assess this.

Program Fees and Men’s Program Mission Example:

Your Men’s Program mission states that you will “Address violence against women by changing attitudes and beliefs of all men in our community”. Additionally, your program policy states that “group participants must pay an administrative fee to start the program” as well as “pay \$15 per group... non-payment of 3 groups will result in suspension and/or termination from the program.”

The role of the men’s group facilitator is to create a rapport with the men in the program to assist them in change. Your vision is to do further community outreach and engage men who have not been charged with a crime but may be abusive. Additionally, you want men in the community who are not abusive to participate to help create a group of non-violent men to act as support/mentors for men who have completed the program and are beginning to change their beliefs and behavior.

Areas to consider:

- Who pays for services – can those not court mandated to attend self-refer to the program and is there a fee charged to self-referrals?
- If yes, does the fee hinder your ability to fulfill your program mission as it limits access to the program? (Mission: “Address violence against women by changing attitudes and beliefs of *all men*.”)
- If men are required to attend because of court sanctions does suspension/termination due to non-payment ultimately give them what they want? Will they have the opportunity and incentive to examine their actions and change their behavior through another venue? How does this provide for women’s safety?
- How will the relationship between group participants and facilitators be defined if facilitators are responsible for collecting group fees from participants?
- If men in group are not working, who is paying the program fee? (This may be a greater area of concern than collecting the fee itself.)
- If charging a fee is a sanction, is it clearly stated as such to program participants?

Many Tribal Men's Programs do not require that offenders pay to attend group:

*“The Tribe pays for men to attend the Native Men's Group on the reservation—there are no fees. If a participant does not attend, they are in violation of their probation and will be required to attend the non-Native men's group off-reservation, and there they have to pay. They figure out pretty quickly that they want to attend our [the Tribal] men's groups and complete.”*⁴⁵

Often, communities wishing to start a BIP/Men's Program do not engage in the program development process; they begin where they desire to end—with a group for men who batter. Ultimately, this will not address the problem. When it comes to batterer intervention programs the group is not a “fix”: data shows that men don't change from attending groups alone rather, it's the coercive power of other intervention systems such as the courts that set an expectation and make men comply with that standard.⁴⁶ This is why it is critical to get the all the intervening systems on the same page (/CCR) in the beginning so the Batterer Intervention Program is not a dumping ground for men who batter and the program is to blame for not being the solution.

The process of making social change is just that—a process. BIPs provide groups that use a process of education to aid men in understanding the impact of their violence and provide tools to change that behavior. Men's Programs must also provide programming outside of groups, recognizing that sending men back into the community that produced them as batterers doesn't support their change process. Intervention systems need to be involved in a process of monitoring offenders and evaluating the effectiveness of their intervention policies and procedures as part of their commitment to holding offenders accountable and providing safety for women.

The time it will take to develop and implement a Men's Program will vary greatly. Tribal communities with solid working agreements between intervention systems and strong advocacy services will be able to start at a different point than those that are working to establish these relationships and services from the ground up. It can easily take up to two years to develop a comprehensive program: educate community/partners, recruit and train facilitators, develop policies and procedures, and determine Men's Program services—before offering the first men's group.

⁴⁵ Scott, David (Men's Group Facilitator, Coeur d'Alene Tribe). Interview: 7/13/09.

⁴⁶ Gondolf, Edward W. “Theoretical and Research Support for the Duluth Model: A Reply to Dutton and Corvo”. Aggression and Violent Behavior, 12.6 (2007): 652.

Reviewing and Reflecting on Progress

While there is ongoing discussion and debate regarding the “effectiveness” of Batterer Intervention Programs, discussions are largely organized around the recidivism rates of men who complete a program and how soon they are charged with another assault. Recidivism should not be the sole measure of a program’s success. Your starting point is working to change the current response to intimate partner violence, from the systems that intervene to community acceptance of such violence. While you can set the standard that physical violence will result in arrest/jail/participation in men’s groups, such consequences/interventions don’t address non-criminal acts of control and abuse in intimate partner relationships. You will have to consciously create strategies to approach both areas.

The first step toward reflecting on your program’s progress begins with the development of a tracking system. Whether you use a software program or a spreadsheet to track, you will need to determine what information to track, how the information will be gathered (from whom and what agencies), how you will structure the information, and how often it will be reviewed. Tracking domestic violence cases and monitoring the institutional response will show the strengths, weaknesses and gaps in the system response. A Men’s Program is generally on the back end of the overall systematic response and essentially shows where compliance is needed.

Mostly a BIP and CCR will ask: Is law enforcement documenting every call and number of non-arrest? Are the courts issuing proper orders to Men’s Program? Are batterers attending Men’s Program? Are probation officers making men comply? Are judges sentencing on violations of court mandates to attend groups?

Outside of those quantitative numbers you should also reflect on how your efforts are perceived by battered women. Doing blind surveys or focus groups can reveal what did and did not enhance their level of safety and reduction of abusive behavior. Anecdotal successes/gaps can come routinely from partner contact (advocates having regular contact with female victims whose male partners are in the groups) speaking to the system’s response and actual changes in the relationship.

Tracking Civil Protection Orders Example:

January through June - 80 requests for ex parte (temporary) protection orders.

Of those 80 requests, 75 of the respondents (accused) were male, while 5 respondents were female.

Of the female respondents: 1 was dismissed as it was a parent/child not IPV, 3 were granted on behalf of a minor child, and 1 was scheduled for a hearing.

Of the male respondents: 20 dismissed due to lack of evidence of immediate danger.

Of the 60 *ex parte* (emergency) orders granted: 20 - neither party showed at hearing and order was dismissed, 30 - hearing occurred (10 agreed to order without a finding of DV), 10 were granted with findings, 5 resulted in mutual restraining orders, and 5 were dismissed, 10 hearings were continued.

In petitions for the Protection Orders there were 80 requests for exclusion from the home, 60 for temp custody of children, 50 requests to send to [Batterers Intervention Program], 20 requests for restitution, and 10 for property (cars, etc.).

This type of review above is typically done in the beginning stages with the CCR team to assess priority issues. The BIP/Men's Program will primarily examine the number of requests for BIP, the number of requests granted (men ordered to attend men's groups), and the number of men who enrolled and completed. You should also have another process in place to identify those who did not complete, and were sent back to the courts, probation, etc.

The CCR team should continually work to identify and address gaps in the response. Within this, the BIP/Men's Program should examine its goals with an eye toward assessing their particular intervention:

- How can we increase the referral and court order process?
- How can we better address non-compliance?
- How are we increasing safety for women?
- Are we creating an environment (men in groups/men in community) that supports change?
- Are we changing attitudes and beliefs about women?
- Do we set examples of what makes healthy relationships?
- Does our programming reflect our culture and traditional expectations (re-establish social standards of behavior for Native men)?
- Have we identified existing gaps?
- Created a plan for unaddressed issues?
- Did we prioritize a set of new objectives?

Making progress and having success is a reoccurring process. You assess your beginning point, identify goals, create a plan to get there, and monitor your steps along the way. Success in program development is establishing short-term objectives while working to reach larger goals.

OTHER AREAS TO CONSIDER

Funds that support community education, public awareness

Coordinate your systems response (CCR).⁴⁷ Networking and getting Tribal support for your efforts will be vital as you move forward.

Create a realistic plan

Identify clearly and realistically where you want to be and your tasks and time frame for getting there. Break your goals into manageable steps, and separate your activities to focus on one primary area at a time. For instance, you might spend the first year assessing your community's understanding of violence against women issues and addressing deficits through education and awareness. This can further your work in the second year when developing policies and procedures with the CCR.

State standards / guidelines

The Batterer Intervention Program model relies on a strong working relationship with the intervening systems and the courts. Many states have standards that a program has to meet in order for the BIP to be a recognized referral for the courts as a state certified program.⁴⁸ Program certification may be most relevant to an offender, as he will want to get credit for completing the program in order to report back to the court, and/or comply with probation. This measure of accountability is dependent on strong connections between the BIP and courts/probation.


Most importantly, state standards mandate that the Men's Program be rooted in principles that address intimate partner violence rather than mental health and/or anger management issues. Also, funds from the U.S. Dept. of Justice, Office on Violence Against Women stipulate a partnership with courts (mandated attendance in men's groups), in addition to demonstrating an understanding that IPV is based on issues of Power and Control.

Overcoming obstacles--addressing IVP without a BIP

The role of a BIP is expanding in the domestic violence field; there is a desire (particularly in Tribal communities) to expand the role of the BIP beyond intervention and into community

⁴⁷ For information on CCR development, see [Tracking and Monitoring: Building a Coordinated Community Response in Tribal Communities](http://www.msh-ta.org) at www.msh-ta.org.

⁴⁸ For a list of states with standards for Batterer Intervention Programs, go to: http://www.biscmi.org/other_resources/state_standards.html.



organizing/activism to end violence against women in the community. Additionally, such programs work to involve the community in the delivery of services (speakers, elders, involving community members in ceremonies, discussions around IPV) as well as creating ways to engage non-violent men and youth (men in the institutions and community at large) to change to perceptions of women. It is important to note that in the development stage of such a program, you can implement some of these goals prior to BIP implementation, for instance, you can provide education and discuss the issues, while you develop relationships and agreements with courts.

Budget

As a rough estimate, the budget for a 3-year project, including development and implementation, could come to \$200,000. Areas to consider in this estimate include:

- Program space (office, groups, etc.), staff, training, and events;
- A full-time Program Coordinator to develop and implement the project: \$35,000 - \$45,000 (depending upon Tribal pay structure and fringe benefits);
- Meeting space for community events and training (if rental fees are required), AV, and refreshments;
- Curriculum training for 4-6 potential men's group facilitators, including travel, meals, and lodging;
- Educational/support materials for men's group and community education and training.

STEPS TO IMPLEMENTATION

This checklist and timeline is intended to provide an outline for creating a Native Men's Program. This list is based on the premise that the user will be starting from the ground up and building the program from that base. However, the check points below may also be applied to re-assessing your current BIP services (for those communities with an existing Men's Program) and, with slight modifications, determining the strength of your program.

Establish Key Leadership

- Organize a task force specific to BIP/Men's Program
- Identify/Hire a Program Coordinator

Assess the Community

- Assess & map the systems response to domestic violence
- Interview community on IPV issues (personal experiences, etc.)
- Assemble discussions on cultural teaching and customs

Educate Community

- Build capacity and understanding of IPV for community and allies
- Commit to on-going periodic educational opportunities and discussions
- Establish a solid foundation of knowledgeable people/staff

Develop Men's Program Policy and Procedure

- Define information collection and sharing of information with CCR program partners
- Create database for tracking & monitoring offenders (number of offenders, number of violations)
- Formalize agreements

Implement Men's Program

- Hire permanent staff
- Identify and secure space to hold groups

- Build facilitator skills (through facilitating forums/talking circles, BIP curriculum training)
- Create staff development plan set guidelines for on-going review and skill enhancement

□ Review and Evaluate

- Assess the effectiveness of the overall collaborative response (how has the CCR worked)
- Evaluate the merging of cultural responses with mainstream intervention (re-establish social standards of behavior for Native men)
- Identify gaps, shortcomings, unaddressed issues and prioritize new objectives

Sample Tasks and Timeline Matrix for Implementation Steps

	Activity: Establish Key Leadership	Who will be responsible	Who else should be involved?	When will it be done
Step 1	Organize a specific group to oversee development of Men’s Program.			
Step 2	Hire/designate a Program Coordinator to lead the development/implementation of Men’s Program.			
Step 3	Self-educate on working to engage men in social change efforts and working with men who batter (<i>Creating a Process of Change for Men Who Batter, Emerge, DAP</i>).			
	Activity: Assess the Community	Who will be responsible	Who else should be involved?	When will it be done
Step 1	Identify community allies and resources.			
Step 2	Hold focus groups with battered women			

	to assess the current response.			
Step 3	Hold focus groups with community members to assess the level of readiness to address battering.			
Step 4	Assemble discussions on cultural teaching and customs.			
Step 5	Map the response by meeting with systems people and charting the institutional responses to domestic assault.			
	Activity: Educate the Community	Who will be responsible	Who else should be involved?	When will it be done
Step 1	Hold community forums on violence against women issues (social issues/oppression, IPV, dating/relationships to create dialog and discover underlying issues)			
Step 2	Engage community allies: service providers (host in-service and/or cross trainings, aid in forums, etc.).			
Step 3	Engage agency allies: law enforcement, judges, probation, etc. (host in-service and/or cross trainings, aid in forums, etc.).			
Step 4	Organize trainings on DV/IPV and related issues (every 3-6 months).			
	Activity: Develop Men's Program Policy and Procedures	Who will be responsible	Who else should be involved?	When will it be done
Step 1	Develop MOU on cross-agency coordination.			
Step 2	Establish information sharing policies with program partners (courts, probation,			

	advocacy), in terms of women’s safety & batterer accountability.			
Step 3	Define referral and reporting methods, including information sharing procedures.			
Step 4	Create method to track & monitor offenders (number of offenders, number of violations, etc.)			
Step 5	Finalize and implement MOU on cross-agency coordination.			
Step 6	Write and assemble all policies and procedures for men’s program.			
	Activity: Implement Men’s Groups	Who will be responsible	Who else should be involved?	
Step 1	Hire personnel (permanent program coordinator/director, group facilitators, etc.).			
Step 2	Train staff on all policies and procedures (from MOU with CCR, information sharing, to shutting off lights at night).			
Step 3	Develop facilitator(s) skills: facilitate community forums/talking circles around IPV, presentations).			
Step 4	Identify Men’s Group curriculum & curriculum training for facilitators (such as <i>Emerge</i> , <i>DAP</i> , <i>Creating a Process of Change for Men Who Batter – DAIP</i>).			
Step 5	Identify location to hold groups.			
Step 6	Determine when group services will start, intake/orientation times & day(s), time/day(s) of group.			

Step 7	Determine fee structure (if any).			
	Activity: Review and Reflection	Who will be responsible	Who else should be involved?	
Step 1	Assess the effectiveness of the overall collaborative response (the degree of change in the institutional responses to assaults, women's safety, and offender recidivism).			
Step 2	Evaluate the merging of cultural responses with mainstream intervention.			
Step 3	Identify gaps, shortcomings, and unaddressed issues and prioritize new objectives.			

DAILY ADMINISTRATION OF THE MEN'S PROGRAM: INTAKE & ORIENTATION

Evaluate

Is your program's paperwork geared toward screening men out of the program, or getting men involved in a process that allows change to happen? Some programs use the intake process to screen certain participants out; they want to ensure that the program demonstrates a level of success (low recidivism rates), and so use the screening process to accept only those offenders who exhibit a certain amount of honesty regarding their use of violence. It is important to be mindful that the primary goal of a batterer intervention program is to provide safety for victims: if you're screening out (for good success rates), where is that offender going? How is this providing safety for her?

Intake

Many states currently require that batterer intervention programs do a domestic abuse or domestic violence inventory (DVI)⁴⁹ at intake with the goal of examining an offender's level of honesty regarding their use of violence and to assess their ability to change. The DVI also: "Lets program participants know that the program is aware of all this stuff [his use of violence], and we're also here to help them begin to identify other forms of abusive behaviors."⁵⁰

Initially, men's group participants may want to keep the dialogue about their use of violence focused on the incident that brought them to the group: "I just shoved her/slapped her/pushed her to the floor". The DVI allows them to begin to look at other abusive behaviors they've used. It also lays the foundation for the beginning of a dialogue that examines their use of violence and then asks, "What was the impact on you? What was the impact on your partner?"

Group Intake

In order to make more efficient use of staff time, some programs currently use a group intake process rather than individual intake. Additionally, the group intake process allows staff to set the parameters of the group (group rules (*see Appendix*), what will be reported, what will not be reported, etc.) in the presence of "witnesses—other men—to help uphold accountability; if a participant then doesn't want to adhere to this agreement [see Appendix for sample contract and other forms] *they've* chosen to opt out. This also gets the focus away from the incident"⁵¹ that

⁴⁹ See Appendix.

⁵⁰ *Supra* note 40.

⁵¹ *Ibid.*

brought the individual to the group and begins the process of looking at actions, intents, and beliefs that support the abuse.

Accountability is also built into the group intake process as it occurs at a set day, time, and location: “Everybody—probation, service providers, court knows that intake is occurring on this date, at this time, at this location.”⁵² Even in smaller communities with a small number of current group participants and one new participant enrolling, the most important factor is that the intake at a set time/date/location, “if we only have one person at intake, so be it.”⁵³ Ultimately, intake is not about numbers—it’s about consistency and accountability.

Intake Example:⁵⁴

The first week is set up for the intake of new participants. Participants will sign releases of information and complete all necessary paperwork to be enrolled in the Men’s Program. Program rules and contracts will be discussed. Participants will be assisted in filling out paperwork as necessary. The session will end with an exploration of the participant’s expectations about the program and their expectations of what they hope to accomplish while involved in the program.

- A. Releases of Information are explained and signed (it is important to do this first, in case someone chooses to leave early).
 - 1. Distribute intake form(s).
 - 2. Assist participants in completing intake form(s).
 - 3. Collect forms.
 - 4. Set date for them to return to Orientation.

- B. Discuss curriculum
 - 1. Introduce themes as upcoming weekly topics: Non-violence, Non-threatening Behavior, Resolving Conflict, Respect, Support & Trust, Honesty & Accountability, Alcohol & Chemical Abuse issues; Sexual Respect, Partnership, Effects of Violence on Children, Negotiation & Fairness, and Effects of Violence on Community.

⁵² *Supra* note 20.

⁵³ *Ibid.*

⁵⁴ Modified from “Peace Between Partners - Men’s 52 Week Non-violence Class: A Facilitator Guide to Intake, Orientation, Pre-Group Weeks and the 12 Themes”. Peace Between Partners Program and the Indian Health Council: 2001.

2. Clarify Native American cultural focus and philosophy: “What affects one member of the community affects the whole community.” Describe how various themes will include culturally relevant material and may include guest speakers, elders or other members of the community, and traditional Native American cultural activities, such as participation in the sweat lodge.
3. Expanding our definitions of violence to include the tactics on the Power & Control Wheel.
 - a) The original definition of the word “violence” means to “violate”; if we keep this in mind as we work on issues of accountability, it is easier to expand our understanding of how control tactics and belief systems lead to more aggressive forms of abusive behavior.

Communication with Court

‘Our court orders state that [an offender mandated to attend group must]: “contact [the Batterer Intervention Program] within 15 days, whether or not you will be involved with them.” If the offender doesn’t contact us, it becomes a probation violation, or the loss of a deferred sentence and then it becomes about *program accountability*—it is the BIP’s responsibility to contact the court [in these situations].’⁵⁵

Screening out for alcohol/drug use

“Everybody deserves to start the program at the earliest possible junction. Many offenders have been actively involved in abusing drugs/alcohol and abusing their partner at the same time; they should be able to work on both at the same time. They’re parallel issues—they can be worked on in parallel.”⁵⁶ Additionally, the intervention program must consider the ramifications of requiring an offender to be clean/dry before attending men’s re-education class. If the batterer intervention program requires an offender to attend a drug/alcohol treatment program prior to attending men’s group, how will they ensure attendance in the treatment program? How does this provide safety for the victim? Does this put holding the offender accountable on the back burner, and send the message that the primary cause of the violence is alcohol/drug addiction? This essentially supports a statement many offenders make during men’s group: “I’m not a violent person; I only get violent when I drink.”

⁵⁵ *Supra* note 20.

⁵⁶ *Supra* note 40.

An offender can start the program, become involved in the process and if his use of drugs/alcohol becomes a disrupting factor in the group process, the program can put a process in place to address this. The program can state at orientation “the program requires that participants not use drugs or alcohol while attending group. If at any time we determine that it is necessary, we will send you out for an evaluation and you will have to *comply* with all the details of that assessment.”⁵⁷ This requires that the batterer intervention program have a strong relationship and communication with the drug and alcohol treatment center so that compliance can be monitored. This also allows the participant to work on the distinct but parallel issues of substance abuse and his use of violence against his partner simultaneously.

Orientation

Men’s group orientation can be combined with the intake process, enabling participants to enroll and begin groups with less delay. For example, the first hour can be devoted to orientation, while the second hour can be devoted to individual intake. Orientation provides information on the content and direction of men’s group and also provides information on group rules and structure. Orientation (whether combined with group intake or not) should be scheduled at the same time every two weeks, on the same days and at the location in order to provide for victim safety and to uphold accountability (it is less likely that a man ordered to attend men’s group will be able to say that he couldn’t attend because he didn’t know when, where, or what time orientation took place). When orientation is scheduled for a regular time and date, judges and probation are aware of this schedule and know where to send referrals when program representation is not present at court, lessening the chance that a meeting with a program official will be missed.

Orientation Example:⁵⁸

During Orientation, the facilitator(s) will discuss program activities with participants and how participants are to actively “self-modify” their own beliefs, attitudes and behaviors beyond simply receiving information. Facilitator(s) will explain and demonstrate the use of the control logs. The association between the scenario vignettes that will be viewed in the classroom and the participants’ control logs will be discussed. A step-by-step discussion about what participants view or hear during the topical domestic violence scenarios and how they feel the situation was handled will be discussed. Participants will be encouraged during this 52-week course to discuss what brought them to the Program. During their discussions, they are not allowed to focus on, or blame, the court system, law enforcement, their partners or advocates for their referral to the program. Appropriate responsibility for modifying behaviors and attitudes of participants will be discussed.

⁵⁷ Ibid.

⁵⁸ *Supra* note 53.

Orientation will end with the introduction of personal action plans.

- A. Explain requirements and expectations for program participants.
 - 1. Ask each participant what it means to him to be attending this program.
 - 2. Discuss what brought them to group and what they want to do about it.
 - 3. Introduce Control Log and Action Plan process.
- B. Demonstrate Control Log process.
 - 1. Show video vignette.
 - 2. Review Control Log as it relates to video vignette theme.
 - 3. Have participants complete sections 1-3 of the Control Log.
 - 4. Have participants discuss what they have written.
 - 5. Document points made on an easel pad or chalkboard for summarization and reference.
 - 6. Have participants complete sections 4-7 of the Control Log.
 - 7. Have participants discuss what they have written.
 - 8. Document points made on an easel pad or chalkboard for summarization and reference.
 - 9. Summarize main points.
 - 10. Indicate topic to be covered in subsequent class.
- C. Check-ins
 - 1. During non-violence class check-in is used for participants to report incidents of abusive behavior or escalation that may have occurred since the last class.
 - 2. Check-in is also used to report progress on participants' individual Action Plans. Participants will be allowed to choose 1 of 18 topics for their Action Plans. The Power & Control Wheel consists of 8 tactics of power & control and physical and sexual violence. The Equality Wheel consists of 8 topics of Non-violence. Participants can choose one item of inappropriate behavior they would like to change or non-controlling

behavior they would like to improve upon.

Open Groups


When orientation and intake have set dates and times, they should be combined with open, rather than closed groups. An open-ended men's group allows the participant to enroll in a currently occurring group, which supports women's safety; closed groups (all participants enrolling at the same time and ending at the same time) create a lag time in which a batterer may be sentenced to attend, but not be able to enroll and attend for weeks or months, leaving him unsupervised in the community and (many times) in the relationship.

Program Accountability/Staff Accountability

A Batterer Intervention Program rests upon accountability—holding offenders accountable for their use of violence. The program must also then hold *itself* accountable. The BIP is accountable to the program participants, to the victims, and to the community:

“The program is comprised of the staff; the staff is comprised of individuals, and each must hold themselves accountable. I have to do certain things for the program and I, by and large, have to exhibit the kinds of behaviors I am encouraging others to have—non-violence and respect for women. I have to look at accountability to self, to my partner and children, to the program and the community.”⁵⁹

⁵⁹ *Supra* note 20.



Appendix

**Participant Intake, Domestic Violence Inventory,
Release of Information, Contract for
Participation, Group Rules**

Participant Intake Form

Date ___/___/___

Name _____ Date of birth ___/___/___ Home phone _____

Address _____ County _____ City _____ State _____ Zip _____

Are you a US military veteran? Yes No

Employed? Yes No Employer _____ Work phone

Have you been involved with a Domestic Abuse Project (DAP) before? Yes No

How did you come to DAP at this time? Probation Protection order Voluntary Other

Spouse/Partner _____ Date of birth _____

(or former spouse/partner--person with whom you were violent)

If victim is other than partner, what relationship to you? _____

Address _____ City _____ State _____ Zip _____

Ethnicity or race _____ Home phone _____ Work phone _____

How many children currently live with you? _____ Ages _____

How many children does your partner have? _____ How many children do you have together? _____

How long have you been in a relationship with the person named above? _____

Law enforcement/court Involvement

Have the police been called to your home because of a violent incident with the above named victim?

Yes No How many times? _____

Were you arrested for the most recent incident? Yes No Were you given a ticket? Yes No

Have you been arrested in the past for a violent crime? Yes No

Are you on probation? Yes No How long is your probation? (in months) _____

Who is your probation officer? _____

What are your probation conditions? DAP Stay away from victim Fine

Abstain from alcohol Chemical dependency/alcohol evaluation No same or similar offenses

Any other conditions of probation? _____

Is there an ORDER FOR PROTECTION (OFP) against you? Yes No

Date of order ___/___/___ Length of order _____ Judge _____

Conditions of order DAP CD evaluation Where?

Excluded from residence No contact Contact only for visitation Use the Visitation Center

Supervised visitation No further abuse Any other conditions?



Domestic Violence Inventory

1. Have you ever been to counseling for abusive behavior? Yes
 No

2. Please describe your current alcohol/drug use? _____

3. Do you think your current alcohol/drug use is excessive? Yes
 No

4. Have you ever had a chemical dependency or alcohol assessment? Yes
 No

5. Have you ever been to chemical dependency or alcohol treatment? Yes
 No

Did you complete that treatment? Yes
 No

6. When you were growing up, where did you hear or witness violence? (for example: home, school, boarding school, foster home, streets, correctional facility, treatment center, etc.) _____


7. Thinking about when you were a child, did **you** ever use violence against others?

 In your family In your neighborhood On the street School Sports Gangs

Other places? _____

8. Please describe, in detail, your violent/abusive actions toward your partner in the incident which brought you to the DAP:

9. Please describe, in detail, the worst violence you have ever committed:



10. Describe any violence you have used in any previous relationships:

Following are some behaviors that many men admit to using in relationships.

Have you ever used any of the following behaviors?

11. **Physical abuse:** ___ Slapped ___ Punched ___ Grabbed her around neck

___ Kicked ___ Pushed/shoved ___ Thrown something at her

___ Choked ___ Torn her clothes ___ Spit at partner or pulled hair

___ Restrained her

12. **Intimidation:** ___ Frightened her by certain looks, gestures or actions

___ Screamed at her ___ Smashed things ___ Destroyed her property ___ Displayed weapons

Has she ever been afraid of you? Yes No

Describe:

13. **Emotional abuse:** ___ Put her down ___ Called her names ___ Humiliated her

___ Made her feel guilty ___ Interrupted her sleeping or eating

___ Accused partner of flirting or cheating on you

Describe:

14. **Isolation:** ___ Kept her from going places she chooses (work, school, family, friends)
 ___ Opened her mail ___ Listened to her phone conversations
 ___ Followed her around ___ Questioned her about her whereabouts

Describe:

15. **Minimizing, denying, blaming:** ___ Made light of abuse
 ___ Said it was her fault

 ___ Blamed someone or something else
 ___ Said it didn't happen

Describe:


16. **Using children:** ___ Told children she is not a good mother
 ___ Threatened to take away the children

 ___ Used children to deliver messages
 ___ Used visitation to harass her

Describe:

17. **Male privilege:** ___ Treated her like a servant ___ Acted like the “master of the castle”
 ___ Told her what her role/job is ___ Not done fair share of housework

 ___ Not shared child care ___ Bossed her around
 ___ Made household rules without her input
 ___ Expected her to be sexual whenever you want



Describe:

18. **Economic abuse:** ___ Kept the check book from her.
 ___ Made her ask for money

 ___ Prevented her from working outside the home.

 ___ Withheld information about the family income.

 ___ Made major financial decisions without her input.

 ___ Not paid child support.

Describe:

19. **Coercion and threats:** ___ Threatened to harm her
 ___ Tried to get her to drop charges or Order For Protection

 ___ Threatened to harm her family or friends

 ___ Made her do something illegal

Describe:

20. When was the **last** incident of **any** kind abuse toward your partner? Date: _____

Describe:

21. Have you used violence against other people? Yes No
Describe:

Did the experiences listed below ever happen in your relationship with your partner?

22. Has she ever tried to get outside help because of abuse? (police, shelter, counseling)? Yes No
23. Have you ever hit, pushed, or shoved her while she was pregnant? Yes No
24. Has your partner ever received medical treatment as a result of the violence? Yes No
25. Have you ever threatened to kill her? Yes No
26. Have you ever threatened to use a gun or other weapon against her? Yes No
27. Have you ever used a gun or other weapon against her? Yes No
28. Have you ever injured or killed a pet? Yes No
29. Have you ever threatened to, or tried to commit suicide? Yes No
30. Have you ever pressured her to have sex with you? Yes No
31. Have you ever forced her to have sex with you? Yes No
32. Have you ever used pornography? Yes No
33. Have you ever pressured her to watch pornography? Yes No

This section asks about the effects of violence on the children in your household

34. Have the children in your household ever seen you be violent? Yes No
Describe their reaction:

35. Have you ever been violent when you believed any of the children in your household were sleeping? Yes No

36. How do you think your violence *might* affect children in your household?
Examples include:

- Have they tried to stop your violence?
- Hiding or running away
- Copying violence
- They are frightened by it.



Other behaviors:

37. Do you believe the children in your household could benefit from information or support to help them deal with the effects of the violence they have heard or witnessed? Yes No

If yes, how might that happen?

These questions are to help you think about your attempts to have a *good* relationship with your partner.

Place a number on the blank line in front of each behavior to indicate how often it is true right *now*.

0—Never

1— Once

2— Sometimes

4—Often

38. Try to remember how often you:

___ Discuss issues relatively calmly

___ Listen to your partner


___ Ask for partner's opinion

___ Talk through a disagreement

___ Apologize to your partner

___ Support her decision to do something for herself

___ Leave the room to calm down when you felt yourself getting upset



39. In the *past six months*, has your relationship: (check one)

- Become more violent Stayed about the same level of violence Become less violent

40. Have you decided to stop using violence in the past? Yes No

41. What are some things you have done to avoid using violence? What might happen if you don't stop using violence? Short term/Long term? What positive changes would you *like* to make for *yourself*?



RELEASE OF INFORMATION

I understand that the following information may be exchanged with the counseling/education team working with the **Batterer's Intervention Program**.

1. My attendance.
2. Any use of violence or threats.
3. Reasons for suspension or termination.
4. Recommendations regarding changes in counseling.

This information may also be exchanged with the representatives of the Tribal Court, County or District Court and Regional Corrections. I understand that my records are protected under certain governmental and ethical regulations and cannot be released without my written consent or unless subpoenaed by a court of law.

This Release of Information is valid for _____ and will expire _____.

The following agencies are members of the **Batterer's Intervention Program's** inter-agency team:

Center on Alcohol and Drug Problems

Center for American Indian Resources

Women's Shelter

Women's Advocacy Project

St. Paul's Hospital Treatment Center

Vet Center

Executed this _____ day of _____, 20____

Participant (Signature)

Witness

Sample Release of Information with Instructions

I understand that the following information may be exchanged with the counseling/education team working with the: ***Name of your tribal program***

1. My attendance.
2. Any use of violence or threats (open or implied).
3. Reasons for suspension or termination.
4. Recommendations regarding changes in counseling.

This information may also be exchanged with the representatives of the: ***This can be the county organization/local jail etc, working with your tribal domestic violence organization.***

I understand that my records are protected under certain governmental and ethical regulations and cannot be released without my written consent or unless subpoenaed by a court of law.

This Release of Information is valid for _____ and will expire on _____.

This is a time limit that needs to cover the length the participants stay in your group. Many generally run 6 months or 1 year.

The following agencies are members: ***List all members of your community that will be exchanging information with your organization during the time the participant is with you. They can possibly be the local drug and alcohol program, mental health services, probation, local policing.***

Executed this _____ day of _____, 20____

Participant (print)

Participant (Signature)

Witness



Contract for Participation

Name _____

I agree to attend _____ classes at _____.

If recommended I agree to obtain a chemical dependency evaluation and follow any recommendations _____.

I agree to notify this program of any change of address or telephone number _____.

I agree to notify this program of any further police contact, service of a protection order or any new or pending charges _____.

I understand this program may contact the (victim) _____ to obtain a history of abuse.

I understand this program is required to report any suspected act of child abuse or neglect, any concern for my safety or the safety of others or reports of further violence _____.

I understand my facilitator will report my attendance, any acts of violence to all responsible parties involved in my programming _____.

I agree not to use violence with any person during my participation in the program. _____.

I have read this contract and understand my requirements with the program _____.

Participant Signature _____ Witness _____.

Date _____.

Men's Non-Violence Group Rules

1. Participants must be on time for group. A participant who is more than 15 minutes late or who leaves more than ten minutes early will be considered absent for the entire session and will **not** have that group session count. If he is consistently late, he may be required to re-negotiate participation with the facilitator in order to continue. Note this may impact probation and court orders.
2. Participants may not use violence, either open or implied, during the course of their stay in the program. You are to remain free of violence and any use of violent behaviors will be reported and will be possible grounds for additional groups or suspension from the program.
3. Participants may not use sexist or racist language in group.
4. Participants must keep participant names and in-group disclosures confidential both in and out of group sessions. What happen in group stays in group. No member should discuss the presence, words, or actions or any other member outside of the group for any reason.
5. A participant who arrives to group under the influence of alcohol or other substances will be asked to leave and will be reported to their probation officer or referring agency. They may also be asked to seek a drug and alcohol screening for further participation and may expect to participate in substance abuse treatment while they attend groups.
6. Participants must call their partners by their first names only and will not use obscene, demeaning, objectifying, or other names to describe their partners.
7. Participants who are disruptive and uncooperative will be asked to leave the group session. Those who continue to be disruptive may be suspended from the program. They will be reported to their probation officer or referring agency.
8. Group facilitators are mandatory reporters by law. This means that they are required to report any suspected child abuse to the proper authorities and must warn any person against whom a threat of harm has been made.
9. For the purpose of these domestic violence groups, participants must accept responsibility for their violence and learn not to blame others. **We are each responsible for our own actions, whatever their cause.**