

DVOMB STANDARDS

Section 4.0 - Offender Evaluation excerpts for reference:

4.07 Pre- and Post-Sentence Evaluation Purposes:

I. Evaluation(s) shall not be used to determine guilt or innocence, or whether or not an act of domestic violence has occurred as the offender has already pled guilty to, or has been convicted of a domestic violence offense.

II. Evaluation(s) shall be conducted to identify the following factors: risk of reoffense and/or further abuse, offender criminogenic needs, offender responsivity to treatment, and other treatment issues as identified in Section 4.08 "Required Minimum Sources of Information." These factors shall assist in determining recommendations regarding offender treatment.

4.09 Required Minimum Reporting Elements for Submittal to the Supervising Criminal Justice Agency:

IV. Design an offender treatment plan to include at a minimum:

- E. In those exceptional cases in which the approved provider discloses that domestic violence offender treatment is inappropriate for an offender as specified in the Standards, all of the following shall apply:
1. Compelling clinical evidence that is well documented; and,
 2. Well document assessment instruments and/or collateral information, and
 3. At a minimum shall meet at least one of the following criteria:
 - a. Offender has documentable cognitive impairments and/or developmental disability(s) sufficient to interfere with comprehension of treatment concepts.
 - b. Offender has documentable impairments in mental and/or physical functioning sufficient to interfere in the treatment due to chronic mental illness or chronic physical illness.
 - c. Offender is clinically evaluated as significantly psychopathic and/or unmanageable in the community; based on a history of repeated failures to benefit from treatment and/or repeated non-compliance with criminal justice containment requirements.⁶ (Reference Appendix E Section VIII)
 - d. Offender is clinically evaluated by an approved provider and found to meet all of the following criteria:
 - (1) Collateral or additional information collected during the evaluation revealed that the offender acted out of fear and self-preservation in the current incident, and
 - (2) The offender has no prior documented criminal history; excluding minor violations or violations posing no substantial threat to person(s), animal(s) or property. Also consideration of the age of the offender at time of prior offense(s), circumstances, and other history of similar behavior, and

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- (3) The offender has been identified as low risk. If any risk factors have been identified by the DVRNA, the MTT has concluded that those risk factors identified do not indicate a need for domestic violence treatment in this case, and
 - (4) Based on clinical evidence, the offender does not have a history of engaging in any of the following: coercion, threat, intimidation, revenge, retaliation, control, or punishment toward the victim in this case or in any other relationship(s).
4. The results related to the exceptional cases in which an offender is determined to be inappropriate for domestic violence offender treatment shall be well documented. The MTT shall develop and report to the court (individually or collectively) alternative treatment plan(s) and/or disposition recommendation(s) that shall include at a minimum: victim safety, offender containment, and offender risk reduction.