

# Kentucky Batterer Intervention Program

## Kentucky Judicial Bench Card

922 KAR 5:020 and KRS 403.7505



Batterer Intervention Program (BIP) is monitored by ZeroV, Kentucky's domestic violence coalition, as the designee of the Cabinet of Health and Family Services. They ensure regulatory compliance and provide specialized training for BIP providers. AOC obtains quarterly updates which list all certified providers within Kentucky to ensure providers have the necessary training to perform the service to Kentucky's standards.

### **What is BIP?**

Batterer Intervention is a therapeutic model designed to hold an offender accountable for abusing a partner, build empathy where possible, and present alternatives to abusive behavior.

Batterer Intervention can be referred to for ANY charge for which domestic violence has been a component or when there has been a pattern of coercive control on an ongoing basis.

Batterer Intervention involves a **community-coordinated response**. This involves courts, victims' advocates, survivors, probation and parole, and others working together to end violence.

Batterer Intervention may also be issued in any case where a protective order has been issued against an individual who has committed an act of domestic violence.

BIP programs require a **minimum of 30 weeks** of engagement in the program per our regulation.

See 922 KAR 5:020 (10)(5).

While BIP is mostly available in person, it is also available statewide through telehealth sessions with live certified providers, even if there are no local agencies in your community.

The benefit of BIP is not only stopping violence but added monitoring and continuous contact between a perpetrator and a behavioral health professional specially trained in domestic violence who can help recognize and respond to potential victim safety risks.

Cooperation and service coordination between the criminal justice system, department, victim's advocate, a domestic violence shelter, and a chemical dependency or mental health professional may be required to assure effective treatment and the safety of a victim or potential victim. See 922 KAR 5:020(6)

### **Considerations for referring an abusive partner to BIP**

Does the victim want the perpetrator in a program? Sometimes victims' idea of justice is stopping the abusive behavior, which is the primary goal of BIP as outlined in our regulation. See 922 KAR 5:020(6) for the standards the court shall consider for court-ordered services, such as BIP.

Are the parties interested in getting an order amended or does the victim want a nonviolent contact order? You can require BIP as a condition to amend an order. Waiting until a BIP program

is complete satisfactorily is a tool in your toolbox to make an informed and safe decision about amending a protective order.

Batterer Intervention is a victim's service which is part of the overall community response to an individual's choice to use violence against a family member or partner.

If a BIP provider determines that contacting a victim will not increase the risk of harm to the

## Considerations for referring an abusive partner to BIP (continued)

victim or others, the provider may offer the victim an opportunity participate in the assessment of the batterer by disclosing information about the batterer and the circumstances of the domestic or dating violence and abuse. BIP providers also provide resources for victims for advocacy services. However, the victim's participation in the assessment of the batterer or in victim services is entirely voluntary, and the victim may refuse to participate or withdraw their consent to participate at any time. See 922 KAR 5:020 (7).

BIP providers are required to provide risk assessment for program participants. See 922 KAR 5:020 (9)(1)(b)(3). The more information a BIP provider has, the more accurate a risk assessment will be. Sending collateral information such as

the protective order to the provider help produce accurate assessment.

Providers of BIP receive specialized mandated training centered around holding offenders accountable, keeping victims safe, and providing batterers with alternatives to abusive behavior. See 922 KAR 5:020 (4)(1)(b).

The source of information from the victim will NEVER be shared with a perpetrator by a BIP provider without victim permission and within the limits of what is therapeutically necessary. See 922 KAR 5:020 (7)(1)(b) and 922 KAR 5:020(7)(4)

BIP regulation requires batterers to authorize disclosure of program compliance and updates to victims should they choose to ask for it. See 922 KAR 5:020 (9)(6)(b).

and it focuses on perpetrator accountability.

Judges may order other or additional counseling services for either the victim or the perpetrator under KRS 403.740(1)(d), based on the circumstances of the case. Additionally, if substance use or additional mental health concerns are identified by a BIP provider during an assessment, the batterer may be required to participate in substance use disorder or mental health treatment as a prerequisite for admission or completion of BIP. See 922 KAR 5:020 (9)(4).

## Why BIP?

BIP is authorized by KRS 403.7505, which states: *"no person, association, or organization shall conduct, operate, maintain, advise, or advertise any program that provides court-ordered treatment services for domestic violence offenders without first obtaining or maintaining valid certification."*

Other treatment approaches, such as anger management, are not regulated in the same manner. Issues such as anger management and substance abuse may be concerns in a specific case, but they do not directly cause domestic violence. BIP acknowledges that domestic violence is intentional,

## Following up on a BIP referral

You or your staff may ask providers for a progress report at any time. Providers must respond to court requests for information per regulation.

If a provider sends a discharge notice based on attendance or behavioral issues, it may be a

violation of your order to participate in or complete the program.

If you need assistance with a provider, contact ZeroV at 502-209-5382 and they will follow up. More information may be found at <https://www.zerov.org/bip>