

# Washington County, Oregon

## Domestic Violence Deferred Sentencing Program

The Domestic Violence Deferred Sentencing Program is offered to eligible persons accused of domestic violence crimes in Washington County, Oregon. Entering the program allows the accused to avoid a trial and possible conviction by entering a guilty plea and agreeing to complete the program requirements within eighteen months. Successful completion of the program results in a dismissal of the charge(s). If the program participant fails to meet the requirements of the program, participation in the program may be revoked, resulting in the person being sentenced for the original crime.

### **FAQ - Frequently asked questions**

#### **What kind of treatment does the program participant receive?**

Program participants are responsible for completing a Batterer's Intervention Treatment Program at an agency approved by Washington County Community Corrections (WCCC). They must attend the program once per week for 36 weeks, at which point, the treatment provider will evaluate the participant's progress to determine how many additional classes will be needed. *Participants may not attend class more than one time per week.* Batterers Intervention Treatment focuses on personal accountability and living a life free of violence. While we hope that program participants will choose to abstain from future violence, successful completion of a Batterer's Intervention Program is not a guarantee that the participant will choose to change his/her behavior.

#### **Do you offer drug/alcohol treatment?**

Participants who were under the influence of drugs/alcohol during the incident or participants for whom the Judge or DVDS Coordinator may have addiction concerns, may be required to have a separate drug/alcohol evaluation at an agency approved by WCCC. If the evaluator recommends drug/alcohol treatment, then the participant will be required to successfully complete all recommended treatment in order to complete their Deferred Sentencing Program.

#### **Why is there a No Contact Order?**

Abiding by a No Contact Order is one of the requirements of the Domestic Violence Deferred Sentencing Program. The No Contact order is issued by the Judge in order to keep the listed victim(s) of the crime as safe from harm as possible, while the program participant begins batterer's intervention treatment. The No Contact Order means that the defendant is not allowed to have any contact with the listed victim(s) in the case. This includes all forms of contact - electronic, video, telephonic, written, third party and in-person. The Judge may issue a No Contact Order with other persons as he/she deems appropriate.

#### **Can the No Contact Order be modified?**

The Judge may consider a modification of the No Contact Order once the program participant has completed 12 domestic violence classes and successfully passed a polygraph exam. If allowed by the Judge, the first modification generally allows electronic contact only, which includes email, texting and

phone contact. After three weeks of electronic contact, if the contact has gone well and both parties would like additional contact, the Judge may consider allowing contact in public places, which includes venues like shopping centers, restaurants, coffee shops, libraries, grocery stores, schools, etc. Participants may not be in the residence together, living together, or in a vehicle together. After at least five weeks of public contact, if that contact has gone well and both parties would like additional contact, then the Judge may consider a full modification of the No Contact Order, which would allow for full, non-offensive contact, including residing together, should both parties desire. Contact modifications do not have to take place in court, but can be requested through myself and the Program Coordinator once the program participant has met the requirements.

Contact modifications should happen at your pace. If you do not want to move to the next level of contact, please let me know so that we can slow down or stop the process. It is important that you are comfortable with the level of contact that you are having and that you feel safe. Throughout the modification process, all communication must be non-offensive in nature. This means that the program participant may not be abusive to you in any way – emotionally, verbally, financially, physically or sexually. If you have any concerns or questions once contact has been granted or are unsure if the program participant's behavior is within the program guidelines, please call me so that we may talk about it.

Before any contact is granted, I will call and confirm that you desire to have contact with the program participant. If you have a Restraining Order or do not want contact, please let me know so that I can make sure that the No Contact Order stays in place. You do not have any obligation to have contact with the person who harmed you. If there is a No Contact Order in place regarding minor children, then the program participant must complete 3 parenting classes at an agency approved by WCCC and gain permission from the Judge to see the children.

### **Can I attend court hearings?**

Yes – you are welcome to attend all court hearings regarding this case. You will not be able to have any contact with the program participant, however, if there is a No Contact Order. If you have a question or would like to make a statement to the Judge, please let myself or a Victims' Assistance Specialist from the District Attorney's Office know. If you do not wish to speak, but have information that you would like the Judge to know, you may write a statement that we can give to the Judge on your behalf.

### **Can my partner and I attend Couples Counseling together while he/she is in the program?**

It is the consensus of WCCC batterer's intervention providers that couples counseling can interfere with individual domestic violence treatment. Attending couples counseling with someone who has an untreated, individual problem with violence, can lead that person to falsely believe that the victim is also to blame for the violence. Counseling sessions can give him/her an outlet to express their anger and further blame the person that they victimized. Couples counseling is something that is best done at the completion of the program with a counselor who specializes and is specifically trained in domestic violence.