SENATE FINANCE AND CLAIMS
EXHIBIT NO. 16
DATE 4-6-05
BILL NO. HB 476

INFORMATIONAL TESTIMONY – HB476 – COMPLIANCE OFFICERS FOR DV OFFENDERS – PILOT PROJECT

INTRO:

Madam Chair and members of the Committee. Thank you for this opportunity to present informational testimony on behalf of HB476. My name is Wendy Sturn, I am a program manager for the Montana Board of Crime Control. I have spent most of the past ten years working with the Victims of Crime Act and Violence Against Women Act block grants that come to Montana via the U.S. Department of Justice. Through these block grants, the Board funds 64 programs statewide to provide direct services for victims and to develop criminal justice and medical training programs with statewide impact.

In this capacity, I also coordinate an advisory group to the Board on Violence Against Women and have worked with a grant to fund the Montana Domestic Violence Fatality Review Commission. It is through these two groups and the Montana Coalition on Domestic and Sexual Violence that the recommendation for compliance officers for domestic violence offenders has been highlighted as a much-needed missing component of our criminal justice system.

The Violence Against Women advisory group meets to advise on specific policy or program initiatives that will promote better services to victims and create better criminal justice intervention in the areas of domestic violence, sexual assault and stalking. The information from this group is carried forward to the Board and used in developing funding strategies for the block grants the Board oversees. Over the past several years, it has become clear that a missing link in the system is the enforcement of sentences for offenders convicted of 1st and 2nd offense partner or family member assault. Under Montana law these are misdemeanors and the majority of Montana communities do not have misdemeanor probation programs. The need for compliance monitoring for these offenders has been documented as a major recommendation both in the Statewide Violence Against Women Strategy put forth by the advisory group and in the Montana Domestic Violence Fatality Review Commission's 1st Report to the Legislature this year.

Although research is young on the topic of domestic violence, there is growing consensus that a seamless system including arrest, meaningful sanctions for offenders, services to victims and critical follow up on offender compliance with sentence requirements is the most effective approach to reducing repeat offenses.

During the creation of this bill, it was decided by the drafters that the Board of Crime Control in its capacity as a lead criminal justice planning agency for the state and with its extensive background in criminal justice program development would be ideally suited to administer the funding generated under this bill. It is envisioned that a pilot project would be announced once funding is available to allow communities to request funding through the Board's normal competitive grant process. MBCC has specific history of success with similar projects including criminal justice victim/witness projects in 1997,

resulting in tripling the number of such programs in the state and vastly increasing victims' sense of inclusion in the criminal justice process and access to a wide variety of community services.

In reference to specific experience with programs like the ones proposed under this bill, MBCC has funded two domestic violence compliance programs. The first was the Lewis & Clark County Batterer Education and Compliance program. This program was funded from 1997 through 2000. This program is going strong today and totally self-sufficient. I recently spoke with the compliance officer and collected information on the program and insight into the county's ongoing commitment to holding offenders accountable. The Board also provides funding to a start-up project in Flathead County which is in its second year.

I would like to conclude by providing handouts including a list of the victim service programs in the state and the fatality review commission report to the legislature. I would particularly like to draw your attention to the third handout on the gray paper which lists the deaths resulting from domestic violence since 2000. I have summarized these at the bottom of the sheet, listing how many occurred by county. It is interesting to note that of the seven largest counties, only Lewis and Clark County with the only long-term domestic violence compliance office had no domestic violence homicides.

I want to once again thank you for the opportunity to provide informational testimony in this matter and will be happy to answer any questions the committee may have at this time.