

### What is The Batterers' Intervention Class?

Under California Penal Code Section 1203.097 PC, anyone convicted of a domestic violence offense and who is put on probation is required to attend and complete a 52-week batterers' program as approved by the County. This program is intended to work with the defendant to understand and correct the underlying problems that may have led to the domestic violence offense. This requirement is a critical component of any domestic violence sentence and failure to complete the class can result in a probation violation.

### When is the Batterer's Intervention Class Required?

Under California Penal Code Section 1203.097 PC, the batterer's intervention class is required as a term of any grant of probation where the victim of the defendant's crime is one of the parties specifically listed in California Family Code Section 6211 FC. This includes a spouse or former spouse, a cohabitant or former cohabitant, a person with whom the defendant has a current or prior dating or engagement relationship, a person with whom the defendant has a child, a child of the defendant or any other close blood relative.

There does not have to be any act of violence or physical abuse for the batterer's intervention program to be mandatory. In some cases, the prosecution may offer a reduced charge, such as allowing the defendant to plead guilty to disturbing the peace in violation of California Penal Code Section 415 PC. In these cases, the defendant would still be subject to the requirements of California Penal Code Section 1203.097 PC and would still be required to complete a 52-week batterers' class. In cases involving children, such as child endangerment under California Penal Code Section 273a PC, the Court may allow the defendant to complete a 52-week parenting class in lieu of the batterers' program, as this would be more appropriate.

### What is the Batterers' Intervention Program?

The required classes must typically be completed through a state-approved provider. The classes are designed to help those convicted of domestic violence offenses identify and change the elements in their lives that led to the criminal conviction. The defendant will be provided a list of approved local providers and would be expected to independently sign up for the 52-week batterers' program. There are costs associated with the program and penalties for failing to complete the program or missing too many sessions.

Although many programs offer an online 52-week batterers' program, the judge is not likely to allow this. For defendants who do not live in the area or have extenuating circumstances, the Court may allow the defendant to complete the required counselling sessions independently with a licensed therapist. The defendant would be expected to show proof of progress and completion of these sessions by submitting a letter from the counsellor indicating what type of counselling has been completed and what progress the defendant has made.

### Failure to Complete the 52-week Batterer's Program

When a defendant fails to complete the 52-week batterers' program or misses too many class sessions, the class may terminate the defendant and send a letter to the Court indicating that the defendant has been terminated.

The Judge will issue a probation violation and a bench warrant. The judge may impose additional penalties as a result of the probation violation, including jail time.

Lassen Intervention's Batter's Intervention Course is approved by the Lassen County Probation Department