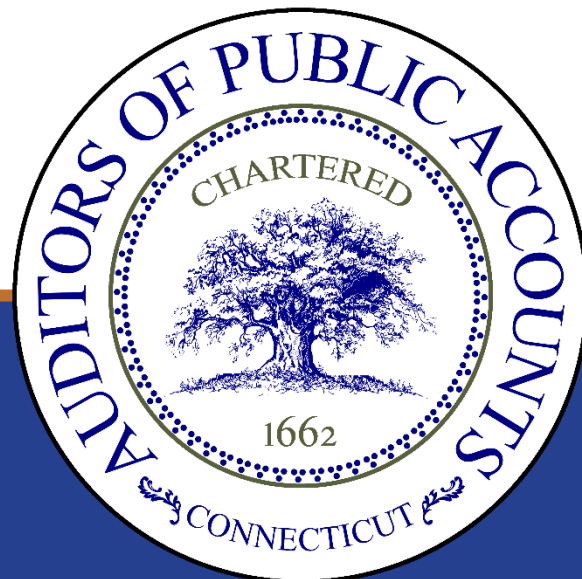


AUDITORS' REPORT

PERFORMANCE AUDIT

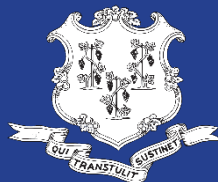
Division of Criminal Justice's Prosecutor-Led Diversion Practices for Family Violence Offenders

CALENDAR YEARS ENDED DECEMBER 31, 2021, 2022, AND 2023



STATE OF CONNECTICUT
Auditors of Public Accounts

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July 9, 2025

INTRODUCTION

We are pleased to submit this audit of the Division of Criminal Justice's Prosecutor-Led Diversion Practices for Family Violence Offenders for the calendar years ended December 31, 2021, 2022, and 2023. Our audit identified internal control deficiencies; instances of noncompliance with laws, regulations, or policies; and a need for improvement in practices and procedures that warrant management's attention.

The Auditors of Public Accounts wish to express our appreciation for the courtesies and cooperation extended to our representatives by the personnel of the Division of Criminal Justice during the course of our examination.

The Auditors of Public Accounts also would like to acknowledge the auditors who contributed to this report:

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ABBREVIATIONS

| ABBREVIATION | DEFINITION |
|---------------------|--|
| CCADV | Connecticut Coalition Against Domestic Violence |
| CT | Connecticut |
| DCJ | Division of Criminal Justice |
| FRC | Family Relations Counselor |
| FVEP | Family Violence Education Program |
| GA | Geographic Area |
| CSSD | Judicial Branch Court Support Services Division |
| JD | Judicial District |
| LGBTQ | Lesbian, Gay, Bisexual, Transgendered, and Queer/Questioning |

STATE AUDITORS' FINDINGS AND RECOMMENDATIONS

About Family Violence in Connecticut

Over the last few decades, Connecticut has made significant strides in addressing family violence through the passage of comprehensive laws, structured diversion programs, and robust offender treatment standards. Connecticut law defines family violence as an incident between family or household members that results in physical injury or creates imminent fear of physical harm. Importantly, family violence is not a distinct criminal offense, but a legal designation applied to certain crimes. Family violence offenses include assault, kidnapping, sexual assault, and breach of peace when committed within a familial or household relationship. Family violence crimes range in severity from a misdemeanor to a felony charge depending on the facts of the case. Domestic violence, a subset of family violence, involves intimate partner abuse with unique emotional and physiological dynamics. In 2023, Connecticut police departments reported over 16,000 family violence incidents, which represented approximately one-third of criminal court cases.

Prosecutors play a pivotal role in reviewing criminal cases prior to advancing to trial, offering plea deals, or recommending diversion programs. Prosecutors also have the discretion to utilize prosecutor-led diversion when processing a criminal complaint. This approach allows offenders to engage in activities such as community service, counseling sessions, and domestic violence treatment. Upon the offender providing adequate proof of their completion of required activities, the prosecutor can then enter a nolle prosequi (nolle) of the charges. A nolle is a formal entry by the prosecutor declaring their unwillingness to prosecute a case, or intention not to further prosecute a case. In prosecutor-led diversions, the offender typically is responsible for finding a community domestic violence treatment provider.

To ensure consistency and quality, Connecticut has statutory standards for community-based domestic violence treatment interventions. The Domestic Violence Criminal Justice Response and Enhancement Advisory Council oversees community program standards and maintains a list of approved providers. Despite the council's outreach efforts, it has approved only eight agencies and 14 individuals as community domestic violence treatment providers, which has limited available service. If an offender is to receive a nolle for a family violence charge and it involves the offender's participation in counseling or a treatment program outside of that provided by the Judicial Branch, the law requires that the treatment must comply with standards set by the council.

Why this Audit is Important

Domestic and family violence affects the victim, families, coworkers, and community. It causes diminished psychological and physical health, decreases the quality of life, and results in reduced productivity.

The purpose of this audit was to examine the Division of Criminal Justice's (DCJ) practices regarding prosecutor-led referrals to community treatment providers in family violence cases and evaluate whether administrative controls sufficiently ensure such practices comply with statutory requirements and best practices. We also examined the role of the Domestic Violence Criminal Justice Response and Enhancement Advisory Council.

Results in Brief

Our audit found the Division of Criminal Justice did not comply with statutory requirements for family violence treatment referrals and had significant deficiencies in its eProsecutor case management system. We also noted DCJ lacked consistent documentation practices for tracking offender compliance with treatment programs. In addition, we found the Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council does not appear to have the statutory authority to approve community domestic violence treatment providers.

Our evaluation of the Division of Criminal Justice’s Prosecutor-Led Diversion Practices for Family Violence Offenders disclosed the following recommendations.

Finding 1

The Division of Criminal Justice did not Comply with Nolle Requirements for Family Violence Cases

Background

Family violence continues to be a pervasive public health problem concerning the public, advocates, and lawmakers. Connecticut's intervention practices for family violence arrests have relied on diversionary programs largely managed by the Judicial Branch's Court Support Services Division (CSSD). However, the Office of the Chief State's Attorney may offer a prosecution-led diversion option for domestic violence offenders. These offenders typically find their treatment providers for this diversion. There were limited efforts to standardize these community-based interventions until 2015.

In 2015, the legislature adopted the Domestic Violence Offender Program Standards Advisory Council's standards through statute, mandating adherence to specific protocols when handling family violence cases referred for prosecution. These standards emphasized structured, evidence-based practices to ensure victim safety and offender accountability.

Criteria

Section 54-56o of the General Statutes prohibits the prosecuting authority from entering a nolle prosequi¹ for any family violence charge not referred to the Judicial Branch's Family Services² without stating the reason(s) in open court. If the reason(s) involves the offender's participation in counseling or a treatment program, the prosecutor must comply with standards set by the Domestic Violence Offender Program Standards Advisory Council under Section 46b-38l of the General Statutes.

Division of Criminal Justice's prosecution standards (4-3.6) requires prosecutors to record the reason for the prosecutorial led diversion in the division's case management system. DCJ should retain a record of such diversionary program participation as permitted by law.

Whenever prosecutors dismiss criminal charges by way of a nolle or its equivalent, prosecution standards (6-5.2) require them to enter the basis for the nolle in the DCJ case management system.

¹ Nolle prosequi is a formal entry by the prosecutor which declares an unwillingness to prosecute a case, or an intention not to prosecute a case further.

² Family Services conducts comprehensive assessments of individuals arrested for family violence crimes and prepares written reports that identify and summarize each client's needs. Family Services also has contracts with several organizations that offer programs to defendants that address family violence. These include the Family Violence Education Program, Explore and Evolve.

Condition

The Division of Criminal Justice (DCJ) did not comply with Section 54-56o of the General Statutes and did not meet prosecutorial standards for recording related data into its eProsecutor case management system.

In our review of court transcripts, case files, and audio files we found that in 33% of disposed family violence cases (five of the 15 audio recordings), prosecutors did not state the reasons for the nolle in open court. Of the 15 physical family violence case files reviewed, which required the offender's treatment meet certain standards, we found:

- 47% (seven cases) were referred to nonapproved domestic violence offender treatment and may have received other ancillary treatment such as counseling, mental health, and substance abuse.
- 33% (five cases) lacked treatment provider information.
- 20% (three cases) received treatment from an approved domestic violence offender treatment provider, or its equivalent.

We also noted DCJ did not comply with the prosecutorial standards to record diversion program participation in eProsecutor, including:

- Approximately 5,000 of 10,165 (49%) nolle dispositional events for 2021 through 2023 that had no electronic data to explain the reason for the nolle; and
- Of the cases with a recorded reason for nolle, DCJ did not record electronic data for family violence treatment or counseling as its reason.

DCJ did not have a policy to ensure adherence to this state statute during the audited period. DCJ also could not determine how many nolle cases received domestic violence treatment based on the electronic record. In addition, eProsecutor could not report the number of cases referred to community domestic violence treatment providers, whether the treatment was completed, and which family violence treatment providers were outside of the Judicial Branch programs.

Context

DCJ provided us with a list of approximately 5,000 family violence cases that were not referred to Family Services and were nolle between July 2022 through December 2023 to test for compliance with the statutory requirement that before a prosecuting authority enters a nolle for any family violence charge not referred to the Judicial Branch's Family Services, the prosecutor must state the reason(s) in open court. We decided to limit our selection to cases from one calendar year and randomly chose 15 cases from a total of

3,157 cases the courts disposed of in 2023. We worked with Court Transcript Services to get audio records of the sample group.

DCJ provided us with a list of over 10,000 family violence cases that the courts did not refer to CSSD Family Services and were nolle between 2021 through 2023. However, only 2,700 cases had a reason for nolle and notes in the memo field in eProsecutor. We further narrowed down the cases to 2,380 by filtering the memo field for cases with some indication the offender participated in counseling, domestic violence treatment, diversion programming, sought a private provider, or other type of treatment. We judgmentally selected and reviewed case files for 15 of these domestic violence cases and whose records were physically available.

Effect

Failure to comply with statutory requirements reduces accountability and consistency in offender treatment and prosecutorial practices, potentially compromising victim safety, and effective offender rehabilitation.

Cause

DCJ implemented the eProsecutor case management system fiscal year 2021 and did not originally intend to track statutory compliance through the system.

Recommendation

The Division of Criminal Justice should develop internal controls and updates to eProsecutor to:

- a.) Document and monitor compliance with Section 54-56o of the General Statutes.
- b.) Ensure compliance with prosecutorial standards requiring the recording of certain information in eProsecutor.

Agency Response

"The Division agrees with this finding. The DCJ agrees that in the 15 family violence transcripts reviewed by the auditors, 5 of the cases were missing treatment provider information. DCJ provided the auditors with a list of almost 3,157 family violence cases disposed in 2023. The auditors correctly acknowledge that the 15 selected court transcripts they reviewed are not a representative sample of the entire universe of 2023 family violence cases. The reviewed sample, while small, does show that provider information is not being retained in every file and some nolle are not noted on the record as required.

In May of 2024, DCJ updated its eProsecutor Case Management System policy related to the eProsecutor worksheet used to collect certain statutorily required data. Prosecutors now must note their compliance with CGS §54-56o and confirm that the nolle was entered on the record. The Division also provides continuing

education in this area to prosecutors who specialize in family violence prosecution and to newly hired Deputy Assistant State's Attorneys. In 2024 alone, this issue has been a significant topic on three occasions in Domestic Violence related training and reinforced during weeks long continuing education for newly hired prosecutors.

The DCJ will also work through its Operations Committee to formulate more specific DV data retention policies as part of its eProsecutor worksheet. The Division will include a specific data point on state standard compliant counseling to assure prosecutors contemplate this requirement when formulating a disposition which may include a nolle.

These improvements will be enforced by review at the State's Attorney and Supervisory Assistant State's Attorney levels. They may also be monitored by random audit if provided with additional personnel. Currently the Division has very few full-time positions funded for data entry or quality assurance. The Division has consistently requested additional personnel to execute this critical function. DCJ has not received any additional state funding for this purpose. The Division did retain a significant number of part-time data entry personnel to assist with data collection using Federal ARPA funds. The impending loss of this funding on January 1, 2025, will unfortunately require DCJ to terminate these critical employees."

Finding 2

The Division of Criminal Justice's Case Management System Reporting was Deficient

Background

In 2019, Public Act 19-59 established certain data reporting requirements to bring Connecticut in line with best practices in other states. In response, DCJ established new data collection software and policies regarding reporting requirements leveraging existing court data.

In January 2021, DCJ rolled out the eProsecutor electronic case management system. eProsecutor enabled prosecutors to shift from paper to electronic storage of information and produced data for analysis. Data collected includes detailed victim and offender information.

Criteria

Section 51-286j of the General Statutes requires DCJ to collect and report disaggregated, case level offender data to the Office of Policy

and Management. OPM must prepare an annual report for the Criminal Justice Commission. The reported data includes information related to case dispositions (e.g. nolle), reason for diversion, victim contact, and other offender information.

DCJ's prosecution standards (6-5.2) require prosecutors to enter the basis for a nolle prosequi in the division's electronic case management system.

DCJ's prosecution standards (2-1.2) acknowledge the importance of capturing, tracking, analyzing, and sharing statewide criminal justice system data. The standards require prosecutors to comply with all policies and procedures related to the division's electronic case management system.

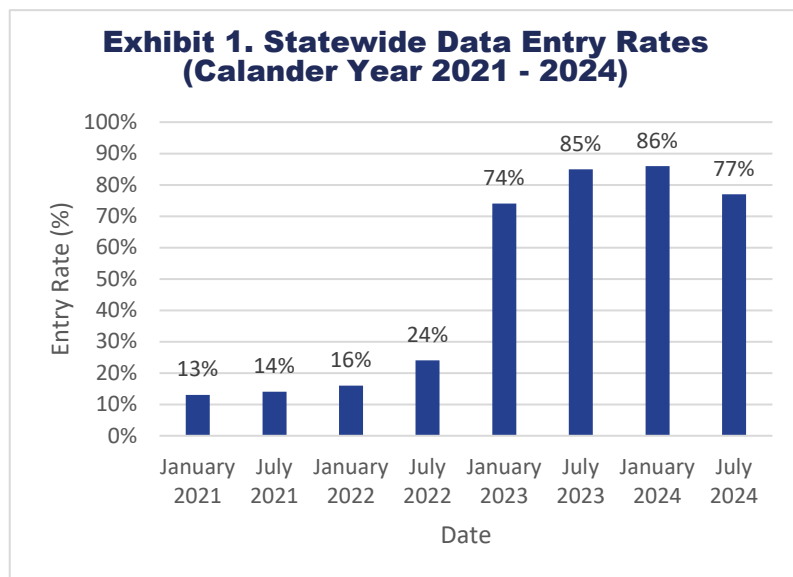
Data-driven practices are an important component of the fair administration of justice. This aligns with national prosecutorial best practices, which support clear user policies with documented guidelines for data entry to ensure uniform practices across all court locations.

Condition

Our audit found significant deficiencies in eProsecutor and related information systems that affect the reliability and completeness of case data.

Incomplete Entry of Statutorily Required Data

Exhibit 1 shows DCJ staff only entered 14% of criminal cases into eProsecutor in its first year (2021), which increased to 85% by 2023. DCJ informed us it gradually implemented the eProsecutor system and reported on progress in dashboards. Despite progress, DCJ did not include a substantial number of cases, limiting compliance with Section 51-286j.



Reasons for Nolle Lacked Sufficient Clarity for Analysis

The available definitions of offender diversion options in eProsecutor are not informative, making it difficult to interpret aggregated reports regarding the reasons a prosecutor entered a nolle. The system's dropdown menu for nolle reasons used ambiguous terms like "prosecutorial discretion," "other," and "counseling," which accounted for 55% of the approximately 5,000 cases we reviewed with a reason for a nolle. This results in prosecutors and management making inconsistent and subjective interpretations.

Lack of Electronic Data Requirements and Validation Gaps Compromised Analysis

eProsecutor lacked validation measures to ensure completeness, allowing prosecutors to use non-standardized methods such as uploading scanned documents without populating structured data fields. There were also no validation measures for the data fields to check for errors and no required fields to ensure completeness.

DCJ staff informed us if a prosecutor does not select a nolle reason or document a memo, it does not mean this information is not available. Prosecutors may have written the information in the case file but could have been trying to save time by uploading a scanned version of the case notes. Since eProsecutor accepts all modes of data entry the end user is ultimately responsible for putting the correct values in the fields.

We found DCJ had not produced standardized user policies or guidance for using eProsecutor for domestic violence cases during the audited period. Geographic area courts did not clearly and consistently communicate to employees about proper eProsecutor usage. Interviews revealed that some staff did not have a complete understanding of the system's capabilities.

DCJ has a Dual Data Management Process

Prosecutors are using paper case files and transferring certain data to the eProsecutor. This is because other agencies sending DCJ information do not provide it in electronic form. The Judicial Branch does not mandate electronic filing in criminal cases, and only four of 170 police departments send their reports electronically via the statewide Connecticut Information Sharing System. DCJ intends to work with other agencies to accomplish more efficient practices using eProsecutor.

Context

We formed our findings based on DCJ case data and staff interviews. DCJ provided us with dashboard data entry rates for 2021 through 2024, and dispositional data illustrating reasons for nolle and dispositional data for 2021 through 2023 for 10,165 nolle cases the courts did not refer to Family Services. We used

approximately 5,000 of those cases with a reason for nolle selected for our analysis. We reviewed available user guides and training materials for eProsecutor.

Effect

These deficiencies impede DCJ’s ability to produce comprehensive and reliable data, undermining public trust, accountability, and informed decision making. The lack of standardized data entry practices and terminology limits the division’s ability to perform detailed analysis of prosecutorial operations and case flow.

Cause

DCJ and other agencies have not facilitated the sharing of electronic information among the statewide information network that connects various criminal justice agencies. This limits the extent to which DCJ can efficiently and effectively receive and record electronic case information.

DCJ management did not prioritize the development and implementation of comprehensive data quality assurance protocols and prosecutors relied on individual record keeping. The division is continuing its implementation of eProsecutor. In addition, the organizational structure, with significant independence among decentralized state’s attorneys, contributed to inconsistent adoption and data entry practices.

Recommendation

The Division of Criminal Justice should:

- a.) Establish comprehensive data validation protocols to ensure the accuracy and reliability of the data in eProsecutor;
- b.) Implement standardized terminology and required data fields to enhance consistency and eliminate subjective interpretation in case data; and
- c.) Ensure all prosecutors consistently follow the established system standards.

Agency Response

“The Division agrees in part with this finding. The DCJ agrees that reporting of certain statutorily required data was deficient, particularly at the beginning of the reporting period. The eProsecutor system referred to in the audit began development in 2018. In 2019, the legislature, with cooperation and support from DCJ, passed Public Act 19-59 which required DCJ to maintain and share certain disaggregated criminal justice data with the Office of Policy and Management. Previously, this data was only maintained in the tens of thousands of paper files maintained by DCJ. DCJ uses the eProsecutor system, primarily created as a tool to support the sharing of information among and between prosecutors statewide, as the vehicle for this mandated data retention.

The DCJ began the rollout of eProsecutor at the beginning of the audit's reporting period. Data retention obviously was far below current levels due to the procedure implementation issues inherent in the introduction of an entirely new record keeping process. The COVID 19 pandemic limited DCJ's ability to train current staff to use the system, closed courthouses and prevented DCJ from adding additional staff.

DCJ has worked tirelessly, within available staffing and funding limitations, to improve its data collection accuracy and productivity. The collection metrics have steadily improved from a low of 13% in 2021 to a high of 86% in January 2024. This improvement was achieved in large measure due to an influx of temporary data entry employees in G.A. locations. Unfortunately, these employees will be terminated in the near future due to the loss of Federal ARPA funding.

It is important to note that currently the DCJ maintains records in both paper and electronic form. This has effectively doubled the work of DCJ staff in the near term and for the foreseeable future. The eProsecutor system was designed to receive criminal justice information from our partner agencies in electronic form and relieve DCJ personnel of this function. The extreme limitations of the CISS system that feeds eProsecutor currently makes those efficiencies impossible. DCJ has endeavored to capture all data required by P.A. 19-59 and provide access to it by OPM. DCJ does not currently have the capability to capture in electronic form all the information currently residing in paper files. DCJ recognizes that capturing the data mandated by CGS 54-56o in eProsecutor is a best practice and will implement procedures as outlined in DCJ Response to Finding #1 in order to improve compliance."

Finding 3

The Division of Criminal Justice did not Consistently Document Completion of Treatment for Domestic Violence Offenders

Background

Diversion from the criminal justice system to community-based programs represents a viable alternative for less-serious offenders. Ensuring offenders complete court-mandated or prosecutorial-recommended treatment is crucial for effective case management and public safety. The Judicial Branch Court Support Services Division contracted providers submit monthly client reports to Family Services and Family Services communicates any compliance

concerns to the courts. Best practices in these cases emphasize monitoring treatment progress and verifying completion to hold offenders accountable and reduce recidivism. This means the offender must follow through on their treatment plan, attend all necessary sessions, and comply with any other conditions.

Criteria

Connecticut Domestic Violence Offender Program Standards specify that treatment programs must address abusive behavior patterns with intimate relationships and include documented follow-up to verify program completion.

DCJ's prosecutor standards (Standard 4-3.4) states that prosecutors should seek to corroborate that the accused has fulfilled any conditions appropriately attached to the diversion of the case prior to entering a nolle prosequi of any charges on the record.

Condition

DCJ lacked consistent documentation practices for tracking the compliance of family violence offender treatment programs.

DCJ lacks procedures to ensure community treatment providers report and communicate offender treatment compliance, concerns, and completion. While the Judicial Branch's Court Support Services Division's (CSSD) contracted providers submit regular reports to Family Services, there is no protocol for obtaining such reports from non-CSSD community treatment providers.

Our review of 15 non-CSSD family violence case files revealed limited documentation of treatment provider details, types of services rendered, and completion status, hindering effective tracking and analysis. In 15 family violence cases nolledd between 2021 and 2023, 10 cases (66%), did not contain clear documentation that the offender completed their treatment.

Prosecutors informed us that in instances in which there is no Judicial Branch Family Relations involvement, any provider the offender sought outside of the Judicial Branch would have to submit a letter that includes the provider's information, purpose of the treatment, and conclusion. They noted these letters are sometimes light in content, do not have enough details to confirm the offender's treatment, and often do not appear reputable. In these instances, they informed us that the prosecutor usually calls the facility to determine its legitimacy.

Prosecutors also indicated DCJ has not standardized the process for submitting completion letters, resulting in various forms of documentation.

Context

We formed our findings based on case data and interviews with Division of Criminal Justice employees. We interviewed the state's attorneys and court staff about the use and operation of the system.

DCJ provided us with a list of over 10,000 family violence cases the courts did not refer to Family Services and were nolle between 2021 and 2023. We narrowed the list by selecting cases with some form of treatment noted either in the reason for nolle and/or memo field. What remained were 2,707 cases, which we further narrowed down to about 2,380 if there was some indication the offender participated in counseling, domestic violence treatment, diversion program, private provider, or other therapeutic treatment. We judgmentally selected and reviewed manual case files on 15 domestic violence cases whose records were physically available.

Effect

The absence of systematic documentation reduces the assurance offenders are completing necessary rehabilitative programs. This inconsistency limits the division's ability to hold offenders accountable, potentially affecting public safety and undermining the intended outcomes of treatment programs.

Cause

DCJ has relied on discretionary practices by individual prosecutors which has led to inconsistent adherence to documentation standards.

Recommendation

The Division of Criminal Justice should:

- a.) Develop and implement a protocol for monitoring and documenting treatment completion for providers not contracted by the Judicial Branch.
- b.) Standardize the requirement for providers to submit completion reports and ensure prosecutors record them in eProsecutor. In cases in which the courts dispose of cases before the completion of treatment, DCJ should ensure eProsecutor includes a status report indicating compliance to date with treatment requirements.

Agency Response

"The Division agrees with this finding. The Division has no authority to monitor or track compliance with defendants' private treatment providers. Unlike CSSD, DCJ has no contract with non-CSSD community treatment providers. Further complicating this issue is the fact that defendants have certain statutory privileges and protections relating to their personal health information and the treatment and therapeutic interventions they may receive.

The Division will develop and implement protocols, as set forth in Finding #4, to monitor and document treatment completion for providers not contracted by the Judicial Branch. One way to accomplish this would be to create a standardized form for defendants to use to document non-CSSD community treatment. Another option would be to create a waiver form for defendants who engage in treatment with non-CSSD community treatment providers to fill out that would permit DCJ personnel to communicate with the

providers about the treatment defendants receive in connection with a pending criminal matter. In line with the substantial improvements DCJ already has made in collecting other statutorily required data points using the eProsecutor system, DCJ will make appropriate adjustments to its internal policies and procedures to ensure that documentation relating to non-CSSD treatment received in connection with a case involving family violence charges is uploaded and retained in the Division's electronic case filing system."

Finding 4

The Division of Criminal Justice's Prosecutorial-led Diversion of Domestic Violence Offenders to Non-approved Community Providers Does Not Adhere to State Standards

Background

Effective treatment requires adherence to standards that address the unique dynamics of intimate partner violence, focusing on power and control issues rather than solely on mental health or substance abuse. Concurrently, prosecutors assess the strength of the case and legal grounds for further prosecution. Prosecutors may accept the offender's participation in treatment programs recommended by public defenders or private attorneys as a factor in resolving cases. The completion of such programs can impact case outcomes, including nolle. Although prosecutors do not directly refer offenders to treatment, they are responsible for ensuring any programs meet relevant standards.

Criteria

Connecticut Domestic Violence Offender Program Standards outline that domestic violence treatment must address the specific patterns of abusive behavior used to exert power and control in intimate relationships. The standards highlight that while contributing factors such as substance abuse may exacerbate violence, they are not the primary cause. Programs must align with the state standards for prosecutors to accept as valid.

In accordance with DCJ's prosecution standards (Standard 2-11.1), prosecutors should be knowledgeable about different community-based programs to which courts may refer offenders as a prosecutor led or court based pre-trial diversionary disposition.

Condition

There appears to be insufficient availability of approved treatment programs for domestic violence offenders. We also found prosecutors are not always knowledgeable about available treatment programs.

DCJ case data and interviews with prosecutors and stakeholders revealed that prosecutors often opted for general counseling or anger management programs to resolve domestic violence offenses that do not align with the Connecticut Domestic Violence Offender Program Standards.

Aside from apparently violating the domestic violence standards, stakeholders expressed concern about using anger management or substance use treatment in lieu of domestic violence treatment.

Treatment providers stated that: (1) anger management does not speak to relationship dynamics, especially with children or partners, (2) offenders can have post-traumatic stress disorder that drives violence or substance use can facilitate violence, but if the offender does not address the underlying issues, domestic violence issues can arise, and (3) the nature of domestic violence is a belief system built around power and control.

Interviews with prosecutors also highlighted inconsistency in practices and understanding of treatment programs that comply with the domestic violence offender program standards. DCJ staff indicated there were a limited number of approved providers statewide and most were primarily located in Hartford, New Haven, and Bridgeport. However, one approved provider in New Haven told us she was underutilized and had treatment slots available. Multiple providers stated that referrals to their programs have declined, and participants find them through informal means.

Context

We interviewed state's attorneys and treatment providers, court staff, and stakeholder groups about the use and availability of community treatment providers. We also examined DCJ dispositional data for approximately 5,000 family violence cases not referred to Family Services illustrating reasons for nolle prosequi for calendar years 2021 through 2023 to understand the various treatment options used by offenders.

Effect

Prosecutors' lack of knowledge and limited availability of approved treatment providers may undermine the goals of reducing recidivism and preventing future violence.

Cause

DCJ did not adequately inform all prosecutors about the availability of approved providers. As of October 2024, there were only 14 individuals, and eight agencies approved as domestic violence treatment providers in Connecticut. There is also a valid question whether prosecutors should be required to address all offender treatment needs in criminal case resolutions and if the efficient

administration of justice necessitates DCJ assuming this responsibility.

Recommendation

The Division of Criminal Justices should:

- a.) Consider assessing practices to ensure prosecutors recommend and offenders receive appropriate family violence treatment, to the extent practical.
- b.) Ensure that prosecutors are sufficiently informed about the availability and appropriateness of different types of treatment providers.
- c.) Collaborate with community stakeholders, including the Domestic Violence Criminal Justice Response and Enhancement Advisory Council to assess treatment provider gaps and further develop a wider network of approved domestic violence treatment providers.

Agency Response

"The DCJ agrees with this finding. The Division of Criminal Justice has no statutory authority to recommend one treatment provider over another in criminal family violence prosecutions. These individuals have already been provided multiple attempts at state sanctioned family violence counseling through programs such as FVEP, EVOLVE and EXPLORE. The majority of defendants referred for further prosecution by the CSSD Family Relations staff are represented by the Division of Public Defender Services. Public Defender Social Workers seek out treatment options for their clients and refer them for treatment. One way to increase the use of state-approved providers would be for the Division of Public Defender Services to refer clients only to state-approved providers. Private attorneys representing their clients may also be required to only seek out similar treatment. The lack of approved treatment providers in large portions of the state limits the options afforded to defendants in those areas. Large portions of the state are family violence treatment deserts for low income offenders who lack the means to travel long distances for approved treatment. Prosecutors in those areas are left with the difficult choice of not incorporating any counseling or treatment into a case resolution or accepting some treatment that does not fully comport with state requirements.

Prosecutors choose to nolle family violence matters for a host of reasons beyond successful counseling. The strength of the evidence, legal questions, a defendant's criminal record, and the victim's level of cooperation regarding prosecution all may play a part in addition to the counseling a defendant receives. These factors in tandem play a role in the individualized decision-making of the prosecutor in each unique case. This impacts DCJ's ability to precisely define terms or decisions in individual cases. This limitation was also recognized in P.A. 19-59's requirement that DCJ only provide disaggregated case level data."

Finding 5

The Approval Process for Community Treatment Providers is Insufficient

Criteria

Regulating treatment providers is crucial to ensure the highest quality of care. Best business practices indicate that licensing or permitting processes include verifying that the applicants meet all requirements for initial application and subsequent renewals. This could include reviewing and verifying the applicant's submitted information, inspecting their facilities, and investigating their background to ensure that they are still meeting the standards.

Moreover, the entity overseeing the application process should track applications and ensure it promptly processes them. It should also have policies and procedures to maintain a record of the applications and submitted supporting documents, the screening process followed and its results, the licenses or permits held, and other relevant information. It should also have a systematic process for monitoring approved regulated agencies' activities to ensure that they continue to follow applicable requirements.

The domestic violence standards promulgated under Section 46b-38a of the General Statutes outline treatment program content, delivery, and procedures. They also contain elements of quality assurance for treatment programs. This includes monitoring and tracking program modification impacts and outcomes as well as "provide an in-person, structured process by which direct service staff can reflect on their practice, improve their skills, address training and educational needs, gain perspective on the offender tactics and dynamics, and ensure compliance with program standards." In addition, the standards require external observations of treatment providers to monitor counselor performance and ensure quality care. They should also ensure that staff complete 12 hours of continuing professional education credits every year.

Condition

The Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council has assumed and performed the domestic violence treatment provider approval process. Our review revealed deficiencies in the process. Specifically, we found:

- The council had no written policies and procedures for the approval process for the applicants or council to follow. Instead, there are simplified instructions on the approved provider application form. The application forms are located on the Connecticut Coalition Against Domestic Violence (CCADV) website. CCADV is not a state agency and has

maintained this information since the council promulgated the standards in 2015. The council could not provide data on the length of the approval.

- The council did not consistently vet treatment providers or of their information. The council's practice for interviewing applicants varied. We interviewed several providers. One provider told us that the council did not interview them. Two other providers believed that the council interviewed them because their programs deviated from the standards. Council members acknowledged they did not interview all applicants.
- The council did not perform quality assurance measures to ensure that approved providers continue to follow the standards. The council did not observe treatment providers and determine if their curriculum continues to be appropriate. In addition, the council does not check the continuing education and training requirements for approved providers and their staff. Program providers mentioned that they would like more council involvement to better assist them in ensuring their programs are consistent with the latest research on domestic violence treatment.
- The council has not consistently or thoroughly checked for the reapproval of approved providers or availability of new providers. Some providers we interviewed told us that the council contacted them to ascertain if their contact information was current and they were still in business. However, the council did not verify that their programs continued to comply with the standards. The council also mentioned that in 2023, it tried to contact program providers to determine if their contact information was accurate and if they were still in operation. These renewal efforts have been incomplete and inconsistent.

Context

We reviewed various application documents and instructions available to become an approved provider. We interviewed treatment providers to document their experience in becoming an approved provider and council members about their practices and process for approving providers. As of 2024, there are eight agencies and 14 individual approved providers.

Effect

Program participants could be receiving treatment that does not meet the Domestic Violence Offender Program Standards. Inappropriate counseling may have detrimental effects on the client, which could contribute to continuing harmful behaviors. For criminally involved individuals who receive treatment as a condition of their sentence, their treatment may not be meeting the goals of the criminal justice system.

Cause

There is no formal legal oversight structure for the implementation of Section 46b-38j of the General Statutes. The Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council and its precursor have tried to fill a gap in developing a process to approve domestic violence treatment providers. The council members are volunteers, and the council lacks adequate resources to perform this oversight.

Recommendation

The Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council should advocate for legislation to establish a specific approval process and oversight mechanisms for community domestic violence treatment providers.

Council Response

"We agree with this finding and the recommendations. We believe the limitations of this process, currently, are due to lack of resources and funding to properly execute."

Finding 6

The Domestic Violence Advisory Council Appears to be Acting Beyond its Legal Authority

Background

Section 54-56o of the General Statutes requires that in order to enter a nolle prosequi for any charge of family violence in exchange for treatment, a prosecutor must ensure that the treatment complies with the standards promulgated by the Domestic Violence Offender Program Standards Advisory Council.

Similarly, under Section 46b-38c(g)(3) of the General Statutes if the judicial branch contracts with service providers to provide domestic violence offender treatment programs for offenders referred by the court, such treatment programs shall comply with the domestic violence offender program standards promulgated by the Domestic Violence Offender Program Standards Advisory Council.

Criteria

Section 46b-38l(a) of the General Statutes, now repealed, established the Domestic Violence Offender Program Standards Advisory Council and promulgated the domestic violence offender program standards first presented to the Criminal Justice Policy Advisory Committee on September 25, 2014. Section 46b-38j (3) of the General Statutes, enacted in 2023, transferred the authority to the newly formed Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council to review and make necessary updates to those standards.

The legislature must expressly authorize the exercise of regulatory authority, such as permitting or licensing. It typically grants such authority through enabling legislation. The entity may then develop regulations that outline the criteria, policies, procedures, and standards for issuing such permits or licenses.

Condition

We found that the Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council does not appear to have the statutory authority to approve community domestic violence treatment providers.

Currently, a non-governmental website provides applications to become an approved provider. A completed application must be signed and notarized..

An individual applying to become an approved provider must:

- Be licensed by the Department of Public Health or supervised by a licensed person.
- Have at least a bachelor's degree in social science, human services, or a related field; and
- Complete at least 40 hours of training on domestic violence and offender services.

An agency applying for approval must:

- Employ both supervisory and direct service staff that meet the minimum education, experience, and training qualifications.
- Provide regular and ongoing professional supervision.
- Offer a minimum of 12 continuing education credits or training to staff.

The required documents are submitted to the council for review. After the council reviews the application, it informs the applicant of its approval or rejection in writing.

The current statute grants the advisory council authority to review and update the domestic violence offender program standards, as needed. However, it does not appear to expressly enable the council to act as a permitting authority. Moreover, the written standards themselves do not indicate and/or designate the advisory council as the acting authority on the standards. Further, some council members acknowledged they may have been approving programs without express statutory authority.

Other states with statutory domestic violence program standards approach authorization in different ways. In Maine, the Department

of Corrections has the statutory authority to “review and certify programs that meet the (domestic violence treatment) standards.” In Indiana, a private agency, the Indiana Coalition Against Domestic Violence, certifies the domestic violence intervention programs. In Virginia, which has voluntary domestic violence standards, there are statutory provisions granting a committee authority to act on program accreditation.

Context

We examined the General Statutes and the statutory history of the law that created and governed the council. We interviewed council members about the council’s actions and their opinions regarding the extent of the council’s statutory authority.

Effect

The advisory council’s actions may not be permitted or legally valid. There is no legal mechanism to approve community domestic violence treatment providers and ensure they meet their statutory treatment requirements. Without appropriate authorization, the state’s attorneys do not have a mechanism to ensure domestic violence treatment providers are meeting the Domestic Violence Offender Program Standards.

Cause

Interviews with council members suggest they believed a state agency would have taken years to develop regulations, while the requirement to become an approved provider went into effect shortly after June 30, 2015. Council members believed they were filling the need for a permitting process. They also noted that they requested state agencies to post the standards on their websites, but the agencies refused.

Recommendation

The Family Domestic Violence Criminal Justice Response and Enhancement Advisory Council should advocate for legislation to grant the council or an appropriate state agency the authority to review and approve community domestic violence treatment providers.

Council Response

“We agree in part with this finding, and we agree with the recommendations. It was never the intent of the council to be an entity that would have permitting, licensing and monitoring authority. We currently do not do this. The intent of the standards and the council is to ensure that behavior modification treatments are being provided to offenders of family violence crimes utilizing best practices instead of anger management (which is not an appropriate treatment though often used by prosecutors).”

OBJECTIVES, SCOPE, AND METHODOLOGY

We have audited certain operations of the Division of Criminal Justice's Prosecutor-Led Diversion Practices for Family Violence Offenders. The scope of our audit included, but was not necessarily limited to, the calendar years ended December 31, 2021, 2022, and 2023. The objectives of our audit were to:

1. Examine the Division of Criminal Justice's practices regarding prosecutor-led community provider referrals in domestic violence cases, and;
2. Evaluate whether administrative controls sufficiently ensure such practices comply with statutory requirements and best practices.

Our methodology included reviewing written policies and procedures, financial records, meeting minutes, and other pertinent documents. We interviewed various DCJ personnel and certain external parties. We also tested selected transactions. This testing was not designed to project to a population unless specifically stated.

We obtained an understanding of internal controls we deemed significant within the context of the audit objectives and assessed whether such controls have been properly designed and placed in operation. We tested certain of those controls to obtain evidence regarding the effectiveness of their design and operation. We also obtained an understanding of legal provisions significant within the context of the audit objectives, and we assessed the risk that illegal acts, including fraud, and violations of contracts, grant agreements, or other legal provisions could occur. Based on that risk assessment, we designed and performed procedures to provide reasonable assurance of detecting instances of noncompliance significant to those provisions.

We conducted this performance audit in accordance with generally accepted government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

The accompanying program background is presented for informational purposes. We obtained this information from various available sources including, but not limited to, interviews, documents, and data provided by DCJ's management and state information systems. It was not subject to the procedures applied in our audit of the program. For the areas audited, we identified:

1. Deficiencies in internal controls;
2. Apparent noncompliance with laws, regulations, contracts and grant agreements, policies, or procedures; and
3. A need for improvement in management practices and procedures that we deemed to be reportable.

The State Auditors' Findings and Recommendations section of this report presents findings arising from our audit of the Division of Criminal Justice's Prosecutor-Led Diversion Practices for Family Violence Offenders.

PROGRAM BACKGROUND

Over the last few decades, Connecticut has made significant strides in addressing family violence through comprehensive laws, structured diversion programs, and robust offender standards. However, challenges remain in ensuring statewide consistency, expanding access to certified providers, and transparently documenting prosecutorial decisions. This audit report evaluates certain aspects of Connecticut's statutory and operational framework addressing family violence, with a particular focus on prosecutorial referral practices for family violence treatment. Related practices including family violence case processing, pre-trial diversionary programs, and offender intervention standards also inform the audit. Our audit provides a comprehensive review of the state's attorney's approach to referring offenders for family violence treatment, identifying areas of strength and opportunities for improvement, as well as providing contextual information to further inform our findings.

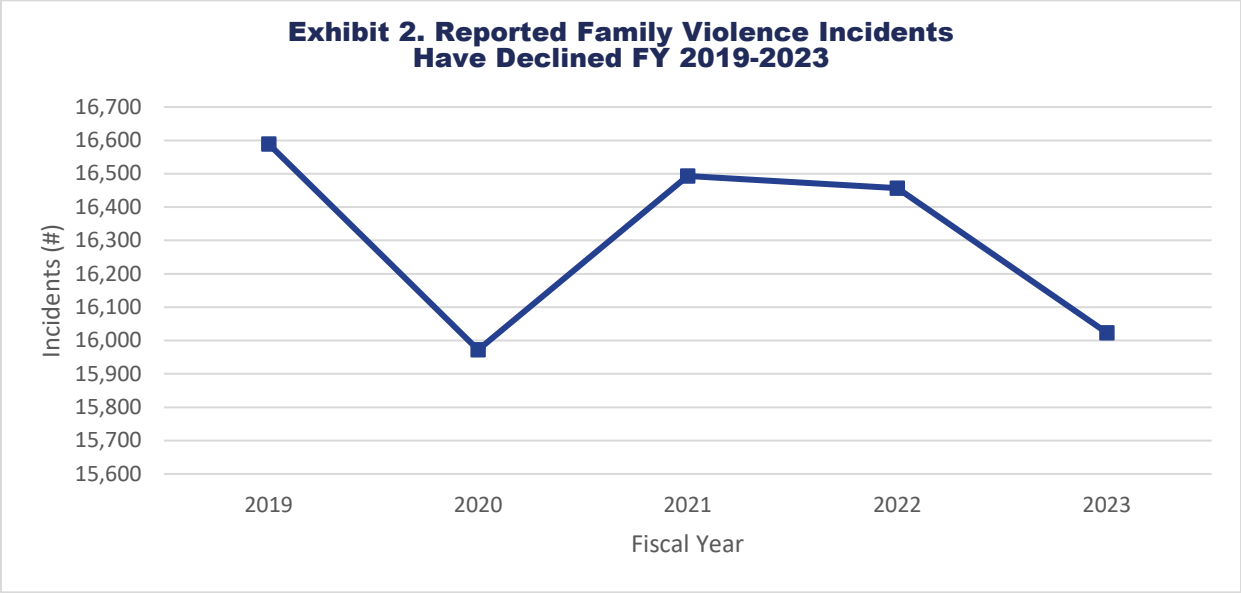
Legal Definitions and Framework

Connecticut law defines family violence as an incident between family or household members that results in physical injury or creates imminent fear of physical harm. However, the law excludes verbal abuse or arguments unless accompanied by a likelihood of violence. Importantly, family violence is not a distinct criminal offense, but a legal designation applied to certain crimes. Family violence offenses include assault, kidnapping, sexual assault, and breach of peace when committed within a familial or household relationship. Family violence crimes range in severity from a misdemeanor to a felony charge depending on the facts of the case.

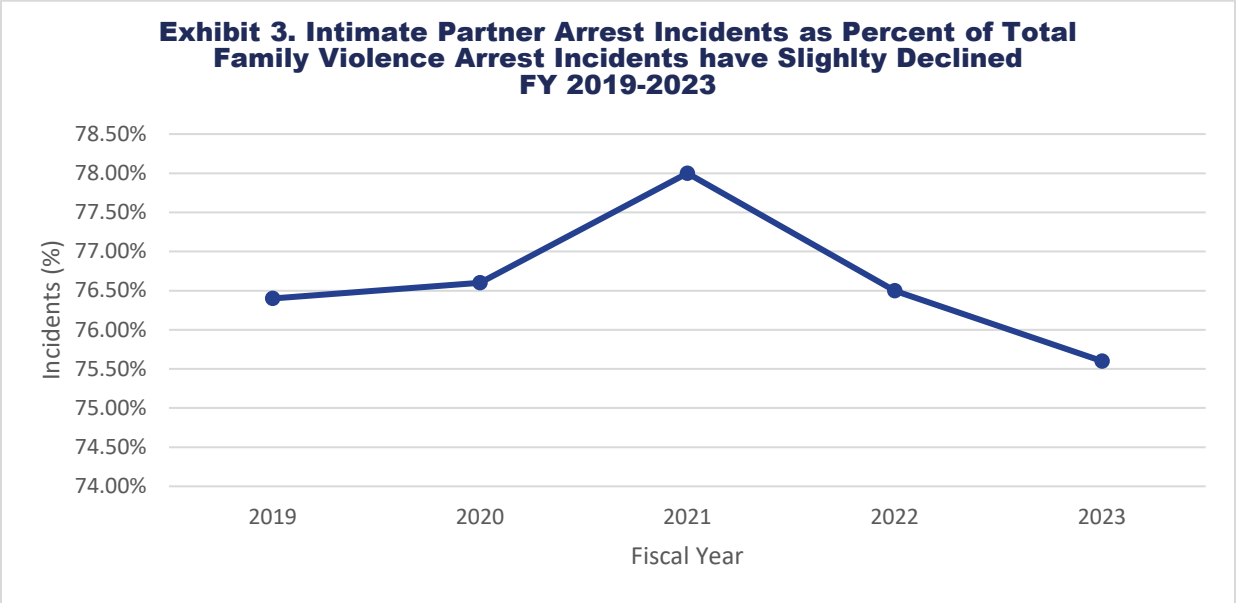
While family violence encompasses a broad range of relationships, domestic violence specifically refers to situations involving intimate partner abuse. The law describes an intimate partner as a romantic or sexual partner and includes spouses, boyfriends, girlfriends, people who have dated, or people who were seeing each other. Domestic violence often involves patterns of coercive behaviors intended to control or undermine the victim's autonomy and freedom. This distinction underscores the additional psychological and emotional dimensions of domestic violence that require tailored interventions and protections. Although criminal charges related to domestic violence fall under the legal rubric of family violence, the distinction between family violence and domestic violence is critical for those working on these cases.

Prevalence of Family Violence in Connecticut

Although **Exhibit 2** shows reported family violence incidents have declined since fiscal year 2019, it is still a significant issue in Connecticut, representing a substantial portion of criminal court cases. Nearly one-third of all criminal court cases in the state are family violence cases. In 2023, according to the Connecticut Department of Emergency Services and Public Protection, authorities reported over 16,000 family violence incidents, involving approximately 26,400 offenses.



Similarly, the percent of intimate partner arrests has declined slightly as a proportion of total family violence arrests (**Exhibit 3**). Nonetheless, intimate partner-related arrests made up the majority of incidents, representing 76 percent of all family violence arrests in fiscal year 2023. This reflects the pervasive nature of abuse within romantic relationships. Victimization rates differ across demographic groups, with women accounting for 67 percent of all victims. Additionally, a weapon was involved in 60 percent of family violence incidents. These statistics highlight the severity of family violence and the need for robust interventions to protect victims and appropriately and effectively address offender behavior.



The Role of the Division of Criminal Justice

The Division of Criminal Justice state’s attorneys are responsible for investigating and prosecuting all criminal matters, including family violence cases, in Connecticut. DCJ operates in 13 Judicial Districts (JD) and 17 Geographic Area (GA) courts, each serving specific regions. Judicial Districts hear the most

serious cases. Geographic Area courts, which handle misdemeanors and lesser felony matters, hear most family violence matters. A district state's attorney, who serves as chief prosecutor, oversees each Judicial District. A supervisory assistant state's attorney who reports to the state's attorney oversees each GA. These offices differ significantly in their resources and capacity. The number of prosecutors in each court varies, with larger GAs typically having more resources and personnel.

While each district is responsible for prosecuting family violence cases within its jurisdiction, the approach to handling these cases can differ across GAs. Larger, urban districts may have specialized domestic violence units that focus on family violence cases, while smaller, rural districts may have fewer resources and rely on general staff to handle these cases. The level of specialization and resources available can affect the strategies used by prosecutors, including whether they offer diversion programs. Some districts may have dedicated family violence dockets to streamline the processing of these cases although not many courts utilize them.

Prosecutors play a pivotal role in managing family violence cases. Prosecutorial discretion plays a central role in the handling of these cases. They have the authority to review the facts of a case and decide whether to maintain, reduce, or drop charges. They also decide whether to offer a plea deal, recommend bail, how to investigate a case, and assess whether an offender should be offered the opportunity to participate in a diversion program. In cases involving family violence, this discretion can be an effective tool to tailor responses to the circumstances of each case, facilitating offender rehabilitation while ensuring victim safety.

Case Processing of Family Violence Matters

Below is an overview of the processing of family violence cases from arrest to disposition. We summarized the process and tailored it to describe essentially two tracks for a family violence offender. One track leads to diversion for the offender through the Judicial Branch's programs by working with court contracted providers and/or receiving pre-trial monitoring. This normally occurs first and serves as the primary diversion track for first time or less serious offenders. Successful completion normally results in Judicial Branch Family Services' recommendation for dismissal by the court or the prosecution dropping the charges. The second track leads to prosecution or prosecution-led diversion through the State's Attorney's office. The offender can be on this track once Family Services determines their participation is no longer appropriate. The prosecution-led diversion is the subject of this audit.

Mandatory Family Violence Arrests and Assessment

Connecticut law mandates police officers arrest individuals when there is probable cause to believe family violence has occurred. At the time of arrest, the police classify the charges as family violence-related in their reports. Under Connecticut law and rules of practice, court clerks receive arrest reports and/or arrest warrants first and create a paper criminal file, assign a docket number, and enter the case into the criminal docket for all family violence matters. Once filed, these cases proceed directly to the criminal docket without initial prosecutorial screening. The court must arraign a person arrested for a family violence crime on the next sitting day, regardless of whether the court released the person through bail.

The Judicial Branch's Court Support Services Division's Family Services reviews all family violence-related cases. The division's family relations counselors (FRC) conduct a pre-arraignment risk assessment to evaluate the likelihood of future violence and determine whether there is a need for protective orders. The counselor's written reports identify each offender's needs for the court. They provide the court with recommendations on protective orders, pretrial supervision, and referral to pre-trial diversion programs such as the Family Violence Education Program (FVEP). These recommendations aim to balance the offender's rehabilitation needs with the safety of victims and the broader community. The counselors can decline to accept a case for referral based on factors such as previous family violence arrest or the severity

of the current offense. They forward the case to the State’s Attorney for further prosecution when they decline to accept a case.

Exhibit 4 reveals a significant portion of domestic violence cases in Connecticut courts are not eligible to receive a full assessment through CSSD for many different reasons, leaving over 10,000 individuals without immediate intervention services each year. Family relations counselors referred approximately 45% of intakes annually back to prosecutors.

| Exhibit 4. CSSD Domestic Violence Case Processing Outcomes (2021 through 2023) | | | |
|---|-------------|-------------|-------------|
| | 2021 | 2022 | 2023 |
| Intakes | 24,641 | 24,268 | 24,385 |
| Intakes Leading to Assessment | 13,200 | 13,219 | 13,562 |
| Assessment Completed Leading to Intervention | 9,006 | 8,583 | 9,329 |

Judicial Branch Diversionary Program Eligibility

Diversionary programs are a critical component of Connecticut’s response to family violence. The recommendation to allow participation in a pre-trial diversion program is based on the offender’s eligibility, which is determined by factors like the severity of the offense, prior criminal history, and previous participation in the program.

The Family Violence Education Program serves as an entry point for certain first-time offenders. The program offers counseling and education to address the root cause of abusive behavior. Successful completion of the program and other special conditions can result in reduced charges, a nolle, or case dismissals, provided the offender does not commit another offense.

For higher risk or repeat offenders, post-conviction Judicial Branch programs, like Explore and Evolve programs, provide more intensive interventions. Explore is a 26-week program targeting moderate-risk offenders, while Evolve spans 52 weeks and focuses on high-risk individuals. These programs emphasize behavioral accountability and the development of skills for maintaining nonviolent relationships.

Prosecution and Prosecutor-led Diversions

For cases Family Services deems ineligible for further intervention or monitoring, it will refer the case to prosecutors who will continue to pursue it and advise the offender to seek legal counsel through the Public Defender’s Office or a private firm. A prosecutor will further review the case by determining what admissible evidence they can prove beyond a reasonable doubt, assessing risk factors, getting victim statements, reviewing the family relations counselor’s report, and assessing other pertinent information. The prosecutors prepare an offer to resolve the case and review it with the victim before presenting it to the offender or defense attorney. At this point, prosecutors may offer a plea to the charge. Prosecutors can also utilize prosecutor-led diversion. These diversions are based upon an exercise of the prosecutor’s discretion. The offender may engage in activities such as community service, attending counseling sessions, or domestic violence treatment. Upon providing adequate proof of performance, the prosecutor can then enter a nolle prosequi of the charges. In prosecutor-led diversions, the offender typically is responsible for finding a community domestic violence treatment provider.

Documentation Requirements for Family Violence Nolles

While Connecticut’s CSSD diversion programs generally rely on court-contracted providers, there are cases, such as prosecution-led diversions, in which offenders seek treatment outside the court contracted

network. Provided the program meets state standards and are appropriate for the offender's needs, prosecutors may include this as part of their reason for nolle. Prosecutors should be familiar with the programs that meet established state standards. A state statute prohibits prosecutors from entering a nolle on any charge of a family violence crime unless the prosecuting authority states in open court its reason and, if the reasons include consideration of the offender's participation in a counseling or treatment program, such counseling or treatment must comply with the Domestic Violence Program Standards.

Disposition Trends in Family Violence Cases

Between 2021 and 2023, Connecticut courts disposed of 75,265 criminal family violence cases according to DCJ data. Of these cases, 56 percent were nolle, 27 percent resulted in convictions, and 17 percent were dismissed. Prosecutors may nolle cases for several reasons, including offenders' completion of the formal Family Violence Education Program. In some cases, minor coexisting non-domestic violence charges are not eligible for dismissal and are therefore nolle at the same time. DCJ provided data showing most of the nolle cases included referrals to judicial programs. DCJ told us the official paper files of these cases should better document the reasons for the nolle. However, our findings noted that parallel electronic documentation of the reasons for nolle that were referred to the State's Attorneys often lacked specificity.

Domestic Violence Offender Program Standards

As of 2020, 43 states, including Connecticut, had statutory standards for community-based domestic violence interventions. Connecticut is one of 19 states with formalized standards in statute or administrative code. Seventeen states require certification and had an associated enforcement strategy. In the remaining seven states, standards are suggested best practices without a mandate to follow them. In these states, no entity is tasked with incentivizing or enforcing their use.

Program standards outline treatment principles and certain program requirements including program structure and duration, education or training requirements for staff, periodic program reviews or audits, evidence-based interventions, and data to measure effectiveness. The goal of the Domestic Violence Offender Program Standards is to ensure domestic violence interventions used as a basis for a disposition of a criminal case adhere to best practices found in similar Judicial Branch programs (i.e., Explore and Evolve) and others across the country. The legislature designed the standards to promote consistency and quality to better hold the offenders accountable, reduce recidivism, and increase victim safety.

Program standards provide an opportunity to evolve and integrate principles of effective intervention for domestic violence offender programs. The standards define domestic violence offender services (i.e. batterer intervention) as a "psycho-educational program operating in an individual or, ideally, group format with trained facilitators focused on those who perpetrate intimate partner violence serving as one component of a coordinated community response to domestic abuse where the main goals are to address the ongoing safety needs of victims, hold abusive individuals accountable for their choice to engage in abusive and/or controlling behavior, and facilitate the development of skills and beliefs to support a non-violent lifestyle and promote healthy relationships. "

State Advisory Council on Domestic Violence Program Standards

In 2015, legislators established a Domestic Violence Offender Program Standards Advisory Council, adopted offender program standards into statute, and addressed prosecutors entering nolle in family violence cases. The legislature tasked a 16-member advisory council to promulgate, review, update and amend the domestic violence offender program standards. The council was co-chaired by individuals from the Connecticut Coalition Against Domestic Violence (CCADV) and Judicial Branch Court Support Services Division.

The CCADV website houses the Domestic Violence Offender Program Standards. The council discussed alternatives, but this appeared to be the best solution, especially as it related to ongoing commitment of resources. In 2019, the advisory council updated the standards and included an option for a deviation because some programs may demonstrate effectiveness but have components that do not comport with all the current Domestic Violence Offender Program Standards.

In 2023, the legislature merged the former council with the Family Violence Model Policy Governing Council to eliminate the siloes between stakeholders. Public Act 23-136 established the Domestic Violence Criminal Justice Response and Enhancement Advisory Council and expanded the scope of its responsibilities and purpose. The council formed a subcommittee responsible for making recommendations to periodically update the existing standards.

The council established standards for the development and delivery of services primarily for men involved in heterosexual relationships who have acted abusively toward a partner or spouse and are not meant to be generalized in whole to other offenders or types of services for family violence offenses. As the domestic violence standards note, there is little research or best practice model for effective, validated programs for intimate partner violence by female and lesbian, gay, bisexual, transgendered, and queer/questioning (LGBTQ) offenders.

Council Approval and Provider Reviews

State legislation establishes a framework for having approved domestic violence offender program community providers. The advisory council assumed the role of approving providers. In its efforts, it produced application forms and eligibility requirements for agencies and individuals. The council updated a protocol regarding the approval of new providers in 2022. This resulted in a more formal process for acceptance and the issuance of certificates that agencies could display or possess for future reference or inquiries. Once the council receives an application, it is emailed to all council members for review and response. The application is approved or rejected by a majority vote of the full advisory council.

The council updated the current Domestic Violence Program Standards Provider list (both agency and individual) for existing providers. The council added several new providers to the approved list in 2022. This was the first time the council updated the list of providers.

As of 2024, there are eight agencies, and 14 individuals who are approved providers located primarily within or around the major urban centers of Hartford, New Haven, and Bridgeport. We disclosed our concerns about the council's activities in related findings. The legislation and standards emphasize that since approved domestic violence offender programs operate outside of Judicial Branch funding and oversight, they need to be accountable in a manner consistent with victim safety, security, and self-determination. They must also consider the effective and prompt service delivery designed to eliminate an offender's violent and abusive behavior.

Offenders charged with family violence crimes may only use approved providers. Each provider must adhere to a formal provider agreement, which must be reviewed, signed, and notarized.