

## **Probation and Parole: A Key Discipline in the Protection Order Enforcement Process**

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There are many disciplines that work to keep victims of intimate partner violence safe once they obtain a protection order. The roles of law enforcement, prosecutors and judges are essential to the enforcement of protection orders. Another discipline that can play a central role is probation or parole departments.

Parole or probation departments, sometimes known as community corrections departments, are unique in that they provide supervision over defendants. Many of these defendants may be subject to criminal no contact orders or civil orders of protection. Probation officers often have contact with domestic violence offenders and play an important role in assessing the context of the offender's violent behavior. If probationers violate protection orders, these officers have the ability to recommend appropriate sanctions for imposition by the court. Their recommendations can advance or impede both safety and accountability outcomes for the both the victim and the batterer/defendant.

Through their work, probation officers are able to contact victims to determine if probationers are violating provisions of orders prohibiting defendant/victim contact or other terms or conditions of protection orders. This information gathering creates an avenue to provide information to the prosecutor's office or the court that a probationer is violating the court's orders. Providing this information can be used to assist in the prosecution for violation of a protection order, substantiate a new charge of stalking, or for prosecution of the defendant for violation of their probation.

Resources:

In order to be effective, community corrections officers need policies and protocols specifically dealing with domestic violence offenders. The American Probation and Parole Association (APPA) published a helpful guide in 2004 titled 'Community Corrections' Response to Domestic Violence: Guidelines for Practice'.

According to the APPA,

"This document provides a series of guidelines for community corrections professionals that support a proactive community supervision approach for domestic violence cases. It pulls together in one place for community corrections professionals and allied justice system and community-base services the conceptual information and practical tools to develop or enhance effective programs. Readers of this document will find a recommended course of action that can be used to achieve the three central goals of the document: increased safety and autonomy for victims of domestic violence, heightened accountability for offenders who commit intimate partner violence, and the promotion of changes in offender behavior and thinking patterns."

There are many additional free resources available through APPA. Among the free resources are:

- Guidelines for domestic violence case supervision.
- Computer-based training on the dynamics of domestic violence and their implications for community supervision.
- Online training on implementing APPA's guidelines for domestic violence case supervision.
- Classroom-based training programs on community corrections' response to domestic violence.

- Information on how to access these free training and technical assistance resources is available [HERE](#).

#### Technical Assistance Available:

The Battered Women's Justice Project is pleased to have a Probation Project directed by James Henderson, a former probation officer responsible for overseeing the policies and practices of Intensive Probation for Stalking and Domestic Violence offenders in Ann Arbor, MI. Technical assistance and training is available on the following topics:

- Policies and protocols that enhance practice, including, but not limited to: Probation Group Meetings; weekly reports from batterer intervention programs; and real time web-based attendance reporting from substance abuse programs, batterer programs and drug/alcohol testing results.
- The role of probation officers in a Coordinated Community Response (CCR).
- Effective interviews with domestic violence offenders and victims.
- How to assist the unidentified victim in addressing the domestic violence in her life, increasing her risk and inadvertently empowering her abuser.

Training to a limited number of jurisdictions that receive OVW grants can be provided at no cost or trainings can be provided if the jurisdiction covers travel and meeting expenses. Please contact Mr. Henderson about training and for technical assistance.

#### Webinar: Civil and Criminal Protection Orders and the Role of Probation/Parole

Presented by Mr. Henderson, BWJP Probation Project, and Ms. Katherine Strickfaden, JD, Program Legal Director SODVPC, this webinar focuses on the role probation/parole officers play in keeping victims safe while highlighting supervision efforts available from allied professionals. Featured discussion includes how and where violations are enforced, compliance review hearings, and specific examples from the Solution Oriented Domestic Violence Prevention Court (SODVPC) in Detroit, Michigan.

Some of the practical tips offered during the webinar included:

- In the regular course of supervision, make periodic inquiries of available information sources (e.g., NCIC, state registries, and state, regional, and local databases) to identify offenders subject to protection orders and document reported violations.
- In discussions with those victimized, ask if an order exists, explain the limitations of the order, and advise them how they can report violations to the community supervision officer and a law enforcement officer or the prosecutor.
- Facilitate enforcement by contacting law enforcement and/or the prosecutor to ensure they take appropriate action on reported violations.
- Facilitate enforcement by holding the offender accountable for behavior that violates a protection order.
- Consider initiating proceedings to revoke the offender's pretrial release privilege or probation when offenders are charged with violating a protection order.

- Initiate proceedings to revoke the offender's pretrial release privilege or probation when offenders are convicted of violating a protection order or a court finds the offender to be in contempt for violating a protection order.

For a copy of the materials presented during this webinar, please contact [ncffc@bwjp.org](mailto:ncffc@bwjp.org).