



Contact: Diversion Strategies Group, 602-372-7300

### ***Domestic Violence Excessive Response Diversion Program (DVER):***

The Maricopa County Attorney's Office (MCAO) Domestic Violence Excessive Response Diversion Program (DVER) launched on March 1, 2021. This diversion program is for offenders whose response to an intimate partner was excessive and when there is a distinct history of domestic violence against the accused by the partner. The offender will be diverted into a treatment and education program in lieu of pursuing prosecution. Services offered in DVER will include an assessment to determine overall risk to reoffend, treatment to explore the context and use of violence, challenging attitudes and beliefs, and healthy boundaries. DVER will permit the MCAO to respond more effectively to the needs of adult offenders, by using research-based curricula to address specific individual criminogenic needs. Diverting these offenders reduces their contact with the criminal justice system, increases connections to appropriate community-based systems of care, and holds the individual accountable for criminal conduct. If applicable to their case, restitution must be paid in full to earn a successful completion; thus, providing timely financial restoration to the victim.

### ***How DVER Works:***

- Eligibility:
  - Determined by the Deputy County Attorney (DCA) for adult offenders with specific lower level eligible domestic violence related felonies;
  - Offense is committed against an intimate domestic partner, but the offender can demonstrate (by other means than just mere self-reporting) that the victim has a history of committing acts of domestic violence against the offender; and
  - The case does not involve the infliction of serious physical injury.
- If applicable to the case, the collection of restitution is mandatory:
  - Restitution is capped at \$2000.00;
  - 50% of the balance must be paid within the first 30 days of starting DVER;
  - Remaining monies owed may be paid in equal installment payments; and
  - Full payment must be completed by the conclusion of treatment for a successful discharge.
  - Treatment will not be extended just for the payment of restitution.
- The DCA is solely responsible for referring offenders to DVER. If eligible, the DCA suspends prosecution for two (2) years for completion of diversion;
- Referred offenders will be <sup>1</sup>assessed and placed into a "Track" depending upon the overall risk to reoffend which varies by gender ranging from Low to High for women and Low to Very High for men. All tracks provide group counseling treatment and a unique<sup>2</sup> gender specific curriculum, with consideration for the appropriate intensity and duration based upon risk level and specific requirements for successful completion. All tracks will provide clinical services, together with a cognitive-behavioral intervention and skill development. Depending upon the track, some sessions may be open or closed entry;
- For offenders who successfully complete DVER, the DCA will file a motion to dismiss the charges with prejudice. If unsuccessful the DCA will reinstate prosecution;
- This is an individualized treatment program; therefore, program length will vary;
- Service delivery will be administered by SAGE Counseling, Inc., a behavioral health organization; and
- Defendants are responsible for the cost of this diversion program. Treatment services may be covered for AHCCCS verified members. SAGE Counseling will also assist in AHCCCS enrollment for those who may qualify, but not

<sup>1</sup>SAGE Counseling staff are trained and certified to utilize the ORAS (Ohio Risk Assessment System) Assessment Tool; specifically, the CST to identify criminogenic needs. <sup>2</sup>SAGE Counseling staff are trained to facilitate all curricula used in DVER. <sup>3</sup>The Low/Moderate Overall Risk level is an ORAS designation validated specifically for women.

currently enrolled. SAGE Counseling also provides a fee discount to those who qualify through a financial assessment process.

***Program Goals:***

- Rehabilitate offenders by treating their underlying problems by changing attitudes and beliefs related to the nature, dynamics, and development of violent behavior;
- Provide offenders with tools to develop self-regulation, problem solving skills, and other coping strategies in response to past victimization and trauma and future scenarios;
- Assist offenders to respond to adverse life events (witnessing and experiencing abuse) and to use adaptive strategies and social resources that will permit them to live safely and without violence;
- Provide offenders with the resources and self-awareness skills to develop healthy relationships with children, intimate partners, family members, and others in their lives; and
- Offender accountability for criminal conduct; reduce recidivism; and reduce collateral consequences for offenders.

**TREATMENT TRACKS:**

***Women:*** Complete the required modules:

Low Risk: 12 sessions

Low/Moderate Risk<sup>3</sup>: 16 sessions

Moderate Risk: 20 sessions

High Risk: 20 sessions

- All sessions must be completed for a successful discharge
- Available case management/individual counseling services at additional cost
- Available aftercare services if defendant desires, after completion of diversion

***Men:*** Complete the required sessions:

Low Risk: 12 sessions

Moderate Risk: 20 sessions

High or Very High Risk: 20 sessions

- All sessions must be completed for a successful discharge
- Available case management/individual counseling services at additional cost
- Available aftercare services if defendant desires, after completion of diversion

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