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March 12, 2026

TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

Senate Bills No. 2144

ENTITLED, ACTS RELATING TO CRIMINAL PROCEDURE -- DOMESTIC VIOLENCE PREVENTION ACT

Chairman LaMountain and Members of the Senate Judiciary Committee:

The Office of the Public Defender **strongly supports** Senate Bill 2144, The Office of the Public Defender supports S2144, which seeks to give the court discretion to determine the duration of the certified batterers intervention program (BIP) that is required of all individuals convicted of domestic violence offenses. In addition, the bill aims to allow the court to determine whether the individual would be personally financially responsible for the program's costs.

In our experience, this bill would dramatically lower a significant barrier to rehabilitation and prevent a multitude of technical violations. In our experience, expense is the number one reason our clients give for being unable to fulfill this special condition of probation.

The cost of the BIP classes disproportionately affects our indigent clients, as the programs typically consist of 20 two-hour classes, held weekly, at a cost of \$20 per class, for a total of \$400. A U.S. Department of Justice-funded study of the Rhode Island Probation Specialized Domestic Violence Supervision Unit revealed that domestic-violence probationers were charged with technical probation violations at a significantly higher rate (44%) than traditional probationers (24.7%).¹ In our experience, this disparity is in no small part due to the difficulties completing the costly and lengthy five-month BIP.²

The study also highlighted a significant correlation between noncompliance with batterers intervention programs and increased likelihood of rearrest. Therefore, allowing the court discretion will improve public safety, since people will be more likely to successfully complete batterers intervention if they can afford to do so.

Accordingly, the Public Defender believes S2144 would be an enormously beneficial piece of legislation and strongly urges the Committee to support its passage.

¹ Klein, Andrew R., Wilson, Douglas, Crowe, Ann H., DeMichele, Matthew, *Evaluation of the Rhode Island Probation Specialized Domestic Violence Supervision Unit*, (May 2008), pp. 81-83, available at: <https://www.ojp.gov/pdffiles1/nii/grants/222912.pdf>

Sincerely,



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