



# LOS ANGELES COUNTY DISTRICT ATTORNEY'S OFFICE

## SACRAMENTO LEGISLATIVE OFFICE

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June 19, 2023

The Honorable Chris Holden  
California State Assembly  
1021 O Street, Suite 5650  
Sacramento, CA 95814

### **ASSEMBLY BILL 304 (HOLDEN) SUPPORT**

Dear Assembly Member Holden:

The Los Angeles County District Attorney's Office is pleased to support Assembly Bill 304.

AB 304 requires the Judicial Council to establish judicial domestic violence training programs for court personnel and transfers responsibility for overseeing court-ordered batterer's intervention programs from county probation departments to the Department of Justice (DOJ).

Despite its best efforts, California has struggled to implement effective domestic violence diversion programs. In October 2022, the California State Auditor issued its audit of the state's batterer interventions programs. The auditor examined the administration and oversight by the probation departments and courts in five counties—Alameda, Contra Costa, Del Norte, Los Angeles, and San Joaquin. The Auditor found that persons convicted of domestic violence were “far less likely to reoffend” if they completed a batterer's intervention program. However, nearly 50 percent of program participants reviewed by the Auditor did not complete the program, and most of those participants later reoffended.

The State Auditor found “probation departments did not consistently assess all offenders for underlying issues, such as mental health or substance abuse concerns, that might interfere with an offender's ability to complete a program.” It also reported that “probation departments, program providers, and courts generally did not hold many of the offenders we reviewed accountable for probation and program violations.” Moreover, “even when notified about offenders' violations, the courts, in some instances, referred the offenders back to a program without imposing additional consequences,” which according to the Auditor “likely weakens the impact of programs.”

Specifically, the Auditor noted that “none of the five probation departments had established sufficient standards, policies, and procedures for overseeing program providers and ensuring program compliance.” As a result, “program providers did not supervise offenders appropriately

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or report required information.” The probation departments generally failed to address deficiencies in compliance with law by batterer’s program providers.

Based on these findings, the Auditor recommended, among other things, “designating a statewide agency” to provide oversight and guidance to program providers. It also recommended requiring the Judicial Council to establish judicial training programs on all aspects of domestic violence; requiring batterer’s intervention programs to “publicly post a comprehensive description of their sliding fee scales; and, requiring “courts to provide each offender with a selection of available program providers” and of “the availability of fee waivers for those who may not have the ability to pay for a program.”

The State Auditor concluded that the efficacy of batterer’s intervention programs would benefit from transferring oversight authority from county probation departments and courts to the state. The State Auditor considered several potential agencies for as candidates for assuming this authority before ultimately concluding that DOJ was “best positioned to oversee programs statewide.”

AB 304 codifies the recommendations of the State Auditor and will provide greater protection for victims of domestic violence. It will also help offenders better rehabilitate and avoid further legal troubles in the future.

For these reasons our Office is pleased to support AB 304.

If you have any questions or need additional information, please feel free to contact Daniel Felizzatto in my Sacramento Legislative Office at (916) 442-0668.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'George Gascón', written in a cursive style.

GEORGE GASCÓN  
District Attorney