

December 21, 2010

Domestic Violence Early Intervention Programs in New Mexico

Many New Mexico courts, including Albuquerque's Metropolitan Court, offer a domestic violence early intervention program for first time offenders. In order for a candidate to enter the program, the defendant, district attorney and presiding judge must all agree to a referral to the Early Intervention Program.

Assuming that the case is referred to the Early Intervention Program, the criminal case is stayed and is now basically in limbo. The case is taken off the presiding judge's criminal docket and transferred to the judge who oversees the Early Intervention Program.

An Early Intervention Program staff member interviews the candidate to ensure that the program is a good fit. The staff member is interviewing the person for two primary reasons. First, it must be determined that the person is voluntarily entering the program. Second, the defendant must admit some wrongdoing and that counseling would be beneficial.

An admission of wrongdoing is not the same as admitting guilt. Neither is it admitting to the allegations of the alleged victim. It is simply an admission of some wrongful behavior which would indicate and benefit from counseling.

On the other hand, a person who denies any wrongdoing at all is not a good candidate for the program. In the absence of some admission of wrongful behavior and the need to change the behavior, the defendant will not be admitted to the program.

Admission to the program carries with it a minimum of 6 month of supervised probation. While on probation, the person must comply with the a number terms. The standard terms include no further violations of law, no new domestic violence charges, no drugs or alcohol, and the completion of counseling. In addition, the individual must meet with his or her probation officer twice a month for the first 90 days. Depending on progress, this may be reduced to once a month after 90 days.

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The goal of the program is for people to develop new relationship skills. As such, the most important part of the program is the completion of counseling. Counseling is provided by private sector domestic violence counseling programs authorized by the Court.

It is said that Domestic Violence is based on power and control not necessarily anger management. Physical abuse, manipulation, verbal abuse and demeaning comments are all forms of degrading and abusive uses of power and control often indicating the presence of and/or risk of domestic violence. Students are taught empathy, personal boundaries and communication skills to prevent future incidents.

The program has a high success rate due in part to the admission requirements. The program has a graduation rate of about 90% and a recidivism rate of only 8%. Not only does the individual benefit from counseling thereby avoiding future charges of domestic violence, completion of the program results in a dismissal of the charges. The value of avoiding conviction and the consequences of a domestic conviction cannot be overstated.

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