

01 NCAC 17 .0709 PARTICIPANT TERMINATION

(a) Participant Termination: All abuser treatment programs shall establish and comply with written policies and procedures for terminating participants from further participation in the program. Without limiting a program's ability to make more stringent requirements, termination may occur when a participant:

- (1) has a known recurrence of violent conduct, intimidation, stalking or harassment behaviors;
- (2) fails to abide by the program rules and regulations, including absences and any other matter set forth in these standards;
- (3) fails to participate and attend sessions according to the program criteria;
- (4) fails to comply with the program's alcohol and drug policy; or
- (5) demonstrates increased risk of lethality as demonstrated by the lethality assessment.

(b) If a participant is terminated from the abuser treatment program, the program shall:

- (1) document the reasons for the termination without jeopardizing the victim's safety;
- (2) make specific recommendations to the probation officer or referring judge, including any alternatives such as weekend incarceration, community service hours, restitution, probation violation, or return to the program;
- (3) inform the victim of the participant's termination within two days, unless the victim declines contact or is unable to be located;
- (4) inform the program from which the victim is receiving domestic violence services of the participant's termination within seven days;
- (5) complete a risk assessment with the victim and make efforts to assist the victim in minimizing violence that may occur after the participant's termination, unless the victim declines contact or is unable to be located; and
- (6) inform the probation officer and referring judge (or the Chief District Court Judge in the absence of the referring judge) and District Attorney's Office in writing of the participant's termination within seven days.

*History Note: Authority G.S. 50B-3(a)(12); 143B-394.16;
Eff. October 1, 2004;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 3, 2017*