

**ANNUAL REPORT
OF THE
HENNEPIN COUNTY FAMILY VIOLENCE COORDINATING COUNCIL
2006**

HENNEPIN COUNTY FAMILY VIOLENCE COORDINATING COUNCIL

July __, 2007

Chief Judge Lucy Wieland
Fourth Judicial District Court
300 South Sixth Street
Minneapolis, MN 55487

Dear Judge Wieland:

The members of the Hennepin County Family Violence Coordinating Council (“FVCC”) are pleased to present you with our 2006 Annual Report. The Council worked attentively in enhancing the administration of justice inside and beyond the courthouses in the Fourth District. Each of the four committees implemented policies for improving how our judicial system and community address domestic violence.

Based on the Committee’s review of the “Opportunities for Intervention” recommendations of the Domestic Fatality Review Team and Battered Women’s Justice Project of 2005, the Criminal Committee established three workgroups during 2006, focusing on Release Issues, Gone on Arrivals, and Domestic Review Hearings. In addition to these workgroups, the Committee began discussion of new initiatives in the areas of Enhancement Laws, revision of the forms used for initiating probation revocation hearings, as well as a Plea Petition Supplement and the handling of domestic violence cases in Suburban Courts.

The Civil Committee continued its focus on the Order for Protection process at the Family Justice Center, specifically on issues of security. The information kiosks implemented in 2005 are very successful as the brochures and information displayed in the kiosks are being taken by petitioners and respondents at a high rate. The Committee hopes to provide more CD players for those who wish to hear the information in other languages. The Civil Committee also developed a “Safety Tip Sheet” for petitioners, based on the “Opportunities for Intervention” recommendations of the Domestic Fatality Review Team and Battered Women’s Justice Project of 2005. This “Tip Sheet” provides resources and safety tips and is being translated into Spanish, Somali, and Hmong.

The Advocate Committee focused mainly on lethality assessments in 2006. The Committee held training on the proper use of Jackie Campbell’s Danger Assessment for use at their respective agencies. The Committee also developed a court schedule, enabling clerks to find a victim’s advocate and also held “meet and greets” to build the relationship between the advocates and clerks.

The Community Outreach Committee began its collaborative effort between NorthPoint Health and Wellness Center and African American Family Services called the “Gateway Project.” This project was aimed at families wishing to remain together

despite incidents of domestic violence in their homes. The “Gateway Project” had two Domestic Violence Case Managers over the year, whose role was working with families providing case management services for chemical dependency assessment, mental health evaluation, order for protection, child protection intervention and shelter arrangements. The “Gateway Project” was successful, receiving 127 referrals in the last six months of the project and provided much needed resources to families.

The Child/Juvenile Committee focused on its goals of increasing awareness on how children are affected by domestic violence and identifying the needs of these children. During the first part of the year, the Committee planned and held a fair for agencies providing services to children on May 11, 2006 in the Government Center. The Committee further began to study the issues of children in the child protection system and in schools, as recommended by the Domestic Fatality Review Team.

Throughout the year, FVCC welcomed many guests who presented information during the monthly meetings. Jackie Hauser gave a presentation on the Academy on Violence and Abuse (“AVA”) in August, noting the focus of AVA on advancing health research and education on the long-term health-related consequences for victims of abuse. Marna Andersen, Executive Director of WATCH, summarized the Domestic Violence Court Report produced by WATCH in October 2006. She acknowledged the work performed by the FVCC contributing to the improvements seen in the study. Also discussed were areas for improvement, and FVCC Committees responded to these concerns.

The Domestic Violence Steering Committee revised the existing guidelines titled, “Best Practices and Procedures for Domestic Violence Court,” that outline courtroom procedures for hearings in the Domestic Violence Court. Also included in this document is an “Order of the Calendar” complete with timelines for judges and attorneys, recommended decorum, and guidelines concerning the issuance of No Contact Orders and Conditions of Release.

We hope you agree that the efforts reported here are significant. As co-chairs, we extend our appreciation to all of the council and committee members for their dedicated efforts during 2006. As the FVCC continues its work in 2007, the committee members remain true to the FVCC mission of enhancing system accountability and fostering innovative approaches to prevent and address domestic violence as a public policy priority. We thank you for your continued support.

Sincerely,

Judge Daniel Mabley
FVCC Co-Chair

Judge Heidi S. Schellhas
FVCC Co-Chair

cc: Assistant Chief James T. Swenson
FVCC Members

INDEX

COMMITTEE REPORTS	PAGE NO.
Criminal Committee.....	6
Civil Committee.....	8
Advocate Committee.....	10
Outreach Committee.....	11
Child/Juvenile Committee	12
 APPENDIX A	
Domestic Violence Steering Committee: Best Practices and Procedures for Domestic Violence Court, November 2006.....	14
 APPENDIX B	
2007 Membership List.....	23

COMMITTEE REPORTS

**2006 FVCC ANNUAL REPORT
CRIMINAL COMMITTEE**

Chair: Michelle Jacobson

Vice Chair: Jennifer Inz

The Criminal Committee of the Family Violence Coordinating Council met monthly in 2006 and its members consisted of representatives from prosecutor's offices, advocacy agencies, probation, district court administration and community based organizations. A list of members who were active members of the Committee during 2006 is listed at the end of the report. By bringing together this multi-disciplinary and multi-jurisdictional group of professionals, lively discussions were had and issues were reviewed from a variety of perspectives, giving rise to a more complete analysis of the impact of changes in the law and to the way that domestic violence cases are handled in Hennepin County.

The Committee began the year by reviewing the joint recommendations contained in the 2005 Action Plan on "Opportunities for Intervention" of the Fatality Review Team's annual reports and the Battered Women's Justice Project Safety and Accountability Audits. The Committee used their review of those reports to establish goals and work on group objectives for the upcoming year. The Committee chair and co-chair also presented about the Action Plan recommendations at the 2006 Suburban Prosecutors CLE to educate those in attendance about the recommendations and the progress being made on them. During 2006, the work groups concentrated on Release Issues, Gone on Arrival (GOA) Police Reports and Domestic Review Hearings.

1. **Release Issues:** The Release Issues Working Group was chaired by Kelly Cashman of the Hennepin County Attorney's Office. The Release Issues workgroup helped organize trainings and presentations on the use of VINE, the new victim notification system, which was implemented for us in Hennepin County during 2006. The Workgroup also worked on a Systematic Safety Planning Document which would be ready for distribution during 2007.
2. **Gone on Arrivals:** The Gone on Arrival (GOA) workgroup was chaired by Rumna Chowdhury and then later Lea DeSouza of the Domestic Abuse Service Center. The GOA workgroup's goal is to develop a Best Practice Document about the most effective procedures for handling GOA police reports to ensure offender accountability and victim safety. The Group began their work by sending a survey to all law enforcement agencies and city attorneys in Hennepin County, asking about their current practices regarding the processing of GOA police reports. The Committee then began gathering information from other jurisdiction around the State and Country. The Committee plans to distribute a Best Practices document for GOAs during 2007.
3. **Domestic Review Hearings:** The Domestic Review Hearings group met several times during 2006 to discuss whether domestic review hearings should be implemented as a part of the domestic court in Hennepin County. The group

presented a proposal to Judge Schellhas, lead judge of the Domestic Violence Court, and the Domestic Court Steering Committee. Judge Schellhas then organized a small work group to review the steps necessary to implement review hearings as part of Domestic Violence Court.

In addition to these formal workgroups, the Committee, as a whole, spent time at each meeting discussing current issues and new initiatives and developments in criminal laws regarding domestic violence. These discussions can best be grouped into the following categories:

Enhancements: The Committee discussed the changes to the domestic violence enhancement laws that went into effect on August 1, 2006 and how they would impact the handling of domestic violence cases by City and County prosecutors. The Committee reviewed a Chart describing the current enhancement laws, and this handout was later distributed to the Family Violence Coordinating Council and to other groups in Hennepin County. The Probable Cause Felony Enhancement List is still being maintained by Assistant Minneapolis City Attorney Michelle Jacobson. The list currently has over 1700 names on it and is distributed bi-weekly to over 60 persons throughout Hennepin County. Although it's not a direct product of the Criminal Committee's work, the List's use and distribution has been enhanced by members of the Committee.

Summons vs. A&Ds in Probation Revocations: During 2006, Hennepin County District Court began an initiative to revise the forms used for initiating probation revocation hearings to bring the practice in Hennepin County into compliance with the Rules of Criminal Procedure. A form was developed to include language for both a Summons and/or a Warrant for probation revocations. The Criminal Committee then reviewed the proposed form and made suggestions for changes based on discussions about how it would be used by its members. The form was implemented for use during 2006 by the District Court.

Domestic Violence Plea Petition Supplement: The Committee also reviewed a Plea Petition Supplement which would be used in Domestic Violence Court to better inform defendants about the enhancability of their pleas to qualified domestic violence related offenses. The Plea Petition Supplement has been implemented for use in Domestic Violence Court and the language in the Supplement is being considered for inclusion in a revised plea petition for all of Hennepin County District Court.

Handling of Domestic Violence Cases in the Suburban Courts: The Committee devoted a meeting to a discussion about the handling of domestic violence cases in the Suburban Courts. Judge Charles Porter, incoming lead judge for the Suburban Courts, attended as well as suburban prosecutors, advocates, probation and district court administration. Based on that discussion, the Committee plans to focus time during 2007 to working on issues specific to the suburban courts.

The Committee also had presentations at their monthly meetings regarding VINE, the WATCH reports on The Impact of Victim Impact Statements and Domestic Violence Court.

Submitted by the Criminal Committee of the Family Violence Coordinating Council.

Michelle Jacobson, Chair, Minneapolis City Attorney's Office
Jennifer Inz, Vice-Chair, Eden Prairie City Attorney

Marna Anderson, WATCH
Carol Arthur, Domestic Abuse Project
Kelly Cashman, Hennepin County Attorney's Office
Rumna Chowdhury, Hennepin County Attorney's Office, Domestic Abuse Service Center
Lea DeSouza, Hennepin County Attorney's Office, Domestic Abuse Service Center
Mike Gephart, Hennepin County Community Corrections
Nancy Halverson, Hennepin County Community Corrections
Melissa Johnson, Carson & Clelland, Suburban Prosecutor
Brenda Langfellow, District Court
Kristine Lizdas, Battered Women's Justice Project
Amanda Pflazgrat, Project Peace
John Staloch, Hennepin County Community Corrections
Betty Turner, Home Free
Rita Weimar, District Court
Heather Wolfgram, WATCH

2006 FVCC ANNUAL REPORT
CIVIL COMMITTEE
Chair: Carol Gustafson

The Civil Committee of the Family Violence Coordinating Council met regularly in 2006. Our regular meeting date and time was the third Tuesday of each month at 12:30 P.M. The Committee did some follow up work on 2005 projects and completed a selected project for 2006.

1. **Unadjudicated Fathers and OFPs:** The Committee continued to monitor and discuss the issue of unadjudicated fathers being granted custodial rights and/or parenting time within the OFP process. One such case, the Beardsley case, has been appealed. An amicus brief was submitted to the Court of Appeals by the Minnesota Coalition for Battered Women. Oral arguments will be scheduled.

2. **Information Kiosks in the Monitored Waiting Rooms:** The information kiosks, in the monitored waiting rooms, are successful. The brochures and information initially solicited from participating programs are being taken by petitioners and respondents and it has been difficult to keep up the supply to meet the demand. CDs that describe the OFP process in several languages are available to petitioners and respondents. Unfortunately, there is only one working CD player, the rest have been destroyed or stolen. The staff in the monitored waiting rooms scan the calendars for cases that have interpreters and have successfully offered the CD player and appropriate language CD to petitioners and respondents. More CD players should be available in January. The printed, translated information regarding the OFP process is available and petitioners and respondents are being referred to it.
3. **Service of the Order for Protection:** The clerks have been serving the petitioner with their final Order first. This is an important step because the advocate and petitioner are able to review the OFP and if there is a mistake, it can be corrected before the respondent leaves the courthouse. Serving the petitioner first gives her time to leave the courthouse and the area while the respondent waits to get served with his copy of the order.
4. **Felony charged In Custody Respondents:** As of February 2006, if a respondent is in custody and charged with a felony when an OFP is filed, then the OFP hearing is scheduled for a Thursday morning at the Family Justice Center. The Sheriff's Office arranges for transportation. Felony in-custody OFP hearings are no longer heard at the Hennepin County Government Center.
5. **Sheriff policies regarding arrests for OFP violations at the Family Justice Center:** The Committee was informed by the Sheriff's Office that the role of the deputy at the Family Justice Center was to provide security. Petitioners were not feeling secure when respondents violated their OFP in the courthouse and deputies deferred the matter to the Judicial Officer assigned to hear the OFP case to make a final decision regarding arrest. A complaint process for OFP violations at the Family Justice Center has been implemented now. The deputies will take complaints and forward them to the charging agency.
6. **Petitioner's Safety Planning Handout:** Based on 'Opportunities for Intervention' recommendations from The Domestic Fatality Review Team and the Battered Women's Justice Project, the Civil Committee developed and compiled a "Safety Tip Sheet" for Petitioners. The "Tip Sheet" provides phone numbers for resources, safety planning tips when at home and work, out on the street, and with the children. The "Tip Sheet" is being translated into Spanish, Somali, and Hmong. Petitioners need to be aware of the potential for increased risk after the final OFP is granted and advocates need to remain diligent in developing safety plans with victims even with an OFP in place.

The Civil Committee addressed and followed up on a number of items during the past year.

- Judge Aldrich attended a meeting to discuss converting Orders for Protection into Harassment Retraining Orders in Family Court. Committee members expressed concern for the safety of the petitioner and the importance of the language of the notice provisions being included in the Order.
- Judge Bruce Peterson, presiding Judge of Family Court, came to a meeting and discussed the OFP process. He said he would like to see Family Court work with the respondents to get treatment and/or counseling as requested in OFP cases and he would like to know how other counties handle this issue. He also suggested that the Committee explore the data on the effectiveness of Anger Management and/or Domestic Abuse Classes. The Committee is discussing these issues with other committees and organizations and the possibility of organizing a presentation for sometime in the spring of 2007.
- Judge Mabley met with the Committee and explained why he developed his own OFP format. There was a lot of discussion and some changes made per the Committee's concern and suggestions. He also gave us an update about the gun repository and the issues that need to be resolved yet.
- Judge Manrique and some members of the Committee expressed their concerns about the lack of female interpreters, especially Somali and Hmong. We invited Katrin Johnson, the Minnesota Court Interpreter Program Coordinator, to meet with the committee and discuss the process of becoming a court interpreter. Our hope was that if we had a better understanding of the process, then we could refer Hmong and Somali women to apply to the interpreter program.

2006 FVCC ANNUAL REPORT
ADVOCATE COMMITTEE
Chair: Sarah Greenman

The Advocate Committee discussed several different issues in 2006, but focused mainly on lethality assessments. We discussed many different kinds of assessments and different uses for the different assessments. We had training on the proper use of Jackie Campbell's Danger Assessment and made a commitment to take this back to each of our agencies and use it however our agency deems appropriate.

The Committee also developed schedules for the suburban courts. This is intended to help Judges and clerks find the appropriate advocate or advocacy agency if a victim shows up in court without an advocate knowing about this. These schedules were given

to all of the clerks at the different courthouses. The Ridgedale advocates also set up a “meet and greet” with the clerks. This went very well, helping the relationship between the clerks and advocates.

The Committee also had many great speakers throughout the year. These included Sheriff Rich Stanek discussing his views on domestic violence before the election, a presentation on the new Early Neutral Evaluation Program in divorces, and training about stalking and how to advocate effectively for victims of stalking. We decided to continue to monitor the ENE Program and how it may affect victims of domestic violence.

2006 FVCC ANNUAL REPORT
COMMUNITY OUTREACH COMMITTEE
Chair: Dr. Pamela Harris

On January 1, 2006, the collaborative effort between NorthPoint Health and Wellness Center Inc. (Gateway Project) and African American Family Services (AAFS) began. Families in the NorthPoint “Gateway” project will receive comprehensive case planning services to assist them in gaining independence from the Minnesota Family Investment Program (MFIP). Families with a history of chronic domestic violence would be referred to AAFS, where they would work with a Domestic Violence Case Manager. The role of the Domestic Violence Case Manager is to work with families who volunteer for the project because they want to remain together despite the domestic violence that has been prevalent in their home.

On January 9, 2006, Ms. Ayanna Duren was hired by AAFS as the Domestic Violence Case Manager for the Gateway Project. Ms. Duren has had over 12 years of experience working with families and children in developing healthy parent-child relationships through family therapy. Ms. Duren’s role as the case manager was to work with families who volunteered for the project who wanted to remain together despite the domestic violence that had been prevalent in their home.

In May 2006, Ms. Duren resigned her position as the AAFS and Mrs. Kathy Thomas was hired to replace Ms. Duren. Mrs. Thomas is a Licensed Marriage and Family Therapist, as well as a Licensed Independent Clinical Social Worker. On June 5, 2006, Mrs. Thomas met with the NorthPoint Gateway Project team at their regular scheduled weekly staff meeting. From June 2006 until December 2006 AAFS received 127 referrals. These referrals included providing case management services for chemical dependency assessment, mental health evaluation, order for protection, child protection intervention and shelter arrangements.

Case Example: The Gateway Project staff and Mrs. Thomas, from AAFS, went on a home-visit together. The client had experienced recent domestic violence with her significant other. The Minneapolis Police were called to the home as a result of the domestic incident and the client’s significant other was removed from the home. The client informed the Minneapolis Police that she did not feel that it was necessary that her

significant other should be removed from the home, but stated that she could use the time to “gather her thoughts.” The client’s significant other appeared in court and was court ordered to complete a Rule 25 Chemical Dependency Assessment, and to stay away from his residence. Additionally, the client’s water had been shut-off the day before. Because of this, a child case was opened. The family has four children: one child was in the Juvenile Detention Center, the oldest child is living on his or her own, and their youngest is a six-month old who was born with Downs Syndrome.

The client’s significant other was in need of mental health and chemical health services. With the support of the Gateway Project, the client was able to get her water turned back on. The client’s significant other was given a bus-pass so that he could complete the Rule 25 Chemical Assessment that was court ordered, and he was seen at NorthPoint for a psychological evaluation. The client was also given a referral to The Pacer Center for services for her child with Downs Syndrome.

The Gateway Project was able to increase the effectiveness of the above cases’ multi-dimensional life stressors, and provided needed resources. Although the Gateway Project ended on December 31, 2006, the valued lesson learned is that when agencies work together to provide needed resources to their clients, the result is that the clients can care for themselves and work towards self-sufficiency.

2006 FVCC ANNUAL REPORT
CHILD/JUVENILE SUBCOMMITTEE
Chair: Elizabeth Kilb Stofferahn

The Child/Juvenile subcommittee meets on the third Tuesday of the month at 12:15 p.m. in the county attorney’s office. The committee membership roster is attached.

Our goals for 2006 were:

- To increase awareness as to how children are affected by domestic violence;
- To identify the unmet needs of children affected by domestic violence and realistic ways in which the court system can respond;
- To keep children’s domestic violence issues visible to the Council; and
- To facilitate information sharing between agencies which deal with family domestic violence issues.

The first half of the year was devoted to planning our information fair for agencies providing direct services to children affected by domestic violence. The fair took place on May 11 on the public service level of the Government Center. Between 150 and 180

people walked through, including judges, child protection social workers, probation officers, Council members, and the public. The following agencies were represented:

- African-American Family Services
- The Bridge for Runaway Youth
- Cornerstone
- DAP
- Family and Children's Services
- Family Networks
- Freeport West/Project Solo
- Greater Minneapolis Crisis Nursery
- Hennepin County Domestic Abuse Service Center
- Home Free
- Immigrant Women's Advocacy Project
- St. David's Child Development and Family Service
- Storefront
- Tubman Family Alliance

In keeping with the Council's directive that each committee adopt a recommendation of the Domestic Fatality Review Team's report as a 2006 goal, the Child/Juvenile committee agreed to study the issues of children in the child protection system and children in schools.

In August we met with a focus group of HSPHD social workers to hear their concerns and suggestions about court system service gaps to children affected by domestic violence. During the fall we focused our energies on discussing best practices for outreach to other court system stakeholders. We plan to organize additional focus group meetings in 2007.

APPENDIX A

**DOMESTIC VIOLENCE STEERING COMMITTEE: BEST PRACTICES
AND PROCEDURES FOR DOMESTIC VIOLENCE COURT
NOVEMBER 2006**

APPENDIX B
2007 MEMBERSHIP LIST

**FAMILY VIOLENCE COORDINATING COUNCIL
2007 MEMBERSHIP LIST**

- 1. Co-Chair, Judge Heidi S. Schellhas**
Lead Judge, Domestic Violence Court
- 2. Co-Chair, Judge Daniel H. Mabley**
Family Justice Center
- 3. Judge Regina Chu**
Family Justice Center
- 4. Judge Lloyd Zimmerman**
Domestic Violence Court
- 5. Referee David Piper**
Family Justice Center
- 6. Vicki Riven**
Hennepin County Government Center
- 7. Dr. Deborah A. Eckberg**
Hennepin County Government Center
- 8. Vicki Albu**
Hennepin County Government Center
- 9. Mike Gephart**
Adult Probations, Investigations
- 10. John Staloch**
Adult Probation, Supervision
- 11. Gunnar Bankovics**
Family Justice Center, Family Court Services
- 12. Lolita Ulloa**
Assistant Hennepin County Attorney, Domestic Abuse Service Center
- 13. Lea DeSouza**
Assistant Hennepin County Attorney, Domestic Abuse Service Center
- 14. Susan Fite**
Assistant Hennepin County Attorney, Domestic Abuse Service Center

- 15. Deirdre Keys**
Cornerstone
- 16. Rachel Ratner**
Sojourner Project
- 17. Malena Vang**
Asian Women United
- 18. Mercedes Moreno-Olin**
Casa de Esperanza
- 19. Rosario Delatorre**
Casa de Esperanza
- 20. Vanessa Foster**
Tubman Family Alliance
- 21. Corinne Suby**
Tubman Family Alliance
- 22. Jennifer J. Polzin**
Tubman Family Alliance
- 23. Carol Gustafson**
Home Free
- 24. Sarah Greenman**
Home Free
- 25. July Ellefson**
CornerHouse, Program Director
- 26. Tim Reardon**
Domestic Fatality Review Team, Executive Director
- 27. Carol Arthur**
Domestic Abuse Project, Executive Director
- 28. Sharon Brice**
Domestic Abuse Project
- 29. Aaron Milgrom**
Domestic Abuse Program

- 30. Dr. Pamela Harris**
AAFS, Clinical Director
- 31. Lois Gunderson**
The Initiative for Violence Free Families
- 32. Judy Miller-Thomas**
Domestic Abuse Service Center, Legal Advocate
- 33. Fran Hesch**
Park Nicollet Foundation
- 34. Heidi Rivkin**
Chrysalis Center for Women
- 35. Sgt. Pete Sichko**
Hennepin County Sheriff's Office
- 36. Lt. Cliff Ahlgren**
Hennepin County Sheriff's Office
- 37. Captain Rich Stanek**
Minneapolis Police Department
- 38. Lt. Kimberly Lund**
Minneapolis Police Department
- 39. Commander Jim Ryan**
Suburban Chiefs of Police Association, City of Bloomington
- 40. Lisa Smith**
Federal Bureau of Investigation, Domestic Violence Unit
- 41. Michelle Jacobson**
Minneapolis City Attorney's Office
- 42. Kimberly Weinacht**
Minneapolis City Attorney's Office
- 43. Fred Karasov**
Office of the Hennepin County Attorney, Adult
- 44. Elizabeth Stofferahn**
Office of the Hennepin County Attorney, Juvenile

45. Jennifer Inz

Gregerson, Rosow, Johnson & Nilan, Ltd., Suburban

46. Dan O'Brien

Public Defender

47. Kristen Olson

Legal Aid

48. Faduma Hussein

Legal Aid

49. Professor Beverly Balos

University of Minnesota

50. Professor Nekima Levy-Ponds

University of St. Thomas

51. Anthony Scott

DCFAS

52. Laurie Kusek

Office of the Guardian ad Litem

53. Kristine Lizdas

BWJP

54. Marna Anderson

WATCH

55. Susan Jourdain

Division of Indian Work

56. Rebecca Waggoner Kloek

OutFront Minnesota

57. Candace Barr

Academy of Matrimonial Lawyers

58. Susan McKay

Minnesota State Bar Association, Family Law Section