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November 12, 2009

David Paull, Executive Secretary
Minnesota Board on Judicial Standards
2025 Center Pointe Blvd., #180
Mendota Heights, MN 55120

Dear Mr. Paull:

I am writing to you on behalf of WATCH, the Domestic Abuse Project and the Battered Women's Legal Advocacy Project about our concerns related to the continuing inappropriate conduct of Judge Stephen Aldrich. Each of these organizations is committed to ending violence against women and helping to create a justice system that deals effectively with incidents of domestic violence.

The perception of being treated fairly and respectfully is of utmost importance to all participants in the justice system. Judge Burke and Judge Leben confirmed this fact in a paper they wrote for the American Judges Association in 2007. In that paper, they reported that citizens have high expectations for how they will be treated during their encounters with the judicial system.

WATCH is dedicated to this principle and as you know, has long been concerned with Judge Aldrich's demeanor as a judicial officer. WATCH has communicated with Judge Aldrich directly, made complaints to District Court leadership, and has made two complaints to you as director of the Minnesota Board on Judicial Standards. The first letter, dated January 15, 2008, informed the Board of Judge Aldrich's improper comments while serving at felony arraignment court. The second, dated November 6, 2008, described his hostile and biased treatment of the county prosecutor during a murder trial.

I am writing to you today with yet another comment made by Judge Aldrich that indicates he does not have the appropriate demeanor to continue serving as a judicial officer. On October 21, 2009, the second day of his Family Court assignment, in a hearing to amend an order for protection brought by a woman against her husband, he said, "I've been married forty-five years. We've never considered divorce, a few times murder maybe."

This comment is especially disturbing in light of the number of women who are victims of domestic homicide each year in Minnesota. It takes a great deal of courage for domestic violence victims to seek legal protection. Often, their first encounter with the justice system in relation to their abuse is when seeking an order for protection. Many women seek an order because they are fearful of being seriously injured or murdered by the respondent. The last thing a petitioner needs to hear in this situation is a joke about domestic homicide. Moreover, intended or not, this comment expresses empathy for and alignment with the respondent abuser. Not only does this show partiality toward the respondent, it takes away from the seriousness of the proceedings and the incident that brought the petitioner to seek protection.

Judge Aldrich's comments and behavior undermine the integrity of the court. It appears that District Court leadership is limited in the action they can take to remove him from the bench and it falls to the Board to hold Judge Aldrich accountable for his behavior.

Given his extensive history of egregious conduct as district court judge, we request that the Board take a strong stance against Judge Aldrich's behavior and remove him from his district court seat. Barring that action, we request that Judge Aldrich not be allowed to preside over any court proceeding in family court as well as cases involving crimes of a personal nature. We also request that Judge Aldrich be forbidden from serving as a judicial officer after the age of retirement.

We recognize that this request is unprecedented. None of the organizations listed (one of which has been in existence for over 30 years) has ever requested that a judge be removed from the bench. But we believe Judge Aldrich's conduct is far outside the norm of acceptable judicial behavior. We feel it is the Board's responsibility to ensure that the residents of Hennepin County have judicial officers who uphold the Judicial Code of Conduct and exemplify fairness and respect.

We feel we have no choice but to make this information public, since we believe the public has a right to know about the inappropriate conduct of this elected judge, and official channels for resolving these concerns have been unsuccessful.

Sincerely,

A handwritten signature in black ink, appearing to read "Marna Anderson". The signature is fluid and cursive, with a long horizontal stroke at the end.

Marna Anderson
Executive Director

cc: The Honorable James Swenson, Chief Judge, Fourth Judicial District
The Honorable Tanya Manrique, Family Justice Center, Fourth Judicial District
Mark Thompson, Court Administrator, Fourth Judicial District
Lolita Ulloa, Managing Attorney, Victim Services, Hennepin County Attorney's Office
The Honorable Stephen Aldrich, Fourth Judicial District
Carol Arthur, Domestic Abuse Project
Rana Fuller, Battered Women's Legal Advocacy Project