

Marital spat with a weapon?

by Marna Anderson, Executive Director

A recent national headline, *"Sheen accused of using weapon in spat with wife,"* reveals a common problem with media reports of domestic violence: the media frequently report domestic assaults as arguments, spats, or disputes. This particular headline about actor Charlie Sheen is even more disingenuous since it reports that a weapon may have been used, yet still refers to the incident as a "spat." The dictionary defines spat as a "petty quarrel"—not in any way comparable to an assault with a weapon.

Most often, one encounters the media referring to a domestic assault as a "domestic dispute," which is like calling a robbery a "commercial dispute." The latter sounds absurd, and so should the former. As a society, we acknowledge that in a robbery, the person being robbed was at a disadvantage and had something taken against his or her will. The media does not frame the crime of robbery in any other way.

But this is typically not the case with domestic violence. The media often minimize domestic violence by framing incidents as "relationship troubles" or "arguments." This infers a degree of partnership and equality in the relationship, something that rarely, if ever, exists when abuse is rife. And describing domestic violence as "relationship troubles" obscures the fact that the abuser bears the responsibility for the violence.

A study conducted in the state of

Washington reviewed 230 newspaper articles on domestic homicide and found that less than 22% of the articles specifically labeled the incident as domestic violence.

A *Star Tribune* report on the domestic homicide of Kathryn Anderson (*"Boyfriend charged with homicide in Eagan woman's death,"* December 7, 2009) indicates that she had been stabbed over 100 times after a "domestic dispute escalated." The article goes on to report that the police had responded to previous "domestic disturbances" and quotes a friend of Anderson's who said there had been "conflict" between them. Other local news reported the couple's "troubled relationship," and in an unrelated case, a media outlet characterized a murder-suicide as a "love triangle."

But this is not the real story. The real story is told between the lines of the news reports. It is not one of troubled marriages or relationships or ongoing arguments or disputes. The real story that rarely gets the headline is of the abusive partner's controlling, manipulating, threatening, and physically violent behavior against his partner.

And this is the story that needs to be told. Domestic violence is a widespread community problem, and it is time the media reports it as such. The courts have made the shift from viewing domestic violence as a private matter to treating it as a

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What's new

We extend heartfelt thanks and best wishes to board member Lisa Denzer who completed her second three-year term in December, the mandated limit for a board member. Lisa began as a court monitor with WATCH and volunteered once a week observing court. When she joined the board in 2004 Lisa served on the development committee, where her enormous energy was guided and shaped by the late Lois Bishop, with whom she formed a special bond. She went on to chair the committee after Lois's death. She also served on the personnel committee, helping to conduct the search for a new executive director, and ultimately hiring the current executive director, Marna Anderson.

In November of 2004 she and her husband Pat graciously hosted our annual fall fundraising Gala at their Minneapolis home, one of our most well-attended and successful galas.

Before starting a family, Lisa was an account executive with Fallon, and her marketing and communications skills were put to good use at

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2009 summary of WATCH programs

HENNEPIN COUNTY COURT MONITORING

2009 was a banner year for court monitoring at WATCH. Together with WATCH staff, 104 volunteers contributed 5,087 hours to monitor 5,164 hearings. Monitoring took place in several downtown courts handling both civil and criminal matters as well as in the juvenile court and three suburban courts.

TARGETED MONITORING AND RESEARCH

Brief progress reports of our current research projects follow.

Monitoring child abuse

In August 2008, WATCH launched a two-year project monitoring juvenile court hearings involving children in need of protection or services (CHIPS) cases. Together with WATCH staff, seven trained volunteers have so far contributed 533 hours and monitored 333 hearings.

We completed monitoring at the end of December and expect to release a report of our findings and recommendations by the end of this fiscal year (June 30, 2010). The project's goal is to improve the way the courts handle these cases to provide greater safety for victims of child abuse/neglect and greater accountability for offenders and the justice system.

Monitoring domestic assault strangulation

In May 2009, WATCH released *WATCH Report Part II: The Impact of Minnesota's Felony Strangulation Law*. Our research found that more domestic abusers are being charged under the strangulation statute and convicted of either that crime or a related felony now than when we issued the first strangulation report in 2007. The study reviewed 96 cases in a six-month period and documented the following:

1. A 61% increase in the number of charges filed in cases involving domestic assault by strangulation.
2. A greater number of convictions (on a variety of felony charges) stemming from these cases, despite a reduction in the number of convictions specifically under the felony strangulation statute.
3. A reduction in the number of defendants who received stays of imposition of their sentence. [In a stay of imposition, the felony conviction is reduced to a misdemeanor if the probationary period is successfully completed, potentially preventing defendants from facing more serious charges for a future domestic violence crime.]
4. An increase in the average sentence length compared to 2007.
5. A new probation position designated to supervise felony-level domestic abusers.

Note: 3-5 were specific recommendations of WATCH's 2007 report.

WATCH has presented the report's findings and recommendations to over 500 members of the justice system and advocacy groups around the state to keep up the momentum for continuing to improve the effectiveness of the statute.

Monitoring the suburban courts

The *Suburban Court Monitoring Project*, launched in August 2009, is supported by a grant from the state of Minnesota through the federal Violence Against Women Act. Funding has allowed us to train volunteers to monitor misdemeanor domestic violence cases at three suburban Hennepin County locations—Southdale, Ridgedale, and Brookdale—and we will issue a report with recommendations for improvement at the end of the project next year.

NATIONAL TRAINING AND TECHNICAL ASSISTANCE

Every year, WATCH strives to offer more resources to court monitoring groups across the country, and we find that more of these groups then take advantage of our services to strengthen their court monitoring programs. Highlights in 2009 included that over 200 people from 115 organizations located in 30 states participated in our web-based training seminars; we increased subscriptions to our quarterly e-bulletin *Court WATCH Connection* from 178 two years ago to 943 today; and we began sales of a new toolkit, *Managing Court Monitor Volunteers*, designed to help new court monitoring organizations build and maintain a strong volunteer program.

CONFERENCE PRESENTATIONS AND TRAININGS

WATCH provided training and technical assistance on court monitoring to groups in Nevada, North Carolina, and Washington state. We presented research from *WATCH Report Part II: The Impact of Minnesota's Felony Domestic Strangulation Law* report at four Minnesota conferences, and executive director Marna Anderson was a featured speaker on court monitoring at the National Solutions to Domestic Violence Summit sponsored by the Mary Byron Foundation in Louisville, Kentucky.

COMMUNICATIONS

WATCH revamped its website and switched from a software-based site to an Internet-based site for ease of updating. Marna had two letters to the editor in the Minneapolis *Star Tribune* last spring and an article on domestic violence in the fall issue of the Minnesota Women Lawyer's newsletter.

ORGANIZATION AND FINANCIAL UPDATE

Four new board members joined WATCH this fall, and we hired a full-time suburban court project coordinator to oversee a 21-month project monitoring misdemeanor domestic violence cases in the three suburban courts in Hennepin County. The grant consists of federal Violence Against Women Act funds released as a result of the Recovery Act and was awarded by the Office of Justice Programs of the Minnesota Department of Public Safety.

Volunteer Notes

- ✓ A defendant was being sentenced for third degree criminal sexual conduct. The prosecutor read a victim impact statement in which the victim said she thought no one cared about the case because so much time had passed before it was prosecuted.
- ✓ I waited in the gallery with several other people for a hearing that started an hour late. In the elevator after the hearing, I heard one say, "That's why I have no faith in the justice system. They can't even get the schedule right."
- ✓ During a sentencing, the victim stated that her relationship with the defendant had grown stronger and she believed the violence wouldn't happen again. Afterward, the judge addressed the defendant, saying, "However forgiving your girlfriend will be if this happens again, the court system will not be. A man abusing a woman will simply not be tolerated. The court takes domestic abuse very seriously."
- ✓ The victim at the hearing in a violation of an order for protection case was fearful because the defendant was out of custody, so one of the deputies offered to walk her to her car.
- ✓ A sentencing for a murder case was scheduled for 2 p.m. A police sergeant, the victim's two children, the children's father, and a victim's advocate were all waiting to give victim impact statements. At 3:15 p.m., the judge stated that they were still waiting for the defendant to be brought up from the jail.
- ✓ In felony arraignments, a defendant was making gestures to someone in the gallery, but none of the deputies intervened.
- ✓ Three people were waiting in the gallery when I arrived for a sentencing hearing, and we could hear the defense attorney talking with someone about the case. He referred to the defendant as "a street guy" and the victim as "the so-called victim" who was "a bit of a character herself."

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criminal one due in large part to increased training and education on the topic, and the media need to expand their understanding of domestic violence so that news coverage can shift as well. More than 200 Minnesota women have been murdered as a result of domestic violence in the past decade. We can no longer accept half truths and mischaracterizations of domestic violence perpetuated by the media. We need accurate coverage where reporters ask informed questions and look at the appropriate law enforcement and court documents to uncover the real picture of the relationship, which family, friends, and neighbors—whom the media love to quote as

What's new

Continued from page 1

WATCH. She was a thoughtful and forthright participant in every meeting she attended, combining a rare blend of passion and common sense. In addition to her many community volunteer activities and raising two daughters, Lisa is pursuing a masters degree in psychology from the University of St. Thomas. We will miss her spark and invaluable input on the board, but wish her the best of luck as she begins a new career.

We also extend a warm welcome to two new board members who joined us in November. Ernest "Ernie" Johnson is a community leader with extensive management experience in both the business and nonprofit sectors. This includes more than 25 years at US West and eight years at Sabathani Community Center, first as chief operating officer and most recently as chief executive officer. His expertise includes facility management, financial management, fundraising, and human resources, including training, transition management, and labor/management negotiations. Ernie is currently pursuing a growing interest in the field of health and wellness.

Nick Brown has a strong background in finance and is currently employed as a Portfolio Manager for Pentwater Capital Management. He and his wife, Wendy, a WATCH volunteer, recently hosted an event in their home to introduce new donors to WATCH. His commitment to WATCH stems from Wendy's involvement, and his finance expertise will be an asset in budget and fundraising discussions. In addition to serving on the WATCH board of directors Nick is vice president of the board of the Sunshine Montessori school.

We look forward to their participation as we begin our strategic planning process.

the "experts"—often can't or refuse to see. And we need the media to place the blame squarely on the shoulders of the abuser, not find excuses for the behavior, such as the economy, chemical abuse, custody battles, or jealousy.

In 2009, WATCH began working with the Minnesota Coalition for Battered Women and other battered women's organizations to lead a statewide effort to improve media reports of domestic violence. We will continue this work into the next decade until domestic violence is fully and adequately reported. Better yet, let's work to make this next decade the one that puts an end to domestic violence.

2009 WATCH supporters

We are deeply honored to receive financial support from individual community members, some supporting us for the first time this year, and others who have been loyal donors for years, some since our inception. We continue to be prudent stewards of your donations, keeping costs low while focusing on our mission. If you would like to make a donation before our fiscal year ends on June 30, we encourage you to use the envelope in this newsletter. To make an online gift, visit the WATCH website at www.watchmn.org and click on the GiveMN button. Please feel free to call the office at 612-341-2747 with any questions. We do our best to ensure this listing is accurate, but please let us know of any errors. Please know how much we appreciate your support and accept our apology for any errors.

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**Duane Peterson was a Fillmore County judge
and the father of WATCH board member
Joan Peterson. He passed away last spring.*

WATCH says a fond farewell to Judge Peter Albrecht

After thirty-three years of serving as a Fourth Judicial District judge, Peter Albrecht is retiring. Over the years, WATCH monitors routinely commented on Judge Albrecht's friendliness and his positive courtroom demeanor, and we were honored when he accepted our invitation to speak last year at WATCH's annual volunteer appreciation event. He told our volunteers that their presence reminded him to inform defendants and victims waiting in the courtroom about the court process and to always treat people in his courtroom with respect. This, truth be told, came naturally to Judge Albrecht, who said at his recent farewell party that he will miss most his contact with people in the courtroom. We wish Judge Albrecht the best of luck and thank him for his outstanding service to the residents of Hennepin County.

2009 GRANTS AWARDED

WATCH is grateful for receiving the following grants to support our work in 2009.

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Thank you to the following individuals and businesses who donated goods or services in 2009.

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Shapco printing, Robert Hillstrom
Karen Sternal
Trizec Properties
YWCA of Minneapolis

MATCHING GIFTS

Thank you to the Excel Energy Foundation matching gift program, Piper Jaffray, and the Wachovia Wells Fargo Foundation for matching gifts on behalf of employees. And, thank you to the Minnesota foundations who came together to create GiveMN.org and sponsored *Give to the Max Day* on November 17, including designating matching funds for on-line gifts made that day.

Thumbs up/thumbs down

👍 Thumbs up to the Minnesota Court of Appeals for overturning a Minneapolis woman's prostitution conviction because of misconduct by the police officer who arrested her. Calling the officer's conduct "outrageous" and "repugnant to the criminal justice system," the Court found the officer violated the woman's due process rights when he fondled her bare breasts. The three-judge panel of Judges Wilhelmina Wright, Terri Stoneburner, and Larry Stauber wrote in its decision that to prove prostitution, an officer had to show that the woman "agreed to engage" in sexual contact for money, but in this case, the officer initiated sexual contact with her.

👍 Thumbs up to the Department of Homeland Security for their ruling paving the way for Rody Alvarado Pena, a battered Guatemalan woman, to be granted asylum in the United States. Alvarado has been a victim of legal indecision since 1995, as her case was heard by several immigration courts and three attorneys general. An important aspect of the case is whether women who suffer domestic abuse are part of a "particular social group" that has faced persecution. Immigration attorneys say the Department's October ruling clarifies this aspect of asylum law and we applaud the department's action.

Pattern of demeanor leads to unprecedented action

In November WATCH, in conjunction with the Domestic Abuse Project and the Battered Women's Legal Advocacy Project, took the unprecedented step of asking the Minnesota Board on Judicial Standards to remove Judge Stephen Aldrich from the Hennepin County Bench. Since then, some have suggested that this action was taken as a response to a single ill-timed "joke" he told in an Order for Protection hearing about murder being preferable to divorce.

Nothing could be further from the truth. In 16 years WATCH has observed more than 60,000 appearances and this is the first and only time we have made such a request. Judge Aldrich has a history of poor judicial demeanor and all private efforts to improve that demeanor have failed.

Hennepin County District Court has issued a statement saying that they have provided coaching for Judge Aldrich in response to previous complaints regarding his courtroom demeanor, adding that they take complaints about the court process very seriously and have respect for "advocates and their commitment to the court process."

WATCH observes courtroom demeanor, and its effects on the judicial process, particularly in cases of sexual assault and domestic violence. We recognize that every judge has a different courtroom style, and that in some situations humor isn't a problem. Since WATCH's founding in 1992, we have made clear that the *pattern* of judicial demeanor concerns us more than any one incident. Most judges understand this and appreciate knowing how their words or actions might be interpreted by the public.

Some critics of our decision point to Judge Aldrich's lengthy career, which includes work on behalf of people who are poor and disenfranchised, suggesting he should therefore be exempt from criticism. We disagree. We took the serious step of calling for the removal of Judge Aldrich after years of observing inappropriate judicial demeanor and months of consideration and discussion with numerous individuals familiar with his judicial demeanor. This is not about a joke, nor is it a joking matter and we stand by our decision.

CORRECTION

On page 4 of the Autumn 2009 edition of the *WATCH Post*, WATCH published a monitor observation in the Volunteer Notes column that noted the sitting judge asking, "...who is the black judge?" Court administration staff alerted WATCH that others in the courtroom believed the remark had been misheard, so we checked the hearing transcript, which reads, "...who is the block judge?" We want to thank court staff for bringing this to our attention. We make every effort to ensure the accuracy of monitor notes and apologize for the error.

VOLUNTEER WITH WATCH

Are you looking for a way to make a difference? Are you interested in what goes on in court? Train to become a WATCH volunteer court monitor. WATCH provides training, and you donate 4 hours each month to monitor the courts. Monitors are needed for both downtown and suburban courts. The next training is on Saturday, February 6, 2010, from 10:00 a.m. to 4:00 p.m. Contact Anna at (612) 341-2747, ext. 7 or alight@watchmn.org for more information.

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Thank you to our 2009 WATCH Volunteers

Dedicated, reliable volunteers are the foundation of all WATCH accomplishments. More than 100 volunteers donated their time to observe Hennepin County courts last year and we want to extend a warm, heartfelt thank you to you all.

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Marilyn Rakieten
Anna Raudenbush
Emily Rosenberg
Roberta Saunders
Denny Scharlemann
Kristine Schneider

Leah Schreiner
Mary Lay Schuster
Kaitlyn Sperl
Mike Stewart
Caitlin Tierney
Maria Trafton
Laura Tramontana
Christine Traxler
Russ VanHeel
Jason Wagner
Amber Wallace
Amy Wallace
Dominique Walsh
Nancy Wangen
Melissa Warner
Deborah Warren
Amanda Welter
Julia Westley
Jonathan Williams
Andrea Wilson
Meghan Zajac