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Administrative Probation

By Dawn Dougherty, Court Monitoring Coordinator

This issue of the WATCHPost looks at administrative probation and how this lower level of supervision is currently administered in Hennepin County. Administrative probation is defined by the Hennepin County Department of Community Corrections as "a level of supervision given probationers who are under formal jurisdiction of the Court, but not under direct supervision." This lower level of supervision is to be used when an assessment of the offender indicates low risk for re-offending, when a prescreening indicates that the offender does not require services or monitoring, when all conditions of probation have been met, or when the court orders it.

In the cases that follow, WATCH tracks several defendants with long histories of domestic violence and sexual assault who all ultimately end up on administrative probation. In an accompanying article Nancy Halverson, Corrections Unit Supervisor/Adult Field Services, offers the probation perspective on administrative probation. As Halverson points out in her article, many of these offenders have extensive records and high-risk profiles and the only appropriate recommendation is incarceration. Unfortunately, it appears the court was unwilling to do so in these cases, or in one case didn't consult probation, leaving victims to fend for themselves against extremely high-risk, dangerous men.

WATCH would like to thank Nancy and Adult Field Services for their insight and candor into how to make the system more responsive to cases of domestic violence and sexual assault.

GREGORY MICHAEL FRANSON

WATCH first brought attention to Gregory Michael Franson's criminal history in March 1997 when we published a chronology of his domestic violence offenses. Up to that time, Franson had been charged on nineteen separate incidences that included fourteen charges of 5th degree assault, nine gross misdemeanor 5th degree assaults, one gross misdemeanor violation of an order for protection, six disorderly conduct charges, one felony 2nd degree assault, two felony 3rd degree assaults and seven felony robbery, burglary or theft charges. Many of the assaults were against one woman but several were against men, including a male relative. Since the publication of the 1997 chronology, Franson has been charged with an additional four domestic violence-related crimes as well as a felony theft and felony fleeing a peace officer. The following highlights the charges that led Franson to administrative probation.

While driving home on the evening of January 2, 2003, Franson's wife AA noticed that Franson was following behind her in his car. AA had an active order for protec-

WHAT'S NEW

WATCH welcomes Ronika Rampadarat as the new administrative assistant. Shahidah Maayif, in that position since May, has moved into the Volunteer Coordinator role. Congratulations to both.

Tom Fourre, WATCH board member and treasurer, has accepted a promotion taking him to Charlotte, North Carolina. In just one year of service, Tom has had a great impact on the WATCH board and will be missed by us all.

Kate Troy, a student at the Humphrey Institute for Public Affairs, is the latest addition to the board. She will serve a one-year term to learn about non-profit governance.

WATCH thanks Todd Spichke, RiverBrand Design, and Shapco Printing, for redesigning and printing WATCH's communications materials, including the WATCH Post. We

INSIDE THIS ISSUE

CAPTURED is only the first step

By Marna Anderson

Oprah Winfrey is taking on child molesters in a big way. Herself a survivor of childhood sexual abuse, Oprah is using her mega-million dollar empire to help authorities apprehend accused child molesters. She has gotten the public's attention by using large photos of accused offenders on her web site and television show and offering $100,000 reward checks to anyone who helps lead authorities to them.

And, she has already had some successes. Her web site describes an emotional first meeting between a woman from North Dakota who recognized an accused sex offender and called the FBI and the mother of a victim. Together these women vowed to make sure that he is "locked up forever." That sounds good to the viewing public.

I don't know how familiar these women are with the criminal justice system, but we at WATCH know the story doesn't end here, despite the big "CAPTURED" displayed across the web photos. All the resolve in the world, even from victims and their families, cannot dictate the outcomes of cases once they enter the criminal justice system. The following cases had very different results, in one the conviction was vacated and a new trial ordered and in the other two, sentences were given that depart greatly from Minnesota's sentencing guidelines.

Ahmed Seid Musse was found guilty of first degree criminal sexual conduct by a Hennenpin County jury in April 2004 and sentenced to 144 months in prison by Judge Marilyn Justman Kaman. On October 12, 2005, Musse's conviction was vacated and he was granted a new trial citing inappropriate representation and problems with the court interpreter. Judge Kaman gave him an order to have no contact with the victim or the victim's family and he was released. His next hearing is November 12 and a new trial will follow.

Musse's victim, who was five years old at the time of the assault, already went through a trial and took the stand at the young age of seven. At the 2004 trial, she testified for nearly an hour and had to face the family friend who had raped her and talk about the pain of the abuse in front of community members, family and friends. She now faces another trial and many more months of setting aside her childhood.

Last May, I monitored the trial of Lamar D. Johnson, a 17 year old from Hopkins charged with one count of first-degree criminal sexual conduct and six counts of third-degree criminal sexual conduct. His victim was a 16-year old girl who has cerebral palsy. In addition to sexually assaulting her several times over a period of three months, he forced her to have sexual contact with four other juvenile males. Some of the assaults were videotaped.

When the victim took the stand, it was apparent that she had limited comprehension of what happened to her. This made her particularly vulnerable and an easy target for the perpetrator. She believed that Johnson really "liked" her and she "chose" to continue seeing the defendant because he said he would stop making her give oral sex to him and his friends.

The jury found the defendant guilty of all the charges, though Judge McShane "set aside" the first-degree charge after conviction. He could have been sentenced to 61/2 years in prison, but Judge McShane ordered Johnson to serve a year in the workhouse and placed him on probation for 10 years stating that the defendant was "amenable to treatment," "not a predator or likely to re-offend," and "his offense was less serious than the typical crime."

Judge McShane used this reasoning again on September 12, 2005, when he sentenced Corey Weiss-Ganley for raping his ex-girlfriend in their shared apartment. A WATCH monitor noted that Judge McShane said the defendant, whom a jury found guilty of first degree criminal sexual conduct and the victim wanted incarcerated, was "amenable to treatment" and that the crime was not "typical for this kind of offense." The judge then stayed Ganley's entire sentence of 144 months in prison for 10 years, requiring him to serve just 365 days in jail with credit for 164 days.

We disagree that these two sexual assaults were "atypical". In fact they are very typical.

- Both victims knew the offenders and did not know they were in danger of being assaulted while in their company.
- Both were vulnerable. One was a vulnerable teenager looking for friendship. One was an adult woman sleeping in her own bed.
- Both victims communicated with the offenders that the sexual contact was unwanted.
- The assaults occurred without guns, knives or other weapons.
- Both victims were targeted by the offenders.

The only thing that is atypical about these crimes is that they were reported to law enforcement and prosecuted. Most sexual assaults are not.

At the sentencing of the defendant who raped his ex-girlfriend, the victim made an impact statement. She directed her comments to

tion in place against Franson and drove to the police station seeking assistance.

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Franson followed her and was arrested and charged with a gross misdemeanor violation of an order for protection. Bail was ordered at $1200 and Franson was released on January 6th. On February 19, 2003, Franson was arrested again for felony violation of an order for protection for leaving multiple messages on AA's answering machine. The January charges were continued on with the February charges and Franson pleaded guilty to one count of felony violation of an order for protection. On June 17, 2003, Judge Beryl Nord sentenced Franson to 30 months at the Department of Corrections with 30 months stayed for five years. Franson was placed on administrative probation on June 18, 2003, and was to have no contact with the victim and no same or similar offenses. A WATCH court monitor at the appearance noted the following: "probation doesn't think [Franson] needs any more conditions on probation." The same monitor also overhead Franson's defense attorney say, "Wow, I can't believe we got that," in the hallway following the hearing.

Franson assaulted AA, by then his ex-wife, again on May 17, 2004, and was arrested and charged with misdemeanor disorderly conduct and two misdemeanor domestic assaults in the 5th degree. Franson pleaded guilty to the disorderly conduct charges and on July 6, 2004, Judge Robert Blaeser sentenced him to 30 days at the Adult Correctional Facility, stayed for one year, with credit for three days. Franson was ordered to have no contact with the victim unless she requests it. He was given permission to attend the closing on the home they owned together. Probation issued an arrest and detention order based on the new conviction. On August 3, 2004, Judge Nord denied the revocation and placed
Franson back on administrative probation with credit for five days served.

Franson again assaulted AA on February 22, 2005, and was charged with a misdemeanor 5th degree domestic assault, a misdemeanor disorderly conduct, and a misdemeanor driving after revocation. On March 18, 2005, Judge Beryl Nord revoked Franson's probation (for the offense on 5/17/04) and ordered him to serve 27 days with credit for 27 days. On May 26, 2005, Judge Giancola continued the charges related to the February 22, 2005 incident for one year for dismissal. The case was not referred to probation for input.

In 1985 a judge warned Gregory Michael Franson that he had reached the time where he could not afford any more mistakes. Twenty years and nearly 50 domestic violence, robbery, and assault charges later it would appear no words could be further from the truth. Franson is currently on administrative probation through June 16, 2008.

ELIJAH REID

Elijah Reid was assigned to administrative probation on November 17, 2003, at the age of 25. Reid was previously convicted on two misdemeanor domestic assault charges and one gross misdemeanor domestic assault charge against the same victim.

Reid pleaded guilty to two misdemeanor domestic assaults, one occurring on May 9, 1999, and the other on May 10, 1999. Judge Scherer sentenced Reid to serve 90 days at the Adult Correctional Facility, 60 days stayed for two years and credit for three days. Sentencing included no contact with the victim, no same or similar offenses, a chemical health assessment and a requirement to
follow the recommendations of probation.

On November 15, 2002, Reid pleaded

Volunteer notes

In one order for protection (OFP) case, the judge didn't notice the respondent trying to make contact with the petitioner. It was the respondent's attorney who stopped him.

There were several children in domestic violence court today. All the parents were asked to leave the courtroom at various times by the deputy, because the children were being too loud. It was very distracting for the parents and for everyone else. It seems there's a need for a childcare program.

After the OFP hearings were over, the judge asked me whether her explanations could be clearly understood and said she would consider my feedback in the future.

Domestic violence court today was very disorganized, but the judge did a good job explaining the procedures and decisions.

The judge in OFP court was very calm and serious. He emphasized to all the respondents that they are responsible for complying with the order and gave specific examples of what "no contact" means, including no guns.

During an appearance in domestic violence court, the interpreter interpreted everything the judge and defendant said to one another, but not what the attorneys said to the victim or victim advocate.

There was a huge wait time for bringing people in from the jail for criminal court today. They keep saying the person is next, but then it takes another 30 minutes.

Administrative probation: An Inside Look

To better understand administrative probation WATCH recently spoke with Nancy Halverson, Corrections Unit Supervisor at Hennepin County Adult Probation. Nancy was able to offer valuable insight into the implementation of administrative probation and the role of probation.

Can you start by giving us an estimate of the number of people on probation in Hennepin County?
At any given time there are more than 26,000 offenders on probation to the Hennepin County Department of Community Corrections (DOCC). Of that number, approximately 1,200 are on probation or supervised release to the sex offender unit, 1,800 are on supervision for misdemeanor and gross misdemeanor domestic violence offenses, and a lesser number who are on probation for felony domestic violence related offenses.

How is it possible to meet with and keep track of so many probationers?
Given the volume of referrals, and the length of probationary sentences and limited staff and resources, it would be impossible to offer traditional, one-to-one supervision to all offenders for the duration of their sentences. As a result, the DOCC has developed certain criteria for reducing the supervision level for offenders who have completed their court-ordered requirements and are deemed to have decreased their risk to re-offend.

What are the criteria for the lowering of supervision?
The definition of administrative probation is outlined in the Hennepin County Department of Community Corrections SOP 5-1. It is defined as "a level of supervision given offenders who are under formal jurisdiction of the Court, but not under direct supervision." An offender may receive administrative probation when:

- A prescreener reflects the offender does not require services or monitoring
- An assessment of the offender indicates low risk (for agents who use the LSI2 to guide case planning) and there are no conditions of probation or the only condition is no same or similar crimes
- All conditions have been satisfied (for Officers who do not use the LSI)
- The Court orders administrative probation. (SOP 5-12)

There are two other important criteria. The first SOP 5-12 that states, "Cases that are under Traditional Supervision following conviction for domestic assault, sex offense …are not eligible for transfer to administrative probation, except by order of the Court." The other is SOP 5-13, "Felony offenders who have been transferred to administrative probation will be returned to active supervision upon any new felony or domestic assault charge."

Are there specifics to the handling of misdemeanor and gross misdemeanor cases?
In the misdemeanor/gross misdemeanor domestic assault caseloads, we move cases to the Domestic Special Services (DSS) unit after a minimum of 4 months (first DV related conviction) or 9 months (repeat offender caseloads) of supervision. DSS is staffed by one probation officer and a number of volunteers who make monthly telephone con-

Thumbs up/ Thumbs down

Thumbs up to local and national advocacy organizations whose staff and membership worked so hard to pass the 2005 Violence Against Women Act. The bill allocates federal funds for a range of efforts to prevent violence against women, serve women who are victims of sexual and domestic violence, and improve the justice system's response to violent crimes against women.

It also includes important policy provisions, including requiring the enforcement of orders for protection across jurisdictions. The law specifically recognizes the many barriers facing immigrant women. It includes the right of victims of domestic violence to self-petition for legal status; creates two new visas, U visas for noncitizen crime victims and T visas for victims of human trafficking; and VAWA cancellation of removal for noncitizen survivors in immigration proceedings.

Thumbs down to the Minnesota legislature for passing new child support guidelines that will reduce child support payments to almost all parents who have sole physical custody of their children. The lengthy and complicated formula is problematic in a number of ways. It does not take skyrocketing medical or day care costs into account when determining the amount of support, it includes an automatic 12% reduction in payments when the non-custodial parent cares for a child for the equivalent of just three days per month, and it uses gross rather than net income to determine support. Looks like moms, who make up the majority of affected parents, and ultimately kids, lose again.

guilty to a gross misdemeanor domestic assault charge stemming from an August 7, 2002, incident with the same victim. Judge Poston sentenced Reid to 365 days at the Adult Correctional Facility with 245 days

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stayed for two years. Reid was ordered to complete anger management within 120 days, stay away from the victim and follow the recommendations of probation.

On May 25, 2003, police responded to a report of a domestic assault involving Reid and the same victim. Following an argument, Reid struck the victim numerous times in the head causing her to bleed. Reid pleaded guilty to the felony charge and was sentenced by Judge Crump on October 14, 2003. Reid was sentenced to 15 months at the Department of Corrections with 15 months stayed for four years. He was ordered to have no same or similar offenses, no contact with the victim, no use of non-prescription drugs or alcohol, random urinalysis, to follow the recommendations of probation and to pay restitution. On November 5, 2003, Judge Crump eliminated all conditions of the sentence except no contact with the victim, restitution and administrative probation. Reid will be on administrative probation through November 4, 2007.

JOHNNY LEE SANDERS, JR.

Johnny Lee Sanders, Jr. was assigned to administrative probation on October 15, 2002, for a charge of felony assault in the second degree related to a June 10, 2002, incident. On that date Sanders' wife, BB, reported that Sanders had come home and started yelling at her in front of their three-year old child. BB told Sanders to stop. Sanders responded by throwing a board at BB, threatening her with a knife, throwing her cell phone up against the wall and threatening BB and other juvenile males in the home. Judge Larson sentenced Sanders to serve 27 months at the Department of Corrections with 27 months stayed for four years and with credit for 73 days. Sanders was to remain law abiding, maintain his current employment, and was to be placed on administrative probation. Judge Larson noted that the sentence was a downward departure. Monitoring notes from that day describe Judge Larson's reason for the departure as, "the victim was or is partly the aggressor." Sanders has ten previous domestic violence-related charges, nine of which were against BB. They include:

9/13/97 misdemeanor assault 5th degree. Case dismissed on motion of prosecutor.
11/3/97 misdemeanor assault 5th degree. Plead guilty, community service, so same or similar.
12/12/97 gross misdemeanor assault 5th degree. Plead guilty to misdemeanor disorderly conduct, stay of imposition of sentence, no same or similar, complete anger management, "proper contact" with victim okay.
4/15/98 misdemeanor domestic assault. Plead guilty, serve 90 days at ACF, 80 days stayed for two years, Rule 25 chemical health assessment, contact with victim okay but no threats or assaults.
5/3/98 misdemeanor assault 5th degree. Dismissed on motion of prosecutor.
9/4/98 misdemeanor assault 5th degree. Dismissed on motion of prosecutor.
2/22/99 gross misdemeanor domestic assault. Continue one year for dismissal. No same or similar offenses, no violation of order for protection.
11/8/00 gross misdemeanor domestic assault. Two counts dismissed, plead guilty to the third, serve 91 days, stayed for two years, domestic abuse assessment, contact with victim okay, no same or similar.
3/24/01 gross misdemeanor domestic assault. Plead to misdemeanor disorderly conduct, 90 days at ACF, 75 days stayed

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Of the eight cases where OFPs were issued this morning, the judge only told one respondent not to have phone contact with the petitioner. This was after the respondent mentioned he had spoken to her by phone before the hearing to extend the existing OFP.

The judge was extremely friendly to defendants; I believe that is a positive style.

Monitoring for racial justice

On November 21, 2004, Chai Soua Vang shot and killed six hunters and wounded two others in a wooded area in western Wisconsin. Following the shooting, several Hmong homes in the Twin cities and Wisconsin were vandalized, Hmong community members were subjected to racial slurs, and anti-Hmong literature was distributed, including bumper stickers that read "Save a Deer, Kill a Mung (sic)." Likewise, media reports focused on racial differences and framed the crime as one group against another.

The Coalition for Community Relations (CCR) was formed to "promote racial justice and civil rights in the Hmong community and foster racial understanding between the Hmong community and other ethnic and religious groups." In addition to leading community education sessions on hate crimes, the group trained volunteers to monitor the Vang trial.

tacts and record checks. If there are new reports, arrests or charges, we reinstate the higher supervision level until the case is once again appropriate for lesser supervision.

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What about felony cases?
On the traditional felony caseloads, the offender must be supervised until all court conditions are met or the LSI score has dropped to 13 or less before being eligible for degrading the supervision to administrative probation. Per the guidelines, the supervising officer is required to obtain Court approval before transferring any felony domestic case to administrative probation. In the event there is a new felony or domestic assault arrest, and probation is notified, they are directed to contact the sentencing judge and file a Report of Probable Violation and Order for Arrest and Detention (A&D). If the case supervision has been reduced pursuant to the DOCC policy, we can simply reinstate the higher level of supervision and return the case to the original supervising officer. If the case was placed in administrative probation by court order, the Court must order the case back on intensive supervision.

Can you talk about cases
placed directly on administrative probation by the court.
These practices are distinguishable from the cases that are sentenced without probation conditions and placed directly into administrative probation by the Court – a practice not reflected in the DOCC Standard Operating Policies. There are likely a number of reasons why the Court may not want cases supervised on probation, even though they would be classified as probation cases in our classification system, including the fact that the probation officer may have
recommended no conditions.

We have seen several violent offenders on administrative probation who re-offend and are placed back on administrative probation.
When confronted with new offense reports on administrative probation cases, as in the

scenarios presented in this issue, we sometimes find offenders with extensive records and high-risk profiles. In some cases, we were not able to accurately account for the risk a particular offender poses to the community and his victim. In other cases, probation officers have spent sometimes years working with an offender to change behavior, trying to effect compliance, and restructuring and returning him/her to court numerous times on violations. When such probationers come up for revocation or sentencing, there is sometimes a sense that we have already tried everything to no avail! It may be a belief that the probationer has proven him/herself to be non-amenable, and the only appropriate recommendation is incarceration – which the court may not be willing to impose given the plea agreement.

What does it mean, or what should it mean, if an offender is characterized as "unamenable"
to probation?
"Amenability" has a very specific meaning under the Minnesota Sentencing Guidelines, as it pertains to downward or upward departures in sentencing. But what does it mean in general practice? Clearly, the offenders described in your chronology do not appear to be amenable. But are we all interpreting that word in the same way?

This is one of WATCH's concerns. From our viewpoint it would seem incarceration is the next step, not a lower level of supervision.
If we in corrections mean the offender has refused to comply with probation conditions in the past, then we need to characterize it as just that and outline that refusal in detail (perhaps in the kind of chronologies you have used so effectively). We cannot afford to take the position that we "wash our hands" of these cases and that probation is pointless. Rather, we need to continue to recommend appropriate conditions in DV cases – conditions that promote victim safety and offender accountability and change –
and then recommend sanctions appropriate to the circumstances. To do less simply rewards the offender's refusal to cooperate, and emboldens perpetrators to continue their dangerous behavior.

As probation officers, we have limited control over the plea negotiations and the imposition of sanctions. Our primary role is to provide the Court with a detailed, contextual history of the probationer, and recommendations for conditions, interventions and sanctions that will support victim safety, and promote offender accountability and change. We are responsible for our part in the process, not the outcome derived from the decisions of others along the way. I believe we need to investigate and supervise these cases to the fullest extent possible, and be tenacious in holding offenders accountable, even if it means bringing them back on supervision from administrative probation status when their behavior and level of risk warrant it.

Are there any ways in which you evaluate
probation practices?
The Violence Against Women Act has provided for probation agency Safety and Accountability audits. We have also shared in the recommendations of the Fatality Review Project of the past few years and our practices are evaluated and modified accordingly. In light of the important work done by WATCH in reviewing these cases, it may now be time for our agency to review our policies and practices with respect to administrative

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Thumbs Up/Thumbs Down Continued from page 4

Thumbs down to the Minnesota Vikings players who participated in the October 6 Lake Minnetonka cruise. Forty minutes into what was to have been threehour cruise, supervisors ordered the boats to return to shore after phone reports from frightened crew members. Staff described having to step over players having sex on the decks while others watched, cheered, shouted instructions or took pictures; women being paid for "lap dancing," and aggressive propositioning of female crew members, some as young as 18.

The response from the Vikings? The owner said nothing at all for more than a week and then broke his silence by referring to a new code of conduct that remains vague, but may involve requiring players to wear ties while traveling. One player present on the boat told reporters to "get over it" and the player reported to have contacted the cruise company to organize the party denies doing so.

Ignoring, downplaying and denying – the typical lines of defense for male athletes in such situations. But luckily the Minnesota public and media will not let this story simply disappear. If criminal charges are filed (don't hold your breath on this one), then it would only seem proper to swiftly change the trial venue to someplace more neutral . . . like Wisconsin. Since it would involve travel, the implicated Vikings could even try out their new code of conduct and wear ties to court!

Thumbs up to the Minnesota Supreme Court for increasing language access in order for protection matters. Nine order for protection forms will be available in bi-lingual formats, in English and nine targeted languages. Forms include the information sheet, application for extension, request for hearing, and other community-generated forms. Special thanks to Katrin Johnson for leadership in this effort.

Thumbs down to North Carolina legislators for bowing to pressure from pro-gun organization Grass Roots North Carolina and enacting legislation that will put battered women in greater danger. The legislature passed a law requiring court clerks to provide information on applying for a concealed weapons permit to victims who are granted a protective order. This despite the fact that if there is a history of domestic violence, and a gun in her home, a woman is 14.6 times more likely to be a homicide victim. (citing studies from the Archives of Internal Medicine and the American Journal of Public Health)

The North Carolina Coalition Against Domestic Violence and the Sheriff's Association successfully opposed amendments to the bill that would have required sheriffs to issue a concealed handgun permit to victims of domestic violence who submitted a protective order as proof of an emergency situation.

The pro-gun group claimed its efforts will "help women help themselves," yet this same group opposed the state's Homicide Prevention Act in 2003 which removes guns from abusers in certain high-risk domestic violence cases. It looks to us like the group is way more interested in selling guns than in women's safety.

the judge and concluded with this quote by Booker T. Washington: "I beg you to remember that wherever our life touches yours we help or hinder… wherever your life touches ours, you make us stronger or weaker. There is no escape — man drags man down or man lifts man up."

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I fear that in all three of these cases, the healing of the victims and their families was hindered by their experience in the courtroom. Due to incompetent representation, Musse's young victim and family will have to endure another trial. In the other two cases, the victims were told the crimes committed against them were "less serious" or "atypical" and the sentences were dramatically reduced.

I applaud Oprah's efforts to locate and apprehend at large sexual predators as an important step in protecting children. I just want her and her viewers to know that a long and difficult walk through the criminal justice system remains. I encourage them to follow these cases to their conclusion. Along the way, they, like WATCH monitors, may be troubled by lengthy continuances, accused child rapists released pending trial and/or sentencing, all manner of victim blaming, juries that fail to convict despite strong evidence, and of course, inappropriately lenient sentences and overturned convic-

Mailing List Corrections

WATCH is converting to a new database. If your name or address appears incorrectly on your mailing address or if you received a newsletter after asking to be taken off the mailing list, please let us know and we will be happy to make the necessary corrections. We apologize for any inconvenience.

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608 2nd Ave. S., # 465
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With assistance from WATCH and others, CCR created forms, conducted volunteer training, and coordinated volunteer monitors. The group, like other monitoring efforts, focused on lending transparency to the court proceedings. Pakou Hang, one of the group's founders, acknowledged that some people use a crime committed by a member of a minority community to stereotype the entire community. "We want to make sure the judicial process is fairly administered," she said.

On November 2, 2005, following the trial's conclusion, CCR held a community meeting to distribute a report of its observations. Volunteers noted that when minorities entered the courtroom they were often asked which organization they were representing before being seated in the back two rows or being told there were no seats available. Still, monitors felt respected by the deputies and impressed by the professionalism of both the judge and jury.

Monitors were attentive to cultural nuances. For example, when Chai Vang stated in English that some of the victims "deserved to die," CCR volunteers noted a possibility of misinterpretation. There are three Hmong variants for the English word "deserve," suggesting that understanding Vang's English would require some recognition of the subtleties of language interpretation.

Vang was convicted by an all-white jury, and while neither the report nor the organization questions the verdict, they note how people's perceptions of discrimination are influenced by group identity and cultural experience. The report noted that media coverage consistently described Vang's impassive face during his testimony, but did not report on the body language or facial expressions of witnesses, many of which seemed significant to CCR volunteers.

Last year, WATCH trained a chapter of the ACLU who is monitoring courts in northern Minnesota for bias against American Indians. Like CCR, they believe in the importance of transparency and accountability in court proceedings. Like WATCH, both groups use trained volunteer monitors to promote greater community awareness and involvement. WATCH supports these and other efforts across the country to hold the justice system to the

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