

## The impact of Minnesota's felony strangulation law

By Heather Wolfgram, MSW LGSW,  
Court Monitoring Coordinator

*Special thanks to WATCH intern Maurice Solarin for assistance with data collection and to all the individuals who responded to the survey or participated in interviews.*

*"Strangulation is often one of the last abusive acts committed by a violent domestic partner before murder."*

**Hennepin County Fatality Review Team  
2004 report**

The Minnesota legislature passed a bill during the 2005 session making strangulation during a domestic assault a felony. Minnesota Statutes § 609.2247 went into effect on August 1, 2005. Prior to the law's passage, most domestic strangulation cases were charged as misdemeanors even though strangulation is one of the most dangerous forms of domestic violence, and according to the Hennepin County Fatality Review Team, initiated with the assistance of WATCH, and other experts,<sup>1</sup> is frequently a precursor to domestic homicide.

The new law, which applies to stran-

1 Strack, Gael B., McClane, George E., and Hawley, Dean (2001). A review of 300 attempted strangulation cases Part 1: Criminal Legal Issues. Violence Recognition, Management, and Prevention 21 (3) pg. 303-309.

gulation perpetrated by a family or household member,<sup>2</sup> defines strangulation as "intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person." If convicted, a defendant may be sentenced to imprisonment of up to three years, or be fined up to \$5,000, or both.

To assess the law's initial impact, WATCH interviewed 18 Hennepin County professionals including victim advocates, law enforcement officers, judges, city and county prosecutors, and probation officers;<sup>3</sup> reviewed 59 Hennepin County cases with felony domestic strangulation charges; and reviewed 17 misdemeanor domestic violence cases involving the defendant placing his hand around the

2 The statute defines "family or household member" as a spouse or former spouse; parents and children; persons related by blood; persons who are presently residing together or who have resided together in the past; persons who have a child in common regardless of whether they have been married or have lived together at any time; a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether or not they have been married or lived together at any time; and persons involved in a significant romantic or sexual relationship.

3 The Public Defender's Office declined to participate in interviews.

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## WHAT'S NEW

WATCH bids a fond farewell to board member Cindie Smart who recently stepped down from the board—for the second time! Cindie was a founding board member of WATCH, donating both office space and expertise in the early years. It was Cindie who recruited Jacquelyn Hauser to be the first executive director of WATCH, and it was Cindie who bought the first WATCH clipboards, choosing red over bubblegum pink, a prescient—and tasteful—move into "branding."

After taking time off to tend to her growing paralegal firm, Smart Legal Assistance, Cindie rejoined the board in 2002 and served as chair of the personnel committee. We will miss her savvy leadership, her steady hand, and her sense of humor. Thanks for all, Cindie. Let us know when you're ready for round three.

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## 2006: A year of great things for WATCH

By Marna Anderson, Executive Director and Sara Mushlitz, Board Chair

2006 was a great year for WATCH. First and foremost, as you will read later in this newsletter, WATCH monitored 5,945 hearings in Hennepin County and maintained a consistent presence at the courthouse. We also completed three research studies, all of which have had a positive impact on the court system and how cases of violence against women are handled. Because of our ground-breaking research, local media continue to recognize WATCH as an important voice on issues related to violence against women in Minnesota.

Additionally, the board and staff have initiated a new three-year strategic plan, and the enthusiasm and collegiality are evident in our planning sessions. We have a common vision to:

- Strengthen our national presence and provide leadership for court monitoring groups around the country
- Become a more diverse and inclusive organization
- Strive toward operational excellence

The addition of two new staff members, Debra DeRosa and Heather Wolfram, this past year means that we are working at full capacity and can implement many of the ideas WATCH's leadership has been discussing for several years.

Perhaps the most exciting of these is the development of the National Association of Court Monitoring Programs. The National Association offers an on-line newsletter reporting on court monitoring trends and activities around the country, legal decisions that impact victims of violence, and the opportunity for court monitoring groups to interact with one another.

In the coming year, WATCH will offer quarterly web-based trainings for court monitoring groups and access to WATCH training materials. The National Association is designed to provide high-quality services to court monitoring groups and uses online technology to

keep overhead expenses low, something WATCH has been very successful at over the years!

In this issue of the *WATCH Post* are several pages listing our donors, for whom we are very grateful. We are fortunate to have a good mix of individual and foundation support, making it possible to pursue our mission rather than chase money.


And our volunteers recognized in this issue of the *WATCH Post* make our work possible. It is the citizen engagement and involvement that make WATCH an effective organization. The public's presence in the courtroom not only has an impact on those being monitored, it changes the monitors as well. Our volunteers become aware of the complexities of the justice system, the failings of human beings, and the fragility of human life.


As a result, many monitors become more involved in their communities after volunteering for WATCH. They learn to challenge the images of women portrayed in popular culture that lead to increased violence. They learn that "CSI" (in all its varieties) and "Law and Order" are flawed portrayals of our criminal justice system, even if they continue to watch the shows! Most importantly, WATCH monitors learn that they can make a difference in their communities.


Understanding the administration of justice in one's community can be a powerful starting point for greater community involvement and engagement. As WATCH promotes its model around the country, we will emphasize the significance of citizen participation in court monitoring.

We begin 2007 with a great deal of excitement for where we are headed. And we are grateful to our donors and volunteers for their loyalty and belief in our mission.

## Thumbs up/thumbs down

 Thumbs up to the United Nations (U.N.) for taking an important step in addressing crimes against women. In conjunction with a comprehensive study of international domestic violence by the World Health Organization, the U. N. released a report classifying violence against women as a human rights violation. In another first, the U.N. also recognized the right of indigenous women to be free from violence in the Declaration on the Rights of Indigenous Peoples. Women have long held that women's rights are human rights, and it is gratifying to see this affirmed in the international arena.

 Thumbs down to the Richmond, British Columbia fire department for requiring all line personnel to wear standardized underwear while on duty! Claiming the move will reduce sexual harassment after a strongly critical mediator's report lambasted the department for long tolerating it, six pairs of boxer shorts per employee were issued. All four of the department's female firefighters walked off the job last year protesting ongoing harassment, and two have filed lawsuits alleging widespread discrimination, including interfering with water supplies at fires. To see such serious allegations result in such a ridiculous policy is disappointing to say the least. WATCH agrees with the commentator who remarked, "Suggesting sexual harassment can be prevented by women wearing boxers is a little like saying rape can be prevented by women wearing trousers."

 Thumbs up to Senator Joseph Biden, author of the Violence Against Women Act, for drafting a new bill to expand legal services to battered women. The bill, slated to be introduced in the upcoming session, will promote the self-sufficiency of domestic violence victims through increased access to education, employment training, and building credit. In addition, the bill will offer tuition reimbursement to attorneys in exchange for providing legal assistance for battered women seeking protective orders, child support, and financial assistance. Many barriers prevent women from achieving safety from violence, and we applaud the Senator for seeking new avenues for removing them.

victim's neck.<sup>4</sup> WATCH also gathered statewide charging information from the State Court Administrator's Office and distributed a survey to Minnesota Coalition for Battered Women member programs, eliciting responses from 16 domestic violence service providers serving primarily 15 counties and the Leech Lake Reservation. In addition, WATCH regularly monitors domestic violence cases and has made observation of strangulation cases a priority since the new law went into effect.

### **A positive impact**

The individuals WATCH contacted for this study saw the overall impact of the domestic strangulation law as positive. They noted an increased awareness of the potential lethality of domestic strangulation and enhanced victim safety and offender accountability as positive outcomes. As one judge stated, *"This law is doing what we hoped it would do: it is drawing attention to the potential lethality of this crime. More resources are being devoted to this type of case. We have also increased the consequences and in some ways educated the public on domestic violence."* Some interviewees, however, observed that Hennepin County is not yet using the law "to its fullest potential." Many greater Minnesota survey respondents made a similar observation about their home counties.

### **Increased awareness**

Ten of the 18 interviewees in Hennepin County discussed an increase in their awareness of strangulation's potential lethality in the wake of the legislation. A judge stated, *"There is an acknowledgement that one person could kill another. People generally don't think of domestic violence as something that can result in death. This legislation calls attention to how seriously one can hurt another."* A county attorney said, *"Misdemeanor charges do not*

*sufficiently address the seriousness of the crime."* A law enforcement officer echoed with, *"When someone rises to the level of strangulation, a big part of me thinks it should be an attempted murder. I look at every domestic as the next possible homicide."*

Many interviewees pointed to the link between increased awareness and victim safety. Almost everyone interviewed had read the latest studies on the topic and described how, armed with this knowledge, they have changed how they handle these cases. The legislation has spurred numerous trainings and motivated individuals in the system to educate themselves and their colleagues about domestic strangulation and victim safety.

A WATCH monitor overheard a defense attorney say that she found it "very ironic" that since the strangulation legislation passed, almost all domestics are now being charged as felonies. The prosecutor stated, *"If you look at the domestics that end in murder, almost all of them were precipitated by strangulation."* Since the majority of strangulations were previously charged as misdemeanors, many people were unaware of how common strangulation is in domestic violence and how dangerous it is for victims.

Several of the probation officers and city attorneys interviewed said strangulation is a "red flag" for them and that they pay closer attention to these cases. According to one probation officer, *"Most probation officers view strangulation as a red flag, look at it differently, deal with contact [between the victim and the defendant] differently, particularly as it relates to what the defendant wants [regarding contact]."* Another stated, *"When we see red flags like this, we are more aware of risk factors and much less tolerant of violations. We take these cases very seriously. [Strangulation is] just one of several red flags we pay attention to."* A city attorney echoed with, *"We view*

*[strangulation] as having an increased lethality, at points where risk assessments are done, it is more heavily weighted. It is a factor in how I look at cases.*

Law enforcement officers and victim advocates are also taking these cases more seriously than in the past and cautioning victims to do so as well. One victim advocate said she attempts *"to educate victims on the fatality of strangulation and how quickly they can die."* An ongoing mission for those with knowledge of the lethality of strangulation is to advise victims to use the stronger and more appropriate term "strangulation" rather than "choking" when reporting life-threatening attacks to police officers and medical personnel. The shift in terminology not only grabs the attention of criminal justice system personnel, but also of victims who may have a breakthrough about the lethality of their situation.

In greater Minnesota, survey respondents' views about the impact of the new law in raising awareness varied from county to county. One advocacy organization wrote, *"Our county prosecutor has been very diligent about prosecuting domestic assault strangulation cases when he has probable cause to do so. I think law enforcement is also paying more attention to the strangulation signs."* Most survey respondents in rural counties, like their urban counterparts, emphasized the need for more education and training. In particular, they cited a lack of understanding among law enforcement officers and prosecutors about what constitutes "impeding normal breathing." Many also acknowledged the difficulty of investigating and prosecuting cases with little physical evidence, especially when a victim recants or declines to testify.

### **Victim Safety**

Interviewees felt that overall the felony domestic strangulation law promotes victim safety. As one prosecutor stated, *"When you can charge a felony, it puts*

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<sup>4</sup> These cases were charged between August 1, 2005, and February 28, 2006.

## The year in review

2006 was not only a great year for WATCH, but a year of many firsts. Highlights from the past year are captured in the following paragraphs, so read on to see what we've been up to.

### Daily court monitoring

In 2006, WATCH held three training sessions and trained 37 new volunteers. **Volunteers donated 2,358 hours monitoring 5,945 hearings in criminal court, family court, and domestic violence court.**

WATCH volunteer coordinator

**Shahidah Maayif's new recruitment strategies added 10 volunteers of color** last year, a WATCH record.

Having a diverse volunteer pool assures that volunteers from a broad range of perspectives observe the courts, which contributes to a more comprehensive understanding of the justice system. Shahidah was also busy setting up learning opportunities for volunteers, organizing several meetings with members of the justice system and tours of the public safety facility to allow volunteers an opportunity to see what happens "behind the scenes."

To further promote diversity, **WATCH established the Lois Bishop Student of Color Internship** in honor of beloved WATCH board member and community volunteer Lois Bishop. The first Bishop intern, Maurice Solarin, started in June. Maurice is a graduate of the University of Minnesota's sociology department with an emphasis in law, criminology, and deviance and a minor in urban studies. Maurice has been a vital addition to WATCH and spent the first half of the year gathering and analyzing data for the strangulation study, which was released last month.

WATCH is thrilled with its progress in recruiting volunteers of color, bringing a diversity of views and observations that are critical to the success of court monitoring.

### Research projects

In July 2006, **WATCH released a joint report with the University of Minnesota summarizing an 18-month project looking at the effects of victim impact statements at sentencing hearings.** The study is believed to be the first of its kind since Minnesota granted crime victims the right to give an impact statement in 1988. Twenty-two judges and 15 advocates were interviewed, volunteers monitored 74 sentencing hearings, and researchers attended another 15. The study was the first to interview judges and advocates in-depth about victim impact statements and combine these interviews with extensive observations of sentencing hearings.

The study underlined how important it is for judges to acknowledge the impact of crime on victims and families and to show appropriate respect for them when they appear in court. Because of state mandated sentencing guidelines, an impact statement frequently cannot affect the length of a sentence, but it often affects conditions that are important to the victim's safety, such as no contact orders, restitution, frequency of required contact with a probation officer, and some forms of treatment.

Also in July, **WATCH released a report of its study of Hennepin County's designated domestic violence court.**

The court was established in 2000, and WATCH issued a comprehensive report of its operations one year later. The 2006 report found significant improvements since 2001, when inconsistencies, delays, and unprofessional demeanor were common. However, the report also highlighted a key concern closely tied to women's safety: defendants repeatedly and at times flagrantly violating no contact orders barring contact with their victims.

Following publication of the 2006 report, the clerk of courts developed a set of standards and instituted a practice of reading these standards at the begin-

ning of domestic violence court each day. The standards outline the prohibitions and instruct defendants that deputies will enforce no contact violations when they occur. After presenting the report to the Hennepin County Family Violence Coordinating Council, the Council discussed that a written explanation of the instructions regarding no contact be included on the summons sent to defendants requiring them to appear in court on a specified date.

In the third project, **WATCH conducted a study to examine implementation of a law passed in 2005 making strangulation during a domestic assault a felony.** WATCH reviewed Hennepin County domestic violence cases involving strangulation that occurred during the first six months of the law's passage to determine its impact on victim safety and offender accountability.

The study revealed that the impact of the new law has so far been positive. As one judge said, "This law is doing what we hoped it would do: it is drawing attention to the potential lethality of this crime. More resources are being devoted to this type of case. We have also increased the consequences and in some ways educated the public on domestic violence." The report is summarized in this newsletter and can be seen in its entirety at [www.watchmn.org](http://www.watchmn.org).

### Communications

WATCH is recognized by the media as a reliable source of information and commentary on violence against women. In July, we **received extensive media coverage of our landmark study of victim impact statements**, including the Star Tribune, the Pioneer Press, Minnesota Public Radio (MPR), and local television news coverage. In September, WATCH executive director Marna Anderson and former Ramsey County judge Mary Louise Klas were featured on MPR's "Midmorning" show days after the high-profile double homicide in Washington County that left Terri Lee and Timothy Hawkinson, Sr. dead.

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*a more serious light on the conduct. This enhances victim safety because judges set higher bail.*” A victim advocate commented that more time and resources can be devoted to felony cases than to misdemeanor cases.

*“As felony cases, it gives us more time to work with and to gather input from victims because the process takes longer—two to three months as opposed to two to four weeks as with misdemeanors.”*

As the full report discusses in greater detail, the data concluded that the felony domestic strangulation law has enhanced victim safety by increasing the number of convictions of strangulation crimes—on both felony and misdemeanor charges. In addition, the increased awareness and training received by law enforcement officers, investigators, and prosecutors has resulted in a significant decrease in the number of cases being dismissed when strangulation cases are charged as felonies compared to when they are charged as misdemeanors.

Several interviewees were quick to point out a shortfall in the law that limits its impact in promoting victim safety — lenient penalties for defendants convicted under it. As a level four felony (as defined by statute), Minnesota’s sentencing guidelines prescribe a probationary sentence of a year and a day stayed. Many interviewees said this was not enough of a crime deterrent.

### **Offender accountability**

All interviewees agreed that the felony domestic strangulation law enhances offender accountability, again supporting this position by citing the greater attention, time, and resources dedicated to felonies. One judge stated emphatically that, *“Misdemeanors didn’t [hold offenders accountable],”* adding, *“Research says [strangulation] is an escalation, therefore, it is being charged as a felony under which the penalties and probation conditions are more serious.”* An

advocate commented, *“This new legislation has brought many cases that would have been charged as misdemeanors or gross misdemeanors to the felony level. The advantage of that is that these cases have a better chance of getting pre-sentence investigations and supervised probation.”*

Defendants are more likely to receive probation and their probationary periods tend to be longer when convicted of felonies. However, in Hennepin County, domestic violence offenders convicted of felonies can actually receive less intensive probation than offenders convicted of misdemeanors due to a lack of specialized probationary units to supervise felons.

One judge talked about changes they had seen in the way law enforcement officers and prosecutors respond to these crimes since the new law went into effect. This individual also felt that prosecutors were “doing their best” to aggressively bring these cases forward. This individual was not alone; others commented that they had observed law enforcement officers conducting more thorough investigations by taking more pictures and better documenting the crime scene. Several prosecutors said that having a specific felony domestic strangulation charge gives them more leverage to ensure a conviction and that cases that were often reduced to lesser charges or dismissed altogether are now resulting in convictions.

Other interviewees offered that the increased fines and penalties associated with felonies, such as greater time at the Adult Correctional Facility and extended probation periods, were evidence of increased offender accountability. One advocate stated, *“We can hold offenders accountable longer. Defendants get longer probation, [and] penalties are greater.”* Another advocate felt that the law helped to bring some dangerous first-time domestic abusers to the system’s attention sooner than if they had been charged with misde-

meanors for strangling their victims: *“First reports of domestic violence usually come in as misdemeanors, and it takes a while before they escalate or are enhanced to felonies.”*

Even if the charge is dropped to misdemeanor domestic assault as part of a plea agreement, prosecutors can charge any future misdemeanor-level domestic assaults at a higher level with a previous conviction on a qualified domestic violence-related offense.<sup>5</sup> For example, if a defendant has two misdemeanor domestic assault-related convictions within ten years (for most qualified crimes), most new misdemeanor domestic assaults can be charged as felonies. Prior to this law’s passage, the charges in many strangulation cases were reduced to non-qualifying charges such as disorderly conduct, or simply dismissed, rendering any new domestic assault charges unable to be enhanced.

### **A lack of accountability**

Opinions varied on the *degree* to which offender accountability is enhanced under the new statute. An investigator for the Family Violence Unit of the Minneapolis Police Department noted a lack of accountability via little law enforcement training on the subject. This investigator pointed out that printed material and DVDs on strangulation were circulated among patrol officers in each precinct, but little formal training was offered. *“Systematically, we even have a hard time naming it [strangulation],”* said another investigator.

Similarly, a probation officer also mentioned the need for more training to augment the law’s implementation, saying that not all probation officers have received the same level of training on domestic violence, which can result in less intensive supervision for some defendants. Hennepin County has two specialized units that supervise only misdemeanor domestic violence offenders. Probation officers in these units

<sup>5</sup> Qualified domestic violence offenses are defined in MN Stat. § 609.02 subd. 16a

Strangulation continued from page 5 receive additional training on the dynamics of domestic violence, a specialization that does not exist for probation officers responsible for adult-felons. This inconsistency can lead to less intensive supervision for domestic violence offenders convicted of felonies than their counterparts convicted of misdemeanors.

Several interviewees stated that the penalties are still not adequate considering the seriousness of strangulation. A victim advocate said, *“I don’t think the guidelines are appropriate. This should be a higher-level felony.”* One probation officer concerned about the guidelines observed, *“In terms of how they are sentenced, defendants are frequently given a break. I think people are walking out of here with 60 or 90 days [and] with lots of denial. Low sentences feed into denial.”*

Other interviewees believe the guidelines are appropriate. One Hennepin County attorney said, *“As a level four felony, [the statute] is probably the appropriate place to have it on the guidelines. Egregious assaults have the possibility for departure.”* A judge agreed, *“I don’t think penalties should be increased from the sentencing guidelines. We want to give the defendant an opportunity for treatment.”* A second judge followed with, *“I don’t want to see the penalties increase. I think it is appropriately a felony level offense and does accomplish what it intended to accomplish.”*

### Case review results

The case review and examination of statewide charging trends show that the strangulation statute is being widely and often successfully used across Minnesota. According to the State Court Administrator’s Office, prosecutors charged a total of 1,107 strangulation cases from August 1, 2005, to August 31, 2006.<sup>6</sup> Conviction data was not available from this office due to cumber-

some data collection programs.

Of the 59 Hennepin County cases WATCH examined:

- Convictions were obtained in 83 percent of cases (felony and misdemeanor).<sup>7</sup>
- Forty-two percent ended in convictions under the felony strangulation statute.<sup>8</sup>
- Seventeen percent ended in convictions under other felonies such as terroristic threats or violation of an order for protection.
- Twenty percent of cases ended in convictions to lesser qualifying domestic violence-related crimes such as fifth degree domestic assault.
- Almost seven percent of cases ended in convictions on non-qualifying charges such as damage to property or disorderly conduct.<sup>9</sup>
- Fourteen percent of cases were dismissed.<sup>10</sup>
- One case is still open at the time of this report’s publication.<sup>11</sup>

The case review in this study brought to light other concerns with how sentencing and probation violations are being handled in Hennepin County. WATCH is concerned that stays of imposition for two years or less are being offered. Stays of imposition allow defendants’ guilty pleas to be vacated and their cases removed from the record after successfully completing a probationary period of two years or less. This creates the possibility that future domestic assaults will be unable to be enhanced to greater charges. Four of the 17 cases in which defendants were sentenced to

stays of imposition resulted in stays of two years or less.

Another concern of WATCH is the lack of consequences for offenders who commit probation violations, including committing new crimes, while on probation. In relatively short order, 11 of the 59 (22 percent) defendants violated their probation, four of which were convicted of felony domestic strangulation. Three of the 11 defendants re-offended or violated probation as many as three times, and only two served additional time at the Adult Correctional Facility after their third violation.

Violations of probation on felony domestic assaults are of significant concern to those interviewed by WATCH. As noted previously, no specialized probation unit for felony-level domestic abusers exists in Hennepin County. This problem is aggravated by the increased number of defendants being placed on probation due to the passage of the felony domestic strangulation law.

### Conclusion and recommendations

The majority of those interviewed and surveyed view the felony domestic strangulation statute as a positive step in enhancing victim safety, holding domestic abusers accountable, and preventing domestic homicides. The number of charges filed since the statute passed indicates that the law is being used with regularity—in combination with other charges and on its own. This recognizes that strangulation is frequent in domestic violence, and that it is a serious assault with grave and sometimes fatal injuries to the victim.

The law has clearly increased the awareness of many victims, service providers, and criminal justice personnel about the potential lethality of strangulation. Some law enforcement agencies are dedicating more time and resources to investigating these crimes, more prosecutors are aggressively bringing these cases forward, and advocates are continuing to support and educate

<sup>7</sup> Three defendants (six percent) were convicted of more than one charge.

<sup>8</sup> One defendant was convicted of felony domestic strangulation and another felony – only the felony domestic strangulation conviction is included in these calculations.

<sup>9</sup> One defendant was convicted of two counts of misdemeanor disorderly conduct.

<sup>10</sup> Initial charges in these cases are included in “initial charges” calculations.

<sup>11</sup> The defendant has entered a guilty plea in this case and has failed to appear for sentencing. Initial and final charges in these cases are included in all calculations.

<sup>6</sup> For a county by county breakdown, see the full strangulation report available at [www.watchmn.org](http://www.watchmn.org).

victims. WATCH's data show that the law has resulted in an increased number of convictions on strangulation assaults on both felony and misdemeanor charges.

However, according to the individuals interviewed for this report and based on WATCH's monitoring, the law's implementation is not without its shortcomings. Specifically, WATCH's case review points out inconsistencies in charging patterns, lenient sentences given to potentially lethal offenders, failures to adequately address probation violations, and the need to intensify probation supervision.

As one of six states with felony strangulation statutes, Minnesota has the opportunity to provide leadership nationally on how to implement such a law. The following recommendations by WATCH would go a long way toward increasing the potential of the statute.

#### Recommendation #1

- Increase probationary supervision of felony-level offenders. This could be implemented through a specialized unit to supervise felony-level domestic violence offenders or through increasing domestic violence training for probation officers that supervise felony-level probationers.

#### Recommendation #2

- Encourage the judiciary to increase and standardize probation revocations when defendants violate their probation. Further, encourage the bench to verbalize to defendants the seriousness of violating no-contact orders and orders for protection in domestic strangulation, and to address violations with appropriate sanctions.

#### Recommendation #3

- Discourage the judiciary from ordering stays of imposition of sentences for less than two years in domestic strangulation cases.

#### Recommendation #4

- Provide written materials (with on-the-scene check list) for law enforcement officers responding to domestic assault strangulation scenes to ensure that

all necessary questions are asked of victims and witnesses, injuries are documented and photographed, and appropriate medical treatment is provided.

#### Recommendation #5

- Encourage batterers' intervention programs to develop specific types of intervention that target abusers who use strangulation.

#### Recommendation #6

- Convene a domestic strangulation working group of the Hennepin County Family Violence Coordinating Council to look at implementation of the new law in Hennepin County. Use WATCH's report and findings as a springboard for discussion and action.

#### Recommendation #7

- Conduct yearly reviews of strangulation-related misdemeanor cases to ensure that investigation, charging, and referral policies are followed.

#### Recommendation #8

- Encourage service providers, law enforcement, and court personnel to host domestic strangulation review teams or working groups in jurisdictions statewide to review the law, WATCH's report, and gaps in local implementation.

#### Recommendation #9

- Provide training on strangulation for all domestic violence service providers, medical professionals, and criminal justice system personnel, including specifics on statutory language and requirements.

#### Recommendation #10

- Encourage community education about the high incidence of strangulation in domestic abuse cases; accurate terminology when discussing strangulation; the impact of strangulation on victims and their children; the continuum of violence and the role strangulation plays as violence escalates; and the potential lethality of strangulation.

For the complete report, see [www.watchmn.org](http://www.watchmn.org).

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WATCH gratefully acknowledges financial support from the following foundations in 2006.

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WATCH gratefully acknowledges financial support from the following organization in 2006.

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Piper Jaffray Companies Foundation  
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WATCH is a small organization with a big agenda, matched by the heart of our donors. We continue to operate well within our shoe-string budget, squeezing every dime out of your contributed dollars. We are deeply honored to receive such solid support from so many of you, year after year, and we thank you for your generosity. If you'd like to make a donation before our fiscal year ends on June 30, I encourage you to use the envelope in this newsletter, or go to the donate page at [www.watchmn.org](http://www.watchmn.org). Please feel free to call the office at 612-341-2747 if you have any questions.

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Irv and Marge Weiser  
Sally Westby  
Claire Canavan and Tim Whalen  
Leo and Mary Wherley  
Rob and Julie White

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# In memory of Lois Bishop

WATCH lost a strong guiding hand and a dear friend with the death in December of former board member Lois Bishop. Lois went off the board last spring, having served the maximum number of terms allowed, but continued to serve ex officio on the development committee.

In her ten years with WATCH Lois was utterly dependable in every way. She rarely missed a board meeting, even when the weather was fierce or she was feeling lousy. She was serious of purpose, yet with her can-do attitude and dry humor she managed to make even the most tedious work seem fun. And although her health had been giving her some problems of late, she still seemed full of feisty enthusiasm, and her death came as a shock to us all.

When asked how they remember Lois, people come up with many words: unpretentious, wise, fearless, sometimes scary, funny, reliable, a leader but not domineering, determined, dogged, dauntless . . . and always the refrain, "What will we do without Lois?"

But what we heard over and over again from people was how they felt supported, cared for and mentored. So much of what women have achieved in this city, in this state, has Lois's handprints—if not her bricks and mortar—all over it. And as she helped grow the organizations around her, she also helped grow the leadership within.

Last May, WATCH presented its annual Sheila Wellstone Gold WATCH award to Lois for her tireless work on behalf of women and girls. In honor of her commitment to diversity in non-profit organizations and to involving young people in non-profit leadership, WATCH also initiated a paid internship in her name for students of color, to encourage careers in public service and criminal justice, and to further diversify WATCH. Contributions made in Lois's memory will go to sustain that fund.

Lois's efforts on behalf of so many, including those of us at WATCH, have made all the difference, and we will miss her terribly.



*The first recipient, A. Maurice Solarin, with Lois Bishop at Gold WATCH, May 2006*

WATCH gratefully acknowledges those who contributed to the Lois Bishop Student of Color Internship when it was established last May, as well as those who have made a recent contribution in her memory.

Anonymous  
Marna Anderson and Jim Morgan  
Martha and Bruce Atwater  
Cecile Bedor  
Emily Blodgett  
Connie Coleman  
Sage and John Cowles  
Vicki and David Cox  
Mary Lee Dayton  
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Cheryl Thomas and Roger Heegaard  
John and Nina Tuttle  
Ruth Usem  
Joanne and Phillip Von Blon  
Margaret and Angus Wurtele  
Julie and Charlie Zelle

# Volunteer notes

✓ There was a lot of joking and laughing at the attorney table in criminal court. In contrast, the eight women in the gallery (either victims or family members) waiting for hearings had very serious expressions on their faces. It was an odd and at times uncomfortable dynamic.

✓ Before the appearance, I overheard both the defense attorney and prosecutor and a victim's family member discussing the personal cost to them for the time spent idly waiting in the courtroom.

✓ Before domestic violence court began, a defense attorney was speaking in a loud voice (so loud that I could hear him in the back of the courtroom) to the city attorney about how he and his wife were trying to have another baby. He said that his wife's "blue book value" was going down with every baby she had and with age. He then said he was going to "trade her in" after their second baby.

✓ Domestic violence court has improved significantly. The clerk was thorough in explaining the rules and procedures of the courtroom to defendants and observers.

✓ The public defenders, prosecutors, and private attorneys in criminal court as well as people in the gallery expressed frustration about scheduling and late start times. I've never heard this many people complain in one afternoon.

✓ At the revocation hearing, the judge revoked the 30 days and did an amazing job explaining the criminal no contact order to the defendant. She talked at length about his responsibility to remove himself from any situation where female minors are present. She provided him with several examples of things he could not do and squarely told him it was his responsibility to ensure that another violation did not occur.

Continued on page 11

Marna was also interviewed by WCCO radio and Radio America about ways to improve the justice system to prevent domestic homicides.

**National leadership and training**

As the first court monitoring organization focused solely on violence against women, WATCH has established a respected national reputation as a primary source of information on court monitoring as a tool for systems change. For 14 years, we have supported the efforts of court monitoring groups around the country through conferences, site visits, training materials, and phone and email consultation.

In 2006, **WATCH completed revisions to its training manual, *Developing a Court Monitoring Program***, first published in 2001. The new manual contains nearly 200 pages of information geared to assist new and established monitoring programs, including useful outlines, training exercises, sample monitoring forms, PowerPoint discussion guides, and project development ideas. The manual is now available for purchase, and WATCH is working with other national organizations to identify marketing opportunities.

Groups who contact us have a need for specific types of assistance, such as: training and advice on starting a court monitoring group; strategies for strengthening their programming or designing a training or research project; and suggestions for using court monitoring as an evaluation tool to improve the justice system's handling of cases of violence against women.

**Fifteen programs located throughout the United States benefited directly from WATCH in 2006 in the form of training, technical assistance, and resource materials.** In addition to conducting trainings for three groups in New Mexico, WATCH met with a representative from the Arizona Coalition

Against Domestic Violence to discuss its plans to start court monitoring in Arizona and trained a VISTA volunteer from the Montana Coalition for Battered Women who is working on a statewide court monitoring effort there. We are continuing to assist these groups in their efforts.

Perhaps most exciting, is the **establishment of the National Association of Court Monitoring Programs**. In January, WATCH inaugurated *Court Watch Connection*, an e-newsletter designed to provide court monitoring programs across the U.S. with a forum for discussing and disseminating court monitoring news and information. Plans are in place to add "webinars" and web-based discussions this year, linking programs from across the country in a network of support and advocacy.

Each year, the efforts of concerned citizens here and throughout the world bring us closer to the goal of eliminating violence against women and children. By reviewing the past year's accomplishments, we can more clearly recognize our impact and recommit ourselves to being agents for change in the coming year.

**National association forming**

The National Association of Court Monitoring Programs (NACMP) was initiated by WATCH to support the creation and expansion of court monitoring programs across the U.S. The NACMP provides training, technical assistance, and national organizing to those engaged in utilizing court monitoring to improve the safety of women and children in the justice system. We invite you to join us and to help spread the word about the association. Visit [www.watchmn.org](http://www.watchmn.org) and click on "About Us" for membership benefits.

- John and Anne Wicka
- Tom and Angie Wicka
- DePaul Willette
- Roy and Kathy Williams
- Mary and Jack Willis
- David Wilson and Michael Peterman
- Winnidell Wilson
- Penny and Mike Winton
- Steve and Kathy Wishart
- Sandy and Rich Worthing
- Lisa Wright in Honor of Diana Harvey
- Margaret and Angus Wurtele
- Courtney Yasmineh
- Shawn Young and Sheldon Rockler
- Julie and Charlie Zelle

*We make every effort to insure the accuracy of our records. If there is a mistake in your listing, please let us know, so we may correct it. All your gifts are very much appreciated and we thank you for your understanding.*

**Volunteer notes continued from page 10**

✓ In felony arraignment court, the defense attorney pushed for the defendant to return to the home and the victim, the defendant's 15-year-old daughter, to go into foster care. The judge ruled against this action, siding with the victim instead. The defendant was ordered to live elsewhere, have no contact with the victim, and pay child support.

✓ The judge sincerely expressed his sorrow to the victims and their families for the pain the defendant, a child molester, had caused them.

The Hennepin County Domestic Fatality Review Team recently published its 2007 report. The report reviews 11 domestic homicides committed in Hennepin County and identifies numerous "opportunities for intervention," several of which address the need for psychological assessment and services for children who have witnessed the murder of a parent. The report is available at <http://www.mncourts.gov/district/4/>

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Special thanks to all the volunteers who keep WATCH a growing, vibrant organization. From monitoring the courts and assisting with research projects to helping out in the office and with special events, volunteers donate thousands of hours each year and make our work possible.

Thank you!

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