

*Hennepin County  
Domestic Fatality Review Team*

**A Report to the  
Hennepin County Board of Commissioners**

**November 2003**

**Organizations contributing to this effort include:**

- General Mills Community Action
- Wells Fargo
- United Way of the Greater Twin Cities
- Domestic Abuse Project
- Sojourner Project, Inc.
- Minnesota Coalition for Battered Women
- Hennepin County Court Services
- Minneapolis Public Schools
- Minnetonka City Attorney's Office
- Minneapolis City Attorney's Office
- Hennepin County Medical Examiner's Office
- Minneapolis Police Department
- Hennepin County District Court
- Hennepin County Department of Community Corrections
- Hennepin County Attorney's Office
- Hennepin County Child Protection Division
- Hennepin County Public Defender's Office
- Hennepin County Multi-Cultural Affairs Office
- Hennepin County Adult Field Services
- Hennepin County Sheriff's Office

*This report is a product of the Hennepin County Domestic Fatality Review Team*

*Special Acknowledgement to Denny Rogers, General Mills Community Action Volunteer for compiling information from Review Team Members*

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## Hennepin County Domestic Fatality Review Team Progress Report

October 2003

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**“One life lost as a result of domestic violence is one life too many.”**

Jacquelyn Hauser, Founder of the  
Hennepin County Domestic Fatality Review Team

**In the last 10 years in Hennepin County:**

**85 women and**

**33 children**

**were killed as a result of domestic violence<sup>1</sup>**

Last year's Domestic Assault Findings in Hennepin County District Court:

- 132 Felony Domestic Assault Filings
- 705 Gross Misdemeanor
- 3,720 Misdemeanor

There were 2859 "Orders for Protection" Hearings in Hennepin County District Court.<sup>2</sup>

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<sup>1</sup> *Minnesota Coalition for Battered Women Femicide Report, 1992-2002.*

<sup>2</sup> *Hennepin County District Court Research Division, October 13, 2003*

**The purpose  
of the Hennepin County Domestic Fatality Review Board  
is to examine deaths resulting from domestic violence in  
order to identify the circumstances that led  
to the homicide(s).**

**The goal  
is to discover factors that will prompt improved  
identification, intervention, and prevention efforts in similar  
cases. It's important to emphasize that the purpose is not to  
place blame for the death, but rather to actively improve all  
systems that serve persons involved with domestic abuse.**

Hennepin County Domestic Fatality Review  
Pilot Project Executive Summary, 2002

## Executive Summary

Since September 29, 1999 the Hennepin County Domestic Fatality Review Team has investigated fourteen case files of homicides that resulted from domestic violence. This dedicated group of 34 team members represents a cross-disciplinary and multi-sector collaboration of public, private and nonprofit organizations. The sole purpose for these reviews is to actively improve all systems that serve persons involved with domestic abuse. This sobering task has brought insights into the policies and procedures of our respective organizations that inhibit us from better serving those who suffer abuse, witness abuse, or perpetrate abuse.

This progress report is intended to chronicle the vast improvements in programs, policies and procedures resulting from the findings of the Domestic Fatality Review Team. These improvements include:

- **Hennepin County Attorney's Office**
  - Now reviews all cases in which the perpetrator is “gone on arrival” within 24 hours.
  - Coordinates referrals to identify enhancements for felony level prosecution
  - Police training on domestic violence
  - Initiated a national research on prosecution of strangulation cases
  - Improved protocols for referring cases to the County Attorney's Office
  - Improved information to present a more complete case for prosecution
  - Encourage “Tab” charged threats to be referred for prosecution
  - Training on protocols for interviewing children and referrals to child protection
  - Assigned advocate to work with children in domestic abuse cases
  - Police training on rights of custodial and non-custodial parents
  - Now discuss suicide as a factor of lethality.
- **Hennepin County Family Court**
  - All staff now annually receive four hours of mandatory training on domestic abuse.
- **Hennepin County District Court**
  - Domestic Court was established
  - A full day of training was held across departments and agencies
  - Judges have been informed about bail determination constraints including suicide and violent threats on dates close to time protection orders are served
  - Fatality Review Team Report is shared with Judges who rotate into Domestic Violence Court
  - Children's Mental Health remains a major concern of the Court.
- **Hennepin County Juvenile Court**
  - Increased sensitivity to domestic violence

- **Hennepin County Community Corrections Adult Probation**
  - Domestic Violence Screening Inventory is now being utilized
  - Pre-sentence Investigations have changed to better reflect dynamics of domestic abuse.
  - Advocates may now sit in on Probation Officer's interviews
- **Hennepin County Medical Center**
  - Initiated training on domestic violence for Emergency Department Faculty and Residents and instituted intake interview screening of domestic violence.
- **Minneapolis Public Schools**
  - Developed a policy and procedure for staff, parents and students that have an "Order for Protection."
- **Nonprofit providers**
  - Improved advocacy
  - Better information and referrals

In addition, the Review Team has worked to compile a set of recommendations to improve four important areas:

- **Children Who Witness Domestic Violence**  
Outcome: Children who witness, or who themselves, may be victims of domestic violence will have appropriate intervention and support services.
- **Strangulation**  
Outcome: Create greater consequences for domestic violence cases involving victims who are strangled
- **Police Training**  
Outcome: Law enforcement officers will be trained on domestic violence issues. The law will be changed to mandate at least 5-8 hours of domestic abuse training every three years.
- **Medical Records**  
Outcome: Create a mechanism to make the pertinent medical records of victims of domestic available in a timely manner to law enforcement agencies.

The Review Team is working to implement these recommendations over the next year. The team will also continue to review cases that involve aspects of institutional interaction with domestic violence that to date have not been examined.

Funding for this project in 2003 was provided by a \$30,000 grant from the Hennepin County Board of Commissioners. The Review Team is actively seeking funding for 2004 from a variety of sources including Hennepin County, foundations, corporations, and individual donations. In the past year a total of estimated donations to accomplish the mission of the Domestic Fatality Review Team was over \$120,000.00. This represents over 2736 volunteer hours donated by professionals working to review domestic homicide cases. In addition, over \$6,500 dollars of in-kind support in office supplies, meeting space and mailing expenses were donated to support this effort.



## Testimonials to Change

*I approach the domestic violence victim with much greater concern for her life as well as her overall welfare due to a much greater appreciation for the lethality of domestic violence.*

*I am more than ever convinced that the victim herself knows best what danger she is in and I listen for her cues to feed back to her and discuss her safety with her. I am much more concerned that the legal system (e.g. an order for protection) is not an effective means of protection for the victim. I am more insistent on interviewing the victim of violence without the presence of her significant other.*

*I am asking about domestic violence more often and encouraging routine screening of all Emergency Department patients for domestic violence. I am more persistent at trying to find a way for a victim in the Emergency Department to safely have access to helpful information about domestic abuse even when she initially declines. I have addressed the entire Emergency Department Faculty and Residents on the topic of domestic violence, emphasizing the point that it is our obligation as physicians to make the diagnosis and provide resources to the victim. Following this lecture, a plan was made by nursing staff to change the electronic chart used to record intake interviews for the Emergency Department to include domestic violence screening, which had been inadvertently omitted in the switch from paper to computer charting. A plan was also made to provide a supply of written Domestic Violence resource materials in all female bathrooms and pelvic rooms in the Emergency Department at Hennepin County Medical Center.*

*I have committed to lecturing medical students on rotation in the Emergency Department about domestic violence once a month for the next year.*

**Cher Adkinson, MD – Hennepin County Medical Center  
Department of Emergency Medicine  
Domestic Fatality Review Team Member**

## Testimonials to Change

*"One result of our work together as a team has been an increase in trust among team members and improved working relationships outside of the team itself."*

**Elizabeth Hughes, Hennepin County Public Defender's Office  
Domestic Fatality Review Team Member**

*From a community agency perspective, and a person who is new to this procedure, I feel our work and mission coincides with the Fatality Review Team. We look forward to not only gaining insights in this process, but also to contribute and provide ways to better the response of systems.*

**David Mathews, Domestic Abuse Project  
Domestic Fatality Review Team Member**

*I have not recommended specific changes to our program, we are a battered woman's program; but the Fatality Review Team has changed the way I think about cases and to some extent the way I talk to battered women and to the court system people. I talk more openly with women about the level of dangerousness they are experiencing and talk to prosecutors, Probation Officers, police, etc. about danger signs, the possibility of homicides, etc.*

**Denise Eng, Sojourner Project, Inc.  
Domestic Fatality Review Team Member**

*There are changes in sensitivities to domestic violence in juvenile court as a result of the Fatality Review report.*

**The Honorable Richard Scherer, Hennepin County  
District Court Judge and  
Chair of the Fatality Review Team/Advisory Board  
Domestic Fatality Review Team Member**

## **Improvements in Programs, Policies and Procedures Resulting from the Findings of the Domestic Fatality Review Team**

### **Hennepin County Attorney's Office**

- The Domestic Abuse Service Center Prosecutor now reviews all cases in which the perpetrator is “gone on arrival” (GOA) within 24 hours. If a “gone on arrival” occurs on the weekend, the cases are reviewed on the following Monday.
- The County Attorney’s Office is coordinating referrals to identify enhancements and felony level prosecution.
- The County Attorney’s Office provided domestic violence training to each police precinct in Minneapolis. The training included:
  1. Documenting evidence;
  2. Understanding victims' physical and emotional state; and
  3. Recording the condition of the home and all other evidence.This training was provided in January through March of 2003.
- The County Attorney’s Office is presently coordinating and researching a national investigation of the prosecution of strangulation cases. The Attorney’s Office reviews police reports where strangulation is alleged and is formulating training for prosecutors on the specific medical issues related to strangulation cases. This will allow The County Attorney’s Office to pursue appropriate changes in the law, if appropriate, approve protocols within our office and enhance advocacy when a victim has been strangled.
- The County Attorney’s Office conducted numerous meetings with the Minneapolis Police Department to establish and delineate charging protocols and to review protocols and the process used to refer cases to The County Attorney’s Office.
- Minneapolis Police Department Family Violence Unit and The Domestic Abuse Service Center have developed the capacity to incorporate and access a variety of information to present a more complete case for purposes of prosecution, civil, and probation review.
- The County Attorney’s Office has encouraged tab charged threats to be referred to the County Attorney’s Office for felony charging. The Family Violence Coordinating Council is reviewing the weapons issue as part of their Criminal Committee agenda.

- The County Attorney's Office provided in-service training to the Minneapolis Police Department regarding the protocols for interviewing children and making appropriate referrals to child protection with an emphasis on the safety of the child and any role the child may have had as a witness.
- The County Attorney's Office, through their Victim Witness Program, has assigned a specific advocate to work with children on cases where there is domestic abuse.
- The County Attorney's Office provided in-service training with Minneapolis Police Department on the rights of custodial and non-custodial parents and enforcement of orders.
- The County Attorney's Office Victim Witness Program and The Domestic Abuse Service Center Advocates discuss with victims suicide as a factor of lethality.

### **Family Court Services**

- A new training requirement has been established. All staff receives annually four hours of mandatory training on domestic abuse.

### **Hennepin County District Court**

- Domestic Violence Court was established for more consistent handling of domestic violence cases.
- A full day training on domestic violence was held across departments and agencies involved in domestic cases. Juvenile Court, Probation, Child Protection, and the Minneapolis Police were among those in attendance. The training received rave reviews.
- Domestic Violence Court judges have been informed about bail determination constraints including suicide and violent threats on dates close to the time protection orders are served.
- Judges participating on the Fatality Review Team share copies of the Fatality Review Team Report and other insights with the judges who rotate onto the Domestic Violence Court.
- Victims, perpetrators and their children who have not been diagnosed and/or treated for mental health issues are a major concern of the Court.

The following recommendations are being considered in Hennepin County District Court:

- The continued support for the Domestic Violence Court, so that judges who preside over judicial calendars are trained in the law, procedures, and social dynamics of family violence.
- Continue requiring pre-sentence investigations on domestic cases.
- Support the MN Court Information System (MNCIS), a computer program that would link various agencies and systems in the state to allow statewide information to be available for judges when making bail/release/sentencing decisions.
- Continue training judges regarding the potential for lethality in family violence cases. Utilize appropriate lethality information in the pretrial release, sentencing, and special conditions.
- The District Court is prepared to work with the State to begin implementing MN Court Information System, (MNCIS).
- The Court rejected a recommendation to do away with Pre-Sentence Investigations in DV (Domestic Violence) cases.

### **Community Corrections Adult Probation**

- Domestic Violence Screening Inventory, a validated assessment tool, is now being utilized.
- Pre-sentence Investigations have changed to better reflect dynamics of domestic abuse.
- Upon request of a victim, advocates sit in on Probation Officer's interviews.

### **Minneapolis Public Schools**

- Andersen Open Public School in Minneapolis has crafted model procedures for staff, students, and families with an "Order for Protection" (OFP). These procedures detail a step by step protocol for all members of the faculty and staff for incidents that occur within the building as well as during field trips. The policy delineates the responsibilities of the teachers, social workers, police liaison, and school administrators.
- A school administrator is responsible to write a formal complaint to the Minneapolis Police Department if the police choose not to arrest a perpetrator who is present OR choose not to take a report from our staff. A copy of the complaint will be given to the social worker so it can be filed in the student's social work file.

- A parent must provide documentation from the court to the school in order for the school not to enforce the OFP on file since an OFP remains in effect until the expiration of the order unless the school receives a court order, which dismisses the OFP.
- The school's policy states in bold and capital letters at the end of the policy the following statement: **“REMEMBER: IT IS NOT THE RESPONSIBILITY OF THE PETITIONER (VICTIM) TO GIVE US PERMISSION TO ACT ON THE PETITION. IT IS OUR RESPONSIBILITY.”**

*Full Text of Andersen Open Schools policy can be found in Appendix A.*

### **Public, Private, Nonprofit Collaboration**

- General Mills Community Action has donated management staff to assist the Fatality Review Team over the next year.
- Wells Fargo has donated the time and expertise of a licensed social worker experienced in providing assistance to management and employees about potential domestic and workplace violence issues.
- The United Way, American Red Cross, and Wells Fargo have donated meeting space for the Review Team to meet.

## Implementing Change Strategies

### Children Who Witness Domestic Violence

Outcome: Children who witness, or who themselves, may be victims of domestic violence will have appropriate intervention and support services.

- **Posters/Community Education/Websites/Pamphlets.** These would have to include phone numbers of professionals to call for assistance. We would need to ensure that all contacts were properly trained in this specific area. In addition, these would need funding to operate and/or community-based volunteers.
- **Theatre.** Children (Anderson/County Home School) writing script focused on Domestic Violence issues and travel to different areas to perform.

#### Discussion re: Endorsing the Theatre Option

- Have different scripts that would relate age appropriate information.
- Funding may be available.
- Children would write the play, so it would be peers relating to peers.
- Possibility of collaborating with other agencies to organize a production or share information
- Must include suburbs—not just Minneapolis. Get buy-in from different communities so they would want to contribute.
- Look for companies/foundations that would be willing to contribute, i.e., Target, Pillsbury.
- Find a professional party willing to produce a video of the play.
- Find a theatre willing to donate their facilities.
- Hold a benefit performance to help raise funds. Would include policy makers, school board members/funders.
- Timeline: February, 2004
- Fatality Review Committee would be responsible for endorsing the program and proposing to those who could assist in the funding.
- What would a child do if he/she saw his/her situation portrayed in the play? Must have resources available for them to go to. Could incorporate the posters/pamphlets, etc. into this. This would be the key to the success of such an initiative.

#### General Discussion:

- Minneapolis Police Department has new funding to allow a response team to come to an incident location and respond to children in need.
- Goal is to break the shroud of silence

#### Goal Statement:

To sponsor outreach by bringing support to encourage children who are witnesses and/or victims of Domestic Violence to break the shroud of silence. This would be accomplished by having children, through performance based methods, communicate to other children the issues surrounding domestic abuse.

## **Implementing Change Strategies**

### **Police Training**

#### **1. What do we plan to accomplish? Goal/Outcome?**

Outcome: Law enforcement officers will be trained on domestic violence issues. The law will be changed to mandate at least 5-8 hours of domestic abuse training every three years.

#### **2. What exists now? How will this change what currently exists?**

Currently, in Minnesota, there is only three hours of training required for basic skills training. There is 48 hours of continuing education required every three years; however, there is no requirement for domestic abuse training beyond the initial three hours.

Increasing the amount of hours required in training and continuing education.

#### **3. Steps to accomplish the goals or objectives?**

Work with POST Board to push for change.

Work with the organizations below and others to push for change in legislation.

- Chief of Police Association
- Academy of Training Officers of Minnesota
- Minnesota Battered Women's Coalition

#### **4. Resources needed to accomplish the task?**

Internet, time, contacts in the system, money (cost barriers) for getting the training and hours funded.

Talk with groups or individuals who have done training in past or are currently doing them.

#### **5. What time frame?**

The Legislative Session. Approach together along with the strangulation issue.

#### **6. Who do the recommendations go to?**

Legislators, law makers, the public, advocacy/victims groups, police organizations.

#### **6. Will it require any changes in public policy and/or law?**



YES

## **Implementing Change Strategies**

### **Medical Records**

Outcome: Create a mechanism to make the pertinent medical records of victims of domestic available in a timely manner to law enforcement agencies.

We identified four major steps that needed to be taken in order to accomplish this:

- 1) Find out exactly what must be specified about who the information can be released to;
- 2) Approach metro area hospitals about their willingness to do this, or, identify one or two hospitals as a pilot for this;
- 3) Assuming the hospitals are willing to do this, work with them to determine how the victim will have forms and information presented to them;
- 4) Figure out how to get information back to police if the victim has signed the form and most importantly, if the injuries may constitute a felony offense.

The County Attorney assigned to HCMC informed us that it was fine to identify a list of agencies that would have access to information as a result of the signed consent form, e.g., Minneapolis City Attorney, Minneapolis Police, etc. We will investigate the possibility of releasing information to anyone regarding a case that was under investigation.

## Implementing Change Strategies

### Strangulation

1. What do we plan to accomplish?  
Outcome: Create greater consequences for domestic violence cases involving victims who are strangled.
2. What exists now?  
No systematic response or process for handling strangulation cases; they are sent to either the city or the county for charging; police are often unable to distinguish between felony and misdemeanor referrals
3. Steps to accomplish our goals?
  - Review legislation in other states
  - Propose statutory changes in Minnesota
  - Police training on identifying strangulation cases (felony vs. misdemeanor), collecting evidence, developing medical evidence, obtaining photographs, obtaining medical releases at the scene, etc.
  - Joint training between city and county attorneys to recognize strangulation cases, make appropriate referrals, charge aggressively, develop strategies for prosecution (e.g., use of experts), etc.
  - Battered Women's Justice Project to provide training for battered women's organizations so advocates can provide support and advice to victims in these cases
  - Provide training to child protection workers (e.g., child protection assessments) to identify the increased risk of harm and danger to the victim and children in strangulation cases
  - Offer information and training to judges and referees on strangulation dynamics in domestic abuse cases
  - Obtain Post Board, CLE, Social Work credits for those who attend these trainings
4. Resources needed to accomplish the task?
  - Money for national expert to provide training
  - Money for facilities and food
  - Attorney and staff time to provide training and produce handouts
5. Time frame?
  - Prosecution training      January 2004
  - Police training              March 2004
  - Child Protection training   Ongoing through April 2004
6. To whom does the recommendation go?  
Each department must authorize its own expenditure of time and money
7. Will it require any changes in laws or public policy?  
Changes in the law are not required but are desirable (see #3)

**Organizations contributing to this effort include:**

- **General Mills Community Action**
- **Wells Fargo**
- **United Way of the Greater Twin Cities**
- **Domestic Abuse Project**
- **Sojourner Project, Inc.**
- **Minnesota Coalition for Battered Women**
- **Hennepin County Court Services**
- **Minneapolis Public Schools**
- **Minnetonka City Attorney's Office**
- **Minneapolis City Attorney's Office**
- **Hennepin County Medical Examiner's Office**
- **Minneapolis Police Department**
- **Hennepin County District Court**
- **Hennepin County Department of Community Corrections**
- **Hennepin County Attorney's Office**
- **Hennepin County Child Protection Division**
- **Hennepin County Public Defender's Office**
- **Hennepin County Multi-Cultural Affairs Office**
- **Hennepin County Adult Field Services**
- **Hennepin County Sheriff's Office**

**Donations to Accomplish the Mission of the Domestic Fatality Review Team in the Past Year**

**Professional Time:**

Professionals donating time over and above their job duties. Professionals report that to participate in the Review Process they must stay late at work, or make up time over the weekends.

**Total Estimated Hours = 2,736**

**Estimated value of these hours based on hourly salary = \$116,464.86**

**In-kind Donations**

This includes office supplies, mailing expenses, meeting expenses **Total Estimated In-kind Donations = \$6,600**

**Total Donations to the Domestic Fatality Review Team = \$123,064.86**

**Domestic Fatality Review Team Members  
2003**

**Cher Adkinson\*\*** is Associate Professor of Emergency Medicine at the University of Minnesota and Hennepin County Medical Center.

**Gunnar Bankovics \*\*** serves as Program Manager for Hennepin County Family Court Services.

**Dana Banwer\*** is the Deputy City Attorney in charge of the Criminal Division of the Minneapolis City Attorney's Office.

**Kathryn Berg\*\*** holds the position of Assistant Chief Medical Examiner in the Hennepin County Medical Examiner's Office.

**Sgt. Dean Christiansen** is a twelve-year member of the Minneapolis Police Department. He is currently the Team Leader for the Domestic Assault Team within the Family Violence Unit.

**Katheryn Cranbrook** is a Senior Clinical Psychologist with Psychological Services of the Hennepin County District Court.

**Lt. Isaac (Ike) de Lugo\*** (Minneapolis Police Department) has been a Police Officer for more than 23 years and has served in a variety of positions.

**Denise Eng \*\***(Advisory Board Member) works as the Community Program Manager of Sojourner Shelter.

**Nancy Halverson\*** is a Corrections Unit Supervisor for the Hennepin County Department of Community Corrections.

**Michelle Hatcher\*** has been employed as an assistant Hennepin County Attorney in the Child Protection Division for the past two and a half years.

**Jacquelyn Hauser\*\*** Founding Director of the Fatality Review Team. She has spent the majority of her professional career working with or within the criminal justice system.

**Elizabeth Hughes\*\*** (Advisory Board Member) is a Senior Attorney in the Hennepin County Public Defender's Office and has been involved in criminal defense for 20 years.

**Hani Hussein\***, Somali Outreach Liaison, works in Hennepin County Office of Multi-Cultural as an Outreach liaison.

**Fred Karasov\*** works in the Hennepin County Attorney's Office as a senior attorney supervising the Domestic Abuse Team in the Violent Crimes Division.

**Elmer Lovrien\***, has been an internal Employee Assistance Counselor for Wells Fargo (formerly Norwest) Banks, for ten years.

**David Mathews\*, Psy.D., LICSW** has over twenty years of experience working in the field of violence and violence prevention. He is employed as Director of Therapy at Domestic Abuse Project (DAP).

**Jahmal Mattson\*** Domestic Abuse Unit at Probation Services South and is currently supervising a caseload of Misdemeanor and Gross-Misdemeanor domestic abuse related offenses.

**Carolyn McHenry\*** works in Hennepin County Children, Family and Adult Services Department as a Program Manager in the Child Protection area and has 30 years experience in Child Protection.

**Tom Merkel\*** is an Inspector with the Hennepin County Sheriff's Office, responsible for the Court Security Division, Civil Unit and Adult Detention Division (Jail).

**Brian Moehn\*** has been a family court referee for the Fourth Judicial District since 1986.

**Patricia Mullen\*\*** (Facilitator) works in Hennepin County Department of Community Corrections as an Organization Development Consultant.

**Lawrence Panciera\*\*** currently serves as Chief Clinical Psychologist for Hennepin County District Court Psychological Services.

**Kathryn Quaintance\*\*** (Advisory Board Member) Judge Kathryn Quaintance was appointed to the Hennepin County bench in October 2000. She currently is assigned to Juvenile Court hearing Delinquency and Child Protection cases.

**Tim Reardon \*** Project Director for the Fatality Review Team, is the President of THE REARDON GROUP, a public affairs consulting firm. He has 22 years experience in children and family social policy.

**Vicki Riven \*\***

**Richard Scherer\*\*** Chair of the Review Team and Advisory Board (Advisory Board Member) was appointed to the Hennepin County District Court Bench in 1994. He recently completed an assignment in Juvenile Court, and is now assigned to hear civil and criminal cases.

**Karen Shannon\*\*** is a Minneapolis Public School social worker. She has worked in social services for the past 26 years.

**Carol Skradski\*\*** (Advisory Board Member) has served for 25 years in the Adult Probation Division of the Community Corrections Department. She currently works as a Program Manager for Adult Field Services.

**Rolf Sponheim\*** (Team Member) has been an Assistant Minnetonka City Attorney since 1992.

**Lonna Stevens\*** works for the Minnesota Coalition for Battered Women in St. Paul.

**Lolita Ulloa\*\*** has been the managing attorney for the victim services division of the Hennepin County Attorney's Office since January 2000.

**Rick Zimmerman\*\*** (Advisory Board Member) is a Sergeant in the Homicide Unit of the Minneapolis Police Department where he has worked for the past five years. He has worked for the Department since 1985.

\* new member

\*\* updated April 2003

## APPENDIX A

**ANDERSEN OPEN'S PROCEDURE REGARDING  
STUDENTS AND FAMILIES WITH AN  
"ORDER FOR PROTECTION" (OFP)**

Petitioner = Victim

Respondent = Perpetrator

1. **ANY** staff member who is told by a student or parent that the family has a "restraining order" or an "Order for Protection" (OFP), is to do the following **immediately**:
  - Request a copy of the OFP from the parent (inform the parent that we are **unable to act on an OFP unless we have a copy**);
  - Request a picture of the alleged perpetrator so the school can make a copy in order to protect the victim(s); **and**
  - Inform the student's social worker and school administration **in writing** about the situation (regardless of whether or not the school has received the documentation of an OFP).
  
2. The student's **social worker** is responsible for taking immediate action on the steps detailed below.
  - If school personnel have **not** obtained a copy of an OFP:
    - Δ contact the petitioning (victim) parent in order to understand the situation and to request a copy of the OFP and if possible a picture of the perpetrator;
  - Once the petition is received, determine if it is an active order.
    - Δ If the order has expired, it is no longer active and we can **not** act on it.
    - Δ If it is an active order, determine the expiration date of the order. [*"Order for Domestic Abuse Hearing and Ex Parte Order for Protection"* is temporary and is typically ordered by the court for seven days and an *"Order For Protection"* is typically ordered by the court for 12 months.]
  - Review the order to verify that the student(s) is included. **If the OFP is only for the petitioner (victim), it does not give us authority to prevent access to the child. However, it does give us authority to prevent access to the petitioner.**
  - copy and file the order in the following offices:
    - Δ Student's social work file;
    - Δ Police liaison officer's mailbox;
    - Δ School security officer's mailbox;
    - Δ "OFP" folder in the B office filing drawer marked "OFP"; and,
    - Δ "OFP" folder in the C office filing drawer marked "OFP"

- write an email to the following people about the specifics of the order which pertain to the school and the court's mandate regarding contact with the victim and/or the children:
    - △ Principal
    - △ Two assistant principals
    - △ Security officer
    - △ Police liaison officer
    - △ Clerks in the B and C offices
    - △ School nurse
    - △ Lead behavior teacher
    - △ Student's homeroom teacher
3. The classroom teacher is responsible for notifying in writing any staff person whom might need to know about an OFP for the purpose of site security (e.g., team members, resource teachers, center's teachers, ELL teachers, etc.). It is important to be discrete with the information since the order might contain sensitive information (e.g., petitioner's address, date of birth, social security number, etc.)
- 4A. **ANY** staff member who is aware of an active violation of an OFP on school grounds (e.g., perpetrator arrives at school) is to immediately call 8-4250\* and request a **Code Yellow** be called for the building. Provide the office with the following information:
- What, where and who;
  - What you need;
  - if you need immediate response, say so,  
***\*If there is no answer, call one of the emergency numbers listed on your card***
- 4B. Administrators, administrative designees, security personnel and the police liaison officer are responsible for immediately calling 911 when a violation occurs. They are also responsible for providing a copy (which is available in both the B and C offices in the filing drawers marked "OFP") of the OFP to the police when they arrive. **ALL** orders state: "A peace officer must arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated this order for protection..." In other words, the police are required to arrest the respondent at the scene of the violation (see #6).

*If the police arrive on the scene and the perpetrator has fled the premises the police **must** take a report from our staff documenting the violation (see #6)*



5. The classroom teacher is responsible for informing staff about OFPs on students who go on field trips. The classroom teacher is to copy the OFP for the lead staff to take on a field trip in case the perpetrator chooses to violate the OFP. If any staff member is aware of an active violation of an OFP on a field trip, call 911 immediately. Provide the operator with the following information:

- What, where and who;
- What you need;
- If you need immediate response, say so,  
***\*Be sure to tell the operator you have a copy of the OFP with you!***

Give the OFP to the police when they arrive. **ALL** orders state: “A peace officer must arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated this order for protection...” In other words, the police are required to arrest the respondent at the scene of the violation (see #6).

*If the police arrive on the scene and the perpetrator has fled the premises the police **must** take a report from our staff documenting the violation (see #6)*

6. ***An administrator will write a formal complaint to the Minneapolis Police Department if the police choose not to arrest a perpetrator who is present OR choose not to take a report from our staff. A copy of the complaint will be given to the social worker so it can be filed in the student’s social work file.***
7. A parent must provide documentation from the court to the school in order for the school **not** to enforce the OFP on file *since an OFP remains in effect until the expiration of the order unless the school receives a court order, which dismisses the OFP.*

**REMEMBER: IT IS NOT THE RESPONSIBILITY OF THE PETITIONER (VICTIM) TO GIVE US PERMISSION TO ACT ON THE PETITION. IT IS OUR RESPONSIBILITY.**

K.Shannon 10/08/02, Revised 3/10/03

**ANDERSEN OPEN'S PROCEDURE REGARDING  
STAFF WITH AN  
"ORDER FOR PROTECTION" (OFP)**

Petitioner = Victim  
Respondent = Perpetrator

1. **ANY** staff member who has a "restraining order" or an "Order for Protection" (OFP), and chooses to have administration be aware of the situation is to do the following **immediately**:
  - Notify an administrator in writing about the OFP;
  - Provide an administrator with a copy of the OFP (remember, the school is **unable to act on an OFP unless we have a copy**); **and**
  - If possible, provide the administrator with a picture of the alleged perpetrator so the school can make a copy for the purpose of site security.
  
2. The administrator is responsible for taking immediate action on the steps detailed below.
  - Once the petition is received, determine if it is an active order.
    - △ If the order has expired, it is no longer active and we can **not** act on it.
    - △ If it is an active order, determine the expiration date of the order. [*Order for Domestic Abuse Hearing and Ex Parte Order for Protection* is temporary and is typically ordered by the court for seven days and an *Order for Protection* is typically ordered by the court for 12 months.]
  - Determine who is identified as needing protection on the order
  - Copy and file the order in the following offices:
    - △ Police liaison officer's mailbox
    - △ School security officer's mailbox
    - △ "OFP" folder in the B office filing drawer marked "OFP"
    - △ "OFP" folder in the C office filing drawer marked "OFP"
  - Write an email to the following people about the specifics of the order which pertain to the school and the court's mandate regarding contact with the victim:
    - △ Staff member who has the order
    - △ Principal (if not the administrator reviewing the order)
    - △ Two assistant principals
    - △ Security officer
    - △ Police liaison officer
  
3. Determine with the staff member if any additional staff need to be apprised of the order (e.g., teammates, educational assistants, student teachers, clerks, social workers, etc.)

4. The staff member is responsible for notifying in writing any staff person who might need to know about an OFP for the purpose of site security.
- 4A. **ANY** staff member who is aware of an active violation of an OFP on school grounds (e.g., perpetrator arrives at school) is to immediately call 8-4250\* and request a **Code Yellow** be called for the building. Provide the office with the following information:
  - What, where and who;
  - What you need
  - If you need immediate response, say so  
***\*If there is no answer, call one of the emergency numbers listed on your card***
- 4B. Administrators, administrative designees, security personnel and the police liaison officer are responsible for immediately calling 911 when a violation occurs. They are also responsible for providing a copy (which is available in both the B and C offices in the filing drawers marked "OFP") of the OFP to the police when they arrive. **ALL** orders state: "A peace officer must arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated this order for protection..." In other words, the police are required to arrest the respondent at the scene of the violation (see #6).

*If the police arrive on the scene and the perpetrator has fled the premises the police **must** take a report from our staff documenting the violation (see #6)*

5. The staff member is responsible for taking a copy of the OFP on a field trip in case the perpetrator chooses to violate the OFP. If any staff member is aware of an active violation of an OFP on a field trip, call 911 immediately. Provide the operator with the following information:
  - What, where and who;
  - What you need;
  - If you need immediate response, say so  
***\*Be sure to tell the operator you have a copy of the OFP with you!***

Give the OFP to the police when they arrive. **ALL** orders state: "A peace officer must arrest without a warrant and take into custody a person whom the peace officer has probable cause to believe has violated this order for protection..." In other words, the police are required to arrest the respondent at the scene of the violation (see #6).

*If the police arrive on the scene and the perpetrator has fled the premises the police **must** take a report from our staff documenting the violation (see #6).*

6. ***An administrator will write a formal complaint to the Minneapolis Police Department if the police choose not to arrest a perpetrator who is present OR choose not to take a report from our staff. Copies of the complaint will be given to the staff member and will be kept by the administrator.***
7. A staff member must provide documentation from the court to the school in order for the school not to enforce the OFP on file since an OFP remains in effect until the expiration of the order unless the school receives a court order, which dismisses the OFP.

REMEMBER: IT IS NOT THE RESPONSIBILITY OF THE PETITIONER (VICTIM) TO GIVE US PERMISSION TO ACT ON THE PETITION. IT IS *OUR* RESPONSIBILITY.

K.Shannon 10/08/02, Revised 3/10/03

## Appendix B

## Domestic Assault Filings in Hennepin County

1993 – 2003<sup>3</sup>

| <i>Year</i>                | <i>Felony</i> | <i>Gross<br/>Misdemeanor</i> | <i>Misdemeanor</i> | <i>Petty<br/>Misdemeanor</i> | <i>TOTAL</i> | <i>Deaths<br/>resulting<br/>from<br/>Domestic<br/>Violence</i>                    |
|----------------------------|---------------|------------------------------|--------------------|------------------------------|--------------|---|
| 1993                       | 38            | 37                           | 5,273              | 0                            | <b>5,398</b> | <b>Women 9<br/>Children 5</b>   |
| 1994                       | 65            | 62                           | 5,367              | 0                            | <b>5,494</b> | <b>Women 5<br/>Children 1</b>   |
| 1995                       | 79            | 74                           | 5,440              | 0                            | <b>5,593</b> | <b>Women 9<br/>Children 5</b>   |
| 1996                       | 73            | 136                          | 5,256              | 1                            | <b>5,466</b> | <b>Women 8<br/>Children 5</b>   |
| 1997                       | 89            | 185                          | 5,022              | 0                            | <b>5,296</b> | <b>Women 7<br/>Children 3</b>   |
| 1998                       | 92            | 407                          | 4,790              | 0                            | <b>5,289</b> | <b>Women 4<br/>Children 3</b>   |
| 1999                       | 93            | 497                          | 4,266              | 0                            | <b>4,856</b> | <b>Women 4<br/>Children 4</b>   |
| 2000                       | 95            | 594                          | 3,995              | 0                            | <b>4,684</b> | <b>Women 8<br/>Children 3</b>   |
| 2001                       | 131           | 643                          | 3,694              | 0                            | <b>4,468</b> | <b>Women 12<br/>Children 3</b>  |
| 2002                       | 132           | 705                          | 3,720              | 0                            | <b>4,557</b> | <b>Women 5<br/>Children 3</b>   |
| 2003 (first<br>six months) | 83            | 361                          | 1,728              | 1                            | <b>2,173</b> | <b>Not<br/>available</b>  |
|                            |               |                              |                    |                              |              | <b>Total<br/>Deaths<br/>from 1993-<br/>2002=<br/>Women 71<br/>Children<br/>33</b> |

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<sup>3</sup> Hennepin County District Court Research Division, October 13, 2003<sup>4</sup> Minnesota Battered Women's Coalition Femicide Reports

Hennepin County District Court: Family Court Division:  
Domestic Abuse Order for Protection (OFP) Hearings\*

1993-2003\*\*

| <b>Year</b> | <b>Number of Hearings for Civil Orders for Protection</b> |
|-------------|---|
| 1993        | 3,408   |
| 1994        | 3,503   |
| 1995        | 3,686   |
| 1996        | 3,922   |
| 1997        | 3,837   |
| 1998        | 3,383   |
| 1999        | 3,215   |
| 2000        | 3,156   |
| 2001        | 3,138   |
| 2002        | 2,963   |
| 2003        | 2,859   |

\*The data represents hearings, not necessarily granted Orders for Protection. At any hearing, the request for an OFP may be granted or denied by the judicial officer.

\*\*The years represented are “rolling” years, ending in July. In other words, this data represents 12 full months of data for every year, including 2003.<sup>5</sup>

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<sup>5</sup> Hennepin County District Court Research Division, October 13, 2003

**For more information please contact:**

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Chair of the Domestic Fatality Review Team - 612-348-3759**

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