

Family Violence Coordinating Council

2020

Annual report of the Fourth Judicial District
Family Violence Coordinating Council serving
Hennepin County.





FOURTH JUDICIAL DISTRICT

February 8, 2021

Chief Judge Todderick Barnette
Fourth Judicial District Court
300 South Sixth Street
Minneapolis, MN 55487

Dear Judge Barnette:

The Family Violence Coordinating Council (“FVCC” or “Council”) met five times in 2020. The pandemic significantly altered our ability to meet during the spring. We re-established regular virtual meetings in the fall by using Zoom. Council was co-chaired by Judge Kathryn Quaintance and Referee Mike Furnstahl. Katie Brey served as the FVCC’s Executive Director.

The statutorily defined goal of the Fourth Judicial District Family Violence Coordinating Council is to address family violence issues by promoting interdisciplinary programs and initiatives so as to coordinate public and private legal and social services, law enforcement, and judicial activities. Our purposes are to coordinate between agencies, departments, and the courts on the issues of domestic violence and abuse; to promote effective prevention, intervention, and treatment techniques; and to improve the system response to domestic violence and abuse in order to reduce those incidents and promote victim safety. The Council fulfills these objectives through committees, at council meetings, and through the efforts of the FVCC as a whole.

Members of the FVCC represent virtually all justice system players: judges, court administrators, prosecutors, public defenders, police, probation, child protection, public health, and representatives from many community agencies, in particular domestic violence advocacy programs. Family Violence Coordinating Council membership for 2021 is outlined in Appendix A.

The FVCC’s monthly meetings serve as a forum for members to share expertise and ideas to effect improvements in addressing domestic violence. During 2020 FVCC members were honored to meet new Minneapolis City Attorney Jim Rowader; hear about Hennepin County Adult Representation Services from supervising attorney Rachele Lowenson Stratton; review Justice for Family Program judicial listening session feedback from program coordinator Brandon Alkire; and learn about

opportunities suggested thru the Fatality Review Team (FRT) annual report presented by FRT Executive Director Deena Anders.

The 2020 strategic goals reflected many of the barriers identified by members and proposed solutions to those barriers. Because agency resources during 2020 were focused on how to meet client needs during a pandemic, the Council Executive Committee put most goals on hold for review in 2021. One goal, conducting an analysis of one opportunity outlined in the Fatality Review Team annual report, moved forward. The Council reviewed and assigned each opportunity to a Committee who will report back to the Council with possible implementation actions steps. An update describing the opportunities and Council actions is incorporated into this report.

The four standing committees (Advocates, Child/Juvenile, Civil, and Criminal) of the FVCC accomplish much of the work of the Council. The committee reports are incorporated into this report and set forth membership, meeting frequency, and achievements in 2020. The criminal committee was especially successfully at promoting on-line education opportunities for members, and sponsored two Zoom trainings: *Transforming Probation: A Primer on Interstate Compacts*; and *The Link Between Family Violence and Animal Violence*.

Advocates Committee members met eight times in 2020, with representation from fifteen different advocacy agencies. Members focused on the impact of the pandemic on victims and pre-pandemic, sponsored a tour of the Hennepin County Public Safety Facility. Members also discussed the magnification of racism in policing and criminal justice, and formed a new advocate subcommittee to delve into issues surround institutional racism. This new subcommittee will continue to meet bi-weekly in 2021.

Civil Committee members met bi-monthly in 2020. Meetings focused on the pandemic, and the impact and effect of operational changes across agencies and the bench. The committee sponsored and moderated four virtual bench/advocate listening sessions, heightening the understanding of domestic violence dynamics and victim experience with judicial process. Goals for 2021 focus on education, continuing with more listening sessions, and developing best practices surrounding service by alternate means.

Criminal Committee members met bi-monthly in 2020. The broad multi-disciplinary and multi-jurisdictional group of professionals discuss issues arising in the criminal courts, analyze the impact of changes on law, and the way domestic violence cases are handled in Hennepin County, with this year's additional focus on the impact of the pandemic. During 2020 the committee sponsored two trainings, one on interstate compact and transferring probation, and the other on the link between domestic violence and animal violence. During 2021 members will host 2 educational programs/seminars on domestic violence, and they will focus on the increase in Covid related mental health issues that affect families dealing with violence.

Juvenile Committee members met bi-monthly in 2020. Because of the switch to a remote format, the committee was able to increase membership and meeting participation. Members elected co-chairs for 2020 and focused meetings on discussions brainstorming how to problem-solve collective experiences from working remotely with clients and the public. Because of the on-going pandemic, the group supported the FVCC Executive Committee decision to postpone their committee sponsored annual Resource Fair for another year. Goals for 2021 include sponsoring two speakers on domestic violence related issues for their committee members and stakeholders.

The co-chairs want to take this opportunity to thank all of the members of the FVCC, the Executive Director, the committee chairs and members of the committees, for their tireless work and continued optimism that together we can be effective in reducing domestic violence in Hennepin County.

We appreciate your continued support for the work of the Family Violence Coordinating Council.

Sincerely,


Quaintance,
Kathryn
2021.02.23
13:33:10 -06'00'


Furnstahl, Mike
2021.02.08
11:51:20 -06'00'

Judge Kathryn Quaintance
FVCC Co-Chair

Referee Mike Furnstahl
FVCC Co-Chair

cc: Assistant Chief Judge Kerry Meyer
Family Violence Coordinating Council Members

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Acronym Key

AC	Advocates Committee
BWJP	Battered Women’s Justice Project
BWLAP	Battered Women’s Legal Advocacy Project
CC	Civil Committee
C/JC	Child / Juvenile Committee
CrC	Criminal Committee
DAP	Domestic Abuse Project
DASC	Domestic Abuse Service Center
DV	Domestic Violence
EC	Executive Committee
FCEP	Family Court Enhancement Project
FCS	Family Court Services
FVCC	Family Violence Coordinating Council
GOA	Gone On Arrival
HRO	Harassment Restraining Order
HSPHD	Human Services and Public Health Department (Hennepin County)
MCBW	Minnesota Coalition for Battered Women
OC	Community Outreach Committee
OFP	Order for Protection

FVCC Advocate Committee - Annual Report - 2020

I. Committee Membership and Meeting Times

The Advocate Committee of the Family Violence Coordinating Council met eight times in 2020, twice in person, the rest of the meetings via Zoom. Participation from advocates across geographic and diverse communities was strong, with representatives from fourteen different organizations attending.

II. Committee goals for the past year

1. Improvement of access in Hennepin County courts for victim/survivors with limited English proficiency or deaf/hard of hearing.

This goal was not focused upon in 2020, due to the diversion of unexpected events and changes over the courts of the year.

2. Work with Court Administration and the Sheriff's Civil Office on procedures regarding emergency restraining orders.

The Committee did make strides to coordinate better with both Court Administration and the Sheriff's Office, with District Court representatives Katie Brey, Jessica Rahier and Kate Wilson attending one of our meetings. Family Court Administration now has a contact list of agencies through which to share information about changes in procedures. More work is expected to be carried on in 2021 with the Sheriff's Office, in collaboration with the Civil Committee, and also with Court Administrative staff who manage Harassment Restraining Orders and their hearings.

3. Track the issuance of DANCOs and work with City Attorneys and the Court regarding in-custody appearances.

Prior to the pandemic, the tracking of numbers of criminal cases in which a DANCO was issued was raised at a full Council Meeting. The statistics-gathering expert on the Council offered to look into this information, but then went on maternity leave, so this information is still unknown. However, a presentation/plea was made by an advocate at a Hennepin County Suburban Prosecutor's meeting for more involvement and input at first appearances of misdemeanor/gross misdemeanor domestic-related offenses. Over the course of this year, it appears more suburban prosecutors have made written or live requests for conditions and DANCOs than in the past.

4. Host a training for advocates, FVCC members, and other interested agencies and partners.

While a public training was not organized in 2020, the Advocate Committee did receive a presentation by the MN Office of Justice Programs' Crime Victim Justice Unit in 2020. Several training topics have been identified for a larger audience, and should be ready for presentations in the coming months.

III. Committee Activities

Prior to the pandemic, more members of the Advocate community were able to take a jail tour, continuing the tours that had been organized in 2019.

Once the pandemic started affecting daily life in Minnesota, the Advocate Committee discussed how this was impacting domestic and sexual assault victim/survivors, how the changes in court processes and procedures were working, and shared information as Hennepin County Court practices evolved. Members also turned to focus on the impact of George Floyd's murder and the magnification of racism in policing and criminal justice. Out of individual and Committee discussions, a new advocate group began meeting weekly in the summer, to delve into issues around institutional racism, safety, and violence in our community, as well as where advocates fit in or should strive for changes. This group continues to meet semi-weekly into 2021.

Many advocates attended the Family Court Judicial Listening sessions in September, and then were able to synthesize the various take-aways at a subsequent Committee meeting, as each listening session was attended by different Judicial Officers and had different discussions. Also, advocacy concerns about the Sheriff's service of Restraining Orders advocates was shared with the Civil Committee to address further.

Advocates took up one piece of the Fatality Review Board report recommendations regarding language access and gender uniformity by police departments in domestic violence cases.

As always, the FVCC Advocate Committee provides an important meeting place for any advocacy agency members to share concerns, get support and information and find common concerns to improve the safety of victims and our community.

IV. 2021 Goals

1. Continue to work on goal of 2020, regarding language access for victim/survivors.
2. Host at least one training for the larger community.

3. Work with our partner police departments to address the recommendations of the Fatality Review Board 2020 report, regarding language access and gender uniformity practices.
4. Continue to work with suburban prosecutors on participation/communication regarding first appearances of domestic-related offenses.
5. Continue collaboration with Court Administration and Sheriff's office regarding civil processes and civil restraining orders.

Respectfully submitted by Rachel Ratner, Chair

Committee Membership Agencies:

Sojourner Project
Home Free Community Programs
CLUES
Cornerstone
CUHCC Clinic
Domestic Abuse Project
Eastside Neighborhood Services
Asian Women United
Aurora Center
Tubman/Chrysalis
MN Advocates for Human Rights
Standpoint
Sexual Violence Center
Violence Free Minnesota

FVCC Child/Juvenile Committee – Annual Report - 2020

I. Committee membership and meeting times.

The Family Violence Coordinating Council Juvenile Committee is comprised of people from various organizations working with youth and families. Committee membership includes representatives from Bridge for Youth, Headway, FamilyWise Services, Domestic Abuse Project, Cornerstone, Home Free, and Tubman. Membership also includes representatives from the Fourth Judicial District Juvenile Court Guardian Ad Litem Program, the Hennepin County Public Defender's Office, the Hennepin County Attorney's Office, and Hennepin County Health and Human Services. Due to the pandemic, the Juvenile Committee meets remotely via Microsoft Teams on the second Tuesday of every other month at 12:15 p.m. If anyone is interested in joining the Committee, please contact Jacob Kraus at jacob.kraus@hennepin.us.

II. Committee goals for the past year.

1. October FVCC Resource Fair.
 - a. Due to the pandemic, no October Resource Fair occurred. The Council will reassess and determine whether to hold a fair in 2021.
2. Evaluate and expand Committee membership.
 - a. Using the switch to remote meetings, the Committee has been able to increase membership and meeting participation.
3. Compare best practices during remote work.
 - a. Members shared what has worked best for them and brainstormed how to problem-solve collective experiences from working remotely with clients and the public.
4. Research and evaluate potential trainings and speakers for 2021.
 - a. Due to the pandemic, much 2020 planning was put on hold. The Committee is currently planning two trainings for 2021, which will be available to all Council members.

III. Committee Activities.

In March 2020, the Juvenile Committee met and elected their new chair, Lisa McNaughton, Managing Attorney, Hennepin County Public Defender. Later in 2020, the Juvenile Committee elected a co-chair, Jacob Kraus, Senior Assistant Hennepin County Attorney, Hennepin County Attorney's Office.

IV. 2021 Goals.

1. Before November 2021, sponsor two educational programs/seminars regarding domestic violence topics for stakeholders and their members.

Respectfully submitted by Lisa McNaughton and Jacob Kraus, Co-Chairs.

Committee Members:

Angela Lewis Dmello, Children's MN
Anna VonRueden, FamilyWise Services
Anne Glidden, Hennepin Adult Probation
Brandy Maddox, The Bridge For Youth
Jacob Kraus, Co-Chair, Hennepin County Attorney's Office
Judy Nelson, Sojourner Project
Kari Torborg, Hennepin County Child Protection
Katie Gomez, Headway
Kim S. Johnson, Hennepin County Juvenile Probation
Lauren Hofmeister, Domestic Abuse Project
Laurie Abraham, The Bridge For Youth
Leah Martin, Domestic Abuse Project
Lisa McNaughton, Co-Chair, Hennepin County Public Defender
Martha Swanson, Fourth Judicial District Guardian Ad Litem Program
M. Monteon, Missions / Home Free
Penny McTigue, Hennepin County Health and Human Services
Rebecca Steiner, Hennepin County Health and Human Services
Richard Bell, The Bridge For Youth
Sarah Lockhart, Children's MN
Tamara Stark, Tubman
Toinette Battle, Cornerstone
Z. Washington, The Bridge For Youth

FVCC Civil Committee - Annual Report - 2020

I. **Committee membership and meeting times.**

The Civil Committee of the Family Violence Coordinating Council meets bi-monthly on the fourth Thursday of the month, from 12:15 PM to 1:30 PM. Most meetings in 2020 were conducted virtually, due to the Global Pandemic. Membership consists of Judicial Officers and Court Administration staff from the Fourth Judicial District Family Court, representatives of the Guardian ad Litem Office (GAL), and representatives of the Justice for Families Grant executive team (JFF). Other members include representatives from Hennepin County Family Court Services (FCA), the Domestic Abuse Service Center (DASC), Central Minnesota Legal Services (CMLS), Battered Woman's Legal Advocacy Project (BWLAP), Hennepin County Attorney's Office (HCAO), Cornerstone, Domestic Abuse Project (DAP), Home Free, Tubman and Sojourner Project.

II. **Committee goals for the past year.**

1. Continue to host/coordinate/participate in brown bag lunches for members of the committee and greater community.

The committee established a series of 4 virtual Advocate/Judicial listening sessions which took place in August and September 2020. Virtual technology enhanced replication of the format utilized for previous in-person listening sessions. Offering 4 virtual sessions, rather than one in-person session, increased access and participation, primarily from the advocate community. Members of the Civil Committee moderated the sessions and several judicial officers participated. Feedback following the sessions was overwhelmingly positive. A list of themes/concerns from across the sessions was compiled for review at Family Court domestic violence roundtable discussions. Brandon Alkerie, Justice for Families grant coordinator, and member of the Council, presented findings of the listening sessions to the full FVCC. The listening sessions resulted in heightened awareness of domestic violence dynamics and victim experience in the judicial process, especially in relation to operational changes due to the pandemic. There is wide consensus these listening sessions are an effective means to increase communication and coordination between family justice partners. More should be pursued in the future.

2. Support advancement of gun surrender pilot programs in conjunction with JFF grant efforts, Criminal Committee, and Full FVCC.

The committees' involvement in advancing this goal was limited, due to several factors. The unprecedented impact of the pandemic and social unrest refocused energy to adapting operations and services across systems, especially in law enforcement. This put other priorities ahead of efforts to advance gun surrender pilot programs.

III. Committee Activities.

Committee membership remained stable the majority of 2020, with a few new representatives from advocacy agencies joining the committee. As we have met virtually for the nearly the entirety of 2020, much of the committee's activities have, not surprisingly, been devoted to the impacts of the global pandemic, and the impact and effect of operational changes across agencies and the courts. We have many robust conversations about barriers to services for survivors of domestic violence, access to domestic violence programming, treatment/educational programs, and access to the courts and advocacy agencies. The Civil Committee continues as an excellent forum for cross-sharing information on frequent changes to members' agencies. Members are sharing solutions to common service delivery problems created by restrictions on in-person contact and social distancing requirements. While much of 2020 is quite novel and unexpected, activities have centered on many familiar themes for the Committee. The group continues to highlight systemic concerns related to service of protective orders, and uniformity in domestic violence OFP proceedings. The diversity of the committee's membership continues to provide opportunity for rich discussion between court administration, advocates, judicial officers, Guardian ad Litem, Family Court Services, and community providers. This promotes increased awareness, across stakeholders. The group remains focused on leveraging relationships across family justice partners to seek process improvements and promote uniform best practices. Recent activities emphasize the benefits of increased engagement with our partners in the Sherriff's Department. This connects to one of our goals for 2021.

Next Year's Goals.

1. Continue to host, sponsor, coordinate brown-bag lunches/trainings on topics relevant to Committee members and the larger council. The Committee endeavors to support additional advocate/judicial listening session through virtual and brick-and-mortar options as appropriate with lifting of COVID 19 restrictions.
2. Support the development of work group focused on developing best practices and increased consistency in matters related to SAMS in OFP cases. The objective is present recommendations and effect process improvements.

3. Support training and education opportunities pursued by the Justice for Families grant related to development opportunities identified for Family Court/Family Court Services in the Fatality Review report.

Respectfully submitted by Michael Weinstein, Chair.

Committee Members:

Brandon Alkire, Justice For Families
Allison Likens, Cornerstone
Amanda Keuseman, Family Court Services/Justice for Families Grant
Amirthini Keefe, Domestic Abuse Project
Beth Assell, Central Minnesota Legal Services
Deana Smith, Domestic Abuse Service Center
Enna Mathema, Domestic Abuse Service Center
Erin Osborne, Central Minnesota legal Service
Holly Knight, Family Court Referee
Janelle O'Brien, Cornerstone
Jessica Rahier, Court Administration
Kate Feuling, Tubman
Kate Wilson, Court Administration
Kristen Novak, Tubman
Lila Bolke, Family Court Staff Attorney
Liselotte Schluender, Central Minnesota Legal Services
Mary Madden, Family Court Referee
Mary Dilla, Family Court Self-Help Center
Megan Rae, Domestic Abuse Project
Melanie Sanchez, Guardian ad Litem
Molly Procket, Home Free
Pamela Maldonado
Rana Alexander, Standpoint
Sandy Ruhland, Hennepin County Child Support
Shilo Bute, Tubman
Siri Lockensgard, Domestic Abuse Service Center
Todd Vlasaty, Hennepin County Sherriff's Dept
Venessa Foster, Tubman

FVCC Criminal Committee - Annual Report - 2020

I. Committee membership and meeting times.

The Criminal Committee of the Family Violence Coordinating Council met bi-monthly (on even months) on the third Monday at 1:30 pm at Minneapolis City Hall, normally, but this year the meetings after February were held virtually due to COVID. The committee is made up of several diverse members across all areas of the criminal justice system. Our members include prosecutors, defense attorneys, probation officers, law enforcement, court staff, advocates, counselors and educators. The Committee is pleased that this multi-disciplinary and multi-jurisdictional group of professionals continues to hold lively discussions about issues arising in the criminal courts, and that the committee make-up allows for a broader analysis of the impact of changes in the law and to the way that domestic violence criminal cases are handled in Hennepin County because of the many perspectives and jobs of those serving on the Committee.

II. Committee goals for the past year.

- I. Continue to host at least 2 educational programs/seminars regarding domestic violence related topics for criminal justice system personnel.
 1. Focus on providing trainings regarding domestic violence related topics for criminal justice system personnel.
 2. Two trainings were sponsored by the committee in 2020.
- II. Work on a case flow chart and contact list so that various criminal justice partners know who best to contact throughout the life of a case for information on the status of the case.
 1. Create a flow chart for all parts of the criminal process (charging and court appearances) for the felony and misdemeanor/gross misdemeanor levels of offenses and include points of contact for each stage in the process.
 2. The flow chart with an agency contact list was created and distributed.

III. Committee Activities.

Our membership had a slight increase from 23 to 25 members this year. Our meeting attendance continued to increase again this year with 15 people in attendance on average compared to 11 people on average in 2019. We only held 4 meetings this year due to COVID and 3 of those meetings were held virtually (which actually seemed to help attendance). We held two trainings this year and both were held virtually. In July 2020, Jenny Wood from Hennepin County Probation presented a training on Interstate Compacts and Transferring Probation. In October, Colleen Crockford, a consultant in the area of Human Animal Bond Social Work, presented a training on the Link Between Family Violence and Animal Violence. Both trainings were very well attended and well received. The engagement and feedback on both were excellent. After the presentation from Colleen Crockford the committee decided to add her to the membership for 2021 to continue to have that perspective as part of our ongoing

discussions on family violence. The committee had ongoing discussions on our other goal of providing a flow chart of criminal court related processes and the key points of contact for each stage of the process. The discussions and work resulted in a flow chart that listed both the charge processes and court process for felony level cases and misdemeanor/gross misdemeanor level cases, along with an appendix of contact numbers for suburban prosecutors and advocate organizations. This chart was shared with the full council. Of course with 2020 being 2020, we had a lot of discussion on how COVID and criminal justice reform were impacting the courts and our agencies. We discussed concerns and shared what we were doing in our own agencies to try and make sure we could problem solve as much as possible. Our October and December meetings were primarily taken up with discussion of the legislative charge recommendation from the Fatality Review Board Annual Report form 2019. A summary of the discussions and findings are in a separate section of this report.

IV. Next Year's Goals.

1. Continue to host at least 2 educational programs/seminars regarding domestic violence topics for criminal justice system personnel.
2. Discuss the impacts of mental health issues and other factors that increased during COVID that affect families dealing with violence and how the system addresses these concerns.

Respectfully submitted by Jennifer Saunders, Chair.

Committee Members:

Christopher Bates, Minneapolis City Attorney's Office

Lisa Neu, Minneapolis City Attorney's Office

Rachel Kraker, Hennepin County Attorney's Office, Domestic Abuse Service Center

Tara Ferguson Lopez, Hennepin County Attorney's Office

Ann Kaul, Bloomington City Attorney's Office

Elizabeth Hogan, Hennepin County Public Defender's Office

Jack Kelly, Minneapolis Police Department (this spot will be taken over by Donald Jach in 2021)

Erica May, Hennepin County Community Corrections & Rehabilitation

Jay Hester, Hennepin County Community Corrections & Rehabilitation

Janice Blackmon Hennepin County Community Corrections & Rehabilitation

Melynda Nelson, Hennepin County Community Corrections & Rehabilitation

Joan Blace, Hennepin County Community Corrections & Rehabilitation

Lidia Morales, Hennepin County District Court

Lisa Lane, Hennepin County District Court

Rachel Ratner, Sojourner Project

Amirthini Keefe, Domestic Abuse Project

Sonya Voss, CornerStone

Claire Arvidson, Home Free

Elsa Swenson, Home Free

Kaarin Long, Advocates for Human Rights

Elizabeth Montgomery, Advocates for Human Rights
Rose Park, Advocates for Human Rights
Carrie Crawford, Paradigm Counseling
Aaron Milgrom, Private Practice BIP
Deborah Eckberg, Metro State University

Fatality Review Team: Opportunity Update

Family Violence Coordinating Council Strategic Goal Objective 1: Implement a system action that addresses one of the opportunities outlined in the 2019 Fatality Review Board Report. *(MN § 484.79.1) A coordinating council shall establish and promote interdisciplinary programs and initiatives to coordinate public and private legal and social services and law enforcement, prosecutorial, and judicial activities.)*

In response to Strategic Goal Objective 1, Fatality Review Team executive director Deena Anders presented an overview of the Team 2019 annual report at the September 2020 Family Violence Coordinating Council (FVCC) meeting. Included in the report were five Opportunities for Intervention. FVCC chairs assigned Opportunities to its committees, who were tasked with determining appropriate action steps. Opportunities were grouped by theme and assigned as follows:

Legislative	FVCC Criminal Committee
Court Administration/Criminal Court	FVCC Executive Committee
Family Court/Family Court Services	FVCC Civil Committee
Law Enforcement:	FVCC Advocates Committee
Medical	FVCC Executive Committee

Committees reported back to the Council at the October and December meetings. The following actions have been taken or continued into 2021.

Legislative

Per criminal committee chair Jennifer Saunders, the two legislative opportunities focused on including all domestic violence related offenses (including violations of domestic abuse no contact orders) center on potential modifications to three statutes. The committee reviewed these statutes as far as what they do and do not cover, and discussed recommendations for how the statutes could or should be modified. Based upon those discussions, the committee did not make specific recommendation as to whether these statutes should be modified as the membership of the committee is made up of people from agencies with competing interests on that issue. However, the summary of the statutes and the issues surrounding changing them have been summarized for the full council and that summary is attached (Appendix B). The committee will continue to discuss best practices based on concerns raised from the Fatality Review Board.

Court Administration/Criminal Court

The Family Violence Coordinating Executive Committee, made up of the co-chairs, committee chairs and the director, reviewed opportunities surrounding judicial education and domestic violence. Criminal Committee chair Jennifer Saunders, in her role as an assistant Minneapolis city attorney, helps provide new members of the bench with education on domestic violence. During 2021 she will work with HC Probation to create a domestic violence bench card;

update judicial officers at a future criminal bench meeting; and update judicial training material. Council co-chair Judge Kathryn Quaintance, in her role as a 4th District Judicial Education Committee member, will work with Ms. Saunders to identify a 2021 date for a domestic violence centered education opportunity for the entire bench.

Family Court/Family Court Services

Per chair Michael Weinstein, the Civil Committee met multiple time to review the four Family Court/Family Court Services opportunities for intervention.

The first opportunity, encouraging the use of specially trained and experienced family and child therapists in highly contested cases was directed at both the Family Court bench and Family Court Services. The opportunity has been brought to the bench's attention and is being addressed through Justice For Family grant working groups. In addition, Family Court Services (FCS) staff has a comprehensive list of family and child therapy providers available for client use.

The second opportunity, to incorporate review hearings to follow progress on mental health services, is already in place for some case types. On a regular basis family judicial officers schedule review hearings in domestic abuse cases, with concurrent cases involving children, so the judicial officer can monitor progress. Family Court Services engages in mandatory, annual domestic violence training, and support a training budget to promote to access to AFCC trainings on domestic violence related topics.

Focused on staff who assess domestic violence or respond to it, the third opportunity surrounds regular education on therapy options that may address underlying trauma. The efforts of the Civil Committee are focused on responding effectively to domestic violence cases and the need for effective intervention in complex cases. During 2021 the committee will continue to assess how they implement solutions that support trauma education for staff who asses or respond to domestic violence.

The fourth opportunity, expand resources to allow for the discretionary appointment of Guardians ad Litem, has been passed onto the family bench. Budget constraints have reduced the ability of the Guardian Program to accept discretionary appointments, something the family bench continues to address with that program and State Court Administration.

Law Enforcement

Per the report there are two opportunities surrounding gender, one involving the conveyance of information based upon gender assumption, and one involving the administration of lethality assessments, based upon gender. The third opportunity centered on language access. The Advocates Committee met multiple times to review the report. Agency members were tasked with contacting their nearby law enforcement departments to gather policies. During 2021 the committee will view and discuss the information they gathered and steps to make positive changes.

Medical

The Family Violence Coordinating Executive Committee, made up of the co-chairs, committee chairs and the director, reviewed multiple medical opportunities that included multiple topics (intervention, assessment, interpreters, mental health, etc.). The committee concluded the

Council is not the appropriate forum to pursue these opportunities. Deena Anders, Fatality Review Team Executive Director, will be encouraged to share the medial opportunities with Hennepin Health or another medical group.

**Family Violence Coordinating Council
January 2021 Membership**

Appendix A

Group	Name	Name	Name
Judicial officers	Judge Kathryn Quaintance, Co-Chair Judge Shereen Askalani, Co-Chair 4 th Judicial District	Ref. Mike Furnstahl, Co-Chair 4 th Judicial District	Judge Bruce Manning 4 th Judicial District
Court Administration	Kate Wilson 4 th Judicial District, Family Court	Lidia Morales 4 th Judicial District, Criminal Court	
Probation	Joan Blace Hennepin County Probation	Melynda Nelson Hennepin County Probation	Michael Weinstein (Civil Chair) Hennepin County Corrections - FCS
Health Care	Penny McTigue Hennepin Co. HSPHD		
Mental health care providers	Sarah Lockhart CornerHouse	Aaron Milgrom Private provider	
Law Enforcement	Lt. Bruce Folkens Minneapolis Police Dept.	Lt. K. McDaniel Hennepin Co. Sheriff	Det. Erica Coy, Eden Prairie Suburban police dept.
Prosecutors	Rachel Kraker Hennepin County - DASC	Jennifer Saunders (Criminal Chair) City of Minneapolis	Ann Kaul City of Bloomington
	Tara Ferguson Lopez Hennepin County - Criminal		Jacob Kraus (Juv Co-Chair) Hennepin County - Juvenile
Public defenders	Elizabeth Hogan Hennepin County - Adult	Lisa McNaughton (Juv Co-chair) Hennepin County - Juvenile	
Legal aid organizations	John Phung Tubman Family Alliance		
Educators	Dr. Deborah Eckberg Minneapolis educator		
Child Protection	Kari Torborg Hennepin County Child Protection	Melanie Sanchez 4 th Judicial District GAL Program	
Other public officials	Anna VonRueden FamilyWise	Amirthini Keefe Domestic Abuse Project	
DA Advocates or social service agencies	Elsa Swanson Missions, Inc.	Siri Lokengard HC Domestic Abuse Service Ctr.	Rachel Ratner (Advocate Chair) Sojourner
	Sonya Voss Cornerstone	Alyssa Olson OutFront MN	
Executive Director Katie Brey, Sr. Mgr., 4 th Judicial District		Hodan Abdi HCAO Victim Witness Program	Cecelia Rude, Community Navigator Minneapolis Police Department

Members highlighted in blue and peach are members of the Family Violence Coordinating Council Executive Committee.

**Family Violence Coordinating Council Criminal Committee
Summary of Issues Regarding Legislative Amendment
Suggested by Fatality Review Board 2019 Annual Report**

Out Committee held two discussions regarding the suggested legislative change from Fatality Review Annual Report at our October 2020 and December 2020 committee meetings.

The suggested legislative changes are:

- a. Modify legislation to require mandatory Pre-Sentence Investigations for all domestic abuse related offenses, to include DANCO violations
- b. Modify legislation to require domestic abuse programming for all domestic abuse related offenses, including DANCO violations

There are three Minnesota Statutes at issue here:

518B.01 DOMESTIC ABUSE ACT

Subdivision 2. Definitions.

As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means the following, if committed against a family or household member by a family or household member:

- (1) physical harm, bodily injury, or assault;
- (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or
- (3) terroristic threats, within the meaning of section 609.713, subdivision 1; criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, 609.345, or 609.3451; or interference with an emergency call within the meaning of section 609.78, subdivision 2.

(b) "Family or household members" means:

- (1) spouses and former spouses;
- (2) parents and children;
- (3) persons related by blood;
- (4) persons who are presently residing together or who have resided together in the past;
- (5) persons who have a child in common regardless of whether they have been married or have lived together at any time;
- (6) a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
- (7) persons involved in a significant romantic or sexual relationship.

518B.02 DOMESTIC ABUSE COUNSELING PROGRAM OR EDUCATIONAL PROGRAM REQUIRED

Subdivision 1: Court-ordered domestic abuse counseling program or educational program

If the court stays imposition or execution of a sentence for a domestic abuse offense and places the offender on probation, the court shall order that, as a condition of the stayed sentence, the offender participate in and successfully complete a domestic abuse counseling program or educational program.

609.2244 PRESENTENCE DOMESTIC ABUSE INVESTIGATIONS

Subdivision 1: Investigation

A presentence domestic abuse investigation must be conducted and a report submitted to the court by the corrections agency responsible for conducting the investigation when:

- (1) a defendant is convicted of an offense described in section 518B.01, subdivision 2;
- (2) a defendant is arrested for committing an offense described in section 518B.01, subdivision 2, but is convicted of another offense arising out of the same circumstances surrounding the arrest; or
- (3) a defendant is convicted of a violation against a family or household member of: (a) an order for protection under section 518B.01; (b) a harassment restraining order under section 609.748; (c) section 609.79, subdivision 1; or (d) section 609.713, subdivision 1.

609.2244 requires a presentence investigation for any conviction of an offense arising out of an arrest for offenses fitting the definition of domestic abuse found in 518B.01, plus violations of OFP's and HRO's, but does not require a PSI for a violation of a Domestic Abuse No Contact Order (DANCO) unless there was also another offense listed in the statute. Then 518B.02 requires domestic abuse counseling be imposed upon conviction for an offense under the domestic abuse definition of 518B.01. There is no requirement for the programming for violations of OFP, HRO or DANCO. The recommendation by the Fatality Review Board is that the PSI and the programming be required for all of these offenses.

In order to effect these changes, 609.2244, subdivision 1(3) would need to be amended to also include DANCO offenses. That would make sure that the PSI's are ordered for these offenses. For the other recommendation, that all these offenses require programming, either the definition of domestic abuse would need to change under 518B.01 to include them all, or the OFP, HRO and DANCO offenses would need to be specifically listed in 518B.02 as convictions requiring domestic abuse programming.

Here is a summary of the issues and concerns raised:

Both probation and therapy providers expressed the position that having PSI's on more cases would likely provide better information to proceed with programming and supervision choices and with addressing the behavior in programming. The more information the better was the consensus. They both expressed how incredibly helpful the PSI's are and encouraged their use. They also expressed that if there is a DANCO issued it is usually because of underlying abusive behavior and it makes sense to include it with the other offenses.

Representatives from the defense bar expressed at both meetings the concern about adding additional requirements for both PSI's and programming for their clients. They also pointed out that the violation of a DANCO is different from other domestic abuse related offenses in that the order is issued by a criminal court judge often without the request by a victim or even against the express wishes of a victim. Some courts issue the DANCO with little discussion or even without a prosecutor being present. Also, a stand-alone offense, a violation of a DANCO it is not necessarily violent or coercive and the contact may be consensual. Another concern is that making the programming required by statute in more cases would make it harder to negotiate cases and would remove some flexibility for the attorneys and judges in making the appropriate decision on how to resolve each individual case. Both statutory changes are concerning for defense counsel and their clients but the PSI statute change is at least more flexible and understandable.

Others also expressed concern about removing discretion from the judges in deciding on when PSI's and programming were appropriate. In addition, a statutory change that would require the programming in more cases that affects the entire state may be difficult to implement in some parts of the state where the accessing programming that meets the statute can be more of a challenge. In addition, Violence Free Families has generally felt it is risky to re-open the Domestic Abuse Act unless it is for something critical and changing the definition of domestic abuse in 518B.01 would require doing that.