

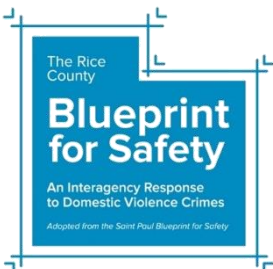


Blueprint 2.0

Determining How Systems and Agencies in Rice County Can Improve Outcomes for Victims of Domestic Violence



By AlexiusHoratius - Own work, CC BY-SA 3.0, <https://commons.wikimedia.org/w/index.php?curid=10565730>



This publication is supported by Grant Nos. 2019WFAX0011 and 2020WFAX0019 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.



RJAE Consulting
Restorative Just Actionable Evaluation

TABLE OF CONTENTS

- Introduction 3
 - Blueprint 2.0: An End and A Beginning 3
 - Rice County Blueprint for Safety 4
 - What is Blueprint 2.0? 5
- Recommendations 7
 - System-Wide Recommendations 8
 - Blueprint Team-Specific Recommendations 14
 - Build Momentum for Support and Change 18
- Focus Group Findings 19
 - What Works Well for Victims 20
 - What Does Not Work Well for Victims 23
- Case Studies 37
 - Case #1: When the Abuser is Deemed Mentally Incompetent 38
 - Case #2: When the Entire System Fails 42
 - Case #3: Unrelenting Harassment and Stalking 45
 - Case #4: Victim Impact Statement 56
 - Commonalities Among Cases 58
- Appendices 59
 - Appendix A: Consultants 60
 - Appendix B: Methodology 61
 - Appendix C: Focus Group Participants 64
 - Appendix D: Comparison of HRO, OFP, and DANCO 65
 - Appendix E: Strangulation Fact Sheet 67
 - Appendix F: Stalking Fact Sheet 69
 - Appendix G: Cycle of Violence 70
 - Appendix H: Law Enforcement Blueprint Questions Pocket Card 71
 - Appendix I: Treatment Options for Offenders 72
 - Appendix J: Wilder Collaboration Factors Inventory Report 73
 - Appendix K: Suggested Training Topics 86

Table of Figures

- Figure 1: Domestic Abuse Charges by Frequency 28



INTRODUCTION

Blueprint 2.0: An End and A Beginning

This report includes the findings and recommendations resulting from focus groups and interviews with various agency representatives in Rice County, interviews with four victim/survivors, and input gathered at Blueprint meetings to elicit feedback on the draft report. This report now serves as a guide for moving the Rice County Blueprint Team forward to achieve better outcomes for victims of domestic abuse and violence.



Each organization and agency in Rice County can do better at ensuring that victims of domestic abuse (DA) are safe and heard and that offenders are held accountable for their actions. That said, the greatest burden for improving outcomes lies with the County Attorney's office and the Rice County Judiciary. How can the criminal justice system better balance offenders' constitutional rights and victims' statutory rights and individual needs?

This report identifies what is needed to improve outcomes for victims. Our shining light is the unwavering commitment of Blueprint team members. A new County Attorney has already begun reversing policies made by his predecessor that worked against victims. He has also begun to address some of the issues raised in this report and has hired several assistant attorneys who were instrumental in the work of Blueprint 1.0. It is our hope that through the renewed and refocused work of the Blueprint team, with this report as a road map and baseline, and through increased community awareness and engagement, political pressure, and involvement of the Judiciary, domestic violence will be treated as the crime that it is and victims will be more supported and safer.

The work of Blueprint 2.0 funded by the OJP Special Projects Grant will continue through at least June 2023. Many agencies involved with Blueprint and this report have already begun looking inward to determine how they can do better. One agency that was not part of the Blueprint 2.0 process due to a massive re-organization is once again involved and dedicated to the work. The County Attorney's office has committed to actively engaging with Blueprint and making necessary reforms. The process we used to lead us to the recommendations and findings in this report created momentum for change, and changes are already being made. The HOPE Center, as the lead agency, has applied for new grant funding that would support implementing many of the recommendations in this report. The results and recommendations in this report represent both the end of the Blueprint 2.0 process and the beginning of system-wide changes across Rice County that will ultimately benefit the entire community.

Rice County Blueprint for Safety

In 2014, Rice County began the work of developing and adopting a Blueprint for Safety based on the work of Praxis International in St. Paul MN. It is both a process and a protocol.

We acknowledge that abusers can and are of any gender. However, domestic abuse is more often than not, a gendered crime. “While both men and women may experience incidents of interpersonal violence and abuse, women are considerably more likely to experience repeated and severe forms of abuse, including sexual violence. They are also more likely to have experienced sustained physical, psychological or emotional abuse, or violence which results in injury or death. For that reason, we use gendered language throughout this report and refer to the offender as male and the victim/survivor as female.¹

The goal of the Blueprint is to improve outcomes for victims of domestic abuse by following the six foundational principles we have identified as essential characteristics of intervention that maximize safety for victims of domestic violence and hold offenders accountable while offering them opportunities to change:

Six Principles of Rice County’s Blueprint for Safety

1. Adhere to an interagency approach and collective intervention goals
2. Build attention to the context and severity of abuse into each intervention
3. Recognize that most domestic violence is a patterned crime requiring continuing engagement with victims and offenders
4. Establish sure and swift consequences for continued abuse
5. Use the power of the criminal justice system to send messages of help and accountability
6. Act in ways that reduce unintended consequences and the disparity of impact on victims and offenders

While the ultimate goal of a Blueprint community is to prevent and interrupt domestic abuse incidents and patterns, this intentionally narrower approach is about improving outcomes.

The following list summarizes what has not worked well for victims:

- Time constraints make it difficult for prosecutors to build strong cases
- Prosecutors have not worked hard enough to present evidence that an incident of abuse is part of a pattern that needs swift intervention and consequences
- Judges have not held offenders accountable for DA crimes and no-contact order violations
- The highest penalty-bearing DA charges are dismissed or pled down
- Turnover and burnout in the system negatively impact service delivery across all agencies
- Law enforcement training needs to be enhanced to increase buy-in for and consistent use of the Blueprint for Safety
- Stalking is not treated as the Special Crime that it is
- Victims’ needs are not prioritized

¹ <https://www.womensaid.org.uk/information-support/what-is-domestic-abuse/domestic-abuse-is-a-gendered-crime/#:~:text=One%20study%20of%2096%20cases,violence%2C%20threats%2C%20and%20harassment>

From 2015-2018, Rice County Blueprint benefited from having a full-time coordinator housed at the HOPE Center. That coordinator built relationships with people in numerous agencies, set agendas, scheduled and conducted training sessions, and helped build a cohesive system working to improve outcomes for victims of domestic abuse (DA). When that coordinator left for another position, Blueprint progress slowed down and became less strategic. Staff at the HOPE Center who were already working full-time jobs did their best to absorb the work and keep Blueprint implementation moving forward.

In 2020, the COVID-19 pandemic adversely impacted the criminal justice system in Rice County. People left the workforce or changed jobs. More than 50% of the original Blueprint team left, and new members have tried to “catch up,” but the lack of a coordinator meant that new members learned as they went along without the benefit of structured training.

There were major political changes as well in the County. Although the former County Attorney signed an MOU to participate vibrantly in Blueprint, participation not only waned since 2020, but at times the County Attorney’s office took what could best be described as an adversarial role. They were particularly suspicious of this Blueprint 2.0 project and used methods of intimidation to prevent attorneys and other staff from being active participants in meetings and focus groups. In November 2022, a new County Attorney was elected, one who is openly supportive of Blueprint and who has already reengaged himself and his staff with this work.

What is Blueprint 2.0?



In 2019, Rice County’s HOPE Center, acting as lead agency, applied for and received a Minnesota Office of Justice Programs (OJP) grant for \$121,583 to advance the efforts of the multi-disciplinary Blueprint team. We call the work funded by this grant Blueprint 2.0. The funding was used to convene stakeholders, including victim/survivors of domestic abuse (DA) and systems partners, for the purposes of collecting data, identifying issues that hinder a cohesive system response, and offering suggestions for system improvement. Additionally, funding will be used to create a “data dashboard” on the HOPE Center website that provides quarterly statistics on the number and kind of DA incidents occur in Rice County in hopes of educating the community and holding system members more accountable. Finally, to support system-wide changes, additional training will be provided to all stakeholders ([Appendix K](#)).

This report includes the [findings](#) and [recommendations](#) resulting from focus groups and interviews with various agency representatives in Rice County ([Appendix C](#)), [interviews with four victim/survivors](#), and input gathered at Blueprint meetings to elicit [feedback on the draft report](#). [Appendix J](#) includes the report of the Wilder Collaboration Factors Inventory that was administered in September 2022. This report now serves as a guide for moving the Rice County Blueprint Team



RECOMMENDATIONS

This section covers recommendations for improving outcomes for victims of domestic violence.

System Wide Recommendations

1. Decrease Burnout and Turnover
2. Prevent Domestic Abuse
3. Provide Treatment for Abusers
4. Use Expert Witnesses and Victimless Prosecution
5. Increase Incarceration Use and Time
6. Increase Monitoring from Jail
7. Increase Attention to Victims' Needs
8. Increase Multi-cultural Engagement and Response

Blueprint Team-Specific Recommendations

1. General
2. Rice-Steele 911 Dispatch
3. Law Enforcement
4. Advocates & Victim Services
5. County Attorney's Office
6. Judges and Court Administration
7. Community Corrections/Probation
8. Involve Additional Agencies

Build Momentum for Support and Change

1. Plan a Media Blitz
2. Hold Public Education Forums Throughout the Rice County
3. Involve Stearns County
4. Engage with Elected Officials
5. Involve Rice County Judiciary
6. Develop a Process for Monitoring Change



Consequences are vital for improving outcomes for victims of domestic abuse. If abusers are not held accountable for their actions, their violence and controlling behavior is reinforced, not discouraged, by the criminal justice system. Abusers feel empowered when nothing happens to them because of their actions, and they let their victims know it. Victims then feel more hopeless, trapped, and helpless, and abusers feel entitled to escalate the violence.



Every CJS professional has an obligation to communicate that an abuser's actions are unacceptable. From dispatch and law enforcement onward, if any responds inappropriately or dismissively (e.g., mediation of a civil dispute rather than arrest, despite the existence of probable cause), then the abuser interprets social acceptance of the abusive behaviors and is emboldened to persist."

System-Wide Recommendations

These recommendations arose out of discussions with both providers and victims and apply to the overall criminal justice system in Rice County.

Decrease Burnout and Turnover

The following suggestions made by focus group participants present numerous ways to decrease, minimize, or slow burnout and turnover that impact the goals of Rice County's Blueprint for Safety.

Increase Funding and Wages: More funding is needed to increase wages/salaries so that all agencies in Rice County can compete in the statewide and regional job marketplace.² HOPE Center experienced challenges hiring a Spanish- and English-speaking advocate because wages and benefits in other sectors looking for employees with those linguistic skills are much higher and better than what HOPE Center offers.³ Law enforcement personnel are being recruited by other agencies that pay more. Elected officials at all levels (local, state, federal) need to be made aware of the need for more funding for Rice County agencies.

Build Trauma-Informed Organizations: If funding were available to support agencies' efforts to become trauma-informed, burnout and turnover may decrease, and service quality may increase. Isolation and lack of peer support led to burnout, as does failing to stop and recognize the "wins" people experience. One member said, "I personally come from burnout as a community victim advocate, and I can say that remote court, remote work, and minimal emotional support from coworkers/management led me to taking a job in a different but somewhat-related field." The Blueprint Team offers a place to share and build connections, but the same is needed within each agency. Living into the trauma-informed principle of Peer Support is essential for workers to metabolize the primary and secondary trauma they experience on the job. Agencies should work toward becoming trauma-informed organizations and providing more support for staff.⁴

Reset Expectations and Celebrate the Good: Focus group members acknowledged that it is important to feel like they are making a difference and achieving something. Law enforcement officers and others need to align their expectations with humanity, letting go of feelings that they can change the world. Learning to "take the wins" no matter how small and pausing to ask, "What was something good that you did today?" are ways to feel accomplished and valued. For probation officers,



² In an article in the Faribault Daily Times on December 28, 2022, a county commissioner admitted that it is important for salaries to be competitive in the market. He was referring specifically to the commission's approving a salary increase for the Rice County Sherriff.

³ Over 50% of HOPE Center's funding is from state and federal sources. The Center has not received an increase in state-based funding in over seven years.

⁴ See SAMSHA <https://store.samhsa.gov/product/SAMHSA-s-Concept-of-Trauma-and-Guidance-for-a-Trauma-Informed-Approach/SMA14-4884>

sometimes this was as simple as acknowledging that “he did not reoffend today.” It was suggested that Blueprint meetings start by taking time to “Share a Win.”

“*Somehow, we need to reset what normal expectations are because I think for everybody, that moment of – it takes a victim nine times, seven times, 13, or whatever the number is to really leave or reach out for help – to understand that means to reset expectations in line with humanity. And that changes the burnout cycle. The more people are disconnected from that reality, the burnout just happens faster. And I think the challenge is, we can't solve the fact that often you're gonna end up showing up at the same house 20 times. I don't know if that's solvable given the [cycle of violence](#). But setting it as normal or an understanding and celebrating the wins along the ways.*”

Burnout and turnover are and always have been chronic issues in human service agencies, but not to the extent experienced during and after the COVID-19 pandemic. Agencies would benefit from doing what they can to retain good employees, especially those highly skilled in working with victims of domestic abuse and other crimes.

Hold Offenders Accountable: The lack of offender accountability causes high levels of frustration for Blueprint Team members, who sometimes feel ineffective and therefore start looking for jobs where they feel a greater sense of efficacy. It also causes toxic stress, fear, and anxiety for victims who feel like their safety and well-being are not considered when their abusers violate [DANCOs or OFPs](#) without consequence. As a member stated, “It is important that everyone understand everyone’s role in the process and that there are consequences to actions.”

Prevent Domestic Abuse

Preventing domestic abuse is essential for breaking the intergenerational and cultural cycles that encourage violence against women. This involves engaging the entire community and challenging norms that perpetuate and encourage male dominance, rape culture, and violence as a means of solving problems. The County would benefit from supporting violence prevention programs in all schools that focus on Social Emotional Learning (SEL), empathy building, and restorative justice. The earlier children learn how to build and maintain healthy relationships and empathize with others, the more likely the cycle of violence can be broken. The Minnesota Department of Education (MNDOE) has numerous resources available that schools can use, including but not limited to sexual assault prevention, restorative justice, and child sexual abuse prevention⁵.

Provide Treatment for Abusers

Focus group participants and victims agreed that Rice County needs more and better access to effective treatment programs for domestic and sexual violence and substance abuse. There is some debate about the effectiveness of DA treatment programs, especially if they are court mandated.

“*Mandated treatments can be effective, although voluntary treatment is more effective. Either way, effective treatment programming should incorporate some motivational engagement pieces. Part of the program is convincing offenders that they want to be there. Hit on their values*”

⁵ <https://education.mn.gov/MDE/dse/safe/res/>

and show them they really don't want to behave that way. Abusers need interventions to build skills to help them meet their needs. Right now, we have no interventions. The best predictor of future behavior is past behavior without any interventions. There has to be some interruption.

The lack of treatment facilities and programs in Rice County is a problem that the community and state need to address. (See [Appendix I](#) for a summary of current treatment options for offenders, none of which are located in Rice County.) A judge cannot order someone into a program that does not exist or that does not have enough capacity.

“*If offenders were required to attend 104 hours of programming that would be part of their probation condition or part of pre-trial programs, they could find themselves motivated to change rather than continue to be arrested and incarcerated. The ultimate goal of any treatment or intervention is to stop reoffending and get people help at the therapeutic level, which will help them identify their triggers, so they do not take it out on others.*”

Chemical dependency treatment is also needed, as substance abuse and domestic abuse often coexist in the same space. Treatment is far less expensive than incarceration and has a direct benefit to the community as well as the individuals involved.

Use Expert Witnesses and Victimless Prosecution

Victimless prosecutions seek to introduce reliable evidence without the victim's in-court testimony, often to maintain the victim's safety or to avoid re-victimizing the victim. Expert witnesses may provide direct testimony or assist an attorney with trial strategies. Often, intimate partner violence (IPV) experts answer the question, 'why did she stay' and address victim recanting or other common issues.



The possibility of going to trial where victimless prosecution and expert witnesses will be used often results in a plea deal more appealing to the victim and prosecutor because offenders are less apt to go to a jury trial that has an expert witness.⁶ The County Attorney should leverage and use the resources it has available.

Increase Incarceration Use and Time

Incarceration is not currently being used to the extent that it could be, especially for those who violate no contact orders or conditions of release. Increasing the number of felony-level convictions would also result in more offenders serving longer sentences in jail and in state prisons, which would give victims more time to reorganize their lives.

Incarceration sends a strong message to abusers and temporarily protects victims and their children from further abuse, but incarceration does not cure or necessarily deter violent behaviors. It may in fact increase efforts to establish and maintain control over the victim. Other types of sentencing, such as Huber/Work Release & Sentencing to Service⁷, allow offenders to keep their existing jobs

⁶ <https://www.domesticshelters.org/articles/legal/how-an-expert-witness-can-help-your-court-case-part-1>

⁷ See Becker County, MN https://www.co.becker.mn.us/dept/sheriff/jail_huber_sts.aspx

while holding them under correctional control and potentially mediating collateral consequences on their victims.

Some participants in the focus groups believed that remote hearings, plea-by-mail, and other options that prevent an abuser from facing a judge should be eliminated, and all abusers should be required to take an in-person intervention course that is overseen by probation (see [Appendix I](#)). Additionally, consistent follow-through is needed.

“ When law enforcement has 27 interactions with the same person, and we've arrested him but there's never been a day spent in jail, of course that's when we come back and say, 'well, he's never been held accountable.' If we've had to arrest him seven times in the last 18 months and he's never sat a day in jail outside of the night that we take him in. Because you see a lot of burnout when we've been there 22 times and nothing's ever happened.

Increase Monitoring from Jail

Once an abuser is in jail, it is important to prevent him from calling and harassing his victim. Research has shown that abusers can get a victim to recant her testimony through a series of calls from jail.⁸ Additionally, the abuser may violate no contact orders by calling the victim.

Some victims call their abuser when he is in jail, even when it is a violation of a no contact order. This can only be stopped through effective advocacy and education, and even then, because of the [cycle of violence](#), children, and other issues, calls may never be stopped entirely. It is also possible for victims' phone numbers to be blocked at the jail so that the abuser cannot call her. Law enforcement and advocates can work together to ensure that every victim is presented with this option.

St. Cloud/Stearns County has a robust pre-trial program so that calls made and received in jail are monitored and recorded to document any violations and confessions. To implement this in Rice County, the jail would have to be adequately staffed and currently, the jail is severely understaffed.⁹



⁸ Bonomi, A. E., Gangamma, Rashmi, Locke, C. R., Katafiasz, & Martin, D. (2011). "Meet me at the hill where we used to park": Interpersonal processes associated with victim recantation. *Social Science & Medicine*, 73, 1054-1061.

⁹ As of March 2023, plans to increase staff and implement phone-monitoring technology in the new jail being built are in place. The new jail is expected to come online in 2024.

Increase Attention to Victims' Needs

While healing is not the purpose of the criminal system, neither is perpetuating harm. Holding offenders accountable can aid and impact victims' healing, especially if they get the outcomes they desire, and the charges stick.

“

But if they tell their story and the abuser walks away with a slap on the wrist, victims feel almost as if they are the ones being punished for having the courage to come forward and tell their stories.

“

[The victims are] left on the sideline when it comes to the legal system. They're a witness to their own victimization. They don't have a very strong voice. They can certainly have an input in the system, but that input may or may not be influential.

Focus group participants made the following suggestions for helping the community learn about existing resources and alleviating the excessive burden placed on victims:

- Conduct a series of community education meetings to educate the public about domestic abuse and the Blueprint initiative
- Connect with ancillary organizations to educate them about Blueprint and resources
- Include group homes, State School for the Deaf & Blind, and other marginalized populations in need of advocates
- Ensure that all Rice County law enforcement agencies know what resources are available
- Decrease the burden on victims, make the system more victim-friendly, and increase opportunities for victims to be heard
- Provide help with logistics (childcare, jobs, transportation, etc.)

Increase Multi-cultural Engagement and Response



A pervasive problem in Rice County is the lack of representation from our Latinx, Hispanic, Somali, and Black community members on all boards, commissions, and governing bodies. We attempted to recruit victim/survivors from these communities by reaching out to community-based organizations who have relationships with those communities, circulating flyers in English and Spanish and contacting former clients. These efforts were not successful. A limitation of this project is the absence of their stories and experiences, which

could impact recommendations. We understand that we need to work differently and more intentionally to make the Blueprint team more inclusive and representative.

Blueprint Team members would benefit greatly by increasing cultural competency, which is defined as “being aware of your own cultural beliefs and values and how these may be different from other

cultures—including being able to learn about and honor the different cultures of those you work with."¹⁰

The group suggested the following ways to address the current lack of cultural competency and understanding and language accessibility issues that contribute to the low numbers of people of color using the system:

- Law enforcement needs more than the Language Line – it needs real people from various cultures who speak the languages in the community
- The system needs people throughout it who understand various cultures in Rice County (this calls for changing recruitment and hiring practices in all agencies)
- The system needs to become more representative of and accessible to people of all cultures (i.e., the system sets the time and place for proceedings without accounting for work schedules, religious holidays, cultural differences, etc.)
- Funding is needed to pay competitive wages for bi- & multi-lingual staff at all agencies
- Rice County’s communities of color need targeted education about the system, the process, and the resources available to victims of domestic abuse

In December 2022, a million-dollar substance abuse prevention grant targeting young people of color was awarded to Faribault public schools. The grant was the result of a collaboration with over 15 agencies in the County. This project will open doors and create processes for building relationships across ethnicities and socio-economic classes. Because domestic abuse and substance abuse so often exist in the same spaces, working with this new collaboration could build relationships with marginalized populations and increase engagement.

¹⁰ <https://www.childwelfare.gov/pubs/acloserlook/culturalcompetency/culturalcompetency2/>

Blueprint Team-Specific Recommendations

This section contains recommendations to strengthen the Blueprint collaborative and team. Weaknesses of the collaboration were identified in the [Wilder Collaboration Factors Inventory \(WCFI\)](#). The Data Workgroup responded to the report's findings with suggestions that are included in that report. This section both builds upon the findings of the WCFI and widens the scope of recommendations.

General

- Hire a Blueprint Coordinator, a single contact who can build relationships, follow through, and coordinate training. The coordinator would help agency leaders implement systemic changes recommended by the Blueprint Team.
- Create a year-long Blueprint meeting calendar and use meeting time for agency presentations and training. Work on implementing recommendations from this report during meetings. Use meeting time to prioritize actionable steps.
- Identify what agencies and people are missing from the Blueprint Team, including victim/survivors in Somali, Hispanic, Black, and Asian communities, and invite them to participate.
- Improve communications with Community Action Center and HealthFinders Collaborative for more outreach, education, and advocacy to the Latinx/Hispanic communities.
- Provide [training in best practices](#).
- Provide law enforcement with a current list of resources in the form of a card that has one link or QR code to a page that houses multiple resources (i.e., Social Services, HOPE Center, etc.). Officers can give this card to victims.
- Determine how and what data can be shared for public education and accountability purposes. Increase transparency about the proliferation of domestic abuse in the County.
- Provide peer support by creating time and space to vent, talk, and metabolize frustration and secondary trauma to decrease negative impacts of toxic stress on individuals, families, and relationships. Build an active community of support and create a culture of “We’re in this together, let’s figure it out.”
- Increase feelings of efficacy within each job. Through mapping and connection, promote feelings that what each person does matters.
- Take pro-active steps to decrease turnover and increase retention/job satisfaction.



- Include victims and allow them to drive changes to the system based on their needs.
- Better educate victims so they are less confused about the process, including who is confidential and who is not.
- Estimate the cost of domestic abuse to the community. Violence Free Minnesota (Formerly the Minnesota Coalition for Battered Women (MCBW)) has a process to help coalitions articulate to policy makers the dramatic economic impact of domestic abuse combined with the traumatic emotional impact on victims¹¹.
- Prioritize monitoring and evaluation of systems change through sustainable multi-agency funding sources. Track what changes and why; evaluate impact of training; show connections between data trends and change efforts.
- Coordinate conversations within the Children's Justice Initiative (CJI) that may include the role of Blueprint in the work of serving children.

Rice-Steele 911 Dispatch

- Eliminate 911 throw-away phones and instead provide phones that have GPS. 911 throw-away phones do not connect with GPS, so if the victims are unable to speak and say where to send help, 911 cannot locate them.
- Provide consistent training for new employees.

Law Enforcement

- Revisit the [3 Blueprint questions](#) officers ask to see if something needs to be added.
- Provide [ongoing training](#) and a Certificate of Completion for each training course so that agencies can track participation.
- Evaluate the impact of the training.
- Provide closer supervision, making sure patrol officers collect and report contextual information.
- Work harder to get buy-in from newer and younger officers who have a more hands-off approach. Talk through an actual case with law enforcement officers so they see how their work fits into the results.
- In partnership with the County Attorney, allow more time to investigate DA cases and continue the investigation post-arrest with the goal of possibly amending the charges.
- Improve public perception of law enforcement.

¹¹ https://www.endvawnow.org/uploads/browser/files/CalcCostDV_MCBW_2008.pdf Focus group members believe that working smarter, not harder, will save taxpayers money, reduce burnout and frustration, and produce better outcomes for victims. Holding offenders accountable and removing the revolving doors on the jail and courtrooms will decrease the workload associated with dealing with repeat offenders. The Blueprint Team can use MCBW's process to estimate the cost of domestic abuse in Rice County and the results be used for advocacy and education.

Advocates & Victim Services

- Have the advocates communicate the victim's situation to the County Attorney so prosecutors can paint a more holistic picture of the situation.
- Help judges understand the terror that victims experience on a regular basis.
- Support Victim Services personnel in the County Attorney's office; improve timeliness and flow of information to victims regarding their rights and the status of the case.
- Consistently encourage victims to block calls from the jail.
- Decrease the amount of time it takes for an on-call, after-hours HOPE Center advocate to contact victims and advocate for funding for a night-shift advocate.

County Attorney's Office

- Adjust the court clock to allow more time for police and prosecutors to investigate and write more detailed reports. Move initial hearings to 48 hours from arrest whenever possible to allow for investigation, follow-up, and preparation.
- Delay holding a bail hearing until a County Attorney has talked to the victim.
- Shorten the time it takes for DA cases to be resolved and eliminate case stagnation.
- Increase number of DA convictions, especially for gross misdemeanor and felony domestic abuse. Resist encouraging offenders to plea to lesser charges and thereby dropping felony and gross misdemeanor domestic abuse charges in plea deals. prioritize DA cases.
- Present patterns of abuse and offender history to judges. Include impact on victim and community. Develop a system of tracking the number of times offenders contacted victims against the provisions of no contact orders or conditions of release, as well as the number of times they have been arrested and released to demonstrate patterns of abuse. Prosecute offenders vigorously for [DANCO and OFP violations](#).
- Have prosecutors who specialize in DA cases or create a special domestic abuse unit in the DAs office; rotate the attorneys periodically to decrease burnout.
- Develop ways to help victims understand when abuser behaviors are not criminal, especially in the context of no contact orders.

Judges and Court Administration

- Increase involvement with Blueprint and make changes that improve outcomes for victims of DA.
- Hold offenders accountable and ensure that swift and sure consequences are enacted.
- Quickly resolve issues of incompetence. Attempt to treat or civilly commit if treatment is not feasible.
- Enforce conditions of release and no contact orders. Eliminate verbal no contact orders and issue/enforce DANCOs. Specify to the perpetrator what will happen if he violates a [DANCO or OFP](#) and follow through with those consequences.
- Participate in training on the dangerousness of stalking. Understand that stalking is a pattern of behavior that often leads to escalated violence and the murder of victims and sentence stalkers.

Community Corrections/Probation

- Improve communications with law enforcement agencies, including ensuring that all officers know the after-hours number to call to verify violations.
- Create a system to connect probation officers and law enforcement agencies that allow for improved communications.
- Develop a rigorous pre-trial program and monitor conditions of release.

Involve Additional Agencies

The following agencies and providers have been identified as being welcome and needed on the Blueprint team.



Child and Family Services (CFS)¹²: Child protection assessments, investigations and case management services have a critical intersection with the Blueprint for Safety work. CFS professionals are frequently serving both the victim and offending parents when responding to reports of children impacted by domestic violence. Program resources and expertise on family systems and child welfare can offer support to parents and their children. To improve outcomes for victims, increase accountability for offenders, and strengthen the well-being of the children impacted by domestic violence, CFS agency staff need to be involved in the training, planning, and the community change process. More engagement from CFS is needed to provide an interagency approach to helping victims with children manage the space between Social Services, Family Court, and the criminal justice system.



Public and private schools: Many children are impacted by domestic abuse. School counselors, social workers, and mental health coordinators can help children understand the processes that impact them and their families and offer support. These professionals can take training and information back to the rest of the school, so the entire community knows what resources are available. Schools can also prioritize implementing programs and initiatives such as SEL, mindfulness, empathy-building, and restorative justice that work to break the cycle of violence, strengthen relationships, promote healing, and build connection to self, others, the school, and the community.



Healthcare Clinics and Emergency Room Staff: Healthcare clinics and Emergency Rooms screen for domestic abuse and other needs and use the data they collect to connect patients to resources and services. These staff can be instrumental in providing data as well as connecting victims to resources. Allina, Mayo, and HealthFinders have been identified as the largest healthcare clinics in the County.¹³

¹² CFS had been actively involved prior to a reorganization which precluded their involvement in Blueprint 2.0 in 2022. They are now re-engaging with Blueprint.

¹³ Invitations were extended to these providers in March 2023 and will continue.

Build Momentum for Support and Change

On February 8, 2023, meetings were held with Blueprint team and community members to discuss the findings of the draft report. The team was eager to talk about how to use these findings and presented numerous ideas on how to proceed. Their suggestions are included here.

Plan a Media Blitz

- Publish the report on all agency websites in partnership with the Communications Coordinator for Rice County.
- Issue press releases
- Proactively engage with local reporters and radio hosts to talk about domestic violence and the Blueprint for Safety

Hold Public Education Forums Throughout the Rice County

- Create a panel of Blueprint team members to attend community education events in all towns and cities in the County
- Provide training and resource guides to attendees
- Utilize existing community-based trainings, including Maria's Voice and In Her Shoes

Involve Stearns County

- Invite speakers from Stearns County to a forum with press and local elected/government officials to share successes with systemic change

Engage with Elected Officials

- Write personal emails and make personal phone calls inviting participation

Involve Rice County Judiciary

- Provide training and discussion forums unrelated to specific cases
- Provide statistics and best practices

Develop a Process for Monitoring Change

- Fund and develop a process for documenting, monitoring, and reporting systemic changes that relate to this report
- Fund the reporting and publishing of annual updates to this report to show progress
- Continue communicating with press outlets to publicize progress



FOCUS GROUP FINDINGS

This section summarizes issues identified by focus group participants, victims, and participants who provided feedback on the draft report and support the [recommendations](#).

What Works Well for Victims

1. The Initial Response
2. Having Advocates
3. The Interagency Blueprint Collaboration
4. Law Enforcement Has Changed Their Approach

What Does Not Work Well for Victims

1. Time Constraints Make It Difficult to Build Strong Cases
2. Prosecutors Are Not Working to Hold Offenders Accountable
3. Judges Do Not Hold Offenders Accountable
4. Turnover and Burnout Impact Services
5. Law Enforcement Supervision, Training, and Buy-In Impact Victims
6. Probation and Law Enforcement Need Better Communication Channels
7. Coercive Control: Precursor to Stalking and Difficult to Prosecute
8. Stalking is Not Treated as the Special Crime It Is
9. Victims' Needs are Not Prioritized
10. Victim Advocacy Can Be Confusing
11. Bias



What Works Well for Victims

Defining what works well for victims reflects the progress that the Rice County has made since initiating the Blueprint process and protocol in 2015.

The Initial Response

Providers felt the initial domestic abuse calls by 911 and subsequent on-scene responses by first responders/law enforcement were very victim-centered. 911 dispatchers have been trained in how to respond to victims of domestic abuse and understand why they may call for help many times. Many law enforcement officers take steps to de-escalate conflict, assess the seriousness of the situation, determine what actions should be taken, ask the Blueprint questions, and connect victims with a HOPE Center advocate. In the wee early hours of the morning, often the only thing an officer can do is connect the victim to an advocate after making sure she is safe and can get through the night.



“*The vast majority of the patrol division of most police departments are very young, very inexperienced people. Blueprint gives them a guideline for what they're supposed to do, and what they're supposed to be driving towards. The most important part of a program is that the officer wants to help, and they want to do the right thing and they want to push the right direction. But a lot of them don't know exactly what that is until they get the experience to do that. This is a framework to get from A to B, and I think that's the most effective part.*”

Having Advocates

When law enforcement officers follow the Blueprint protocol, support and confidential advocacy can be provided as soon as an officer calls an advocate. After this connection occurs, many things are in place before the offender appears in court, often at 11am that same morning, including requests for Domestic Abuse No Contact Orders (DANCOS) (see [Appendix D](#) for definitions of various no contact orders). As a result, many judges generally order DANCOS when they are requested. Once victims get an advocate, they are more satisfied with the process, as advocates can often answer questions or help victims decide what to do next.

Non-confidential advocacy is provided through a Victim Services Coordinator (VSC) in the County Attorney's office. The VSC helps victims navigate and understand the criminal justice system and its complicated processes. Focus group members felt that the combination of confidential and non-confidential advocacy was beneficial to victims.

The Interagency Blueprint Collaboration

A mapping process done in the early years of Blueprint allows those still working in the system to better understand the role each person and agency plays.

“*Blueprint offers a process for everything that comes up. Law enforcement officers carry the Blueprint card and ask the Blueprint questions. When law enforcement is done, a referral is made to HOPE Center, then victims get to Victim Services. Victim Services and probation*”

converse. Every agency has someone to reach out to and there is someone to guide the victims through.

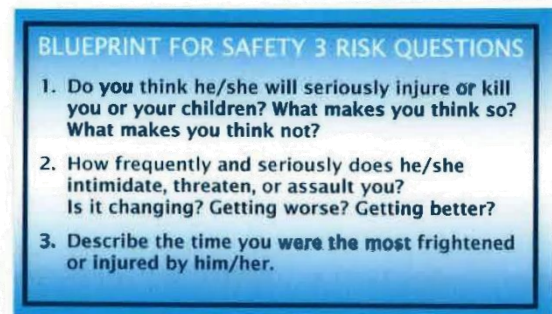
As a result, Blueprint members have become more victim-centered “from the initial act of domestic abuse to stalking and all that goes into making a case. The approach is not about finger-pointing; it is figuring out where the gap is and how to fix it. Collaboration is in place and people are on the same page, using the same processes and language.”

I think that one of the pieces is for people to know what their job is and what their role is. And then this ability to hold people accountable, because we've all agreed to the fact that these are our pieces, this is what I'm going to be responsible for. But then also to be able to say, I need a little bit more information about this, because I was under the assumption that this was your role, so help me figure this out. I think that the trust that's been built and the ability for us to have difficult conversations is really important. And that was built from the meetings and the discussions and the camaraderie, and it makes work a lot easier when you can have good relationships that you can build on.

Law Enforcement Has Changed Their Approach

I've been in the 911 Center for almost 23 years. And it used to be where you could take a call and be on the phone and hear somebody being physically assaulted and the officers would go on scene and say, we're clear. Now, they're very clearly more involved in making different choices on how to handle those situations. It's definitely migrated and changed a significant amount from where it was before. And also reaching out and having advocates help that person immediately, some of those big changes.

Participants felt that law enforcement has come a long way in their relationship with the HOPE Center. Officers have gotten less offense/punishment related and more into the context and history of each victim. They are better at working with different partners and see the value in the services of an advocate. The [Blueprint questions](#) are on cards carried by officers, and it guides them, which is helpful considering that some officers are new and inexperienced at interviewing.



Law enforcement support for and engagement with Blueprint is critical, as they are not only the first to respond to a domestic abuse call, but they also know the people in the community well. From being more engaged with the victim on site, to de-escalating the situation when a victim does not want the offender arrested, to using the Blueprint protocol, and to telling a victim when the offender was getting released, law enforcement has demonstrated a willingness to be in the circle of support for the victim.

There was a woman [whose offender] had a lot of DANCO violations. So law enforcement again, stepped up repeatedly. In one instance, the person had purchased something from a local store. So they had gotten surveillance video, they'd gone back to her house, they had extra patrol, they

had done all of these steps. Again, making sure that that victim felt like she was heard, and she was listened to in this particular instance. Because the offender had been repeatedly released. We then had a meeting with everybody at the table. So law enforcement came, and then the city prosecutor came and we all sat down with her and said, Okay, what's our plan going forward? How are we going to connect? What do we need to do next? What do we need to do differently? I think that is one of the things that's incredibly helpful for victims and incredibly supportive and might not have happened in the past. But I'm very excited that it's happening currently.

What Does Not Work Well for Victims

Throughout the Blueprint 2.0 process, we discovered that far more aspects of the system do not help victims achieve their desired outcomes.

Time Constraints Make It Difficult to Build Strong Cases

The State of Minnesota has strict timelines for processing an offender. The following procedure comes from United States Department of Justice, Offices of the United States Attorneys website¹⁴.

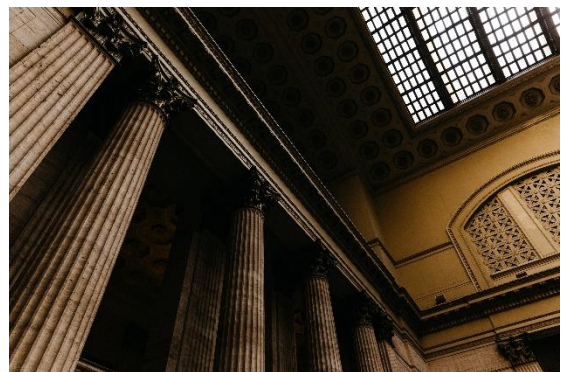
Either the same day or the day after a defendant is arrested and charged, they are brought before a magistrate judge for an initial hearing on the case. At that time, the defendant learns more about his rights and the charges against him, arrangements are made for him to have an attorney, and the judge decides if the defendant will be held in prison or released until the trial.

In many cases, the law allows the defendant to be released from prison before a trial if they meet the requirements for bail. **Before the judge makes the decision on whether to grant bail, they must hold a hearing** to learn facts about the defendant including how long the defendant has lived in the area, if they have family nearby, **prior criminal record, and if they have threatened any witnesses in the case. The judge also considers the defendant's potential danger to the community.**

If the defendant cannot “post bail” (pay the money), the judge may order the defendant to be remanded into the custody of the Rice County Jail pending trial. The defendant will also be asked to plead guilty or not guilty to the charges.

The state-defined arraignment timeline, or the “36–48-hour rule¹⁵,” was a source of much discussion and contention in the focus groups. Most domestic abuse calls come between 1-4am, and there are no law enforcement supervisors working at that time. There is pressure for patrol officers to complete their paperwork quickly and have it approved before a defendant appears in court, frequently at 11am the same day. There is little to no time for follow-up if the first report lacks sufficient detail or for a prosecutor to make a compelling case based on the offenders’ patterns of abusive behavior.

*They only have so much time to process and when they're going to jail, the jail is going to be the one worrying if they can hold them for that long period of time. But once the prosecutor gets it filed, then they're going before the judge. **If you have 36 hours to get somebody charged and filed, and if they're rushing that, then the prosecution is the one that's doing it on a***



¹⁴ <https://www.justice.gov/usao/justice-101/initial-hearing>

¹⁵

https://www.revisor.mn.gov/court_rules/cr/id/4/#:~:text=The%20defendant%20must%20be%20brought.as%20a%20judge%20is%20available

quicker timeframe. Instead of putting them on the calendar for 11 o'clock in the morning, they would just throw on the next one. You can only get on the calendar if you get a charge. Once you charge it out, it gets a case number and it's going to be on the calendar. Once you charge them and file your complaint or your citation, then you're going into the court.

Prosecutors have the option to delay charging the abuser based on the time and day the defendant was processed in jail. Prosecutors would benefit from holding offenders longer before their initial arraignment so they could investigate more deeply and look for other or past charges and patterns of abuse, and then ask for additional or upgraded charges.

“ I think what may not be working at times is how we build a strong case for prosecution. And that comes from the initial contact with law enforcement evidence that's obtained at the scene and report writing. Because if some things are missing, it can be difficult to build a strong case. And when that happens, sometimes we have to take into consideration what offers to make or how we proceed with the case. Sometimes I think, that leaves victims not understanding the county attorney's role in prosecuting these cases, and so that may come up with miscommunication.

The 36–48-hour timeline is a constitutional protection embedded in state statute, but it has a very negative impact on many victims when prosecutors rush to arraign. It puts the onus on prosecutors to make critical decisions in a short time. Also, when offenders are arraigned and released the same morning as the assault, victims only have a few hours to calm down, connect with an advocate, and create a safety plan before he is out of jail and back home. The group felt that if prosecutors would hold off on charging offenders and keep them in jail longer, victims would have more time to gather themselves and patrol officers would have more time to write a more detailed complaint based on the Blueprint questions that would then give prosecutors more information to build a stronger case.

Prosecutors Are Not Working to Hold Offenders Accountable

The County Attorney's office was viewed very negatively by focus group participants who felt that individual prosecutors had too much discretion to dismiss or prosecute a case, with some being willing to prosecute only if it were a “slam dunk” case. What got done was often driven by who the prosecutor was. Victims complained that files sat on prosecutors' desks for months with no action or follow up or that communication from the County Attorney's office was poor. Victims and providers both agreed that there needs to be more prosecution of no contact order violations.



“ Offenders are not being held accountable. Officers get frustrated being called to the same scene over and over again. This results in lack of reporting – they might lose involvement out of frustration. Officers could put in prior contacts at an address because victims don't know that officers don't automatically share information. From a law enforcement perspective, what we would like to see is the prosecutor holding this individual accountable for this violation. That can go across the board with any type of crime. It's not how things are working right now.

Highest Penalty Domestic Abuse Charges are Dismissed or Pled Down

“The system can be confusing for victims because they don't understand what a stay of adjudication, stay of imposition or a stay of execution can mean for the charges. A stay of adjudication effectively means a person was never sentenced, and if they successfully complete probation the effect is they no longer have a conviction. This would affect any future enhanced charges. A person that received a stay of imposition will see their felony reduced to a misdemeanor upon their successful completion of probation. A person can receive jail time that is stayed, which means they will never have to serve any time unless they have probation violations. It is really hard to explain to a victim how this occurs and what impact this might have on future charges.

One problem victims face is that prosecutors and judges are not piecing together all the cases and charges filed over time to show patterns of abuse and control. Domestic abuse is not a one-time event: it is a pattern of behavior. Laying out those patterns to the court is essential for holding offenders accountable because in plea deals where there may be five DA charges, offenders typically plea to one or two, and the rest are dismissed (see [Victim/Survivor Case Studies](#)). If the whole history of abuse is presented, perhaps more charges would stick.

“If you're going to do plea agreements you have to be able to say, we have 13 violations on you for a stalking charge. We also have the felony domestic that this all started with, we have the 13 DANCO violations. If you are going to do the plea agreement, throw everything you really have at them, because a lot of times, advocates will hear victims' stories that you may or may not. Sometimes they didn't tell you this at the time, so you guys don't even know in the first place. But that's when this communication can happen to better that. So now we're hearing 'Oh, well, he interfered with the 911 call, but you didn't mention that.' All of these other charges that could be being pressed against this person. Then you have 16 to plead to the five versus the six that you had, which then they plea down to one or two. Is there any way that we can be a little more heavy handed on that side of things, and then again, not with the expectation that they will be charged for everything, but with the expectation that he really did all these things, so therefore, he should be held accountable for at least some of them.

Judges Do Not Hold Offenders Accountable



By far, the most frequent concern raised by victims, providers, and law enforcement officers was that Rice County judges are not holding offenders accountable for the crimes they commit. Prosecutors and judges appeared to not take DA crimes seriously enough to prosecute them to the full extent of the law and sentence them accordingly. Providers made numerous references to a “revolving door” on the jail, and evidence exists that the most serious and violent DA crimes are often pled down to lesser charges.



There's an individual who got arrested three times in 10 days for breaking into her apartment, and he got released with conditions three straight times and immediately went back in. We as landlords have lost thousands of dollars trying to protect her. Her ultimate disappointment that this was not a big deal in the eyes of the court because that person was not given conditions – that he was just allowed out within 15 hours to literally immediately go back in. Law enforcement went back to tell her. For me that was a great response to a situation they shouldn't have even been in. You shouldn't have to go tell the victim who's had their apartment broken into three times in 10 days that the guy is getting out again. And then literally, he gets arrested, because he went from jail straight to her apartment. I think there's a pretty massive failure. Ultimately, it was the same judge all three times, which was incredibly disappointing. I reached out to the prosecutor, because this was a problem not only for the actual victim, but for the other tenants in that building, who at this point might move, because this individual is essentially terrorizing her. It's the entire community there. I also know that at the first or second court hearing, a DANCO was not requested, and she wanted one. And that was disappointing.

Because judges not holding offenders accountable, prosecutors blame police officers for not providing enough in their reports, and police are getting tired of writing reports for the same address and incidents when nothing is done about the situation when it gets to prosecutors and judges. This is a vicious cycle that needs to be broken and replaced with one that is effective.

Consequences for Offenders are Neither Swift Nor Sure: To gather evidence of what is happening in Rice County courts, the consultant analyzed court records for domestic abuse charges that were sorted by pre-pandemic years (2017-2019) and the COVID pandemic years (2020-September 2022). These court records were examined to determine: 1) the length of time it took the case to move from offense date to disposition, 2) if the offender was convicted of the offense charged, and 3) what charges most frequently resulted in convictions (See [Appendix B for methodology](#)).

One goal of the Rice County Blueprint for Safety is swift and sure consequences for abusers. Analysis of sample cases led us to believe that neither swift nor sure consequences are currently enacted with any consistency.

The time it takes for the courts to act has a direct impact on victims. First, if the abuser is out of jail, the victim and her children remain in danger. Second, if the victim has been able to move on with her life while the case was in the system, she loses interest in pursuing the charges and loses trust in the system if too much time passes. In both instances, the abuser is not held accountable.



If we look to St. Cloud, they had a six-month gap between report and the final outcome of the case. When they started looking at what happens and the mountain of recidivism, they were able to handle it and get a grip on it when they did swift and sure consequences. They were a very bench heavy programming process, so they got from like a six month to a year process down to a 45-day process if it's a domestic abuse case. And guess what? There's less recidivism, and the same guys that they were seeing, they're not seeing them anymore, because either they're being held accountable, or they realize, 'oh, I can't do this.'

Stearns County has a Domestic Abuse court that shortened the time it took to close a case. Offenders there are court-ordered to do specific things and there are more felony charges and dispositions. The problems in Rice County have solutions.

When they see that he can get away with all those behaviors, when we can't hold them accountable for each and every one and get that message across that this is unacceptable, they're less likely to seek help. They're also going to take that over to family court, family court's going to look at it and say, 'Well, were they actually convicted? Yeah, they were charged, but were they convicted? Or was this just you calling to try to get a leg up in your custody case, maybe they didn't actually commit domestic abuse.' If we don't hold them accountable and build those cases over on that side, they pay for it on the other side, for the rest of their life when they're trying to raise kids with an abuser.

“

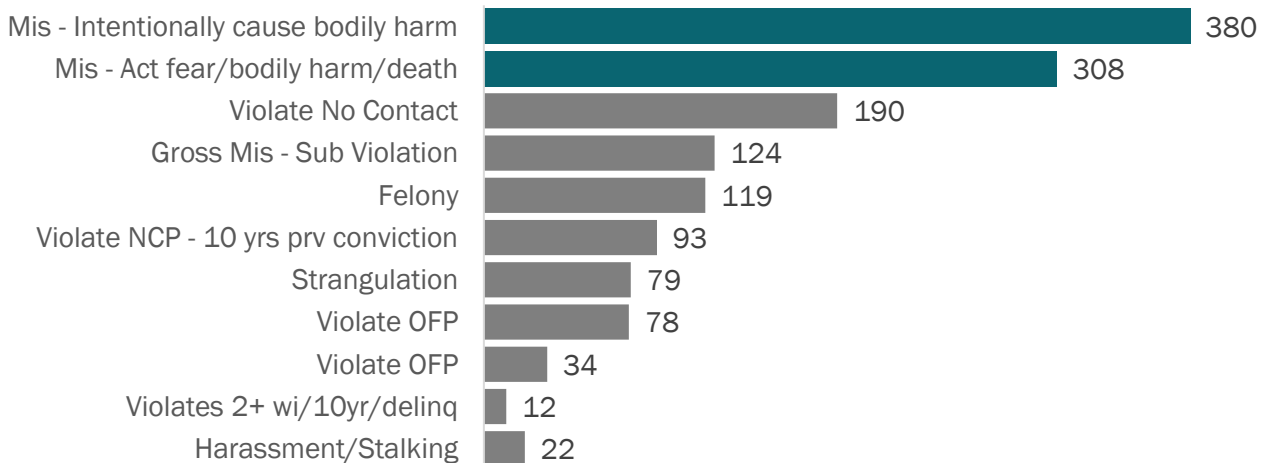


Offenders Repeatedly Violate No Contact Orders Without Consequence: In Rice County, abusers know that they can violate no contact orders without consequence due to the pattern of inaction by the courts. *Figure 1* depicts the number of domestic abuse charges from 2017 to September 2022. The most frequent domestic abuse charges were *Domestic Assault – Misdemeanor – Intentionally Inflicts/Attempts to Inflict Bodily Harm on Another* (380 charges) and *Domestic Assault – Misdemeanor – Commits Acts to Cause Fear of Immediate Bodily Harm or Death* (308 charges). These 688 violent, traumatic, and terrifying crimes account for almost half of all domestic abuse charges during the time period studied.¹⁶ However, the third most frequent charge related to violating a no contact order (531 charges). This illustrates that system resources are being used to arrest repeat violators almost as much as they are used to arrest, charge, and prosecute violent abusers. This is an inefficient use of resources that stresses an already understaffed and underfunded system.

¹⁶ Note: these are charges, not individuals, and the same individual may have multiple charges.

Figure 1: Domestic Abuse Charges by Frequency

The most frequent domestic abuse charges filed between 2017-Sept 2022 were misdemeanors involving intentionally causing or the fear of bodily harm or death. Violations of no contact orders accounted for a total of 531 charges.



Both focus group participants and victims spoke of how judges allow offenders to miss deadlines, fail to show up in court, and violate no contact orders without consequence. Too often, the court makes exceptions for or accepts excuses from offenders charged with DA, especially those charged with stalking/harassment. Offenders are used to pushing boundaries, so it is important that the system not bend and holds the boundaries.

Prosecutors ask for bail conditions based on the score of their bail evaluations. By statute, there are maximum bail limits. Judges are cautious to balance public safety and defenders' rights. Sometimes the state asks for a DANCO when appropriate on behalf of the victim, but when the victim does not want it, then the judge does not always grant it even when it is in her best interest. This is especially problematic when prosecutors know the offender has a history of violence and control.

The current trend of releasing abusers on their own recognizance is frustrating to law enforcement officers who keep dealing with the same situation after someone just got out of jail. Obviously, this is frustrating and dangerous for victims too.

“ They go to court, they get out. It's a revolving door at the jail. The perp says that's my stuff, that's my place – they go back. It's very short term. They are back in and almost immediately released again after their court appearance.

Focus group participants shared stories about specific offenders that were well-known to law enforcement. Frustration levels were very high. Law enforcement officers believe that the DANCO is the only order that allows them to arrest violators without consent from the victim or verification from a probation officer, but when violators of conditions of release get nothing but a “stern lecture from the bench” and no additional consequences, police lose enthusiasm for arresting them.

Additionally, victims get worn down and discouraged when they see “29 cases of a DANCO violation turned into one.” Prosecutors also get tired of presenting the case when judges keep letting violators out. Many offenders are released on their own recognizance (ROR) without immediate consequences. Law enforcement officers do not understand why judges do not spell out what will happen if offenders violate a no contact order and then do what they say will happen.

Judges are an integral and important piece to any Blueprint for Safety. In fact, the Blueprint will not work without their support and involvement. But unlike those in Stearns County and elsewhere, Rice County judges have not yet engaged with the Blueprint.

“ We have a lot of justice partners here, except the courts. So we get to that level where the judges are going to ROR everybody and then the prosecutors are like, Why do I care, you're gonna get ROR. We always hit that ceiling. It's hard to get to the judges. Other county's judges come to bar association meetings, and we are socializing with the judges. Except in Rice County. So we hit the wall.

Blueprint team members have asked for a vehicle to promote ongoing communication with judges.

Conviction Rates for the Most Violent DA Charges Have Decreased: Another disturbing pattern revealed in the analysis of a sample of court records is that **conviction rates for the kind of DA charges most likely to lead to the victim being murdered appear to have decreased** in the past three years. These charges include *Harassment/Stalking, DA-Felony, Domestic Assault – Misdemeanor – Commits Acts to Cause Fear of Immediate Bodily Harm or Death, and Strangulation* (see Appendices [Strangulation](#) and [Stalking](#) fact sheets).



In the sample of records analyzed, offenders charged with strangulation were least likely to be convicted of that crime both pre- and post-pandemic. There were no convictions for stalking during pandemic years even though arrests for stalking were made. Felony convictions also decreased. Examining just 10% of cases “Under Court Jurisdiction” gave cause to question if these sentencing and conviction patterns were present in all domestic abuse cases.

“ We had an example of an abuser. There were some drug charges, and then there were domestic charges and there was a strangulation. He only thinks she wanted with the strangulation conviction just because this was the first time that she had reached out, but it was not the first time she'd been strangled. That was what was most important to her. They pled to I think it was a misdemeanor domestic. Strangulation is felony level, right? They got the felony level drug, but then the misdemeanor domestic. For her, that was like the ultimate insult - that courts care more about the drugs than they do her. She left feeling very angry, very misunderstood, and very not heard, and that he didn't have any consequences. Because at the end of the day, he got more time for drugs than anything else. What is the message that we're ultimately sharing with

victims? And what are they hearing, which is often that your voice doesn't matter, your experience doesn't matter.

This matters because odds of homicide increase 750% for victims who have been previously strangled, compared to victims who have never been strangled.¹⁷

Turnover and Burnout Impact Services

Rice County has a shortage of services and capacity that the community needs to help with the problems people have, including victims of domestic abuse. Turnover and burnout within the Blueprint agencies have negatively impacted Blueprint for Safety implementation, protocol integrity, and the quality of services provided to DA victims because so many of the original Blueprint team members have left.

Burnout and turnover happen for different reasons, depending on the organization and agency. Each agency needs to look inward and find what is causing burnout and turnover within that agency, and what factors are within the agency's control to change. Some identified causes of turnover include:

- Retirements, and large numbers of people retiring
- Leaving for better jobs (higher pay, less stress, more challenge, etc.)
- Moving out of the county
- Leaving the profession altogether
- Burnout and frustration

Law enforcement agencies here and across the country are suffering from turnover as well.

“ We actually have another officer that's potentially leaving too. You can't hire anybody. We're in the market right now. Honestly, it looks like cannibalism with each agency feeding off each other. No one wants to go into the profession so you're trying to grab from others and remain competitive. We tell the cities - you want people to work here - well, you got to open up your pocketbook.

Law Enforcement Supervision, Training, & Buy-In Impact Victims

The law enforcement supervisors who participated in the focus groups stated that supervision could be improved so that more attention is paid to the content of patrol officer reports. They also can provide more training to existing and new officers, as this would help officers buy into the Blueprint. They felt strongly that when officers understand how the system works, and why things happen the way they do, they are then more willing to use the Blueprint and get better at helping victims.

Probation and Law Enforcement Need Better Communication Channels

Community Corrections/Probation is actively involved with the Blueprint team, but there is not much cross-over and communication between police and probation. Probation officers do not see the police reports and are thus in need of a closer working relationship with law enforcement.

¹⁷ See [Appendix E](#): Strangulation Fact Sheet

“ They [probation officers] have so much more ability to take action and have an impact than we [law enforcement] do. For us to do something, you have to cross finite lines to have committed a crime. When offenders are on probation, that probation officer has a massive amount of influence, and if they were more involved with us, I think we can just utilize each other's abilities a lot more.

Law enforcement is not supposed to arrest those who violate conditions of probation/release. Most domestic abuse violations occur at night and early hours of the morning, but probation works 8am – 4pm. There is someone on-call after hours, but if officers do not know this, and do not know the number to call to confirm that a behavior is a violation, officers will not arrest the offender. Conditions of release/probation are not in the patrol computers, and officers need to verify that the behavior is a violation in order to make an arrest.

“ I would add...having some teeth with the probation officer and some case consulting. If the offender is making contact or skirting around whatever kind of threshold we had to separate him from the victim, we don't have evidence that, say, they trespassed on a property. But that probation officer can be a real game changer and come down really hard with some teeth in those scenarios.

It is important to note that offenders who receive pre-trial conditional release are not under any supervision unless the judge has ordered them into a pre-trial program. Contacting a victim who does not have a [DANCO](#) is not a crime. Additionally, if an offender is sentenced to probation and has conditions, probation officers can file a violation of probation or determine if the situation is high-risk and issue an Apprehension and Detention order, which is not done very often.

Coercive Control: Precursor to Stalking and Difficult to Prosecute

Coercive control is a form of abuse present in most abusive relationships. Battered Women's Justice Project ¹⁸ defines coercive control as “a behavioral pattern in intimate partner relationships of threatening, humiliating, or intimidating actions that seek to take away a person's freedom and strip away their sense of self. An abuser uses coercive control to make their partner dependent on the abuser by isolating them from support, exploiting them, depriving them of independence, and regulating their everyday behavior.”

While a victim may live in a controlling relationship for years, sometimes the abuser is unable or unwilling to cease attempting to control the victim's life after the relationship ends and turns to [stalking](#). A focus group participant explained further:

“ We know that domestic abuse is a pattern of behavior. It's that coercive control that impacts not just the moment when they're calling for help, but many, many other moments. I can see the intersection with Family Court. If a mother decides to leave the abusive relationship, now she's got custody issues. Those coercive control behaviors that started in the relationship now transfer

¹⁸ <https://bwjp.org/site-resources/coercive-control-codification-policy-brief-domestic-violence-protection-orders/>

over to the custody case and you end up with post separation abuse that's even harder to prove in the court system. (see [Case #3](#))

Documenting and proving coercive control and stalking wherever and whenever possible is not easy but is essential to improving outcomes for DA victims. However, there is not always evidence of physical or sexual violence, so judges, prosecutors, family courts, and juries tend to ignore the underlying threats that coercive control and stalking present.

“ Again, the patterns of control and abuse must be established and laid out. When an abuser is standing on a sidewalk outside the boundaries of the no contact order, he is not being perceived as a threat, even though he is still stalking. Juries are like, why is this a big deal if it's not violent? You have to show the patterns and histories and have expert witnesses to help juries understand. You have to set it up to have your best shot going in there.

Victims also get confused and don't report violations if the offender's actions are not obviously threatening or violent. Victims are not always aware of the legalities or understand when they should call the police. Additionally, different officers interpret the statutes and/or the orders differently, which leaves victims confused and feeling like they should not have called.

Stalking is Not Treated as the Special Crime It Is

Stalking/harassment is a special crime according to Minnesota statutes and should carry greater penalties for the offender and more protections for the victim, especially in family court. Per Minn. Stat. §631.52, if a person who has court ordered custody of a child or parenting time rights is convicted of certain crimes (and there is not already a motion pending in the family court), a court is required to refer the matter to the appropriate family court. Once that referral has been made, the family court is required to grant temporary custody to the noncustodial parent unless another custody arrangement is in the child's best interests, or suspend the convicted parent's parenting time rights, unless parenting time with the convicted person is in the best interests of the child. The family court must expedite the matter and the convicted parent has the burden of proving that continued custody or parenting time is in the best interests of the child. If the victim of the crime was a family or household member, the standard of proof is clear and convincing evidence. A Guardian ad Litem must be appointed in all cases.¹⁹



¹⁹ Special Crimes defined in Minn. Stat. §631.52 include: (1) murder in the first, second, or third degree; (2) manslaughter in the first degree; (3) assault in the first, second, or third degree; (4) kidnapping; (5) depriving another of custodial or parental rights; (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving a minor; (7) criminal sexual conduct in the first degree; (8) criminal sexual conduct in the second degree; (9) criminal sexual conduct in the third degree (limited subdivisions); (10) solicitation of a child to engage in sexual conduct; (11) incest; (12) malicious punishment of a child; (13) neglect of a child; (14) **terroristic threats**; (15) **felony harassment or stalking**; (16) **domestic assault by strangulation**.

Per Minn. Stat. § 518.179, when a person convicted of certain offenses seeks custody or parenting time has been convicted of a crime listed below (similar to 631.52 with the exception of felony stalking), that person has the burden to prove that custody or parenting time is in the best interests of the child if: (1) the conviction occurred within the preceding 5 years; (2) the person is currently incarcerated, on probation, or under supervised release for the offense; or (3) the victim of the crime was a family or household member. The burden of proof is by clear and convincing evidence if the victim was a family or household member. The Court is required to appoint a Guardian ad Litem.²⁰

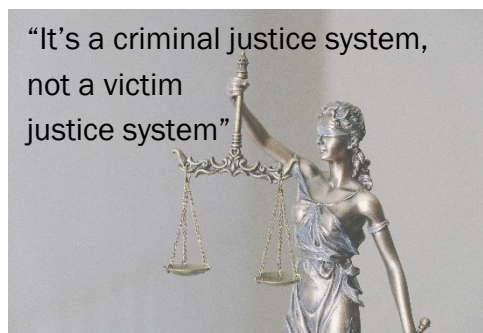
The importance of these 2 statutes is: (1) the burden is on the abusive parent; (2) the standard of proof is generally the higher clear and convincing standard; and (3) the appointment of a Guardian ad Litem is mandatory. Normally the burden is on the victim to show why the abuser should not have custody without a conviction. Due to budget issues, Guardian ad Litem is not being appointed except in mandatory situations and even then, it is not a guarantee. The standard of proof in family cases is proof by a preponderance of the evidence, or more likely than not. By requiring the higher standard of proof, clear and convincing, the court must find that the evidence is highly and substantially more likely to be true than untrue.

Victim/survivor [Case Study #3](#) speaks directly to these issues and tells the stories of what women go through when their controlling partner turns to stalking and the courts fail to treat stalking/felony harassment as a special crime.

Victims' Needs are Not Prioritized

“There’s no positive impact. Victims are not healing through the court system.” A focus group participant reminded us that “it is a criminal justice system, not a victim justice system.” The criminal justice system is built to intentionally silence victims’ voices. Both focus group participants and victims shared their frustration with how little voice and agency victims of domestic abuse have once the state gets involved.

Resources for victims of DA are scarce and not always available at the time the abuse is taking place. Most DA calls occur between 1-5 am, yet HOPE Center is the only 24/7 resource in the entire county. Community Action Center provides crisis response and housing but not 24/7. Additionally, the system does not respond to the logistical needs of domestic abuse victims, like housing.



²⁰ Special Crimes defined in Minn. Stat. §518.179 include: (1) murder in the first, second, or third degree; (2) manslaughter in the first degree; (3) assault in the first, second, or third degree; (4) kidnapping; (5) depriving another of custodial or parental rights; (6) soliciting, inducing, promoting, or receiving profit derived from prostitution involving a minor; (7) criminal sexual conduct in the first degree; (8) criminal sexual conduct in the second degree; (9) criminal sexual conduct in the third degree (limited subdivisions); (10) solicitation of a child to engage in sexual conduct; (11) incest; (12) malicious punishment of a child; (13) neglect of a child; (14) **terroristic threats**; (15) **felony harassment**; (16) **domestic assault by strangulation**.

“ Many times, victims don't have the money for a security deposit and first month's rent so that they can leave. There is a cascade of events that continually require resources to deal with. Instead of handling it up front, there is a domino effect of needs and responses.

The Parent Support Outreach Program, available through Rice County's Child and Family Services department, can provide some women with children the emergency cash funds needed to relocate quickly. Yet to access the support and resources that do exist, a victim must often find them herself, or rely on an advocate or community-based organization.

The community also bears responsibility for helping victims, but many times, people in the community do not know where to turn for help or where to refer their friends/family to. There lacks a holistic approach to problems and services, and an understanding that in many cases homelessness, substance abuse, and domestic abuse are linked. Service providers throughout the County need holistic training, including how to develop a network of support so that they can employ the No Wrong Door approach.

Law enforcement is “not always the first or best go-to. Not everyone wants the badge – maybe they want help, but not police.” However, victims still “need resources, they need conduits to get out.” The community needs to know what resources are available and how to access them if they are to better support victims of domestic abuse, whether those victims engage the criminal justice system or not.

“ We assume victims know the system – they don't, and they get revictimized over and over again. We need to educate the victims better. Sometimes you just have to protect the victim when they don't want to protect themselves.

Victim Advocacy Can Be Confusing



Understanding how the system can work for or against a victim is difficult and often requires the expertise of an advocate to help victims navigate the system.

Initially, and due to its name, victims may believe that the County Attorney's Victim Services office and the HOPE Center provide the same services. However, they are very different. Conversations with Victim Services are not confidential, and everything said to them is required to be disclosed to the defense. Victim Services gets calls from victims about their role in the DANCO process and HOPE Center may also get the same calls. However, HOPE Center is confidential and gets called by Law Enforcement from the scene, while Victim Services reaches out to the victim before the arraignment to get information the prosecutor needs, if they reach out at all.

Victims may be asked to give a victim's impact statement to different agencies for different reasons. For example, probation does a victim impact statement, as does Victim Services. The victims then think, “I've already done that.” It is easy for victims' needs to get overlooked or dismissed in a complex, offender-focused system.

Bias

Even though Rice County is racially, ethnically, religiously, politically, and socio-economically diverse, the power base is undeniably conservative and white, which means that the system is not free of bias. The National Institute of Health defines bias as consisting “of attitudes, behaviors, and actions that are prejudiced in favor of or against one person or group compared to another.” Likewise, they define implicit bias as “a form of bias that occurs automatically and unintentionally, that nevertheless affects judgments, decisions, and behaviors.²¹” While exploring and documenting bias is beyond the scope of this project, concerns about bias in the system were raised by focus group participants and victims alike.

Bias Against Women: The most obvious form of bias that appears when evaluating outcomes for DA victims is sexism rooted in patriarchy. The patriarchal system and toxic masculinity normalize domestic abuse and sexual violence and bias the system against victims. Bias against women may account for some of the trends and issues discussed in this report, including why offenders are not being accountable. Focus group participants said it is important to encourage and normalize males standing up against domestic abuse to help combat the bias that patriarchy fosters and perpetuates against women.

Racial Bias: People of color are unempowered and disenfranchised in Rice County because of historic, systemic, intergenerational, and institutional racism. When asked if focus group participants believed the system was biased against people of color, they responded with specific examples.

“ I think it affects minorities and usually disadvantages them in child protection cases. I have my Caucasian client who might be very white trashy, but my white trashy clients are doing the exact same things that my Hispanic or my African American clients are doing... They're not good. I want him to be CHIPed²². But it's gonna happen to my clients of color before it happens to the white clients I've had. That is always a problem, especially with my Native American clients.²³ I see it 100% more in crim sex cases, depending on the income level of people. It's harder generally to see if I go to a nice neighborhood and there's crime happening, that there's domestic abuse happening, that this person is doing these types of things. It's harder for me to believe that they're doing criminal sexual conduct...It's just generally harder if you go to a higher income neighborhood here because of who lives in those neighborhoods.

Providers felt that there is overall less reporting from communities of color and when a report is made, victims of color do not disclose everything that might help their case. The caseload for domestic abuse cases in Rice County is not representative of the population for various reasons:

- American culture is overtly hostile to immigrants of color, especially in rural communities like Rice County.

²¹ <https://diversity.nih.gov/sociocultural-factors/implicit-bias>

²² Child in Need of Protection

²³ For more on the historic over-representation of children of color in the child welfare system, see <https://evolveservices.org/blog/racial-disproportionality-within-the-child-welfare-system/>

- Members of the Latinx/Hispanic communities may have a greater fear of the police due to the perceived threat of deportation and therefore be less apt to call for help when there is domestic abuse.
- Women in communities of color tend to not call for help until the abuse has become severe.
- The number of calls from Somali women is extremely low because domestic abuse is often referred to the elders for handling within the community.

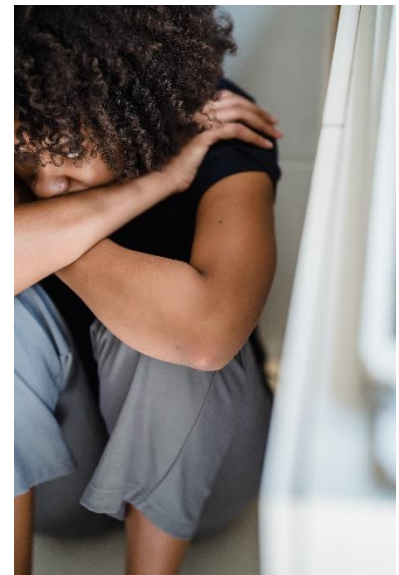
However, when asked if people of color were charged more harshly and frequently, the perception was that they were.

“ I feel like the Hispanic cases are charged more, way more, like exponentially more.²⁴ It’s more difficult to investigate because of language and culture – some things are handled internally. There is worry with deportation, loss of custody, losing the bread winner. Deportation is a threat the abuser is using. Withholding passport – keeping papers.

Probation also noted that only a small number of their clients were people of color.

“ I have maybe 50 people at any given time, and I would say I have maybe a handful of individuals that aren't Caucasian. That's surprises me. I'm wondering if it is because the victims don't want to report it because they're worried about deportation or all the other things. I don't know if they're just not calling in when they're being assaulted or if they are still under the [cultural/patriarchal] law of, you know, it's okay to do this to me, because I'm the wife.

Participation in the focus groups and victim interviews from communities of color was non-existent despite efforts to recruit participants. This further illustrates the extent to which white voices are heard and voices of color are silenced in Rice County. For women of color who are victims of domestic abuse to feel safe asking for help, much work needs to be done. It is not an established fact that cultural differences are the only things preventing women of color from reaching out for help.



²⁴ Disproportionate representation of people of color in the American criminal justice system is a well-documented fact.



CASE STUDIES

This section contains interviews summaries with four victim/survivors who volunteered to tell their stories. One anonymous victim impact statement and a summary of commonalities among these cases is also included in this section.

Victim/Survivor Case Studies

1. Case #1: When the Abuser is Deemed Mentally Incompetent
2. Case #2: When the Entire System Fails
3. Case #3: Unrelenting Harassment and Stalking
4. Case #4: Victim Impact Statement
5. Commonalities Among Cases



Case #1: When the Abuser is Deemed Mentally Incompetent

Case #1 Issues:

- Abuser Deemed Mentally Incompetent and Not Held Accountable
- Children Traumatized by Abuser and Police

Background

The victim/survivor is a young white/Latina/Hispanic woman with one child on the spectrum. Her educational and employment status is unknown. She receives some public assistance.

For this victim/survivor, the justice system has failed to protect her from an abuser with developmental disabilities and violent tendencies.

In October 2021, three domestic assault charges were filed in Rice County. Two were dismissed and the abuser pled guilty to *Felony Domestic Assault - Strangulation*. He was released on bail with conditions. A DANCO and an OFP are in place, but the offender continues to violate all no contact orders and police do not feel they can arrest him. At least four violations have been reported to the police by the victim but there have been no arrests. This offender now lives in Ramsey County and there is no obvious cooperation between probation and law enforcement agencies in Rice and Ramsey Counties. The Rice County prosecutor's office has yet to submit a motion accepting the plea, and the prosecutor on this case has left the County Attorney's office. As of December 16, 2022, a new prosecutor had not yet been assigned to this case, which has been going on for more than a year.

The abuser continues contacting the victim/survivor from his residence in Ramsey County, and because the system has yet to hold her abuser accountable for the felony strangulation, she and her child do not feel safe.

Law Enforcement

This victim/survivor was largely satisfied with the initial response from law enforcement.

“ They were good to help. They were fast, and really prompt with the situation. They took their time to listen to me and make sure that we were safe in between the time that dispatch picked up and the time that officers got to my home.

She believes officers asked her the Blueprint questions ([Appendix H](#)) and attempted to contact an advocate at the HOPE Center. The call was made after hours, and it took approximately 90 minutes for the advocate to call her back. She felt that the officer was respectful of her child while working on the case and gave her resources and pamphlets on DV. They took pictures of the marks on her neck, and an officer returned the following day and took more pictures of her neck.

However, as the abuse continued, not every response by law enforcement was positive.

“ During one of the calls, there was an officer that did pull his gun out on my abuser, which was very scary for my daughter, because she's little and she sees her dad down on the ground, and somebody's pulling a gun out on him. That was definitely hard to deal with and explain to her at

that point. Did he threaten the officer? No. He didn't pull a weapon or anything. He was sitting on the steps, and he was willing to work with them. But the officer was very quick to go for his gun and pull it out on him. At that point, my abuser was just dropping to the ground. He's like, 'Please don't shoot me!' It was like, I am a black male out in a predominantly white community. And with all the other police violence that we've had racism-wise, over time, I know he was scared too.

Cycle Of Violence

This victim/survivor understands that she has lived through the [Cycle of Violence](#).

“ This has been an ongoing pattern with my abuser for years. And it finally took me five times of going through it to finally leave. But most of the time, when I did call the police trying to get them to remove him from my home, they would literally just be like, okay, there's not really much I can do, like he's living here. And I'm like, but if he's being abusive, how can you not remove him from the situation? So that definitely did suck. So, he was never arrested and at least taken in for arraignment. At least before when I'd call because we would be fighting and he wouldn't want to leave my residence, they wouldn't do anything but ask him to leave. And he would be back the next day. It finally took him strangling me for them to even arrest him.

Each time he was arrested in Rice County, he was released on his own recognizance.

Mentally Incompetent to Stand Trial

A legal obstacle to holding this offender accountable is his mental status and the court's inconsistency in dealing with it. The offender's first public defender failed to raise the issue of mental incompetence early in the process; it wasn't raised until sentencing, after the offender pled guilty. He had a different public defender at this point.

“ He had been in the system for this twice before and those two times, they proved him to be mentally incompetent to withstand trial. This time when he had his first appearance, I believe it was a public defender he had at the time, the judge had asked, is there any concern with him possibly being mentally incompetent? The public defender at that time said, “No, I have spoken to him. I don't believe there's any competency issues, we can move forward.” So, we get through the case and we get to sentencing because he decides to take a plea deal. The morning of sentencing, his public defender at that point, which had been switched, brought up to the judge that they felt that there were mental incompetence issues. Then we go for another Rule 20²⁵, another mental evaluation. Now it's time to see what is going to happen. We don't even know how this is going to go yet. If it's going to be dismissed once again, and he's not going to be held accountable for his actions or if they're going to take it seriously and finally prosecute.

The mental incompetence issue has delayed sentencing, and the offender has been released and now lives in Ramsey County. This case remains open.

²⁵ Rule 20 evaluations occur in criminal cases when there is a belief that a defendant may not be competent to proceed with the case or was not responsible at the time of the alleged offense because of mental illness or developmental disability. Source: mncourts.gov

Prosecutor & Victims Services at the County Attorney's Office

The victim/survivor in this case is disappointed with the lack of action and communication from the prosecutor's office. She does not feel that prosecution has helped her at all and never heard from Victim's Services.

“ I think that the prosecutors should be held a little bit more accountable when it comes to them violating these orders, rather than it stacking up and saying, oh, every time you can call, it's a more serious charge. Well, if we're not going to arrest the individual, and really fight to prosecute with these charges, they [offenders] can do whatever they want, or that's what they think. They think that they can continue to call and harass and text and whatever, and that they're not going to get in trouble because they have yet to be arrested for any of it.

Probation

The victim/survivor believes that the offender is not following the conditions of his release and that probation officers are not enforcing those conditions. He has sounded drunk or high when he has called even though abstaining from drugs and alcohol is a condition of his probation. Given that he is living in Ramsey County, it would take communication and coordination between Rice and Ramsey Counties to continue monitoring him and his conditions of release. It does not appear this is happening.

Advocacy

This victim/survivor meets regularly with her HOPE Center advocate, who keeps her updated and has helped her get cash assistance. She is receiving services and her daughter is in therapy to recover from the trauma she experienced when her Black abuser was held at gun point by a White officer in their front yard.

Victim/Survivor's Desired Outcomes

The victim/survivor wants her abuser prosecuted and sentenced to jail time for the crime of strangulation. She also wants him to get help and wished the court would mandate him to get substance abuse treatment. She said, “I feel like if nobody tries to get him help, he's just going to continue to do it.”

Victim's Suggestions for Achieving Better Outcomes for Victim/Survivors

- Better training for law enforcement on how to be when children are involved

“ I think that when it comes to law enforcement, of course they're trying to keep everybody safe. But I think at the same time, they need to train them a little bit better when it comes to these types of situations and read the atmosphere and just think about the children that are in the situation too. Because it felt like the officers were so focused on him that they didn't realize how bad they were traumatizing the children that are in the homes during this. Because it definitely has affected my child. And it has made her scared of police, extremely scared of them. I think if they had better training on how to handle this, it would go a lot differently.

- More and better communication from County Attorney's office and Victim's Services
- More victim input: "more of a chance to be able to have a say. In this case. I feel like my voice isn't being heard."
- Improve multiple jurisdiction coordination and communication
- Expedite the path to case resolution, especially when mental incompetence is an issue

Victim/Survivor's Message to the Criminal Justice System

It seems like with multiple calls of you're fighting, going back and forth, they know, it's a domestic thing. They know there's a pattern of it. I wish that they would look at it and make it just more of a serious thing and realize that when you're being called to a residence multiple times for fighting or somebody's not leaving, that maybe there is more serious situation that needs to be investigated. I know, in my experience, it's hard to come out and say, hey, I'm being abused, I'm being hurt. I'm being talked down to every day. I just wish that maybe they could see more of the red flags and handle it differently and have maybe just a little bit more compassion with the situation rather than like oh, hey, we got called here again, like you guys got to figure it out. Because that's kind of how they handled it.



Case #2: When the Entire System Fails

Case #2 Issues:

- Abuser Not Held Accountable
- System-Wide Failures
- Children Traumatized by Abuser and Law Enforcement

Background

This victim/survivor is a white, educated professional in her mid-40s with 5 children.

Case #2 centers around the failures of the criminal justice and child protection systems to hold an abuser accountable and to protect a woman and her children from ongoing verbal and physical abuse and traumatization.

The abuser in this case was first charged with domestic assault in November 2016. After he moved out, he continued terrorizing the family by coming onto the property and into the house, often damaging property and abusing inhabitants, including visitors in the home. Despite the contents of the police report, which the victim/survivor still has as evidence, the Sheriff's deputy failed to file a required complaint with CPS that the children were directly involved in a DV incident. As a result, the DANCO was lifted. Her children were subpoenaed to testify against their father while they were in his custody; likewise, they were also brought into court to testify against him while they were in his custody.

This case was ultimately dropped due to dismal failures of the prosecutor, witness coordinator, the Sheriff's department, and Child Protection Services (CPS). Despite obtaining various kinds of OFPs and other court orders to protect her children, the victim/survivor lost her custody case, and the abuser was allowed to regain custody of some of the children. Several children refused to go with him because he was abusive. The victim took the case to appellate court and with the help of a national domestic violence agency, won full custody of her children in 2019. However, all children involved were so traumatized by the abuser and the systems which failed to protect them that some are still in therapy today.

The victim/survivor kept records of her abuser's behavior for seven years. She said, "There were times in his life where I truly believe given the right cocktail of situations, he's capable of annihilating his whole family and himself. I definitely could see that happening with this guy."

Child Custody & Safety

Because the offender was abusive, the victim pursued DANCOs, OFPs and Ex Parte orders on behalf of her children. On one occasion, the police officer who served the abuser with the OFP immediately allowed him to go back into the house with the children alone where they got a "verbal beatdown" from their father. This officer allowed a dangerous man to be unsupervised with his children after being served instead of making arrangements to take the children to their mother.

Law Enforcement

Interactions with law enforcement were not positive in this case. In addition to what was described above, she felt that some police were friendly and sympathetic to the abuser while treating her with disregard. The history of policing informed her perceptions, as did the fact that some local police officers were former high school classmates of the abuser.

“*[The officer] was objectively rude to me upfront. I also watched that same day, him go out and talk to my ex like he was their buddy and like I was the crazy one and empathize with him in front of me on my property. That just really left a bad taste in my mouth. At that point, if you've been through the things that a lot of us have been through, you just already understand this is part of the reason why we don't call the police. There's a mentality, there's a brotherhood, there's a sickness involved. Unfortunately, a lot of abusers are our police officers. And they think that if you're not beating the crap out of somebody on a daily basis that it's not abuse, which is so far from the truth. That's the way I inferred that situation. I'm not saying that was his thought process or anything, but to me, what else could it have been? Why would anybody send minor children back alone without a police escort or at least be there to watch, just to ensure safety for them, to collect all of them, and have them be brought to their destination safely?*”

County Attorney & Victim Services

This victim/survivor's experience with the Victim Services coordinator in the County Attorney's office at this time was extremely negative. After the victim/survivor questioned the Sheriff as to why he did not file a report with CPS, which cost her custody of her children, the prosecutor accused her of no longer being credible and dropped the case.

Advocates

In addition to receiving support in court and help with paperwork, the HOPE Center provided her children with Christmas presents for three years. “I can't say enough wonderful things about them.”

Costs to Victims

Even worse than the lack of offender accountability and other technical faux pas in this case, the victim/offender lost jobs because of the time it took for her to fight for her children. She has settled out of court for multiple unfair civil rights violations and unlawful terminations.

Desired Outcomes

This victim/survivor wanted the following outcomes:

- Her children to be safe
- To have a voice in the process
- To hold the abuser accountable
- For law enforcement to treat the abuser like a criminal, not a buddy

Lack Of Physical Violence

This victim/survivor felt that because in many instances there was no obvious evidence of physical abuse, that she was not taken seriously. “You've got tenfold against you because you don't have a black a black eye.”

Suggestion for Achieving Better Outcomes for Victim/Survivors

Provide better training for law enforcement on how to be when children are involved in domestic violence and custody cases.

Victim/Survivor's Message to the Criminal Justice System

“My final concern is my biggest one of all. If abuse is caused by attitudes taught by society, then the whole community – or the whole society – is responsible to stop it. We all have to change community attitudes about domestic abuse, stop colluding with abusers, stop letting County Attorneys let abusers off the hook, stop disbelieving women and girls, all victims who disclose abuse, and stop accepting anti-female attitudes in general. Court personnel and other professionals need to stop claiming that a man can be a domestic violence perpetrator but still be a good father. Each and every day, children are being sent into abusive situations because “parental rights” continue to trump children's rights to safety.



Case #3: Unrelenting Harassment and Stalking

Case 3 Issues:

- Unrelenting Stalking & Harassment without Accountability
- Victim/Survivors Live in Constant Fear

“This is about power and control. And it's over when he says it's over.”

Background

In this case, some of the experiences of the two women described in Cases 1 and 2 are interwoven with the stories of these two additional victim/survivors, both of whom are middle aged white women, one with children. They both hold professional positions. Their stories are combined because in each case, their former partners have stalked or harassed them relentlessly and unceasingly, without punishment.

One stalking victim/survivor has done her best to move forward with her life but feels that “the abuse has left me mentally and emotionally scarred to the point that I most likely do not have the capacity to have a healthy partnership/romantic relationship. Too much damage has been done, even with all the healing, self-help, and therapy.” The other suffers from chronic stress, cries frequently, and lives in fear that at some point her stalker will snap and kill her – a very real possibility according to research on [stalking](#). Law enforcement officers are very aware of both stalking cases and know the stalkers and their antics well, but also feel powerless.

We begin with the criminal records of both stalkers to show the patterns of arrest, charge dismissals, and releases. These data are from public court records.

Stalker 1							
Offense Date	Offense	Disposition Date	Plea	Disposition	Jail?	Bail Y/N	Release with Conditions Y/N
9/9/2021	Harassment: Restraining order	10/27/2021	Amended Plea: Guilty	Gross Misdemeanor	N	Y	Probation
9/9/2021	Harassment: Restraining order	10/28/2021		Dismissed			
9/17/2021	Harassment: Restraining order	10/29/2021		Dismissed			
9/17/2021	Harassment: Restraining order	10/30/2021		Dismissed			
9/18/2021	Harassment: Restraining order	10/31/2021		Dismissed			
		12/22/2021		SENTENCED	6 days		Probation

9/9/2021	Harassment: Restraining order	10/25/2021	Not Guilty				
9/9/2021	Harassment: Restraining order	10/25/2021	Not Guilty				
9/17/2021	Harassment: Restraining order	10/25/2021	Not Guilty				
9/17/2021	Harassment: Restraining order	10/25/2021	Not Guilty				
9/18/2021	Harassment: Restraining order	10/25/2021	Not Guilty				
7/3/2020	Harassment	10/27/2021		Dismissed			
7/3/2020	Harassment	10/27/2021	Guilty	Gross Misdemeanor	N	Y	Probation
7/3/2020	Harassment	10/27/2021		Dismissed			
				SENTENCED	25 days		Probation
7/14/2020	Harassment	10/27/2021		Gross Dismissed			
7/14/2020	Harassment	10/27/2021	Guilty	Misdemeanor	N	Y	N
				SENTENCED	22 days		Probation
2/9/2021	Harassment	10/27/2021	Guilty	Gross Misdemeanor	N	Y	Y
				SENTENCED	18 days		Probation

Stalker 2

Offense Date	Offense	Disposition Date	Plea	Disposition	Jail?	Bail Y/N	Release with Conditions Y/N
7/13/2019	Harassment - Restraining Order - Violate and K	7/31/2019		Misdemeanor	Y	N	N
7/13/2019	Harassment - Restraining Order - Violate Rest	7/31/2019		Dismissed			
				SENTENCED	2 days		Probation

These tables show that even after multiple arrests and convictions, jail time was minimal. Arrests, convictions, and Harassment Restraining Orders (HROs) have failed to deter these stalkers from continuing to harass their ex-partners.

What Stalking Looks Like

Television has created a perception of what stalking looks like that is not always accurate in that it takes many forms. The Stalking Prevention Awareness Resource Center (SPARC)²⁶ defines stalking as “A pattern of behavior directed at a specific person that would cause a reasonable person to fear for the person’s safety or the safety of others; or suffer substantial emotional distress.”

Stalker 1

Stalker 1 and victim/survivor 1 were once married. There was no physical abuse, but there was constant verbal abuse, derision, and coercive control. About 18 months after she divorced him, he began stalking and harassing her relentlessly.

My recollection of the first call I made [to law enforcement] was when my ex-husband was camped out across the street. After I had asked him repeatedly not to be here, to only contact me about parenting time or parenting exchanges, he literally drove his car, pulled up a desk, stuck his laptop on it, and set up shop across the street from my home. I didn't know what to do when all this was happening. I went over to him to say, you need to leave, what are you doing here, and you need to leave. And he snapped at me. I called the police and I just said, I'm not sure what to do. I don't want him here. I don't know if it's allowed. I felt really lost and I didn't know what my legal rights were. I also didn't have a sense of what I could ask for, what was okay and what wasn't? Some of that came out of the dynamics of a relationship like ours. I just expected I'm wrong. Anyway, I called dispatch, not 911. I don't know that I've ever called 911. I generally call the non-emergency number dispatch and they connected me with an officer who said that he would go over and respond. He called me back later, saying he had responded and that he'd found XXX there. He told him, I don't know if it's private property or city owned property, but it wasn't public property, and he needed to leave. The officer told me that he told him that he really should not be setting up camp in front of my home.

This victim/survivor repeatedly reported mental health concerns and stalking/harassment. Due to his four gross misdemeanor convictions for harassment/stalking, coupled with his sending her 20-30 harassing texts a day, she pursued and now has a 50-year harassment restraining order that cost her both money and time to get. He is well-known to police for showing up at her house and leaving things on her property, letting her know that he is there, always around, watching.

I have on a video camera a person that I can identify as my ex, five feet from the camera, but he has glasses and a mask on. Then it was like, well, it's not a clear face shot. I have stuff in this yard with his handwriting and the camera picks up a blurry image of somebody and then I can show no one else has gone near this. It was an odd angle, but he planted something in my yard. It's about his handwriting. Then it's like, well, it's still circumstantial, we can't really.... And some

²⁶ <https://www.stalkingawareness.org/definition-faqs/>

of that I think is that he's really slick and he's really slippery. He is just on the side of the line, right? Like knows where to go. He treads on the line, right? He just walks on it and thinks that he is special, and he should be exempt. Frankly, he wears people down.

She continues to report violations of the Harassment Restraining Order (HRO) whenever they occur, despite fear of repercussions.

“ But I'm risking that I'm now pissing him off, which I spent 14 years in a marriage trying really hard not to do. Even though he's not physically violent, he is just mean. He's mean, he's vindictive, spiteful. I pay eventually in some way. He contacts my parents. He posts all over social media, thinly veiled insults about his children's' mentally ill abusive mother or ex-wife. He contacts my new friends. He'll send me a message, which isn't allowed. I call the police again, and then it doesn't go anywhere.

Stalker 2

Stalker 2 has been stalking his ex-partner for over four years, causing her to live in fear.

“ My story is more about the covert narcissistic abuse during the 10 years of our relationship, and then the persistent and at times evasive stalking that went on for 4+ years after I left, which included 2 HRO's, with the first being violated and him spending time in jail. The abuse that I was subjected to was definitely more covert, and, therefore, much harder to understand, explain, and convey to others. It's the reason why I reached out to the Hope Center, in the very beginning, because his words vs. actions were so confusing to me—I couldn't understand them. Thankfully, the Hope Center helped me understand that I was dealing with abusive behavior. I've got a term and this is a naughty word, but it is so true. It's mind fuckery. That's what they do. They turn it around, and then you're questioning yourself. It's crazy making.

Stalker 2 is a 30-year veteran of the MN Department of Corrections. His career in law enforcement meant that he not only knows how to evade arrest, but that his membership in the “Blue Brotherhood” would work to his advantage.

Over the course of several years, the victim/survivor was able to leave the relationship, fully. They were able to sell the home they owned together, despite his numerous efforts at sabotaging the sale. She moved into her own place.

“ However, that is when the stalking behaviors really ramped up. Keep in mind, I was terrified to take out an HRO, due to the chance that it could push him over the edge. It took me a couple of years, and repeated visits to the Sheriff, who finally convinced me I had no other choice. This was around the time when Barb Larson was brutally shot and killed by her ex-husband, Dick Larson, a retired deputy sheriff. She had just taken out an HRO on him—and that fact frightened me.

Even though she moved to a different town in Rice County, her stalker quickly found her, sometimes parking in her driveway or driving through her neighborhood. No matter where she went, he would always show up. She could not understand how he always knew where she was until...

“

I found a tracking device in my car about a year and a half ago. I noticed something dangling in under my dash in by my knees. I was like, that's weird. I wonder what that is. I've never kind of noticed that before and I just kind of forgot about it. But then all these sightings of him at Aldi's and Target and running into him all over. I finally asked one of the officers, what does a tracking device look like? And he showed me. I was like, Oh my gosh, that's under my dash. I'm sure that the tracking device has been in there, it's inside the car. It must have been there when I was living with him. He put it in there, which was at least three years before I realized it was in there, which is crazy. They should have had somebody look through my car. I called the police on that. And they came out and they took it out. But there's no way that they can track it to him. There's a SIM card in there, but it scrambles the number, so it's undetectable.

Stalker 2 cares about having a criminal record, so he's careful not to leave evidence or do anything illegal. Apparently, the fear of arrest and prosecution is a deterrent for him to curb his actions. He just shows up, always letting his victim/survivor know that no matter where she goes, he's there.

It was only when he directly approached me in a local bar, actually introduced himself to my date, that I contacted the police, and he was arrested for violating the order. He left me alone after that, as far as I could tell, until the order expired. Shortly after, he started showing up again in my town. I found the tracking device around that time, which explained the "coincidental meetings" in town at Target, Aldi, etc. However, by then he had learned my routines, where I worked, etc. I started another spreadsheet to track his activity.

“

As time went on, he became more bold—he directly approached me even when I was with another man in a grocery store. He later timed his "dog walks" along the same road I travel, at the same time every day, on my way to or from work. Only when I received a knock on my door from the police one Sunday did I find out that he had been driving around and parking his car in my neighborhood almost daily and for the last year, using a vehicle which I didn't recognize. (He had access to several different vehicles and I just couldn't keep track of any cars he might be using at a given time. Therefore, my spotting the vehicle which he might be using was almost impossible.) After speaking with an officer, [Stalker 2] admitted to recently looking at homes for sale in my area, even in my own neighborhood. I later learned he was employed at a nursery, which is located right across from my place of work.

Stalker 2's more overt behavior, which once was covert, is what scares this victim/survivor the most. Because he has become bolder and more aggressive in his stalking, it has heightened her fear and anxiety, leaving her looking over her shoulder constantly.

Perceptions of Stalking

The public, law enforcement officers, and court officials do not fully understand how dangerous stalkers are, largely because they are typically not physically violent (at least not until they are, when the stalker kills his victim and himself).

“

Because it's just harassment, right? It's not abuse. He's never physically threatened me. He's never hit me. It's abuse. It's just not physical abuse. But that's not how it's seen. And I get that.

I'm not being punched or killed. I also worry that he's the type that he'll be one of the violent ones, right? That's how this is going to end for me.

Both victim/survivors explained clearly how their stalkers continue getting away with terrorizing and intimidating them without consequences.

“ *These bad guys, they don't look like bad guys. That's the problem. They look like good guys. And they play like they're good guys. They tell you everything that you want to hear. You just start eating out of their hand before you know it. And that's sick. And it's sad. And there's a lot of them out there.*

There is a long history in the criminal justice system of domestic violence and stalking victims not being taken seriously. The perception is that abuse has to leave physical evidence, and victims in Cases 1 and 2 spoke to this. But when it comes to harassment/stalking, that is not the case. Those in the system seem to lack the ability to empathize with what these women live with every day, and instead focus on events, not patterns.

“ *Something that I have not found in the legal system, or with the police or in other places, is like, how does it feel? How is it to live your life like this? This isn't just one thing that happens. We're going to deal with this one little piece over here that he has violated in this way. We're addressing this, but like, what is the reverberating impact? How did how does it feel to be anxious and cry all the time?*

Stalking is a Special Crime

Minnesota statute 631.52²⁷ describes stalking as a special crime that is supposed to trigger an automatic referral to family court. Likewise, statute 518.179²⁸ is a similar statute that lists felony harassment as a special crime. When prosecutors charge offenders with a special crime but allow the offender to plea to another charge not enumerated in these statutes, then victims with children to have to further deal with an abuser in family court without the extra protections or advantages these statutes are intended to give to DV victims.

According to public court records, there is no evidence that prosecutors attempted to charge Stalker 1 with a special crime.

Restraining Orders and Children

Even when victims obtain [DANCOS, OFPs, and HROs](#) that are designed to protect them from being contacted by their abusers and stalkers, the situation becomes very complicated when there are children involved and the abuser/stalker has partial custody.

Restraining orders have provisions for how and when abusers can contact their victims and arrange to have contact with children. However, this opens the door for opportunities to violate no contact orders, as they use the children as an excuse to violate, harass, and stalk. Because the offender has

²⁷ <https://www.revisor.mn.gov/statutes/cite/631.52>

²⁸ <https://www.revisor.mn.gov/statutes/cite/518.179>

a legal right to arrange for contact with his children, victims cannot block numbers or refuse to interact.

“ *If I blocked him, or I don't read the messages, because even when he didn't have custody, I said, well, do I have to be reading his messages? Because he doesn't have parenting time. He doesn't have custody. And then the issue was, well, if you don't read them, he can make a case that you're difficult to parent with because you're not reading his communications. So, I have read them all. I just got one right before I logged on today. It's this snarky post. So, there's stuff that I don't report anymore. It's not gonna go anywhere. Why am I gonna bother, especially now that our kids are going to be with him?* ”

Joint custody and parenting portals make it nearly impossible for victims to remain safe and free from having to endure verbal abuse and harassment. Offenders know that they will likely not be arrested; law enforcement officers need to verify the terms of no contact orders before they can arrest someone; and probation officers can only report a violation if the offender is still on probation. In these cases, violating conditions of probation never resulted in punishment.

“ *What he has continued to do is send me messages until he's going to have custody again, which is going to be a nightmare. The HRO allows him to contact me through our family wizard, this parenting portal, for three reasons: exchanges of the children, emergencies for the children, and scheduling parenting time. In my mind, every message he sent me in this year period where he had no custody, no parenting time, no emergency, there's no schedule, there's no parenting time, there's no reason. It's just his snotty commentary on X, Y, or Z. We need open in the interests of the children. I'm writing to tell you that you're a jerk, whatever. He never said that directly. But there's always this thinly veiled, a way to just needle you and he got to get to me. He can see that I've read his message. I've reported every time and there are several files sitting with the county attorney. They have not been charged, they have not been dismissed, but they are just sitting.* ”

Mental Illness and Stalking

According to the Stalking Risk Profile²⁹:

While many stalkers do not suffer from a mental illness, mental disorders are not uncommon among stalkers whose behaviour attracts attention from criminal justice and mental health services. Research in the United States and Australia on stalkers who have entered the criminal justice system suggests that at least 50% of this group experience some sort of mental disorder, with personality disorders, schizophrenia and other psychotic disorders, depression, and substance use disorders being most common (McEwan et al., 2009; Mohandie et al., 2006; Rosenfeld, 2004). Ongoing research in Melbourne and New York is attempting to clarify information about the prevalence of various personality disorders among stalkers.

²⁹ <https://www.stalkingriskprofile.com/what-is-stalking/stalking-and-mental-illness>

Stalking is a behaviour not a mental disorder. Where mental disorder does play a role in stalking, its contribution varies greatly depending on the nature of the symptoms experienced, the context in which they are experienced, and the role of other personal and environmental factors. Stalkers present with a wide variety of mental disorders...

Unfortunately, offenders in Minnesota who have been diagnosed with a mental illness are often exempted from being held accountable for their crimes under Rule 20.³⁰ As in Case 1, Rule 20 is being used as a legal loophole for Stalker 1, while his victim knows no justice.

“ *He has a long history [of mental illness]. Part of our custody trial was about if he was being appropriately treated, and the judge decided that he does not have Bipolar, what he has is PTSD. PTSD does not require medication, so he's been appropriately treated so he should get custody again. Despite the fact that in two and a half years, he lost a six-figure job as a high-level IT security professional, has 2 50-year HROs against him – by me and his older brother -, and has four gross misdemeanors with a felony HRO violation pending. He's run his life into the ground.*

Law Enforcement Responses

How law enforcement officers respond to stalking complaints was inconsistent in these cases. Sometimes they were very helpful, sympathetic, and even proactive.

“ *I can think of one sergeant that called me back but really was generous with his time. And not in a really condescending way. He explained to me why the police act. This had to do more with our kids when [Stalker 1] was not returning our kids from parenting time. Given it's Northfield, [Stalker 1] had been arrested, convicted and they all know everything, right? They know this name. He knows the situation. So, it ties in that respect that he called and he explained to me why something had happened and what I should do. It was just helpful. That's the knowledge that frankly seems like it's hard to obtain, and it was helpful to get it. I had a detective who contacted me after repeatedly this mysterious person was dropping off random boxes of junk in my yard, which according to the HRO, he should not be in the vicinity. The detective called me to talk about security cameras and what I could do, A \$2,000 security camera system is really not in the cards for me, but I appreciated that he took it seriously.*

Other times, officers are uniformed, dismissive, or even guilty of victim blaming.

“ *The actions taken depend on who responds to calls. Some take a report, see if it's a chargeable offense, give report number. Others won't even take a report. There are different interpretations of what an HRO means – lack of knowledge – so much is interpretation.*

“ *There's this attitude of like, 'you married him, you had kids with him. This is your fault. You created this. You should have known.' He's a nuisance, and he's a bully, and he's unrelenting,*

³⁰ Rule 20 evaluations occur in criminal cases when there is a belief that a defendant may not be competent to proceed with the case or was not responsible at the time of the alleged offense because of mental illness or developmental disability. Source: mncourts.gov

and he wears people down. It's easier to just give him up or ignore him or to just roll your eyes then to actually set a boundary, set the limit, and follow up.

Offenders Rights are Prioritized While Victims Are Silenced

Stalking victims are often required to appear at court hearings, where they are seen but not heard.

“It's frustrating to be told that you have to be there but not be able to speak. If you're represented, which I'm fortunate that I am. I'm in legal debt. up to my ears. I am represented. But you can't speak for yourself. You have an attorney. And he's [the offender] generally been pro se and he represents himself so he can get his narrative out there. And because he's pro se, I don't know if this is a Rice County thing, or just in general - you're supposed to know the law. But judges give you a lot of leeway if you're representing yourself. Because in the interest of justice, because it's a disproportionate power. So, he gets to put his narrative out there. He files. There is a point in which he was filing multiple letters of correspondence on the HRO case on a daily basis. We're talking thousands of pages. So, his narrative gets to be out there. I'm represented so I can't have my voice heard. Yes, I have an attorney speaking for me. I know that justice is supposed to be objective and blind and all that. But you can't help but think that some of that narrative gets through somewhere, right?”

There are also loopholes that stalkers learn about and take advantage of. Prosecutors, defending attorneys, judges, and even the law itself are complicit in constructing, reinforcing, and perpetuating a system that benefits habitual abusers and stalkers while leaving victims unsafe, unprotected, and unheard.

“[Stalker 1] was arrested. No one would come bail him out, couldn't get the bail money. That's when he made this sentencing agreement that he was released if he agreed to plead to four charges. When I talked to the attorney's office when they told me, I said, is he committed to that? And they said, well, nothing is permanent or nothing is a commitment, really, til sentencing. And I said, oh, I think you've just let him out of jail. And when you get to sentencing, he's not going to do it. Sure enough. We get to sentencing last December, he insists that he should be allowed to remote in because of the COVID threat, it's a risk to his health to have to come and be sentenced in person. He tries to retract saying he does not recognize the signature on the settlement agreement. He does not recognize it, and they cannot prove that it's his. The judge, fortunately, did not allow it and said no, you agreed to this, and started to sentence him. And suddenly he disconnects. And now he's appealing, claiming that he's been wrongly convicted in absentia.”

Through experience, the judges know that he will not quit, he will fight and fight and fight and fight. I asked why he has the right to motion, why he has the right to ask for a judge to be removed. He has a right to ask for a speedy trial. He has a right to rescind his request for a speedy trial. He has the right to ask for continuance because he doesn't have an attorney because he's fired his public defender. He has the right to..... So, it's this constant 'he has the right to' and you never can win with him. You're going to be outwitted at every turn. Wait till he finally makes a mistake. But I worry about what that mistake's gonna be.

“ I think, three, maybe four files are sitting with the County Attorney. They are just sitting. It makes me wonder, is there a strategy? Is it just that nobody cares? Is there just a backlog? Is it just that they think this is small potatoes? Are they just sick of me? Are they sick of [Stalker 1]?”

Stalker 2's years in law enforcement have given him a working knowledge of how not to get caught. This stalker's fear of having a criminal record after 30-years in law enforcement is perhaps what makes him so dangerous, as illustrated in the case Barbara Larson who was murdered by her ex-husband and retired Faribault police officer after she took out a restraining order³¹.

Probation

Probation officers are expected to ensure that offenders are adhering to their conditions of release. However, as this report has well established, punishments for violating conditions of release are rare.

Stalker 1 was convicted of four gross misdemeanors but released to 2 years' probation after time served. He was allowed to choose his own mental health provider, but the judge decided to forego the requirement to attend a domestic violence group in part because they did not want him to have an audience to manipulate. He has had 3 probation officers in 10 months. "Two of them have been responsive, respectful, professional. His current one is worthless. I've heard from him once in three months and that was because I reached out to him." This victim/survivor continued explaining how her stalker works the system:

“ Another limitation or frustration I've experienced is that probation isn't violated with a new charge, but rather a new conviction. So, if he defers, requests a continuance, fires his public defender, requests a new judge, delays delays delays, it's possible to get through 1-2 years of probation without having his probation violated because he succeeds in delaying the next trial and conviction.”

Costs To Victims

Being stalked is not only detrimental to a victim's mental and physical health and well-being, but is also financially draining. Victims pay for security equipment, lawyers, and health professionals. They relocate. They miss work to attend court proceedings, and when offenders change court dates, victims sometimes run out of paid time off. Some lose their jobs because of their stalker and all that is required with prosecuting him or staying safe. One victim has accrued enormous legal debt to keep herself and her children protected. That does not guarantee that the victim is safer, or that her needs are even considered by the law.

Desired Outcomes

All victims in this study who were repeatedly harassed and stalked wanted the same thing: to be left alone. They want it to stop. But in each of these four cases, the offenders' behaviors continue without intervention and consequence. These women have endured harassment and stalking for

³¹ <https://bringmethenews.com/minnesota-news/former-faribault-cop-killed-his-ex-wife-himself-after-she-took-out-restraining-order>

years on end, and there is no sign that it is going to stop because the system in Rice County refuses to make it stop. As one victim/survivor stated:

“

You know why people stay in bad situations? Because it's a known hell. And there have been times throughout this process in the last two and a half years that I wish I'd stayed married. Because at least I knew the rules and I wasn't depending on protection or help that might not come from other people.

Help has not come for these women. Even when women finally leave, the abuse does not end, and contact continues when children are involved despite any kind of no contact order.

What these women need is for the system to be more responsive to them, to their needs, and to their situation. They live in fear. No matter where they go or what they do, they cannot get away from their stalkers. Here is what they said they need:

- Strict enforcement of HROs and other no contact orders
- Consistent responses from law enforcement officers, prosecutors, and judges
- Communication from people in the system about the rules that apply to victims, such as
 - What should go into a police report
 - What should victims ask for
 - What information would benefit the victim to know
- Stop allowing case files to sit unattended, unprosecuted

Victim/Survivor's Message to the Criminal Justice System

“

I have followed every rule. I've jumped through every hoop. I would not get the same slack that he gets. Why did the rules get changed for him? Why do we need to move the goalposts for him? Why does all the work I did - and I uphold the rules - why does that not count? Why is that? I'm not the one breaking the law. I didn't create nor do I want this chaos. My life is otherwise pretty quiet: I go to work, and I come home to my children. I just want to live without being afraid and on edge all the time, without being harassed and stalked. That's what I am asking for. I am not asking for anything extraordinary. Having the law consistently upheld and enforced should be the minimum threshold, not an extraordinary feat.

“

So often, abusers will only use the amount of violence that is necessary. They're able to control the financials via isolation via all these other pieces that are equally as damaging to her spirit and psyche but are not illegal. Then that person is not able to get the help that they need because the system will not support that. We need to have a better understanding of the system and that it is not just physical violence, that there's more to this. Helping all of us understand what that might look like, and how people and how perpetrators abuse the system and use the systems.

Case #4: Victim Impact Statement


Dear Members of the court,

On July 6th, a police officer looked me in the eyes and said to me “what you describe is domestic abuse, we have to arrest your husband”. My world collapsed that day, the world I had tried so hard to keep together. In the past month, I have thought about this officer’s statement almost every day because this statement makes the situation I have endured real, when I convinced myself for a long time that it was not. He was arrested on July 6th, but the abuse was not a one-time event, it was a series of events that built up to the arrest.

He and I have been together for close to seventeen years. In my opinion our life was not always framed by violence, but it has been for the past years. When bickering turned into arguments, when the decibels of the screaming got louder, when objects were pushed off a shelf or off a table, I set myself a new relationship redline. And every time I let the situation worsen. Even though he told me I was the one who was at the root of his violence, I never bought and never will buy the argument that a victim of domestic abuse deserves or causes the violence that is unleashed upon them.

In my case this violence had many forms. It was *verbal*, with insults concerning my actions, my inability to fulfill wifely duties, insults concerning my weaknesses or my fears, including my fear of him. It was *physical* with him punching on our bed when I was lying in it, with him pulling my hair to drag me to a seat, or waking me up in the middle of the night by turning on my nightstand lamp and directing it in my face. In the past six months, it escalated to him pushing me, pulling my arms off our son as I was snuggling with him before putting him to bed, pulling apart one of our daughter’s books. It escalated so much that there is a hole in our drywall, and that on June 15th I wrote down in a message to myself “Today he threatened to punch me in the face”.

For me however, the most violent form of abuse was *emotional* because I lived in fear, in constant fear, and because nothing seemed to be able to stop him when he got in a rage. Not the presence of our children, not the fact of being seen or heard, not even the fact that I might leave. When we met he told me about growing up with an alcoholic mother and getting worried and scared at the noise of a whisky bottle opening. I dreaded hearing his steps in the corridor, those



heavy steps that told me a storm was coming and I had no way to escape it. Sometimes I pretended to sleep, but it did not stop him.

Most days I dreaded coming home from work, because I never knew if he had had a good day or if he would be mad at me - or at someone else, but I would be the recipient of his anger anyways. Thinking back at the past years, I realize now that I had allowed this fear to guide my life. I always tried to set everything up so that he would not get angry: getting the kids up without making a noise so that he would not be awakened, making sure he had time to himself to work on his projects or relax, coming home from work early so that he would understand my family comes before my job... but I understand now that my quest was pointless, there would always be a reason for him to be upset if he needed his frustration to come out. He had almost convinced me that I was causing the anger because he kept repeating that I was the only one he ever got angry at. But it is not true, he was/is angry at other people but I am the only one letting him be angry at me. I am the one who thought it was her duty to deal with his feelings, I thought “better me than our kids”, “better me than my family”, “better me than our friends”, “better me than my colleagues.”

Of course he is not just that, he is way more than that, he is also kind, generous, funny, loving. He can be, and that is why I did not call the police myself, because I always gave him the benefit of the doubt. That was not a smart move, it did not help him, it did nothing for our kids who have been the witness to terrible scenes of physical, verbal, and emotional violence, and it did nothing for me. I am realizing everyday that I have been scared for more than just the past six months, that this fear has eaten at me, making me second guess myself constantly, making me scrutinize people’s faces, their moves, the sounds they makes as they breathe, because those are signs I needed to be aware of if I wanted to mitigate what I called “the bed days”. They were not “bad days” they were scenes of domestic abuse.

I hope the court can help him fulfill a saner and happier life, one where he can put his history of abuse behind him, for him and for our children.

Best regards,

Written by a survivor (dates and names were edited to protect her identity)



Commonalities Among Cases

In this section, we call attention to patterns and shared experiences brought to light from the four women interviewed and the victim impact statement.

1. The system failed to hold abusers and stalkers accountable. This has been reiterated throughout the entire report.
2. When abusers have mental health issues, which sometimes results in a legal declaration of mental incompetence, there are no consequences for criminal behavior. Violations of no contact orders continue without arrest and repercussions.
3. Custody issues often create loopholes for abusers to stalk, harass, and contact victims. Domestic violence, coercive control, or stalking do not seem to be adequate reasons to deny custody to abusers. Crimes that are “Special Crimes” according to Minnesota statutes are not being charged as such, thus leaving victims with children vulnerable to continued harassment and failing to offer the very protections these laws promised.
4. There were patterns of abuse and/or stalking in each case. Victim/survivors were diligent about documenting and/or reporting violations of no contact orders and incidents of abuse or stalking. Evidence exists to prove to any prosecutor and judge that the incidents and arrests were not isolated events but were ongoing patterns of abuse, harassment and/or stalking. The victim/survivors believe that the abuse, harassment, or stalking will not stop without intervention from the criminal justice system.
5. Victims believed that unless there was blood, broken bones, or black eyes, they and their complaints were not taken seriously. This is a serious issue because abusers typically only use the amount of violence they feel is necessary. Physical and sexual violence frequently comes into the relationship after coercive control and verbal abuse has failed to get the abuser what he wants. By the time there is evidence of physical abuse, the cycle of violence, coercive control, and other patterns of abuse are well-entrenched.
6. There were times when the actions of law enforcement officers left children at the scene traumatized. It is important that law enforcement officers understand the impact of their actions on child witnesses.

APPENDICES

Appendices

- A. Consultants
- B. Methodology
- C. Focus Group Participants
- D. Comparison of HRO, OFP, and DANCO
- E. Strangulation Fact Sheet
- F. Stalking Fact Sheet
- G. Cycle of Violence
- H. Law Enforcement Blueprint Questions Pocket Card
- I. Treatment Options for Offenders
- J. Wilder Collaboration Factors Inventory Report
- K. Suggested Training Topics

Appendix A: Consultants

In June 2022, HOPE Center contracted with a local evaluation firm, RJA Consulting, to assist with this special project. Dr. Martha Brown has extensive experience working collaboratively with schools, non-profit organizations, and public agencies, and grounds her work in trauma-informed restorative approaches. Dr. Brown worked closely with Erica Staab, Executive Director of the HOPE Center, HOPE Center staff, and other stakeholders to move Blueprint 2.0 forward. Dr. Brown worked with Disa Patel in formatting and designing this report.

At the recommendation of RJA Consulting, HOPE Center has contracted with Pivot Data Design to facilitate the design and creation of a data dashboard that will be housed on the HOPE Center website. This dashboard will contain updated statistics and other information for the purposes of educating the community and holding Blueprint agencies accountable.

Appendix B: Methodology

Dr. Martha Brown and Erica Staab examined the original OJP grant proposal and decided to make some changes. First, RJA Consulting was hired to work on an hourly basis instead of hiring a full-time person: funding for this position would cease at the end of the grant and it was unlikely that in this job market, a qualified person would take a full-time job that would only last 12 months. Secondly, we decided not to implement the Maslach Burnout Inventory described in the grant application because we did not feel that the collaborative would benefit, and that the possible results were not worth the expense of using this proprietary instrument. Instead, we incorporated questions about turnover and burnout into the focus group protocols.

Dr. Brown worked collaboratively with HOPE Center staff to develop trauma-informed interview and focus group protocols. HOPE Center staff recruited victim/survivors who participated in interviews. Rice County Courts Administration assisted with providing reports on domestic abuse crimes, and an intern at HOPE Center assisted with gathering information that contributed to offender case studies.

Because several Blueprint team members were unable to attend focus groups, Dr. Brown emailed a survey based on the focus group protocol questions to them. Three people answered the online survey, and their responses were incorporated with the focus group responses. Dr. Brown also met one-on-one with one met with a jail administrator who is part of the Blueprint team.

A variety of qualitative and quantitative methods were used to reach the findings and recommendation. A draft report was then sent to the Blueprint team and other interested stakeholders, who provided additional feedback and suggestions at meetings held in February 2023 and via email correspondence which are included this report.

Our process included:

- Three provider Focus Groups and online survey for those who could not attend
- Interviews with 1 provider and 4 victim/survivors; 1 Victim Impact Statement
- 2 Data Workgroup meetings (subgroup of Blueprint team)
- Analysis of court records
 - Specific repeat offender case studies
 - Sample of domestic abuse charges 2017-September 2022
- Administration and Analysis of the Wilder Collaboration Factors Inventory ([Appendix J](#))

Provider Focus Groups

Three focus groups were conducted at the Rice County Government Building in Faribault on Sept 29-30, 2022. Hy-Vee donated coffee, fruit, muffins, and cookies, and participants were given a stainless-steel water bottle with the Blueprint logo as a thank you for participating. Over 2 days, 18 participants representing 10 agencies participated in lively discussions facilitated by Dr. Brown, who used a semi-formal protocol as a guide. The focus groups were recorded and transcribed for analysis. Findings and representative quotes represent the voices of the participants ([Section 3](#)).

Victim/Survivor Case Studies

Four women agreed to share their experiences with the Rice County criminal justice system and a fifth wanted to contribute her Victim Impact Statement. For some of them, their cases are still not resolved. Their stories, and the patterns of their abusers/stalkers, show that domestic abuse cases are not all the same. While there are similarities, each circumstance has unique aspects. Some of their perspectives were incorporated into focus group findings when it made sense to do so. However, their stories were such powerful testimonies to the failures of prosecutors and judges to hold abusers and stalkers accountable that we summarized their contributions according to the special issues they raised ([Section 4](#)). We are grateful for their contributions and acknowledge the courage, bravery, and *risks* they took by telling their stories.

Data Workgroup

In October 2022, we convened a subgroup of the Blueprint team called the Data Workgroup. We asked representatives from specific agencies to help determine the following:

- What agencies collect data
 - What are the data that agencies collect
 - What format are the data in (i.e., are they exportable to Excel?)
- What data should the dashboard include

Data Workgroup participants were also invited to look at the results of the Wilder Collaboration Factors Inventory (WCFI) and provide comments, suggestions, and feedback. Their input was incorporated into the final report on the WCFI ([Appendix J](#)). The Data Workgroup continues to be consulted as the data dashboard is developed.

Court Records

A major issue in Rice County is that consequences for abusers are neither swift nor sure, as defined by the Blueprint. To determine if the COVID pandemic impacted the length of time it took an offender's case to move from arrest date to disposition, we analyzed court cases from reports

generated by Rice County Court Administration. Reports were from pre-pandemic years (2017-2019) and pandemic years (2020-September 2022). The two periods of comparison are not equal due to the time this research was conducted and 2022 was not over. The total number of cases from January 2017 to September 2022 was 1428. Cases were classified as open, closed, or under court jurisdiction. Only cases under court jurisdiction were included in the analysis, and of those, 136 case records were analyzed. It is important to note that one offender may have (and many did have) multiple cases. We did not look at individuals, but cases, for the sole purpose of determining what happened to the charges in the case and how long it took from arrest to disposition of the case.

There are numerous limitations to this method. For instance, we only looked at charges, not individuals, so a person could have been charged with several crimes and pled to some, while others were dismissed. Because of these limitations, results are not included in this report. However, findings from the sample case analysis were used to guide discussions at Blueprint meetings. A more in-depth interrogation of court records is recommended should time and funding allow for this level of research.

Wilder Collaboration Factors Inventory (WCFI)

In September 2022, 35 Blueprint team members were invited to take the WCFI via an online survey that was emailed to them. Only 13 Blueprint members took the survey. Therefore, results do not represent the perspectives of the whole team but do illustrate strengths of the group and areas where more work needs to be done to improve the efficacy of the Blueprint team. The results are included in [Appendix J](#).

Appendix C: Focus Group Participants

Thao Trinh	Rice County Attorney's Office
Joe Babcock	HOPE Center/Community
Paul LaRoche*	Rice County Sheriff's Office
Thad Monroe	Northfield Police Department
Nikki Kelly	Standpoint
Cindy Selvick	Rice County Sheriff's Office
Erica Staab	HOPE Center
Sarah Palm	Southern MN Regional Legal Services
Melissa Evans	Rice County Attorney's Office: Victims Services
Brent Feldhake	Northfield Police Dept.
Jessica Fuchs	HOPE Center
Kim Hadenstrom	Rice County Community Corrections
Kari Lynn	HOPE Center
Jill Bondnus*	911 Center
Nicole Lieske	HOPE Center
Matthew Long*	Faribault Police Dept
Scott Wopata	Community Action Center of Northfield and Faribault
Stephanie Duhme	Rice County Sheriff's Office: Jail (1:1 interview)
Lisa Ernste*	Rice County Court Administration

*Denotes participation in the Data Workgroup along with Olivia Bartkey from HOPE Center.

Appendix D: Comparison of HRO, OFP, and DANCO

Comparison of Harassment Restraining Order (HRO), Order for Protection (OFP) and Domestic Abuse No Contact Order (DANCO)

Abbreviations:

P - Petitioner

R - Respondent

QDVRO - Qualifying Domestic Violence Related Offense

	HRO	OFP	DANCO
Who can obtain one?	Victim Parent, guardian, or stepparent of a minor who is a victim	Family, household member or guardian A reputable adult aged 25 or older on behalf of minor family or household members Minor age 16 or older seeking protection against a person they are married to or have a child with.	The State, on behalf of victim(s).
Where to file it?	County where harassment occurred. Where the petitioner or respondent resides.	County having jurisdiction over a dissolution action. County of residence of either party County where completed or pending family county proceedings were brought County where alleged "domestic abuse" occurred	County having jurisdiction over ongoing Qualified Domestic Violence Related Offense (QDVRO) case.
Filing Fee	Filing fee is waived for victims of stalking, sexual assault, or <i>in forma pauperis</i> , or if obtained at the HOPE Center.	No filing fees.	None
Requirements to File	The definition of harassment includes a single incident of physical or sexual assault, or repeated incidents of intrusive or unwanted acts, words, or gestures that have or are intended to have a substantial adverse effect on the safety, security, or privacy of another, regardless	Domestic abuse is defined as physical harm, bodily injury or assault, infliction of fear of imminent physical harm, bodily injury, or assault, terroristic threats, criminal sexual conduct, or interference with an emergency call.	A case involving a QDVRO: harassment or stalking committed against a family or household member; a violation of an order for protection; or a violation of a prior DANCO


	HRO	OFF	DANCO
	of the relationship between actor and target.		
Relief	Prohibits contact with P. Sheriff will not remove R but may restrict R from returning to home & work. No provisions for removal of guns No provisions for any family law matters	Prohibits contact with P. R may be excluded from home, work, &/or school & sheriff will remove R from home R may be restricted from possessing guns Temporary custody / parenting time may be granted	Prohibits contact with P. R may be excluded from home
Hearings	May be granted without a hearing. P or R may request a hearing	May be granted without a hearing. P or R may request a hearing	Typically follow hearings within the progression of the prompting case.
Violation	First violation —misdemeanor Second violation — (within 10 years from conviction of any QDVRO) gross misdemeanor Third violation — (within 10 years from first conviction of any two QDVROs) felony	First violation —misdemeanor Second violation — (within 10 years from conviction of any QDVRO) gross misdemeanor Third violation — (within 10 years from first conviction of any two QDVROs) felony	First violation —misdemeanor Second violation — (within 10 years from conviction of any QDVRO) gross misdemeanor Third violation — (within 10 years from first conviction of any two QDVROs) felony
Statute	609.748 Harassment; Restraining Order	518b.01 Domestic Abuse Act Subd. 4.	629.75 Domestic Abuse No Contact Order

Appendix E: Strangulation Fact Sheet

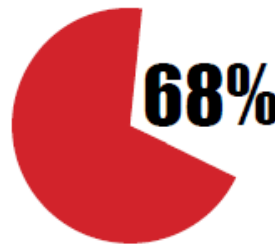


STRANGULATION IN INTIMATE PARTNER VIOLENCE FACT SHEET

STRANGULATION: the obstruction of blood vessels and/or airflow in the neck resulting in asphyxia.

 **1 in 4** women will experience intimate partner violence (IPV) in their lifetime.¹

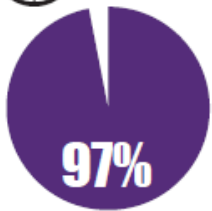
Of women at high risk, up to...



will experience near-fatal strangulation by their partner.²



Loss of consciousness can occur within 5 - 10 seconds. Death within minutes.²



are strangled manually (with hands).³



report losing consciousness.⁴



are strangled along with sexual assault/abuse.⁵
9% are also pregnant.⁴



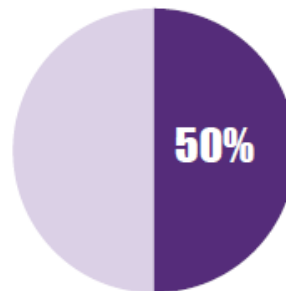
of strangled women believed they were going to die.⁶

And odds for homicide increase **750%**

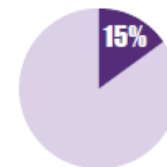
for victims who have been previously strangled, compared to victims who have never been strangled.⁷

HOWEVER...

Oftentimes, even in fatal cases, there are **NO EXTERNAL SIGNS** of injury.³



Only half of victims have visible injuries



Of these, only 15% could be photographed

STRANGULATION

SIGNS AND SYMPTOMS²

NEUROLOGICAL

- Loss of memory
- Loss of consciousness
- Behavioral changes
- Loss of sensation
- Extremely weakness
- Difficulty speaking
- Fainting
- Urination
- Defecation
- Vomiting
- Dizziness
- Headaches

EYES & EYELIDS

- Petechiae to eyeball
- Petechiae to eyelid
- Bloody red eyeball(s)
- Vision changes
- Droopy eyelid

FACE

- Petechiae (tiny red spots—slightly red or florid)
- Scratch marks
- Facial drooping
- Swelling

CHEST

- Chest pain
- Redness
- Scratch marks
- Bruising
- Abrasions

VOICE & THROAT CHANGES

- Raspy or hoarse voice
- Unable to speak
- Trouble swallowing
- Painful to swallow
- Clearing the throat
- Coughing
- Nausea
- Drooling
- Sore throat
- Stridor

SCALP

- Petechiae
- Bald spots (from hair being pulled)
- Bump to the head (from blunt force trauma or falling to the ground)

EARS

- Ringing in ears
- Petechiae on earlobe(s)
- Bruising behind the ear
- Bleeding in the ear

MOUTH

- Bruising
- Swollen tongue
- Swollen lips
- Cuts/abrasions
- Internal Petechiae

NECK

- Redness
- Scratch marks
- Finger nail impressions
- Bruising (thumb or fingers)
- Swelling
- Ligature Marks

BREATHING CHANGES

- Difficulty breathing
- Respiratory distress
- Unable to breathe

CONSEQUENCES⁹

PSYCHOLOGICAL INJURY

PTSD, depression, suicidal ideation, memory problems, nightmares, anxiety, severe stress reaction, amnesia, and psychosis.

DELAYED FATALITY

Death can occur days or weeks after the attack due to carotid artery dissection and respiratory complications such as pneumonia, ARDS and the risk of blood clots traveling to the brain (embolization).

Today,
38 States
have legislation
AGAINST
STRANGULATION⁸

VAWA 2013
added strangulation
and suffocation to
FEDERAL LAW

Source: Strangulation in Intimate Partner Violence: Prevalence and Characteristics of Sexual Violence, Stalking, and Intimate Partner Violence/Victimization—National Intimate Partner and Sexual Violence Survey, United States, 2011. MMWR 2014; 63(SS-8): 1-18.



a program of Alliance for HOPE International

101 W. Broadway, Suite 1770,
San Diego, CA 92101
1-888-511-3522

StrangulationTrainingInstitute.com

2 Taliaferro, E., Hawley, D., McClane, G.E. & Strack, G. (2009). Strangulation in Intimate Partner Violence. *Intimate Partner Violence: A Health-Based Perspective*. Oxford University Press, Inc., 217-235.

3 Strack, G.B., McClane, G.E., & Hawley, D. (2001). A review of 300 attempted strangulation cases: Part I: Criminal Legal Issues. *Journal of Emergency Medicine*, 21(3), 303-309.

4 Shields et al. (2010). Living victims of strangulation: A 10-year review of cases in a metropolitan community. *American Journal of Forensic Medical Pathology*, 31, 320-325.

5 Plattner, T. et al. (2005). Forensic assessment of survived strangulation. 153 *Forensic Science International* 202

6 Wilbur, L. et al. (2001). Survey results of women who have been strangulated while in an abusive relationship. 21 *J. Emergency Medicine* 297.

7 Glass et al. (2008). Non-fatal strangulation is an important risk factor for homicide of women. *The Journal of Emergency Medicine*, 35(3), 329-335.

8 Mack, M. (2013) States with strangulation legislation. A product of the Training Institute on Strangulation Prevention.

www.strangulationpreventioninstitute.com

9 Funk, M. & Schuppel, J. (2003) Strangulation injuries. *Wisconsin Medical Journal*, 102(3), 41-45.

Appendix F: Stalking Fact Sheet

STALKING & INTIMATE PARTNER VIOLENCE: FACT SHEET



There is a real and frighteningly significant connection between stalking and intimate partner violence. Stalking often co-occurs with intimate partner violence and can be an indicator of other forms of violence. Stalking can be a way to exert power and control during and/or after an abusive relationship.

DID YOU KNOW?

- 40% of stalking victims are stalked by current or former intimate partners.^A
- 57% of intimate partner stalking victims are stalked during the relationship.^B
- 74% of those stalked by a former intimate partner report violence and/or coercive control during the relationship.^C
- 81% of women stalked by a current or former husband or cohabitating partner were also physically assaulted by that partner.^D
- 31% of women stalked by an intimate partner were also sexually assaulted.^E
- 41% of victims stalked by a current intimate partner and 35% stalked by a former intimate partner experience threats of harm, compared to 24% stalked by a non-intimate partner.^F
- The average length of partner stalking is 2.2 years (longer than the average of just over 1 year for non-intimate partner cases).^G

STALKING & PARTNER HOMICIDE

- Stalking increases the risk of intimate partner homicide by three times.^H
- The most common use of the criminal justice system prior to attempted or completed intimate partner homicide was reporting intimate partner stalking.^I
- Among female victims of attempted and completed intimate partner homicide by male partners, in the 12 months prior to the attack:^J
 - 85% of attempted and 76% of completed homicide victims were stalked.
 - 91% of attempted and 89% of completed homicide victims who had been physically abused during the relationship had also been stalked.
 - 46% of attempted and 54% of completed homicide victims reported stalking before the attack, most commonly to police.

INTIMATE PARTNER STALKING OFFENDERS

- Abusive partners who stalk are more likely (than abusive partners who do not stalk) to verbally degrade, threaten, use a weapon to attack, sexually assault, and/or physically injure their victims.^K
- Intimate partner stalkers are more likely (than stalkers who are not intimate partners) to:
 - Use the widest range of stalking tactics.^L
 - Contact and approach victims more frequently.^M
 - Assault their victims.^N
 - Be insulting and interfere in the victim's life.^O
 - Escalate the frequency and intensity of pursuit more often.^P
 - Threaten victims with weapons or actually use weapons on their victims.^Q
 - Be threatening to their victims and reoffend.^R
 - Follow through on threats of violence.^S One study found that among stalking victims threatened, 71% of intimate partner victims were actually assaulted compared to 33% of non-intimate partner victims.^T
 - Assault third parties.^U
 - Reoffend after a court intervention and reoffend more quickly.^V
- The risk of physical violence is heightened when the intimate partner stalker:^W
 - Issues direct threats of violence;
 - Expresses jealousy of the victim's relationships with others during the relationship; and
 - Uses illegal drugs.

STALKING & SEPARATION

- Victims stalked by violent partners report more separation attempts than partner violence victims who were not stalked.^X
- Intimate partner stalking made victims more likely to want to leave the relationship than other factors, including psychological aggression and injury.^Y
- Stalking after a separation may increase the risk of violence.^{ZAABB}

Appendix G: Cycle of Violence



Source: <https://www.domesticshelters.org/articles/identifying-abuse/what-are-the-power-and-control-wheels>

Appendix H: Law Enforcement Blueprint Questions Pocket Card



The Rice County
**Blueprint
for Safety**
An Interagency Response
to Domestic Violence Crimes

To contact the HOPE Center advocate on call:
1-844-4-BLU-PLN
1-(844-425-8756)
For Law Enforcement Use Only
Email: Blueprint@hopecentermn.org

HOPE Center Business Line: 507-332-0882, Fax 507-332-6999
24 Hour SafeLine: 1-800-607-2330

BLUEPRINT FOR SAFETY 3 RISK QUESTIONS

1. Do you think he/she will seriously injure or kill you or your children? What makes you think so? What makes you think not?
2. How frequently and seriously does he/she intimidate, threaten, or assault you? Is it changing? Getting worse? Getting better?
3. Describe the time you were the most frightened or injured by him/her.

Appendix I: Treatment Options for Offenders

The following list of treatment programs was provided by Rice County Community Corrections. Note that not a single treatment program is in Rice County. All classes are for males only, except for one anger management class that accepts females. Female abusers are referred to individual counseling.

The programs based on the Duluth Model have some research on their effectiveness. The other programs offer a syllabus that appears to cover a variety of issues related to domestic violence.

Since the programs serve multiple counties, the time from referral to starting the program can be months. South Central Human Relations requires a full evaluation which can take 1 to 2 months to complete before entering class.

There are also financial barriers to having clients participate in these classes. In the end, if a client does not have the money to pay for a class, Community Corrections cannot say they willfully violated their probation.

It would benefit Rice County to have programs offered in county for in-person attendance and with a sliding fee scale or some county assistance to help pay for the programs.

If a client has insurance, they are referred to:

[South Central Human Relations](#) in Owatonna offers an 18- week class virtual or in-person program based on the Duluth Model Curriculum. One of the hurdles is that some insurances will not cover the evaluation process, which usually costs the client around \$360. Once the evaluation determines the need for programming, the insurance will cover most or all the costs.

Clients without insurance can be referred to:

[Bob Kelly LLC](#) programs, based out of the Twin Cities. All classes are held virtually at this time. No assessment is needed. Referrals are made based on Community Corrections' Domestic Violence Risk and Needs Assessment Score. All of his programs are pay as you go, and the costs are:

- 1 day anger management- \$135
- 6-week domestic violence program- \$210
- 12-week domestic violence program- \$420

[Stages of Change](#): Based out of Mankato but offered virtually. Assessment costs \$250, but clients can be referred without an assessment. A virtual 18-week class based on the Duluth Model Curriculum costs approximately \$650.

[ABLE Social Services](#): Virtual classes offered in Spanish or English. Cost are:

- Assessment: \$150
- One day 5-hour Anger Management Program: \$150
- Domestic Violence Class - 12 weeks at \$30 per week



RJAE Consulting

Rice County Blueprint for Safety

Wilder Collaboration Factors Inventory Report

November 2022

Background

This report contains a graphic presentation of the results of the WCFI 3rd edition, which was completed by 13 Blueprint members in September. It is important to note that only 37% of the Blueprint Team's participants responded, and therefore do not represent the perspectives of the majority of the group. In October, members of the Data Workgroup provided thoughts, feedback, and recommendations and are included in this report. Final interpretations and recommendations may come from the whole Blueprint Team.

This report begins with a table showing the factors ranked from highest to lowest average score. Then, more detailed graphs of each factor are grouped by level of agreement/disagreement. These graphs show the averaged score for individual items in each factor and allow for a more detailed understanding of the average factor scores.

On the agreement scale, a score of 5 meant "Strongly agree." A score of 1 meant "Strongly disagree." A score of 0 meant "Don't know." Scores of the 13 respondents were averaged for each factor and item. Higher average scores, those closer to 5, reflect more agreement with the items; lower average scores, those closer to 1, reflect more disagreement and/or more people who did not know. In this report, factors are grouped according to the recommendations in the WCFI Interpretation Guide: strengths, borderline, and concern.

The total averaged score of the WCFI was 3.5 –which is borderline and warrants discussion and a possible plan to strengthen the Blueprint Collaboration.

We invite Blueprint Team members to interrogate the findings. What do you see? Are there any surprises? What are the collaboration's strengths? Where does the collaboration need to put its efforts to be more effective? What recommendations can we make based on our understanding of these factors and item scores?

Answers to these and other questions are for the Blueprint Team to ponder. A recommendation coming out of the focus groups is to hire a Blueprint Coordinator, and RJA Consulting recommends developing a collaboration improvement plan. However, there are more decisions to be made before that can happen.

Issues raised in this report can be discussed at Blueprint Meetings, as the group moves toward creating a much-needed operational structure and process for decision making.

Interpreting the scores

From the WCFI Interpretation Guide (pp. 4-5)

- The Wilder Inventory does not have normative standards that allow definitive interpretations of numerical scores.
- Instead, scores can be used as a basis for constructive discussion and planning for your collaborative.
- When reviewing the average score for each factor, generally:
 - o **4.0 or higher**
Indicates a strength and probably does not need special attention at this time
Note: Just because you have high scores now doesn't mean you will have high scores later. Ongoing effort is required to maintain collaboration.
 - o **3.0 to 3.9**
This factor's quality is borderline and may require attention
Should be discussed by the group to see if these factors deserve attention
 - o **2.9 or lower**
Indicates a concern and should be addressed
Develop a plan to remedy any concerns that exist

o **General advice**

If most scores are 4.0 or above and a few are between 3.0 and 3.9, you can probably be confident that your collaboration has no major shortcomings that warrant the group's immediate attention.

If most of your group's scores fall in the middle (3.0 to 3.9), you may need to take steps now to improve your standing on several factors. Scores falling below 3.0 should be discussed by the group as soon as possible.

Develop a plan to remedy whatever concern(s) exist if you wish to proceed with collaboration.

However, do not be lulled into complacency by good scores. The collaboration factors require ongoing maintenance.

For example, good communication at the outset of an initiative does not mean that it will continue unless the collaborating partners make efforts to keep up such communications.

WCFI Factors Ranked Highest to Lowest Average Score

Factor	Score
Factor 6: Members see collaboration as being in their self-interest	4.5
Factor 21: Skilled leadership	4.3
Factor 19: Unique purpose	4.2
Factor 1: History of Collaboration or cooperation in the community	4.1
Factor 4: Mutual respect, understanding, and trust	4.0
Factor 5: Appropriate cross section of members	3.8
Factor 3: Favorable political and social climate	3.8
Factor 10: Flexibility	3.8
Factor 16: Established informal relationships and communication links	3.8
Factor 2: Collaborative group seen as a legitimate leader in the community	3.7
Factor 15: Open and frequent communication	3.7
Factor 18: Shared vision	3.5
Factor 17: Concrete, attainable goals and objectives	3.4
Factor 14: Evaluation and continuous learning	3.4
Factor 12: Adaptability to changing conditions	3.3
Factor 7: Ability to compromise	3.1
Factor 8: Members share a stake in both process and outcome	3.0
Factor 9: Multiple layers of participation	2.8
Factor 11: Development of clear roles and policy guidelines	2.7
Factor 22: Engaged stakeholders	2.5
Factor 13: Appropriate pace of development	2.5
Factor 20: Sufficient funds, staff, materials and time	2.2

4

Data Workgroup Comments on Ranking

The trend seems to show that turnover and resources are big hurdles.

Need more resources.

I was encouraged to see people understood it was in their self-interest.

More discussion about roles and policy guidelines (i.e., amongst stakeholders).

Factors scoring 4 and higher (strengths)

Factor 6: Members see collaboration as being in their self-interest - 4.5



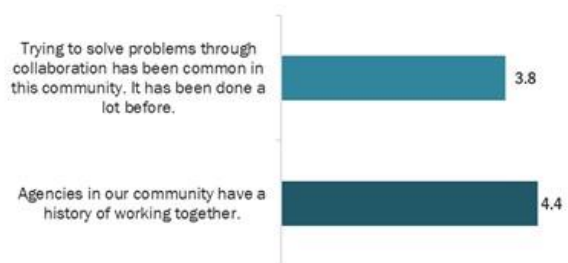
Factor 21: Skilled leadership - 4.3



Factor 19: Unique purpose - 4.2



Factor 1: History of collaboration or cooperation in the community - 4.1



Factor 4: Mutual respect, understanding, and trust - 4.0



Data Workgroup Comments

- High commitment to working together and building relationships in agencies
- What can we do to build more trust? Where are the trust gaps?
- How could training amongst different agencies be more cohesive?
- Each judicial partner is committed to working together for a common goal. We need better direction on how to get there.

Factors scoring 3.5-3.9 (borderline)

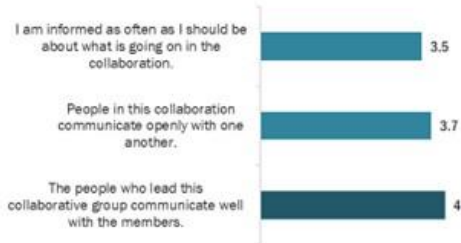
Factor 5: Appropriate cross section of members - 3.8



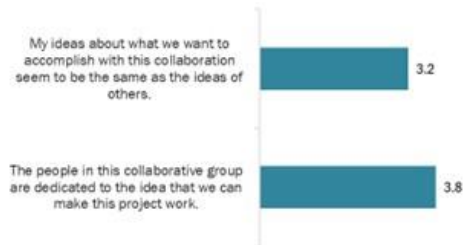
Factor 10: Flexibility - 3.8



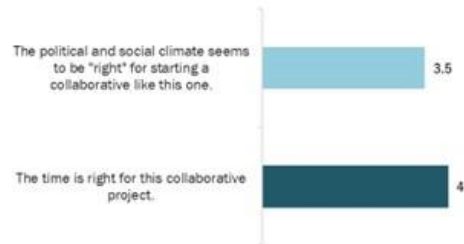
Factor 15: Open and frequent communication - 3.7



Factor 18: Shared vision - 3.5



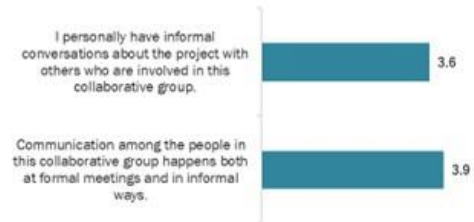
Factor 3: Favorable political and social climate - 3.8



Factor 2: Collaborative group seen as a legitimate leader in the community - 3.7

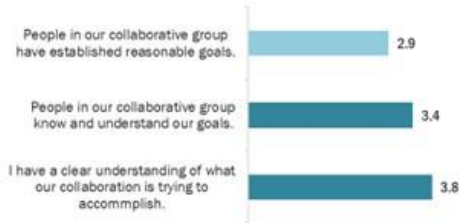


Factor 16: Established informal relationships and communication links - 3.8



Factors scoring 3 – 3.4 (borderline)

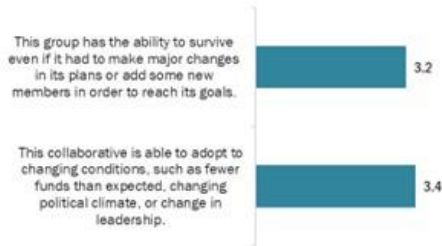
Factor 17: Concrete, attainable goals and objectives - 3.4



Factor 14: Evaluation and continuous learning - 3.4



Factor 12: Adaptability to changing conditions - 3.3



Factor 8: Members share a stake in both process and outcome - 3.0



Factor 7: Ability to compromise - 3.1



Data Workgroup Comments

- Retraining and getting consistent individuals involved from different agencies may create better understanding
- Need to re-establish goals and objectives
- Create an onboarding system
- Do we have a vision for each agency? What does effectiveness mean to this group? How do we assess effectiveness of the Blueprint efforts?
- Creating better methods of evaluating collaborative outcomes could make goals feel more attainable
- Political and social climate change with election/role changes (Factor 3)
- Who is not in Blueprint that should be? What prevents participation? How do we engage everyone we need?
- We have discussed doing another mapping session. I think this could help re-establish shared goals
- Put goals on paper and try to establish timeline to attain goals. Group then know to be done in time.
- Each group seems to have the same common goals. Just need to figure out how to implement them.

Factors less than 3 (concern)

Factor 9: Multiple layers of participation- 2.8



Factor 11: Development of clear roles and policy guidelines - 2.7



Factor 22: Engaged stakeholders -2.5



Factor 13: Appropriate pace of development - 2.5



Factor 20: Sufficient funds, staff, materials and time - 2.2



Data Workgroup Comments

- Provide sample policy and guidelines (Factor 11)
- Assign workgroup tasks (Factor 13)
- Obtain stats to support grants and funding (Factor 20)
- Re-engage old and engage new stakeholders (Factor 22)
- Need the bench to participate (Factor 9)
- Factor 20 is the lowest
- What support is needed to empower individuals to engage with their entire organization? Advocacy? Training with heads of organizations/agencies?
- How can we use data and the Blueprint to increase funding and staff? What are financial resources and donors that we have not explored?
- Better understanding of intra-agency roles and roles within the collaboration
- Need more resources in all organizations
- What would a process for making decisions look like? Does Blueprint need to more formally organize and establish itself?
- Clear leadership or point person for agencies is needed
- What options are out there for additional funding? Grants? Required donations?

Additional Respondent Comments

At the end of the WCFI, respondents were asked if they had suggestions on how to strengthen the Blueprint Collaboration. These are their comments.

- To get back to the beginning and move forward. There has been so much turnover and so many people starting over that don't have the history or the ground rules under their belt. We need to create some sort of an onboarding training to help new members get caught up. We need to go back to having the person on the team be the one who can create the change in their agency, that is happening in some places but not all. We also need to be able to create an action plan for moving forward of what we will be focusing on after finding out more data from this, the focus group and future trainings.
- The high turnover in each agency has been a hinderance to meeting and even setting ongoing goals. It feels like we are often starting over from square one. While people do seem on board and even dedicated to the overarching goal, it is hard to make any progress when there are always shifts in who is a part of the team.
- More participation from ALL organizations. Training of new employees in every organization.
- I feel that the team currently does not have clear leadership. We do not have a coordinator anymore and so there is no one that serves as a go-to person for Blueprint related issues. I feel that figuring out a clear leader would benefit the team.
- I am so excited about what will be coming out of the focus groups and the new energy that this is creating. I am hopeful for the future of this project and the change that will be created to help the victims as well as the collaborative partners.
- I am brand new to the group so most of the questions I had to answer "0".

Appendix K: Suggested Training Topics

Since the loss of the Blueprint Coordinator in 2018, followed by the COVID pandemic, there has been little to no systematic training of people in the Blueprint agencies. Additionally, there are many new people who have never received the initial Blueprint training. The Blueprint Team agrees that training is needed again and is supportive of both in-person and on-video training. It has also been suggested that victims participate in developing the training curriculum.

The OJP grant for Blueprint 2.0 includes funding for training, so Blueprint Team members should prioritize the suggestions in case time and budget do not allow for videos or training on all topics at this time.

The following list includes training topics identified to date.

Training for All Blueprint Agencies

- Overview of the Blueprint (one for system providers and one for laypeople)
 - The “Why’s” or rationale for system partners, including the importance of multi-disciplinary teams
 - Blueprint partners and goals of the Blueprint for Safety
 - What happens on a Blueprint call
- Map the system and identify everyone’s role and purpose. This will help people throughout the system know what their job and roles are in the context of the overall process.
- The difference between HOPE Center advocacy and Victim Services; What an advocate does and how advocates help law enforcement and victims.
- Map the timeline of events and deadlines in the first 36-48 hours after an arrest.
- Effective interventions for offenders
- Trauma-informed systems and trauma-informed practices; The neurobiology of trauma
- Coercive Control
- Dynamics of domestic abuse; Cycle of Violence; Preventing victim blaming; 15 Things That a Battered Woman Needs
- Cultural Competency (Somali, Latinx/Hispanic, African American, Asian)
 - Understanding the Criminal Justice System for Somali, Latinx/Hispanic, African American, Asian people
- The process of getting an OFP/HRO
- Reporting Special Crimes; The impact of Special Crimes on child custody cases
- Five stages of victim recantation
- Men speaking against domestic abuse (Perhaps a PSA)
- The effects of strangulation
- The LAP (Lethality Assessment Protocol): Understanding Scores and the Impact of Having a LAP
- Understanding the role of Child and Family Services: How assessment differs from an investigation; how to balance the sometimes-opposing goals of the two systems

Training for Law Enforcement

- When to call the Blueprint line and what to expect
- How to ask Blueprint questions and how to report answers to Blueprint questions
- Reporting patterns of abuse and offender history
- Understanding the terror and that domestic abuse is a pattern, not a one-time event
- Communicating to abusers that what they do is not Ok
- Investigating Strangulation³²; making strangulation charges stick by asking the right questions about strangulation and including information in reports
- Develop specific training for new officers in coordination with Public Health. Part of onboarding new officers would include training in PTSD, brain function, cycle of violence, Blueprint, etc.

Training for Prosecutors and Judges

- The importance of checking offender criminal history and establishing patterns of abuse
- Understanding the LAP Questions and Implications of the LAP Score
- Stalking & DA cases that lack physical injury
- Strangulation as escalating violence
- Special crimes
- Coercive control

Educating the Public

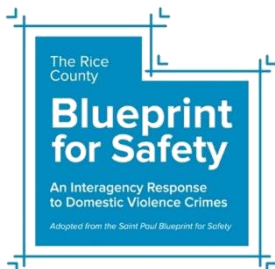
Public education campaigns in Rice County would benefit from coordinating with other state and national agencies. Numerous media outlets in Rice County can participate in public education campaigns, and governmental, educational, non-profit, and health organizations can provide educational sessions and materials to community members.

- What is domestic abuse?
 - Abuse without blood and broken bones
 - Early warning signs, abuser grooming behaviors
- Text to 911; Donate burner phones with GPS capacity.
- How to help when you suspect someone you know is being abused
- The long-term physical and psychological effects of domestic abuse

³² www.strangulationtraininginstitute.com

Blueprint 2.0

Determining How Systems and Agencies in Rice County Can Improve Outcomes for Victims of Domestic Violence



This publication is supported by Grant Nos. 2019WFAX0011 and 2020WFAX0019 awarded by the Office on Violence Against Women, U.S. Department of Justice. The opinions, findings, conclusions, and recommendations expressed in this publication are those of the author(s) and do not necessarily reflect the views of the Department of Justice, Office on Violence Against Women.

