**Praxis International**

**Rural Routes for Change webinar, Wed., July 20, 2016**

**Rural Challenges to Working with the Judiciary: Ask the Judge**

Please stand by for realtime captions. >> Hello everyone and welcome to the world routes to change webinar conversation unchallenging on working with the judiciary in partnership with the office on violence against women. I'm glad you can join us today. My name is Maureen Woods, the program manager at Praxis . Before we get started I would like to go over a few housekeeping details. If you are using audio only or only by phone please email any comments or questions that you have to me at Maureen Maureen@PraxisInternational.org. If you would like to share a chat or a comment or a question please go look now in the webinar platform and to the lower left corner where you see chat and a public tab and check hello -- chat hello so we know you are here and you can use that to practice. If you have any technical problems you can report those to me on the private tab by clicking on private tab and choosing leaders and assistance. I will try to work on the issue in the background. If you lose phone connection today please dial right back in. Using your phone and you should get the -- back. If you get booted off the webinar go back to the join links in the email you received yesterday and you should be able to get connected. If for some reason that does not work please email me and I will help you in the background. Finally the session is being recorded for archived and for other people to listen to after the event today. It will be available on the website. You can see the link but we will send out a follow-up email that will have a link.

Next we would like to introduce our guest today. As you know we are talking about challenges in working with the judiciary and we have an opportunity to ask the judge to speak and thank you to those of you who filled out the survey ahead of time to give us ideas of the challenges you have been experiencing in Wirral America. We have two guests today from the Minnesota area, the home of Paul Bunyan and Babe the blue ox. Diversity on the Mississippi River and the town of approximately 15,000 people in northern Minnesota. We have Judge Paul Benshoof with us today. He's been on the bench since 1997. He practiced law at the civil trial attorneys and St. Pete.

He currently serves as the chief judge of the ninth judicial district which covers 17 counties and spread out over 25,000 mi.² in North Central and northwestern Minnesota. I am guessing there are folks on the line who can resonate with that kind of land-based and that number of counties in Wirral America.

He has become a nationally recognized leader in domestic violence and is primarily responsible for the formation of the Beltrami County domestic violence court . Next we have Deb Beyer from the same town.

She is the Minnesota ninth judicial District domestic violence court coordinator and started working on this project in 2013. She currently coordinates the DB course and the coordinated response teams in Beltrami County and Roseau County and is working with the ninth District to implement domestic violence courts in 17 counties. She has worked in the helping profession in various capacities for 20 years and is married with six children. She engages in this work to create a stronger and safer and healthier committee -- community for her children, her sisters and family and friends and for abused women and children. We are happy to have you with us.

We also have rows to lend who is a regular facilitator of rural route discussions. From Clearwater Minnesota she brings 20 years of experience . What is the number?

19

1978 [ Laughter ]. What is that.

Organizing world coordinated responses to battering and she has been worked us dish working with grantees since the 90s. Welcome. So glad you are here today and I will pass it over to you now.

Thanks, Lauren. I am pleased to have such -- the judge and Deb with us today. I wanted to start by asking you judge, I know you are very passionate about the issue and as men -- and you have been instrumental in innovative strategies in your 23 County area and also getting involved nationally but how did you get so interested in it. And passionate about it because I think that will be a piece that people on the line are interested in. Can you tell me about how your evolution or perhaps you were born that way.

Unfortunately I can't claim to have been born that way. I can have so many life experiences and so many of the points in our life that are most formative are those that are the most tragic and that are the most -- the most tragic in terms of mistakes one has made in one's life and of course we all can relate to that. But as Maureen said to everyone, I became a judge in 1997 and before that I had no experience in domestic violence. I came to the bench as a civil trial attorney. Within days of my appointment one of the first cases I had was a case involving a man who had -- he was in court on serious assault charges against his wife . Frank had hit her hard enough to pull out her orbital eye socket and fractured her jaw. Of course I handled the case. I sensed Frank to probation not knowing essentially what I was doing and I in retrospect I did everything wrong. At the time I was following the practice that was prevalent in the county and one of the things that I did wrong was to send Frank to a couples counseling with his wife. Which is something they both wanted. Frank did okay on probation which lasted five years that was in months of his probation ending in 2002 he is charged again and comes to court to see me . This time he is charged with pulling a knife on his wife and threatening to kill her. He was charged with a level of assault that if he had been convicted he would've gone to prison. His wife and they should be come as no surprise to anyone, his wife did not want him to go to prison and as a result of her wishes the prosecutor reduced that charge to a lesser charge in Minnesota called terroristic threats. It was a conviction that he would not have had to go to prison for. So Frank pled guilty. I sensed him right after Christmas and I did the same thing and in retrospect made the same mistakes. I sensed him to participate in couples counseling and anger management. A day I will never forget as long as I live March 17 A day I will never forget as long as I live March 17, 2003, four months later, Frank stabbed his wife to death in the kitchen of their home in front of their children. And Frank's wife was Charlene and that day was a day that as I said will live with me. I didn't initially think that it was something that I could have avoided. That I thought that I had done everything right so it took me some time to come to the realization that it did not have to be that way. And that led us to ultimately in early 2011 or so forming a coordinated community response committee to talk about what we could do differently in Beltrami County. That led us to hiring Deb and our getting a grant to form a domestic violence unit. The three judges here went out to training in San Francisco provided by the national Council of juvenile Family Court judges. A seminar or conference in my name is Paul, right. I was solemn the way the Damascus prior to that conference and I became Paul at that point. And realized that indeed there were things that could've been done differently that might have prevented Sharon's death. And so Sharon is in fact what motivates us every day in Beltrami County. There are too many women being killed and still women being killed here. We had to domestic violence orders just last year in Beltrami County and yet we are moving ahead and making a difference as we will get into later. That is what got me to this point.

Thank you , judge. Let me say how sorry I am about the tragedy of Sharon's death. And that also how grateful I am that you have taken leadership to prevent that sort of thing from happening not just in your own area but all over the country. So thanks for being on the call. It is a hugely difficult experience . That is why we are so glad you are with us today. So Deb, can you tell us, we have a little bit of a file on you and judge Benshoof said you got involved when you started to take a look at doing this domestic violence course. Anything else you want to say about yourself and tell us about your course. The focus is not about the DB courts today but it is one solution and it seems to have made a big change in your area. Give us a little snapshot about what that means and what you do as a coordinator of this effort. I guess finally how community-based advocates are involved.

I guess what I would like to say is similar to what judge Benshoof said , before I did this work I didn't know much about domestic violence. I knew that I had been involved in that in my lifetime . My grandfather was abusive to my grandmother at the age of 12 my father left the home. After watching my grandfather strangle my grandmother and he didn't come back home until he was 17. Just at that young age of witnessing that I think that my father learned abusive tactics and was pretty abusive to my mother. But I asked the same questions that everyone else asked when I came to this, why does that she does leave and what can you really do to stop this. Is there anything that you can really do. As I have gone over this past several years learning have to change my thinking of why doesn't she just leave to how was she ever going to get out. When people are suffering trauma they react differently than somebody that hasn't suffered trauma. They don't respond in a long-term and they are reacting to the moment and what they need to do is to -- do to survive. Some thought changes I have had since coming in and I say that because there is always room for people to change their attitudes and there is always room for people to be more open to change. That includes judges but when we stay domestic violence court I want people to understand it is not just the court. It is not just coming into court and something magical happens that changes things. When we say domestic violence court it is not off work -- operate unless you have that coordinated collaborative justice team and that team comes from law enforcement, your county attorney, your probation, your community advocates, your system based advocates, your legal assistant attorneys, and all of those people play a vital role in what we are doing. As far as community-based advocates go since we are victim centered and that is our number one concern, we had to incorporate those advocates into this team as we need to hear their voice first. What is going to protect the victim and what is going to keep the victim safe and work with that from the beginning. As an advocate I think making your voice heard all the time is important and it's vital to what we do.

Thank you, Deb. I wanted to add to that. Sometimes it isn't just the trauma of the violence and sometimes

it is the realities of her life and she may be safer staying than leaving so many women do die as they attempt to leave. That plays a role as well. And we gave people an opportunity to let us know what some of the problems are they are experiencing and we got mostly problems in two areas. The first one is about problems with specific actions of judges. One of the things I don't know and Maureen maybe you can clue me in but if people are just on audio to the have the PowerPoint? Or we can predict that.

That's right. If you don't have the PowerPoint in front of you and you need me to email it to you, email me, I just realized I was on mute. We don't know and if you don't have the PowerPoint in front of you please email me, Maren at Praxis International.org and I will send you the PowerPoint now.

For purposes of looking at these problems that we got we can read them and there is a dense list here but the first one and I will ask the judge to comment on it and then Deb. Most of the problems we got were addressing protection order issues and then other runs were more related to other actors or players , professionals in the criminal system and the judge's role in terms of the CCR. There is a few that were related to criminal court. First I will put up these protection order problems and I will read a couple of them and ask judge Benshoof to comment. Then we will go through this list. I was thinking, feel free to type in any others that you are aware of in your own community. We won't necessarily get to all of them because some of them will probably have similar solutions but it would be nice to have this list and the judge and Deb, they work on the national stage so part of their work will be to bring forward what can we as judges nationally do to address some of this . Sometimes it is a failure to comply with what's required under law and sometimes it's a case of just not using the best practices. Finally you have problems that are based on pure ignorance. Without any ado, further ado, let's take a look at things . We have appear that the judge won't review petitions after 4 PM. On week days or weekends. The judge won't -- doesn't speak English -- I mean Spanish, want provide a translator and places a translation burden on the victims and makes it hard for Spanish-speaking victims to obtain permanent temporary orders or extensions.

So Judge, what do you know about that particular problem? Any wisdom?

The interpretation of of the petitions flex

Yes.

The reviewing petitions as I read them I am thinking that might be a CCR issue. These are things you can bring up with individual judges but wanted to speak to the Spanish-speaking one first.

[ Spanish ]. It's obviously very important that the people are able to understand. Different states offer

interpretation services in different ways. There are some states that do not provide like Minnesota does a roster of certified translators or interpreters . My position on that would be that it would be a violation of the federal civil rights act for any state that receives federal money not to provide interpretation services for people who come to court whether criminal or civil. And I don't know what to suggest to those who are listening

who are in states that don't provide interpretation services. I am certainly not suggesting that anybody threatens the judge with the civil rights action but perhaps what could be done would be for people to contact the Chief Judge of the area where this is not happening or even the Supreme Court or the board that supervises judicial conduct in the state. And indicate that these services are not being offered. It is essential. I am hearing impaired. It is also a violation of the Americans with Disabilities Act if we have hearing-impaired people come to court and we don't make -- provide hearing assistance . It is no different to those of our citizens who come to court and our customers who come to court that can understand English. We have to provide the services.

Judge, I don't know, did you mention first bring it up with that individual judge to talk to them about it?

I think that can be done. Again I think it is best not to threaten the judge by saying judge you are violating the law. I don't think that will get you far.

I think it would be good to be more strategic than that but we will go into some of these things on the next slide but is it going to be hard for a judge to hear from the Chief Judge before they heard from let's say the CCR coordinator or the program.

Yes. That would be the better way to approach it. I am just saying if nothing changes then going higher up would be one remedy. >> That is a particular example of where there is something that says they should be doing that. Is there any liability for a judge and that is not the first law, you are not going to go in and say you are violating the law. Is there any liability?

You know, again if the federal civil rights act is being violated than the judge could bear some responsibility under the court of judicial conduct in that state but again I think just as you suggested rose the best way to approach it would be for people to try to approach the judge. Let's say these people have to have interpreters . Of course the question is funding in that particular state and the judge may say how do we fund it. There are no resources here but there have to be resources . You can't say we're not going to provide assistance for those people who can't here in the courtroom. You have to. So it is the same as far as interpretation as far as I am aware of. >> That becomes an issue of all right, maybe this is something you bring your coalition in on where you make the case that there needs to be resources. Maybe there is a political action that can be taken. Within your state to do something about that. The next couple won't let advocates talking court and even if not requested the judge it sets up visitation schedules for the abusers. They involve Guardian items to meet with parties and protection order hearings. We call them Guardian ad litem's in Minnesota. There are other terms that use that bring in somebody who has the best interest of the child let's say. And requiring couples to meet together before a hearing to work out there differences. I guess the last one is judges who make victim blaming statements. That is a whole mess of them right there. Anything you want to pick out and talk about and we will move to the next slide and talk about strategies.

Parted me. I will add another scenario that came up in the chat that is relevant is one family members were other people that the judge knows is in the courtroom and the judge is chatty with them and we're talking about really small rural communities where everybody knows everybody. You throw that into the hopper as well.

One of the examples that you mentioned is something that just happened here in northern Minnesota recently. There was a judge in my district -- I found out from two different sources who called me as the Chief Judge to complain. When in fact they were having the man and a woman go into a room off the courtroom before he would hear the case to try to work it out and try to come to an agreement. I had one legal assistance attorney who had appeared with that woman and was in tears when she described it to me. It came to me as a Chief Judge. And so I called that judge and said you just can't do that. You absolutely cannot do that. His response was I send a bailiff in so there is no danger. And I said you don't understand, it is not necessarily just a question of immediate danger but a question of that woman not having any power in the relationship. And she can't argue. It reflected complete lack of understanding on his part of the paradigm domestic violence. Someone came to me to try to help find a solution and it worked. He said -- he promised he would discontinue the practice and I don't think he was too offended. He thought it was an okay way to do it.

That goes to -- I guess you would call it ignorance about the dynamics. It is not the immediate danger but what happens afterwards. We will get into the training as a potential solution. All of the solutions are going to be how do you bring them forward and how do you get people to go along and we will get to that.

Can I just add that

some judges might become very defensive if they are challenged on some of these things and I'm not trying to make -- be an apologist but this is where and to have you could help me on this, this is where having a community coordinated response team is so important because these are the things that can come up during discussions and hit the judge will be -- will participate in the committee

and that is maybe a separate topic but this is where things can be talked about and maybe the judge's eyes could be opened.

I think you can't underestimate the value of somebody mentioning something who is from the same profession. You have a leadership role as a Chief Judge but even just another judge may be able to sit down and say I used to think the same thing and now I realize this.

Exactly.

Deb, did you have anything to say on that point? Do you see the CCR being valuable? In some communities you don't want to bring something like that up in a CCR meeting because let's say people don't want to challenge each other for example. The prosecutors don't want to say something that could offend the judge either. They will have a case in front of them. Or they advocate. She doesn't want to -- she certainly doesn't want to face something that will disadvantage other battered women let's say. How you bring hot topics like this. Interagency meeting where a team gets to the other -- gets together.

We have a domestic violence coordinated Council or an advisory team meeting that meets and that is the one that was formed when we started domestic violence court. I am thinking a lot of people think we don't have one of those in our community. The sexual assault coordinated response team meeting was started by advocates from the sexual desk community-based sexual assault program. It doesn't have to be started by somebody in a court system. There isn't any one person that says it has to go through a certain way. So the sexual assault team was started by the advocates and it is now growing into something where they have County attorney representatives. I sit on that team. As a core representative.

There is law enforcement and community-based people. Sometimes things are brought up in a meeting and sometimes somebody will come to me or somebody else after a meeting and say can I talk to you about something that happened in the courtroom . Then I can bring that back to my court. That connection where you can talk to somebody sidebar or in a meeting as a whole, that's important. When judge Benshoof found out about this other judge and the things he was doing I happen to know that was after one of our advisory team meetings and one of the people in the meeting was the person that said can I talk to you after the meeting. There is privacy there. You don't have to bring it up during the meeting with everybody.

Partly it is building the relationships and maybe taking it up in a way that saves space. In a world community everybody knows everybody but everyone also knows everyone in the meetings as well. >> Most of the programs underlined today are from advocacy programs and many of them are the coordinators of interagency efforts or response. I think

it is good to hear from you as a coordinator about how you handle these because I know it has been a problem where people will bring up a problem in a large group meeting and that is that. Doris slammed -- door is slammed and people don't come again. It is a delicate thing. In your DV court do you have measures to identify where there is gaps? Do you do any other effort to evaluate the victim's satisfaction let's say with how things went

for impact on her safety.

Yes, we do. We do various focus. We did a focus group a while back with victims speaking to our advisory team meeting. That was one that the judges didn't attend because of the situation with possibly having that case later. But we were able to get them connected with groups like that and other locations where they can sit in on a batterers group. For our team we listen to what the victims had to say and for the next in the future I would like to do that again. We learned so much from her. This is what works during my case and this is what didn't. What I asked people to do when they come to these meetings and the next one may be about probation. This is what probation does of these of the gaps we see, I have asked our team to come in their

at think about this is a listening session. You are not in there to judge or defend what you have done or anything. You are listening to what the person has to say and I asked them to do it with an open mind and then once that is over we can talk about the things we picked out of that that we may be could help change.

Very good.

I just want to -- the litany of questions of concerns that you started with our really alarming to me. I would like to touch upon one. That was that a judge won't let advocates talk in court. And based on your statement that a lot of the people listening are in fact representing advocacy groups. That is disturbing to me. In Minnesota

our Supreme Court has said advocates can speak so I don't know what the issues are and other states were if it is an issue that has come before courts where the Supreme Court or appellate courts but if there isn't a decision somewhere that says advocates should be permitted to speak in court, I am not exactly certain what to recommend other than maybe grassroots support towards making that change. There are certainly -- in Minnesota there is a batterers women's project and you can contact them for public support.

Let me tell you background on that. This is where 40 years of experience comes in handy. This is something advocates went for to get this Supreme Court to form an opinion about this and get it out to the courts because I was in court the day my fellow advocate got arrested for trying to speak up. The judge said -- she said Your Honor because the judge was failing to do anything. And she says Your Honor and the judge says if you interrupt me one more time you are going to jail.

Bailiff, take her to jail. She was traumatized and this is happening in a lot of places. We organized to go to the Supreme Court and in fact organized to get this gender fairness in the courts task force together to make some statements about these particular courts . Those are avenues as well and people are listening thinking about this and there are multi-levels to approach these issues depending upon what they are. We are always talking about starting as a friendly meeting level but you have to keep on keeping on if worse comes to worse. Let's move on that note to the next slide which lays out some of the I think some of the ways that a community can think about it and some of these we addressed already. I know what we were talking the other day Deb you mentioned for example court launches as one way to identify the problem.

Yes. I think court watches can be a lot of different things. We have a community-based advocate sitting in our courtroom each time we have DV court and we have a civil legal attorney sitting in. Some of the judges have said it's a comfort to look out and see those people just to know that somebody is there as the victim gets up that somebody will be able to go with her. There other places that have court watches that are sitting in the back row and listening and file complaints or reports. In the tribal jurisdictions I don't think this is happening anymore but in the past tribal courts may be have an elder woman sitting in the back row and paying attention to what's happening and to be able to report back to elders. I think it's a good idea.

There are resources and focus groups and also court watches then you can get through us and we will get you resources in the end. I think this is a key piece. You can go in on here and say it is good to know and get the problem documented. It is not always a good idea to go have a meeting the first time somebody said something a little ignorant but maybe you are keeping track of the comments and what might be to think there is bias

and document the problems. It's a good point to make. You don't need a 20 person court watch. You can get a volunteer to sit in there. We used to go to the courtroom with red notebooks so the judges -- we saw the judges statements change because we were sitting there. The other piece is this identifying potential solutions. Judge, you mentioned something about you mentioned a number of things but solution might be to find out what is the legislation around this. What is your state say about the involvement of the advocates. What about translators. Being able to go in not only with a problem and a solution and to be able to go in and I am always talking about first of all we mentioned this, bring it up with an individual judge. If you know that will work try to do it again and document your intent to meet with that individual judge. The more you try the friendliest approach then you can -- maybe that will work. Some of the other potential solutions are like TV courts. And there are all kinds of resources available through the national Council of juvenile and Family Court judges. Deb, you and judge Benshoof, you wrote an article for center for court innovation . Is that a resource that might be available to people of use?

It is. The center for court innovation website, you can go and Google it and logon. You don't have to be a DV court grantee. They have hundreds of articles and publications regarding a lot of things. I looked on it yesterday and just to see what was on their for judicial neutrality and compliance.

And key principles the judges use. There are multiple resources.

Good. Judge Benshoof, let's say you've got your problem fairly well dented. You rent some stuff at Center for court innovation and maybe you got some stuff from the Praxis blueprint at some stuff from NCJ and the judge refuses to meet with you. What should happen then?

Parts -- Putz .

All the conferences I go to emphasize the importance of having judicial leadership. When a judge talks and invites people to come, people come. When a judge talks people listen. That is what we hear repeated over and over. I wish I could wave a magic wand and get judges who lack knowledge about it and lack commitment about it and compassion about it to take the same road to Damascus that I did . If they don't, if they are willing to commit, it doesn't prevent the community from getting together even without the judge and having the kind of committee that

Devon I have been talking about, involving law enforcement and the county attorney's office and having some leader in the community who even in the absence of the judge can make things -- getting started maybe get the ball rolling and maybe get the judge on board. It is a really difficult issue. If the judge lacks the passion and commitment. But again let me emphasize that one thing that Deb does that is so valuable , she will come and visit with us judges and talking about issues that have come up and talk about questions and talk about concerns. She does it in an incredibly nonthreatening and very constructive way. If there is someone in the community has that kind of relationship with the judge, that is where I start. That person could perhaps make the judge open his eyes. If you don't have judicial leadership I sympathize with those listeners who are in that community because it would be difficult to go the same kind of distance that we've gone here in northern Minnesota down the road towards making a difference.

Deb, do you see it differently?

No I don't. That's important. To find that person that you can talk with that works in the court system or whatever. I do reiterate that, but I do sympathize with communities that have the struggles because we are so fortunate to have our judges that are totally bought into this. I also know we have sent these questions and because you are passionate about what you do. You want to see change and you want to be the deliverer of hope to the victim. You want to help her know that if she comes forward there somebody there that will listen and somebody that will believe her. As an advocate we start by believing. To get the judge to believe it it can be frustrating. Somebody -- don't give up. And when you go into positions like this where you are in a helping position you are usually a person that is somebody that doesn't give up easily. Just keep going.

Let me get to some specifics. Can you remove a judge. In the states can you remove a judge and get involved in judicial elections. Is there something that lets say all right you don't have judge Benshoof in your community but on the other hand women are dying and women are getting beaten and offenders are not being held accountable. It is not just that we want to help but it is a miscarriage of justice. Take it to the Supreme Court, I mean, removal of a judge occurs to me. Going to NCJ NCJ. We got a huge response to this one and they go around the country and I hear from people all over the country and this is a big issue. Is there something, something that NCJ may be doing. You mentioned something, judge, about doing regional contacts were somebody like yourself would be available to talk to a judge.

I attended a judicial leadership conference in Palm Springs a few months ago that was put on by the national Council of juvenile and Family Court judges. One item that came out of the conference was the creation of what we call the judicial engagement network. And it is still in the formative stages but the idea behind it is exactly that, it is to reach out to engage judges who may be aren't engaged at this point. And in a nation as big as ours that is a challenging prospect. If there are areas of the country where judges are not passionate or committed about this perhaps that kind of information can be passed through to the national Council. That would be one of the focus of this new judicial engagement network. Interestingly there is going back to the center for court innovation, if you went there you would be able to see about this. There is a description on their page about this leadership conference and the judicial engagement network. Can I just touch upon your talk about the removal. Listen, we judges pay attention to when we are getting removed. And some judges may think great, one less case for me to sign but I would say the majority of judges say why was I removed and what's going on. Is it me. And if that starts happening repeatedly then a soft approach to the judge saying judge, here are the concerns. And here is what may be were thinking of that might change this pattern of you needing not to hear these cases and maybe that is an approach.

Those are good points. I was going to say that I think it would be good for everybody on this call to contact NCJ and leave an email thing that you are to help us with this. Do a survey . And what can we do. It is a critical need.

I will move on because some of these addressing gap things will be covered when we talk about the next set of problems that were sent in which fell under the main heading up criminal justice system and other CCR problems. As you can see on the slide we have strangulation and deadly weapon enhancements dropped, domestic violence cases dismissed , charges reduced at alarming rates. Charges dropped when the victim is too scared to testify. Judge will allow evidence based prosecution, or expert testimony, and we've talked about this, refuse to meet with programs and attend trainings. CCR meetings. For get involved in efforts because they are seen as special interests and they need to be unbiased if there is such a thing. Some of these are obviously we're talking about law enforcement response prosecution response. And judicial response. This is where it is a promotion piece for the need for an interagency response but then you see that last bullet and judge Benshoof, you are talking about judges taking leadership and what do you do if this idea that they won't even meet with programs about the staff because there is an ethical standard that says in their interpretation of it that they should remain ignorant . >> Is it true that it is in your judges schooling you learn you can't be going to a meeting like this? >> Every state has its own version of a code of judicial conduct that outlines what a judge can ethically can and cannot do. I can't speak other than perhaps the probably because of course it depends on what each states code of conduct is. I will say that in Minnesota it is clear that judges can participate in activities such as this . So I don't know what other states and why judges are saying they can't. If that is an issue there would be nothing prohibiting an advocate and or attorney or a contact the board that supervises judicial conduct to get to see at least if they would give an advisory opinion on whether a judge can participate in these types of community coordinated responses. We have public defender at the table, we have prosecutors , and so both sides a representative -- represented. It is not just one judge taking the view of the victim. Everybody is represented at the table and that is something that makes it particularly safe for us in Minnesota . Again, these kinds of boards that supervise judicial conduct can give advisory opinions or at least

I think they can. The judge may be trying to exercise an abundance of caution and they may be using it as an excuse not to become involved. Who knows.

Maybe it of dust they are afraid it hurts their election chances. I don't know. That's a good tip. I just looked at the chat and we should bring in some of them and somebody says what does CCR stand for. It stands for coordinated community response. That can meet a lot of things -- mean a lot of things and it means interagency effort that gets together to take a look at increasing offender accountability and safety for victims and how they collaboratively can address these issues .

Exactly.

Let me emphasize this point. As Deb already has said the most important thing about our domestic violence court is that it is a community coordinated response. The community responding to domestic violence and not just the judge or the court. We couldn't -- I couldn't do it alone. I couldn't make the change that a community addressing the issue can.

That is an absolute essential part. Again, you can form your team without judicial leadership even though a judge being at the table is a hugely important thing. There is nothing preventing a community with the judge is absent from the table from still forming a team, law enforcement, advocates, prosecutor, it is the critical piece of addressing domestic violence in the community. >> I am going to move to the next slide because again this is -- most of the problems that are listed here and they go across agencies -- if the judge only sees what is brought to them, if there is no strangulation or no arrest or intention to strangulation and no weapons in -- enhancements going on for dismissals, you may not even know about that. So that is where the coordinated community response comes in in terms of in the hands seeing improving the people who see the case before you do. And the more they do the more information you will have that can shift what you know and how you take action.

I think it's very accurate. We started a few years ago not knowing where we would go. This is something that has not come up, we got incredible assistance from the center fork court innovation but we also applied for and received a significant grant from OB W, office of violence against women. I don't know if we would be here today without that grant. And OB W is there for helping and so I would encourage the communities out there that don't have a DB court to begin looking. Court innovation can help with that and people at OB W are incredible. If you have an interest in applying for funding that might help you pursue some of the projects that Deb and I have been talking about.

Most of the people on the line have received a grant and many of them are receiving world grants to do a variation of a coordinated community response.

So they are working on these very same things and they obviously -- this will be so helpful in terms of thinking about maybe there next grant. When you did that grant , were there resources for the courts? Did you get money out of its -- for the bunch to get more personnel ? Whatever, make your job -- make it easier for you to get everything you needed. >> Deb can talk to some things specifically but let me highlight a few things. The ground allowed us to do this. First of all it provided funding for the three judges here to attend the training that I talked about, enhanced judicial skills and domestic violence put on by the national Council. That was the most moving and most life-changing conference I've ever been to. It was my past in Damascus. The last slide you talked about about strangulation being overlooked, Deb, why don't you talk about what the funding has allowed us to do.

That is a huge topic. I am sure everyone on the line understands that. Strangulation is probably the hardest thing to get a conviction on because there are so many factors that don't lead you right to saying this to strangulation. Would we did our grants the last time we did apply for quite a bit of funding for training and that we felt like that was important. We sent our law enforcement officers -- investigators to the national Institute in South Carolina for strangulation and then specifically strangulation an Indian country. It is a huge problem. I don't think --

And you sent a prosecutor.

We did. It has to start from a good law enforcement report and then it goes into the prosecutor's office who has to be willing to charge that out as a strangulation. And not just dismiss it or to bring it down to a misdemeanor domestic assault. You want to go for the highest charge you can. Sometimes you win and sometimes you will lose. I think the training is so essential.

Just to keep this moving, I am watching the time and thinking -- we have resources on strangulation at Praxis and they are also available through these other resources that were mentioned. There is an effort all over the states and the country to do something with that. I think the issue becomes okay, you've got the training and they've got the information and they are still not doing it. Again

this is some of the things that the CCR picks up. We have resources at practice -- Praxis when you are a CCR. How do you address the agencies, those sorts of things. Anything else on this, we have covered some of this. The first bullet is about finding out if your state prohibits the involvement of judges and getting an opinion. That is an excellent point that finding out if your state coalition can go for that and if they don't, if your state doesn't have something in it may be your coalition can work on behalf of the whole state programs to get something specific from the Supreme Court or the legislature or wherever. Some of these solutions are going to be extra local and we talked about meeting with the

responsible parties to softball it and maybe you are not aware. If you can get a portion of your grant and your judge to one of these trainings I have met so many judges

who are singing the praises of the national Council of juvenile and Family Court judges trainings. That would be a boon and there are a lot of times they are in a nice location so that can be an enticement. I think that hopefully what we can do is look at the body or the groups that represent judges to start speaking to other judges about this. I will ask you judge, can you give us

why you think it's important for judges to be involved. Why, what would you say to a judge about why they could be involved and not just involved in starting a domestic violence court but involved in hearing what is going on in terms of a domestic violence case. I am thinking about this as having an eye to the possibility that maybe somebody could take this webinar and they are going to edit it and get your salient points about why you should be involved and maybe they will take it to their judge as a strategy as well. Why get involved?

One has to , just read the newspapers and listen to the radio and watch TV news and see all the women who are being killed. All the women who are being beaten. That is a simple answer. That is why we are involved because women and children are being subjected to domestic violence and it destroys their lives . I am an English measure way back and was worth wrote a poem that began as the child is the father of the man. The childhood experiences form the kind of adults we become. And children.

Who are witnesses to domestic violence not only based on research and the change in their brains physiologically, they are scarred for life. That is the one , it is a short answer as to why. It is a really interesting question that you ask because we have made these changes in Beltrami County but as Lauren said at the beginning I am the chief judge of a huge district and we had 17 counties. I have right now currently in the process of proposing to my bench of 23 judges that we adopt and begin pursuing what I am going to be calling the next domestic violence project. And moving forward in every county doing something towards domestic violence differently than what we are doing now. And whether other counties can formulated, I don't know. But there is no reason why every county can't have coordinated community response teams. That is a story still in the making. So I don't know .

Obviously you see that the judge plays a critical role. We all want to end violence against women. The judge -- why judges? Why should judges be involved?

Can I interject?

Go ahead.

At the risk of sounding overly dramatic when judge Benshoof said the child is the father of the man. I would like to follow up on the story of Frank and Charlene and judge Benshoof you may or may not have been completed this but I was sitting in the courtroom the day that the 11-year-old boy , he was 11 at the time, when his mother was stabbed by Frank. His father. The day that he came through the jail doors for his arraignment hearing after brutally attacking his girlfriend who had just had a baby she had a cesarean and he had put his thumbs to her eyes and ripped open her cesarean. This was a little 11-year-old boy that was hiding in the closet that day. Judge Benshoof had to recuse himself and he turned white. He said I can't believe this. It is a cycle. This child has now become a father. And so that is a huge reason especially in rural communities. Judges are seeing their sons and their fathers and their grandfathers. They can remember back when that child -- that is now standing in front of them as a man was a child. It is all part of our lives. It is in this courtroom.

I hope I can squeeze in this one last point. I know we are getting close . Here is what I want to say. My evolution from having screwed up made all those kinds of tragic mistakes that I did as a judge, with Charlene and Frank , as I said took a while but one Saturday some years later I was in my chambers and I was going through reading material and I read something and I don't recall what it was now but I read something about domestic violence. And domestic violence focus court . I sent an email to a person in town who is with the Department of probation officer, I said can we do something different like this. I would be willing to offer a link to the articles that Devon I wrote about Frank and Charlene that perhaps people who are listening could print out and take to their judges and do what I did and say judge, couldn't we do something different.

Excellent. We will get them -- get the links to the NCJ, the links to the court center for court innovation and also we have materials in the blueprint. There is a chapter on the bench. Your article will be most welcome. So one of the things we did touch on and I meant to but we are talking about jurisdictions. You mentioned 23 judges. We have programs that operate in communities where they see a judge once a week and that judge is going through -- it has a circuit that they go through. Is that just purely a matter of resources? And you have to do what we can to change the direction of our funding for courts? Anything to

that the NCJ or others are doing to address that. That is a big issue. Someone that doesn't have relationships and comes in once a week to do this. We have five minutes left and I will let you get a chance with thoughts.

It is hard for me again to speak broadly for everyone who may be listening but in a part of our district , the Western Northwestern corner we have that situation where the judges do travel from county to county because they are small courthouses. Small counties. That don't require a judge. As far as the case needs. No, I don't think resources will change the issue. The judge just does not need to be there the entire time in order to do the business. But in one of those counties where a judge is only there once every two weeks they do have teams like this

that do meet and the judge is part of that team. They may not meet as often as they might in a community that is larger but there is no reason if you have a traveling judge why the judge couldn't be part of a community team such as this. There is no reason.

When you mention team were you talking about a coordinated response or judge meetings? There are both. So that traveling judge, does he have a -- does she have a chief judge in some sort of central place where they get together occasionally ? Exchanging whatever.

I'm sure they do. In Minnesota each district has its own bench meetings so yes, we get together quarterly in the ninth district where the judges come to a quarterly meeting. So I am assuming other states to the same but I guess I don't know that for certain.

Very good. We are almost at the end and I would -- didn't have a chance to read the chats.

Can I just float this and you can have a 92nd response which is the issue of firearms in world communities. And the role of the gingery and firearms retrieval for domestic violence offenders. We will have part two with the judge Susie. I want you to know this is the first page in the novel on this issue. Where the first paragraph.

It is a very difficult issue. Minnesota legislature recently changed and adopted new laws that said we are desk where a judge makes a decision that there is an imminent danger of harm to that victim that the judge will order immediate surrender and relinquishment of the firearms. We have a hard time getting law enforcement -- law enforcement doesn't want these guns. They don't have a place to store them. It is a continuing battle for us as well. I don't have answers. It is a topic being discussed in Minnesota.

And nationally. The importance of getting guns out of the hands of abusers is I don't need to emphasize that. That is huge. How it is done, I wish someone would give me easy answers.

And then Jodi is asking if it's a good or bad idea to present a judges quarterly meeting.

She is an advocacy program I'm guessing.

Gosh. I would say ask for permission to be able to speak are absolutely. I don't know that we have advocate -- Deb has presented about the court and I think Deb, you have wondered about having that put on each agenda.

Yes. I could do that. >> It is a huge time when you may have judges available to educate them a little bit.

Asked.

Asked to get on the agenda.

Okay.

I have to believe that everybody has the capacity to change. Offenders, if we didn't believe that offenders could change, what drives us to do what we do. Similarly for those who struggle with attitudes from judges that seem middle-aged and medieval, keep working on it. Don't give up. Do everything that you can to try to educate the judge and to get him or her to change their opinion. It is not going to be easy . I have to believe that we are capable of changing. Otherwise I would need to retire.

Think you judge. That brings us to the end here. I wanted to mention one of the resource that will come out to your. It is something that my partner presented at one of the last national Council of juvenile and Family Court judges conferences. It was about the benefits of battering which was like the judges are like heated up. They had never really thought about it but he was driving test arriving benefits from his violence and that shifted them from thinking well it is a relationship problem. It's good for the goose and good for the gander. Those medieval concepts theories that sometimes undergird the negative or ignorant responses of the judges. We will get that out to you as well. I want to say thank you very much . Deb, thank you for your input and judge Benshoof, it has been a pleasure. I am always the last to know but there will be a part to, I hope so.

Can I offer one last thing to everyone who is listening. If you are interested in contacting me my email, paul.benshoof@courts.state.mn.us and I can answer.

Thank you for that.

Here is my contact if you have follow-up questions. Thanks for being on the line today and stay tuned for part two. Thank you.

Any goodbyes Deb? >> I am absolutely, email me, debbie.baer@courts.state.mn.us .

Sounds good. Thank you everybody.

Thanks for an active chat people. You made it fun and thank you so much for the important insights from the judiciary. We appreciate you taking the time to be with us today. And thanks Rose for keeping us on track.

[ Event Concluded ]