



## Andrew Billingsley serves time—it's about time

By Heather Wolfgram, Court Monitoring Coordinator

Andrew Billingsley could be the Al Capone of Hennepin County—elusive to the law, immune to justice, and terrifyingly violent. Billingsley's criminal career began when he was 20 years old. In the last eleven years Billingsley, now age 31, has had close to 40 documented encounters with law enforcement in Hennepin County. Twenty-eight of these encounters resulted in criminal charges, most of which were subsequently dismissed, and only five<sup>1</sup> of which ended in convictions.

Unlike many of the domestic abusers WATCH profiles in our chronologies, Billingsley's first encounters with the criminal justice system were not for domestic violence but for traffic and narcotics violations<sup>2</sup>, including driving without a license, driving under the influence, and possession and sale of illegal substances. On multiple occasions, Billingsley was found to be selling large quantities of drugs out of the homes of his victims, but was not prosecuted. Police reports and criminal complaints from these incidents indicate his victims and associates feared him. Billingsley carried a weapon and was quick to use violence, yet he continually dodged the justice system and evaded consequences for his actions.

Billingsley's history in Hennepin County includes: nine assault related cases,

<sup>1</sup> Billingsley was convicted in 1998 of fleeing a peace officer in a motor vehicle. This case is not included in the chronology.

<sup>2</sup> Many of Billingsley's traffic and narcotics violations are not included in this chronology as WATCH chose to focus mainly on his violent crimes.

ten drug related cases, nine traffic violations, and six documented probation violations. In the 19 cases highlighted in this chronology, Billingsley ruthlessly abused six different women, most of whom are the mothers of his children. Over the years, Billingsley's unchecked violence has become more brutal. His most recent assaults involved strangulation and firearms demonstrating his violence is escalating and may become lethal.

### Case 1: Domestic assault in the 5th degree (*misdemeanor*), terroristic threats (*felony*)

*10/10/98 Minneapolis Police Report:* Officers were dispatched to a domestic assault and met with Victim A, who stated that her boyfriend, Billingsley, had assaulted her. She said that they had been having problems for the past couple of days ever since he was released from jail. Victim A stated that Billingsley punched her in the face several times, causing a bloody lip. She also showed officers bruises on her arm and neck, which she stated were from previous assaults that she had not reported. Officers took photographs of her injuries. Victim A stated that Billingsley had threatened her life and the life of her grandmother. She also stated she was afraid of him because he is a convicted felon and is known to carry guns. ***This case was never charged.***

### Case 2: Domestic assault in the 2nd

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## WHAT'S NEW

### Gold WATCH award

Congratulations to Assistant Minneapolis City Attorney Michelle Jacobson who was awarded the 2007 Sheila Wellstone Gold WATCH award at a reception on Thursday, May 3, 2007. Since 2003, Ms. Jacobson has been her office's attorney liaison to the Family Violence Unit of the Minneapolis Police Department. She serves as a vital link among police investigators, attorneys in the City and County Attorneys' Offices, probation officers, and advocates. Ms. Jacobson led efforts to develop the recently completed probable cause felony enhancement list for domestic assaults, which provides critical information to patrol officers on the scene about a perpetrator's criminal history, in particular whether any new misdemeanors can be enhanced to felonies.

### Farewell and thanks to departing WATCH board members

Diana Harvey has served on the board of directors since 2001. She brought expertise in marketing and communications and was responsible for securing pro bono and discounted graphic design and printing services, which gave our

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# Communication is key when the public is waiting

By Marna Anderson

I went to monitor a hearing at the Government Center the other day. When I entered the courtroom, 10 individuals were waiting for three cases to begin, all scheduled for 9 a.m. In the first case, a prosecutor and probation officer were waiting for the public defender. In the second case, the public defender, advocate, and defendant were waiting for the prosecutor. And in the third case, five members of the public (including a toddler) were waiting together for any member of the justice system working on their case.

At about 10:10, the advocate of the second case left the courtroom to locate the prosecutor. Meanwhile, a woman waiting for the third case asked the prosecutor of the first case about the status of her group's case and found out that it had been continued until 1:30 because the prosecutor was in a trial.

When the woman asked why no one had informed them of the time change, the prosecutor said that the judge often doesn't know who is waiting for which case. She suggested that in the future they use the phone in the hallway to call the judge's chambers to inquire about the case. As they were heading out with the child in tow, they asked how likely it was that the hearing would start at 1:30. The prosecutor replied, "If you're lucky," and then reminded them to be there on time "just in case."

It was not until 10:40 that the judge entered the courtroom to preside over the first case on the record. That's one hour and forty minutes after the scheduled start time—the time defendants, victims, and members of the public are told that the hearing will begin and the time that is listed on the district court calendar.

Because monitors so often return from court reporting similar situations, WATCH undertook a short-term study to document the frequency and impact of courtroom delays. From January to March, WATCH monitors noted scheduled start times and actual start times of Government Center appearances on cases related to sexual assault, child abuse and neglect, and domestic violence. In total, WATCH gathered data on 177 appearances over 41 days. Only two of the 177 hearings started at the scheduled start time, and on average, hearings went on the record 40 minutes after the scheduled time.

Monitors were able to document the reason for the delay in 44 of the 177 hearings. Most of the time, the explanation did not come from the bench, a court clerk, or any other court representative. Instead, monitors overheard comments made by attorneys as they waited in the courtroom or directly questioned court personnel.

WATCH volunteers recorded that hearings did not begin at the scheduled start time because the defense attorney was not present or was meeting with the defendant (29%); the prosecutor was not present (22%); all parties were in the judge's chambers discussing the case (18%); or the parties were waiting for the judge (9%). In the remaining 18% of cases people were waiting for the defendant, victim or interpreter; another hearing was in progress; or in three instances, issues of representation or jurisdiction needed to be resolved.

These are some representative comments that monitors recorded:

- *The defendant told the clerk his attorney wasn't there yet, and the clerk said he was probably scheduled for multiple appearances.*
- *The defense attorney was in trial elsewhere.*
- *I asked the prosecutor and court services representative about the reason for the delay. They laughed and said this was nothing, better than the average. They said the defense attorney was discussing the case with the defendant in the hall.*
- *I overheard both attorneys and a victim's family member discussing the personal cost to them for the time spent idly waiting in the courtroom.*
- *The prosecutor came into the courtroom 10 minutes late and asked, 'Do we have something on today?'*

It is very common for attorneys to rush from one hearing to the next as they juggle their cases and try to determine which one is ready for negotiations or to go on record. In order to accommodate the number of hearings, attorneys and judges regularly have multiple hearings scheduled for the same time. Many attorneys find that scheduling multiple appearances for the same time is the only way to work through their heavy caseloads. As a result, it is uncommon that all parties are present at the scheduled start time.

To an outsider, the perception is of a very unorganized, chaotic, and inefficient system. And perception matters. It can influence a victim's and the public's confidence in the justice system, and perhaps most importantly, the level of respect a defendant has for the court and its orders. One WATCH monitor overheard a defendant challenge a clerk regarding the time he was to appear in court by saying, "Why should I be here at 8:30? None of you will be here until 9:30."

In all the comings and goings, the public is frequently left out of the communication loop. Scenarios like the one described above play out over and over again at the Government Center. And they can present big problems for defendants,

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victims, and their supporters. Many take unpaid time off work, rearrange child-care, and adjust their lives in significant ways to make court appearances. They show up because they know how much is at stake.

Another day while I was in court, I heard one defendant say to another, "It seems to me that if the prosecutor isn't here, the case should be dismissed. If we didn't show up they'd arrest us. It should go both ways." The other defendant responded, "At least I called to let her [the public defender] know I'd be late."

The system expects defendants, victims, and their supporters to arrive on time. When they can't, the expectation is that they communicate with the courts. The courts should make every effort to extend them the same courtesy. All members of the system should attempt to arrive at the scheduled start time and communicate with one another and their clients when they can't. Court personnel should then communicate this information to those who are waiting for hearings in their courtrooms.

Chronic tardiness is a difficult issue to tackle, but WATCH urges the courts not to give up. Courtroom delays are a source of frustration for all members of the justice system. In recent conversations with members of the system, many have expressed the need to address the complexities of scheduling and improve communication with the public.

In addition to the obvious benefit of cutting the cost of county and state employees waiting in courtrooms, correcting this problem would demonstrate respect for victims, defendants, and their supporters. The perception that the courts are unorganized, uncaring, and unprofessional would shift, as would the public's trust in its justice system.

Here are some recommendations to consider:

- Scheduling—changes should be posted on courtroom doors.

- Signs telling the public to use the phones near the elevators to check on a case should be posted in courtrooms and near the elevators.
- Clerks should check with people in the courtroom to see which case they are waiting for and inform them of any changes to the schedule.
- Judges should apologize and explain the reason for the delay at the beginning of a hearing when it starts more than half an hour after the scheduled time.
- The Public Defender's Office and County Attorney's Office should develop communication protocol and expectations when there are multiple appearances or unexpected schedule changes.
- The bench should enforce timeliness.
- Attorneys and judges should avoid scheduling multiple appearances for the same time whenever possible and work together to figure out courtroom schedules that facilitate promptness.

**1995 WATCH report highlights**

In 1995, WATCH released its first report, Hennepin County Criminal Courts, A View from the Outside. Chronic tardiness was one of the first issues addressed in the report, and unfortunately, our 1995 comments still apply today:

*Those who work in the court system often joke that almost no appearances start on time. This is no laughing matter for victims and their families. Even when legitimate activity is going on behind the scenes, the impression left with those waiting in the courtroom is that of confusion and disorganization.*

*Without exception, victims who have spoken with WATCH say they felt insulted by the late starts. Others say they felt guilty having asked friends and family members to take time off work to support them at a difficult hearing only to be left waiting for an hour or more for the appearance to begin. On only one occasion have we heard a judge apologize for being late.*

*Appearances that start late carry with them a significant financial impact as well. We have watched courtrooms full of paid personnel—clerks, bailiffs, attorneys, probation officers—sitting idly while waiting for other personnel to appear.*

materials a more professional look while saving thousands of dollars. Diana's new position at the School of Public Health at the University of Minnesota involves extensive international travel, which means less time here in Minneapolis. We wish you all the best, Diana.

Kate Troy joined the board in 2005 as part of her studies towards a master's degree in public policy at the University of Minnesota's Humphrey Institute. Kate provided valuable public policy perspectives to the board and took on a leadership role as co-chair of the governance committee. Kate is completing her degree this May, getting married in June, and moving to Washington, D.C. Congratulations, Kate, and thank you.

Shelley Carthen Watson has served on the board of directors since 1998, and as the board chair from 2003-2005. WATCH benefited from Shelley's extensive experience on other non-profit boards as well as her expertise as an attorney. A former partner in the law firm of Robins, Miller, Kaplan and Ciresi, Shelley is the Associate General Counsel for the University of Minnesota. Having served three consecutive terms, Shelley is required by WATCH by-laws to step down. Thank you, Shelley, for your many years of service. We will miss your informed and thoughtful participation.

**New website launched**

If you haven't visited [www.watchmn.org](http://www.watchmn.org) lately, check it out today. We have revamped the site to make it easier to navigate and more interactive. Volunteer and intern application forms are available online, as are links to WATCH reports and court monitoring groups around the country. You can now sign-up and pay online for WATCH's training manual, web-based seminars, or to join the National Association of Court Monitoring Programs. We welcome you to learn about our work and support us through an online donation.

**degree (felony)**

5/3/99 *Minneapolis Police Report*: Police responded to a domestic assault at the home of Victim B, who told officers that Billingsley, her ex-boyfriend, kicked her door open, struck her in the head with a folding chair, and destroyed objects around her house. Photographs were taken of Victim B and of the scene. Victim B's children, ages two and four years old, as well as her sister witnessed the assault. ***This case was never charged.***

**Case 3: Assault in the 5th degree (misdemeanor)**

5/10/01 *Minneapolis Police Report*: Officers were dispatched to a domestic assault, where Victim C reported that she had been babysitting for her daughter, Victim D, and her daughter's boyfriend, Billingsley, when the two began to argue. Victim C took her grandchildren outside, but Billingsley followed them and struck Victim C in the face, causing her cheek to swell to the size of a tennis ball. On 6/27/01, Judge Warren Sagstuen signed a warrant for Billingsley's arrest and set bail at \$300. On 7/10/01, Billingsley appeared before Judge Jack Nordby, who released him without bail on the condition he have no contact with Victim C. On 10/11/01, ***Judge Lucy Wieland dismissed all charges per motion of the prosecutor, Michelle Doffing.*** The defense attorney was Juanita Kyle.

**Case 4: Possession of a controlled substance in the 5th degree (felony)**

9/11/01 *Criminal Complaint*: Officers reported stopping a vehicle for speeding and noted Billingsley trying to hide something under the seat. A search of the car turned up an open bottle of wine and three pills of Ecstasy. On 9/12/01, Billingsley appeared before Judge John Sommerville, who set bail at \$3,000. On 3/15/02, ***Judge Sommerville dismissed all charges by motion of the prosecutor, Janet Ward.*** The defense attorney was Pia Sass.

Case 5: Domestic assault in the 5th degree (***misdemeanor***), interference with a 911 emergency call (***gross misdemeanor***)

10/18/01 *Minneapolis Police Report*: Police were dispatched to a domestic assault at the home of Victim E, who stated that Billingsley, her boyfriend and the father of her child, assaulted her in the presence of their five-month-old baby. Victim E reported that Billingsley pushed her down on the bed and began "choking" her. He then hit her in the head with a closed fist. Victim E ran to the phone to call 911, but Billingsley pulled the cord out of the wall. Billingsley was gone when officers arrived. ***This case was never charged.***

**Case 6: Burglary of a dwelling (felony)**

1/19/02 *Minneapolis Police Report*: Victim E reported to police that when she was away visiting her sick mother, someone broke into her home and stole various electronic items. Victim E stated that her ex-boyfriend, Billingsley, had been calling her and making threats to damage her property. ***This case was never charged.***

**Case 7: Narcotics violation (felony), child endangerment (felony)**

3/21/02 *Minneapolis Police Report*: Police received information regarding possible narcotics deals occurring at a Minneapolis residence where Billingsley was known to live with Victim D and their child. Officers conducted a search of the residence and found drugs, weapons, and cash. Two children ages four and one were present at the scene. ***The police report indicates that this case was referred for charging and that a complaint was issued, but there is no record of charges on that date on Hennepin County's "Subject in Process" (SIP) database.***

**Case 8: Assault in the 5th degree (misdemeanor)**

7/7/02 *Minneapolis Police Report*: Police responded to a domestic assault at the home of Victim D, who answered the door with a visibly swollen eye but stated that "nothing was going on." Police interviewed a witness, who reported that Billingsley struck Victim D in the face. Billingsley was taken into custody, but bonded out on \$1,200. On 7/10/02, Billingsley appeared before Judge Lloyd Zimmerman who ordered him to have no contact with Victim D. On 8/22/02, ***Judge Beryl Nord dismissed all charges by motion of the prosecutor, Jennifer Saunders.*** The SIP report cited "insufficient evidence and no victim" as reasons why the charges were dismissed. The defense attorney was Robert Sorensen.

**Case 9: Ongoing narcotics investigation**

7/31/02 *Minneapolis Police Report*: Officers conducted a search of a residence they suspected to be a site for narcotics dealing. Billingsley was known to live there with Victim B and their child. Police suspected that Billingsley sold marijuana and crack cocaine from the residence and carried a handgun for protection. Police found drugs, cash, and weapons as a result of the search. ***Victim B was arrested, but Billingsley was not, nor was he charged in this case.***

**Case 10: Possession of a controlled substance in the 5th degree (felony)**

9/10/02 *Criminal Complaint*: Police officers conducted a search of a Minneapolis residence, known to be Billingsley's home. The search produced large amounts of marijuana. Billingsley was taken into custody. SIP states he was to be held without bail. On 9/11/02, Billingsley appeared before Judge John Sommerville, who released him without bail under the conditions that he not use or possess alcohol or other drugs, abstain from criminal activity,

abide by a curfew between 9 p.m. and 6 a.m., and not use or possess weapons. On 1/15/03, **Judge Sommerville dismissed all charges for Case 10 by motion of the prosecutor, listed as Minneapolis City Attorney.** The defense attorney was Kevin Des Lauriers.

**Case 11: Domestic assault in the 5th degree (misdemeanor)**

*5/26/03 Minneapolis Police Report:*

Police officers responded to a domestic assault, where Victim E stated that she and Billingsley were arguing over child support when he started pulling her hair and punching her in the face. Billingsley reported that Victim E started throwing plates and lawn tools at him. The police report indicates that both parties were “uncooperative” and that the officer “determined both parties to be victims and suspects.” **This case was never charged.**

**Case 12: Narcotics violation (felony), giving peace officers a false name (gross misdemeanor)**

*1/6/04 Minneapolis Police Report:*

Officers approached a vehicle and detected the odor of burnt marijuana on the occupants. A pat search of Billingsley, the passenger, produced 13 bags of marijuana which police described as “packaged for sale.” Billingsley presented officers with an identification that was not his. Billingsley appeared before Judge Stephen Lange who set bail at \$1,000. On 1/8/04 Billingsley posted bond and was released. On 1/14/04 **Billingsley plead guilty to giving false information to a police officer (misdemeanor) before Judge Richard Hopper who sentenced him to serve 90 days, stayed for one year, at the Adult Correctional Facility.** The prosecutor was Christopher Dixon and the defense attorney was Evan Rosen.

**Civil Court case**

*7/26/04 Harassment Restraining Order:*

Judge Francis J. Connolly signed a harassment restraining order preventing Billingsley from harassing Victim E and their daughter and from going to her residence, place of employment, and daughter’s school. In the petition, Victim E claimed that Billingsley stalked her, slashed her car tires and randomly shows up at her residence uninvited.

**Case 13: Harassing phone calls (misdemeanor)**

*7/29/04 Golden Valley Police Report:*

Police officers responded to a stranded motorist call from Victim E, who had run out of gas. She took the opportunity to report that she had been receiving a number of harassing phone calls from Billingsley. During the calls, he stated that he didn’t care that she had a harassment restraining order and that it wouldn’t help her. On 9/2/04, Judge Richard Scherer signed a warrant for Billingsley’s arrest and set bail at \$1,000, but Billingsley was not arrested until 1/20/05. The next day, he appeared before Judge Stephen Aldrich, who released him without bail on the condition that he have no contact with Victim E. On 5/12/05 **Billingsley plead guilty to the lesser crime of disorderly conduct before Judge Deborah Hedlund, who sentenced him to 20 days at the Adult Correctional Facility stayed for one year under the conditions that he engage in no threats of violence to persons or property, have no contact with Victim E (except through family court orders), and no same or similar charges.** The prosecutor was Frank Rondoni. The defense attorney was Geoffrey Isaacman.

**Case 14: Attempted assault in the 5th Degree (misdemeanor)**

*3/28/05 Minneapolis Police Report:*

Victim D’s mother, Victim C, called police stating that her daughter’s ex-boyfriend, Billingsley, had called Victim D and threatened to come over and harm her. Victim C reported that Victim

D was afraid and left the premises. Billingsley came to the residence, but fled when Victim C told him the police were on their way. **This case was never charged.**

**Case 15: Interference with an emergency telephone call (gross misdemeanor), domestic assault in the 5th degree (two counts) (misdemeanor), damage to property (misdemeanor), disorderly conduct (misdemeanor)**

*4/12/05 Criminal Complaint:*

Minneapolis police officers responded to Hennepin County Medical Center, where they interviewed Victim D. She reported that Billingsley had kicked in the door to her apartment and punched her several times in the face, stomach, and rib cage. Victim D said that she reached for the telephone to call 911, but that Billingsley grabbed it first and smashed it to the floor. On 6/30/05, Judge Diana Eagon signed a warrant for Billingsley’s arrest and set bail at \$5000, but Billingsley was not arrested until 10/12/05. He appeared before Judge Mary Steenson Dufresne, who released him without bail on the condition he have no contact with Victim D.

On 11/21/05, **Billingsley pleaded guilty to one count of domestic assault in the 5th degree before Judge John Holahan, who sentenced him to 45 days at the Adult Correctional Facility 43 days of which were stayed for one year with credit for two days served. Conditions of Billingsley’s probation included no assault charges, no same or similar charges, and no contact with Victim D.** Jennifer Saunders was the prosecutor. Sarah Sjolholm was the defense attorney.

*3/28/06 Arrest and Detention Order:*

Judge Patricia Belois issued an arrest and detention order for Billingsley for violating the conditions of his probation by committing a same or similar charge in Plymouth, MN.

7/7/06 **Probation Revocation: Billingsley admitted violating his probation in Case 15 before Judge Kathryn Quaintance, who revoked his sentence and ordered him to serve 43 days at the Adult Correctional Facility.** Billingsley was also ordered to attend anger management; commit no additional assaults, disorderly conduct or same or similar charges; to have no contact with Victim D; and to be on active probation.

**Case 16: Domestic assault by strangulation (felony), terroristic threats (felony)**

4/3/06 *Minneapolis Police Report:* Victim F reported to police that her ex-boyfriend and the father of her child, Andrew Billingsley, had assaulted her. She stated she was in her vehicle with a friend when Billingsley jumped into the back seat of the car, hit, and strangled her. Victim F told officers she could not breathe and was very close to passing out. She reported that Billingsley told her if he couldn't have her, he would kill her. Victim F also told police that she had obtained a temporary restraining order against Billingsley, but he had avoided being served. On 5/1/06, Judge Toddrick Barnette signed a warrant for the arrest of Billingsley requesting bail be set at \$25,000. Billingsley was served the arrest warrant at his court appearance the following day. Judge Gabriel Giancola revised bail and set it at \$50,000 with the condition he have no contact with Victim F.

**Case 17: Domestic assault by strangulation (felony), terroristic threats (felony)**

4/6/06 (three days after the assault in case 16) *Criminal Complaint:* Minneapolis police officers were called to the home of Victim F, who reported that Billingsley had assaulted and strangled her. Victim F stated that he "choked" her until she almost blacked out and that he told her he would kill her. On 4/10/06, Billingsley appeared

before Judge Robert Small, who set bail at \$25,000 with conditions of no contact with Victim F or \$50,000 without conditions. Billingsley posted bond and was released on 4/19/06.

**Civil Court case**

4/20/06 *Order For Protection:* Judge Mel Dickstein granted Victim F an order for protection that prevents Billingsley from committing acts of domestic abuse against her, going near or entering her or her mother's residence, and prohibiting him from having any form of contact with her.

4/26/06 *Bench Warrant:* Judge Patricia Belois signed a warrant for Billingsley's arrest for allegations that he violated the order for protection by contacting Victim F. Judge Belois also revoked Billingsley's conditional release for Case 17 and ordered bail set at \$25,000. On 5/1/06, Billingsley was arrested. On 7/07/06 Billingsley appeared before Judge Quaintance who ordered Cases 16 and 17 to continue together. The combined bail for these two cases was set at \$50,000. **Billingsley plead guilty to terroristic threats (felony) in Case 17, and the prosecutor agreed to dismiss the domestic assault by strangulation charge. On 8/01/06 Judge Quaintance dismissed all charges in Case 16, per a motion of the prosecutor, Julie Allyn.** The defense attorney was Sarah Sjoholm.

8/1/06 *Outcome:* **Billingsley appeared before Judge Quaintance for Case 17 and was sentenced to 15 months in prison stayed for five years under the condition that he serve 180 days at the Adult Correctional Facility with credit for 106 days (Billingsley was later given credit for 153 days). Additional conditions of Billingsley's release include no use of alcohol or drugs, contact with minors should only be through family court order, no contact with Victim F, no criminal activity, submit a DNA sample, maintain employment and/ or educational program, psychological testing to be**

**completed within one year, and to remain law abiding.** The prosecutor was Julie Allyn. The defense attorney was Sarah Sjoholm.

Billingsley was released from the Adult Correctional Facility on 8/14/06. Between September 2006 and January 2007 three *Arrest and Detention Orders* were issued by Judge Quaintance because Billingsley violated his probation by failing to remain in contact with his probation officer, failing to complete domestic abuse counseling, and failing to remain law abiding.

On 1/16/07 **Billingsley admitted violating probation in Case 17 before Judge Quaintance, who revoked his probation and ordered him to serve the 15 months that was originally stayed.** He was also ordered not to use alcohol, marijuana, or other drugs; obtain cognitive skills training; have no contact with Victim F; have no contact with their minor child except through a family court order, commit no criminal activity; submit a DNA sample; and maintain employment or educational program.

**Case 18: Violation of an order for protection (misdemeanor)**

7/3/06 *Criminal Complaint:* Victim F told officers that she has an order for protection against Billingsley, but that he violated it by calling her residence and her cell phone approximately 10 minutes after he was released from jail in **Case 17.** Victim F said she received more than 50 calls from Billingsley between 4/27/06 and 4/30/06. On 8/10/06 Judge Charles Porter signed a warrant for Billingsley's arrest with bail set at \$2,400. The prosecutor was Elliott Knetsch and the defense attorney was Paula Brummel.

**Case 19: Prohibited person in possession of a firearm (felony), assault in the 2nd degree (felony), terroristic threats (felony)**

## Billingsley continued from page 6

12/13/06 *Criminal Complaint*: Victim F reported to Minneapolis police that Billingsley broke into her house while she was sleeping and woke her up when he straddled her and grabbed her around the throat. She said that he strangled her to the point where she had trouble breathing, then pointed a handgun to her head, threatening to kill her and himself.

On 12/14/06 Judge Heidi Schellhas ordered **cases 18 and 19** to continue together. On 12/15/06 Judge Patricia Belois signed a warrant for Billingsley's arrest and set bail at \$25,000. On 1/11/07 Billingsley appeared before Judge E. Anne McKinsey, pleaded not guilty to all charges, and requested a jury trial.

**On 3/23/07 the jury found Billingsley guilty of all three charges. After the trial, Judge McKinsey lifted the no contact order allowing Billingsley to have contact with Victim F.**

On 4/12/07 **Billingsley appeared before Judge McKinsey who sentenced him to 60 months in prison with credit for 121 days. Case 18 was dismissed without prejudice.** Victim F was present for the hearing and asked the court to send him to treatment rather than prison. The prosecutor was Krista Bettinger and the defense attorney was Robert Hankoff.

Andrew Billingsley is unquestionably a dangerous man. He has repeatedly assaulted and threatened at least six different women, often in front of their children. His violence has also extended to at least one victim's mother. Yet, many of these assaults were never charged, and in most cases, those that were charged were subsequently dismissed. When consequences have been imposed, he has repeatedly been placed on probation even though he shows no amenability to probation and ignores conditions of probation with impunity. In some cases, when a judge has signed a warrant after Billingsley violated his probation, he has not been arrested for three months.

Billingsley has finally been sentenced to prison for his violence. If he serves

the entire 60 months (with credit for time served) we could expect him to be released in December 2011.

Billingsley's life of crime began with traffic and drug violations. For over 20 years, he has shown disregard for the law and for the justice system and his violence against women has escalated. But as his violence escalated, the consequences did not. This needs to change.

## It's never too late...

June 30 marks the end of WATCH's fiscal year, and this year saw growth in our national work through a grant from the Bush Foundation. WATCH is currently a finalist for a Celebrating Solutions award from the Mary Byron Foundation for our innovative court monitoring work. Please consider a year-end gift in support of our work to make the justice system more responsive to women and children victims of violence. You can use the envelope in this newsletter, donate on our website, [www.watchmn.org](http://www.watchmn.org), or call Debra at 612-341-2747, ext. 1.

## Volunteer Training

Do you have time available during the day and want to make a difference in the court system? If yes, then consider donating time as a WATCH volunteer. The next training session will be held on Saturday, June 2, 2007, from 10 a.m. to 4 p.m. at WATCH. Contact Shahidah at [smaayif@watchmn.org](mailto:smaayif@watchmn.org) or 612-341-2747, ext. 2 for more information. Or visit our website at [www.watchmn.org](http://www.watchmn.org) for application materials and a volunteer job description.

## Volunteer Notes

□ The judge was very good at explaining criminal no contact orders to defendants who appeared before him. But one man came to court in violation of an existing order by bringing a child with him that he was barred from having contact with. Neither the judge nor anyone else addressed this.

□ The four deputies in felony arraignments ran a tight ship. The rules were laid out several times. Three people were asked to leave for violating the rules.

□ The judge in the order for protection hearings didn't make eye contact with petitioners or respondents, rarely made it clear to whom he was speaking, and didn't seem to convey the weight of what was happening. He came across as if the proceeding was just routine, not something serious.

□ Domestic violence court had a slow start today. The judge took the bench over half an hour late, heard one case, and then put the other cases on hold to wait 20 minutes for a public defender. During that time, the judge stayed in the courtroom discussing topics that had nothing to do with the business at hand (e.g., baseball, melanoma, and the benefits of the light rail system) with other court personnel.

□ The judge in domestic violence court didn't arrive until 9:35, telling someone in the courtroom, "I had to stop for coffee."

□ While waiting in the gallery with several others for a case in criminal court, I heard the attorneys discussing whether or not Somali defendants could be deported back to Somalia. They concluded that they could not be, but one attorney said "it would be a good idea" and laughed.

□ As the clerk was announcing the rules of conduct in domestic violence court, it became difficult to hear and was distracting when two defense attorneys walked in and continued their conversation without lowering their voices.

□ I called the judge's chambers to inquire about three cases I was waiting to see. The court reporter answered the telephone and said he couldn't help me. When I asked for the judge's clerk, I was told there was only an intern working that day and she wouldn't be able to help me either. The court reporter abruptly ended our conversation with, "Why don't you go sit in the courtroom and see what happens?"

## WATCH

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## Thumbs Up/Thumbs Down

 **Thumbs up** to Teens Against Domestic Abuse (TADA) for leadership in preventing dating violence. The high school students from Mille Lacs County conducted training at the state capitol to teens from around the state on developing dating violence prevention groups in their own schools. The workshop was part of the Choose Respect Teen Leadership Summit to End Dating Violence and Sexual Assault/Girls Rock! the Capitol event in February. The event was co-sponsored by the Minnesota Coalition for Battered Women, the Minnesota Coalition Against Sexual Assault, and the Minnesota Women's Consortium.

 **Thumbs down** to the Department of Homeland Security for effectively slamming the door on undocumented immigrant battered women and their children who qualify for legal protections. The Victims of Trafficking and Violence Protection Act, passed in 2000, provides for the issuance of U-visas to undocumented immigrant victims of violent crimes who cooperate with law enforcement and prosecutors. Because of the Department's failure to draft regulations regarding the law's implementation, however, not a single U-visa has yet been issued! This is despite being repeatedly sued by advocacy groups and given five years plus an extension by Congress to complete the regulations! It is shameful that scarce resources must be spent suing the federal government to implement federal laws. And it is past time to make these legal protections available to all battered women and their children.

 **Thumbs up** to Judge Kathryn Quaintance for ensuring that parties in her courtroom are informed of what is going on. She consistently explains courtroom procedures and time delays and is patient with defendants who do not understand the judicial process. WATCH applauds her efforts to make the justice system open and transparent.

 **Thumbs up** to Judge Heidi Schellhas for refining and clarifying the petition form for defendants entering guilty pleas on domestic abuse charges. The new form includes specific language outlining the enhancement clauses in various applicable statutes and ensuring defendants are aware of the increased penalties for future domestic assault-related crimes.

 **Thumbs down** to the prosecutor and judge in Luzerne County Pennsylvania for ignoring the dangerous dynamics of domestic abuse in a recent criminal assault case. The victim told prosecutors she would not testify against her former boyfriend, who admitted he broke into her house and assaulted her. In response, the judge continued the case and ordered her to attend counseling with the defendant, and the prosecutor threatened to charge her with making a false report! Forced counseling with your assailant? Criminal charges against the victim of a crime? Perhaps Luzerne County should come out of the dark ages and start taking victim rights seriously.