



## **Court Monitoring: WATCH's First Look at Ramsey County Criminal Courts**

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This project would not be possible without our dedicated volunteers, interns, and student workers who donate their time to monitor criminal court cases in Ramsey County, Minnesota. WATCH would like to specially thank Elizabeth Montgomery and Simon Batistich, two WATCH interns who contributed to this report.

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## Executive Summary

WATCH's method of conducting this study was to observe the behavior and decision-making of all major system players in Ramsey County criminal courtrooms. The recommendations in this report are based on the information gathered from those observations. In its 25 years of existence, WATCH has published reports with the intent that its findings and recommendations would spark a broader discussion about systematic changes within our court system. The same holds true with today's report. This report is meant to lay the groundwork for further research in Ramsey County about the appropriate handling of cases of violence against women and children.

WATCH's primary focus for this study was on judicial demeanor in the following areas: (1) Respect and Courtroom Decorum, (2) Efficiency and Timeliness, (3) Impartiality, (4) Accountability, and (5) Communication. This report also addresses attorney behavior and the need for childcare services within the court system.

Based on WATCH's research and evaluation of volunteer observations, WATCH believes there is a strong commitment by participants in the Ramsey County court system to assure appropriate responses in cases involving violence against women and children. WATCH volunteers noted that there were judges in Ramsey County consistently and effectively explaining their rulings, the court process, and the restrictions and guidelines of a Domestic Abuse No Contact Order. Volunteers praised certain judges for their passion for ensuring victim safety and expressing concern for the defendants' actions and the impact of their behavior on victims.

The overall positive observations provided by WATCH volunteers offers a sense of encouragement that the following recommendations in this report will assure consistency across all courts within Ramsey County in an effort to promote victim safety, defendant accountability and respect for the public. WATCH believes that although there are many examples of positive observations from volunteers there is room for improvement in terms of Ramsey County's adherence to best practices and its overall responses involving violence against women and children.

Looking forward, WATCH has confidence this report will encourage Ramsey County court officials to work toward best practices by adopting many of WATCH's specific recommendations related to criminal prosecution of cases of violence against women and children.

### **Recommendations:**

The overall recommendation in this report is that participants in the Ramsey County criminal justice system initiate the development of a Steering Committee consisting of all stakeholders that will review and address incorporation of this report's observations and recommendations into a written document of Ramsey County Best Practices for Domestic Violence Criminal Cases.

WATCH makes the following specific recommendations:

### **Judicial Performance and Communication**

- Establishment of an environment in which criminal justice systems players hold each other accountable for behavior in the courtroom, both while formal court proceedings are occurring on the record and during times when formal proceedings are not being held in order to enhance respect for the judicial system.
- Creation of a best practices document that includes standard protocols and guidelines on judicial communication and performance.
- Development of a tool to document judicial behavior that is particularly beneficial or harmful to the handling of domestic violence cases in a way that promotes safety and accountability.
- Develop and make available to each judge to have on the bench the description and the elements of a Domestic Abuse No Contact Order so that judges issue rulings in these matters that are consistent with the law.

### **Courtroom Decorum**

- Development of protocols for standard judicial announcements at the beginning of each court calendar, outlining the rules of the court.
- Creation of an environment in which court personnel should hold each other accountable for minimizing disruptive behavior in courtrooms.
- Standards regarding attorneys conversation with their clients, preferably outside of the courtroom, when talking about their case in order to avoid interference with courtroom decorum as well as to respect the privacy of each defendant.
- Establishment of expectations about when court personnel can use in-courtroom printers while court is in session in order to prevent printing noise from distracting court proceedings.
- Establishment of expectations that all courtroom personnel use courtroom microphones at all times when hearings are taking place on the record to assure that both courtroom participants and observers are able to understand the court proceedings.

### **Concern for Victim Safety**

- County and City Attorneys and/or victim advocates should state on the record at every hearing whether the victim has been notified of that day's hearing, whether the victim is present in the courtroom, and whether the victim would like to provide input.
- Develop standard protocol on how to handle violations of DANCOs, No Contact Orders and Orders for Protection in the courtroom.

- Develop standard protocol in which court personnel ensure they interact with the gallery to learn whether people sitting in their courtrooms are there for a particular case so that court personnel can be sensitive to those interests.

### **Attorney Performance**

- Attorneys should hold each other accountable when an individual speaks negatively about any courtroom participant in open court.
- Establishment of expectations that attorneys should refrain from negative comments about any participant in the courtroom unless the comment directly bears on the adjudication of the case.

### **Efficiency and Timeliness**

- Establish a protocol on who provides the courts and members of the gallery with updates on wait times or delays in the court proceedings when there is a break in the schedule.
- Creation of expectations that court personnel, including attorneys, should make every attempt to appear on time for their hearings, or otherwise communicate with the court about their whereabouts.

### **Defendant Accountability**

- Hold the defendant accountable at the sentencing hearing by addressing in open court how his or her actions have impacted the victim and/or community.
- Develop standard protocol for the enforcement of Minnesota Statute Section 518B.02, Subdivision 1 which requires defendants convicted of a domestic-related offense be ordered to complete domestic abuse treatment/counseling.

### **Childcare Services**

- Implement free child care services for both the defendants' and victims' direct family members.

## Introduction

*“The public believes that justice is served when they consider the process is fair, even in the face of an adverse outcome.” - Paula Lustbader, 2015, Seattle University School of Law Professor*

*Court monitoring is “one method of advocacy designed to improve the court’s response to victims and perpetrators of domestic assault.” - Loretta Frederick, Battered Women’s Justice Project*

Since its founding in 1992, WATCH has advocated for transparency across the judicial system, particularly when it comes to crimes of domestic violence, sexual assault, child abuse, and sex trafficking. WATCH uses day-to-day observations to document patterns inside the courtroom with the goal of identifying potential deficiencies and areas for improvement and pushing the courts to improve. By combining court monitoring with research, WATCH aims to bring about social change within Minnesota’s judicial systems.

Court monitoring and advocating for just and transparent courts are ways for the public to show that it cares about and supports efforts within the criminal justice system to prevent future violence against women and children.

In 1980, The U.S. Supreme Court concluded that the public and press have a presumptive First Amendment right of access to judicial proceedings in criminal cases, finding that “a presumption of openness inheres in the very nature of a criminal trial under our system of justice.” *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980). There can be certain limitations on this right of access, as expressed in *Press-Enterprise Co. v. Superior Court (Press-Enterprise II)*, 478 U.S. (1986) but those limitations are narrow in their scope.

The public can be a voice for change within the judicial system. However, little research has been conducted on the public’s perception of courts and the judicial process. The legal system plays a major role in dealing with violence in our communities, and it must be held accountable for its actions. Twenty-five years ago, three women founded WATCH, a court-monitoring organization that works to make the justice system more responsive to crimes of violence against women and children. Court monitoring is a means for any community to successfully improve its courts — it educates the community and future legal and criminal justice professionals and brings individuals together who share a common goal: to ensure that the courts are fair and just.

## **About This Report**

Between January 1, 2016 and May 31, 2017, WATCH volunteers observed 647 hearings on cases related to domestic assault, criminal sexual conduct, child abuse, and sex trafficking in Ramsey County, Minnesota. Throughout this time, WATCH volunteers observed seventeen judges on the bench and 585 defendants who were charged with an offense(s) related to domestic assault, sexual assault, child abuse, or sex trafficking.

WATCH volunteers are trained to take notes on the observable behaviors of all major system players in the courtroom, as well as the decisions and conversations that occur both on and off the record in the courtroom in proceedings related to domestic assault, criminal sexual conduct, child abuse, and sex trafficking. Volunteers' observations and notes are both objective and subjective.

It is important to note that the observations in this report only cover cases related to domestic assault, sexual assault, child abuse, and sex trafficking.

Based on WATCH's research and evaluation of volunteer observations, WATCH believes there is a strong commitment by participants in the Ramsey County court system to assure appropriate responses in cases involving violence against women and children. WATCH volunteers noted that there were judges in Ramsey County consistently and effectively explaining their rulings, the court process, and the restrictions and guidelines of a Domestic Abuse No Contact Order. Volunteers praised certain judges for their passion for ensuring victim safety and expressing concern for the defendants' actions and the impact of their behavior on victims.

The overall positive observations provided by WATCH volunteers offers a sense of encouragement that the following recommendations in this report will assure consistency across all courts within Ramsey County in an effort to promote victim safety, defendant accountability and respect for the public. WATCH believes that although there are many examples of positive observations from volunteers there is room for improvement in terms of Ramsey County's adherence to best practices and its overall responses involving violence against women and children.

Looking forward, WATCH has confidence this report will encourage Ramsey County court officials to work toward best practices by adopting many of WATCH's specific recommendations related to criminal prosecution of cases of violence against women and children.

The information shared in this report is meant to serve as a starting point toward improving the judicial system's response to gender violence cases within Ramsey County's courtrooms. The purpose of this report is also to lay the groundwork for further research in Ramsey County and to provide recommendations on ways to handle cases of violence against women and children appropriately.

## About WATCH

WATCH is a court monitoring and judicial policy non-profit located in Minneapolis, Minnesota. WATCH began observing the Hennepin County courts in 1993 and produced its first report, *Hennepin County Criminal Courts, A View From the Outside*, in 1994, which was written to raise awareness of practices that impeded judicial services and impacted the safety of the community. The report from 1994 was used as the basis and template for the development of this report in 2017 focused on Ramsey County. Since its founding, WATCH has published thirteen judicial policy reports, each one focusing on a specific need for change within the judicial system. Now in its 25th year, WATCH has expanded its monitoring efforts into Ramsey County courts, specifically monitoring sex trafficking cases in 2014 and fully implementing the WATCH model of monitoring cases of domestic violence, sexual assault, and child abuse in January of 2016.

**WATCH's mission** is to make the justice system more effective and responsive in handling cases of domestic violence, sexual assault, and sex trafficking so victimized women and children can rebuild their lives and experience safety and stability, and to create a more informed public.

**WATCH's vision** is three-fold. First, WATCH envisions a responsive legal system where court proceedings are safe, efficient, respectful, and effective in processing cases for all participants. Second, WATCH envisions courtrooms and judicial proceedings that reflect the values and interests of the communities they serve, are held accountable to constituents, and invite the community's participation and engagement. Third, WATCH envisions a judicial system that facilitates and contributes to the successful recovery of the impacted parties, ultimately leading to healthier families and communities.

**WATCH's goals** are to transform laws and judicial practice so that violence against intimate partners is considered as serious as other assault and battery crimes and to raise public awareness of domestic violence by creating a culture that condemns it.

WATCH monitors cases of domestic violence, sexual assault, child abuse, and sex trafficking in Hennepin and Ramsey counties. Examples of the types of charges WATCH monitors include: assault, murder, burglary, and violation of No Contact orders. WATCH volunteers are trained to monitor arraignments, pre-trials, jury trials, sentencing, and probation violations. Currently, WATCH sends volunteers to the Family Justice Center, the Government Center, and the Public Safety Facility in Hennepin County, and the Ramsey County Courthouse and Law Enforcement Center in Ramsey County.

## **Project Methods**

For the purpose of this report, WATCH focused on the objective observations consisting of judicial demeanor, which include:

- 1) Respect and Courtroom Decorum,
- 2) Efficiency and Timeliness,
- 3) Impartiality,
- 4) Accountability, and
- 5) Communication.

Other topics covered in this report include attorney behavior and the need for child care services within the court system. Lastly, this report includes the positive work being done on behalf of victims of violence.

The forms volunteers completed while in court, which can be found in Appendix A include the judicial feedback form, court monitoring form, sentencing form, and the volunteer cover sheet. The information collected from the forms provides the support for the recommendations that are made within the report. Along with volunteer observations, WATCH researched relevant Minnesota Statutes and best practice documents and conducted literature reviews on the public perception of courts and on childcare services offered by the judicial system in Minnesota and across the country.

Quantitative data was gathered to help provide a picture of the types of cases, hearings, and participants WATCH volunteers observed within the timeframe of this project. This report includes demographic information on the defendants and victims, as well as data on victim participation, concern for victim safety and WATCH volunteer demographics.

## **The Bench**

WATCH volunteers were not able to observe every judge on the Ramsey County Bench because of their current judicial assignments in Family, Juvenile or Probate Courts. The judges included in this report were and are assigned to the criminal block calendar. It is important to note that some judges included in this report are no longer serving on the criminal calendar due to reassignments or retirements.

In each courtroom they observe, volunteers are trained to complete a judicial feedback form. Throughout the timeline of this study, WATCH volunteers submitted 149 forms; and observed 17 judges. WATCH staff removed the names of the judges in the volunteer comments and replaced their name with [they] or [their].

## **The Volunteers**

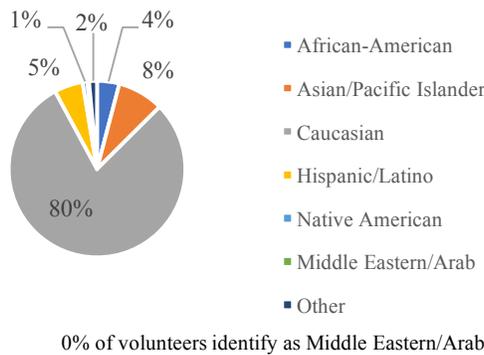
The volunteers and interns are a vital component of WATCH. WATCH relies heavily on the daily observations of court from its volunteers. Currently, WATCH has over 300 active volunteers, all of whom are screened, interviewed, and trained before starting their first monitoring shift. WATCH volunteers dedicated 568 hours of court monitoring in Ramsey County over the course of this study

Along with collecting data, the WATCH volunteer program and courtroom monitoring model are designed to educate the public on the decisions and behaviors taking place inside courtrooms when it comes to cases concerning violence against women and children.

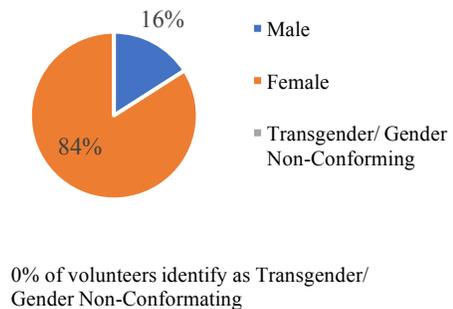
Volunteers bring a variety of perspectives and experiences to WATCH’s courtroom monitoring work. They are undergraduate students, law students, social workers, paralegals, bankers, and retirees. WATCH is a strong advocate for career development in the fields of criminal justice and social sciences.

WATCH also believes in demonstrating to future working professionals the reality of the criminal justice system. Having a diverse group of volunteers ensures diversity of experience, perspective, and opinion regarding what court is like, how it works, and how the process affects participants differently. Below is a breakdown by ethnicity, gender, age, and occupation of the volunteers.

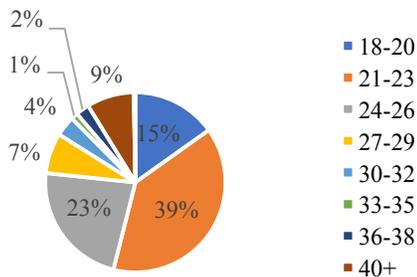
**Volunteer Ethnicity (Self-Identified)**



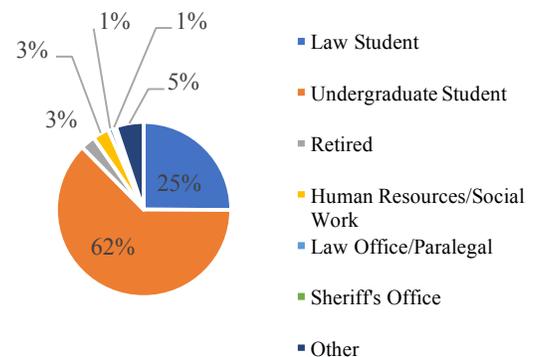
**Volunteer Gender**



**Volunteer Age**

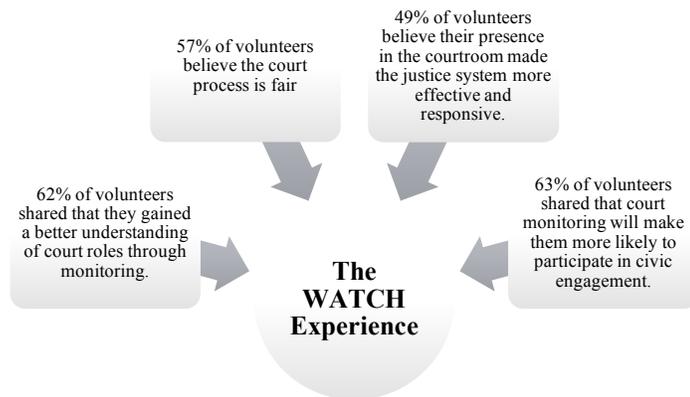


**Volunteer Education and/or Occupation**



WATCH volunteers have the opportunity to monitor court Monday through Friday for four-hour shifts either in the morning or afternoon. After each shift, volunteers are required to track their volunteer hours, the number of appearances monitored, how much time the volunteer spent waiting without judicial business being conducted on the record, and the extent to which court personnel made announcements. On the same form, volunteers are asked but not required to complete questions regarding their own experiences and takeaways from court monitoring.

This section of the report summarizes volunteers’ responses about their own experiences in court. This information provides a glimpse of how WATCH volunteers perceive the judicial system in Ramsey County. The data was collected from 149 forms that were completed throughout the timeline of this project.



Based on the responses provided, a majority of volunteers believe they have gained a better understanding of court personnel’s roles within the courtroom. In addition, most volunteers think the court process is fair and are more likely to participate in future civic activities as a result of their volunteer experience.

### Best Practices

Throughout the process of collecting data, WATCH staff conducted literature reviews and researched best practices used by the judicial officers and other court personnel in Ramsey County. WATCH was informed that in criminal domestic violence cases the Ramsey County Attorney’s office currently uses the *Office of Justice Programs’ 2011 Best Practices Guidelines for Advocates*, the *Minnesota Crime Victim Rights Reference Guide for Criminal Justice Agencies and Professionals*, and the *Ramsey County Blueprint for Safety*. These three tools are key resources when it comes to prosecuting domestic violence crimes. While the Blueprint for Safety is tailored specifically for handling domestic violence cases in St. Paul, the other two documents are used statewide.

In Hennepin County, judges and other system players are encouraged to use the Fourth Judicial District Adopted Best Practices for Domestic Violence Criminal Cases, which was most recently approved and updated by the Domestic Violence Court Steering Committee in December of 2016. This document provides the judges, attorneys, advocates, and probation officers with the written guidelines on how best to handle felony-level domestic violence cases in their county.

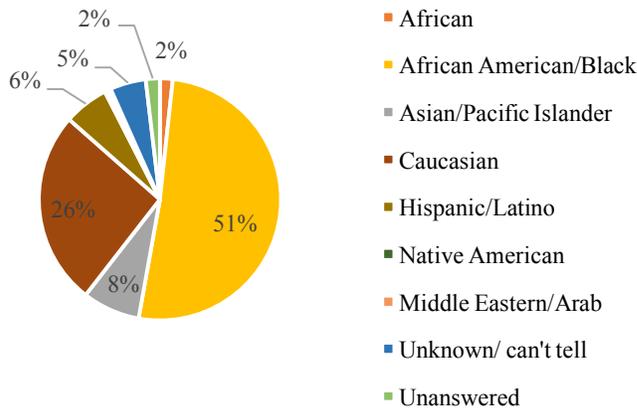
The overall recommendation in this report is that participants in the Ramsey County criminal justice system initiate the development of a Steering Committee consisting of all stakeholders that will review and address incorporation of this report’s observations and recommendations into a written document of Ramsey County Best Practices for Domestic Violence Criminal Cases. This report does

not specifically outline every detail a best practices document should include, but rather provides recommendations of best practices to include or consider. The Committee will likely identify other recommendations based on the experience and knowledge of its members. WATCH believes that judicial officers and other Ramsey County court personnel should sit down together to discuss how they feel cases of domestic assault are currently handled within their courtrooms and what protocols and procedures could be implemented to increase victim safety and offender accountability.

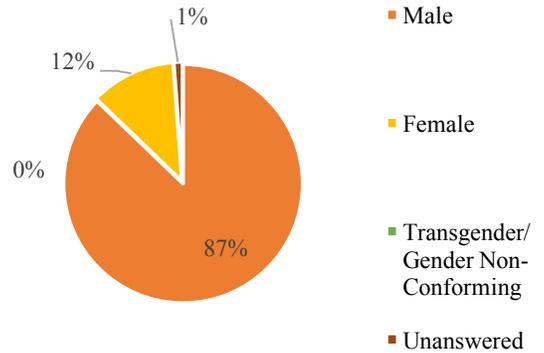
### Defendant Information

The following sections provides demographic information on victims and defendants. This information is meant to provide an understanding of the types of individuals who are appearing before the judges. On each monitoring form, volunteers are asked to describe the defendant and victim’s ethnicity and gender, as well as whether or not the defendant spoke English, and/or needed an interpreter present for their hearing. During this project, volunteers observed at least 585 defendants who appeared before a judge; it is important to note that some defendants might have had more than one hearing during the time of the study. Below are charts breaking down defendants by ethnicity, gender, and language spoken.

**Defendant's Ethnicity**



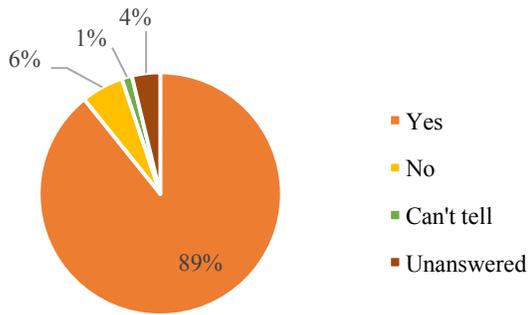
**Defendant's Gender**



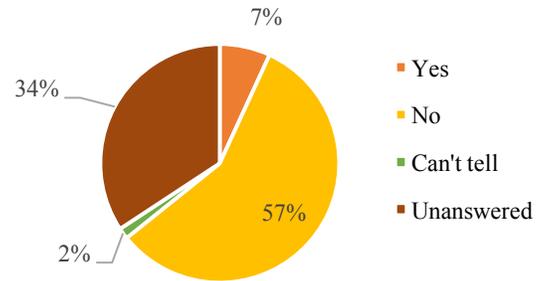
\* 0% of the defendants were identified as Transgender/Gender Non-Conforming  
 \* 3 defendants were identified as Native American and 2 defendants were identified as Middle Eastern/Arab

## Language Spoken by Defendant

Did the defendant speak English?



Was there an interpreter present?



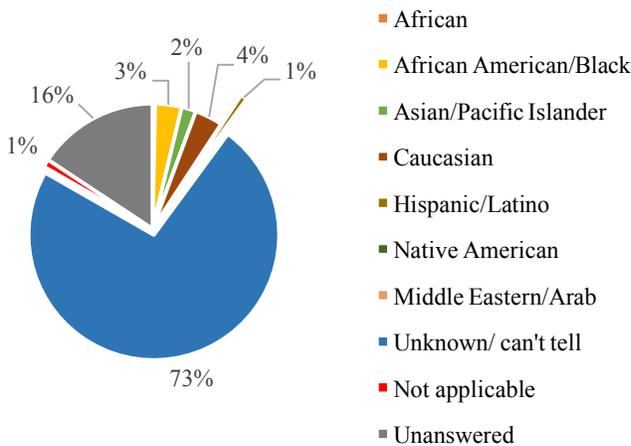
\*The types of languages spoken in the courtroom include: ASL, Hmong, Korean, Somali, Spanish, Chinese, and Vietnamese.

In analyzing the data, WATCH found that at least 50 percent of the defendants observed in court were African-American, and another 14 percent were of other minority populations. The majority of defendants were male and spoke English.

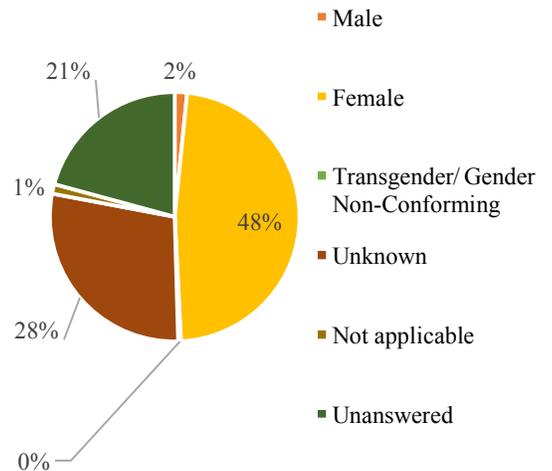
## Victim information

Demographic information about the victims is shown below. This information is difficult to obtain because of the lack of victim presence in the courtroom. These numbers are important to share, however, because they highlight the lack of victim presence, or any acknowledgement of the victim on the record.

Victim's Ethnicity



Victim's Gender

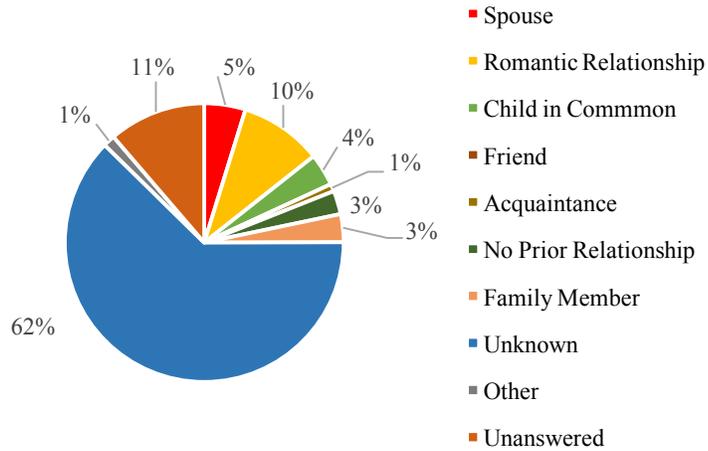


\* 0 percent of victims were identified as Native American or Middle Eastern/Arab, and only 2 victims were identified as African.

\* Only 2 victims were identified as Transgender/ Gender Non-Conforming.

Lastly, volunteers are asked to report on the relationship between the victim and the defendant. Similar to the victim information gathered, in most instances the relationship is not described in on-the-record conversations during court proceedings; it is also possible the volunteer was unable to hear. When the volunteers were able to report the relationship the most common responses were spouse, romantic relationship, or a child in common.

### Defendant and Victim Relationship



\* 0 percent of volunteers identified the defendant and victim relationships as "friend"

## Report Findings

### I. Judicial Performance and Communication

Judicial performance and communication with the participants, systems players, and gallery are the major factor in whether our criminal justice system is perceived as providing justice to those involved. According to Seattle University School of Law Professor Paula Lustbader (2015), “an integral component of civility is listening. Effective listening requires empathy, attention, focus, and open-mindedness; it conveys to the communicator that he or she has been heard” (p. 904). Lustbader goes on to say that when the bench listens it increases the public’s perception and confidence in the legal system (Lustbader, p. 904).

According to Lustbader (2015), “studies indicated that nonverbal behaviors account for 60 to 65 percent of the meaning conveyed” (p. 905). Hennepin County Judicial Officer Kevin Burke conducted a study on district court judges and how their behavior may impact participant satisfaction in the Fourth Judicial District Court. The study found that 89 percent of judges “believed their behavior in the courtroom affected litigants’ satisfaction with the outcomes of their case” (Lustbader, 2015, p. 910). Oddly, Burke found that despite this percentage, one-third of judges in Hennepin County displayed negative behavior in the courtroom, providing examples such as drinking coffee, not making eye contact, and using “sarcastic, neutral, or exasperated tone of voice” (Lustbader, 2015, p. 911). However, judges are not always aware that their behavior is perceived as negative in the eyes of the litigants or the public.

WATCH volunteers represent the public in our courtrooms. Professional participants in the criminal justice system sometimes become so familiar with the court and its proceedings that they forget how their behavior may be interpreted by people who are not daily participants. In other words, to members of the public. WATCH volunteers are members of the general public and therefore representative of the individuals and families sitting in the gallery waiting for their court hearings. WATCH staff thoroughly reviewed the volunteer forms and notes as part of this report. WATCH found inconsistencies in judicial performance and communication among judges in Ramsey County. Although not every judge was observed to have conduct that could be perceived in a negative way, an individual or family who has a negative experience in one courtroom may generalize that experience to all courtrooms and lose faith in the criminal justice system overall.

Material included in this section is based on objectively observable behavior noted by the volunteers in the Ramsey County Courthouse and the Law Enforcement Center. The volunteer comments provided in this report are meant to serve as useful feedback to judges and to be used in consideration when developing a best practices document.

#### Judicial Performance

##### **Finding: Some judges exhibited negative body language.**

As explained in Lustbader’s research, the non-verbal actions of a judge have an impact on those sitting in his or her courtroom, even though the judge may not realize it.

## Volunteer Observations

-  “The Judge rolled [their] eyes multiple times when the defense attorney made objections.”
-  “The judge seemed very stiff toward attorneys and defendants alike. Very short answers with a negative tone.”
-  “The judge got really short with a probation officer and said things like, ‘Well I know that!...’ or ‘I know what is best.’ ”
-  “The judge doesn’t look defendants in the eyes when [they] talk to them. [They] look at the attorneys or down at their paper while talking to the defendant.”
-  “The judge seemed extremely high on [their] level of power, and it was irritating to see. [They] said “whatever” a lot.”

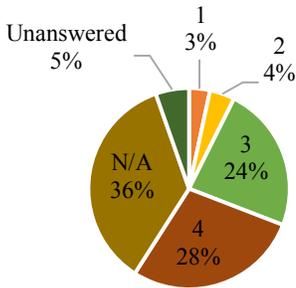
As previously stated, nonverbal behaviors, listening, and direct communication are important to ensure that those involved directly in the hearings, or those sitting in the gallery, leave the courtroom with a positive perception of court, whether or not the hearing resulted in their favor.

## Judicial Communication

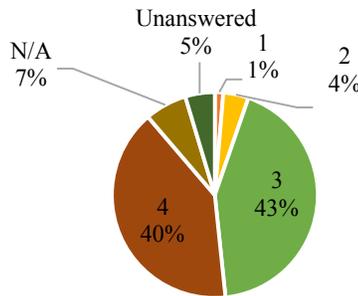
### **Finding: Some judges are not explaining in detail what a No Contact Order or a Domestic Abuse No Contact Order means.**

According to volunteer observations, judges in Ramsey County criminal court in some instances are not fully explaining to the defendant the rules of a Domestic Abuse No Contact Order (DANCO) in the courtroom. In other instances, volunteers observed that it is left to the defense attorney to explain the restrictions and guidelines of a DANCO. It is much more powerful and authoritative when a judge explains the DANCO, which is likely to result in increased compliance of defendants. When asked about the judges’ communication on the judicial feedback form, volunteers reported minimal instances in which they felt the judge could have explained rulings better. It is important to note, however, that a majority of the responses were N/A or Not Applicable because either the victim was not present, or No Contact Orders were not discussed. Below is a breakdown of the three questions asked on the judicial feedback form regarding judicial communication.

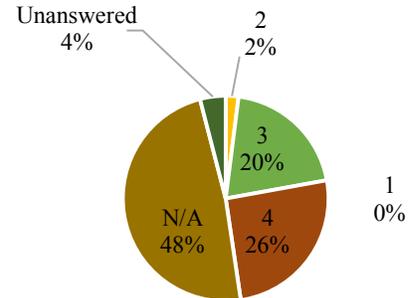
**Judge's communication of No Contact Order was clear and specific**



**Procedures and rulings were easily understood by defendant**



**Procedures and rulings were easily understood by victim**



Key: 1=No 2= Some of the time 3= Most of the time 4= Yes, all of the time

**Volunteer Observations**

- “Is it Ramsey County policy for judges not to be very detailed and specific about what No Contact means? They are way less likely to do it than in Hennepin.”
- “I’m not sure if I remember how judges in Hennepin County do this, but in my two shifts in Ramsey County (in two separate courtrooms) I noticed that the judges did not take the time to reiterate the rules of a DANCO that had already (previously) been in place, even though the DANCO has already been violated.”
- “The judge did not outline all of the requirements of a DANCO. They were not the one who issued it, but the defendant was in court because of a violation of a DANCO. Even though the DANCO remained, I thought the judge should have reiterated it. The defense attorney was the one who reminded the defendant.”
- “It is mainly the defense attorney who explains the No Contact Orders and DANCOs rather than the judge.”
- “In a couple of cases DANCOs had previously been issued and remained in effect. The judge did not take the time to reiterate the rules of a DANCO (assuming they already knew?)”
- “Defense attorney read to the defendant what the No Contact order means in detail. It looks like this is the policy in Ramsey. Judges do not go into detail of No Contact. Defense Attorneys seem to do it.”

Minnesota law does not state that the judge is required to explain in detail to defendants the guidelines of a DANCO. However, best practices suggest that the judge explain the order directly to the defendant on record every time a hearing takes place, even if a DANCO was issued in a previous hearing. By outlining in every hearing the restrictions and types of contact that are prohibited, the defendant is more likely to comply and cannot argue in the future that the order was not fully explained. It also reiterates the importance of the victim’s safety.

The judges should not rush through this process; it is very important that all parties involved in the case understand what no contact means. The Hennepin County best practices document states: “Judges must speak directly in a firm, clear manner and be able to have eye contact with defendants when ordering a Minn. Stat. § 629.75 DANCO. The judge must ensure that the courtroom is quiet so that the defendant is able to hear and understand the order that is being given. The judge should ask the defendant if he/she understands the terms of the DANCO and if he or she has any questions. When issuing other conditions of release, Judges should speak directly to defendants in a firm and serious manner” (p. 14). The document then provides a list of the types of contacts that should be read to the defendant on the record.

The document continues: “Judges must explain clearly to defendants that a Minn. § 629.75 DANCO includes no contact with the victim in person, by telephone, by e-mail, on the Internet, in writing, through text-messaging, through any other electronic means, or through any third party directly or indirectly including posting messages on social media sites such as MySpace or Facebook. Defendants should be told that they cannot send a message to the victim through another person” (p. 14). Lastly, the document notes that the judge should emphasize to the defendant that even if the victim is the one to seek contact, the defendant will be the one charged with a violation. This is important because such language should be used by all judges in Ramsey County who handle cases of domestic assault. A single description read on the record of the types of contacts forbidden under a DANCO or a No Contact Order provides consistency throughout the bench, something volunteers are currently not observing in every courtroom.

Having a pre-printed description of the types of contact onto a small note card that can be kept on the bench would relieve judges from having to memorize and would ensure that each defendant is receiving the same information.

It is WATCH’s recommendation that the Ramsey County judges and system players establish a consistent protocol to ensure that every defendant fully understands the restrictions of a DANCO and a No Contact order, and that the judge should convey the information to the defendant.

### **WATCH’s Recommendations on Judicial Performance and Communication**

- Establishment of an environment in which criminal justice systems players hold each other accountable for behavior in the courtroom, both while formal court proceedings are occurring on the record and during times when formal proceedings are not being held in order to enhance respect for the judicial system.
- Creation of a best practices document that includes standard protocols and guidelines on judicial communication and performance.
- Development of a tool to document judicial behavior that is particularly beneficial or harmful to the handling of domestic violence cases in a way that promotes safety and accountability.
- Develop and make available to each judge to have on the bench the description and the elements of a Domestic Abuse No Contact Order so that judges issue rulings in these matters that are consistent with the law.

## Positive Feedback

Volunteers noted several judges in Ramsey County who are consistently and effectively explaining their rulings, the court process, and the restrictions and guidelines of a DANCO.

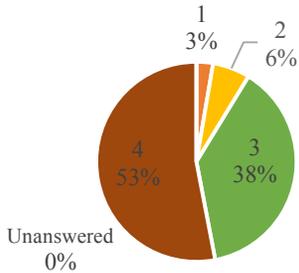
-  “The judge was very attentive and would answer the defendant’s questions when they had them.”
-  “The judge took the time to explain every sentencing decision to the defendant, the prosecuting attorney, the defense attorney, and those viewing in the gallery. Their thorough explanation of the sentencing was beneficial to everyone so there was a clear understanding of what was expected of the defendant by all parties.”
-  “The judge always went the extra mile in making sure both expectations for conditional release, parole, and NCO’s were fully understood by the defendants so they could not possibly misunderstand what was expected of them.”
-  “The judge said the DANCO was for both “direct” and “indirect” contact and they could for no reason approach the victim’s residence.”
-  “I loved watching the judge, [they] were very passionate about their job and really cared about the people. The courtroom was very orderly and everyone was respectful of each other.”

## II. Courtroom Decorum

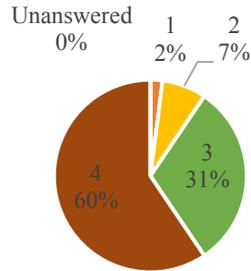
As previously stated in the introduction of this report, the interactions and observations within the courtroom, both during the formal court proceedings and the times in between, shape the victims’, defendants’ and gallery members’ perceptions of the court. During this project, volunteers reported times when the courtroom was loud and disruptive, when microphones were not being used by court personnel during formal proceedings and when the public felt ignored by court personnel.

The following data taken from the judicial feedback forms address the topic of respect and courtroom decorum. When asked whether people in the courtroom were treated with respect, whether the courtroom was orderly, and whether or not they felt safe inside the courtroom, volunteers overwhelmingly had positive responses. When volunteers were asked about any disruptions taking place inside the courtroom, they most often cited instances in which members of the gallery were talking loudly, cell phones were ringing, or an individual(s) were escorted out of the courtroom for disruptive behavior. Overall, there were disruptions or disorder in the courtroom approximately 30 percent of the time; which represents significant time where there was disruption in court proceedings.

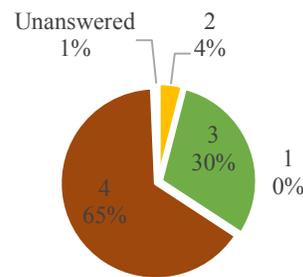
**People in the courtroom were treated with courtesy and respect**



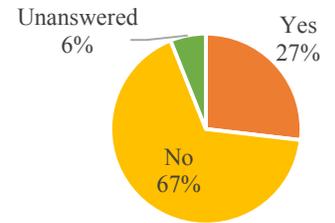
**The Courtroom was orderly**



**I felt safe and secure in the courtroom**



**Were there any disruptions in court today?**

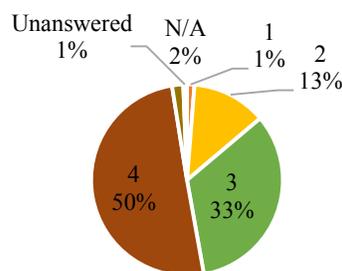


Key: 1=No 2= Some of the time 3= Most of the time 4= Yes, all of the time

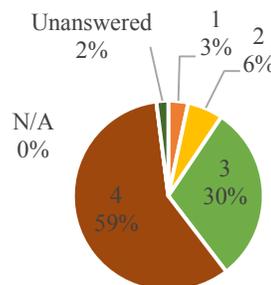
**Judicial Impartiality**

Another section of the judicial feedback form addresses impartiality. The two questions in this report address the judge’s neutral presence on the bench and whether or not individuals in the courtroom were treated with respect. Similar to the responses on courtroom decorum and respect, volunteers’ responses on impartiality suggested that they felt as though the judge displayed neutrality when it came to the defendants and victims, and that the majority of individuals were treated with respect. Judicial impartiality was rated very well, with positive ratings of impartiality measures (most of the time/all of the time) between 83 percent and 89 percent of the time.

**The judge displayed a neutral presence on the bench**



**Individuals were treated with respect**



Key: 1=No 2= Some of the time 3= Most of the time 4= Yes, all of the time

**Finding #1: The courtroom was loud and disruptive.**

This finding addresses the issue of loud and disruptive courtrooms, particularly when court is in session. Volunteers noted that cell phones continuously rang and that discussions between attorneys and their clients in the courtroom made it difficult for members of the gallery to hear what was being said by the judge, attorneys and parties involved in the hearing taking place on the record. This finding is a reminder to court personnel that those observing in the gallery, whoever they may be, are trying to listen and understand what is happening.

## Volunteer Observations

-  “Very loud by those waiting for their hearings. A defense attorney never silenced their phone and kept it ringing several times throughout the day. Attorneys were meeting with their clients inside of the courtroom, adding to the noise, rather than meeting with them in the hallway.”
-  “During the hearings, the parties not involved were talking and even laughing. The public defender was using their cellphone (typing or browsing the web) while a different public defender was presenting his case even though the clerk specified before the judge came in that cell phones had to be powered off and not just placed on silence.”
-  “A lot of phones going off during court this day. The judge first politely yelled to turn them off, then after two more times, yelled for them to leave the courtroom immediately. Sheriffs came over to the same group of women asking them to leave until their phones were 100 percent turned off.”
-  “The defense attorney again unimpressive. [They] either do not know or do not care that others in the courtroom are trying to pay attention to proceedings and is very loud while other cases are going on.”

Keeping these observations in mind, court personnel should attempt to keep an orderly courtroom at all times, especially when hearings are taking place on the record. It is up to the court personnel to hold each other accountable for their actions. Attorneys should meet with their clients about their cases outside the courtroom, not inside the courtroom while court is in session. It is distracting not only to the members of the gallery, but also to those appearing before the judge.

The Hennepin County Adopted Best Practices document states that “judges are responsible for maintaining decorum in the courtroom. Judges should exercise the control necessary to maintain proper decorum” (p. 4). This best practice should be replicated in Ramsey County. In the same section of the best practices document, it states that “parties should avoid unnecessary side conversations while Court is in session. Any side conversations should be lower/hushed when possible” (p. 4). This practice should be replicated in Ramsey County.

## **Finding #2: In many cases court proceedings conducted on the record were difficult to hear.**

The second finding addresses the issue of audibility in the courtroom. Volunteers reported that it was difficult to hear the court proceedings because court personnel were not using microphones, the gallery was noisy, or administrative printers operated loudly while hearings took place.

## Volunteer Observations

-  “It was difficult to hear because the gallery was kind of noisy and they were not using their microphones.”

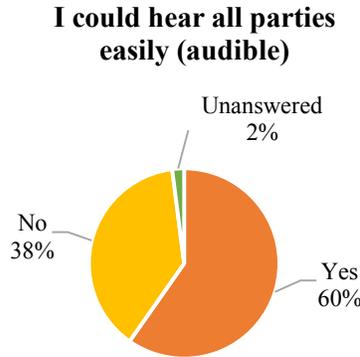


“I literally could not hear anything because they didn’t use their microphones and spoke quietly.”



“The printers used at the Ramsey County courthouse are very loud and when the court clerk prints something while the defendant is in front of the judge it can be very hard to hear.”

According to data collected from the judicial feedback form, 38 percent of the time, court proceedings could not be heard easily— enough to warrant a recommendation to improve audibility within the courtroom.



Everyone should be able to hear the court proceedings taking place on the record. If a defendant or other party cannot hear what is being said or decided on the record because the gallery is too loud or the court personnel are not using microphones, it leaves the door open for future violations of contact, misunderstandings, or a sense that a hearing is unimportant to the judicial system.

The Hennepin County best practices document states that “when announcements are made by the Clerk or Judge (e.g., reading the rights or procedure script) all present in the Courtroom must refrain from talking” and that “all who speak in the courtroom must speak loudly enough so that (with or without microphones) everyone can hear the speaker” (p. 4). Ramsey County should adopt these courtroom practices.

### **Finding #3: The public felt ignored.**

The last finding in this section references how the public views court personnel and system as a whole. While WATCH did not have a specific question related to this issue, volunteers often reported that they and other members of the public were ignored by court personnel and that the courtroom could have provided more information or updates to the gallery.

### **Volunteer Observations**



“The lawyers, staff, and judge ignored the public. No one asked them why they were there, how the staff could help them, etc. The room was full of lawyers, most of whom were sitting around, gossiping, talking about their lavish vacations, and complaining about things. Some defendants and supporters of defendants sat there for three hours, listening to these lawyers, receiving no help.”

 “People were not mistreated or disrespected. However, they were ignored...out in the hallway, I asked one of the clerks in the courtroom a question about a trial with a different judge. He said that he will find the information for me and will update me if the trial is moved to a different courtroom. He never informed me. Further, when he saw me sitting in this courtroom, he did not even bother to come up and explain to me that this was not the trial that I was looking for or to ask if I found it. It does not matter today because I am a volunteer, but what if I am a witness, or a defendant, or the victim. It would be a real problem if I showed up to the wrong courtroom and sat there for three hours without anyone (especially the person I asked for information) correcting my [mistake].”

 “My presence in the courtroom definitely did not make the justice system more effective. Especially in this court, all the attorneys, staff, clerks, and judge saw me, but no one bothered to ask why I was there or how I may be helped. Further, when the defense attorney made negative remarks about their client, it was as if they did not care the public was hearing these statements since he did it openly in front of me.”

All too often, members of the gallery are not informed on wait times, when the judge will return to the bench or even whether their cases will be heard. Court personnel need to keep members of the gallery informed and answer any questions they might have. This could happen whenever there is down time—before the judge begins the calendar for the day, for example, or during a break in the hearings. Keeping the public informed can help alleviate frustrations individuals may have with the court system and process; it also gives court personnel a chance to build positive rapport with members of the public.

### **WATCH’s Recommendations on Courtroom Decorum**

- Development of protocols for standard judicial announcements at the beginning of each court calendar, outlining the rules of the court.
- Creation of an environment in which court personnel should hold each other accountable for minimizing disruptive behavior in courtrooms.
- Standards regarding attorneys conversation with their clients, preferably outside of the courtroom, when talking about their case in order to avoid interference with courtroom decorum as well as to respect the privacy of each defendant.
- Establishment of expectations about when court personnel can use in-courtroom printers while court is in session in order to prevent printing noise from distracting court proceedings.
- Establishment of expectations that all courtroom personnel use courtroom microphones at all times when hearings are taking place on the record to assure that both courtroom participants and observers are able to understand the court proceedings.

### **Positive Feedback**

WATCH notes not all of the feedback on this topic was negative. Volunteers reported that there were times when courtroom personnel were very helpful. However, WATCH’s recommendation reflects the need for consistent practices with regard to keeping people in the gallery informed.

 “Attorneys were good with communicating with the public.”



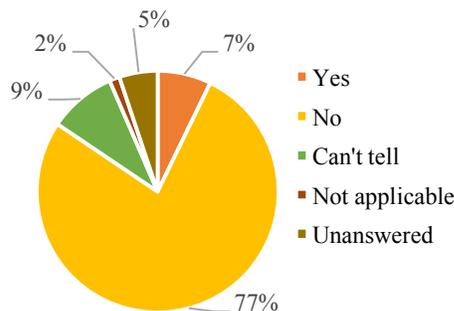
“All court personnel were respectful and made sure people were in the right spot and didn’t have any questions.”

### III. Concern for Victim Safety

This section of the report discusses the concern for victim safety in the courtroom. According to volunteers’ observations, there were times when courtroom personnel were not aware the victim was in the courtroom. In other instances, personnel were unaware that violations of No Contact Orders and Orders for Protection were taking place within the courtroom and therefore the violations were not appropriately addressed. It is concerning that courtroom personnel are not aware of who is sitting in their courtroom because that lack of awareness could impact victim safety. Separately, volunteers reported that court personnel, primarily County and City attorneys, did not state on the record the victim’s wishes, or whether the victim had been contacted or informed of that day’s hearing.

WATCH believes it is important to state these points on the record in order to ensure full transparency, to assure that judges have heard information about the victim’s wishes and to keep concerns for victim front and center in any proceeding. Volunteers reported that the victim was not present inside the courtroom 77 percent of the time. Because victims are seldom in the courtroom, volunteers and supporters of the victims do not know whether the victim’s input is included in the discussion and decisions being made on the record. As Loretta Frederick stated in her presentation on court monitoring, “Court watch programs can be commenced for the primary purpose of pressuring individual judicial officers to elevate battered women’s safety as consideration in criminal or protection cases” (p. 7). Failing to mention the victim at any point during a hearing can be perceived as a lack of obvious concern for victim wishes and safety. Even if the victim has asked not to have information made public on the record, the City and County attorneys could include information that the victim has been contacted and the victim’s wishes were taken into account in the City and County Attorney’s recommendation.

**Was the victim present?**



**Finding #1: Court personnel were unaware, or did not acknowledge, the victim’s presence in the courtroom.**

On at least two occasions, volunteers reported that court personnel were not aware that the victim was sitting the courtroom or did not address the fact. Cases will often be called at a particular time in order to assure the proper parties are in the courtroom when the case is heard. That practice should extend to victims who are present in the courtroom. Court personnel should undertake efforts to find out whether a victim is present and whether there are time constraints for the victim’s presence in court so that a victim who comes to court is able to hear the proceedings and, if appropriate, address the court.

**Volunteer Observations**

-  “Victim was in courtroom for about an hour crying, however by the time the case was heard she and her daughter were gone.”
-  “Defendant wanted DANCO removed, prosecution wanted to wait until they could contact victim, unaware she was in the courtroom. Defendant's case was heard and he left before prosecution realized victim was in courtroom. Victim spoke to judge and affirmed that she also wanted DANCO removed, judge removed DANCO but ordered that defendant was not allowed to have contact with victim until he received a physical copy of removal.”

**Finding #2: Violations of No Contact Orders and OFPs occurred in the courtroom.**

As previously stated, volunteers reported violations of No Contact Orders and OFPs in the courtrooms they were monitoring.

**Volunteer Observations**

-  “OFP was violated in the courtroom, neither of the attorneys noticed for an extended period of time... A discussion of a current OFP—attorneys and judge realized the victim was in the courtroom—defense attorney hustled her out. The case will be recalled, the judge unsure of how to proceed.”
-  “I had never seen a distinct violation of a No Contact Order until today. It was interesting to see that people would be oblivious enough to get into it with one another while in the courthouse.”

**Finding #3: There was lack of obvious concern for victim wishes and safety.**

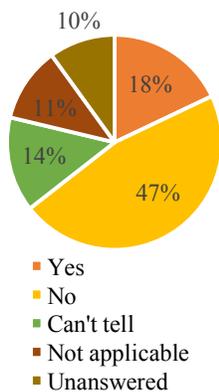
It is commonly known that victims rarely appear in court for the hearing related to their case. However, the court should still show the same amount of concern for the victims and address contact on the record whether or not the victim is present. It is very possible, and even likely, that attorneys are speaking with advocates and victims either behind the scenes or on the phone about their case. Those interactions should be routinely stated on the record at each court proceeding to assure that the victim is clearly a part of the decision-making process.

## Volunteer Observations

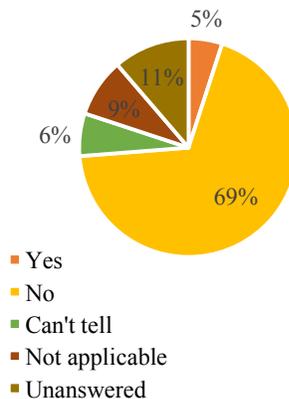
-  “There was little concern for the victim and didn’t really hold the defendant accountable. The judge simply just read from the paper.”
-  “While the risk that the victim faced while crime was committed was addressed, there was nothing said about future measures.”
-  “Interests of the victim were not a factor in the judge’s decisions most of the time, and the judge was definitely more willing to offer leniency than anything else.”
-  “There seemed to be a lack of concern for the victims and their safety. For example, the defendant was released from the hospital and was to reside with his mom who was the victim.”

Of 301 responses about victim support and safety, the volunteers rarely noted that someone was present on behalf of the victim, there were minimal instances in which statements were made on behalf of the victim, and there was a clear lack of concern shown toward the victim in the courtroom. See the charts below for a breakdown of these three topic areas.

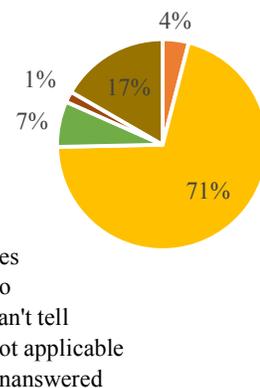
**Was there any concern shown toward the victim in the courtroom?**



**Was a statement made on behalf of the victim?**



**Did there appear to be anyone present on behalf of the victim?**



The Hennepin County best practices document provides guidelines on how to improve victim safety and to ensure the victim’s input is included in the conversations and decisions made on the record. Several of these solutions are clearly stated in Minnesota Statute.

First, the document states that “before a guilty plea is received by the court, prosecuting attorneys must make reasonable and good faith efforts to ensure that all victims are notified of plea negotiations, their right to object to plea negotiations, and their right to make impact statements at the sentencing. Minn. Stat. § 611A.03, subd.1” (p. 4)

Second, “At the time of sentencing, Judges should always ask whether a victim has had the opportunity to speak with a domestic abuse advocate and inform the victim that he or she has the right to address the Court directly or through a domestic abuse advocate or the Prosecutor’s office” (p. 4)

Third, “If a sentencing is scheduled for a certain time, the case should not be called before that time to ensure that all parties are present and the victim’s right to appear and give an impact statement is honored. The Victim’s Rights Statute, Minn. Stat. § 611A.03 provides the right of a victim to be notified about a proposed plea agreement, the sentencing date, and the opportunity to state his or her opinion regarding the sentence either in writing or in person” (p. 9).

### **WATCH’s Recommendations on Concern for Victim’s Safety**

- County and City Attorneys and/or victim advocates should state on the record at every hearing whether the victim has been notified of that day’s hearing, whether the victim is present in the courtroom, and whether the victim would like to provide input.
- Develop standard protocol on how to handle violations of DANCOs, No Contact Orders and Orders for Protection in the courtroom.
- Develop standard protocol in which court personnel ensure they interact with the gallery to learn whether people sitting in their courtrooms are there for a particular case so that court personnel can be sensitive to those interests.

### **Positive Feedback**

Volunteers praised certain judges for their passion for ensuring the victim is safe and is as involved in the court process as much as he or she chooses.

-  “The judge was adamant that [they] know if the victim knows her rights and has a safety plan. Prosecutor and Probation Officer had never spoken to her so the judge recesses so they can contact the intake person or victim.”
-  “The judge wanted to know if the victim had spoken with an advocate and understands her risks and options. Judge knows she is in the courtroom.”
-  “The victim was in the room (she wanted contact) so the judge took the opportunity to speak to attorneys about victim’s need for a safety plan and ability to obtain OFP.”
-  “The judge is my new hero. In all three cases [they] showed much concern for victims.”
-  “The prosecutor thanked the DA victim of one of their cases appearing and spoke to her and an advocate in a conference room to discuss what was going to happen and how she was feeling. Best I’ve seen an attorney-victim interaction.”

## IV. Attorney Performance

Volunteers noted at times certain attorneys talk negatively about defendants in court for everyone to hear and in ways that were not relevant to the official court proceedings. Throughout the time frame of this project, volunteers noted numerous incidents in which attorneys had inappropriate conversations off the record while the judge was not in the courtroom. This type of behavior sets the tone of the courtroom; it has the potential to create an uncomfortable and untrusting environment. Volunteers also reported instances in which the attorneys were not prepared for their court hearings, noting that public defenders seem to be overloaded with cases.

### **Finding #1: Some attorneys made inappropriate comments and had inappropriate conversations inside the courtroom.**

#### **Volunteer Observations**

-  “The defense attorney made some comments before court started that caught me off guard. They were speaking with two prosecutors about a case they finished very recently. What I could gather from the conversation was that their client originally had two charges against him which increased to eight. All charges seem to be of a sexual nature...The attorney called their client a ‘sociopath’ and that their client ‘would have been better off killing the prostitutes than taking the deal he was offered.’ Then the attorney stated that the prostitutes were ‘damaged goods’ before their client got to them.”
-  “Both attorneys during the afternoon recess were complaining and borderline mocking the way the defendant was speaking.”
-  “Two defense attorneys were talking about a case and making fun of the defendant for how ‘stupid’ he was being.”
-  “The defense attorneys were completely indifferent as to who heard them making fun of their client. They didn’t even try to whisper it.”

### **Finding #2: Attorneys arrived to court seemingly unprepared for their cases, and appeared to have heavy caseloads.**

#### **Volunteer Observations**

-  “One defense attorney seemed overwhelmed and did not give info to the judge in a timely manner.”
-  “Defense attorney didn’t seem prepared at all.”



“The defense attorney was very unimpressive today. Disruptive, loud, and unprepared. [They] failed to go over a plea petition with their client and then requested that all of their remaining cases on the court calendar to be moved to a different day so that they could go over the petition. They were also unaware that a client had a probation violation hearing scheduled for today along with his sentencing.”



“There were attorneys that did not show up.”

The Hennepin County best practices document states that, “When in the Courtroom, all parties and Courtroom personnel will not engage in any joking or inappropriate conversation that can be heard in the gallery... jocularity in the Courtroom can easily and reasonably be misinterpreted by members of the gallery as evidence of a lack of seriousness toward the matters before the Court and a lack of sensitivity toward victims in the courtroom. All persons in the Courtroom must be mindful of their behavior in the courtroom both while Court is in session or during breaks between cases” (p. 4).

### **WATCH’s Recommendations on Attorney Performance**

- Attorneys should hold each other accountable when an individual speaks negatively about any courtroom participant in open court.
- Establishment of expectations that attorneys should refrain from negative comments about any participant in the courtroom unless the comment directly bears on the adjudication of the case.

## **V. Efficiency and Timeliness**

One of the most common observations from volunteers is the frequency of delays in the court calendar as well as the lack of communication from court personnel to the gallery explaining the delays or down time. WATCH staff informs each volunteer before his or her first shift that there may be delays or down time in court. More importantly however, this information is rarely shared with individuals from the community sitting in the gallery who may have a direct interest in a case and may be taking time off of work or paying for daycare.

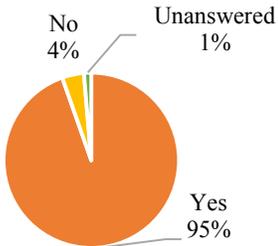
It is inevitable that cases may start late because attorneys are meeting with their clients, attorneys are meeting with the judges in chambers, the defendant has not shown up for court, or attorneys are stuck in another courtroom on another case. But while the reasons for court delays are easy to understand, the lack of announcements to the gallery leaves the members of the public frustrated.

The judicial feedback form includes questions on efficiency. The majority of the feedback from volunteers was positive, with most answering yes to questions about whether the judge and attorneys were prepared and whether the attorneys were on time for court. Despite the positive feedback, however, when asked whether the judge appeared on time for court, 52 percent of the volunteers reported no.

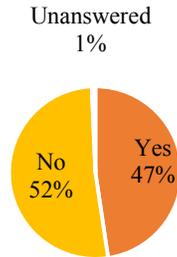
Below is a breakdown of the results from the 149 forms completed throughout the timeline of this project.

### Efficiency

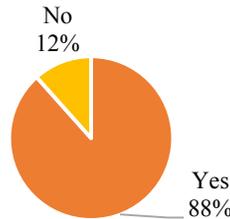
**The judge appeared prepared for court**



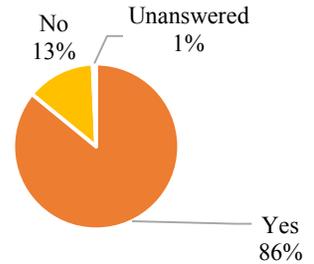
**The judge appeared on time for court**



**Attorneys appeared prepared for court**



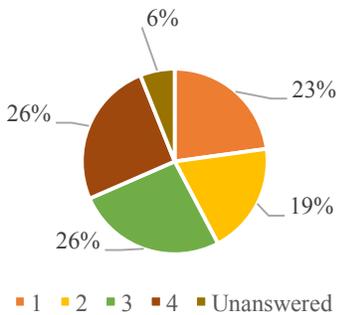
**Attorneys appeared on time for court**



### Finding #1: Explanations were not given to the gallery for delays or breaks in court calendar.

One of the questions on the WATCH cover sheet is: *Level to which Court Personnel made announcements about the proceedings or otherwise kept public informed throughout the proceedings.* The results of the 149 forms completed throughout this timeline are below.

**Level to which court personnel made announcements**



Key: 1=No 2= Some of the time 3= Most of the time 4= Yes, all of the time

### Volunteer Observations



“At a different point in the Judge’s courtroom the judge, attorneys, and everyone sat around for 20 minutes with nothing going on. No one explained the reason for the delay and no one acted busy.”



“One spectator spoke to me at 9am asking about the case order since she has 2 hours on a meter. I told her no one knows. At 9:35 she went out to put more money in. At 10:35 she went out to put more money in and came back soaking wet due to rain. Her case was called at 11am. Too bad they can’t be better at giving updates!!!”

 “It never ceases to amaze me that no one bothers to explain dead time, even though they are not otherwise occupied. This happens in almost every courtroom. How difficult would it be for the court clerk to announce that we are waiting so that the defense attorney and defendant are conferring or that ‘attorneys have many cases in the building and that we are waiting for one of them before we can continue.’ There are always spectators in the room who are being treated as though they don’t exist. This is a missed opportunity for good PR.”

 “At 10am court still not in session and a young African American woman walked in and stood at entry to the bar as if to sign in with the clerk. Unsure of what to do she stood there for acknowledgment/direction. At that point, the clerk stood up as if to come over to her (I thought). But instead of making eye contact or nodding or asking if she needed help, he walked over to one of the 4 women at the table and began to talk and laugh with one of them. The young African American woman shifted from side to side nervously unsure of what to do. She finally sat on a bench without signing in and the clerk walked back to his perch. The young woman left the room after 15 minutes. If she was a defendant, will she be considered a no show? If she was a victim, will she have lost her nerve? What will she tell her friends about how she was treated? This went on all the while the four women sitting at the table sharing amusing stories on their cell phones or pictures. The clerk stood up at 10:20 and said the judge will be in soon so shut off all cell phones.” The young woman came back about 10 minutes later.

It is discouraging to read these observations because the public’s time appears to be wasted with a lot of unexplained down time. Most members of the gallery had to take off time from work, find child care, and pay for parking, all of which can take a financial toll. It is important that court personnel communicate with the gallery about start times and to answer any questions someone may have when court is not in session.

When considering best practices, the Hennepin County Best Practices document explains that “...Judges should acknowledge and explain any excessive delays that occur” (p. 4). As discussed previously in the judicial performance and communication section of this report, the public’s perception of the judicial system depends on how they are treated. Best practices state that “prosecutors, defense attorneys, and defendants must be present at the start time of the calendar to discuss settlement of cases. Judges should be in chambers or on the bench at the designated start time of the calendar” (p. 5) and “the Prosecutor or Prosecutors will be present in the Courtroom to handle their cases and they should make every effort to appear on the record as their case is being called” (p. 3). Since the defendants are required to appear on time for their hearings, court personnel should be held to the same standard.

### **Finding #2: Hearings were re-scheduled or moved to other courtrooms.**

A second finding related to efficiency is the rescheduling of courtrooms without informing the public. Volunteers reported numerous times in which they were sitting in the wrong courtroom without knowing the hearing had been moved elsewhere. WATCH volunteers have more information than many members of the public who come to court to observe a court proceeding that affects them or

someone they know. If a WATCH volunteer has this experience, many members of the public have it also.

### **Volunteer Observations**

-  “Ramsey Court should post signs on courtroom doors. Each time I go there, the judge and schedule gets moved to a different courtroom. I constantly find myself running around, waiting by locked doors, entering wrong courtrooms, and bothering the staff to tell me if the schedule has been cancelled. Today I waited for a trial to start in the room that they had a trial in the morning. No one showed up. The door was locked past 1:30 pm. There were no signs on the door. I finally go[t] the staff to tell me what happened, but they sent me to a Judge’s chamber rather than a courtroom. After several minutes of running around the courtroom, I decided to just go and find a different judge. I think it could really help them to notify the public by posting signs since Ramsey tends to move around its judges so often. The way the Ramsey court is structured and managed is not very public friendly.
-  “The hearings were moved to a different room, which caused confusion for spectators and staff. (Wasn’t communicated very well.)”
-  “Room number was changed, lawyers sitting around me outside of courtroom 1140 asked me if I was waiting for the judge, then let me know the new courtroom was 840 instead.”
-  “The only room for improvement is not about the judge or case specifically, but the court room assignments were changed at some point, which caused me to sit in the wrong courtroom for just under two hours only to find out that it was a different judge than what was posted.”

As previously mentioned in this report, it is important that court personnel do their best to communicate with the public about changes in scheduling or hearing locations. Court personnel should have an idea of who is sitting in their courtroom and make every attempt to assist them when the hearing schedule has changed or been relocated to a different courtroom.

### **WATCH’s Recommendations on Efficiency and Timeliness**

- Creation of expectations that court personnel, including attorneys, should make every attempt to appear on time for their hearings, or otherwise communicate with the court about their whereabouts.
- Establish a protocol on who provides the courts and members of the gallery with updates on wait times or delays in the court proceedings when there is a break in the schedule.

## Positive Feedback

Volunteers reported that there were judges who did not have breaks in their calendars, and who kept the public informed regarding delays in their courtrooms.

-  “The clerk in the courtroom worked hard to keep the court process moving fast and efficiently. Spoke with all parties (judge, bailiff, defense attorneys, and prosecutors) in assistance to keep the process running efficiently.”
-  “The judge introduced [themselves] and thanked everyone for being there on time at 1:30. [They] then explained that court was waiting on a few defendants and wanted everyone to get a chance to speak with their lawyer.”
-  “Everyone behaves professionally. Today the judge announced and explained the 10 minute break between the 7<sup>th</sup> and 8<sup>th</sup> cases. (It was for the sake of the court reporter, who told me later that he takes good care of his people.)”
-  “The judge apprised the courtroom as to how cases would be handled so that everyone knew what to expect. This is the first time I’ve heard anyone explain the judge’s absence and reasons for delays.”
-  “Right at 9am the judge came out and informed the courtroom that [they] would try to get cases started as quickly as possible but that a few attorneys still needed to meet and a few defendants are in custody so to be patient with those situations that delay. They previewed the different matters on the docket. I haven’t seen a judge do this yet. So I appreciated [them] keeping us informed right from the get go.”

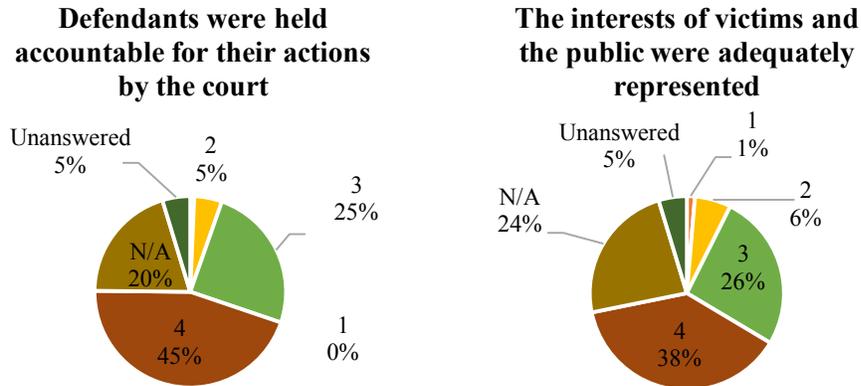
## VI. Defendant Accountability

Volunteers reported that the impact of the defendant’s behavior and actions were not always addressed at the time of his or her sentencing. WATCH believes that once the defendant has pleaded guilty or been convicted after a trial that it is appropriate for the judge to address the seriousness of the offense. The public’s perception of the judge’s role is that he or she has the authority to make a strong statement advocating against the offender’s actions and addressing how they have impacted the victim, even when the judge is not the one negotiating plea deals.

Based on the responses from the judicial feedback form, it appears that when it came to defendant accountability, volunteers noted that appropriate sanctions were imposed on the defendant. However, volunteer comments indicate that there should be more of a verbal sanction as well so that the authority of the judge is brought to bear on the offender. The majority of the volunteers observed that the interests of the victim’s and the public’s interest were adequately represented. One finding to note is that when asked about the victim’s and the public’s interest, 24 percent answered Not Applicable, which raises the question of whether the volunteers knew if the victim was present or not. This finding reiterates WATCH’s recommendation on victim safety: County and City Attorneys and/or victim advocates should state on the record at every hearing whether the victim has been notified of

that day’s hearing, whether the victim is present in the courtroom, and whether the victim would like to provide input.

### Judicial Accountability



Key: 1=No 2= Some of the time 3= Most of the time 4= Yes, all of the time

### Finding #1: Impact of the defendant’s behavior and actions was not addressed at sentencing.

#### Volunteer Observations

“No one discussed victims or the impact that the defendant's behavior had on them. The judge wanted the defendant to think about how to prevent future domestic abuse, but [they] did not show any more concern for anyone or attempt to assure that the defendant understood the gravity of his actions. On the one hand, I do not know if words alone justify 61 days in jail, but I wonder if 61 days might also not be enough, especially since he served half of those days in Hennepin County on other charges.”

### Finding #2: Judges give defendants multiple opportunities to change their behaviors despite repeated violations.

#### Volunteer Observations

“The defendant has been given so many chances and he continues to violate his DANCO and OFP and the Judge still let him pick his own turn-in date instead of putting him in custody today.”

“I did notice that, as during the 30 years I spent as a corrections agent, the judge seemed overly trustful of anything the defendants say or promise. My observation back in the day, which has not changed based on my observations this week, is that judges have had insufficient or no training in human behavior, particularly in the realm of personality disorders, and that as long as they fail to see things from the victim’s point of view, in addition to the defendants, they will inevitably identify with the defendants. There was nothing but respect—plenty of encouraging ‘attaboys’, but precious little skepticism. They could also benefit from an alternative point of view about the role of chemicals in criminal

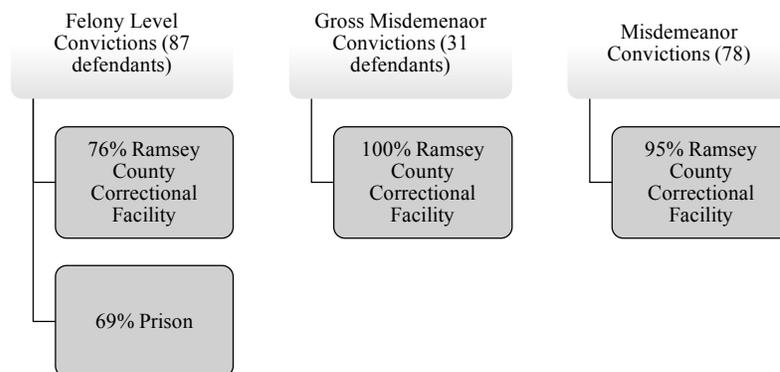
behavior, as I suspect they believe that, once sober, abusers can be trusted not to re-offend. I was never happier, as a corrections agent, than when someone turned their life around, but I also did not trust anyone not to re-offend just on the basis of their promise. So I wonder how much exposure judges get to crime victims in general, eg. CEU classes? Something to reduce their naivety.”

WATCH conducted other verification of sentences in forming the two findings on Defendant Accountability. WATCH volunteers observed appearances of 196 defendants for their sentencing hearings related to **domestic abuse cases only** throughout the time frame of this project. WATCH staff verified volunteer observations using official court records to confirm the sentencing conditions of each defendant. The illustration below identifies the number of observed convictions by type that were monitored by volunteers under the scope of this report. The most common charges volunteers observed were: violation of No Contact Orders, terroristic threats/threats of violence, domestic assault, violations of Orders for Protection (OFPs) and disorderly conduct.

### Number of Observed Convictions

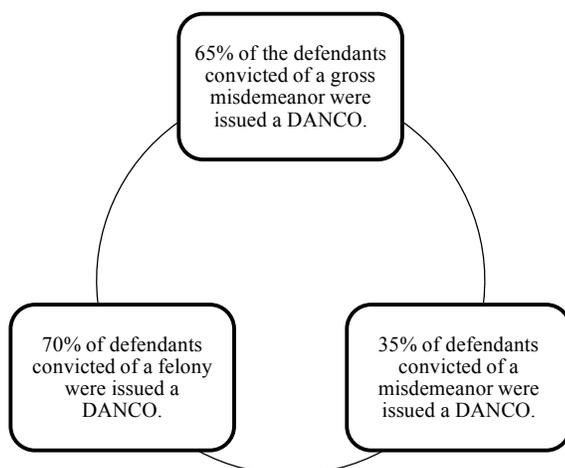
<p><b>Felony Convictions</b></p>	<ul style="list-style-type: none"> <li>• Violation of No Contact Order (23)</li> <li>• Terroristic Threats/Threats of Violence (18)</li> <li>• Domestic Assault (18)</li> <li>• Violation of Order for Protection (17)</li> <li>• Domestic Assault by Strangulation (12)</li> <li>• Others include: Kidnapping, Stalking, Assault 1st, 2nd, 3rd, 5th degree, Burglary.</li> </ul>
<p><b>Gross Misdemeanor Convictions</b></p>	<ul style="list-style-type: none"> <li>• Domestic Assault (15)</li> <li>• Violation of Order for Protection (4)</li> <li>• Violation of Domestic Abuse No Contact Order (4)</li> <li>• Violation of No Contact Order (3)</li> <li>• Others include: Domestic Abuse by Strangulation, Interfere with 911, Stalking.</li> </ul>
<p><b>Misdemeanor Convictions</b></p>	<ul style="list-style-type: none"> <li>• Disorderly Conduct (30)</li> <li>• Domestic Assault (26)</li> <li>• Violation of Order for Protection (14)</li> <li>• Assault 5th Degree</li> <li>• Violation of Domestic Abuse No Contact Order (4)</li> <li>• Others include: Damage to Property 4th Degree, Violation of Harassment/Restraining Order.</li> </ul>

Of the 196 defendants, 171—or 87 percent— were sentenced to some amount of time in the Ramsey County Correctional Facility. Sixty defendants, or 30 percent, were sentenced to some amount of prison time. It is important to note that while a defendant may have been sentenced to time in both the correctional facility and prison as part of his or her sentence, typically the time is initially stayed. Below is a breakdown of correctional and prison time per level of conviction.



The data showed that 87 defendants were convicted of a felony-level domestic offense, 31 defendants were convicted of a gross misdemeanor, and 78 defendants were convicted of a misdemeanor.

As part of their conditions, judges ordered a DANCO in 43 percent of the cases. A breakdown by level of offense is shown below.



DANCO's play an important role in victim safety. Unlike an Order for Protection, which are civil proceedings brought by the victim, a DANCO is an order from the judge not to have contact with the victim. A DANCO issued by the court sends a strong message to defendants and enhances victim safety.

Another victim safety enhancement is court-ordered domestic violence counseling. Minnesota Statute 518B.02 *Domestic Abuse Counseling Program or Educational Program Required* states when the judge should order the defendant to complete domestic abuse counseling. Section 518B.02, Subdivision 1 states that *if the court stays imposition or execution of a sentence for a domestic abuse offense and places the offender on probation, the court shall order that, as a condition of the stayed sentence, the offender participate in and successfully complete a domestic abuse program or educational program.* Of the 196 sentencing hearings observed by volunteers, approximately 70 percent of the defendants were court-ordered to complete domestic abuse counseling. Of the 196

defendants, at least nine were granted a stay of imposition. Of those nine defendants, only four were court ordered to complete domestic abuse counseling. This leaves five defendants who were granted a stay of imposition who were not ordered to complete domestic abuse counseling.

Overall, it is encouraging that in 70 percent of the cases the defendant was court ordered to complete domestic abuse counseling.

Other conditions such as anger management, chemical dependency, mental health evaluations, random testing and no alcohol and controlled substance were also imposed at sentencing. These conditions enhance victim safety.

### **WATCH's Recommendations on Defendant Accountability**

- Hold the defendant accountable at the sentencing hearing by addressing in open court how his or her actions have impacted the victim and/or community.
- Develop standard protocol for the enforcement of Minnesota Statute Section 518B.02, Subdivision 1 which requires defendants convicted of a domestic-related offense be ordered to complete domestic abuse treatment/counseling.

### **Positive Feedback**

Volunteers reported that there were times when judges expressed concern for the defendants' actions and the impact their behavior had on the victims.

-  “Although some defendants showed remorse and talked about potential actions to take towards bettering themselves, the judge made it clear that those words didn't mean anything until they were actions.”
-  “I was impressed that the judge confronted the defendant with such a harsh but truthful statement about the implications of the defendant's crime. The judge wasn't required to say something like that as a judge. [They] went above and beyond to hold the defendant accountable. I thought it was a very powerful way to convey to the defendant that he plays just as much of a role in sex trafficking and pimps exploiting minors sexually.”
-  “Held defendants accountable and explained his reasoning based on the actions. For example, spent 10+ minutes on every defendant to ensure explanations of rulings where I've seen other judges spend 3-5 minutes with defendants.”

## **VII. Childcare Services**

Since WATCH's first report in 1994, WATCH staff have advocated for court-offered childcare services for individuals attending court proceedings. As stated previously in WATCH reports, it does not seem appropriate for any child to sit in a courtroom while a parent is the defendant or victim of a case. Often, the child or children are disruptive and asked to leave by a deputy in the courtroom. This not only distracts the defendant or victim from what is going on in the courtroom but also might take them out of the courtroom entirely.

Most importantly, WATCH believes that children should not have to be exposed to the criminal justice system, especially if they have already been victims of violence themselves. Numerous courts across the country have begun to explore offering various forms of child care for the children of those who have official business at the courthouse.

While working to implement such a program, court personnel could address the issue of children in courtrooms by implementing some of WATCH's other recommendations related to informing members of the gallery as to the status of cases in that courtroom. For example, adults with children could register their name, a cell phone number and which case they are interested in with a court clerk or bailiff. If possible, their cases could be given a time-certain to be heard or court personnel could go out to the hallway to let caretakers know when their case is going to be heard so they can reenter the courtroom. Even making announcements about cases and court proceedings would allow the adults caring for children to make choices about when to be present in the courtroom.

### **Volunteer Observations**

-  “Very young child, probably about 2 years old in the room for about 20 minutes before sheriff asked them to remove the child.”
-  “The deputies were very strict, giving an order to a defendant who kept looking behind him at his family, and gestured sternly that a child talking in court needed to be quiet or taken outside.”
-  “Children were in the courtroom and started getting a little noisy before court started, Judge kicked them out. Both parents were there and one parent had to leave to take care of the kids.”
-  “I can’t recount the specific number of occasions where I noticed women in the gallery taking care of their infants and toddlers, but I can tell you that the presence of young children in the courtroom is common. While I adore children, (trying my best to teach an infant in the gallery today how to open and close their hand in a ‘wave’ with a wide, goofy grin on my face,) I can only imagine that caring for children interferes with one’s understanding of court proceedings, and constantly needing to tote the child around is not ideal for fulfilling tasks in the adult realm in general. Multitasking is tough to do! In observing this ongoing issue, I would recommend the courts, or agencies working in tandem with the justice system, provide childcare for those in the galleries or defendants with young children.”

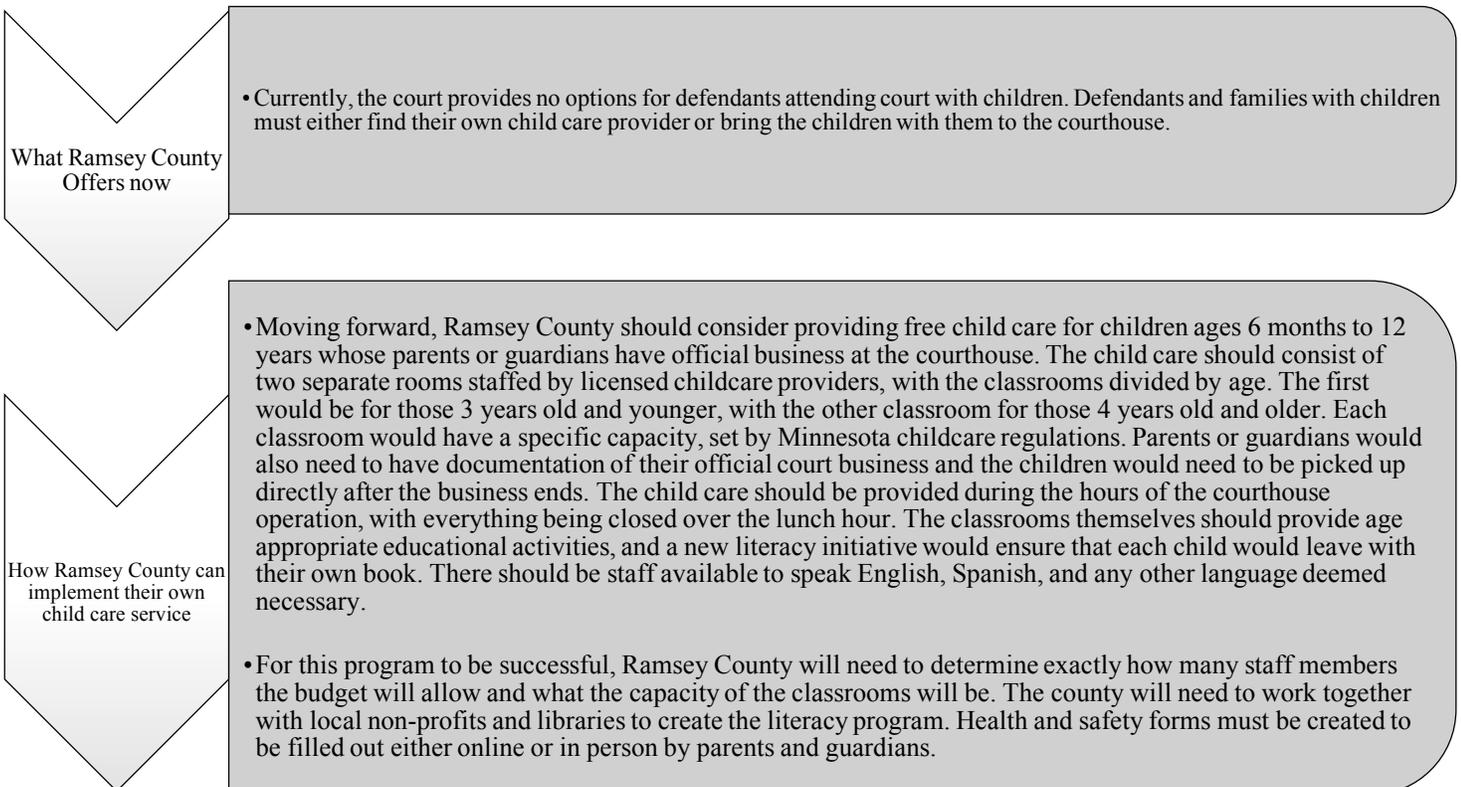
This section of the report brings forth ideas on how Ramsey County can implement its own child care service. WATCH staff and interns conducted an extensive literature review of other cities and counties across the United States and their child care services specifically for those attending court proceedings.

## Common Child Care Procedures around the Country:

- ❖ Offer care for children ages 6 months to 12 years old, with separate rooms depending on age.
- ❖ Child care centers are only open during normal court hours.
- ❖ Parents and/or guardians are required to complete forms and certification of court business that day.
- ❖ Children can only be family members of the defendant. (WATCH suggests victims should be included.)
- ❖ Some programs allow children of jury members.
- ❖ Some programs promote literacy, while others provide supervision while the children play.
- ❖ Child care centers are staffed by trained professionals who have undergone background checks.
- ❖ Some programs offer bilingual services.
- ❖ Child care centers offer resources for parents who are seeking counseling, care, or refuge from domestic violence.

## WATCH's Recommendations on Childcare Services

- Implement free child care services for both the defendants' and victims' direct family members.



## **Further Research**

As WATCH continues to monitor hearings in Ramsey County, several topics should be explored further based on the findings in this report. Future research topics may include the impact of the judge's role in the courtroom and how that influences the future behavior of defendants; and the need for child care during court hours. WATCH will consider conducting a one-year follow up study of Ramsey County.

## **Conclusion and Recommendations**

The U.S. judicial system holds a position of great authority in our society. As such, it is crucial that the public remain engaged and informed about what happens inside its courtrooms.

The aim of this report is to offer recommendations based on the observable behaviors, decisions, and conversations, both on- and off-the-record, of all major system players inside Ramsey County courtrooms. WATCH's overall recommendation is for participants in the Ramsey County criminal justice system to initiate the development of a Steering Committee consisting of all stakeholders that will review and establish standards, methods and procedures to address the recommendations provided in this report. This report is meant to lay the groundwork for further research in Ramsey County about the appropriate handling of cases of violence against women and children.

WATCH observed many positive aspects of the judicial system in Ramsey County District Courts. However, WATCH's evaluation showed there is room for improvement in terms of Ramsey County's adherence to best practices and its overall responses involving violence against women and children. However, these findings go hand in hand with positive observations from our court monitors that demonstrate the commitment of all participants in the Ramsey County court system. Looking forward, WATCH hopes this report will encourage its court officials to work toward best practices when it comes to criminal prosecution of cases of violence against women and children so that there is consistent handling of these cases to maximize victim safety and offender accountability in every courtroom.

## Resources

Desire for Order in the Court Creates Children's Oases, *New York Times*, Stacey Stowe, 12/4/08.

Frederick, L. M. Keeping an Eye on Justice: Courtwatch. *National College of District Attorneys*

Lustbader, P., (2015). Listening from the bench fosters civility and promotes justice. *Seattle Journal for Social Justice*, 13 (3).

*Press-Enterprise Co. v. Superior Court (Press-Enterprise II)*, 478 U.S. (1986)

*Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980)

## Appendix A

Volunteer Name: \_\_\_\_\_ Date: \_\_\_\_\_

### WATCH's Judicial Feedback Form (Please fill out one form per judge)

Please respond to the following items to the best of your ability, circling the appropriate response. Feel free to comment on your observations wherever space permits. If you have comments or questions about your experience today, please contact WATCH at [watchvolunteer@watchmn.org](mailto:watchvolunteer@watchmn.org). Thank You!

**Judge:** \_\_\_\_\_

<b>Respect and Courtroom Decorum</b>	<b>Poor</b>	<b>Acceptable</b>	<b>Good</b>	<b>Excellent</b>
People in the courtroom were treated with courtesy and respect	1	2	3	4
The courtroom was orderly	1	2	3	4
I felt safe and secure in the courtroom	1	2	3	4
I felt safe in the areas adjacent to the courtroom	1	2	3	4

**Comments on respect and courtroom decorum:**

\_\_\_\_\_

\_\_\_\_\_

**Were there any disruptions in court today?**    Yes    No    If yes, explain how they were handled.

\_\_\_\_\_

\_\_\_\_\_

**Efficiency**

The judge appeared prepared for court	Yes	No		
The judge appeared on time for court	Yes	No		
Attorneys appeared prepared for court	Yes	No	Not Applicable	
Attorneys appeared on time for court	Yes	No	Not Applicable	
Cases were heard in a timely fashion	Yes	No		
I could hear all parties easily (Audible)	Yes	No		

**Comments on efficiency:**

\_\_\_\_\_

\_\_\_\_\_

<b>Impartiality</b>	<b>Poor</b>	<b>Acceptable</b>	<b>Good</b>	<b>Excellent</b>
The judge displayed a neutral presence on the bench	1	2	3	4
Individuals were treated with respect	1	2	3	4
Individuals were treated without bias by all court staff	1	2	3	4
Court staff made an effort to understand the concerns of all individuals.	1	2	3	4

**Comments on impartiality:**

\_\_\_\_\_

\_\_\_\_\_

## Appendix A

<b>Accountability</b>	<b>Poor</b>	<b>Acceptable</b>	<b>Good</b>	<b>Excellent</b>	
Defendants were held accountable for their actions by the court (Bail set, sentenced at guidelines or above, etc)	1	2	3	4	N/A
The interests of victims and the public were adequately represented	1	2	3	4	N/A

**Comments on accountability:**

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<b>Communication</b>	<b>Poor</b>	<b>Acceptable</b>	<b>Good</b>	<b>Excellent</b>	
Procedures & rulings were easily understood by victim	1	2	3	4	N/A
Procedures & rulings were easily understood by defendant	1	2	3	4	N/A
Judge's communication of No Contact Order was clear and specific	1	2	3	4	N/A

**Comments on communication:**

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**Add comments and examples to explain the rankings above:**

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**Any other comments:**

# Appendix A

## WATCH Court Monitoring Form

Please respond to the following items to the best of your ability, circling the appropriate response. Feel free to comment on your observations wherever space permits. If you have comments or questions about your experience today, please contact WATCH at [watchvolunteer@watchmn.org](mailto:watchvolunteer@watchmn.org). Thank You!

### Courtroom information (Please fill out one form per case you observe today)

County: \_\_\_\_\_ Location: \_\_\_\_\_ Judge: \_\_\_\_\_ Date: \_\_\_\_\_

### Defendant and Case Information

Type of hearing: \_\_\_\_\_ Case #: \_\_\_\_\_

Defendant's Name: \_\_\_\_\_ Defense Attorney: \_\_\_\_\_

Scheduled Start Time: \_\_\_\_\_ Actual Start Time: \_\_\_\_\_ Offense(s): \_\_\_\_\_

Time defendant spent in front of Judge: \_\_\_\_\_ Prosecuting Attorney: \_\_\_\_\_

What was the defendant's gender? (Please circle)      Male      Female      Transgender/Gender Non-Conforming

#### What was the defendant's apparent ethnicity? (Please circle)

African      African-American/Black      Asian/Pacific Islander      Caucasian      Hispanic/Latino  
Native American      Middle Eastern/Arab      Unknown      Other (Please describe): \_\_\_\_\_

#### What was the defendant's relationship to the victim? (Please Circle)

Spouse      Romantic Relationship      Child in Common      Friend      Acquaintance      No Prior Relationship  
Family Member      Unknown      Other: \_\_\_\_\_

Did there appear to be anyone present on behalf of the defendant? (i.e. family and/or friend)      Yes      No

Did the defendant speak English?      Yes      No

Was there an interpreter present?      Yes      No      Does not apply

Please state the language the defendant spoke: \_\_\_\_\_

Any other characteristics worth mentioning:

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## Appendix A

### Victim Information (Please circle)

**Was the victim present?**    Yes    No    Can't tell    Not applicable

**Victim's name (if applicable):** \_\_\_\_\_

**What was the victim's gender?**    Male    Female    Transgender/Gender Non-Conforming    Unknown    Not Applicable

**What was the victim's apparent ethnicity?**

African    African-American/Black    Asian/Pacific Islander    Caucasian/White    Hispanic/Latino  
Native American    Middle Eastern/Arab    Unknown    Other (Please describe): \_\_\_\_\_

**Are children (minors) involved in the case?**    Yes    No    Can't tell    Not applicable

**Was there any concern shown toward the victim in the courtroom?**    Yes    No    Can't tell    Not applicable

**Was there a statement on behalf of the victim?**    Yes    No    Can't tell    Not applicable  
**Please describe:**

\_\_\_\_\_  
\_\_\_\_\_

**What relief, if any was the victim asking the court for?**

\_\_\_\_\_  
\_\_\_\_\_

**Did there appear to be anyone present on behalf of victim?** (i.e. advocate, family, friend) No    Can't tell    If yes, please indicate who.

\_\_\_\_\_  
\_\_\_\_\_

### **Courtroom Safety**

Was the defendant in custody?    Yes    No    Can't tell

Were Sheriffs present inside the courtroom?    Yes    No    Can't tell

Were victim and defendant left alone together at any time during hearing?    Yes    No    Can't tell

Were No Contact Orders violated at anytime inside the courtroom?    Yes    No    Can't tell

Were guns involved in the case?    Yes    No    Can't tell

Was defendant required to surrender gun(s) as a part of the case?    Yes    No    Can't tell

Were specific arrangements made for the surrender of the gun?    Yes    No    Can't tell

**Comments on other safety concerns:**

\_\_\_\_\_  
\_\_\_\_\_

**Please describe what happened in court today:** \_\_\_\_\_

\_\_\_\_\_

Appendix A

WATCH Sentencing Hearing Monitoring Form

Please respond to the following items to the best of your ability, circling the appropriate response. Feel free to comment on your observations wherever space permits. If an item does not apply to what you witness, please leave it blank. We expect that not all items will be addressed in every proceeding. If you have comments or questions about your experience today, please contact WATCH at 612-341-2747 or watch@watchmn.org. Thank You!

Case Information

Defendant's Name Judge
Case # Defense Attorney
Offense(s) Prosecuting Attorney
Time Spent in Courtroom Probation Officer
Scheduled Start Time Actual Start Time

Defendant Information

Was the defendant in or out of custody at the beginning of the hearing?
Was the defendant in or out of custody after the hearing?
What was the defendant's gender?
What was the defendant's apparent ethnicity?
Did the defendant appear to understand English?
Was an interpreter present?
If yes, what language was spoken?
What was the defendant's relationship to the victim?

Victim Information

Was the victim present?
What was the victim's apparent ethnicity?
What, if any, information was given about the victim?
What was the victim's gender?

Hearing Information

Please summarize any statement made by, or on behalf of, the victim.
Please summarize any statement made by, or on behalf of, the defendant.



Appendix A

## WATCH Monitoring Cover Sheet

Please take a minute to complete this form and return it with your other forms to the WATCH office at:  
608 2<sup>nd</sup> Ave S. • Northstar East • Suite 465 • Minneapolis, MN 55402  
Phone: (612) 341-2747 • Fax: (612) 339-1171

Your Name: _____		Date: _____	
Court/Calendar Monitored (please circle all that apply):			
FELONY ARRAIGNMENTS	DV COURT	OFP	GOVERNMENT CENTER
RAMSEY COUNTY COURT HOUSE	LAW ENFORCEMENT CENTER		WASHINGTON COUNTY
Hours Spent Volunteering: _____	Number of Appearances Monitored (ours): _____		
County: _____	Number of Appearances Monitored (not ours): _____		
Total time you spent in courtroom's with no judicial business being conducted: _____			
Total time you spent in courtroom's when judicial business was being conducted: _____			
Level to which Court Personnel make announcements about the proceedings or otherwise kept public informed throughout the proceedings? 1 (no)    2    3    4 (yes, kept courtroom informed at all times)			

### Feedback, Comments & Recommendations

Use the space below and on the back of this page to comment on any aspect of the criminal justice system that was particularly interesting or troubling to you today. Include any suggestions you have for improving the criminal justice system, and issues you would like to see WATCH investigate further. **Please be specific in identifying what behavior caught your attention and why, i.e. "The judge was reading the newspaper during the victim impact statement," is preferable to "I found the judge insensitive to victims."**

## Appendix A

(Continued on back)

### The WATCH Experience

Did you gain a better understanding of court roles through the WATCH experience?	Yes	No
Do you believe that the court process is fair?	Yes	No
Did you feel your presence in the courtroom has made the justice system more effective and responsive?	Yes	No
Will this experience make you more likely to participate in future civic engagement?	Yes	No
Did your trust in the court's ability to effectively administer justice increase or decrease based on what you've observed?	Decrease	Increase

### What were the most interesting things you observed in court today?

**Praise?** Share any positive feedback you have regarding the courtroom facility and the personnel serving it.

**Room for improvement?** Share your criticisms you have about this courtroom facility and personnel.