

The WATCH Chronicle

WATCH is a court monitoring and judicial policy non-profit located in Minneapolis, Minnesota. WATCH works to make the justice system more responsive to crimes of violence against women and children, focusing on greater safety for victims of violence and greater accountability for violent offenders.

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Founder, Susan Lenfestey and WATCH Executive Director Amy Walsh Kern, Spring Celebration, April 9, 2014.

WATCH FEATURE

Leading WATCH: A year in review

Amy Walsh Kern has always been passionate about helping women and children receive equal treatment under the law. As an attorney in private practice, she helped indigent women with divorce and custody issues. Since becoming executive director at WATCH last year, she's had a chance to tackle similar issues on a broader scale.

A year-plus into her tenure, Kern has maintained her passion for justice while overseeing changes aimed at enhancing WATCH's reach and stability. Under her leadership, WATCH has boosted its volunteer base, updated its web site and retooled volunteer training by moving much of it online. WATCH has also launched an in-depth, two-year project examining judicial issues linked to juvenile sex trafficking.

"I have been very impressed by the strength and commitment of the advocacy community," said Kern, who spent eight years as a member of the WATCH board before taking the helm in January 2014. "It has also been tremendously satisfying to help plan a strategy for WATCH and to begin to execute that strategy."

Kern said she has also enjoyed connecting with volunteers, calling them "the heart and soul of what we do." After boosting recruiting efforts, WATCH has seen its volunteer ranks swell to 165—around three times more than in past years. The group also employs six intern/externs.

The volunteers' presence in court—and the red clipboards they carry—mean a lot, Kern said, because "[it] tells a victim that someone outside of the legal system cares about what happens to them, and wants to see that the judicial system care how they are treated."

As a partner at the law firm Leonard, Street & Deinard (now Stinson Leonard), Kern worked through the Children's Law Center on behalf of teen-age girls in Minnesota's foster care system. The experience, she said, gave her a first-hand look at the challenges the indigent and abused face while navigating the legal system.

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“I know the trafficking cases are hard to prosecute, but even so, there are very few trials.”

Since 2014, WATCH has focused on sex trafficking, which Kern called a “scourge” in Minnesota. Volunteers have monitored approximately 70 trafficking cases in Ramsey and Hennepin counties, allowing WATCH to track and analyze their progress through the court system. The effort coincides with full enactment of the state’s “Safe Harbor” law aimed at treating girls who are trafficked as victims of a crime rather than criminals themselves.

Asked whether any findings have surprised her so far, Walsh Kerns said: “I know the trafficking cases are hard to prosecute, but even so there are very few trials.”

“I have also been surprised to see the number of cases where the sentence is stayed entirely—which effectively results in no punishment for the trafficker, and the number of cases that are receiving relatively low sentences.”

IN THE NEWS

Minneapolis police look to domestic abuse 'hot spots'

Minneapolis Police plan to run a pilot program that focuses their attention on domestic abuse ["hot spots" in North Minneapolis](#).

In his article, [Minneapolis police look to domestic abuse 'hot spots'](#), Feb. 20, 2015, Minneapolis Star Tribune reporter Libor Jany outlines how this spring police will "conduct in-home visits where domestic abuse claims have spiked in hopes of preventing other criminal behavior and boosting prosecution of domestic assault cases."

Police will pair anti-domestic-abuse advocates with police officers to follow up on victims of domestic abuse and use mapping technology to detect patterns of domestic abuse frequency.

[Read the article.](#)

State, Congress can do more to help victims of sex trafficking

In 2011, legislators passed the "Safe Harbor" law to treat sex-trafficked children under age 16 as victims and provide \$5 million in funding.

According to the *Minneapolis Star Tribune* editorial, [State, Congress can do more to help victims of sex trafficking](#), Feb. 23, 2015: "Minnesota's 'Safe Harbor' law is helpful, but its resulting allocations don't cover an increasing need."

The editors advocate for increasing the funding to \$13.5 million to fund "much needed services," including additional shelters and the training of law enforcement staff.

They also cite and support efforts at the federal level to pass similar legislation, known as the Stop Exploitation Through Trafficking Act. Learn more about how passing legislation could benefit sex-trafficking victims.

- Where are the hot spots?
- How is this pilot program an improvement over what police have historically done?

- How does Minneapolis train police officers to respond to 911 domestic abuse calls?

Find the answers to these questions. [Read the article.](#)

- Why do victims of sex-trafficking need shelters?
- How many people in Minnesota are involved in prostitution or sex trafficking daily? An estimated:
 - 1,000
 - 4,000
 - 8,000
- If the Federal Stop Exploitation Through Trafficking Act passes, what services could victims receive?

Find the answers to these questions. [Read the editorial.](#)

To stop violence, start at home

How does preventing domestic violence save only women's lives and keep the public safer?

[Pamela Shifman](#), executive director of the NoVo Foundation, and [Salamishah Tillet](#), associate professor of English at the University of

Pennsylvania and co-founder of A Long Walk Home, have some answers.

In their *New York Times* Feb. 3, 2015 editorial [To Stop Violence, Start at Home](#), they make a strong case showing the connections between the culture of domestic violence and mass shootings. They conclude: "Until women are safe in the home, none of us will be safe outside the home."

Learn more about Shifman and Tillet's research. [Read the article.](#)

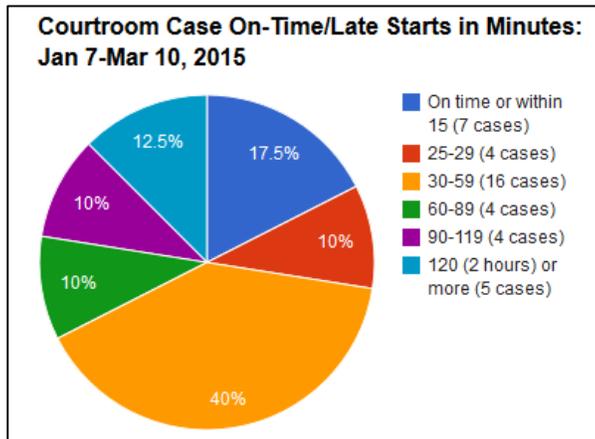
- What do these people have in common?
 - Tamerlan Tsarnaev
 - Man Haron Monis
 - George Zimmerman
- How many states still allow those convicted of misdemeanor domestic violence crimes and those subject to restraining orders to buy and carry guns?
- What was the most important factor in reducing violence against women worldwide?

Learn the answers to these questions. [Read the article.](#)

COURT MONITORING BULLETIN

News of WATCH's court monitoring activities

By the Numbers: Reported Courtroom Efficiency Jan. 7 to Mar 10, 2015



“The largest percentage of cases, 40 percent ... began 30 to 59 minutes late.”

Watch asks courtroom monitors to rate events and behavior that effect courtroom efficiency. Among many other factors, WATCH measures: On-time/late starts, and if the judges and attorneys appeared on time and prepared. Between January 7 and March 10, WATCH courtroom monitors reported the “Scheduled Start Time” and “Actual Start Time” of 40 cases. The largest percentage of cases, 40 percent (16 cases), began 30 to 59 minutes late.

Monitors recorded the longest delay of 165 minutes (2 hours and 45 minutes) with a scheduled start time of 8:45 a.m. and an actual start time of 11:30 a.m. The WATCH courtroom monitor reported that “...[the judge] looked out at the audience and said that things couldn't proceed until everyone - attorneys and defendants were present. [The judge] said many attorneys had cases in other courtrooms and weren't currently available.”

Monitors reported a variety of reasons for late starts:

“It was unclear what the delays were, but it seemed like all of the attorneys for several cases were present and the judge was there and seemed to want to get started, but nothing started for an hour and a half...”

“[The judge] was over an hour late, but it was due to a case at the Government Center.” “It seemed that the defense attorney had a previous hearing of some kind go late due to a late judge.”

“The judge was there on time, however the defendant was not being brought up in a timely fashion. I think it was due to the jury trial that there was a back-up downstairs.”

“Late arrivals of judges and attorneys, confusion in the courtroom, and other factors not only affect courtroom efficiency for each case, but appear to create a domino effect that delays the rest of the day’s docket.”

Of 68 cases reported, courtroom monitors rated 51% a 4 as heard in a timely fashion, and 49% a 1, 2 or 3.

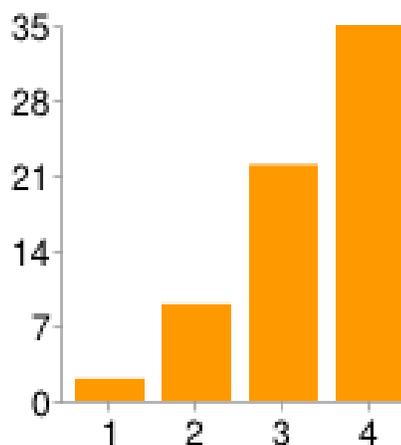
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Judges, attorneys and staff expressed sympathy regarding late schedules. Monitors reported that a “judge was very apologetic about schedules,” and “Everyone seemed understanding about the [late attorney] and was okay with starting when [the attorney] got there.” This sentiment repeated itself several times in monitor reports.

This leaves us with these questions:

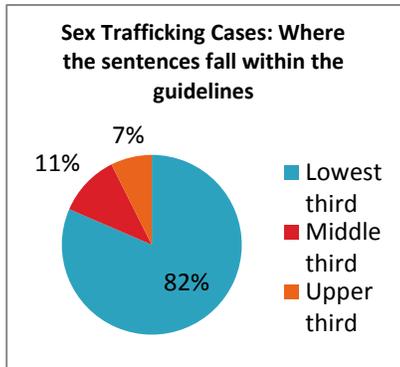
- How can judges and attorneys come to court in a timelier manner?
- Are late starts due to over scheduling?
- What other inefficiencies contribute to delays?
- How can the courts communicate to victims and defendants a better idea of how much of a delay to expect?

Cases were heard in a timely fashion



SEX TRAFFICKING UPDATE

FOCUS: Trafficking of Minors



More than three-quarters of convictions—22 of 28—led to sentences that fell within the lowest third of sentencing guidelines

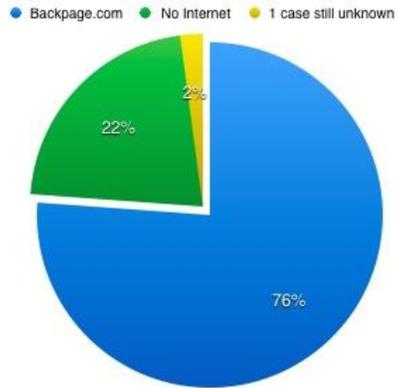
WATCH has compiled a demographic database for cases involving sex trafficking of minors. All took place between 2012 and early 2015.

Of 46 total cases, 36 were prosecuted in Hennepin County; the other 10 took place in Ramsey County.

Some highlights of the findings:

- The vast majority of the defendants prosecuted for sex trafficking of minors were male. Only nine of the 46 defendants were female.
- Nearly half of the cases—17—remain open. One case was dismissed, and 28 resulted in convictions and/or sentences.
- Of the 28 cases resulting in convictions, 24 were resolved by plea bargaining; only four went to trial.
- More than three-quarters of convictions—22 of 28—led to sentences that fell within the lowest third of sentencing guidelines. Three convictions resulted in sentences within the middle third, while only two led to sentences within the top third. (One case is unknown.)
- Ten of the 28 convicted defendants received a stayed sentence.
- More than three-quarters of total cases (35 in all) involved use of the internet—specifically the website backpage.com—to solicit minors. Backpage has come under fire both locally and nationally by activists and law enforcement who say it often features trafficked victims on its site.

Sex Trafficking Cases and the Internet : 2012-early 2015



More than three-quarters of cases involved use of the internet—specifically the website backpage.com.

The backpage.com website was involved in the arrest of **Peter Paul Juean**, whose sentence fell on the lower end of the spectrum. Juean, 31, of Brooklyn Center was charged in Hennepin County with two felony counts of sex trafficking in the first degree and solicitation, inducement and promotion of prostitution. The victim was a 15-year-old female runaway, whose presence at a Brooklyn Center motel had been reported to police. Juean’s past criminal history included theft, disorderly conduct, possession of a firearm and fleeing police. Twenty-four months after his original charge on July 23, 2013, Juean pled guilty to soliciting and promoting prostitution; his charge of trafficking was dismissed. While sentencing guidelines called for a prison term of up to 20 years and/or a \$50,000 fine, Juean was sentenced by Judge Mark Wernick to 36 months in prison, considered a downward departure.

The trafficking case of a young married couple from St. Paul resulted in a significantly harsher sentence. **Johnathan Bernard Edwards**, 25, and **Kauser Mohamoud Yusuf**, 23, were arrested in December 2013 after a 15-year-old girl sent an e-mail to backpage.com alleging that pictures of her had been posted on the website by individuals who “have been making me sleep with guys that called” According to a criminal complaint, the victim was a runaway who had been picked up by Edwards and Yusuf and then driven to a Maplewood hotel where they took pictures of her and posted them online. According to police, the defendants arranged for seven to 20 men each day to have sex with the victim.

Authorities later found Edwards and Yusuf, then nine months pregnant, at the address listed in the e-mail, along with an inflatable mattress, a neon light and female underwear. A subsequent search led to the discovery of a laptop, cell phones and two photos of the victim that ran in the online ad.

Edwards and Yusuf were charged in December 2013 with first-degree felony counts of engaging in sex trafficking of a minor. More than a year after their initial arrest, on December 24, 2014, a Ramsey County jury convicted Edwards and Yusef of one felony count of aiding and abetting sex trafficking of a minor. Upon hearing the verdict, Edwards lunged and spit at the prosecutor. On February 27, 2015, Edwards received a maximum prison sentence of 20 years, while Yusuf received a 90-month sentence.