

CHRONOLOGY OF AN OFFENDER

Leonard Clifton Gallion repeatedly beat the system—and his victim

By Rebecca Kutty

Leonard Clifton Gallion is no stranger to the law. His criminal history in Hennepin County, at 14 years, is older than WATCH, with 22 charged cases split almost evenly between driving violations and assaults. The strangers or acquaintances Gallion assaulted over the years suffered scary, but isolated, episodes in which they were hit over the head with a duffel bag, struck with the butt of a shotgun, or chased with a sledge hammer and crowbar, to take a few examples. But those in long-term relationships with Gallion endured far more brutal and terrifyingly regular beatings. For his girlfriends, in particular, victim A,¹ whose victimization is well documented by the charged and uncharged criminal cases included in this chronology, they were life altering.

Most of the domestic abuse cases that follow were dismissed or not even charged. Why? It's most likely because Gallion knew how to beat the system. He assaulted A on parts of her body, such as the back of her head, where bruises are less visible, and attempted to smother her, which again leaves no easily discernible marks. He often was “gone on arrival” when the police came to the scene, escaping immediate arrest and waiting out the half-day that police can arrest a suspect for probable cause in misdemeanor domestic abuse cases. When he was arrested, he easily posted the \$1,200 bail required in most misdemeanor domestic assault cases and, at least in one reported and uncharged case, returned to inflict a vicious beating on A. In a cruel twist, a day after one such assault for which Gallion was arrested, he successfully petitioned the courts for a temporary harassment restraining order against A, which subsequently was granted for one year. Under such tenuous circumstances, it should not be surprising that A was often reluctant to cooperate with the prosecution.

The only time Gallion was convicted of a domestic assault-related crime, he had already served and been given credit for 22 days at the workhouse; the remaining 68 days of his sentence were stayed under certain conditions, including no contact with the victim, no same or similar charges, and no weapons violations (oddly enough, domestic abuse counseling was never ordered, nor was probation given the discretion to do so). As with too many domestic abusers, the period of actual incarceration was too short to allow his victim to recover from her life with him, in this case being prostituted, isolated from family and friends, and made chemically dependent, and to ultimately escape. After numerous probation violations,² Gallion is now serving prison time in St. Cloud for another case, and A is finally, according to court documents, in a “Safe Place.”

Case 1: 2nd degree assault (*felony*), terroristic threats (*felony*)

¹ Victims are identified with sequential letters with the same letter signifying the same victim.

² The arrest and detention orders for probation violations in this chronology were generated by the system after a new case was charged. Hennepin County's criminal justice database, SIP, lists no arrest and detention orders filed by his supervising probation officer. Given Gallion's failure to remain law abiding, one wonders whether the other conditions of probation were followed.

4/1/97 Criminal complaint: On 3/7/97, Gallion stormed into his brother's house, pulled a gun from his pocket, discharged it into the ceiling, and threatened to kill everyone in the house. He pointed the gun at a woman and at two 10-year-old boys, victims *B* and *C*, who he claimed had "messed with" his son. He injured the boys by pushing their heads up against the refrigerator and wall and threatened to "shoot them" if they did not apologize to his son. Gallion discharged his gun twice more in another room. A warrant was issued for his arrest, and bail was set at \$25,000.

4/4/97 First appearance: Gallion appeared before Judge Roland Amundson, who ordered bail to remain at \$25,000 with the conditions of release no contact with the victims and their home.

4/10/97 Bail hearing: Judge Franklin Knoll reduced bail to \$10,000 and imposed the additional release conditions of twice weekly contact with the conditional release unit (once in person), no drugs or alcohol, and random urinalysis and breathalyzer tests. Gallion posted bail the next day.

4/30/97 Probable cause pretrial: Gallion pleaded not guilty before Judge Peter Albrecht and demanded a jury trial.

1/2/98 Criminal complaint amended: The terroristic threats count was amended to 2nd degree assault, and two other counts of felony terroristic threats were added.

1/5/98-1/8/98 Jury trial: After numerous continuances, a jury trial was held before Judge Peter Lindberg. Gallion was found guilty of the assault counts and not guilty of the terroristic threats counts. SIP also states that Gallion pleaded guilty to two counts of the lesser misdemeanor charge of 5th degree assault instead of the two 2nd degree assault counts.

2/23/98 Outcome: Judge Lindberg sentenced Gallion to 180 days at the workhouse with 90 days stayed for one year and work release if eligible for the two misdemeanor 5th degree assault counts. He was ordered not to engage in any same or similar assaults and to report to the workhouse the following day. SIP lists Murney Heaney as the prosecutor and Larry Rappaport as the defense attorney.

Case 2: 5th degree assault (*misdemeanor*), disorderly conduct (*misdemeanor*)

6/29/00 St. Louis Park police report: Gallion went to a park after receiving a phone call from his son, who was arguing with two other boys, victims *D* and *E*. He demanded to know "who was beating on his son" and was described by witnesses as "agitated and aggressive." Gallion chased juvenile *D* to a nearby gas station, but tripped and fell, allowing *D* to escape. He then approached juvenile *E* and punched him in the face, injuring his mouth.

Case 3: 1st degree burglary (*felony*), 2nd degree assault (*felony*) (*two counts*)

8/25/00 Criminal complaint: On 8/6/00, a woman reported to police that after repeatedly calling her home in the early morning hours demanding money he claimed she owed him, Gallion entered her home through an unlocked door and went to the basement where her juvenile son,

victim *F*, and some friends were sleeping. He pointed a handgun at *F*, struck him in the head with it, and said, "I'm going to kill you all." He struck another woman in the head with the gun before firing it into a wall behind a couch where a man was seated. *F* ran upstairs to wake his mother and her boyfriend, and the latter managed to chase Gallion out of the home. A warrant was issued for Gallion's arrest with bail set at \$75,000 and the conditions of release no contact with the victims, their residences, or with witnesses, and no weapons violations.

8/28/00 First appearance for Case 3: Gallion appeared before Judge Knoll, who ordered bail to stand at \$75,000.

9/5/00 Bail hearing for Case 3: Judge Philip Bush ordered bail to remain at \$75,000 with the conditions of release changed to no contact with the victims and no weapons violations.

9/22/00 Release for Case 3: Gallion posted bail and was released.

9/25/00 Outcome for Case 2: Gallion, who was never arrested for this case, appeared *pro se* before Judge Daniel Mabley and pleaded guilty to the assault charge. The disorderly conduct charge was dismissed on a motion of the prosecutor, Michael Colich. Gallion was sentenced to 30 days in the workhouse stayed for one year under the conditions of no new assault or assault-related charges.

11/6/00 Probable cause pretrial for Case 3: Gallion pleaded not guilty before Judge LaJune Lange and demanded a jury trial.

1/23/01-1/25/01 Jury trial for Case 3: After several continuances, jury selection occurred before Judge Knoll.

1/26/01 Plea for Case 3: Gallion pleaded guilty to both assault counts with the burglary charge to be dismissed at sentencing. He was ordered to have no contact with the victims and their residences pending sentencing.

3/9/01 Outcome for Case 3: Judge Knoll dismissed the burglary charge and stayed the sentence of 72 months in prison for the assault counts for 10 years under the following conditions: no contact with the victims, their families, or their homes, serve two years at the workhouse with no work release the first year and credit for 31 days, complete anger management, no chemical use, undergo a chemical dependency assessment and complete treatment as recommended, follow the recommendations of probation, random breathalyzer and urinalysis, no use or possession of weapons, and remain law-abiding with no criminal activity or charges. He told Gallion that if he violated these conditions, he would go to prison, and gave him one week to report to the workhouse. SIP lists Marlene Senechal as the prosecutor and Rene Clemenson as the defense attorney.

12/17/01 Sentence modified for Case 3: After serving less than one year, Gallion's sentence was modified by Judge Knoll based on a defense motion to allow two- to four-hour job-seeking furloughs and work release if his probation officer verified that Gallion had found a job.

6/13/02 Release for **Case 3**: Gallion was released from the workhouse.³

Case 4: 5th degree assault (*misdemeanor*)

10/8/02 *Minneapolis police report*: Gallion, who was living with his brother, started a fight over the phone service. His brother was reading a book to his 11-year-old son, victim *G*, and refused to argue. Gallion threw his nephew's computer tower, damaging it, grabbed the book from the child, and pushed him against the bed. When his brother stood up to protect his son, Gallion left the house and drove off. ***This case was never charged.***

Case 5: 5th degree domestic assault (*misdemeanor*)

10/11/02 *Minneapolis police report*: After his brother, victim *H*, kicked him out of the house, Gallion and his son assaulted him. Gallion scratched *H*'s right eye and forehead and had his son throw his uncle to the ground and kick him. The police noted that *H* was "very uncooperative." ***This case was never charged.***

Case 6: 5th degree domestic assault (*misdemeanor*)

1/12/03 *Minneapolis police report*: Police responded to a domestic assault in progress at Gallion's and *A*'s apartment and met with *A*, who said she was "tired of the beatings." *A* refused medical treatment, but officers noted bruises on her wrists. Gallion's mother and 11-year-old son witnessed the assault. Gallion was arrested and bail was set at \$1,200.

1/13/03 *Outcome*: Judge Tanja Kozicky Manrique dismissed the charge on a motion of the prosecutor, Kathy Rygh. Gallion did not qualify for a public defender, and SIP lists no defense attorney.

Case 7: 5th degree domestic assault (*misdemeanor*)

3/15/03 *Minneapolis police report*: Gallion assaulted *A* at their apartment⁴ and was arrested with bail set at \$1,200.

3/17/03 *Release*: Gallion posted bail and was released.

³ This earlier release date most likely reflects credit for time served for this and other offenses before conviction as well as "good time," whereby a third of an offender's incarceration period is typically shaved off for good behavior. If Gallion had remained at the workhouse the full two years of his sentence, one charged and two uncharged 5th degree domestic assaults would have been avoided.

⁴ The public information reports that WATCH obtained for uncharged cases often contained only sketchy descriptions of the assaults. Reports that are not available to the public presumably are much more detailed and descriptive.

3/31/03 Outcome: Judge Mary Steenson Dufresne dismissed the charge on a motion of the prosecutor, Jennifer Saunders, for insufficient evidence. SIP lists Barb Kehrberg as the defense attorney.

Case 8: 5th degree domestic assault (*misdemeanor*)

4/24/03 Minneapolis police report: Gallion kicked and hit A, who was visiting him at the apartment they formerly shared, leaving bruises on her legs and arms. He was arrested and bail was set at \$1,200.

4/25/03 Arraignment: Gallion pleaded not guilty before Judge Andrew Danielson and demanded a speedy trial. He posted bail and was released with the condition of no contact with A.

4/25/03 Temporary harassment restraining order: Gallion filed a petition for a civil harassment restraining order against A alleging that she frequently became violent and threatening and damaged his property. He cited two instances when he claimed A falsely accused him of domestic abuse and had him arrested. In the first, on 3/3/03, for which there is no record, Gallion said A became angry with him when he refused to give her money. She called the police and reported that he had hit her. When they went to court, he said A admitted that she lied and the charges were dropped. In the second, on 4/24/03, Gallion said that he asked A to leave his home, but she refused. When she did go outside, he closed and locked the door. He said she yelled, banged on the door, and threatened to and eventually did call the police. Finally, he said that he has told A more than once that he wants nothing to do with her, but she continues to harass him. Judge Harvey Ginsberg issued a temporary harassment restraining order and set a hearing for 5/2/03.

5/20/03 Harassment restraining order hearing outcome: A failed to appear, but Gallion did appear before Referee Mary Lawson. Referee Lawson issued the order commanding A to avoid harassing Gallion and barring all contact with him.

6/23/03 Arrest and detention order for Case 3: An arrest and detention order was filed after Gallion was charged with **Case 8** and a new felony 1st degree aggravated robbery case. Gallion was in custody at the time.

6/30/03 Outcome for Case 8: Judge Regina Chu dismissed the charge on a motion of the prosecutor, Mic Jurgens. SIP lists Daniel Homstad as the defense attorney.

9/8/03 Appearance on the arrest and detention order for Case 3: Judge Charles Porter, Jr., ordered that the probationary sentence not be revoked after Gallion pleaded guilty to a lesser charge of misdemeanor failure to return lost property in the robbery case and was sentenced to 48 days at the workhouse with credit for 48 days.

Case 9: 5th degree domestic assault (*misdemeanor*)

9/26/03 *Minneapolis police report*: Gallion and A began to argue while standing on a street corner. Gallion started punching A in the back of the head with a closed fist and took off in his car after she fell to the ground. The police noted that A was “evasive” and that “only partial information could be retrieved at the time the report was made.” ***This case was never charged.***

Case 10: 5th degree domestic assault (*misdemeanor*)

11/12/03 *Minneapolis police report*:⁵ Gallion went to his ex-girlfriend victim I’s house uninvited, grabbed her, shook her, and pushed her against a wall. When he refused to leave, I tried calling 911, but Gallion hung up the phone. The 911 dispatcher called back and spoke with I. Upon hearing this conversation, Gallion left. Police told I to get an order for protection (OFP). ***This case was never charged.***

11/17/03 *Temporary OFP*: I filed a petition for a civil OFP against Gallion based on the assault from 11/12/03 and repeated phone calls in which he threatened to “get his daughter,”⁶ stating, “I’m not afraid to go back to prison. If I do, somebody will be gone.” Judge Francis Connolly issued a temporary OFP and set a hearing for 11/24/03.

11/24/03 *OFP hearing outcome*: I and Gallion appeared before Referee Susan Fallek-Rogers. Gallion denied the allegations in the petition, but agreed to the order barring any acts of domestic abuse against I as well as all contact.

Case 11: 5th degree domestic assault (*misdemeanor*), 5th degree assault-harm (*misdemeanor*), 5th degree assault-fear (*misdemeanor*), and disorderly conduct (*misdemeanor*)

11/9/04 *Minneapolis police report*: Gallion punched A on her legs, leaving bruises, and hit her twice in the head with a beer bottle at their apartment. A refused medical treatment. Gallion was arrested, and bail was set at \$1,200. The arresting officers noted that Gallion was listed in the domestic assault enhancement book at the Hennepin County Jail.

11/10/04 *Arraignment*: Gallion posted bail and was out of custody when he appeared before Judge Marilyn Brown Rosenbaum. Judge Rosenbaum continued the arraignment hearing to the afternoon for the arrest and detention order from **Case 3** to be issued with the conditions of release no contact with A. Gallion failed to appear in the afternoon, forfeiting his \$1,200, and a bench warrant was issued for his arrest. Bail was ordered at \$5,999.

11/15/04 *Appearance on a bench warrant*: Gallion pleaded not guilty before Judge Rosenbaum and demanded a jury trial. The additional conditions of release were to make all court appearances and to remain law abiding.

⁵ Details from I’s subsequent petition for an OFP have also been incorporated here.

⁶ I and Gallion have two children together, according to the previous police report.

11/30/04 Plea: Gallion pleaded guilty to the disorderly conduct charge before Judge Mabley, who dismissed the other charges on a motion of the prosecutor and ordered a pre-sentence investigation.

12/14/04 Outcome: Judge Diana Eagon sentenced Gallion to 90 days at the workhouse with credit for 22 days and 68 days stayed for one year under the following conditions: no contact with A, no non-prescribed chemical use with random urinalysis, no assault, interference with a 911 call, disorderly conduct, or same or similar charges, and no OFP or weapons violations.⁷ SIP lists Kathy Rygh as the prosecutor and Rene Clemenson as the defense attorney. Judge Eagon also continued Gallion's probation for **Case 3** after he admitted violating it, providing he serve 22 days at the workhouse with credit for 22 days.

Case 12: 5th degree domestic assault (*misdemeanor*)

1/5/05 Minneapolis police report: Gallion assaulted A, who refused medical treatment. ***This case was never charged.***

Case 13: 5th degree domestic assault (*misdemeanor*)

1/7/05 Minneapolis police report: Gallion, who had just gotten out of jail for the 1/5/05 assault, saw A walking down the street. He dragged her across the ground by her coat and began banging the back of her head into the ground. He then pulled off her jacket and went back to their apartment. A told police that a no contact order was in place and that Gallion was on probation for previous assaults. Police could not find the no contact order on the computer.⁸ A refused medical treatment, although police noted a small mark over her right eye. ***This case was never charged.***

Case 14: Violation of an order for protection-enhanced (*felony*)

*1/23/05 Minneapolis police report:*⁹ Gallion came to A's apartment, from which A thought he had been excluded by an OFP,¹⁰ around 1 a.m., accused her of cheating on him, grabbed her by the face, threw her to the ground, and tried to smother her with his hands. She said that he attempted this on a daily basis and had been arrested for it in the past. She was able to call the police, and Gallion ran out of the apartment. A barricaded the front door, but Gallion returned and kicked it in. A called 911, even though Gallion threatened to kill her if she did, and he ran out of the apartment. Gallion was arrested, and bail was set at \$30,000, which was later changed to \$75,000 with no contact with A.

⁷ Neither domestic abuse counseling nor the condition "follow the recommendations of probation," which would allow the supervising probation officer to order domestic abuse counseling, was ordered.

⁸ No contact order information is not available to officers on the street, essentially making these orders unenforceable.

⁹ Details from the criminal complaint and A's subsequent petition for an OFP have also been incorporated here, although each document varied somewhat in the facts and sequence of events.

¹⁰ No record exists of this OFP. It could be that A was referring to a no contact order from Gallion's sentence for **Case 11**.

1/24/05 Arrest and detention orders: Arrest and detention orders were filed for **Cases 3 and 11** after Gallion failed to obey the no contact order and was charged with **Case 14**.

1/25/05 Temporary OFP: A filed a petition for an OFP against Gallion based on the assault from 1/23/05. Judge Patricia Belois issued a temporary OFP and set a hearing for 2/1/05.

1/26/05 First appearance for Case 14: Gallion appeared before Judge Bruce Peterson and was appointed a public defender.

2/1/05 OFP outcome: Referee Judy Mack vacated A's temporary OFP against Gallion when both parties failed to appear for the hearing.

2/17/05 Temporary OFP: A filed another petition for an OFP against Gallion based on the assault from 1/23/05. Judge Belois issued a temporary OFP and set a hearing for 2/25/05.

2/25/05 OFP outcome: A, represented by Kimberly Weinacht, and Gallion appeared before Referee Mark Labine. Gallion denied the allegations in the petition, but agreed to the order barring any acts of domestic abuse against A and all contact.

3/1/05 Probable cause pretrial for Case 14: Gallion pleaded not guilty before Judge Beryl Nord and demanded a speedy jury trial.

4/25/05 Criminal complaint amended for Case 14: The enhanced violation of an OFP charge was amended to felony false imprisonment, and a felony terroristic threats charge was added.

4/27/05 Outcome for Case 14: Judge Kevin Burke dismissed the charges. SIP lists Beverly Benson as the prosecutor and Rene Clemenson as the defense attorney.

4/27/05 Revocation hearing for Case 11: Judge Burke revoked Gallion's probation and sentenced him to 68 days with credit for 68 days.

4/28/05 & 5/2/05 Revocation hearing for Case 3: Judge Burke heard testimony and asked the parties to return for his ruling.

5/18/05 Revocation hearing outcome for Case 3: Judge Burke revoked Gallion's probation and ordered his sentence of 72 months in prison to be executed with credit for 674 days and no work release.

The system can and must do more to stop violent offenders like Gallion. Domestic abuse suspects who are "gone on arrival" must be vigorously pursued by police and arrested within the 12 hours allowed. Squad cars must be equipped with cameras to record domestic abuse victims' injuries at the time of the assault as well as several days later, when bruises are more noticeable. Training in detecting and recording the more subtle signs of suffocation (and strangulation) must also be required for these first responders. Police on the street must have access to databases with

no contact information, and violations of no contact orders must not be overlooked. Prosecutions must proceed even when a victim is not willing or able to cooperate, and dismissing or reducing charges should be strenuously avoided. Successful completion of domestic abuse counseling should always be a part of the sentence. Finally, probation oversight should be keen and judges' consequences severe if an offender is charged, not just convicted, of any subsequent domestic assaults.

Thank you to the Minneapolis Police Department Records Division for their assistance in gathering information for this chronology.