

Chronology of an offender: Eric Keprice Richard
October 27, 2010

The first criminal case of domestic violence against Eric Keprice Richard, 38, was filed in 1999 when he assaulted his girlfriend. In the ensuing 11 years, he has another 23 cases involving two victims. Over the years, his disregard for the mandates of the criminal justice system has been met with few, if any, consequences that curbed this behavior. After repeated probation and supervised release violations, he has gone to prison in only three cases.

Many of the violations have been of criminal no contact orders, civil orders for protection and harassment restraining orders. The bulk of them (eight) involved Victim A and were violations involving intimidation, threats, and/or assaults, yet he was only charged with violating these orders twice, and both times the charges were dismissed.

Victim B was not spared from these violations either. Although Richard was charged and convicted in one such case, police reports show that he continued to violate the criminal no contact order by assaulting Victim B in each of the next three months, with no resultant charges even though one assault included an alleged strangulation.

Most of Richard's domestic assaults produced stayed sentences, after which he kept his probation officers busy—they filed a total of 10 arrest and detention orders against him for failure to comply with court orders in the cases involving Victim A, including violating no contact orders and committing new domestic assaults against her, and three involving Victim B.

The typical outcome in these probation violation cases was for the judge to revoke a fraction of his jail time (usually equivalent to the time he had already served) and place him back on probation, with similar conditions to those he had repeatedly violated, setting the revolving door to the courthouse in motion again. In an exception to this pattern, Richard was ordered to serve 24 months in prison for his most recent case against Victim A, and when he was released and violated the terms only three weeks later, he was sent back to prison for the remainder of his sentence.

Case 1: Criminal damage to property (misdemeanor) and fifth degree domestic assault (misdemeanor)

6/26/99 Minneapolis police report: Victim A reported to responding officers that when she refused to let her ex-boyfriend Richard, into her apartment, he threatened her and tried to kick in the door. The police report states that officers advised her to get a restraining order. Richard fled the scene, but eventually turned himself in and was arrested and charged.

6/28/99 First appearance Case 1: Judge Tanja Manrique set bail at \$1,200 and Richard was released with the following probation conditions: no alcohol, marijuana, or

controlled substance use; twice weekly contact with probation; and no contact with Victim A.

Hennepin County Civil Case A

9/14/99 Order for protection (OFP) petition: Judge Myron Greenberg granted Victim A a temporary *ex parte* OFP against Richard. According to the petition, Victim A requested the OFP out of fear for her safety because she was scheduled to testify at Richard's trial for Case 1 the following day. The petition described the events from Case 1, noting that Richard had gone to Victim A's home three other times that day and thrown rocks at her window and threatened her, but fled the scene before officers arrived in response to Victim A's calls.

9/15/99 Outcome Case 1: **Richard pleaded guilty to criminal damage to property (misdemeanor), and the domestic assault charge was dismissed.** Judge Lucy Wieland sentenced him to 60 days in the workhouse with 55 days stayed for one year and credit for five days. She also imposed a \$260 fine but stayed \$217 for one year. Probation conditions included: no assaults, no contact with the victim, no resisting arrest, pay restitution, and no violations of the protection order. The prosecutor was Stephanie Morgan.

5/10/00 First arrest and detention (A&D) order Case 1: Judge Wieland ordered that Richard be arrested and held without bail for violating his probation by failing to make restitution payments.

6/16/00 Probation violation hearing Case 1: Richard admitted he violated probation by failing to pay restitution. Judge Stephen Aldrich revoked two days of his probation with credit for two days served and continued his probation.

8/4/00 Second A&D order Case 1: Judge Wieland ordered Richard to be arrested for failing to make scheduled restitution payments.

10/10/00 Probation violation hearing Case 1: Judge John Holahan revoked five days of Richard's probation with credit for five days served.

Case 2: Damage to a motor vehicle and fifth degree domestic assault

6/22/01 Minneapolis police report: Victim A reported to officers that Richard approached her car as she arrived home, hit the driver's side windshield wiper, bending it in half, and stated "I'm gonna f*** you up! You're gonna die tonight!" She said that earlier in the day, he called and threatened that he was "going to kill you, b****." The victim drove away and called police. The case was never charged.

Case 3: Fifth degree domestic assault

6/26/01 Minneapolis police report: Victim A fled to the Minneapolis Police Department and told officers that during an argument with Richard about their two-month old son, he

punched her in the mouth twice. When she threatened to call the police, Richard took her phone. The victim's sister-in-law and children witnessed the incident. Richard fled the scene and the case was never charged.

Case 4: Fifth degree domestic assault

9/5/01 Minneapolis police report: Victim A told responding officers that Richard grabbed her around the throat and started "choking" her. The victim was able to flee and called the police. The case was never charged.

Case 5: Fifth degree assault (misdemeanor)

12/14/01 Minneapolis police report: Victim A reported to the police that when she arrived home that day, Richard was there, even though earlier that week she had asked him to leave. He yelled at her, punched her in the face, knocked her to the ground, and dragged her through her living room. He then fled. Soon after, the victim's cousin and a friend came to visit her, and while she was telling them about the assault, Richard returned and began arguing with her cousin. The friend became afraid of Richard and ran to call police. Richard was arrested when officers saw him standing on a corner near the victim's home and charged with a misdemeanor.

12/17/01 First appearance Case 5: Judge Franklin Knoll arraigned Richard and set bail at \$1,200, with the following conditions: no contact with Victim A and make all court appearances.

Hennepin County Civil Case B

12/17/01 OFP petition: Judge Kathryn Quaintance granted Victim A a temporary *ex parte* OFP against Richard based on the June and December assaults (Cases 3 and 5).

12/20/01 Plea hearing Case 5: Richard pleaded guilty, and Judge Knoll ordered a pre-sentence investigation (PSI).

12/21/01 Outcome Case 5: **Judge Franklin Knoll sentenced Richard to 45 days in the workhouse with 38 days stayed for one year and credit for seven days.** He was ordered to attend an anger management class* and placed on probation to the court. His other probation conditions included: no alcohol/controlled substance use, no assaults, no disorderly conduct, random breathalyzer and urinalysis, no violations of protection order, no interference with 911 calls, and complete a chemical dependency evaluation. The prosecutor was Kathryn Rygh, and the defense attorney was Deaundres Wilson.

8/13/02 First A&D order Case 5: Richard violated probation by failing to remain in contact with his probation officer and failing to complete domestic abuse* counseling. Judge Isabel Gomez signed an order for Judge Knoll that Richard be arrested and held without bail.

**Domestic violence defendants may be court ordered to attend a community-based counseling or treatment program. These programs vary widely in their philosophy and structure. Some are a series of classes on the general topic of anger management, others are more comprehensive programs developed specifically for domestic abusers. Throughout Richard's court records, the court uses the terms anger management and domestic abuse program/counseling interchangeably, so it is impossible to know whether the programs he has been ordered to attend are designed to curb domestic violence.*

9/24/02 Probation violation hearing Case 5: Judge Daniel Mabley continued the case and ordered Richard to complete a chemical dependency evaluation.

9/26/02 Hearing Case 5: Richard admitted violating probation. Judge Lloyd Zimmerman revoked four days of his probation with credit for four days served, and ordered him to complete a chemical dependency program at African American Family Services.

11/22/02 Second A&D order Case 5: An A&D was issued for Richard's failure to maintain contact with his probation officer, failure to attend anger management classes, being terminated from the chemical dependency program, and testing positive for drugs or alcohol. Judge Phillip Bush set bail at \$1,000.

12/6/02 Third A&D order Case 5: Richard was again out of compliance with court orders. Judge Mary Steenson-DuFresne signed an order for Judge Knoll that Richard be arrested and held without bail.

3/5/03 Probation violation hearing Case 5: Judge Steven Pihlaja revoked 34 days of Richard's probation, and ordered him to serve the time in jail with credit for two days served.

Case 6: Violation of a restraining order (misdemeanor)

10/14/03 Minneapolis police report: Victim A told police that Richard came to her home and threw rocks at her window. When she refused to let him in, he entered through the back door. The victim showed officers a Hennepin County Juvenile Court order prohibiting Richard from having contact with her or her children. Richard was arrested at the scene and later charged.

10/14/03 First appearance Case 6: Judge Francis Connolly set bail at \$1,200 and ordered Richard to have no contact with Victim A.

*10/17/03 Outcome Case 6: According to the Minnesota Court Information System (MNCIS), the **case was dismissed** because it was "factually insufficient." The prosecutor was Julie Delgado-O'Neil, and the defense attorney was Marcus Campbell.*

Case 7: Two counts of domestic assault (misdemeanor and gross misdemeanor), two counts of fifth degree assault (gross misdemeanors), and one count of disorderly conduct (misdemeanor)

11/5/03 Minneapolis police report: Victim A showed responding officers the restraining order she had against Richard and told them he grabbed her, ripped her shirt, and threatened to kill her. Richard, who was hiding in the garage was arrested, and later charged.

11/6/03 First appearance Case 7: Judge Diana Eagon set bail at \$1,200 with the following conditions: follow the conditions set by juvenile court in the child protection case and have no contact with Victim A.

Hennepin County Civil Case C

11/7/03 HRO petition: Judge Jack Nordby granted Victim A a two-year HRO against Richard. The petition included information about the incident from Case 7 and stated that Richard had been harassing her with unwanted visits. Judge Nordby ordered Richard to have no contact with the victim, refrain from harassing her, and stay away from her home.

*11/10/03 Outcome Case 7: **Richard pleaded guilty to domestic assault (misdemeanor), and the other four charges were dismissed.*** Judge Janet Poston sentenced him to 90 days in the workhouse with 84 days stayed for one year and credit for six days. Richard was placed on probation to the court and ordered to attend anger management classes. His probation conditions included: no disorderly conduct, visitation with his child only as approved and supervised by family court, follow child protection conditions, follow probation recommendations, and no violations of the order for protection. The prosecutor was Gretchen Zettler, and the defense attorney was Shannon Elkins.

12/9/03 First A&D order Case 7: When Richard failed to maintain contact with his probation officer and failed to complete the anger management class, Judge Poston ordered that he be arrested and held without bail.

Case 8: Violation of a no contact order

12/28/03 Minneapolis police report: Victim A told responding officers that Richard came to her home and threw rocks at her window. The victim showed officers the HRO banning him from contacting or harassing her. Richard was gone when police arrived, and the case was never charged.

Case 9: Violation of a restraining order

2/19/04 Minneapolis police report: Victim A told officers that Richard came to her home in violation of the HRO and asked to be let in. When she sent him away, he started throwing rocks and snowballs at her window. Richard was gone when police arrived and was never charged.

Case 10: Violation of an order for protection

2/29/04 Minneapolis police report: Victim A showed officers her HRO and told them she woke up to the sound of rocks being tossed at her bedroom window and Richard calling her name. When police arrived he had fled, and the case was never charged.

3/8/04 Probation violation hearing Case 7: Richard admitted to violating his probation and Judge Pihlaja released Richard without bail and placed him back on probation. A tracking date was set to confirm that he entered treatment.

3/15/04 Second A&D order Case 7: When Richard's public defender could not confirm his entrance into treatment, Judge Marilyn Rosenbaum ordered him to be arrested and held on \$1,200 bail.

8/30/04 Probation violation hearing Case 7: Richard admitted to violating his probation by failing to remain in contact with his probation officer, not completing a domestic abuse program, and failing to enter a chemical dependency program. Judge Connolly revoked 60 days of his probation, and ordered him to serve the time in jail, with credit for time served.

Case 11: Domestic assault (felony)

10/13/04 Hennepin County criminal complaint: Victim A reported that Richard took her car keys and tried driving off with their three-year-old son in the car. When he stopped and walked around the car to her door, she attempted to drive away, but he struck her with a closed fist. The police report noted that Richard had fled the scene and a warrant for his arrest was in effect for Case 7.

10/18/04 Third A&D order Case 7: Judge Robert Lynn signed an order for Judge Poston that Richard be arrested and held without bail for violating his probation by committing another domestic assault (Case 11) and failing to report to the workhouse as ordered.

Case 12: Violation of a protection order

11/23/04 Minneapolis police report: Victim A reported to police that Richard called her home from jail through a 3rd party. When the victim wasn't there, Richard told her daughter to give her this message: "I'm gonna have child protection come over. I'm gonna hurt you like you hurt me. I'm gonna break up the family." The case was never charged.

11/30/04 Hearing Case 7: Judge Regina Chu revoked 24 days of his probation with credit for 10 days.

12/6/04 First appearance Case 11: Richard appeared before Judge Patricia Karasov who set bail at \$10,000 with the following conditions: child visitations only by family court order, no contact with Victim A, make all court appearances, and remain law-abiding.

12/27/04 Plea hearing Case 11: Richard pleaded guilty and Judge Kevin Burke released him without bail, referred him to probation for a chemical health evaluation, and lifted the criminal no contact order prohibiting him from contacting Victim A.

Case 13: Domestic assault

1/7/05 Minneapolis police report: Victim A called police to report that Richard had come to her apartment building and refused to leave. Officers responded to the scene and ordered Richard to leave. Forty-five minutes later, the victim called police again to report that Richard had returned and was throwing objects at her window. When she refused to respond, he kicked in her back door, grabbed her phone, took her keys, and fled in her truck. The victim's four children, ages one through 13, were present during this incident. The case was never charged.

1/21/05 Police investigation Case 13: Victim A told an investigator that the incident had been a misunderstanding and she believed the matter had been resolved at a recent custody hearing. She said Richard was following court orders and that she would not hesitate to call police in the future if necessary. The conversation was recorded and the case was closed.

2/8/05 Hearing Case 11: Judge Burke ordered Richard to be taken into custody for a chemical health evaluation and be held without bail.

*2/16/05 Outcome Case 11: **Richard pleaded guilty, and Judge Lynn sentenced Richard to 18 months in prison stayed for three years.*** His probation conditions included: 84 days in the workhouse with credit for 84 days, no alcohol/controlled substance use, no contact with Victim A until completing residential treatment, domestic abuse counseling/treatment, and random urinalysis. The prosecutor was Krista Bettinger, and the defense attorney was Mark Devaraj.

Case 14: Violation of a no contact order

4/14/05 Minneapolis police report: Victim A showed officers a copy of the HRO and reported that Richard called her four times that day. The case was never charged.

4/15/05 First A&D order Case 11: Richard violated his probation by failing to abide by the no contact order. Judge Lynn ordered that Richard be arrested and held without bail.

Case 15: Fifth degree domestic assault

4/16/05 Minneapolis police report: Victim B told responding officers that Richard grabbed the front of her sweatshirt, slapped her head, and stated, "I will beat your a**!" He fled in her vehicle and the case was never charged.

Hennepin County Civil Case D

5/19/05 HRO petition: Judge Patricia Belois granted Victim B a two-year HRO against Victim A. She ordered Victim A to have no contact with Victim B, refrain from harassing her and her child, and to stay away from her home, her mother's home, and her child's daycare.

Hennepin County Civil Case E

5/23/05 HRO petition: Judge Belois granted Victim A a two-year HRO against Victim B. She ordered Victim B to have no contact with Victim A, refrain from harassing her, and stay away from her home.

5/26/05 Hearing Case 11: A hearing was held before Judge Robert Blaeser, but according to MNCIS no action was taken on the arrest and detention order, and Richard's probation conditions were continued.

Case 16: Two counts of fifth degree domestic assault (gross misdemeanor) and one count of disorderly conduct (misdemeanor)

6/9/05 Minneapolis police report: Victim B left her home to call police after Richard slapped her in the face. Officers accompanied her home and arrested Richard. He was charged in the case.

6/13/05 First appearance Case 16: Judge Cara Neville set bail at \$5,000 and Richard was released under the condition he have no contact with Victim B.

6/17/05 Update Case 11: Richard violated his probation by committing another domestic assault (Case 16) and Judge Belois set bail at \$500.

Case 17: Four counts of violation of a no contact order (misdemeanor)

7/5/05 Hennepin County criminal complaint: Richard called Victim B a total of 118 times from June 13 to June 16.

7/6/05 Outcome Case 16: Judge Beryl Nord dismissed all three charges. The prosecutor was Kathryn Rygh, and the defense attorney was Emmett Donnelly. WATCH was unable to find additional information about this case, including why the charges were dismissed.

7/6/05 and 7/27/05 Hearings Case 11: The case was continued with Case 17.

8/11/05 Outcome Case 17: Richard pleaded guilty to one count of violating a no contact order (misdemeanor), and the other three charges were dismissed. Judge Heidi Schellhas sentenced him to 45 days in the workhouse with credit for 13 days and work release if eligible. The prosecutor was Kathryn Rygh, and the defense attorney was Emmett Donnelly.

Case 18: Violation of a restraining order

8/11/05 Minneapolis police report: Victim A reported that Richard, while out of jail on work release, came to her house and pushed his way through her door. He returned a short while later, but fled when the victim's daughter called the police. The police report noted that the victim had an HRO against Richard. The case was never charged.

Case 19: Fifth degree domestic assault

8/17/05 Minneapolis police report: Officers were called to a domestic assault. Victim B told police Richard punched her in the face and ribs while yelling at and threatening her and that she is afraid he is going to kill her. The case was never charged.

8/24/05 Update Case 17: Richard requested an additional week to report to the workhouse so he could find a new place to live and set up his phone. Judge Schellhas granted the extension.

9/6/05 Update Case 17: Judge Burke ordered Richard to report to the workhouse the following day and be immediately released on electronic home monitoring with work release privileges.

Case 20: Fifth degree domestic assault

9/18/05 Minneapolis police report: Victim B told responding officers that Richard slapped her several times across the face then fled when she called police. Officers noted that Richard was wearing an electronic home monitoring ankle bracelet at the time of the assault. The case was never charged.

Case 21: Harassment and domestic assault

9/27/05 Minneapolis police report: Victim A told officers that Richard called her 60 times over the last two days, threatening to hurt himself. The victim showed officers a copy of the HRO against him. While officers were taking her statement, Richard called, but hung up when she handed the phone to the police. The case was never charged.

Case 22: Domestic assault by strangulation and kidnapping

10/11/05 Minneapolis police report: Officers were called to Hennepin County Medical Center regarding a domestic assault. Victim B reported that while she was driving her car, Richard struck her in the face with a cell phone charger and threatened to kill her. She told police that when she pulled over, Richard "choked" her and when she "blacked out" he drove her to a friend's house where, for 19 hours, she tried to convince him to take her to the hospital. He finally agreed when she told him that if she did not receive medical attention, she would be unable to attend an upcoming court hearing about custody of their son. The case was never charged.

10/19/05 Review Hearing Case 11: Judge Lynn ordered Richard to serve 21 days in the workhouse with credit for 21 days served, and continued his probation.

Case 23: Domestic assault (felony) and violation of a restraining order (felony)

10/31/05 Hennepin County criminal complaint: Officers were called to a domestic assault. Victim A reported that Richard, who was on a weekend pass from his chemical dependency program, grabbed her by the neck and threw her down on the couch. The victim struggled free and when she ran out the door, Richard chased her and tried to drag her back into her home. He finally let her go and fled when she called out for help. The victim reported to officers that she had an HRO against Richard.

11/4/05 Second A&D order Case 11: While on probation for Case 11, Richard again assaulted Victim A (Case 23). Judge Lynn ordered he be arrested and set bail at \$1,000.

11/9/05 Update Case 11: Judge Lynn released Richard from custody and ordered him to return to the chemical dependency treatment center.

Hennepin County Civil Case F

11/28/05 OFP petition: Judge John Connolly granted Victim B a temporary *ex parte* OFP against Richard based on the June and October assaults (Cases 16 and 23).

12/16/05 First appearance Case 23: Judge Rosenbaum set bail at \$2,500 with the following conditions: no contact with Victim A, and child visitation only by family court order.

12/21/05 Outcome Civil Case F: Judge Holahan granted Victim B a one-year OFP prohibiting Richard from contacting her, going to her or her mother's home, or committing further acts of domestic abuse against her.

1/12/06 Plea hearing Case 23 and probation violation hearing Case 11: In Case 23, Richard pleaded guilty to domestic assault (felony) and the charge of violating a restraining order was dismissed. Judge Warren Sagstuen released him and ordered an updated pre-sentence investigation. MNCIS noted that no action was taken on Case 11.

2/23/06 Bench warrant Case 23: When Richard failed to appear for his hearing, Judge Sagstuen issued a bench warrant for his arrest and set bail at \$25,000.

4/21/06 Hearing Case 23: Judge Dennis Murphy reduced Richard's bail to \$1,000. Three days later Richard posted bail and was released.

5/11/06 Update Case 11: A bench warrant was issued for this case. MNCIS does not list the signing judge.

6/9/06 *Update Case 11*: Judge Marilyn Kaman continued Case 11 with Case 23.

Hennepin County Civil Case G

6/15/06 *OFP petition*: Judge Belois granted Victim A a temporary *ex parte* OFP against Richard. The petition included information about his numerous violations of Victim A's 2003 HRO and a June 6, 2006, incident during which he called and threatened the victim.

6/22/06 *Outcome Civil Case G*: Referee David Piper dismissed the OFP at Victim A's request.

6/27/06 *Update Case 11*: Judge Sagstuen continued Case 11 with Case 23.

7/10/06 *Outcome Case 23 and revocation hearing Case 11*: **Judge Sagstuen sentenced Richard to 24 months in prison with credit for 65 days served.** He also revoked 18 months of Richard's sentence for Case 11, and ordered him to serve the two sentences concurrently. The prosecutor was Stuart Shapiro, and the defense attorney was Mark Devaraj. Note: Richard was released from prison on 9/5/07. Three weeks later he was arrested for violating the terms of his supervised release and sent back to prison to serve the rest of his sentence. He was released on May 5, 2008.

Case 24: Domestic assault (felony)

11/6/08 *Hennepin County criminal complaint*: Richfield police officers spoke with a witness, who reported that Richard punched Victim B in the face when she tried to stop him from leaving with their five-year old son. Officers noted the victim was bleeding heavily from a cut above her left eyebrow. Richard was arrested.

11/10/08 *First appearance Case 24*: Richard was arraigned by Judge Thor Anderson who set bail at \$50,000 without conditions and \$40,000 with conditions. His conditions included: follow all probation instructions, no contact with Victim B or with witnesses, no alcohol/controlled substance use, remain law-abiding, and attend all future court appearances.

2/6/09 *Jury trial Case 24*: A jury found Richard guilty of domestic assault, and Judge Richard Scherer ordered he be held without bail.

3/12/09 *Outcome Case 24*: **Judge Scherer sentenced Richard to 21 months in prison stayed for three years.** His probation conditions included: 270 days in the workhouse with credit for 127 days, no alcohol/controlled substance use, random testing, chemical dependency evaluation/treatment, domestic abuse counseling/treatment, obtain and maintain employment, no contact with Victim B, supply a DNA sample, do not ship/transport/possess or receive firearms or ammunition, and remain law-abiding. The prosecutor was Stuart Shapiro, the defense attorney was Arthur Martinez.

4/3/09 Update Case 24: MNCIS noted that Richard's sentence was modified and his probation supervision was transferred to the state of Indiana.

9/3/09 First A&D order Case 24: An A&D order was issued after Richard's urinalysis tested positive and he was terminated from his chemical dependency treatment program. Judge Scherer ordered that Richard be arrested and held without bail.

10/22/09 Probation violation hearing Case 24: Richard admitted to violating his probation, and Judge Scherer revoked 30 days of his probation with credit for 10 days served. Richard was ordered to complete the chemical dependency treatment program.

2/23/10 Update Case 24: Judge Ronald Abrams modified the criminal no contact order to allow Richard phone contact with Victim B to discuss issues related to their child and arrange visitation with the child.

4/22/10 Second A&D order Case 24: Richard violated his probation by failing to maintain contact with his probation officer and failing to provide urinalysis and breath analysis. Judge Steenson DuFresne signed an order for Judge Scherer that Richard be arrested and held without bail.

5/12/10 Probation violation hearing Case 24: Richard admitted to violating probation and Judge Scherer revoked 90 days of his probation with credit for 10 days served. Richard requested and was granted a 24-hour furlough to attend his daughter's high school graduation.

5/19/10 Third A&D order Case 24: Richard failed to report to the workhouse after the 24-hour grace period. Judge Scherer ordered him to be arrested and held without bail.

9/7/10 Arrest Case 24: Richard was arrested almost four months after the order for his arrest was issued.

9/15/10 Update Case 24: A probation violation hearing was cancelled because Richard refused to be brought from the jail to appear in court. The third A&D was amended to add Richard's failure to provide urinalysis and breath analysis.

10/5/10 Probation violation hearing Case 24: Richard admitted to violating his probation and Judge Scherer ordered him to serve 210 days in the workhouse with credit for 39 days.

Recommendations

According to the *Model Policy for Prosecutors and Judges on Imposing, Modifying and Lifting Criminal No Contact Orders*,¹ victim safety is enhanced when prosecutors and

¹ *Model Policy for Prosecutors and Judges on Imposing, Modifying and Lifting Criminal No Contact Orders*, Jennifer Long, Christopher Mallios, and Sandra Tibbetts Murphy, February 2010, Battered Women's Justice Project.

judges monitor defendants' compliance with court orders and impose immediate sanctions upon violation. WATCH has the following recommendations for improving victim safety in this case:

- Richard did not face charges in 15 of the cases WATCH documented. When police reports document behavior that fits the definition of domestic assault in Minnesota statutes, these cases should result in criminal charges.
- Although Richard repeatedly violated criminal and civil no contact orders, he was arrested only six times. When police respond to domestic assaults that occur while protection orders are in place, as they did in cases involving Victims A and B, every effort should be made to arrest the defendant, whether or not he has fled.
- Judges continually gave Richard a second chance or revoked only a fraction of his sentence. In response, he continued to act in defiance of court orders. When probation officers report a defendant's failure to comply with court-ordered probation conditions, the court should issue swift and meaningful consequences for these violations.
- Richard was repeatedly court ordered to chemical dependency evaluations and treatment. In cases of domestic violence, the court's primary focus should be on addressing the violence, and defendants should be ordered to attend batterer's intervention programs.

Note: Some police reports use general language, such as violation of a protection order, when describing violations of a harassment restraining order. In this chronology, WATCH has utilized the same language used in the official documents.
