



This series puts a face on domestic abuse and intimate partner violence.

'She must have done something wrong'

By TESHA M. CHRISTENSEN

Broke.
Homeless.
And in danger of losing custody of her children.

That's where Bonnie Roy found herself while trying to get a divorce in Minnesota 10 years ago.

Because of her own experience and the stories she's heard, Roy has dedicated herself to positive change in the laws around family court that prioritize the safety and well-being of children.

She's attended the New York Battered Women's Custody Conference, and events by the Center for Judicial Excellence and Protective Mothers Alliance International. She's worked to bring well-known domestic violence advocates Barry Goldstein, who authored the Safe Child Act as well as "The Quincy Solution," and Lundy Bancroft, who authored "Why Does He Do That: Inside the Minds of Angry and Controlling Men" to Minnesota to provide trainings to therapists and other family court professionals.

And she's worked hard to counter this statement made by so many: Well, she must have done something wrong to lose custody.

Of the moms she knows who lost legal custody and got reduced parenting time, none had criminal convictions or had been in criminal court. There was no determination of negligence or endangerment. "They hardly had a speeding ticket," said Roy.

"People just assume lawmakers and judges are looking out for children – and they're not.

"The public needs to get informed."

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TRANSFORMATION

Frogtown Community Center rebuilt into one of city's best



Ayanna Jones, age seven, and Mayor Melvin Carter III cut the ribbon at Frogtown Community Center during the official opening of the \$2.1 million field project on Tuesday, Sept. 22. (Photo by Tessa M. Christensen)

By TESHA M. CHRISTENSEN

The recreation center at Como Ave. and Marion has been transformed, and people came together to celebrate with a ribbon-cutting on Tuesday, Sept. 22, 2020.

"Look what we got," stated Caty Royce of the Frogtown Neighborhood Association as

she looked around at the new building that is four times as big as the old one and has triple the fields. "It's beautiful."

"Invite your friends and your families to use this facility," encouraged Ward 1 Council Member Dai Thao. "This is a place where your family can gather. We wanted to create a

place where people can belong."

"It's yours to take care of. It's yours to play on and enjoy and have a good time," stated Mayor Melvin Carter, who formerly represented the city's Ward 1.

FROGTOWN CENTER >> 18-19

Melvin Carter Jr. driven to help youth

Why he does it, and why he won't ever stop

By MARGIE O'LOUGHLIN

Melvin Carter Jr. is a natural-born mentor. The Summit-University resident said, "I mentor young people everywhere I go. I focus on my natural realm of travel these days: between my house, the YWCA, the boxing gym. I see young people that I recognize in the neighborhood, and I take my time checking in with them. I'm always mentoring."

Carter is a 29-year veteran of the Saint Paul Police Department, from which he retired in 2003. He served in several different capacities there: patrol officer, foot beat, SWAT, and detective. He was one of a handful of African Americans hired when the department was forced to integrate in 1974. In addition, he was part of another distinct minority: an officer who patrolled the streets of the city he grew up in, and chose to raise his children in.

Born into St. Paul's historically-black Rondo neighborhood, Carter said, "Nobody ever got killed there when I was growing up. The lethal violence we see now in communities of color is something fairly recent. With the advent of the War on Drugs, mass incarceration, and the willful destruction of neighborhoods like Rondo, it was clear that Blacks were being targeted."

WHY HE DOES IT >> 13

Take action with League of Women Voters

Nonpartisan group informs and engages citizens for a healthy democracy

By TESHA M. CHRISTENSEN

The League of Women Voters St. Paul works to make voting less intimidating for people.

It is part of the larger national organization, the League of Women Voters, a civic organization in the United States that was formed in 1920 to help women take a larger role in public affairs after they won the right to vote.

For Como resident Amy Perna being involved in the League is a natural extension of the civic and community engage-

ment that began in high school, when she organized students and faculty to support Diversity Day.

In 2016, she was hired as the LWVSP candidate forum coordinator. She worked seasonally for the next three years, and then joined the board in July 2017 as Voter Service Chair. Last year, she was elected as Co-President.

Perna believes that a healthy democracy requires informed and engaged citizens, open and responsive government and the opportunity to take action.

For more on the League, read the Q & A below.

What is the value of LWVSP?

The value of our work lies in that we engage and educate people in a strictly nonpartisan manner. Folks know that when they show up to a candidate forum – a program like January's Presidential Nominating Primary event with Secretary Simon or to volunteer with us in area high schools – that they will be

walking into a nonpartisan, safe environment in which they can learn and ask questions. Additionally, we bring value to our community by engaging folks in the democratic process by registering them to vote, hosting candidate forums, engaging youth and holding relevant educational programs. Registering voters looks a little different this year, but we are out registering in person in select locations!

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America needs
local journalists

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On the job with local
companies during COVID-19

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2 Scoops Ice Cream
opens during pandemic,
civil unrest

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Because fit mothers are losing custody and children are being harmed, supporters of Safe Child Act want to make sure family court focuses on child safety over parents rights

'She must have done something wrong'

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Evidence ignored as 'heresy'

What is the contributing factor to women losing custody? Not being heard on the evidence they have, according to Roy.

She pointed to cases like that of her friend, Leigh Ann Olson Block, whose evidence of domestic violence was ignored by the Ramsey County Family Court. Having been given joint legal custody and over 50% of the parenting time, Highland High School graduate John Tester murdered their daughter Mikayla the weekend before she would have started kindergarten in September 2004.

This isn't an isolated case. Since 2008, the Center for Judicial Excellence has identified 748 children who were murdered by a divorcing or separating parent. Among those are 11-year-old William and 8-year-old Nelson Schladetzky, who, along with their mother, Kjersten, were murdered by their father and Whittier International Elementary School PTO president David last November in South Minneapolis.

Once you step into family court, evidence that would be heard in a criminal court gets thrown out, said Roy, who has talked to many women in Minnesota over the years about their experiences in family court. The evidence is labeled "heresy." Women are labeled as having made "false allegations" and in some cases children are taken away because they're seen as "alienators" and accused of trying to alienate children from their fathers, a theory that is not supported by research, she observed. Women are even punished for cooperating with child protection investigations.

Minnesota courts are taking children away from their primary caretakers without a determination of neglect or endangerment. You can't do this in criminal court, but it happens in family court, pointed out Roy.

This is a widespread problem, one that researcher Joan



Meiers and team from Georgetown University studied in depth, pointed out Roy. After looking at more than 2,000 custody case appeals involving child abuse, domestic violence and parental alienation nationwide, researchers found that women are losing custody when they bring up domestic violence. When a woman states there was domestic violence in the home (against her, the children or both) and the man counters by claiming she is alienating the kids from him, she loses custody 44% of the time. When claims of sexual abuse are involved, the mother loses custody 81% of the time.

In family court today, claims of abuse by mothers are only believed 23% of the time when alienation is claimed by the father.

This was the case for Block, whose evidence of stalking, abuse and more that was downplayed and ignored in family court. (Read past article on Block online at www.LongfellowNokomisMessenger.com)

Block was told: "You need to stop pushing his buttons."

"His buttons? He was trying to kill us," said Block.

A woman may have an order for protection in place

against her abuser, but she's still instructed by the family court to engage in co-parenting in a joint custody situation. "They don't factor that in," said Roy. "It is shocking to most people."

Current law doesn't make child safety the priority

Minnesota Statute 518.17 lists 13 factors to be evaluated during custody cases. The statute states that the court should consider the best interests of the child and should not prefer one parent over the other, and one factor deals specifically with domestic abuse. But Roy and Block have seen too many cases where domestic violence isn't factored into a judge or referee's decision on a custody case.

Because of that, they're working to replace this language with the Safe Child Act.

"There is no current law that says safety of the child has to be taken first," said Roy.

"We're trying to make children's safety a priority in family court by passing the Safe Child Act," stated Block.

The Minnesota bill needs a sponsor.

"It's not a father's rights issue or a mother's rights issue," said

Block. "It's a people's issue."

"The issue is children not being heard," said Roy.

'No sense to this'

"Abusive fathers are more likely to get custody of their children than mothers," said Roy. "In law and logic - there's no sense to this."

In some of the families, a Guardian Ad Litem had been assigned to the case. The guardian is supposed to assess a child's situation and then make recommendations to the court about a child's best interest.

However, a 2018 report by the Minnesota Office of the Legislative Auditor found that they are failing children. "There are no training standards," pointed out Roy. "The training they have is a minimal baseline. Those who lack relevant professional education are making critical decisions that create horrific outcomes."

The results of the audit didn't surprise Roy or Block, who have heard story after story of how guardians without training in psychology or domestic violence ignore abuse when a mother or child brings it up. Instead, they're told they need to get along with the father and co-par-

ent.

"You can't co-parent with an abuser," said Roy.

In many of these cases, mothers end up losing custody because the guardian made the determination that a mother bringing up issues of abuse meant she was making false allegations and/or engaged in parental alienation. Decisions are also being made based on the old research that children act out when there is abuse or that women made false claims of abuse to gain an advantage in custody court.

The Safe Child Act would address some of these issues by stipulating that a common intake form is used by all guardians, and that judges would also be educated on how to use the assessment tool. The SAFeR Approach has been developed by the Minneapolis-based Battered Women's Justice Project, and helps practitioners screen for and understand the full nature, context and effects of abuse so that they can respond with safe and workable parenting arrangements. SAFeR can be used by attorneys, advocates, judicial officers, custody evaluators, guardians ad litem and survivors, and is implemented through the use of worksheets and practice guides.

"The bottom line is that when the Safe Child Act is passed, it will change the dynamics of family court," said Roy. "It will force the court to look at the dynamics that haven't been recognized and the abuse cases that are labeled high conflict."

"It's accountability on everyone's part."

The act builds upon House Congressional Resolution 72, which says child safety is the first priority of custody and visitation adjudications, and that state courts should improve how they manages custody where family violence is alleged.

According to the Leadership Council on Child Abuse and Interpersonal Violence, an estimat-

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Making Lemonade From Life's Lemons

Divorcing a Narcissist with Tina Swithin

ONLINE COURSES OFFERED.
«Topics include:
Safeguarding yourself from alienation claims,
Mediation, Divorcing a Narcissist 101,
Documentation and Strategic communication.

« **Designed to educate and empower those who are fighting to protect their children while navigating the Family Court System**

WWW.ONEMOMSBATTLE.COM

Every year, U.S. child protective services referrals involve **7.2 million** children.

91% of perpetrators are parents.

77% of child deaths involve at least one parent.

Source: U.S. Department of Health & Human Services, Administration for Children and Families, Administration on Children, Youth and Families, Children's Bureau. (2017). Child Maltreatment 2015. Available from <http://www.acf.hhs.gov/programs/cb/research-data-technology/statistics-research/child-maltreatment>.

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ed 58,000 U.S. children a year are court-ordered into the unsafe custody or care of abusive parents, over the objections of caring parents.

Right now, too often, "the rights of the father outweigh the health and safety of the mother and child," said Roy. She wishes the system would do away with the word "custody," as it becomes a tool used by an abuser. "The abuser looks at it as a piece of property. They will spend a million dollars to get custody," observed Roy.

"Why did the mother lose custody when all she did was try to protect the child and try to protect their life?"

The Safe Child Act would prioritize keeping the main caretaker the same, recognizing that this has been shown by the Adverse Childhood Experiences (ACE) studies to be better for kids.

"One of the most important findings from the ACE Studies is that fear leading to stress rather than physical injuries cause most of the damage. The essence of domestic violence is that abusers use a variety of tactics to coerce, scare and intimidate the victim to do what the abuser wants. The fear that is engendered in both the mother and children causes a lifetime of health and other problems," pointed out Barry Goldstein, who authored the Safe Child Act and wrote "The Quincy Solution: Stop Domestic Violence and Save \$500 Billion."

Researchers at the University of Michigan along with the National Institute of Justice looked at what happens when the alleged abuser wins custody and a safe, protective mother who is the primary attachment figure for the child, is limited to supervised or no visitation. "The Saunders' study found that these decisions are always wrong because the harm of denying children a normal relationship with their primary attachment figure, a harm that includes increased risk of depression, low self-esteem and suicide, is greater than any benefit the court thought it was creating," pointed out Goldstein. "One reason for the mistake is the courts rarely compare the known risk of separating children from their primary parent with the often-speculative risk they are using to justify the extreme decision."

DV doesn't always include physical abuse. DV often continues post separation & divorce in a variety of ways:



- Ignoring school responsibilities, projects and homework to create chaos and discord for the healthy parent.
- Ridiculing children or former partner and using their wants, needs, fears and feelings to hurt, tease, manipulate, intimidate and control.
- Financial abuse: withholding support and payments, blocking access to financial resources, and interfering with ex-partner's ability to work or find employment.
- Undermining their former partners ability to parent: purposeful contradiction of rules, disrupting child's sleep or eating patterns and using the parenting schedule as a weapon.
- Stalking, harassment and intimidation.
- Destroying social capital: spreading lies and rumors in an effort to isolate and publicly damage their reputation.
- Manipulating children through a variety of methods (financial, emotional, etc) to use them as allies, coercing children to degrade former partner and to act as spies with the ultimate goal of isolating them from the other parent.

#PostSeparationAbuse

www.onemomsbattle.com

PROBLEMS WITH GUARDIANS AD LITEM IN MINNESOTA

DEFINE IT

Each year, thousands of children in Minnesota are involved in court cases related to abuse, neglect, custody, and other matters. In some of these cases, the courts appoint a guardian ad litem to help ensure the child's needs are not overlooked during the court process. Guardians ad litem assess a child's situation and make recommendations to the court about a child's best interests.

What does it take to be a GAL?

- 40 hours of training and a bachelor degree (field is not specified)
- Training in child psychology, Cluster B personality disorders, or domestic violence is not required.

Key findings of 2018 legislative audit:

- The GAL program has not had sufficient oversight.
- Not all are complying with required training.
- It has established few standards to ensure guardians ad litem provide high-quality services statewide.
- The program needs greater financial oversight and regular reviews.

READ IT YOURSELF

GUARDIAN AD LITEM AUDIT
<https://www.leg.mn.gov/docs/2018/other/180389.pdf>

Fit mothers losing custody under the radar

"If a divorce was not contentious, you would be able to sit down and you wouldn't have to go in front of a judge," pointed out Roy.

Of the 3.8% of cases that require trial, a large majority (75-90%) are domestic violence cases involving the most dangerous abusers, according to Goldstein. "These are fathers who believe the mother has no right to leave so they are entitled to use any tactics necessary to regain what they believe is their entitlement to control their partners."

He added, "Inadequately trained professionals often fail

3 types of ACEs
Adverse Childhood Experiences

ABUSE
Physical, Emotional, Sexual

NEGLECT
Physical, Emotional

HOUSEHOLD DYSFUNCTION
Incarcerated relative, Divorce, Mother treated violently, Substance abuse, Mental illness

to recognize the danger because most of these fathers have not committed the most severe physical assaults. But these abusers

are willing to hurt their children by taking them from mothers who are usually the primary attachment figures, abusing the children and in extreme cases killing them. Courts rarely look for patterns to help understand domestic violence, but in the last 10 years over 700 children involved in contested custody have been murdered, mostly by abusive fathers."

Men who abuse women are 40-60% more likely to abuse children physically and sexually, and domestic violence makes child neglect more likely, pointed out Goldstein.

Because the Saunders' study found that the standard and re-

quired training in domestic violence obtained by evaluators, judges, lawyers and guardians ad litem do not qualify them to respond effectively to domestic abuse allegations, the Safe Child Act would require specific training.

It would also requires the use of current scientific research to inform court decisions, instead of the personal beliefs, biases and invalid theories used instead. The idea that a woman makes false allegations of abuse in family court leads to judges imposing punishments and retaliation against the mother - not recognizing the court is punishing the children, pointed out Roy.

"A fit mother is losing custody to an abuser," said Roy. "That's the part that is going under the radar."

25 common dangerous mistakes caused by failing to use current research

- 1) Asking abuse victims to just "get over it."
- 2) Minimizing the full harm caused by domestic violence and child abuse.
- 3) Assuming the end of a relationship ends the risk from an abuser.
- 4) Assuming abuse that is not recent has little impact on children.
- 5) Focusing only on physical abuse.
- 6) Failure to understand the significance of the fear and stress caused by abuse.
- 7) Failure to focus on the assistance and protection children

need in order to heal from exposure to abuse.

- 8) Mistaken assumptions that very young children cannot be harmed from witnessing domestic violence.
- 9) Pressuring victims to interact and cooperate with their abusers.
- 10) Failure to use a multi-disciplinary approach to domestic violence and child abuse cases.
- 11) Using non-probative factors like returning to an alleged abuser or not following up on a request for a protective order or the failure to have police or medical reports to discredit reports of abuse.
- 12) Failure to look for a pattern of coercive and controlling behavior to recognize domestic violence.
- 13) Failure to consider which

party is afraid of the other in adjudicating domestic violence.

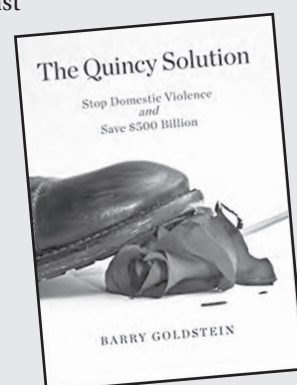
- 14) Failure to guard against the ability of abusers to manipulate witnesses and professionals.
- 15) Failure to consider factors that are associated with a higher risk of lethality in resolving domestic violence.
- 16) Failure to consider an alleged abuser's past and future relationships when investigating reports of domestic violence.
- 17) Treating an alleged abuser's good behavior in public as if it provides proof about his behavior in private.
- 18) Treating evaluators who fail to discuss ACE and Saunders or are unfamiliar with the research as if they are qualified to respond to domestic violence cases.
- 19) Treating any professional

who recommends a harmful outcome case as if they are qualified to respond to domestic violence cases.

- 20) Failure to discuss which parent is the primary attachment figure and how that affects the children regarding the possible outcomes.
- 21) Failure to guard against gender-biased approaches and assumptions.
- 22) Failure to understand the importance of holding abusers accountable.
- 23) Recognizing that court professionals that focus on the myth that mothers frequently make false allegations or unscientific alienation theories

reveals more about their lack of qualifications for domestic violence cases than the circumstances in the case.

24) Failure to understand that child sexual abuse is far more common than previously realized and most abuse is committed by someone the child knows.



25) Assumptions that men who are successful in other parts of their lives are unlikely to abuse women and children.
 ~ Compiled by Barry Goldstein, author of the Safe Child Act