

Turning Point is a necessary voice on protective orders

ADVOCATES from Turning Point Domestic Violence Services will begin meeting regularly with Bartholomew County's judges. That is a welcome and necessary development. At the very least, such meetings may help illuminate the criteria judges use to evaluate petitions for protective orders.

The need for this dialogue became urgent last month after a Columbus woman, Julie Schmidtke, was shot to death in her home by her estranged husband, Charles Schmidtke, who then killed himself. The murder-suicide happened a few days after Bartholomew Superior 2 Judge Jon Rohde denied Julie's petition for a protective order against her estranged husband.

"I think the system is broke," Craig Yow, Julie's father, told The Republic's Andy East last month. "She was trying to get a restraining order. ... She had filed charges against him earlier. Another police department had called the Columbus police to have them check on her welfare because they were concerned that he had done something to her. There's a whole host of things that there's a breakdown in the system."

There is little justice left available to the loved ones of the victim, who remember her name as Julie Anne Yow Neumann. But one flicker of justice is possible: A community dialogue that aims to ensure that such a thing never happens again, and that victims of domestic violence are believed and protected as provided by law.

This community has rightfully demanded answers in the aftermath of this tragedy. And Turning Point appropriately should be central to future local court reforms, which must take place where protective orders are concerned.

We look to the judiciary for justice — and judgment — and the community has every right to ask whether our jurists are providing that in accordance with the law.

And as we have done in this space previously, we again refer to the law, the opening section of The Indiana Civil Protection Order Act, which states it "shall be construed to promote the: (1) protection and safety of all victims of domestic or family violence in a fair, prompt and effective manner; and (2) prevent future domestic and family violence."

And we again point to this clear guidance to judges from the Indiana Office of Court Services: "People seeking protection orders are in crisis and the parties' safety should always be the court's first priority. ... A judge should review each petition immediately ... Except for petitions based solely on harassment, the judge in the county where the protection order case is filed should promptly rule on the petition and issue an ex parte order for protection if one is necessary to ensure the protected person's safety."

Turning Point Vice President Carrie Kruse last week explained the need for protective orders. "They serve as a deterrent and also a message from the court that the behavior is not OK. Sometimes people may say it's just a piece of paper ... but when we look as a whole on effectiveness, they are a really important piece to the puzzle."

We agree. And we believe that someone who takes the extreme measure of swearing they are a victim of domestic violence should get the benefit of the doubt when petitioning the court for a protective order. The spirit, if not the letter of the law, demands that much.