

HUMAN RIGHTS COMMISSION MINUTES

Approved June 20, 2017

The Human Rights Commission met on Tuesday, May 16, 2017 at 5:00 p.m. in the Multi-Purpose Room at the Kandiyohi County Historical Society.

Members present were: Shelly Huseby, Barbara Little, Jill Benson, Bashir Abdi, Marlin Breems, Richard Engan, Ben Larson, Shawn Mueske, Fernando Alvarado, Police Chief Jim Felt, Sheriff Dan Hartog and Janell Sommers, Administrative Assistant.

Item No. 1 Call to Order

The meeting was called to order by Chairperson Shelly Huseby at 5:00 p.m.

Item No. 2 Approve Minutes of Meeting

Commission Member Travaglio moved to approve the Human Rights Commission minutes of April 15, 2017. Commission Member Ben Larson seconded the motion, which carried.

Item No. 3 Public Comment

Catalina Moreles who works with ISAIAH stated she brought some information with her pertaining to separation agreements. Chair Huseby explained the meeting format will be both Police Chief Jim Felt and Sheriff Dan Hartog addressing questions submitted by Commission Members and the public previous to the meeting and if there are more questions that come up those will be addressed as well.

Item No 4 Discussion Session with Law Enforcement Officials:

Chief Felt introduced himself and prompted the group that he and Sheriff Hartog will answer as many questions as they can. They realize there is anxiety in the public along with the changes in the presidency and different administration. Sheriff Hartog introduced himself and briefed the functions of the Sheriff Department in the county. The main difference between the two is their geography; they are all deputized and can help each other outside their jurisdiction.

The first question was what their relationship is with Immigration and Customs Enforcement (ICE). Chief Felt stated it is as simple as they have their phone number. They do not have regular meetings with ICE. They do not take anyone in custody simply for not having proper documentation for being in the United States. Most times if someone is arrested for a forgery or some other type of crime and through the investigation it is determined they are wanted for a crime they will provide the information to ICE.

Sheriff Hartog explained his department has to have probable cause to stop a vehicle. If they are stopped for a traffic violation and during the investigation there are identification issues and there has been a crime committed, then they get into it deeper. As far as the person being placed in jail, there is a standard booking sheet and one of the questions is if they are a US Citizen or not. If they are brought to the jail they are there for a crime. If they are not a US Citizen, at that point ICE is contacted. If ICE wants that person, they are supplied with their discharge date and if ICE is not there to get them when discharged, the person is not held for ICE.

The question was posed as to which forms of identification are allowable for proof of identity. Chief Felt stated they do not have a lot of training when it comes to foreign documents and most times take it as a legitimate document.

Sheriff Hartog addressed the question if they have officers who are trained in the 287 Program and he stated they do not. With mental health issues they have a substantial amount of training and deal with it a

lot. There are two negotiators with extensive training. They have a team put together to speed up the commitment process and they work with the Mobil Crisis Unit.

Minority populations within the Sheriff's office consist of a Latino officer who retired a couple years ago and currently there is a Korean, Vietnamese and a Latino. There are 30 female employees which work in the jail, sheriff's office and in clerical of which 4 are Sergeants. The Police Department struggles to recruit minorities as they do not receive a diverse pool of applicants for open positions even after reaching out to various organizations. A Police Explorer Program was initiated to enhance interest of young people in a law enforcement career.

The question was raised of how they communicate with people who do not speak English. The Police Department uses various ways. They have four officers who are bilingual in Spanish, one proficient in sign language, they will call in an interpreter who will come directly to the crime scene or use a language line. Sheriff Hartog stated that the jail will call a translator in, with dispatch they use the language line and the deputies also have access to interpreters. Both departments have attended cultural sensitivity training with a Somalian officer from Columbia Heights and the Latino Police Officers Association has also been in the community for training.

A common question was do officers approach people and ask them for documentation for citizenship. They do not. They need to be investigating crime and have a legitimate reason to approach someone and ask those questions. Another question was how a person makes a complaint if they feel they were only stopped because of their race. The Police Department has a specific procedure to file such a complaint and anyone can come forward and request an investigation be done.

The question was raised if law enforcement has an ICE detention contract to hold immigrants and Sheriff Hartog stated Kandiyohi County does not. The relationship with ICE is if there is a situation where they have to work with them they do. ICE tries to distance the local officers from what they are doing making the local contacts themselves.

Commission Member Fernando asked about the policy for any perceived officer misconduct and what the process is to file the complaint. Chief Felt stated go to the Police Department and the policy can be handed over by any officer no questions asked.

Chief Felt stated they want community members to feel comfortable with the police department stating they have not changed their policing methods in over 20 years especially when it comes to immigration issues. They want to address the fears people have because sometimes the rumors are actually worse than what is taking place and bringing it into the open can help rid people of those fears. Sheriff Hartog alluded to the same treatment by the Sheriff's Department.

Commission Member Mueske addressed the politics of fear and the statement of "we need to go to a statutory city" or form agreements stating we need to start a dialog and thanked the law enforcement officials for coming in. He reiterated and asked for correction if he was wrong stating ICE involvement would only occur if the individual has committed a crime for which they can be jailed which is discovered during the processing, or if that person chooses not to disclose that information? If during investigation it is found the Federal Government has a warrant for this individual local enforcement would continue to hold them only for the amount of time they are being booked for the current crime and it would be up to ICE to come for this individual during this time. They are not held longer specifically for ICE. Sheriff Hartog concurred with Commission Member Mueske's statements and commented they do not have anyone trained under the 287 Program or illegal immigration.

Chief Felt reassured the public that they are sensitive to undocumented individuals who become victims of crime in the community and realize they are greatly unreported. They certainly do not call ICE if an undocumented individual reports a crime and they don't ask that information.

Catalina Morales questioned the booking paperwork which does ask them if they are a US citizen stating that they are not, that information is shared with Immigration. Sheriff Hartog stated if they are booked into jail, it is a crime i.e. DWI, type of crime under the 609 Code, shoplifting, assault, theft generally on that level that is severe enough to be held in jail until a court appearance. He explained the fingerprint system they use for identification and the warrant process. Ms. Morales asked the officers several more questions for clarification of the treatment of undocumented individuals and thanked them for the opportunity to ask questions.

Chairperson Huseby also thanked both Chief Felt and Sheriff Hartog for their willingness to come before the Commission and answer questions to dispel fear in the community.

Item No. 5 Other Business:

The next meeting date of the Commission will be Tuesday, June 20, 2017 at 5:00 p.m. A motion was made by Commission Member Engan and seconded by Commission Member Dahlager to adjourn. The motion carried and the meeting was adjourned at 5:57 p.m.

Respectfully submitted,

Janell Sommers
Administrative Assistant