

**CITY OF GRAND RAPIDS HUMAN RIGHTS COMMISSION
CITY HALL CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVE.
DATE: AUGUST 31, 2011
TIME: 4:00 P.M.**

Est. Times

ACTION

4:00 CALL TO ORDER:

CALL OF ROLL:

	Present	Absent
Commissioner Wartchow, Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Dowell	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hain	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hall	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Learmont	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Mundt, Sec'y. /Treasurer	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Sanderson	<input type="checkbox"/>	<input type="checkbox"/>

MEETING PROTOCOL POLICY:

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

SETTING OF REGULAR AGENDA:

This is an opportunity to approve the regular agenda as presented or add/delete an Agenda item by a majority vote of the Commission members present.

APPROVAL OF MINUTES: July 27, 2011 regular meeting

FINANCIALS:

CORRESPONDENCE:

PUBLIC COMMENT:

OLD BUSINESS:

- Rapids Read and Commission follow-up program on August 19, 2011.
- Accessibility Project Mailing Update – 455 letters mailed out 8-19-2011.

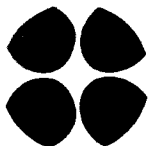
NEW BUSINESS:

REPORTS ON CALLS AND INQUIRIES:

PENDING COMPLAINTS:

OTHER:

ADJOURNMENT:



**CITY OF GRAND RAPIDS HUMAN RIGHTS COMMISSION
CITY HALL CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVE.**

DATE: AUGUST 31, 2011

TIME: 4:00 P.M.

ACTION

Est. Times

4:00 CALL TO ORDER:

CALL OF ROLL:

	Present	Absent
Commissioner Wartchow, Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Dowell	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Freeman, Vice Chair	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hain	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Hall	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Learmont	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Mundt, Sec'y. /Treasurer	<input type="checkbox"/>	<input type="checkbox"/>
Commissioner Sanderson	<input type="checkbox"/>	<input type="checkbox"/>

MEETING PROTOCOL POLICY:

Please be aware that the Council has adopted a Meeting Protocol Policy which informs attendees of the Council's desire to conduct meetings in an orderly manner which welcomes all civil input from citizens and interested parties. If you are unaware of the policy, copies (orange color) are available in the wall file by the Council entrance.

SETTING OF REGULAR AGENDA:

This is an opportunity to approve the regular agenda as presented or add/delete an Agenda item by a majority vote of the Commission members present.

APPROVAL OF MINUTES: July 27, 2011 regular meeting

FINANCIALS:

CORRESPONDENCE:

PUBLIC COMMENT:

OLD BUSINESS:

- Rapids Read and Commission follow-up program on August 19, 2011
- Accessibility Project Mailing Update – 455 letters mailed out 8-19-2011.

NEW BUSINESS:

REPORTS ON CALLS AND INQUIRIES:

PENDING COMPLAINTS:

OTHER:

ADJOURNMENT:

CITY OF GRAND RAPIDS HUMAN RIGHTS COMMISSION
CONFERENCE ROOM 2B – 420 NORTH POKEGAMA AVENUE
WEDNESDAY, JULY 27, 2011 – 4:00 P.M.

CALL TO ORDER: Pursuant to due notice and call thereof a special meeting of the Grand Rapids Human Rights Commission was held in Conference Room 2B of City Hall, 420 North Pokegama Avenue, Grand Rapids, Minnesota, on Wednesday, July 27, 2011, at 4:00 p.m.

CALL OF ROLL: On a Call of Roll, the following members were present: Commissioners: Wartchow, Dowell, Hain, Hall, Learmont, & Sanderson. Commissioner Mundt arrived at 4:08 p.m. Absent: Commissioner Freeman.

The Commission met to:

1. APPROVE MINUTES: June 29, 2011.

MOTION BY COMMISSIONER SANDERSON, SECOND BY COMMISSIONER HALL, TO APPROVE THE MINUTES OF JUNE 29, 2011 AS PRESENTED. The following voted in favor thereof: Wartchow, Dowell, Hain, Hall, Learmont, Sanderson. Opposed: None, motion passed.

2. OLD BUSINESS:

A. Rapids Read & Commission follow-up program.

Commissioner Wartchow has been in contact with the Hmong Cultural Center and the presentation has been scheduled for Friday, August 19, 2011 at the Grand Rapids Area Library. Nine performers and 1 chaperone will need meals and lodging. Discussion regarding rates at various local hotels. The Commission will also pay the standard City rate for mileage. Contact will be made with radio stations and local newspaper to promote the program in the community. Flyers will be developed and distributed.

B. Accessibility Project Discussion.

Draft letter is reviewed and approved. This will be placed on letterhead and mailed. Dawn Schaefer, administrative support, will process this request.

C. Human Rights Commission Website Update.

Commissioner Sanderson has done research and reviewed other Human Rights websites. Discussed possible changes/additions to the website. Eric Trast, Community Development, manages the City website and Commissioner Sanderson will work with him to get the website updated.

D. Brochure/Poster Review.

Discussed draft brochure and cost depending on size of print order. Grant fund are still available and will cover costs of printing and mailings. Colors are discussed and it is determined that no changes will be made to the original color scheme. Numbers need to

be updated and addition of website information. The Commission will order 1500 brochures.

Information on posters will be updated at the same time as the brochures.

E. Historical Trauma update on Meeting at Blandin Foundation.

Meeting at Blandin Foundation was well attended. Another meeting will be scheduled and that information will be passed on to the Commission when it is. Not sure what the Human Rights Commission role will be but this could be an excellent opportunity to educate the Caucasian community and to promote healing within the Native American community.

3. NEW BUSINESS

Minnesota Council of Human Rights.

Issues surrounding the marriage amendment are ongoing and the Council appreciates the diligence of the Human Rights Commission. The Council would like to schedule a visit to Grand Rapids and meet with the Commission sometime in 2012.

4. Reports on calls and inquiries:

Follow up to a parent complaint regarding a student and alleged discrimination by the School District 318. The parent has decided to move forward with a formal complaint.

ADJOURN:

MOTION BY COMMISSIONER MUNDT, SECOND BY COMMISSIONER LEARMONT TO ADJOURN THE MEETING AT 4:55 P.M. The following voted in favor thereof: Dowell, Hain, Hall, Learmont, Mundt, Sanderson, Wartchow. Opposed: None, motion passed.

The next regularly scheduled meeting will be August 31, 2011 at 4:00 p.m. unless otherwise noted.

Respectfully submitted,

Kimberly Johnson-Gibeau, City Clerk



CITY OF
GRAND RAPIDS
IT'S IN MINNESOTA'S NATURE

ADMINISTRATION DEPARTMENT

420 NORTH POKEGAMA AVENUE, GRAND RAPIDS, MINNESOTA 55744-2662

August 15, 2011

Dear Grand Rapids Area Business Owners/Managers and Nonprofit Directors,

In May you received a letter from the Grand Rapids Human Rights Commission about a grant the Commission obtained from the Blandin Foundation to promote a new **Accessibility Improvement Program** within the City of Grand Rapids. Local residents had informed the Commission that the greatest limitation to accessing facilities is getting out of a van and reaching the front door. This is due to a lack of, or improperly established, handicapped designated parking spaces, in addition to barriers on walkways and sidewalks.

This letter is to encourage follow-through with this accessibility Improvement Program. While a majority of area businesses and most government facilities meet ADA and State of Minnesota statutes dealing with accessibility, some, often unknowingly, do not. With this in mind, we are again attaching material from the U.S. Department of Justice explaining ADA requirements for restriping parking stalls. **Keep in mind that the State of Minnesota Code exceeds the ADA requirements in that all accessible stalls must have a minimum 96" aisle width.**

The current and future mobility issues for our city are being addressed in various ways, including the improved accessibility to sidewalks on Pokegama Avenue. The Grand Rapids Human Rights Commission believes that improvements to area parking lots (resealing, restriping to allow for people to move safely in and out of a handicapped van, for example) can be part of this improved accessibility and **can be done with minimal cost.**

There is still time to comply with this request before winter sets in. City staff will be pleased to answer your questions and work with you as you make these important adjustments to your place of business, whether or not a permit is required for the improvement. **Call the Community Development Department at 326-7601 for assistance.**

We thank you for your consideration of this request to make our city accessible for all residents and visitors. If you have questions or need additional information, please contact us.

Sincerely,

Jeff Wartchow
Human Rights Commission Chair

26 July 2011

Dear GrandRapids Area Business Owners/Managers and Nonprofit Directors,

In May you received a letter from the Grand Rapids Human Rights Commission about a grant the Commission obtained from the Blandin Foundation to promote a new **Accessibility Improvement Program** within the City of Grand Rapids. Local residents had informed the Commission that the greatest limitation to accessing facilities is getting out of a van and reaching the front door. This is due to a lack of, or improperly established, handicapped designated parking spaces, in addition to barriers on walkways and sidewalks.

This letter is to encourage follow-through with this Accessibility Improvement Program. While a majority of area businesses and most government facilities meet ADA and State of Minnesota statutes dealing with accessibility, some, often unknowingly, do not. With this in mind, we are again attaching material from the U.S. Department of Justice explaining ADA requirements for restriping parking stalls. **Keep in mind that the State of Minnesota Code exceeds the ADA requirements in that all accessible stalls must have a minimum 96" aisle width.**

The current and future mobility issues for our city are being addressed in various ways, including the improved accessibility to sidewalks on Pokegama Avenue. The Grand Rapids Human Rights Commission believes that improvements to area parking lots (resealing, restriping to allow for people to move safely in and out of a handicapped van, for example) can be part of this improved accessibility and **can be done with minimal cost.**

There is still time to comply with this request before winter sets in. City staff will be pleased to answer your questions and work with you as you make these important adjustments to your place of business, whether or not a permit is required for the improvement. **Call the Community Development Department at 326-7601 for assistance.**

We thank you for your consideration of this request to make our city accessible for all residents and visitors. If you have questions or need additional information, please contact us.

Sincerely,



Jeff Wartchow, Human Rights Commission Chair



Americans with Disabilities Act

ADA Business BRIEF:

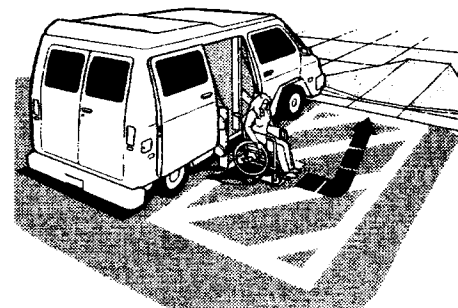
Restriping Parking Lots

Accessible Parking Spaces

When a business restripes a parking lot, it must provide accessible parking spaces as required by the ADA Standards for Accessible Design.

In addition, businesses or privately owned facilities that provide goods or services to the public have a continuing ADA obligation to remove barriers to access in existing parking lots when it is readily achievable to do so. Because restriping is relatively inexpensive, it is readily achievable in most cases.

This ADA Business Brief provides key information about how to create accessible car and van spaces and how many spaces to provide when parking lots are restriped.



One of eight accessible parking spaces, but always at least one, must be van accessible.

Accessible Parking Spaces for Cars

Accessible parking spaces for cars have at least a 60-inch-wide access aisle located adjacent to the designated parking space. The access aisle is just wide enough to permit a person using a wheelchair to enter or exit the car. These parking spaces are identified with a sign and located on level ground.

Van-Accessible Parking Spaces

Van-accessible parking spaces are the same as accessible parking spaces for cars except for three features needed for vans:

- a wider access aisle (96") to accommodate a wheelchair lift;
- vertical clearance to accommodate van height at the van parking space, the adjacent access aisle, and on the vehicular route to and from the van-accessible space, and
- an additional sign that identifies the parking spaces as "van accessible."

Minimum Number of Accessible Parking Spaces
 ADA Standards for Accessible Design 4.1.2 (5)

Total Number of Parking Spaces Provided (per lot)	Total Minimum Number of Accessible Parking Spaces (60" & 96" aisles)	Van-Accessible Parking Spaces with min. 96" wide access aisle	Accessible Parking Spaces with min. 60" wide access aisle
Column A			
1 to 25	1	1	0
26 to 50	2	1	1
51 to 75	3	1	2
76 to 100	4	1	3
101 to 150	5	1	4
151 to 200	6	1	5
201 to 300	7	1	6
301 to 400	8	1	7
401 to 500	9	2	7
501 to 1000	2% of total parking provided in each lot	1/8 of Column A*	7/8 of Column A**
1001 and over	20 plus 1 for each 100 over 1000	1/8 of Column A*	7/8 of Column A**

* one out of every 8 accessible spaces

** 7 out of every 8 accessible parking spaces

Location

Accessible parking spaces must be located on the shortest accessible route of travel to an accessible facility entrance. Where buildings have multiple accessible entrances with adjacent parking, the accessible parking spaces must be dispersed and located closest to the accessible entrances.

When accessible parking spaces are added in an existing parking lot, locate the spaces on the most level ground close to the accessible entrance. An accessible route must always be provided from the accessible parking to the accessible entrance. An accessible route never has curbs or stairs, must be at least 3-foot wide, and has a firm, stable, slip-resistant surface. The slope along the accessible route should not be greater than 1:12 in the direction of travel.

Accessible parking spaces may be clustered in one or more lots if equivalent or greater accessibility is provided in terms of distance from the accessible entrance, parking fees, and convenience. Van-accessible parking spaces located in parking garages may be clustered on one floor (to accommodate the 98-inch minimum vertical height requirement).

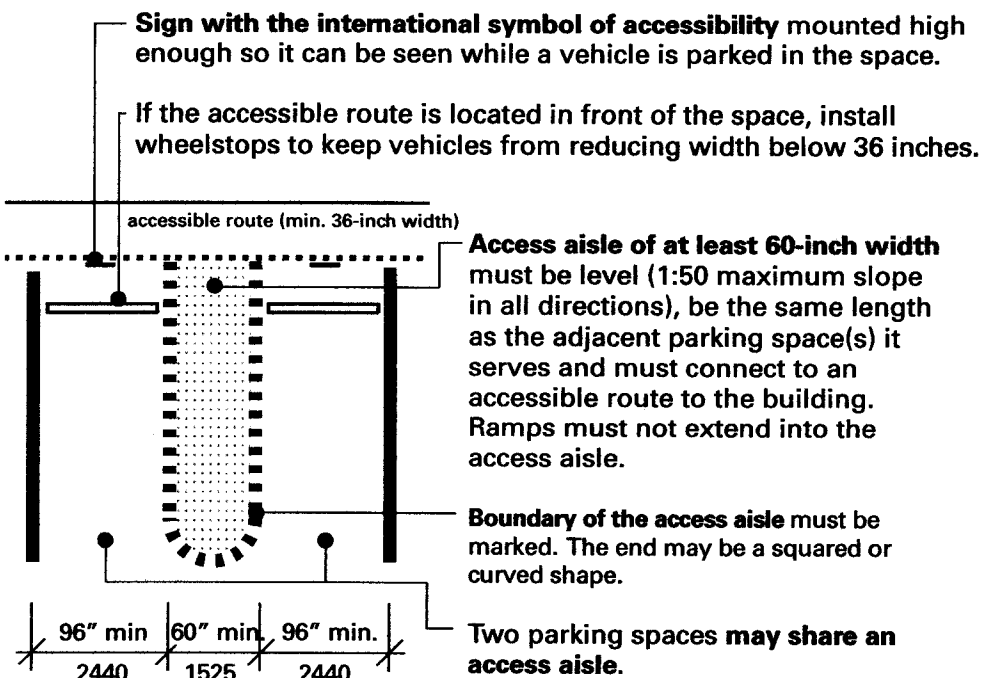
Free Technical Assistance

Answers to technical and general questions about restriping parking lots or other ADA requirements are available by telephone on weekdays. You may also order the ADA Standards for Accessible Design and other ADA publications, including regulations for private businesses, at any time day or night. Information about ADA-related IRS tax credits and deductions is also available from the ADA Information Line.

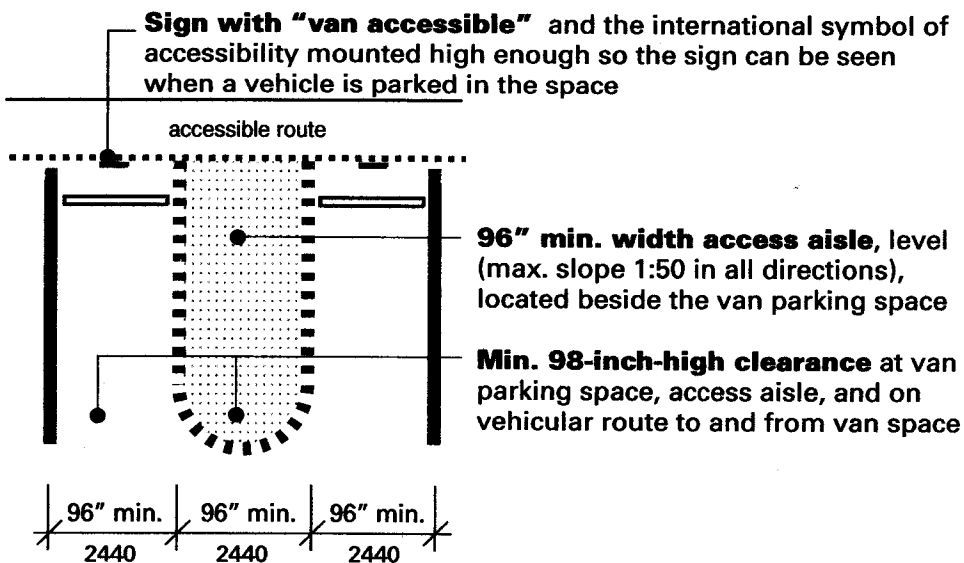
Department of Justice ADA Information Line

800-514-0301 (voice)
800-514-0383 (TTY)

Features of Accessible Parking Spaces for Cars



Three Additional Features for Van-Accessible Parking Spaces

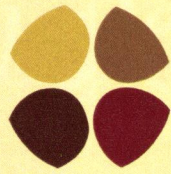


ADA Website and ADA Business Connection

You may also view or download ADA information on the Department's ADA website at any time. The site provides access to the **ADA Business Connection** and the ADA design standards, ADA regulations, ADA policy letters, technical assistance materials, and general ADA information. It also provides links to other Federal agencies, and updates on new ADA requirements and enforcement efforts. www.usdoj.gov/crt/ada/adahom1.htm

Reference:

ADA Standards for Accessible Design (28 CFR Part 36):
§ 4.1.6 Alterations; § 4.1.2 Accessible Sites and Exterior Facilities: New Construction; § 4.6.1 Parking and Passenger Loading Zones, and § 4.3 Accessible Route.



GRAND RAPIDS Human Rights Commission

Local human rights commissions, in more than sixty communities throughout the state, work with business, education, civic, religious, social and community groups to prevent and respond to acts of bias and prejudice, to promote diversity and through education and prevention activities, to foster a better understanding and appreciation of all people. The nine-member Grand Rapids Human Rights Commission was established by ordinance of the City Council in 2004.

THE GOAL OF THE COMMISSION IS TO:

work with the community to promote human rights and dignity, eliminate hate, prejudice and discrimination, and respect diversity.

THE PURPOSE OF THE COMMISSION IS TO:

- ▶ Recognize and prevent discrimination and inequalities in the daily life of the community.
- ▶ Design programs of formal and informal education to assist in the implementation of the city ordinance and the state human rights act.
- ▶ Provide leadership and act cooperatively with other agencies, organizations and human rights commissions.
- ▶ Serve as an advisory body to the city regarding the Minnesota Human Rights Act.

The Minnesota Human Rights Act (#363) prohibits discrimination in business, credit services, education, employment, housing, public accommodations, and public services.

It is illegal to discriminate on the basis of race, age, sex, color, creed, disability, familial status, marital status, national origin, religion, sexual orientation, or status with regard to public assistance or local human rights commission activity.

If you have questions, concerns or think you may have been a victim of discrimination, contact the Minnesota Department of Human Rights at:

The Minnesota Department of Human Rights
1-800-657-3704 TTY 1-651-296-1283
www.humanrights.state.mn.us

or contact a member of the Grand Rapids
625 Robert St. N • St Paul, MN 55155

Human Rights Commission:

Jackie Dowell	218.212.4132
Darlene Freeman	218.322.2461
Lisa Hain	218.326.4854
Frieda Hall	218.328.6155
R.D. Learmont	218.326.7606
Andy Mundt	651.233.8499
Barb Sanderson	218.326.5446
Jeff Wartchow	218.327.0319
Lynn DeGrio <small>city staff member</small>	218.326.7606

All citizens are encouraged to become involved in promoting human rights in our community. Contact Grand Rapids City Hall for a schedule of meeting times and dates for the Grand Rapids Human Rights Commission.



GRAND RAPIDS
Human Rights
Commission

City Hall

420 North Pokegama Avenue
Grand Rapids, MN 55744
218-326-7606

www.GrandRapidsMN.org

Click on Commissions

Last Updated August, 2011

Published July 12, 2011, 07:17 PM

Hate/bias response plan ready

At its March 24, 2011, meeting, the Red Wing Human Rights Commission revised the city's Hate/Bias Crime Response Plan.

At its March 24, 2011, meeting, the Red Wing Human Rights Commission revised the city's Hate/Bias Crime Response Plan. It is important for all residents of Red Wing to understand the purpose and the content of the plan.

The purpose of the Hate/Bias Crime Response Plan is to ensure a strong community response for any victim of a hate/bias crime, and to communicate zero community tolerance for bias/hate crimes. Under the provisions of the plan, the Red Wing Human Rights Commission will provide and coordinate support to victims of such crimes and will take a leadership role in the prevention of bias and hate crimes through education and collaborative community action against prejudice and bigotry.

The Red Wing Human Rights Belief Statement is "Hate, violence, and prejudice are unacceptable in our community. We are a community open to persons of all races, colors, religions, genders, sexual orientations, ages, abilities, and national origins, striving to understand and empower one another." The Hate/Bias Crime Response Plan operates to attach action to these words in the event that a Red Wing resident is victimized by a hate/bias crime.

A hate crime is a criminal act committed against a person, institution, or property of which the primary motivation is the victim's affiliation with a protected class such as race, color, religion, gender, sexual orientation, age, disability, and national origin.

If you have been the victim of a bias/hate crime, you should make a report to the Red Wing Police Department. If you prefer not to report the crime to the Police Department, you may also report it to any Human Rights Commission Board Member. Under the Hate/Bias Crime Response Plan, your rights and wishes will be given the utmost consideration as support services will be reviewed and offered to you.

Since the city implemented the original response plan in 1999 there has only been one hate/bias crime reported in Red Wing. By communicating the community's values of respect and acceptance, the Human Rights Commission is confident that all people will continue to feel safe and empowered in our city.

Carrie Jane Barringer

Red Wing

**City of Red Wing
BIAS/HATE CRIME RESPONSE PLAN**

The Red Wing Human Rights Belief Statement

“Hate, violence, and prejudice are unacceptable in our community. We are a community open to persons of all races, colors, religions, genders, sexual orientations, ages, abilities, and national origins striving to understand and empower one another.”

Purpose:

The purpose of this plan is to establish a local response showing strong community support for any victim of hate/bias crimes, and zero community tolerance for bias/hate crimes. It is not the role of the Red Wing Human Rights Commission (RWHRC) to investigate such crimes. It will provide or coordinate *support to victims* of such crimes and *leadership* in the community in the prevention of bias and hate crimes through *education and collaborative community action* against prejudice and bigotry.

The Commission seeks:

A commitment from the Red Wing Police Department that the Commission will be notified as soon as possible after a confirmed bias/hate crime complaint. Contact is to be made through the Chief of Police;

To raise awareness of hate crime issues within the community;

The expansion and participation of community organizations in the work of the Human Rights Commission;

The cooperation of the local media in support of the victims of bias/hate crimes and in providing the community with information regarding the Red Wing Human Rights Commission’s Bias/Hate Crime Response Plan.

Hate crime defined:

A hate crime, as defined by Minnesota Statute § 609.2231, Subd. 4, is a criminal act committed against a person, institution, or property of which the primary motivation is the victim’s affiliation with a protected class. State law established the following protected classes: *race, color, religion, gender, sexual orientation, age, disability, and national origin*. A recent change to the law allows for the perception of either the victim or the police officer regarding the bias motivation of the crime to cause it to be categorized as a hate crime. Convictions resulting from hate crimes carry enhanced penalties.

Hate crimes are different from discrimination complaints. Although discrimination is against the law, it is not a crime, but rather a civil matter.

Partnership:

In order to provide timely, meaningful support to victims of bias/hate crimes, the Commission must partner with the citizens and organizations in the community. The key partners include:

The Red Wing Police Department

The Red Wing Human Rights Commission (RWHRC)

The Red Wing media

Immediate Response – law enforcement

Red Wing Police Department commitment to report bias/hate crimes to the RWHRC is necessary for this plan to be viable. The rights and wishes of the victim of a bias/hate crime must be given the utmost consideration at each step of this plan.

If an officer becomes aware of an incident which may be defined as a “bias/hate crime” as part of the investigation of the situation, the officer will:

1. Explain the definition of a “bias/hate crime” and the option of making a referral to the Human Rights Commission to the victim. The role of the RWHRC is to support the victim and, if appropriate, develop a community response to the hate crime. The RWHRC will not conduct a criminal investigation of the incident.
2. If the victim would like the support of the RWHRC, assist the victim in completing the Red Wing Police Department Bias/Hate Crime Referral Report. Immediately forward the Referral to the Chief of Police. The Chief of Police will contact the RWHRC chairperson.
3. If the victim does not feel the need for RWHRC support, give them the telephone number of the RWHRC staff liaison in the event support is needed at some future time.

Immediate response – referral other than through law enforcement

1. If the report of a bias/hate crime is made directly to a member of the RWHRC or the RWHRC staff liaison, the person receiving the report will encourage the victim to report the incident to the Red Wing Police Department or other appropriate law enforcement agencies.
2. Offer to go with the victim to report the incident to the Red Wing Police Department.
3. Obtain an address or telephone number from the victim for future contacts.
4. Explain to the victim the definition of a "bias/hate crime" and the option of making a referral to the Human Rights Commission. ***The role of the RWHRC is to support the victim.***
5. After the initial meeting, consult with the RWHRC chairperson; if appropriate, a second meeting with the victim will be held to explain the option of developing a community response to the bias/hate crime. ***A broad-based community response plan will not be initiated unless the victim is supportive of the effort.***
6. The RWHRC will not conduct a criminal investigation of the incident.
7. If the victim would like the support of the RWHRC, immediately notify the RWHRC staff liaison. The staff liaison will contact the RWHRC chairperson.
8. If the victim does not feel the need for RWHRC support, give them the telephone number of the RWHRC staff liaison in the event support is needed at some future time.

Human Rights Commission response to a bias/hate crime referral

1. The RWHRC chairperson will organize the initial victim contact. A response coordinator will be appointed from the membership of the RWHRC.
2. The response coordinator will contact the victim by telephone if possible. Express empathy. Ask if the response coordinator might visit in person to discuss the incident and offer support and assistance. If the victim does not desire a visit, follow with a letter offering assistance at a later date if desired. Include information on other services in the community that might be of benefit.
3. Ask permission to report the information to the League of Minnesota Human Rights Commissions.
4. If contact by telephone is not an option, the response coordinator will visit the victim for the initial victim contact.

5. The RWHRC chairperson will be the designated spokesperson to the media regarding the bias/hate crime response plan.

Personal visit

With a team of two, visit with the victim, either at his/her home or other location of the victim's choice. Identify the team as members of the Red Wing Human Rights Network and explain the purpose for meeting.

Interview Questions

These questions are meant to be a guide. The interview team may wish to add or change these questions. First and foremost in importance is that all interviewers show an appropriate level of concern and be willing to spend enough time to obtain the victim's story. Oftentimes, more can be learned through careful listening than through extensive questioning. If you are unsure of the victim's response to a question, rephrase their response to clarify the answer. If your understanding is not correct, the victim then has the opportunity to clarify their response. Be very careful not to place your personal feelings into follow-up reports. Take careful notes of important facts and details.

At the initial contact or visit:

Explain the extent of the confidentiality of the conversation.

What happened?

Was this the first incident or have there been others?

Were children involved?

How can we help you?

What can we do together to prevent this from happening again?

Is there anyone else you would like to contact you or that we can contact for you?

At the second contact or visit:

If appropriate and warranted and with the advice of the Human Rights Commission and the consent of the Mayor, we would like to organize a community wide response. Consider the victim's wishes as to confidentiality and level of publicity. Would you agree to this?

Do you mind if we use your name, or would you prefer that we didn't?

Are you comfortable with us contacting the media?

This format is a guide. It is not rigid. Questions should be sensitive to the individual circumstances.

The team members should review future contact information (telephone numbers if possible). Again, offer support and any assistance and explain future follow-up contacts.

Human Rights Commission

1. Contact the Mayor of Red Wing and Chief of Police and inform them of the incident. Review the information from the referral and interview. Discuss and agree upon the appropriateness of a community response.

2. Contact the League of Minnesota Human Rights Commissions to seek support.

3. A team consisting of two Human Rights Commissioners may conduct a second interview if appropriate.

4. At the earliest possible time arrange for a meeting of the RWHRC, the Mayor and the Chief of Police to jointly develop a community response plan.

5. The community response plan may include, among other activities: a letter to the editor, contacting other media, a community meeting, a “quick response – not in our town” activity, or sending a letter or a representative to local churches and schools.

6. Maintain frequent contact with the victim. **Always remember this is about the victim. The victim should be comfortable with the community response plan.**

Follow-up contact with the victim

Whatever the response to the bias/hate crime, a follow-up contact should be made within one week, in person, or by telephone. Check on any recurrences, other problems, and offer continued support. If appropriate, a follow-up visit after one month may also be appropriate.

Review response

1. The RWHRC shall review the overall process. Note the effectiveness of the response and suggestions for future responses. Invite the Mayor and Chief of Police to provide a review and suggestions.
2. The RWHRC shall send letters of appreciation to supportive organizations and individuals.
3. The RWHRC shall provide the Mayor and Chief of Police with a summary report of all of its actions and activities in connection with the matter.

In-Service Training Policy and Reporting

1. Active peace officers and active part-time peace officers must complete use of force training every year. This training must be based on the employing agency's use of force policy and the learning objectives provided by the POST Board (see item 1 below). The learning objectives are available on POST Board's website.

2. Active peace officers and active part-time peace officers must complete an eight hour course in emergency vehicle operations and in the conduct of police pursuit every four years. This training must be based on the employing agency's pursuit policy and the learning objectives provided by the POST Board (see item 2 below). The learning objectives are available on POST Board's website.

Refer to the POST Board website for complete model policies and learning objectives.

www.post.state.mn.us

MODEL POLICIES

STATUTE OR RULE	REQUIREMENT
1) Use of Force MN STAT 626.8452, subd.1	The CLEO of each agency must establish and enforce a written agency policy. REQUIRED POLICY Yearly training for each active peace officer and part-time peace officer is required and training records must be maintained by the employing agency. The instruction must be based on learning objectives developed by POST and on the agency's policy. The number of hours of training is not specified.
2) Vehicle Pursuit and Emergency Vehicle Operations MN STAT 626.8458, subd. 2 MN RULES 6700.2700 - 6700.2704	Agency must establish written procedures to govern conduct of peace officers and part-time peace officers during police pursuits. These written procedures must include the requirements for the training of officers in conducting pursuits. REQUIRED POLICY All officers not declared exempt on the <i>Pursuit Training Exemption</i> form must complete an eight-hour course in emergency vehicle operations and in the conduct of police pursuits every four years. Training is to be based on the agency's policy and on learning objectives developed by POST. The Department of Public Safety, BCA governs the reporting of pursuits of motor vehicles. Reports must be filed within 30 days of the incident.

<p>3) Allegations of Misconduct <i>MN RULES 6700.2200</i></p>	<p>The CLEO of each agency must have policies and procedures for the investigation of allegations of misconduct. Copies of these procedures must be made available to the public upon request and to each officer employed by the agency. REQUIRED POLICY</p> <p>The CLEO of any new agency must send POST affirmation of compliance with this requirement. <i>(This requirement is further defined and enlarged in the following statute on Professional Conduct of Officers.)</i></p>
<p>4) Professional Conduct of Officers (Conduct Unbecoming) <i>MN STAT 626.8457</i></p>	<p>The CLEO of each agency must establish and implement a policy defining unprofessional conduct and governing the investigation and disposition of cases. Policy must be identical or substantially similar to the model policy developed by POST. REQUIRED POLICY</p> <p>The CLEO must report the summary incident data to POST annually.</p>
<p>5) Response to Reports of Missing & Endangered Persons <i>MN STAT 299C.51-299C.5655, 390.25 & 626.8454</i></p>	<p>CLEO must have a written policy and procedures based on the model policy. REQUIRED POLICY</p> <p>Law enforcement shall accept, without delay, any report of a missing person. Information must be entered by the law enforcement agency into NCIC. Consult with the BCA if the person is determined to be endangered and missing.</p>
<p>6) Domestic Abuse Policies <i>MN STAT 629.342</i></p>	<p>Each agency must develop, adopt, and implement a written policy regarding arrest procedures for domestic abuse incidents based on the POST Board model policy. This must be done in consultation with and reviewed by several agencies and must address specific issues listed in the statute. REQUIRED POLICY</p>
<p>7) Predatory Offender Registration Community Notification <i>Minnesota Session Laws 1996, Chapter 408, Art. 5, Sec. 7</i></p>	<p>The CLEO of each agency must have a written policy which is the same or substantially similar to the POST model policy on disclosure of information to the public. REQUIRED POLICY</p>
<p>8) Criminal Conduct on School Buses <i>MN STAT 169.4581</i></p>	<p>The CLEO of each agency must have a written policy for responding to criminal incidents on school buses. REQUIRED POLICY</p>
<p>9) Supervision of Part-time Licensed Peace Officers <i>MN RULES 6700.1110</i></p>	<p>All CLEOs must have a written policy for the supervision of part-time licensed peace officers if the agency utilizes the services of part-time licensed peace officers. REQUIRED POLICY FOR ANY LAW ENFORCEMENT AGENCY UTILIZING PART-TIME LICENSED OFFICERS.</p>

<p>10) Lighting Exemption of Law Enforcement Vehicles MN STAT 169.541</p>	<p>The CLEO of each agency must provide a policy allowing the exemption of officers or a policy stating that officers are not exempt from statutes requiring headlights, taillights and navigational lighting illuminated after dark. A model policy is available from POST. REQUIRED POLICY.</p>
<p>11) Impartial Policing MN STAT 626.8471, subd. 4</p>	<p>All CLEOs must establish and enforce a written antiracial profiling policy governing the conduct of peace officers engaged in stops of citizens. A model policy is available from POST. REQUIRED POLICY</p>
<p>12) Procession of Property Seized for Administrative Forfeiture MN STAT 609.531</p>	<p>All CLEOs shall adopt and implement a written policy on forfeiture that is identical or substantially similar to the model policy available from POST. The Written policy shall be made available to the public upon request. REQUIRED POLICY.</p>

IMPARTIAL POLICING MODEL POLICY
MN STAT 626.8471, subd.4

I. POLICY

It is the policy of the _____ (law enforcement agency) to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

II. DEFINITION

Racial profiling has the meaning given to it in Minnesota Statute 626.8471, Subd. 2. which states:

"Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

- (1) the behavior of that individual; or
- (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

III. PROCEDURES

A. Policing impartially, not racial profiling, is standard procedure for this agency meaning:

1. investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures;
2. except as provided in paragraph 3., peace officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause; and
3. peace officers may take into account the descriptors in paragraph 2. based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals and this information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

B. In an effort to prevent the perception of biased law enforcement peace officers shall:

1. be respectful and professional;
2. introduce or identify themselves to the citizen and state the reason for the contact as soon as practical unless providing this information will compromise officer or public safety;
3. ensure the detention is no longer than necessary to take appropriate action for the known or suspected offense;

4. attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact including relevant referrals to other agencies when appropriate;
 5. provide their name and badge number when requested, preferably in writing or on a business card; and
 6. explain and/or apologize if it is determined the reasonable suspicion was unfounded (e.g. after an investigatory stop).
- C. Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are in compliance.

PB Rev 01/2011

**GRAND RAPIDS POLICE DEPARTMENT
POLICY**

NUMBER: 11

EFFECTIVE DATE: January 1, 2002

Reviewed: July 1, 2004

Aug 2, 2006

April 21, 2009

February 1, 2010

SUBJECT: **IMPARTIAL POLICING POLICY**

SPECIAL INSTRUCTIONS: Mandated by State Legislature (2001)

AUTHORITY: **Chief Jim Denny**

NO. PAGES: 2

11.01 PURPOSE:

This policy is intended to reaffirm the Grand Rapids Police Department's commitment to impartial/unbiased policing and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner to all.

POLICY:

A. Policing Impartially

1. Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrest, nonconsensual searches and property seizures.
2. Except as provide in paragraph (3), officers shall not consider race, ethnicity, national origin, gender, sexual orientation and religion in establishing either reasonable suspicion or probable cause.
3. Officers may take into account the descriptors in paragraph (2) of specific suspect(s) based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

B. Preventing Perceptions of Biased Policing-Procedural Guidelines

In an effort to prevent the perception of biased law enforcement, officers shall utilize the following guidelines:

- Be respectful and professional.
- Introduce or identify yourself to the citizen and state the reason for the contact as soon as practical, unless providing this information will compromise officer or public safety.
- Ensure that the detention is no longer that necessary to take appropriate action for the known or suspected offense.
- Attempt to answer any relevant questions the citizen may have regarding the citizen/officer contact, including relevant referrals to other agencies when appropriate.
- Provide your name and badge number when requested, preferably in writing or on a business card.
- Explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop).

SUPERVISION AND ACCOUNTABILITY:

Supervisors shall ensure that all personnel in their command are familiar with the content of this policy and are operating in compliance with it.

Hate or Prejudice Crimes

338.1 PURPOSE AND SCOPE

The Grand Rapids Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the constitution and the laws of this state. When such rights are infringed upon by violence, threats or other harassment, this department will utilize all available resources to see that justice is served under the law. This policy has been developed to meet or exceed the provisions of the Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act, and provides members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

338.1.1 FEDERAL JURISDICTION

The federal government also has the power to investigate and prosecute bias-motivated violence by providing the U.S. Department of Justice with jurisdiction over crimes of violence where the perpetrator has selected the victim because of the person's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (18 USC § 245).

338.2 DEFINITIONS

Hate or Prejudice Crime - Conduct that would constitute a crime and was committed because of the victim's or another's actual or perceived race, color, religion, national origin, gender, sexual orientation, gender identity or disability (see generally Minn. Stat § 611A.79 Subd. 1).

338.3 PREVENTING AND PREPARING FOR LIKELY HATE OR PREJUDICE CRIMES

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate or prejudice crimes by among other things:

- (a) Officers should make an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes to form and cooperate with prevention and response networks.
- (b) Providing victim assistance and follow-up as outlined below, including community follow-up.
- (c) Educating community and civic groups relating to hate crime laws.

338.4 PROCEDURE FOR INVESTIGATING HATE OR PREJUDICE CRIMES

Whenever any member of this department receives a report of a suspected hate or prejudice crime or other activity that reasonably appears to involve a potential hate or prejudice crime, the following should occur:

- (a) Officers will be promptly assigned to contact the victim, witness or reporting party to investigate the matter further as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once "in progress" aspects of any such situation have been stabilized (e.g., treatment of victims or apprehension of present suspects), the assigned officers will take all

Grand Rapids Police Department

Policy Manual

Hate or Prejudice Crimes

reasonable steps to preserve available evidence that may tend to establish that a hate or prejudice crime was involved.

- (d) The assigned officers will interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate or prejudice crime.
- (e) Depending on the situation, the assigned officers or supervisor may request additional assistance from investigators or other resources to further the investigation.
- (f) The assigned officers will include all available evidence indicating the likelihood of a hate or prejudice crime in the relevant report(s). All related reports will be clearly marked as "Hate or Prejudice Crimes" and, absent prior approval of a supervisor, will be completed and submitted by the assigned officers before the end of the shift.
- (g) The assigned officers will provide the victim(s) of any suspected hate or prejudice crime with the brochure on hate and prejudice crimes authorized by the Department. Such brochures will also be available to members of the public upon request. The assigned officers should also make reasonable efforts to assist the victim(s) by providing available information on local assistance programs and organizations as required by the Victim Assistance Policy.
- (h) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and provide information to the victim regarding legal aid, e.g., a possible Temporary Restraining Order through the courts, prosecuting attorney or City Attorney.

338.5 INVESTIGATIONS RESPONSIBILITIES

If a case is assigned to the Investigations, the assigned investigator will be responsible for following up on the reported hate or prejudice crime as follows:

- (a) Coordinating further investigation with the prosecuting attorney and other appropriate law enforcement agencies, as appropriate.
- (b) Maintaining contact with the victim(s) and other involved individuals as needed.
- (c) Maintaining statistical data and tracking of suspected hate or prejudice crimes as indicated or required by state law.

338.5.1 STATE HATE CRIME REPORTING

This department shall report hate or prejudice crime offenses in the form and manner and at regular intervals as prescribed by rules adopted by the Department of Public Safety. This shall be conducted by the N/A or assigned to the Investigations (Minn. Stat § 626.5531 Subd. 1). Reports are required to include:

- (a) The date of the offense.
- (b) The location of the offense.
- (c) Whether the target of the incident was a person, private property or public property.
- (d) The crime committed.
- (e) The type of bias and information about the offender and the victim that is relevant to that bias.
- (f) Any organized group involved in the incident.
- (g) The disposition of the case.
- (h) Whether the determination that the offense was motivated by bias was based on the officer's reasonable belief or on the victim's allegation.

Grand Rapids Police Department

Policy Manual

Hate or Prejudice Crimes

- (i) Any additional information the superintendent deems necessary for the acquisition of accurate and relevant data.

338.5.2 FEDERAL HATE CRIME REPORTING

The N/A should include hate crime data reporting within the National Incident-Based Reporting System (NIBRS), Uniform Crime Report (UCR) and Summary Reporting System (SRS) reports pursuant to Records Center procedures and in compliance with (28 USC § 534 (a)).

338.6 TRAINING

All members of this department will receive training on hate and prejudice crime recognition and investigation and will attend periodic training that incorporates a hate and prejudice crime training component (Minn. Stat § 626.8451 Subd. 1 and 4).

Racial/Bias Based Profiling

402.1 PURPOSE AND SCOPE

The State of Minnesota finds that the reality or public perception of racial profiling alienates people from law enforcement, hinders community policing efforts and causes law enforcement to lose credibility and trust among its citizens.

The Grand Rapids Police Department strives to provide law enforcement to our community with due regard to the racial, cultural or other inherent differences of those we serve. It shall therefore be the policy and practice of this department to provide law enforcement services and to enforce the law equally and fairly without discrimination toward any individual(s) or group (Minn. Stat. § 626.8471 Subd 4).

402.2 DEFINITION

Racial/Bias Profiling Any action initiated by law enforcement that relies on the race, ethnicity or national origin of an individual rather than the behavior of that individual, or information reliant upon the same criteria, that leads to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

Racial/bias profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial/bias profiling does not include use of race or ethnicity to determine whether a person matches a specific description of a particular subject. (Minn. Stat. § 626.8471 Subd. 2).

402.2.1 IMPROPER CONDUCT

Race, ethnicity or nationality, religion, gender, sexual orientation, economic status, age, cultural group, disability, or affiliation with any other similar identifiable group shall not be utilized as the basis for providing differing levels of law enforcement service or the enforcement of the law (Minn. Stat. § 626.8471 Subd. 3).

Officers may take into account the descriptors delineated above of a specific suspect(s) based on information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner officers use specific information regarding age, height, weight, etc. about specific suspects.

402.3 POLICY

The practice of racial/bias based profiling is illegal and will not be tolerated by this department.

- (a) It is the responsibility of every member of this department to prevent, report and respond appropriately to clear discriminatory or biased practices.
- (b) No retaliatory or punitive action may be taken against any officer who discloses information concerning racial profiling
- (c) Every member of this department engaging in a non-consensual detention shall be prepared to articulate sufficient reasonable suspicion to justify the detention independent of the individual's membership in a protected class.

Grand Rapids Police Department

Policy Manual

Racial/Bias Based Profiling

1. To the extent that written documentation would otherwise be completed (e.g., arrest report, FI card), the involved officer should include those facts giving rise to the officer's reasonable suspicion or probable cause for the contact.
 2. Nothing in this policy shall require any officer to prepare documentation of a contact that would not otherwise involve such reporting.
 3. While the practice of racial profiling is strictly prohibited, it is recognized that race or ethnicity may be legitimately considered by an officer in combination with other legitimate factors to establish reasonable suspicion or probable cause (e.g., suspect description is limited to a specific race or group).
- (d) When requested, each employee has a duty to give his/her name, badge number and identify this department during routine stops and contacts (Minn. Stat. § 626.8471 Subd. 3).
- (e) When requested, each employee should inform a member of the public of the process to file a misconduct complaint for racial profiling against a member of the Department and that racial profiling complaints may be made by calling the Attorney General's main toll-free telephone number (Minn. Stat. § 626.9514).

402.4 TRAINING

- (a) All newly licensed peace officers hired by this agency shall initially receive a copy of this policy, and regularly thereafter, as designated by the Training Unit.
- (b) Members of this department are encouraged to familiarize themselves with and consider racial and cultural differences among members of our community.

402.5 COMPLAINTS

The Department will maintain educational pamphlets at the front desk regarding the complaint process.

The Grand Rapids Police Department will investigate all complaints of alleged racial/bias based profiling against its members as any other complaint is investigated.

On the commencement of an investigation regarding a complaint in which a video or audio recording was made, the Department may provide a copy of the recording to the officer on written request.

402.5.1 CORRECTIVE ACTION

Employees found to be in violation of this policy are subject to discipline in accordance with this department's Conduct Policy and shall receive additional training and instruction by the Training Unit except when disciplinary action results in termination.

Lynn DeGrio

From: ccochrane@aclu-mn.org
Sent: Tuesday, August 30, 2011 4:04 PM
To: Lynn DeGrio; athayer@paulbunyan.net
Subject: Oct. 6th event

Hi Lynn,

Here is some info about the event we're having on Oct. 6th. We're hoping it can take place at Brewed Awakenings sometime in the late afternoon, although the space is not yet confirmed.

"Is the U.S. Constituion failing us: what are we doing about it in Minnesota?"

Join us for an afternoon of discussion about current constitutional issues, and what we're doing at the American Civil Liberties Union. Chuck Samuelson, E.D. of the ACLU-MN will be present to discuss these questions and more.

Objective: generate conversation about our current state affairs, increase education and advocacy for our U.S. Constitution in Northern Minnesota and get to know the American Civil Liberties Union of Minnesota. Those who attend will be encouraged to become members of the ACLU-MN but not required!

Please feel free to direct commissioners my way. Phone number is below.

Thank you -

--

Cory Cochrane
Office Manager
ACLU-MN
Greater Minnesota Racial Justice Project
PO Box 133
Bemidji, MN 56601

P (218) 444.2285

F (218) 444.7860