

Owatonna Human Rights Commission - Minutes – Draft Copy

The Owatonna Human Rights Commission (OHRC) met on Tuesday, March 9, 2021 in the Gainey Room at the Owatonna Public Library. This meeting was also accessible via Microsoft TEAMS Call-in Number 507-242-3225; Conference ID 374 940 357#. Commission Chairman Gunderson called the meeting to order at 5:30 p.m. with Commissioners Emanuelson, Cords, Effertz, and Gillespie; City Administrator Busse; City Attorney Mark Walbran, Steele County Attorney Dan McIntosh, Public Defender Joel Eaton; Police Chief Hiller, Police Captain Mundale; and Administrative Specialist Clawson. Attending virtually were Commissioners Vanoosbree and Worden.

Commissioner Gunderson welcomed everyone to the meeting and read a Meeting Statement regarding COVID-19 concerns and virtual participation options. Commissioner Cords lead the Pledge of Allegiance to the Flag and then Minutes of the February 9, 2021 OHRC Meeting were reviewed. Commissioner Emanuelson made a motion to approve the Minutes as presented; Commissioner Effertz seconded the motion; a roll call vote was taken, and all members voted aye in approval and the motion carried.

During Old Business, discussion of constitutional rights in relation to traffic stops was discussed. Last month, Commissioner Worden shared a minute-long YouTube video with OHRC members on this topic. The commission requested City Attorney Walbran provide a Legal Opinion if this video could be a viable resource to share with the community. Walbran advised the video was created by a law firm in Texas and he would not be able to write an opinion on it. He asked County Attorney McIntosh, Public Defender Eaton, Police Chief Hiller, and Police Captain Mundale to attend this OHRC Meeting to provide an overview of constitutional rights, specifically as laid out in the 4th and 5th Amendments, to try to help explain the complex and detailed nature of these laws.

County Attorney McIntosh said he believed it would be difficult to come up with a list or video for the community that condensed constitutional rights into a brief snapshot. He explained a lot goes into reasonable articulable suspicions that would justify a traffic stop: there has to be a reason to stop a vehicle, then probable cause to search and then proof to make an arrest. It would be a difficult task to prepare a “check list” on what to do during a traffic stop because circumstances continually change and play out on a case-by-case basis. Public Defender Eaton echoed McIntosh’s sentiments and said claims of discrimination against a person’s constitutional and civil rights is exceedingly rare in Steele County. Both attorneys could only recall one person in the past 10 to 15 years that filed such a claim.

Attorney Walbran told the commission it was not advisable to seek legal advice from YouTube videos, despite how easily they are consumed and attractive they are. Attorney McIntosh reiterated that such a video could be potentially dangerous. All three attorneys strongly advised the commission to not share the video as an education tool.

Chief Hiller suggested OHRC members would best assist community members by listening to their concerns. Then if needed, direct them to the Police Department, help them find resources to locate an attorney or direct them to the Minnesota Department of Human Rights. Commissioner Gunderson asked if there was a list of local attorneys available for reference if needed. Chief Hiller suggested the Blue Pages of the telephone book.

Commissioner Emanuelson commented on the MN House Select Committee’s Racial Justice Report to the Legislature on December 22, 2021 expressed concerns of racial bias within MN and asked how this would be handled if occurred in Owatonna. Chief Hiller responded the OPD does not tolerate any racial bias and we have a core value to welcome those who have a potential complaint so it can be thoroughly reviewed and resolved. All officers receive on-going training and work audits are completed to confirm checks and

balances of activities.

Commission members thanked Attorneys Walbran, McIntosh and Eaton; Chief Hiller, and Captain Mundale for attending the OHRC Meeting as they were leaving. City Administrator Busse commented everyone appreciated the opportunity for an open discussion on this topic.

During New Business, members discussed the 45 page MN House Select Committee's Racial Justice Report to the Legislature. Commissioner Gunderson commented the report contained some sobering information. Commissioner Worden commented a lot of the report does not pertain to the City of Owatonna but more to potential reforms needed in state legislation. Commissioner Gunderson asked if OHRC members wanted to advocate for legislative changes. Commissioner Effertz commented the report is informative and suggested a link to this report be provided in the next OHRC newsletter. Commissioner Gunderson asked OHRC members to review the report in depth to find if attributable to Owatonna and prepare to discuss if Council recommendation needed during the April OHRC Meeting.

Commissioner Emanuelson requested suggestions on how OHRC members could communicate COVID-19 vaccination processes to minority community sectors. Commissioner Gillespie advised the school district sent an electronic message to all student families. Commissioner Cords suggested creating an advertisement on the LED Billboard on Hoffman Avenue. Commissioner Effertz commented it is too soon to advocate for vaccinations when current vaccination supply is extremely limited. Commissioner Emanuelson suggested contacting Steele County Public Health to offer assistance. City Administrator Busse commented Governor Walz just authorized Level-1C persons will be eligible to receive vaccinations effective tomorrow March 10th. This will add people with specific underlying medical conditions, targeted essential workers (food processing plant workers) and people with rare conditions or disabilities to those eligible to receive vaccinations. Steele County Public Health Office is contacting local companies advising when their respective workers become eligible to receive vaccinations.

Commissioner Cords commented he has been asked to attend Junior Achievement to discuss racial interactions at the school. Commissioners Gunderson, Cords and Vanoosbree will meet with several members of the Alliance for Greater Equity this Friday to discuss the role of the OHRC with their group. Administrative Specialist Clawson will arrange a meeting room and send information via e-mail.

Commissioner Gunderson encouraged commission members to attend the Courageous Community Leader Training being coordinated by the school district. The program consists of six sessions, the first three sessions will be virtual presentations held once a month on a Friday morning. Commissioner Gunderson also suggested members attend the Owatonna Citizen Academy to become familiar with the functions of the OPD.

The next meeting will be Tuesday, April 13, at 5:30 p.m. Commissioner Emanuelson and Worden requested the meeting continue to offer access by TEAMS. City Administrator suggested the scheduled meeting date and place be changed to allow meetings in Council Chambers. Information with potential meeting dates and time will be discussed during the April OHRC Meeting.

At 6:50 p.m., Commissioner Emanuelson made a motion to adjourn, Commissioner Effertz seconded the motion; with no objections, the meeting was adjourned.