

Stevens Square Community Organization

(612) 874-2840

<http://www.sscoweb.org>

Safety Committee minutes – July 25, 2013, 6:00 p.m. at 1925 Nicollet Ave.



Present: Ken Strobel and Michele McGaughey, co-chairs; Robert Lilligren, Ward 6 City Council; Jean Schwalen, Hennepin County Community Probation; Aimee Colegrove, Minneapolis Police department; Jennifer Saunders, City Attorney’s Office; Deb Loveland, Minnesota Teen Challenge; Dave Hautman, Franklin Nicollet Liquor; Rob Helmerich, Rand Management; Eddie Chambers, Jerry Paulson, Howard Penas, Arlene Storandt, Jill Ferguson, Bethany Deline, Corwin Morton, Aaron Szczech, and safety coordinator Dave Delvoye (dave_ssc@yahoo.com or 874-2840)

Agenda item	Notes/decisions	Follow up
Announcements	<ul style="list-style-type: none"> ▪ Red Hot Art festival is set for 7/27 and 7/28 in Stevens Square Park. ▪ Stevens Square farmers market is open every Wednesday from 2:00 to 6:30 p.m. in the Plymouth Church parking lot at Franklin & Nicollet. ▪ Neighborhood Probation Officer Tara Rother has resigned. Jean Schwalen reported that Community Corrections is working to fill the position as quickly as possible. 	Next Safety committee meeting: Thursday, 8/22, at 6 p.m. at 1925 Nicollet Ave.
Minneapolis Police report – Officer Aimee Colegrove	<p>Crime Prevention Specialist Chelsea Adams, who was unable to attend the meeting, provided copies of information about preventing theft from motor vehicle (leave nothing of value visible, leave no change or bags of any kind) and theft of bikes (use locks that are not easily compromised, such as u-locks).</p> <p>Franklin-Nicollet Beat Officer Aimee Colegrove reported that the neighborhood has been pretty quiet lately. She attributed this partly to the early focus on enforcement at the parks and community gardens. Officers continue to make contact with business owners and staff in areas which generate complaints, such as the Third Avenue Market at 19th & 3rd.</p> <p>There was a discussion about traffic problems related to the closure of the Portland and Park Ave bridges over I-94. The Portland Ave bridge will reopen in August, the Park Ave bridge in September or October.</p> <p>SSCO made copies available of a list of 23 offenders who have been charged with felonies for selling drugs to night CRT undercover officers along Franklin Ave from August, 2011, to April, 2012. So far, 19 of the 23 cases have been resolved.</p> <p>SSCO's Google maps and lists of arrests in the area from Lyndale Ave to 4th Ave, I-94 to 24th St, from 6/24 to 7/21 showed 23 alcohol-related arrests (25 in 2012), 3 narcotics-related arrests (5 in 2012), and no prostitution-related arrests (none in 2012). Year to date, there were 106 alcohol-related arrests (117 in 2012), 42 narcotics-related arrests (48 in 2012), and 1 prostitution-related arrest (1 in 2012). For the period from 6/24 to 7/21, SSCO's Google maps showed 37 police reports for the Nicollet corridor (LaSalle Ave/Blaisdell Ave to 1st Ave, I-94 to 24th St), 9 for the Stevens Square Park area (Stevens Ave to 2nd Ave, 17th St to Franklin Ave), 11 for the Clinton sector (3rd Ave to 4th Ave, I-94 to Franklin Ave), and 1 for Loring Heights (Lyndale Ave to Pillsbury Ave, I-94 to Franklin Ave).</p>	<p>Chelsea.Adams@Minneapolismn.gov 673-2819</p> <p>Crime Prevention Resources</p> <p>911 / 311 information</p> <p>CRT line (to report suspected drug and prostitution activity at specific addresses or locations): 673-5716</p> <p>Contact SSCO to receive printed or e-mailed copies of the Google maps, which are updated weekly. The e-mailed versions include links to mugshots of chronic offenders.</p>

Community
Prosecutor
report –
Assistant City
Attorney
Jennifer
Saunders

Jennifer Saunders distributed copies of the [5th Precinct CLEAN list](#) and updated the committee on some of the offenders active in Stevens Square, including:

- [Amy Bengtson](#) – on probation for open bottle, trespassing, and disorderly conduct until 7/19/14.
- [Jules Chomilo](#) – 2 cases (5th degree assault and obstructing the legal process) set for a parole violation hearing on 8/21.
- [Troy Fait](#) – on probation for disorderly conduct until 9/4 and for loitering until 11/27.
- [Anthony Ford](#) – a consuming alcohol in public case set for court on 8/2.
- [Mark Hamilton](#) – on probation for theft (2 cases) until 4/15/14 and on parole from prison for 2nd degree assault with a dangerous weapon, terroristic threats, 2nd degree aggravated robbery, and 1st degree aggravated robbery until 4/3/14.
- [Frank Killright](#) – in the workhouse until 8/29 for open bottle (2 cases).
- [Ronald King](#) – in jail on \$6,000 bail, a misdemeanor public urination case and a gross misdemeanor trespassing case set for court on 8/21.
- [Harry Leftbear](#) – 4 cases (loitering, trespassing [2 cases], and consuming/open bottle) set for court on 8/15.
- [Brandon Miller](#) – 3 cases out of St Louis Park (5th degree felony drug possession, loitering, and theft) set for court on 9/19.
- [Maurice Patterson](#) – 5 cases (felony violation of an order for protection, theft, 4th degree assault of a police officer, public nuisance/consuming/obstructing the legal process, and public urination) set for court on 9/6.
- [Farid Suleiman](#) – in custody in Sherburne County until 10/30, 4 cases (obstructing the legal process, prohibited conduct, open bottle/consuming, and open bottle) set for court on 8/20.
- [Walter Weyaus](#) – in the workhouse until 9/18 for trespassing.

[Ahmed Hired](#), who has four new cases pending, will be added back to the CLEAN list. Chronic offender [Carl Leman Williams](#), who is in the workhouse until 8/29, will be charged with a new case.

There was a question about a recent U.S. Supreme Court decision (Missouri vs. McNeely) and its impact on Minnesota law and practices. The decision deals with the issue of whether police need a search warrant or the arrestee's consent to draw blood for testing in DWI cases. Saunders explained that the Supreme Court ruled that "in drunk-driving investigations, the natural dissipation of alcohol in the bloodstream does not constitute an exigency in every case sufficient to justify conducting a blood test without a warrant." [Quoted from the [Supreme Court syllabus](#) of the case]. Under Minnesota statute and Supreme Court decisions in regard to DWI, it is a crime to refuse to take a test if police have probable cause that you are driving drunk.

Saunders explained that Minnesota law requires a warrant to conduct a search of someone's body – including blood, breath, or urine for a DWI test. A warrant is not required if the driver consents to take the test or if exigent circumstances exist so that a warrant cannot be obtained. By law, a driver has consented to take a test by the act of driving, which is known as implied consent, and that consent stands until you remove it. Officers, however, are required to read the implied consent advisory to the driver before administering the test. If the person agrees to take the test, then it is administered. If the person refuses to take the test, then they are generally charged with the crime of refusal. Defense attorneys have argued for years that the implied consent advisory is coercive because it tells drivers that if they refuse to take a test, then they may be charged with a crime.

Prior to the U.S. Supreme Court ruling, the Minnesota Supreme Court's decision in the State vs. Shriner case controlled how police operate here. That ruling said that, based on the natural dissipation of alcohol in the body, a single factor exigent circumstance existed in every DWI case, which meant that police did not have to obtain a

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	<p>warrant to take a sample. Whenever the Minnesota Court of Appeals or Supreme Court ruled on the issue, the outcome was that it does not matter whether or not the advisory is coercive because State vs. Shriner allows police to take a sample without a warrant in every case anyway.</p> <p>The McNeely case has directly overruled State vs. Shriner, so now the Minnesota Supreme Court will have to decide whether the advisory is coercive or not, based on other law. Right now, Hennepin County judges have been ruling that when a person is read the implied consent advisory and agrees to take the test, they are giving consent to the search and are not being coerced. That is not the case elsewhere in the state. In other counties, prosecutors are having to prove that exigent circumstances existed beyond the fact that alcohol naturally dissipates in the body such that a warrant could not be obtained. Judges are determining that the implied consent advisory (with its threat of being charged with a crime for refusing) is coercion and, therefore, the consent is invalid.</p>	
<p>Priority concerns / hot spots / chronic offenders</p>	<ul style="list-style-type: none"> ▪ Narcotics-related loitering and traffic in the Clinton sector (3rd Ave to 4th Ave, I-94 to Franklin Ave), especially at 19th & 3rd – 19th & 3rd has been pretty quiet according to reports from residents and police, although sporadic loitering still occurs at that corner and in surrounding alleys. There was one narcotics-related arrest in the area in the past month, at 325 East Franklin Ave on 7/5. ▪ Stevens Square Park, 1801 Stevens Ave – 5th Precinct and Park police continue to focus enforcement on the park. Of the 23 alcohol-related arrests in the area in the past month, 17 of them (74%) occurred in Fair Oaks Park, 2200 3rd Ave, and none in Stevens Square Park. <p>There was a report of several incidents in or around the Public Housing high rise at 1707 3rd Ave. Block Patrol was asked to pay particular attention to that area: the main entrance to the building will soon close for construction and the entrance on the west side will be used temporarily.</p> <p>SSCO's monthly chronic offender update included cases involving:</p> <ul style="list-style-type: none"> ▪ Dallas Bringsthem (4 arrests in the area in the past six months, 11 prior convictions in Minnesota) – 5/13/13 trespassing at 1801 LaSalle Ave. ▪ Carl Leman Williams (17 arrests in the area in the past eight years, 16 prior convictions in Hennepin County) – 6/12/13 scrapping – recycling theft and trespassing at 2020 Nicollet Ave; 7/2/13 scrapping – recycling theft at 1905 1st Ave. 	<p>Contact SSCO to receive a printed or e-mailed copy of the monthly chronic offender update, which features the outcome of court cases resulting from arrests in the area along with the names of the sentencing judges and mugshots of the offenders.</p>
<p>Block Patrol report – Arlene Storandt</p>	<p>Arlene Storandt reported that, from 6/28 to 7/25, 13 Block Patrol volunteers participated in 13 regular shifts, contributing 29 hours. 9 Block Patrol volunteers participated in Cinema & Civics in Stevens Square Park on 7/10, contributing 23 hours. Totals for the past month: 15 volunteers contributed 42 hours. One new member joined Block Patrol.</p>	<p>Application and guidelines are at the SSCO web site.</p>
<p>Ward 6 report – City Council Member Robert Lilligren</p>	<p>Robert Lilligren reported that:</p> <ul style="list-style-type: none"> ▪ A lot of positive things are coming out of the recent meetings with residents of the Lofts on Arts Avenue. ▪ President Obama has declared Hennepin County, along with other Minnesota counties, a disaster area following the severe June storms which caused major flooding, wind damage, and widespread electrical outage. This declaration makes federal emergency funding available to state and eligible local governments. ▪ The City will repair sidewalks in the neighborhood before winter. No assessments will be levied for sidewalks damaged by trees toppled during the recent wind storm. 	<p>Robert.Lilligren@Minneapolismn.gov 673-2206</p>

	<ul style="list-style-type: none"> ▪ Call 911 to report graffiti vandalism in progress. A conviction was recently obtained in a graffiti case thanks to a city resident who called and alerted police. ▪ Nuria Rivera-Vandermyde, the City's new director of Regulatory Services, will provide a full-time staffer to work in the Neighborhood and Community Relations department to help residents comply with City regulations. Regulatory Services includes Housing and Fire Inspections, Traffic Control, Animal Care and Control, and the Problem Properties unit. 70% of the problem properties identified by the City belong to two property owners. Lilligren suggested that the Safety committee invite Rivera-Vandermyde to attend an upcoming meeting to talk about how her department can assist the neighborhood. ▪ Animal Care and Control will debut an improved web site in August. ▪ The Minneapolis Elections department is seeking “voter ambassadors” who will be trained to raise awareness of and provide information about the City election on 11/5. To volunteer, contact anissa.hollingshead@minneapolismn.gov. <p>There was a discussion about Xcel Energy's recent letter to Minneapolis ratepayers regarding the company's upcoming franchise negotiations with the City and the potential impact on ratepayers of the approach advocated by the Minneapolis Energy Options campaign for a municipally owned and operated electric utility. Minneapolis' 20-year franchise agreement with Xcel expires at the end of 2014. The City Council will hold a public hearing on 8/1 at 10 a.m. in room 317 at City Hall about whether to hold a referendum (on the 11/5 general election ballot) to authorize the City to establish a municipal electric utility. The City Council will make a decision about the referendum on 8/15. Lilligren said that, although it's good to have a discussion about these issues, establishing a City-owned utility would be tremendously expensive and complicated and would require the approval of the State Legislature. The City is trying to identify ways to achieve its energy goals through franchise negotiations with Xcel. No change is on the horizon, and the City would not proceed if it was determined that such a move would increase costs to citizens.</p>	
<p>Election of two committee co-chairs for the upcoming year</p>	<p>Staff explained the duties and responsibilities of the co-chairs and the election procedures, and conducted the election. There were two candidates for co-chair: Michele McGaughey and Ken Strobel. On a motion by Eddie Chambers, seconded by Arlene Storandt, the committee suspended the rules and elected Michele McGaughey and Ken Strobel co-chairs by acclamation. The co-chairs will serve a one-year term from August 2013 to July 2014.</p> <p>Staff conducted the election to choose a committee representative to report to the Board of Directors. There were two candidates: Ken Strobel and Corwin Morton. Ken Strobel was chosen by secret ballot to represent the committee on the Board of Directors.</p>	

Meeting adjourned at 7:19 p.m.

Meeting minutes prepared by Dave Delvoye with the help of Jennifer Saunders.