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May 14, 2021

Sent to the following recipients via e-mail:

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Councilmember Julie Asmus (jasmus@willmarmn.gov)
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Councilmember Vicki Davis (vdavis@willmarmn.gov)
Councilmember Andrew Plowman (aplowman@willmarmn.gov)
Councilmember Audrey Nelsen (anelson@willmarmn.gov)
Kandiyohi County HRA (hra.receptionist@kcmn.us)

Re: K-9 training at Lakeview Apartments

Dear Mayor Calvin, Councilmembers, and HRA Council Liaison Audrey Nelsen,

I write on behalf of the American Civil Liberties Union of Minnesota (ACLU-MN). Concerned Minnesotans alerted us to a recent partnership between Kandiyohi County Housing and Redevelopment Authority (HRA) and Willmar Police Department (WPD) related to K-9 training. Specifically, we received a copy of the attached photo of a sign posted at Lakeview Apartments (Lakeview) alerting residents that the HRA has unilaterally (without the consent of residents or their guests) granted WPD permission to use Lakeview as training grounds for K-9 officers and their dogs. Accordingly, WPD intends to utilize for K-9 training the Lakeview grounds, including interior common areas, stairways, hallways and vacant apartments during the day and evening hours, seven days a week, for an unspecified duration. Such a scheme would essentially forcefully convert the homes and living spaces of all of the Lakeview residents into a de facto police state. As such, we believe that the HRA-WPD partnership raises serious legal and public policy concerns, some of which are briefly highlighted below.

To the extent that WPD's K-9 training involves actual law enforcement activities such as stops, searches (including canine sniffs of tenant doorways), citations, and arrests of civilians, such activities would likely be subject to challenges under the United States and Minnesota Constitutions based on a lack of consent or lack of reasonable, articulable suspicion of criminal activity, or both. Of course, such policing activities also run the risk of liability for excessive use of force given the unprecedented level of police-civilian interactions that would occur in an environment in which police officers are training with animals capable of inflicting deadly force.

This plan is bad public policy because it will disproportionately subject public housing residents, including low-income earners, immigrants, and Black, Indigenous, and People of Color to a police training experiment without their consent at a time in which our state is experiencing

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significant trauma related to police excessive force. It will undoubtedly result in some residents and guests feeling like they are in a hostile environment, and it will likely result in more trauma merely by the officers and their dogs being present – always present.

Our understanding of the HRA-WPD partnership is at odds with the city's own mission statement: "The ultimate goal is to preserve and enhance the quality of life for future generations." Lakeview residents, like all Willmar residents, should not be singled out for experimental police training involving such clear legal and public policy concerns. **To this end, the ACLU of Minnesota urges you to end the HRA-WPD partnership to conduct K-9 training at Lakeview.**

Pursuant to the Minnesota Government Data Practices Act, Minn. Stat. Chapter 13, the ACLU-MN requests that the City of Willmar and the HRA provide us with any and all data related to the HRA-WPD partnership as it relates to K-9 training at Lakeview. This request includes, but is not limited to, "all data collected, created, received, maintained or disseminated by any government entity regardless of its physical form, storage media or conditions of use." MGDPA § 13.02 subd. 7. To be clear, we want everything, including all documents, emails, correspondence, letters, reports, spreadsheets, memos, fliers, notices, bulletins, presentations, recordings, etc. In addition, we request that the HRA provide us with all data relating to the number of tenants currently residing at Lakeview by race, gender and age; a copy of the standard HRA lease; and all rules of conduct for the premises.

If there is some data that you are unwilling to provide, please include the statutory and factual basis for omitting it. Also, let us know if you expect the cost of providing the data to exceed \$250, and provide a detailed breakdown of the anticipated cost. If you are unable to provide the requested data within 10 business days, please provide a detailed estimate about when you expect to produce the data, otherwise ACLU-MN will conclude the request has been denied, and will proceed accordingly.

Finally, to the extent that WPD decides to conduct K-9 training at Lakeview despite our numerous concerns, ACLU-MN requests that you provide us with all data related to such policing activities including, but not limited to, every stop, every citation, every arrest, and every use of force.

If you have any questions about anything mentioned in this letter, please let me know. The ACLU of Minnesota welcomes the opportunity to engage in open and honest communication. Feel free to contact me through the email address or phone number listed below.

Sincerely,

s/Teresa Nelson

Teresa Nelson
ACLU-MN Legal Director

cc via email: City Administrator Brian Gramentz (bgramentz@willmarmn.gov)
Police Chief Jim Felt (jfelt@willmarmn.gov)
City Attorney Robert Scott (rtscott@flaherty-hood.com)

NOTICE TO ALL LAKEVIEW TENANTS AND GUESTS

K9 TRAINING AREA

Beginning May 14, 2021 and thereafter, the Willmar Police Department will be using Lakeview Apartments as a training area for its K9 officers.

This is to notify all tenants and guests that the Willmar Police Department will utilize all grounds, interior common areas, stairways, hallways and vacant apartments at this building for the purpose of training its K9 officers at any hour during days, evenings or weekends and without the Kandiyohi County HRA providing further notice to tenants or guests.

The Kandiyohi County Housing and Redevelopment Authority is pleased to partner with the Willmar Police Department to provide Lakeview as a training opportunity for its officers!

