

# CIVIL LIBERTIES NEWS

Spring 2017  
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## VICTORY FOR IMMIGRANT RIGHTS

In 2015, the ACLU-MN filed a lawsuit on behalf of Jose\* who was unjustly detained for 10 days by Nobles County jail for Immigrations and Customs Enforcement. After being arrested for a DWI, his family tried to bail him out but the county refused to release him because they wanted to continue to hold him for ICE. He was eventually released on a judge's orders, but because the county refused to honor his rights he missed Thanksgiving with his family.

This spring, we finally achieved a positive settlement in this case. Nobles County has agreed to give him financial compensation for his wrongful imprisonment and to change their practices so this doesn't happen in the future. Because of a positive decision in the district court, the ACLU-MN is confident that immigrants across the state will have better protections against these "ICE detainers." An ICE detainer is the practice of keeping an immigrant in jail beyond legal hold time so ICE agents can determine whether or not they want to deport the individual. According to the courts, these holds do not have to be honored. Cities that do not honor these holds are often called "sanctuary" cities.

The ACLU-MN knows this practice is only increasing under the Trump administration, so in March the ACLU-MN sent a letter to every law enforcement department across the state telling agencies that they should not be doing the work of Federal Immigration and Customs Enforcement Agents.

An excerpt from the letter:

*In order to preserve the Constitutional rights of all persons in the United States, the ACLU strongly recommends the adoption of policies that place local communities first and limit involvement in federal immigration enforcement . . . We believe, and evidence has shown, that such a decision is in the best interest of local communities. The Constitution protects states and localities from being compelled to perform federal functions; and choosing to engage in federal immigration enforcement results in clear, negative consequences to public safety and local resources, and increases liability risk. It is fully consistent with federal law for state and local law enforcement to avoid engagement in federal immigration enforcement.*

To read the complete letter visit: [www.aclu-mn.org](http://www.aclu-mn.org) ■ *\*To protect our client we are only using his first name.*



In early March, the ACLU also launched a nationwide program called People Power. This is a way for YOU to build or join a network of activists in your community to affect positive change. Visit [peoplepower.org](http://peoplepower.org) to find a network near you. One

of the first projects that people power is tackling is encouraging their local law enforcement departments to adopt recommended policies separating law enforcement from immigration officials. You can join the movement to create "Freedom Cities" at [peoplepower.org](http://peoplepower.org). ■

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*Chair*

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## A FOND FAREWELL

Although its origins remain in dispute, the curse “May you live in interesting times” seems to have set upon us with a vengeance. Since the November election results, I feel as if Voldemort has escaped from Azkaban and a black miasma has settled over our civil liberties.

These “interesting” times are also scary times, and for the ACLU of Minnesota they will be very busy times. While the national ACLU tackles big picture issues generated in our nation’s capital, our ACLU-MN legislative department has been hard at work at the Minnesota State Capitol working to advance our priorities as well as to push back --- and push back hard --- against a host of vile bills that have been introduced which would plainly curb civil liberties. Our legal team has been evaluating a number of options for litigation in the event some of the more odious proposals are enacted into law, as well as continuing to sift through the nearly 1,800 requests for service we receive each year to help find the handful of cases that have the capability of advancing or defending civil liberties on a broad scale. Our community education team has been hard at work trying to address concerns about how recent actions by the administration in Washington affect the rights of the many immigrants who live and work in Minnesota.

This is also a time of transition for ACLU-MN. After 20 years at the helm, our CEO and Executive Director Chuck Samuelson retired

on February 28 to attend to some health issues. I can’t say enough good things about what Chuck has done for the ACLU-MN over the past 20 years, but I can tell you without reservation that during the approximately eight years that I have been a board member he has been a tireless and vocal champion for civil liberties in Minnesota, and we all owe him a debt of gratitude. On November 30, we will honor Chuck with ACLU-MN’s prestigious Earl Larson Award, which is given each year to a legal champion of civil liberties in Minnesota. I can think of no one who has ever deserved it more.

Your ACLU-MN board has formed a search committee to hire Chuck’s successor, chaired by board member John C. Miller. The job opening will be posted in April and we hope to have a new Executive Director on board by November.

Finally, it is a time of transition for me; this will be my last column as ACLU-MN board chair. My term expires on April 29, at which time I will be replaced by chair elect Jon Abram. It has been an, extraordinary two years, I have enjoyed every minute of chairing the board, and I burst with pride thinking about all we have accomplished. Serving as your chair has been a privilege.

To all of you, thanks for being members and supporters of the ACLU-MN. I hope you will continue to support this worthy organization. May the Force be with you. ■

# BIG CHANGES AT THE ACLU-MN



**Charles Samuelson**  
*Executive Director*

## ACLU-MN STAFF

Teresa Nelson  
*Interim Executive Director*  
*Legal Director*

John B. Gordon  
*Interim Legal Director*

Jana Kooren  
*Public Education &*  
*Communications Director*

Benjamin Feist  
*Legislative Director*

Carol Stoddart  
*Director of Philanthropy*

Molly Miller Mons  
*Manager of*  
*Philanthropic Relations*

Sarah Heil  
*Finance & Administration Director*

Ian Bratlie  
*GMRJP Staff Attorney*

Julio Zelaya  
*GMRJP Coordinator*

It is with a heavy heart that I announce my resignation as the executive director of the ACLU-MN, effective February 28, 2017.

As you are perhaps aware, I have been fighting a neurological disease for the past three - four years. Initially I was optimistic that an aggressive treatment protocol would contain if not cure this disease. Unfortunately this was not the case. My energy level has slowly decreased and the even more aggressive treatment options appear to have no effect. These troubled times require more than I am now able to provide. The ACLU-MN deserves more from its Executive Director.

Now, I can join the army of ACLU members who can change the state of Minnesota. As members we can change the political life of this state. We can lobby our representatives at every level to conduct their business on a more open and more rational level. We can engage with our police to help them do a better, safer job connecting with our citizens. In short, we can increase our community involvement, giving our lives more purpose as well

as increasing the value of our community.

As members we can re-create the citizen dialogue for which we were once famous. That includes things like real facts, real news and the desire to live outside the bubble. This should be very interesting!

Taking over as Interim Executive Director is our Legal Director, Teresa Nelson. I have worked with her for my entire 20 years at the ACLU-MN and I am confident she will lead the organization well until a new executive director is hired.

We have also hired John B. Gordon, a prominent trial lawyer retired from a major Twin Cities firm, to be interim legal director during this transition.

Being the executive director of the ACLU-MN has been one of the great joys of my life. And sharing it with each and every one of you has made the experience even more rewarding.

Thank you. ■

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## ARE WE LIVING IN A DYSTOPIA? TERESA NELSON, INTERIM EXECUTIVE DIRECTOR



One of my favorite novels is *The Handmaid's Tale* by Margaret Atwood. Her all-too-prescient dystopian novel paints a future in which women have become subjugated to the point of being treated as breeding stock for

the oligarchy. It was not surprising that signs bearing the message, *The Handmaid's Tale* is not an instruction manual” were ubiquitous during what was likely the single largest day of protest in American history – the January 21 Women’s March. The threat to the rights of women and all of their intersecting identities from those in power is palpable. But the thing that makes *The Handmaid's Tale* such a meaningful and important story is that, (spoiler alert!) even in the face of widespread, brutal oppression, there is a resistance movement. Brave people who have the courage to stand up and oppose that oppression with every fiber of their being.

While we are, thankfully, not Gilead yet, it has been a difficult several months for civil liberties both nationally and here in Minnesota. But, with your support, we have been resisting the anti-civil liberties agenda of those in power.

We have been resisting in the legislature by opposing bills that would, among other things:

- Unduly punish speech and expressive conduct, including nonviolent acts of civil disobedience;
- Restrict women’s reproductive freedom, including excessive clinic licensure rules and bans on public funding for low-income women to access to abortion;
- Roll back the ability of Minnesotans to actually have their vote count on election day.

We have been fighting back in the Court. We joined immigrant rights organizations including the Center for New Americans, Immigrant Law Center of Minnesota and the Advocates for Human Rights in a lawsuit challenging President Trump’s initial Muslim Ban. We are also focusing our litigation on bolstering legal protections under state law so that Minnesotans are insulated from civil liberties rollbacks by the Trump administration. For example, with the help of OutFront Minnesota, we made sure that transgender Medicaid recipients will have their transition-related surgery covered despite any repeal of the ACA’s nondiscrimination provisions. And we are fighting for the rights of transgender students to be treated by schools consistent with their gender identity, despite the U.S. Department of Education action to rescind its Title IX guidance to that effect.

Lastly, we have been resisting through our advocacy and education. We have held action trainings to give activists the advocacy tools they need to make their voices heard in the legislature, and we are holding an ACLU day at the Capitol on May 11 to put those trainings into action. We are distributing Know Your Rights Cards and doing Know Your Rights trainings to help people understand what their rights are when they are interacting with the police, ICE, and Customs and Border Protection. We are helping the courts with a warrant forgiveness event to help people in Hennepin County address their low-level warrants. In 2015 we released a report that identified unconscionable racial disparities in low-level arrests in Minneapolis and one of the areas with the highest disparities was for arrests of people who had low-level warrants. And we have handed out thousands of pocket Constitutions so that we can remind those in power about the civil liberties enshrined therein.



# KNOW YOUR RIGHTS IN ENCOUNTERS WITH LAW ENFORCEMENT

## IF YOU'RE STOPPED BY POLICE

- You have the right to remain silent. If you wish to exercise that right, say so out loud.
- Stay calm. Don't run. Don't argue, resist, or obstruct the police. Keep your hands where police can see them.
- You do not have to consent to a search of yourself or your belongings.
- Ask if you are free to leave. If yes, calmly and silently walk away.
- You have the right to a lawyer if you are arrested. Ask for one immediately.
- Regardless of your immigration or citizenship status, you have constitutional rights.

## IF YOU ARE STOPPED IN YOUR CAR

- Stop the car in a safe place as quickly as possible. Turn off the car, turn on the internal light, open the window part way and place your hands on the wheel.
- Upon request, show police your driver's license, registration and proof of insurance.
- If an officer or immigration agent asks to look inside your car, you can refuse to consent to the search. But if police believe your car contains evidence of a crime, your car can be searched without your consent.
- Both drivers and passengers have the right to remain silent. If you are a passenger, you can ask if you are free to leave. If the officer says yes, sit silently or calmly leave. Even if the officer says no, you have the right to remain silent.

## IF YOU'RE ASKED ABOUT YOUR IMMIGRATION STATUS

- You have the right to remain silent. You do not have to answer questions about where you were born, whether you are a U.S. citizen, or how you entered the country. (Separate rules apply at international borders and airports, and for individuals on certain nonimmigrant visas, including tourists and business travelers.)
- If you are not a U.S. citizen and an immigration agent requests your immigration papers, you must show them if you have them with you. If you are over 18, carry your immigration documents with you at all times. If you do not have immigration papers, say you want to remain silent.
- Do not lie about your citizenship status or provide fake documents.

## IF THE POLICE OR IMMIGRATION AGENTS COME TO YOUR HOME

- You don't have to let them in unless they have a warrant signed by a judge.
- Ask the officer to slip the warrant under the door or hold it up to the window so you can inspect it. A search warrant allows police to enter the address listed on the warrant, but officers can only search the areas and for the items listed. An arrest warrant allows police to enter the home of the person listed on the warrant if they believe the person is inside. A warrant of removal/deportation (ICE warrant) does not allow officers to enter a home without consent.
- Even if officers have a warrant, you have the right to remain silent. If you choose to speak to the officers, step outside and close the door.

## IF YOU ARE ARRESTED

- Do not resist arrest.
- Say you wish to remain silent and ask for a lawyer immediately. If you can't pay for a lawyer, you have the right to a free one.
- Don't say anything, sign anything or make any decisions without a lawyer.
- You have the right to make a local phone call. The police cannot listen if you call a lawyer.
- Don't discuss your immigration status with anyone but your lawyer.
- An immigration agent may visit you while you are in jail. Do not answer questions or sign anything before talking to a lawyer.
- Read all papers fully. If you do not understand or cannot read the papers, tell the officer you need an interpreter.

## IF YOU ARE TAKEN INTO IMMIGRATION (OR "ICE") CUSTODY

- You have the right to a lawyer, but the government does not have to provide one for you. If you do not have a lawyer, ask for a list of free or low-cost legal services.
- You have the right to contact your consulate or have an officer inform the consulate of your arrest.
- Do not sign ANYTHING without talking to a lawyer.

## IF YOU FEEL LIKE YOUR RIGHTS HAVE BEEN VIOLATED

- Write down everything you remember.
- File a written complaint with the agency's internal affairs division or civilian complaint board.

**The ACLU-MN distributes our *Know Your Rights Cards* at no cost.**

To request copies please email [jkooren@aclu-mn.org](mailto:jkooren@aclu-mn.org) with your name, address, and the number of copies you would like. They are available in English, Spanish, Somali & Arabic.

# MEMBERS STAND UP FOR CIVIL LIBERTIES

## CHRIS AND FREDERIC MACDONALD-DENNIS



As Chris MacDonald-Dennis says, “I have been a card-carrying member of the ACLU for almost 30 years, since Michael Dukakis was smeared for being one in 1988. I have been on the board of the Washtenaw County (MI) ACLU, as well as attending various events throughout the years. My husband Frederic and I decided to support the ACLU because we knew that it would be able to resist the agenda of this Presidential administration. If anyone was able to protect the Constitution, it would be the ACLU.”

In addition to being Guardians of Liberty, which means they pay monthly membership dues, Chris and Frederic have raised money for our work at two parties they have thrown for their friends, the first one in 2014 and the second immediately after the Presidential inauguration.

When asked what civil liberties issue concerns them most, Chris responded, “The issue we care about the most is voting rights. Frederic is from Perry County, Alabama - the county where Jeff Sessions sued Black folks over “voter fraud” in the 80s and was the reason he did not become a judge - and he was born the year after his family was able to vote for the very first time. In fact, his

grandmother died after casting her first vote. She knew something was wrong but refused to get out of line. (An aneurysm had burst in her head).”

In a poignant ACLU connection to Chris and Frederic, attorneys from our national headquarters recently defended four residents of Uniontown, Alabama, where Frederic grew up. These four people had been the victims of a \$30 million defamation suit brought by the businesses polluting their town, because they had the temerity to state that they have the right to clean water and clean air. ■

## SANDRA SANDELL



“I’m a second generation ACLU-MN member. I remember that my dad belonged during the McCarthy Era. But I don’t belong just because he did.

The ACLU weighs in on many important issues. It’s a font of amicus briefs. I believe it’s filed more of them than any other entity, covering a broad range of issues. Because it has nearly a century’s history of advocating for civil liberties and civil rights, the ACLU knows what it’s doing. It uses its resources well, choosing issues that have a broad impact. It’s a good watchdog — ever vigilant and willing to fight back when civil liberties are in danger.”

“At a time when so many of our civil liberties are under attack, it’s hard for me to single out one issue as a priority. But the one that most affects my work as a volunteer guardian ad litem for

## MEMBERS STAND UP FOR CIVIL LIBERTIES CONT'D

children in Hennepin County's child protection system is mass incarceration. I see its harmful effects as they spread throughout an entire extended family. If a father is arrested, he ceases to contribute to the family. This may mean that the family has to move into less desirable housing, or even into a shelter. If the move is not voluntary but accomplished through eviction, the mother, stigmatized by the eviction, will have great difficulty finding decent housing in a tight market. So she and the kids may end up living with relatives kind enough to welcome them, putting stress on both families. Unstable housing presents a challenge to the children. They often act out at home and at school, where they are at risk of being suspended or expelled. When the family moves, the children may end up changing schools, another barrier to their academic success. Of course, once the father is released, he has trouble finding housing because many landlords will reject him solely because of his conviction, and he may never rejoin the family. Mass incarceration is really hard on families and I'm glad that fighting against it is an ACLU priority nationwide."

"ACLU offers many opportunities for engagement, and I take advantage of as many as I can. I support the ACLU financially, of course. Without money, the ACLU can't fulfill its mission. But I also volunteer at the Minnesota State Fair, where I can engage with fair goers and educate them about the Constitution and laws that protect civil liberties. I've marched in the Pride parade, which is like a sober Mardi Gras procession. The people who line the streets are enthusiastic and supportive of the rights of LGBTQ people. I've helped with mailing and preparations for special events. Each year, I show up at the September fundraising breakfast. Educational programs such as: The Myth of Colorblindness: Race and Criminal Justice in Minnesota, presented at the Humphrey School in January are enlightening. I can't forget more casual events like Tap the Constitution, where participants can have a drink and play civil liberties trivia. These are fun." ■

## UPCOMING EVENTS

**THURSDAY, APRIL 6**

**Lakes and Legends Brewing Company, 1368 LaSalle Avenue, Mpls.**

All Are Welcome Here and Lakes & Legends Brewing Company are co-hosting a night of local beer and fun to raise awareness for diversity and inclusivity in our community and to raise money for the ACLU-MN.

**SATURDAY, APRIL 8, 4:00 P.M. - CLOSE Kieran's Pub, 85 N. 6th Street, Mpls.**

The Irish band, Broken Spoke, together with Kieran's Pub, present an evening of music to celebrate and support ACLU-MN. Suggested donation is \$12 at the door.

**WEDNESDAY, APRIL 19, 6-9 P.M.**

**Studio 514, 514 North 3rd Street, Mpls.**

The Signs of Resistance Protest Poster Show, will showcase the work of 30 local designers who have used their creativity to print protest posters on the themes of environmental protection and science, human rights, and political corruption. Tickets are \$40 and include one free poster, with the proceeds benefitting ACLU-MN.

**THURSDAY, MAY 11, 3:00 - 5:00 P.M.**

**Minnesota State Capitol**

Join the ACLU-MN for a Day at the Capitol. We will have a rally and visit with legislators to talk about important civil liberties issues.

For more information about these events visit:

[www.aclu-mn.org](http://www.aclu-mn.org)

**Follow us on social media to stay up-to-date on ACLU-MN happenings**

**Facebook:** [facebook.com/aclumn](https://facebook.com/aclumn)

**Twitter:** [twitter.com/aclumn](https://twitter.com/aclumn)

**Questions about giving to the ACLU? Need to update your address?**

Contact Molly Miller Mons, Manager of Philanthropic Relations, at 651.529.1696 or [give@aclu-mn.org](mailto:give@aclu-mn.org).

# UPDATE FROM THE CAPITOL 2017

Minnesota has seen an historic amount of activism and protest in the last several years. Many of these demonstrations have been led by and in support of marginalized communities of color. The most notable protests have been in response to acts of police violence, including the officer-involved shooting deaths of Jamar Clark in Minneapolis and Philando Castile in Falcon Heights.

Unfortunately, instead of taking action to address the underlying concerns of protesters, Minnesota legislators have responded by introducing bills to stifle free speech and dissent. These bills are part of a national trend to push back against rising activism across the country. This year, at least eight states have introduced similar legislation to penalize protesters.

First, H.F. 322/ S.F. 678 would allow cities to sue protesters who are convicted of unlawful assembly or public nuisance for the cost of the police response to the demonstration. The bill was heard in the House Civil Law Committee, where it passed on a party-line vote with Republican support and DFL opposition.

The ACLU-MN testified against the bill, arguing that it was likely unconstitutional because it amounts to an impermissible content and viewpoint based restriction on speech and it would have a chilling effect on the exercise of constitutionally protected speech. In short, the bill gives the government the ability to distinguish between favored speech and disfavored speech by imposing civil penalties based solely on the content and viewpoint of a person's speech and/or the identity of the speaker. In addition, the specter of jail time and crushing monetary liability would likely chill people from participating in demonstrations even if they have no intention of participating in or

being present at an unlawful assembly.

Second, both H.F. 390/ S.F. 676 and H.F. 1066/ S.F. 918 would increase fines from \$1,000 to \$3,000 and potential jail time from 90 days to a year, for protesters who obstruct access to highways, airports or public transit. These bills are aimed at the recent tactics of Black Lives Matter and other activists that have disrupted and inconvenienced travelers in order to draw attention to important issues. The bills were heard and passed by the necessary committees and now await votes by the full House and Senate.



The ACLU-MN also testified in opposition to these bills, arguing that they could cause a major chilling effect on the exercise of

constitutionally protected speech and that they create punishments that are disproportionate to the offense. We also argued that the bills are unnecessary to protect public safety and clear highways because Minnesota already has ample laws on the books to address demonstrations that get out of hand.

If passed by the Republican-controlled legislature, these anti-protest bills will go to the desk of DFL Governor Mark Dayton. In that event, the ACLU-MN will strongly lobby the Governor to veto them.

Anti-protest bills are only one issue the ACLU is tackling in 2017. We are also fighting against anti-choice bills, voting restrictions and other attacks on the First Amendment, to name just a few.■

**Want to get involved with the ACLU-MN's legislative efforts this session?  
Join us for ACLU Day at the Minnesota State Capitol on May 11.**

*For more information visit our website:  
[aclu-mn.org](http://aclu-mn.org)*



# 2017 ANNUAL MEETING

The American Civil Liberties Union of Minnesota will hold its 2017 Annual Meeting of the Members on **Saturday, April 29 at 9:00 a.m.** The meeting will be held at Mitchell Hamline College of Law in the Kelley Board Room, 875 Summit Ave, St. Paul, Minnesota, for the purposes of electing directors and any other appropriate business. All members in good standing are welcome to attend. For more information and to RSVP please email Sarah at [sheil@aclu-mn.org](mailto:sheil@aclu-mn.org).

## BYLAW INFORMATION

### NOMINATION PROCEDURES

Current voting members have the right to nominate directors by mailing such nominations to the president. Nominations must be accompanied by:

- a petition signed by at least twenty-five (25) voting members for each individual nominated;
- a statement by the nominee that she/he is willing to serve as a director; and
- an accurate, written biographical statement of the nominee no more than eight (8) typed lines of no more than sixty (60) characters per line.

### AMENDMENTS TO THE BYLAWS

Both the Board of Directors and the Voting Members shall have the power to amend these Bylaws as follows:

**Amendment by the Board.** The power of the Board of Directors shall be subject to the power of the members with voting rights under Section 8.1.4 to adopt, amend or repeal bylaws adopted, amended or repealed by the Board. The Board of Directors may amend the bylaws by adopting a resolution setting forth the amendment by the affirmative vote of a majority of the members of the entire Board of Directors then in office. The Board of Directors may not adopt, amend, or repeal a bylaw fixing a quorum for meetings of members, prescribing procedures for removing directors or filling vacancies on the Board of Directors, or fixing the number of directors or their classifications, qualifications or terms of office.

**Proposal by the Board.** The Board of Directors may also propose an amendment to the bylaws by adopting a resolution setting forth the proposed amendment and directing that it be submitted for adoption at a meeting of the members.

**Proposal by Minority of the Board.** An amendment to the Bylaws may also be proposed upon the (a) written resolution signed by any five (5) members of the Board or (b) written resolution signed by any two (2) members of the Board accompanied by the written endorsement of one hundred (100) Voting Members, and delivered to the Secretary.

**Voting Member Proposal.** An amendment to the bylaws may also be proposed by written resolution by a Voting Member accompanied by the written endorsement of at least 150 Voting Members and delivered to the Secretary.

**Thank you to the following Board Members for your years of service:**

Sandra Feist, Rebecca Rand, Paul Redleaf & Cris Stainbrook

# NEW BOARD MEMBERS UP FOR ELECTION

**Matthew Berger** is a partner at Gislason & Hunter in New Ulm, Minnesota. He represents farmers and other agricultural businesses, banks and other businesses in all manners of transactions and disputes. He also represents a number of community banks in loan transactions, collection matters, regulatory compliance, and bank litigation.

**Shira Burton** is an assistant public defender with the Hennepin County Public Defender's Office. She graduated from NYU Law School, and was a fellow with the Arthur Garfield Hays Civil Liberties Program.

**Jen Cornell** is a labor & employment attorney at Nilan Johnson Lewis. As a part of her law practice, she investigates allegations of police excessive force. After graduating from the University of Minnesota Law School in 2010, she served as a Judicial Law Clerk for Judge John Tunheim and then-Chief Magistrate Judge Arthur Boylan. Before becoming an attorney, Jen worked at the Minneapolis Fire Department for 15 years in various capacities including Firefighter, Captain, Fire Investigator, and Battalion Chief.

**Michael O. D. Elliot** graduated from Hamline University School of Business and specializes in community outreach and organizing with local leaders. He served as a youth policy advisor to city governments while working for the cities of Brooklyn Center and Brooklyn Park. As current Business Manager for All Nations Translations, he has experience negotiating contracts with clients.

**Rachel Hughey** graduated from the University of Minnesota School of Law and is a partner at Merchant & Gould, specializing in intellectual property law with an emphasis on patent litigation and appellate level disputes. She has extensive experience in appellate law and is on the editorial board for the Federal Bar Association's *The Federal Lawyer*.

**Keith Jackson** graduated from the University of Minnesota School of Law and is an associate general counsel at United Healthcare. He has more than 15 years working on health care related issues and is a passionate believer in the importance of health care access for everyone. He has been on the board of directors of a small community health care clinic for more than nine year. Keith is a strong believer in the importance of civil liberties for everyone in the U.S.

**Lariss Maldonado** is an associate general counsel at United Healthcare, and a graduate of the University of Minnesota Law School. Previously, she was an associate at Faegre Baker Daniels, focusing

on product liability and consumer fraud litigation. She was recognized as an Up and Coming Attorney by Minnesota Lawyer and received Faegre Baker Daniels's Benson Award for pro bono service. She is the President-Elect of the Minnesota Hispanic Bar Association.

**Mai Moua** graduated from William Mitchell School of Law and specializes in immigration law. As an associate attorney at Krueger Law Firm, she oversaw the immigration practice including family and employment-based petitions, asylum, naturalization, removal defense, and appellate proceedings.

**Nadege Souvenir** is the Associate Vice President of Community Impact for Minnesota Philanthropy Partners. In this role, she oversees the Community Impact team's learning and effectiveness efforts, assessing the impact of the Foundation's work to build community capacity through grantmaking and community initiatives. Nadege also leads East Metro Pulse, a community survey and report that measures community vitality and quality of life in Dakota, Ramsey and Washington Counties. Prior to 2016, she practiced law at Dorsey & Whitney and Maslon.

**Catherine P. Wassberg** graduated from the University of Chicago Law School and specialized in litigation and HR management while working at Northwest Airlines. As Vice President and General Counsel for Hamline University, she is charged with crafting policy, overseeing litigation by and against the university, and negotiating strategic transactions with outside companies for the school.

## BOARD MEMBERS UP FOR RE-ELECTION

**Ron DeHarpporte** currently serves as the board Secretary and is a long time member. In 1975, he bought a small manufacturer's representative firm in the consumer electronics industry, and it grew to be one of the largest rep companies in the state.

**Albert Goins** is a civil rights and criminal defense attorney at Goins Law Offices. He has represented the ACLU-MN as a pro-bono attorney in a number of important cases. He has served on the board most recently since 2011.

**Nicole Moen** is an attorney at Fredrikson & Byron, specializing in health litigation, white collar and regulatory defense, and business and commercial litigation. She received the Hennepin County Bar Association's 2010 Pro Bono Publico Award for an Attorney in the Private Sector. She has served on the board since 2011.

# PROPOSED BY-LAW CHANGES

SECTION 3.1 Number and Method of Election; Qualification. The Board of Directors of this corporation shall consist of no fewer than twenty (20) and no more than thirty-three (33) persons, and subject to such limitation, the number of members of the Board of Directors shall be such as may be designated from time to time by the Board of Directors. ~~The incumbent Board of Directors at the time these Amended and Restated Bylaws are adopted shall consist of the persons designated in Exhibit A hereto and the directors listed therein shall serve until the times indicated therein. Thereafter,~~ directors of this corporation shall be elected by the Voting Members at each annual meeting. All of the directors must be Voting Members.

SECTION 3.2 Terms. Except as otherwise provided in Section 3.1, each director of this corporation shall be elected to serve for a term of three (3) years; provided however that the term of any director who holds the office of Board Chair shall be extended one year for each year such director holds the office of Board Chair, subject to a maximum extension of two (2) years. The members of the Board of Directors shall be divided into three (3) classes as nearly equal in number as possible, so that the terms of office of approximately one-third of the members of the Board of Directors shall expire each year. A director shall hold office for the term for which he or she was elected, and, unless the Board of Directors has determined that a successor will not be elected, until his or her successor has been elected and until such successor has qualified, or until the director's prior death, resignation or removal. Any director who has served on the Board of Directors for ~~eight (8)~~ three(3) consecutive years terms is ineligible for re-nomination or re-election to the Board of Directors for a period of one year from the time the Director's term expires or the Director resigns from the Board of Directors, whichever occurs first.

SECTION 6.1 Authority. The Board of Directors may, in resolutions adopted by a majority of the members of the Board of Directors, establish committees having the authority of the Board of Directors to the extent provided in such resolutions. Each such committee shall at all times be subject to the control and direction of the Board of Directors. Members of committees established by the Board, other than members of the Executive Committee, need not be directors of this corporation, but must be members of this corporation; however, a majority of the members of each committee established by the Board must be directors of this corporation. The Board Chair shall appoint the chairperson (or co-chairpersons) for each committee established by the Board. Subject to the right of the Board of Directors to control and direct such committees once established, the Board Chair shall also have the authority to establish ad hoc committees for whatever purpose he or she deems necessary. Except as may be specifically determined by the Board, the Board Chair shall be ~~an ex-officio~~ member of all committees.

SECTION 6.3 Governance Committee. The Board of Directors shall designate a Governance Committee to submit to the Voting Members at the annual meeting of the Voting Members, the names of Voting Members nominated for election to the Board of Directors. In addition, the Governance Committee shall also submit to the entire Board of Directors a list of individuals who are, in the judgment of the committee, qualified to be elected as officers of this Corporation, and shall have such further powers as determined by the Board of Directors. The Board Chair-Elect shall be a member, but not the chairperson, of the Governance Committee during such times as a Board Chair-Elect exists. ~~The Board Chair shall not be a member of the Governance Committee, except on an ex-officio basis.~~ ■

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