

August 17, 2020

BY EMAIL: Emily.Parks@state.mn.us

Office of Governor Tim Walz & Lt. Governor Peggy Flanagan
130 State Capitol
75 Rev Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Re: Request for Records Under Minnesota Statutes, Chapter 13

Dear Sir/Madam:

Citizens for Responsibility and Ethics in Washington (“CREW”) makes this request for records pursuant to the Government Data Practices, Chapter 13 of the Minnesota Statutes.

Specifically, CREW requests:

All communications from May 25, 2020 to the present concerning the Office of the Governor of Minnesota’s response to public gatherings and protests related to the death of George Floyd, the Black Lives Matter movement, or the killing of black individuals by police officers. This request includes without limitation the following records as they relate to protest response efforts:

1. All communications that describe policy, tactics, procedures, and equipment to be used by law enforcement officers.
2. All records of disciplining law enforcement officers for misconduct.
3. All records related to the total budget and cost for law enforcement officer response, including the cost of riot gear.
4. All communications related to the consideration of deploying the national guard.
5. All records of consideration or implementation of new policies for procedures when responding to incidents and arrests of civilians and when engaging with public gatherings and protests.
6. All communications regarding protest activity with federal law enforcement officers: Department of Homeland Security (DHS), Customs and Border Protection (CBP), Immigration and Customs Enforcement (ICE),
7. All records relating to the where individuals who were arrested and detained by federal law enforcement were/are jailed.
8. All records relating to journalist arrests, and detainments as well as any law enforcement violations of press freedom.

This request includes but is not limited to communications within the Office of the Governor of Minnesota, as well as communications with Police Officers Federation of Minneapolis, Minneapolis Police Department, Hennepin Sheriff’s Department, the City of Minneapolis, Office of the Mayor of

Minneapolis, Office of the Attorney General of Minnesota, Minneapolis Police Commissioners, Minneapolis Office of Police Conduct Review, Minneapolis Police Conduct Oversight Commission, and the Federal Government.

Please search for responsive records regardless of format, medium, or physical characteristics. We seek records of any kind, including paper records, electronic records, audiotapes, videotapes, photographs, data, and graphical material. Our request includes without limitation all correspondence, letters, emails, text messages, facsimiles, telephone messages, voice mail messages, and transcripts, notes, or minutes of any meetings, telephone conversations, or discussions. Our request also includes any attachments to emails and other records, as well as those who were cc'ed or bcc'ed on any emails.

If it is your position any portion of the requested records is exempt from disclosure, Section 13.03, Subdivision 3(f) requires you to disclose which exemption permits the withholding. CREW requests that you state in writing and with particularity the reasons for any conclusion that a record is exempt or confidential. If some portions of the requested records are properly exempt from disclosure, you are required to redact those portions and produce the remainder of the requested records.

By way of background, the murder of George Floyd on May 25, 2020 by a Minnesota police officer sparked nationwide protests that have been met with police violence against peaceful protestors.¹ There have been reports of police using tear gas, smoke grenades, and nonlethal projectiles to break up groups gathering in protest.² Despite the officers involved facing repercussions, there has been heavy criticism of the response despite the response of Minneapolis Police Chief Medaria Arradondo in which he admitted the death was a “violation of humanity”.³ The requested records would provide a clearer picture of the internal and external instruction and communication related to the response to protestors, and, specifically, if violent tactics were encouraged or authorized.

CREW is a non-profit corporation, organized under section 501(c)(3) of the Internal Revenue Code. CREW is committed to protecting the public's right to be aware of the activities of government officials, to ensuring the integrity of those officials, and to highlighting and reducing the influence of money on politics. CREW intends to analyze the information responsive to this request and to share its analysis with the public. The release of information obtained through this request is not in CREW's financial interest.

¹ Adam Gabbatt, [Protests About Police Brutality Are Met With Wave Of Police Brutality Across US](https://www.theguardian.com/us-news/2020/jun/06/police-violence-protests-us-george-floyd), *The Guardian*, June 6, 2020, available at

<https://www.theguardian.com/us-news/2020/jun/06/police-violence-protests-us-george-floyd>

² Jordan Culver, et. al, [George Floyd Protests in Minneapolis: Police Use Tear Gas, Smoke Grenades: More Than Two Dozen Arrested](https://www.usatoday.com/story/news/nation/2020/05/30/george-floyd-protests-updates-news-minneapolis-response-overnight/5288818002/), *USA Today*, May 30, 2020, available at

<https://www.usatoday.com/story/news/nation/2020/05/30/george-floyd-protests-updates-news-minneapolis-response-overnight/5288818002/>

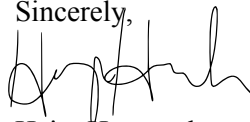
³ Christina Maxouris, [Minneapolis Police Chief Says All Four Officers Involved In George Floyd's Death Bear Responsibility](https://www.cnn.com/2020/06/01/us/minneapolis-police-chief-floyd-response/index.html), *CNN*, June 1, 2020, available at

<https://www.cnn.com/2020/06/01/us/minneapolis-police-chief-floyd-response/index.html>

If there are any fees for searching or copying these records, please inform CREW if the cost will exceed \$100. However, CREW also requests a waiver of all fees because the disclosure of the requested information is in the public interest. The public is entitled to information concerning the Office of the Governor of Minnesota's response to public gatherings and protests related to the Black Lives Matter movement and surrounding the death of black individuals by police officers. Further, this information is not being sought for commercial purposes. Please advise us if the costs associated with processing this request will exceed \$100.00.

If you have any questions about this request or foresee any problems in fully releasing the requested records, please contact me at hhammado@citizensforethics.org. Where possible, please produce records in electronic format. Please send the requested records to me in electronic form at hhammado@citizensforethics.org. If it's not possible to produce them electronically, please contact me at that email, and I will provide a mailing address. Thank you for your assistance.

Sincerely,



Hajar Hammado
Policy Associate