



MINNESOTA  
JUDICIAL  
BRANCH

# COMMUNITY DIALOGUE

**FIFTH JUDICIAL DISTRICT EQUAL JUSTICE COMMITTEE  
COMMUNITY DIALOGUE**

Sunday, March 5, 2017 - 4 p.m. to 6 p.m.

West Learning Center, Room 128, Worthington, MN

## FIFTH JUDICIAL DISTRICT REPORT

### INTRODUCTION

The Fifth Judicial District Community Dialogue was held at the West Learning Center in Worthington, Minnesota on Sunday, March 5, 2017. The Worthington community has a significant number of Karen/Burmese community members. The goals in conducting our community dialogue with a focus on the Karen/Burmese community were to answer questions about the judicial system, help community members gain an understanding of how the judicial system works and its function in the community and to hear from community members on how the Fifth Judicial District can better serve the Karen/Burmese community

### COMMUNITY DIALOGUE PURPOSE

The Community Dialogue provides a means for the Committee for Equality and Justice (CEJ) and each Judicial District Equal Justice Committee (EJC) to work together to achieve equitable treatment for all individuals in the court system. The Community Dialogue's stated purpose is to:

Create a public forum for community members to describe their experiences and discuss ideas for advancing equality and fairness regarding race, gender, ethnicity, age, disability, socioeconomic status, religion, sexual orientation, and any other status protected by law.

### FIFTH JUDICIAL DISTRICT SESSION DETAILS

Judge Gordon Moore coordinated the event, along with EJC member Larry Nicol. Judge Moore is the Fifth Judicial District Court Judge in Nobles County, of which Worthington is a part of. Larry Nicol is the southwest senior leadership attorney for Southern Minnesota Regional Legal Services (SMRLS). Judge Robert Docherty attended from Brown County as a member of the Fifth Judicial District EJC team. Bob Jirele, Jackson County Probation and a member of the EJC team, also attended. Theresa Bock, co-staff of the Fifth Judicial District EJC was present to take notes. Maylary Htoo Apolo was the contact person for the Karen/Burmese community. There were 20 members from the community who came to ask questions and contribute to the community dialogue. Mr. Nicol brought handouts on the various resources and information available to members of the community.

## SUMMARY OF THE FIFTH JUDICIAL DISTRICT SESSION

Judge Moore and Judge Docherty opened the session with introductions and a brief statement regarding the Fifth Judicial District and the area it covers. They informed the group that their goal is to make the court experience better for everyone as the judiciary strives to become culturally competent and aware. The group was given a brief explanation of the EJC, that it was formed to assure that everyone is treated fairly in court and that we are trying to make it as comfortable as possible.

### MAJOR THEMES OF THE SESSION

Language barriers are an obstacle within the Karen/Burmese community and the greater community as a whole. There are interpreters available in court proceedings to provide access to justice.

The topics discussed at the meeting were approximately 40 percent focused on law enforcement, 40 percent immigration and 20 percent family law. Immigration is a big concern for the Karen/Burmese community at this time. There was good discussion and insight and the feedback was positive from the group as a whole.

#### LAW ENFORCEMENT

There were questions from the Karen/Burmese community regarding law enforcement, their role in the community, why they stop you and the reasons they stop you. Some of the participants gave their experiences with law enforcement. Probable cause was explained. There have been some concerns regarding profiling, and there were concerns expressed regarding treatment. The experiences of the Karen/Burmese community with government oppression in Burma makes many members of the community fearful of law enforcement. Judge Moore agreed to speak with law enforcement and attempt to get the community and law enforcement together to better address the areas of concern. The EJC team invited community members to think about law enforcement as a career. It was a good discussion and informative for the group as a whole.

#### IMMIGRATION

Immigration is a concern for everyone at this time. Things are unpredictable and nobody has answers for what the future holds. A member of the community gave us some background on herself. She was in refugee camps for 20 years, has five children, her father was a pastor and he was spied on by the military regarding what he preached on. The Burmese military had attacked her small village and many others. She is fearful for her community on what the future holds regarding immigration. Larry Nicol suggested at a future hearing we could try and have an immigration lawyer present.

## FAMILY LAW

Several members of the community had questions and concerns regarding family law/child support matters and how the law works regarding family law. The group was advised that they should contact an attorney regarding specific situations and that the courts must consider culture when making decisions concerning children. The EJC team encouraged the Karen/Burmese community to consider foster care and social work to assist the community as a whole and especially when there are issues in the Karen/Burmese community to assure the culture is better understood.

## MISCELLANEOUS TOPICS

Other topics that came up at the meeting included renter/tenant rights, child protection concerns regarding how the culture views the physical discipline of children, racism and “hate speech.”

## SUMMATION

There was good discussion from the group. The necessity to understand the Karen/Burmese community, their backgrounds and journey is important in understanding their fears and concerns regarding the issues they face within the community as a whole. There is need for sensitivity and awareness. The EJC team reassured them they are doing what they can to heighten awareness and be a resource for them. They were appreciative for the assistance and information that the EJC team presented.

## **PROPOSED SUGGESTIONS FOR IMPROVING THE COURT SYSTEM**

1. Judge Moore will speak with law enforcement and attempt to get the community and law enforcement together to better address the areas of concern.
2. Mr. Nicole suggested that at future meetings we could invite an immigration lawyer to attend.

Communication was the number one concern. Judge Moore and Judge Docherty, along with Mr. Nicol and Mr. Jirele, assured the participants that we will always have an interpreter available for proceedings within the judicial system and will do what they can in their individual offices to make things more comfortable for them.