

Subject: Is Red Wing prepared for ICE?

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To: City of Red Wing City Council Mayor <citycouncilmayor@ci.red-wing.mn.us>

All -

Remember that oath of office you took embarking on your term as a public official?

The Human Rights Commission considered our Oath recently, and in doing so, laid out the two current options:

I, (name) , do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of a member of of the City of Red Wing, Minnesota, to the best of my judgment and ability, *so help me God.*

Or,

I, (name) , do solemnly swear to support the Constitution of the United States, the Constitution of the State of Minnesota, and to discharge faithfully the duties of the office of a member of of the City of Red Wing, Minnesota, to the best of my judgment and ability *"and I do this under the penalties of perjury."*

I too have sworn on oath to support the Constitutions as an attorney and also as a member of Red Wing's Charter Commission. So have Red Wing's police officers.

Is the City of Red Wing prepared for an ICE invasion? I've heard our area may be spared due to the reliance of local dairy farmers on immigrant labor. However, "Operation Metro Surge" is here, and it has not been limited to action in the Metro. This is important to me as ICE has raided my Phillips, West Bank and South Minneapolis neighborhoods, and also Richfield, where I grew up just on the Minneapolis side of Crosstown. ICE has also hit Edina (!), Plymouth, Apple Valley, Brooklyn Park, Golden Valley, Shakopee, and more in the metro, and outstate in Mankato, Willmar, Rochester, even Northfield, so close to Red Wing. This is real, not histrionics, "Operation Metro Surge" and the many violations of law.

[ICE put themselves, others at risk during south Minneapolis operation, former agent says](#)

Having taken an oath, the City Council and local police have legal obligations and legal limitations for supporting and enforcing the Constitution regarding ICE interactions with city residents. Police can and should respond to ensure public safety and that everyone's rights are respected. Schools and medical facilities must also be prepared.

We've all seen the performative theatrics, literal videos even, of HSI Secretary Noem and "ICE" agents – the video of the apartment raid in Chicago was particularly disturbing in its dystopian braggadocio. We've heard the "Presidential" inciting and inflammatory words coming from tarring Somali immigrants of all stripes as "garbage;" and summarily ending legal asylum; TPS status; we've seen

warrantless ICE detention of people who are not criminals, with green cards, and even citizens; we've seen breaking of car windows and doors to forcibly drag people into custody; separation of parents and children at school pickups; snatching attendees at immigration courts; and even at a naturalization ceremony pulling people out of line who have persisted through years of hurdles to attain citizenship. All of this is flagrantly cruel rejection of U.S. laws and the most basic of morals.

What is Red Wing doing to prepare for ICE and protect and serve our residents within the confines of City and federal interaction?

In St. Paul, the City Council has launched an investigation of the SPPD's conduct during federal immigration enforcement:

<https://stpaul.legistar.com/LegislationDetail.aspx?ID=7778488&GUID=B920DB57-4BE1-4C79-9353-CD7CA7312024&Options=&Search=&FullText=1>

The Police Chief of the City of Minneapolis has clearly stated:

“The community should know that if you see something like that, that is legitimate, that you don’t know if someone is law enforcement, you should call 911 and you should provide as much information as possible,” O’Hara said, adding that police “absolutely have a duty to intervene” in such cases.

[Minneapolis PD Chief: Police 'Have A Duty To Intervene' If ICE Uses Excessive Force In New Crackdown](#)

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[Minneapolis bars immigration enforcement staging on city-owned lots](#)

[Minneapolis officials decry ICE arrest of Somali American citizen](#)

[Augsburg president decries ICE detention of a student on private campus](#)

[University officials say agents refused to provide a judicial warrant before taking the student from a private parking lot on campus.](#)

[ICE rumors cause hundreds to miss school in Willmar](#)

(it WAS Homeland Security and people were detained, it wasn't caused by "ICE rumors" -- that headline is misleading)

I believe the Red Wing schools have been wrestling with how to assure schools are a safe place. Has the City as well??

In preparation, what is Red Wing doing? What is Red Wing going to do? A good start would be immediate immigration focused training of all elected officials and law enforcement of the Constitutional rights of **ALL** people in the U.S.; of the need for due process; judicial warrants; masking, lack of uniforms and ID of "agents" purporting to be "ICE;" and treatment of those arrested and detained.

Red Wing's Police Dept. has been most respectful and lines of communication are open regarding the Friday 4-5pm rallies, and that consideration is much appreciated. Freedom of speech can be observed here in Red Wing, although some driving by just don't get it. I expect that the current recognition of freedom of speech would continue towards those expressing concerns should ICE appear in our community, and that ICE would be required to follow the law.

Now is the time for consideration of Red Wing's responsibilities of protection and safety of our residents with declaration and clarification publicly and in writing.

- The City of Red Wing should adopt a Resolution on the order of that of St. Paul providing investigation of any police escalation around ICE activity that may occur in our City. Improper escalation seems unlikely, but I'm remembering the introduction of Ordinance 115 years ago. We should be clear about policy and be prepared.
- **Most importantly, the City of Red Wing and the Police Department should adopt a policy specifying that where federal agents/agencies display unlawful behavior, and excessive force, and/or violation of rights is observed, residents should call 911 to report, and that on observation, police have a duty to intervene.**

Our City must be a safe space for all our residents. Your Oath of Office, my Oath of Office, is more than just words muttered by rote.

Carol A. Overland

Attorney at Law, sworn on oath to support the Constitutions of the U.S. and Minnesota

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"Our lives begin to end the day we become silent about the things that matter." Dr. Martin Luther King, Jr.

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