

OPINION

OUR VIEW

A trend to continue

A report showing Minnesota recorded the highest number of graduating seniors in the last 10 years is good news.

Nearly 80 percent of the state’s high school seniors graduated last year, according to a report released last week by the Minnesota Department of Education. State officials said the graduation rate increased from 77.6 percent in 2012 to 79.5 percent — the highest number in a decade — in 2013.

State Education Commissioner Brenda Cassellius said the state could reach a 90 percent graduation rate by 2020 provided efforts stay on track. The report showed improvements among white students and students of color.

The report bodes well for the state’s youth, who seem to understand how important a strong education is to their future.

But the increase in graduation rates is also good for the state and individual

communities. Young people with a good education become contributors to society and the economy.

Certainly, some of the improvement can be attributed to changes in high school graduation requirements. Cassellius credits the improvement to policies and investment in education by state officials as well as the work done each day by Minnesota’s educators.

The report also notes about 90 percent of graduating seniors surveyed say they’re seeking a higher education — again something good for the state because it’s creating a more educated, skilled workforce.

Clearly, we must push to continue this upward trend in graduation rates. We must make sure we are raising the bar for students to reach, rather than lowering the standards.

A diploma means nothing to anyone if the graduates haven’t mastered the basic skills.



LETTER TO THE EDITOR

Play ‘The Mill’ hits home

To the editor,
I went to “The Mill” at the Playwrights Center in Minneapolis on May 5, 2012. We even got to speak with Ms. (International Falls native

Jeannine) Coulombe before the performance. Everyone should go see the play at the Backus this weekend, even if you weren’t here back then. Be prepared to laugh and

cry. I especially recommend it to papermakers who know what to look for when they hold a sheet of paper up to a light.
**Harry Batdorf
Ericsburg**

IT’S YOUR COURT

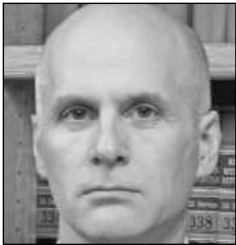
Why the change of a venue?

You report for jury duty and are brought into the courtroom. The case being called for trial is a criminal case. The judge introduces the attorneys, reviews the charges against the defendant and reads the names of possible witnesses. You do not recognize anyone involved but are soon given an explanation...the alleged offense occurred in another county. Why is this case being tried in your county?

When we refer to the location where a case is processed, we use the term “venue.” The general rule is that every criminal case is to be venued in the “county in which the offense was committed.” There are some exceptions to this rule. For example, if an offender kidnaps a victim in county A and then takes the victim to county B, the case can be prosecuted in either county.

A criminal case is initially venued when a complaint is filed at the courthouse. Almost all criminal cases stay in the county in which the complaint was originally filed. Our rules provide, however, that a trial may be moved if (a) the court is satisfied that a fair and impartial trial cannot be had in the county in which the case is pending; (b) for the convenience of parties and witnesses; © in the interests of justice; or (d) for reasons of prejudicial publicity.

Criminal cases that have a venue change usually involve



**Paul
RASMUSSEN**
DISTRICT JUDGE

serious charges and receive extensive media coverage. An example of such a case occurred in Lyon County in 2008 where a woman was accused of driving a motor vehicle that crashed into a school bus. Four children were killed and 16 other children were injured. The trial was moved to nearby Kandiyohi County. The judge determined that it would be difficult to find an impartial jury given the magnitude of the event, the number of people involved, and the fact that the community was geographically compact and close knit.

In a case from Ramsey County several years ago, the defendant, a prominent citizen of St. Paul, was accused of hiring another to murder his wife. The case received extensive publicity which included comments from law enforcement officers about the strength of the state’s case. The case went up to the Minnesota Supreme Court, which ordered that venue be

moved to a different county. In that case the Supreme Court said: “Where there is reason to believe that it will be impossible to obtain a fair and impartial jury in the county selected because of local prejudices, feelings, and opinions, the ends of justice require that a change of venue be granted.”

Here in the Ninth Judicial District, in recent years murder trials have been moved from Koochiching County to Red Lake County, from Mahnommen County to Polk County and from Clearwater County to Beltrami County. Each of these cases received substantial publicity.

The right to a fair trial is guaranteed by Article 1, Section 6 of our state constitution. While it is normally the case that a fair trial can be had in the originating county, every once in a while we need to move a trial to ensure fairness.

Because the right to a fair and impartial jury trumps any interest anyone might have in having a trial close to home.

As always, remember it is your court.

Rasmussen is a district court judge in the Ninth Judicial District. He is chambered in Clearwater County and works primarily in Clearwater and Hubbard counties. His e-mail address is: paul.rasmussen@courts.state.mn.us

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