

OPINION

OUR VIEW

Director position deserves discussion

It's time for an open and honest discussion about the International Falls Economic Development Authority director position. The position, created in 2012 and held by former International Falls mayor Shawn Mason, obviously concerns Falls Mayor Bob Anderson. We urge the EDA Commission to include the position on a meeting agenda and ask Anderson to lead a constructive and informative discussion about his concerns.

Clearly, the position or the person who holds it troubles Anderson, and it's time to share why with city officials and the community. Anderson's asked some good questions about the EDA organization and its financial aspects — that's his job as mayor and EDA commissioner, and what we expect from someone with his understanding and knowledge of government.

But at times it appears he's searching for something, and we can only guess he's attempting to find where the director has made mistakes, blunders, slips, or miscalculations. At the last special meeting, Anderson questioned whether the public was properly notified of the meeting. When Mason made clear to all, including Anderson, that it was, Anderson acknowledged that and the meeting moved forward. But why not have asked about the notification prior to the start of the meeting?

Other items, too, have been played out during meetings, when questions raised prior to the meeting could have provided answers. We understand the public ought to be aware of the activities of the EDA Commission and its director, but housekeeping issues could be addressed outside of meetings. If the outcome isn't what it should be, EDA commissioners have the ability to bring the issue to the full commission.

We've said before in this space we believe every member of the International Falls City Council, the Economic Development Authority Commission (yes, they're the same people), and the city staff that support them have the best interests of this community in mind.

However, it appears Anderson's feelings about the EDA director

position, or the person who holds the position, may be influencing other issues. His comments and actions involving the position appear to anger and frustrate other city officials. It's that kind of polarizing issue that can bring a government to gridlock, and that's no way to run a city facing huge economic challenges.

We've also said in this space before we believe creating a position focused on pushing development in the county's largest city made sense. The other organizations in the community tasked with creating development have their hands full establishing and justifying projects intended to spur growth in all corners of this huge county.

But we've also voiced concern about how the position was created and filled, and the public's perception of those activities. We believe Mason when she says she excused herself from those discussions, but the public's perception and lack of trust in that tells the rest of the story. And we questioned the three-year contract for the position that started July 23, 2012, at an annual salary of \$46,750 with benefits that would be increased to \$55,000 over the next 36 months.

We urge our city leaders to come together to discuss the position. Now is the time to discuss all aspects of the position, from its cost to and payback to the community, to its value, challenges, goals, and accomplishments now and in the future. This discussion must include whether the position should continue as is or should be modified or revised when the contract expires to better meet the current needs of the city.

Times have changed in this community with the loss last year of 265 jobs at the area's largest employer, the local paper mill. Diversification of the economy is more important than ever and business and industry expansion and retention is critical.

The discussion we propose may not lead to changes in the position, nor in how any of our city's leaders feel about it, but may lead to a better understanding of Anderson's concerns allowing this council to move forward with stronger, more unified steps on other issues.



LETTER TO THE EDITOR

New venue for ABE Classroom

To the editor,
The International Falls Adult Basic Education Classroom has recently moved to a new location at Rainy River Community College, and we are celebrating. The public is welcome to an open house to see the new classroom, meet the instructors and learn about the various programs we offer to the community. The open house will be from 1 to 3 p.m. Friday in the Rainy River Community College Library. Refreshments will be served.

Arrowhead Economic Opportunity Agency's ABE program serves individuals 16 years of age and older who are not enrolled in a public school program and are seeking assistance to enhance reading, writing, math, and computer skills. Community members can use our services to prepare to enter college or take the GED, hone employment skills, determine what career pathway to take, and/or enhance their technological proficiency for

employment. There are no income guidelines and instruction is provided free of charge. Each year our program provides on average 1,500 hours of instruction to 50 students at our International Falls classroom. We look forward to the expanding partnership opportunities this new location will provide.

Julie Bernard
Adult Basic Education
instructor
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IT IS YOUR COURT

How old is he?

The surveillance video showed how the tragedy played out. On the evening of Jan. 6, 2010, two men wearing masks entered the Seward Market in South Minneapolis. One of the men pulled a gun, directed everyone in the store to lie on the floor, and demanded money from the clerk. Another customer then entered the store, disrupting the robbery. Shots were fired and moments later the two men fled from the scene. When the police arrived they found three men dead.

A headline a few days later read "Two Teens Charged With Murder In Triple Homicide." The incident was described as a "tragic, senseless shooting" and as a "robbery gone bad." The two men, both allegedly age 17, were held on \$3 million bail and were each charged with first degree murder which calls for a sentence of life in prison.

Under Minnesota law, when a juvenile age 16 or 17 is charged with murder in the first degree, the case would be heard in district court and the youth would be prosecuted as an adult. If the youth is under age 16 the case would start, although it might not stay, in juvenile court.

In this case the alleged shooter wanted the case to be heard in juvenile court and claimed that he was only 15 years old at the time of the offense. The State claimed that the alleged shooter was at least 16 and that he accordingly should be prosecuted as an adult.

It might seem strange to you



Paul RASMUSSEN
DISTRICT JUDGE

that a person's age could be disputed. Most of us are born in hospitals, and there are birth records, witnesses, photographs and sometimes video footage to firmly establish our date of birth. But this documentation does not exist for everyone.

In the case discussed above, Judge Pete Cahill held an evidentiary hearing regarding the age of the alleged shooter that lasted over three days. The mother testified that her son was born on Aug. 25, 1994, making him only 15 at the time of the offense. She had earlier represented, however, that she was the defendant's grandmother and had on numerous occasions represented that his date of birth was Jan. 1, 1993. She also testified that it was permissible to lie if it is in the best interests of the family. Judge Cahill also heard testimony from friends of the defendant, from a social worker who had worked with the family, and from investigators who had taken statements from

the defendant. Each time the defendant was interviewed he gave his date of birth as Jan. 1, 1993.

As you CSI fans might expect, Judge Cahill also heard some expert testimony. Two board certified forensic odontologists gave their opinions regarding the probable age of the defendant. The doctors explained that a person's age can be reliably estimated by examining third molar development, and both doctors opined that the defendant was likely over 16 at the time of the offense.

Judge Cahill ruled that the defendant had reached his 16th birthday before the date of the offense. The case thus stayed in district court and the defendant was tried and convicted as an adult.

I have had hundreds of cases wherein the age of a party was an important fact, but I have never had a case where a party's age was disputed. Interesting circumstances arise in the law all the time, however, and you never know when you will get a case with an unusual issue.

Like proving the age of a living person by examining their teeth.

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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