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**STOLEN
LIVES
JUSTICE
FUND**

December 2021, Vol. 3
Communities United Against Police Brutality



Image: © Tk Young

Stolen Lives Justice Fund: December 2021

The question is, do you always do that?

The statute’s clear that if [law enforcement officers] feel the threat of death or serious bodily injury, then they can respond with lethal force,” said St. Thomas University law professor Mark Olser. “The question is, do you always do that?” - (Minneapolis Star Tribune December 17, 2019 by Susan-Elizabeth Littlefield)

This is a great question we as a community need to ask ourselves this holiday season. Do members of law enforcement always need to use lethal force just because it’s legal? With the legislative session just around the corner, we must consider when lethal force is appropriate, and when it is legal. We need to hold our government accountable to the laws we want and the needs in our community. This December, we will be remembering the names of all the people who lost their lives to police in Minnesota in Decembers past. Specifically, we will examine the killing of two men who lost their lives in December in the city of Minneapolis. We’ll explore the lengths it takes for their families to know why a police officer killed their loved one and ask ourselves, **“do you always do that?”**

Say Their Names

Remembering Those Killed By Minnesota

Police in December

- | | |
|--------------------|---------------------|
| Joseph Azuz | Johnathon Mar |
| Jonathan Barbour | Rodney Miller |
| Kyle A. Baxter- | Tycel Nelson |
| Jensen | Gerald Propps |
| Charles Craighead | Joe Reuter |
| Rocco Dandrea | Daniel Schlien |
| Walter Dochniak | Quincy Smith |
| Kokou Christopher | Akeron Thomas |
| Fiafonou | Amanda Thomas |
| Melvin Fletcher | Andre Thomas |
| Jeffrey Golnick | Chase Tuseth |
| Brian A. Handt | Edward VanKleek |
| Romell Hill | Chiasher Vue |
| Dolal Idd | Harold Henry Welter |
| Patrick G. Jeske | Steve Winkel |
| Theodore Kowalzek | |
| Kenneth L. Lessley | |

Remembering Chiasher Fong Vue

Stolen Lives Justice Fund Newsletter, Vol. 3

As we know, legally in police shootings it does not matter if the shooting victim actually posed a threat, what matters is whether police officers reasonably believed their lives, or the lives of others, were in danger. In the case of Chiasher Vue, he was an intoxicated Hmong man with a gun who did not speak English. Nine heavily armed police fired 54 live rounds and only 1 non-lethal munition. Why did Chiasher Vue's life not matter enough for the officers to slow down and keep him inside? Why did his life not matter to them? Could it be because he wasn't their neighbor and it's not their neighborhood?

Chiasher Fong Vue

December 15th, 2019, 52 years old

Chiasher Vue's son called 911 around 3 am and told dispatch that his father was intoxicated and had just fired a gun 3 or 4 times inside the home. Chiasher's daughter told the police that Chiasher did not speak English. Chiasher Vue stood in the doorway of his enclosed porch in North Minneapolis. One officer, Andrew Reed, aimed a less lethal munition at Chiasher Vue's chest and fired. Seconds later, 54 rounds were fired by eight more officers. It seems the officers had no controlled fire and just sprayed the front of the house and even a neighbor's car with bullets. Chiasher Vue was transported to the hospital where he died from his 13 gunshot wounds. His wheel-bound mother was also struck with a bullet but survived.

The Minneapolis police had been at the home just a week prior to this call and had been there at least 6 times starting in November 2019.

“Why did Chiasher Vue's life not matter enough for the officers to slow down and keep him inside? Why did his life not matter to them? Could it be because he wasn't their neighbor and it's not their neighborhood?”



All of those calls would be known to those officers with a look at their computer aided dispatch (CAD) system. The Minneapolis police had already failed six times to help a family in crisis. The Minneapolis police had failed the Hmong community. The way the Minneapolis police chose to help is with lethal force from a firing squad of officers who shot more than 54 rounds of ammunition into the home of a family, 54 rounds into a neighborhood, treating it like a warzone. Firing over 54 rounds did not protect the neighbors, it did not protect the family who were out of the house, especially not Chiasher's wheelchair bound mother. Riddling the house with bullets was only for the protection of the heavily armed officers.

But did they have to do what they always do? Before shooting Chiasher, his house, and his neighbors car, the Minneapolis Police talked to him. A Hmong-speaking police officer spoke to Chiasher. Chiasher's daughter spoke to him (continued on page 5).



In framed photos, Chiasher Fong Vue stands next to family members. Image credits: Sarah Danik



What are "Stolen Lives?"

We use the term Stolen Lives to refer to people who died at the hands of police or in the course of law enforcement activities.

Reinvestigation Workgroup

For every police killing, there is a conventional narrative that's spread by police and the County Attorney to avoid holding law enforcement officers accountable. The Reinvestigation Workgroup researches all of the available evidence to find disparities in that narrative. We disseminate the authentic narrative to the families, to their attorneys, and to the media and community.

Data Practices Workgroup

Data requests are how we collect government information to find training documents, policies, and other information for our investigations. The Data Practices Workgroup works with the Reinvestigation Workgroup to request data for cases and family members.

She convinced him to come to the door. Chiasher came to the door, and saw numerous police cars with their flashing lights, and squads of heavily-armed police officers pointing weapons at him and his home from behind cover. According to police reports, Chiasher went back into his home, and came back out with a rifle, which he pointed in the direction of police. (Take the police reports with a grain of salt; days after the shooting, the police reported that Chiasher fired first, something the investigating Bureau of Criminal Apprehension was unable to determine after months of study of the body-worn camera footage.)

“After a drunken argument, you answer the door at the request of your family and are confronted with a small army of men pointing guns at you. What would your primary emotion be at that moment? Wouldn’t it be fear?”

We can never know what Chiasher was thinking, but we can imagine what any of us would think. After a drunken argument, you answer the door at the request of your family and are confronted with a small army of men pointing guns at you. What would your primary emotion be at that moment? Wouldn’t it be fear? What if you were a refugee from a country where your family, clan and people were embroiled in the Vietnam War on behalf of the United States before living in refugee camps and finally finding a home on the North Side of Minneapolis? That is part of what it means to be Hmong in Minnesota.

What would your reaction be if you were faced with an army at the door of your home, and you were Hmong?

We need to be honest that it is not only officers who fear for their lives. We need to acknowledge that communities have lost trust in the police, especially the community where Chiasher Vue lived. We cannot demand the communities most affected by police violence trust that the police are now there to protect and serve, when they show up en mass with weapons drawn. Could it be because of this lack of trust that when the Minneapolis police asked Chiasher Vue to come out of his house, he came to the door, looked at the scene with all the surrounding police and went back inside to return with a gun?

We need to demand that officers de-escalate these encounters by slowing the situation down, using time as a tool instead of force. This could have saved Chiasher Vue’s life. The safest place for everyone was to have Chiasher Vue stay inside his home. Rather than using their communication tools to force the issue and bring Chiasher to the line of fire, the police could use them to put Chiasher in communication with Hmong elders. (Deference to elders is another part of what it means to be Hmong.) Communication could allow time to win. Time is the greatest weapon the police possess. Time is also the tool the police lose faith in the fastest.

It is possible that Chiasher was more scared than the 9 officers who fired lethal and non-lethal rounds. Chiasher Vue was intoxicated and surrounded by an army of officers. The Minneapolis police had a choice. They could have used time + distance + cover to try and save a man who clearly needed saving. Why do we as a community keep allowing those who need to be helped the most be killed in their greatest time of need? We have to ask, do you always do that?”

Dolal Idd

December 30th, 2020, 23 years old

Dolal Idd was killed December 30th, 2020 by Minneapolis police officers at a Holiday gas station in South Minneapolis during a botched weapons sting operation. In a released 27 second clip of body-worn camera footage the white sedan Dolal was in slowly moves forward into a parking space. The BWC footage starts with an officer raising his gun and yelling, “Stop the car! Stop the car!” There is a pause and then, “Hands up! Hands up!” Another longer pause from the officer as he watches the white sedan reverse out of the parking space and turns around to leave. When the white sedan finally turns around, an unmarked black SUV and a marked squad with lights flashing pin the white sedan in. The officer again yells, “Hands up!” Finally, at almost 20 seconds into the 27 second clip the officer finally identifies himself as the police. At that very moment, the officer in the BWC clip fires at the white sedan. The Minneapolis police officers all open fire spraying the white sedan with bullets in a very crowded gas station. Dolal was shot and killed. His girlfriend was spared. We ask do you always do that?

The Hennepin County Sheriff’s Office (HCSO) immediately conducted a search warrant on the Idd family’s house that night in order to collect evidence against Dolal before the family knew of his death. The family was awoken at 2:30am by heavily armed HCSO deputies yelling, “Police, search warrant!” and “let me see your hands!” as they burst through the family’s front door. The deputies, armed with assault rifles and tactical gear, restrained Dolal’s 18-year old brother, 19-year old sister, and parents with plastic handcuffs. His youngest siblings, ages 4, 7, and 9 were not restrained but were crying and scared.



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Bayle Gelle, Dolal Idd’s father, holds a photo of Dolal and is wearing a “Black Lives Matter” face mask while holding his right fist up. Image by King Demetrius Pendleton.

Dolal’s father, Bayle Gelle, told the New York Times that “the deputies had neither showed him the warrant nor told him what they were looking for at first, but the shouting from the officers as they arrived was frightening.” The family was not even informed about Dolal’s death until the deputies were on their way out of the Idd home. The search warrant was allegedly obtained to look for more weapons belonging to Dolal. None were found.



Dolal Idd's sister, Ikram, holds up two old family photos of Dolal at her parents' home in Eden Prairie. Credit: Jaida Grey Eagle | Sahan Journal

Instead, the family was terrorized and traumatized by police officers before even knowing Dolal had been killed.

After the horrific search warrant experience and the death of their son, the Idd family had to fight the police department and City for information on their son's death. Why was Dolal being investigated by the Minneapolis Community Response Team? Why did they box in his car at a busy gas station in a residential neighborhood? Why did officers open fire at a gas station, surrounded by numerous civilians? What happened to Dolal's girlfriend who was also in the car with him? What happened to our son, to us, and why?

“The family was not even informed about Dolal's death until the deputies were on their way out of the Idd home.”



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“All government data ... shall be public unless classified by statute, or temporary classification ...or federal law, as nonpublic or protected nonpublic, or ... as private or confidential. Minn. Stat. 13.03. The burden is on the government body resisting disclosure to identify the law which prevents disclosure.” Demers v. Minneapolis. That’s the law in Minnesota: all government data is public until the government can show a law that says it isn’t. Unfortunately, that isn’t always the way that government agencies act. It certainly isn’t the way the City of Minneapolis treated the Idd family.

The first battle for information began within hours of the Idd family learning of their son’s death. Dolal’s name and the 27 second video clip of his death were released within twenty-four hours. The names of the officers involved were not released. The Idd family not only had to deal with the trauma of the search warrant but also their son’s death, the consequences of his name and criminal history being spread in the media, and the uphill battle of trying to request the City release information on who killed Dolal and why.

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- Demers v. Minneapolis.

Again, we must ask law enforcement, do you always do that?

The law in Minnesota says that certain information about depriving adults of liberty must be public at all times: time, date, and place of the action, any resistance encountered by the agency, whether any weapons were used by the agency or other individual, the legal basis for the action, the identities of the units within the agency and individual persons taking the action, the name, age, sex and last known address of the adult person substantially deprived of liberty, whether the agency employed a portable recording system, the manner in which the agency received the information that led to the action and the names of individuals who supplied the information, response or incident report number. Minnesota Statute Chapter 13.82, subd.2.

Minneapolis Police Chief Arradondo released footage of Dolal’s death to the media in a press conference on New Year’s Eve, but the rest of the legally public information was not released so quickly. Communities United Against Police Brutality requested the required information on the day Dolal died, immediately after his death, as the group does in every police killing. The City waited until January 4 to send notice to CUAPB, telling them that the data would be released by the BCA, and that the city would post the information after that. So CUAPB brought a lawsuit against the City and an emergency motion to request that the court make them release the basic required information the same day. The City released the information the following day.

That did not end the Idd family’s fight for information. The City and the BCA withheld the rest of the body-worn camera footage and all other information as part of an ongoing investigation. They withheld that information from the Idd family for 8 months, and the family had to wait eight months just to learn that the Dakota County Attorney Kathy Keena would not be pressing charges against Officers Huynh, Klund and Schmidt.

That should have stopped the stonewalling by the City, and the County, and the BCA, but detailed information about what happened and the full, unedited BWC footage is still being withheld from the family and community. The BCA's report, which is typically made public after such investigations, is still not posted on their website.

Again, the question, "do you always do that?" arises. This time, we ask, does the BCA, County Attorney, and City always do this? Mistreat the family members of the person killed by police? Withhold public information? Leave the family of the victim in the dark? The answer, as we've seen it, is yes. This is why CUAPB fights to make municipalities, like the City of Minneapolis, comply with the Minnesota Government Data Practices Act. When asked why CUAPB brought lawsuits to make Minneapolis divulge the information about Dolal, and about Chiasher, Michelle Gross, president of CUAPB said, "We are just tired of going around in circles with them every single time where they drag their feet and we need to make the point that the law is the law and they need to follow it."

So when the Minneapolis Police failed to name the officers who killed Thurman Blevins, CUAPB prepared a strategy. The next time that the MPD killed a citizen, CUAPB would make its request, and if the City didn't comply, would file a lawsuit and a motion for an immediate injunction forcing the City to comply.

The first time CUAPB used this strategy was in December of 2020, after the killing of Chiasher Fong Vue. And it worked. The City, or the Minnesota Bureau of Criminal Apprehension, released all the requested information just hours before the emergency motion hearing. It worked again in the case of Dolal Idd, when again, the information was released the evening before the emergency motion hearing. In fact, when Darnella Frasier was struck and killed by an MPD police car in July of 2021, an assistant city attorney called CUAPB to

let us know that they had released the information in 26 hours, and that there was no need to sue them.

These two cases have all but settled, but since they haven't quite, the last word should go to the judge in the Chiasher Fong Vue case, who said in denying the City's motion for summary judgment:

"The Court notes for the record that in these cases—officer involved shootings—the reasons for the public to have immediate access to specific information such as the names of the officers involved—are compelling. Our common humanity tells us we owe at least this much to the surviving family members. In addition, in her affidavit, Michelle Gross, the president of CUAPB explains that one media strategy often used by law enforcement agencies in the immediate aftermath of officer-involved killings is to vilify the victim. See Exhibit B to the Affidavit of Paul Bosman dated November 9, 2020. She explains that to be on a level-playing field with such agencies, the families of those killed and the public must have immediate access to critical information about the shooting. The Court agrees. The Court is persuaded that the families of the dead and maimed are entitled to immediately know the names of those responsible."

We need listen to our common humanity and ask, Do you always do that? We need to ask if we can continue to tolerate the police force we have, and if we can continue to tolerate the police accountability we don't have. We need to start the new year ready to push our state legislature and city councils for something better. **If they fail, we need to ask them, Do you always do that?**





How Much Justice Can You Afford?

When a member of our community dies at the hands of law enforcement, there are giant hurdles in the way of justice for their families and the community. The investigation of the killing is handled by law enforcement itself, and then handed off to prosecutors whose daily work depends on the support of law enforcement. No wonder that only three police officers have ever been convicted in the killing of a citizen in Minnesota, and that one of those has had his charges downgraded from murder to manslaughter. This leaves lawsuits in civil court as the only kind of justice available to families of stolen lives. It can't bring back the stolen, or fire the cops, but it may be the only chance for families to tell the stories of the theft of their loved one's life. But even this justice does not come easy.

The killing of a community member at the hands of law enforcement leaves a scar on whole community, but for the families of these stolen lives, the question comes down to "How much Justice can you afford?" While Communities United Against Police Brutality helps by re-investigating the law enforcement narratives, and often helps families find an attorney, that is only the beginning of bringing a lawsuit against the police. That's where the Stolen Lives Justice Fund comes in. The costs of a lawsuit against the police are stiff: filing fees, fees for documents, deposition costs for stenographers, videographers, and rented conference rooms, fees for transcripts, hundreds of dollars an hour for expert witnesses on crime scene reconstruction, on police procedure, on the pathology of bullet wounds, and thousands of dollars for their reports.

**Who will
protect your
rights if you
won't protect
Chiasher and
Dolal's?**



The thing is that cities and states don't have to worry about these costs to defend killer cops, because you are paying them through the taxes that are taken from your paycheck or added to your lunch tab, and you can't do much about that. But you can choose to help the families of stolen lives; you can even the odds for the community through your donation to the Stolen Lives Justice Fund.

So how much justice can You afford?

Can you give \$5 per month to pay for an hour of stenographer time at the deposition of a killer cop?

Can you give \$15 per month to pay for the filing of a lawsuit that lets the story finally be told at the courthouse?

Can you give \$25 per month to pay for an hour of expert witness time, so that someone can tell the cops that they are wrong?

Choose an amount and help us get justice for the families of stolen lives.

Communities United Against Police Brutality is a Twin-Cities based non-profit organization that was created to deal with police brutality on an ongoing basis.

24/7 Police Brutality
Hotline: 612-874-7867



SUBSCRIBE TO THE SLJF

The Stolen Lives Justice Fund pays for court filing fees, independent autopsies and investigations, and other needs of families of people killed by police. Because we have no paid staff, 100% of your contribution goes to direct aid for families of stolen lives.

\$5 \$15 \$25 Other

Please give any amount. Or please consider joining a monthly subscription to the SLJF today:



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