



MINNESOTA SHERIFFS' ASSOCIATION

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March 15, 2017

VIA Hand Delivery and United States Mail

The Honorable Governor Mark Dayton
130 State Capitol
75 Rev. Dr. Martin Luther King Jr. Blvd.
St. Paul, MN 55155

Dear Governor Dayton:

Governor I have delayed this letter due to your recent surgery and we all wish you a full and speedy recovery. On March 2, 2017, I learned from your Commissioner of the Department of Public Safety, Mona Dohman, that you personally directed her not to forward the emergency request for assistance from the State of North Dakota to any local Minnesota law enforcement agencies. Your decision to withhold this request from public disclosure may have lasting consequences for the public safety interests of the residents of the State of Minnesota, and it certainly will have lasting consequences for the relationships between you and your public safety appointees and Minnesota's 87 Sheriffs.

The Emergency Management Assistance Compact ("EMAC") was ratified by all 50 States, including Minnesota. As many of our members have advised you, EMAC requests are not political, and the decision to respond to a request should never be seen as political. In North Dakota, the Governor has declared a state of emergency for the situation at the North Dakota Access Pipeline ("DAPL"); the Morton County Sheriff's Office is a very small Office and needs additional resources to maintain public safety for residents and businesses in the area, protect protestors who have a right to peaceful protest, as well as the media, and the construction workers at the site. As you know, local law enforcement agencies from across the country, and several here in Minnesota, did previously answer the call to assist in what is ***a peacekeeping mission***. We know that you are aware that 3 of Minnesota's Sheriffs Offices responded with well-trained and experienced officers who conducted themselves admirably and respectfully.

Minnesota has historically, and also has a statutory provision for commitment to provide assistance when requested. Secondly, a very clear request for help from our North Dakota neighbor was clearly requested, and third with your knowledge of a previous response from Minnesota law enforcement to assist the Norton County Sheriff's Office, you chose not to share this request information with anyone in the State of Minnesota. To the best of my knowledge, your office did not even acknowledge the receipt of this request for assistance back to the State of North Dakota. While we as the 87 elected Sheriffs of this state recognize that you have the right to withhold specific State of Minnesota controlled assets, your failure to have communicated this request and publicly acknowledged your decision to all Minnesotans is extremely disappointing.

Governor, local law enforcement agencies rely upon mutual aid agreements to maintain public safety in our communities; we also view fulfilling these requests, whenever possible, as a fundamental part of our

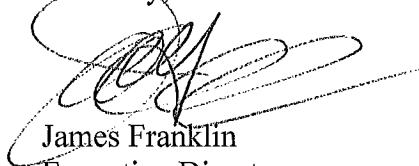
oath to serve and protect. When we answer a 911 call we respond without regard to our political views or the political views of the caller.

There is no way every law enforcement agency in this or any other state can maintain the levels of staffing and training that would be required to respond to every conceivable hazard or emergency situation that affects our public's safety. That is why we need to rely on our partners in neighboring agencies, jurisdictions and States to help fill in voids that may occur. As you are well aware there have been several examples over the past two years here in the Twin Cities where local law enforcement agencies have worked together to protect the First Amendment rights of protestors, residents and all citizens who may have been inconvenienced during these events. Imagine if the law enforcement response in these situations had been politicized by local elected officials or if agencies refused to assist each other at such times of need.

Unfortunately, your decision has set a very regrettable precedent here in Minnesota, and perhaps even beyond our State's borders. Based upon this precedent, it may be necessary for Sheriffs across this country to develop a new EMAC request for assistance system devoid of political influence and which focuses strictly on public safety issues. All Minnesota residents want the confidence that requests for help from our neighbors will not be ignored, but promptly shared with possible available resources.

Accordingly, I ask that you schedule an immediate meeting with myself and representatives of our board, to discuss this situation and to develop a path forward that would include communication and/or consultation in the event of future EMAC requests.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Franklin', with a large, sweeping flourish extending from the end of the signature.

James Franklin

Executive Director

Minnesota Sheriffs' Association

Cc: Members, Minnesota Sheriffs' Association

Representative Tony Cornish, Chair, Public Safety & Security Policy

Senator Warren Limmer, Chair, Judiciary & Public Safety Finance & Policy

Commissioner Mona Dohman

Sheriff Klye Kirchmeier, Morton, ND