

**Officer**, continued from page 1

Subsequently, after Beckman was found to have lied on the search warrant in 2016 by an external investigator, then police chief Steve Stracek and former city administrator Brian Fritsinger recommended Beckman be fired. However, at an August 2016 Cloquet city council meeting, Mayor Dave Hallback motioned to not dismiss Beckman. The vote ended in a 3-3 tie, with Hallback and councilors Steve Langley and Jeff Rock voting to not fire Beckman, and councilors Dave Bjerkness, Kerry Kolodge and Lara Wilkinson voting against the mayor's motion.

Because it was a tie vote — then councilor Roger Maki was out of town — Beckman was not dismissed and the matter went back to the police chief for lesser discipline.

“This all could have been prevented if the council and mayor would have terminated Officer Beckman when it was recommended,” Ketola told the Pine Knot News in an interview Friday. “From that moment on, he was compromised as a witness. Had they done the right thing in 2016, we wouldn't be making the decision to release somebody from prison today.

“I'm doing what I'm doing because it's the only right thing to do.”

The issue was compounded by the fact that the county attorney's office didn't begin disclosing Beckman's proven history of dishonesty to defense attorneys until August 2018, more than two years after Beckman was found to have lied on the search warrant application. The office didn't officially implement a Brady/Giglio policy until December 2018.

Ketola said her office — with the help of a retired Hennepin County attorney's office prosecutor who is an expert in Brady/Giglio issues — is reviewing every case in which Beckman is a critical witness since the February 2016 search warrant incident. Ketola added that the consultant also helps provide a more objective viewpoint, as she is not from the area.

In December the county attorney's office dismissed 18 pre-conviction cases involving Beckman. They are reviewing an additional 42 cases. Because Lozoya was the only one in custody, they looked at his case first.

“Once we did an integrity review with the other attorney, we made the decision that he needed to be released immediately,” Ketola said.

Then it was a matter of getting an order to transport Lozoya from the prison in Rush City, Minn., and have Sixth District Chief Public Defender Daniel Lew motion to withdraw Lozoya's guilty plea in court. Once that motion was approved, Ketola could withdraw the charges. She said they also plan to expunge the case from the records “so it will be like it never happened,” she said.

Following the hearing Friday, Lew asked that the court officer remove Lozoya's restraints so he could walk out of the courtroom “as a free man.”

Ketola said she was happy to be in a position to rectify an injustice but added that she hopes Lozoya is the first and last person her office agrees to release from prison.

Although he declined to comment on the Lozoya case, Lew did agree to talk about the actions of the county attorney's office after the hearing.

“I think we're all proud that there's an integrity review ongoing and that they're making quality decisions and releasing folks that would otherwise not be committed,” Lew said, adding that the review of all of the cases involving Beckman was “an incredibly good first step.”

“The county attorney's office has been open and transparent and treated Mr. Lozoya with every courtesy,” he added.

Lew previously told the Pine Knot News that he thought *all* prior cases involving Beckman should undergo an independent integrity review.

The charges that were dismissed Friday stemmed from an arrest in December 2016 after Cloquet police received a call about an unwanted person (Lozoya) at a Cloquet home.

The owner of the home wanted Lozoya to leave and he refused. In the complaint, the homeowner stated that Lozoya had a handgun and was brandishing it. Her friend had gone outside at one point and Lozoya allegedly chased him around a vehicle and pointed the gun at him, threatening him as well as striking him in the right eyelid with the gun, causing a small cut, according to the criminal complaint.

In a different case in 2010, Lozoya pleaded guilty to felony first-degree aggravated robbery when he assaulted a man, a police informant from whom he had arranged to buy marijuana. In that case, Lozoya was sentenced to four years at the Minnesota Correctional Facility in St. Cloud, but the sentence was stayed.

Lozoya declined to speak with media after the hearing.

## Getting a grip on Brady/Giglio

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Carlton County attorney Lauri Ketola said her office had requested officer disciplinary records from all six law enforcement agencies that operate in Carlton County, including the Carlton County Sheriff's Office, the Minnesota State Patrol, the Department of Natural Resources, and the Cloquet, Fond du Lac and Moose Lake police departments.

Now attorneys from her office and the consulting attorney are sifting through those and evaluating each for possible Brady/Giglio issues.

Ketola explained that it's not always dishonesty that raises Brady/Giglio issues, sharing a sample Brady/Giglio data sheet from Hennepin County that is very similar to what Carlton County is using. Categories of possible Brady/Giglio issues in the sample sheet include the following:

- Abuse of police authority;
- Bias against protected class;
- Criminal conviction;
- Misconduct that reflects on credibility;
- Unauthorized access to government data;
- Mishandling of evidence or property;
- False statement;
- Excessive force;
- General misconduct that reflects on credibility;
- Undisclosed or improper inducements to witnesses or suspects;
- Untruthfulness.

For example, if an officer has shown repeated bias against a group sharing a common race, sexual orientation, gender or color, etc., the county attorney's office would disclose that to the defense in any case where that bias could be a factor.

Ketola said they are in the process of deciding if any of the officer discipline fits into any of these categories. If needed, they will review past cases involving the officer. In the future, they would inform defense attorneys in relevant cases.

She noted that the officer disciplinary records are kept in confidence in their office: only Ketola and one other attorney know their contents as of right now.

“We will disclose on an as-needed basis,” she said. “We want to protect the officer's privacy, but also protect the constitutional rights of the accused.”

Ketola explained that the head of each law enforcement department such as a police chief or sheriff, according to law, has “an affirmative duty” to notify the county or city attorney's office of possible Brady/Giglio issues. That means they are required to proactively notify the city or county attorney's office when issues arise.



**Weather**, continued from page 1

week. Some scattered flurries were expected on Valentine's Day and into today, with clearing skies and some sun expected for next week.

The average amount of snowfall in Cloquet for February is 11.2 inches. The record monthly total is 29.2 inches, reached in 2001. Another few inches of snowfall the rest of the month could challenge that mark.

Total snowfall for the winter is about half a foot above normal. And while we've passed the meteorological halfway point of the winter season, we still have March, which averages 10 inches of snow in Cloquet, but is known for its wild storms. The March record for snowfall in Cloquet is 40 inches, set in 1965.

Keep those shovels handy.

Julie Haverkamp, owner of Wood City Lights and Hardware, shovels the sidewalk in front of the store (again) on Cloquet Avenue Tuesday afternoon. It's been a marathon of shoveling this month, she said.

## Common Ground

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### INDOOR RUMMAGE SALE FUNDRAISER

Sat. February 23 • 9am-4pm

Bring your donated used and still nice items to Common Ground Coffee Bar starting on Wednesday, February 20 until 6pm on Thursday February 21.

Please, no electronics, TV's, or junk.

### SNOFTBALL TOURNAMENT

Sat. March 2

9am-3pm • Braun Park, Cloquet

Contact Bruce: 218-591-0362 or Lee 218-340-5008

### TRUSERVA'S UNCONDITIONAL TOUR

Sat. March 2 • 7-9pm

Music - Rap, Gospel Rap, Pop, Worship, EDM

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Multi-species prizes available

**Largest fish in each category wins grand prize!**

Species include: Northern, Walleye, Crappie, Sunfish, and Perch

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Meet at 9:30am at Chub Lake for details of this unique contest. Bring your own auger and fish anywhere on Chub Lake!

\$20 - adults, \$10 - 12 and under

Contact Bruce: 218-591-0362 or Lee 218-340-5008



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