

Editorials are the institutional voice of The Free Press and independent of the newsroom reporting staff

OUR VIEW: INFORMATION

Sharing data, details improves communities

This is Sunshine Week, the observance of how important the free flow of information is. In the Mankato community a timely, relevant example illustrates why public information is so crucial.

Last week this community was notified of the apparent synthetic opioid overdose death of 38-year-old Beth Roulet in rural Mankato. Authorities quickly shared what the suspected pills look like in case other people had purchased the potentially deadly pills.

Why it matters:

Sharing information isn't just in many cases the law; it can educate a community, draw it together and sometimes save lives.

This decision by authorities to share information may have saved other lives.

Five years ago in a similar situation, that was certainly the case. In March 2014, Louis Folson, 22, of Mankato, died of a synthetic drug overdose. Five days later, 17-year-old Mankato West High School student Chloe Moses died. At first, authorities didn't reveal information about her death.

A persistent Free Press reporter emphasized to authorities that the cause of Mose's death was key information to share with the public, especially if others in the community were at risk. He was assertive, persuasive and a bit angry — probably prompted by the fact his teenage daughter attended a Mankato school at the time — and he pushed the powers that be to tell parents what was happening. Shortly after that call, a press conference was called and it was revealed Moses' death also was from a synthetic drug overdose, the same drug that had killed Folson.

Sharing the information about the synthetic drug deaths no doubt saved other lives. At least one teen read the story in this newspaper and asked his mother to come to the police department with him to turn in the packet that he'd thought was LSD.

It's not comfortable for reporters to push for details about unexpected deaths. Journalists know that lost loved ones are the sons, the daughters, the siblings and the friends of people who live here. But getting out information sheds light on what is going on in a community. Those details can sometimes lead to saving other lives, educating, or sharing a bit of humanity with one another. Community support often comes from those who have only been introduced to victims by reading their stories.

Sunshine Week is usually emphasized by highlighting the importance of laws that require access to public information — open government meetings, court records and law enforcement data are of primary importance in news reporting. The access isn't about just getting information for the sake of lord-ing it over public officials. All of that data and information is needed to paint an accurate picture of what is going on where people live — and sometimes where they tragically die.

OTHER VIEW

Targeting border journalists is an outrage

The San Diego Union-Tribune

Chilling is an understatement. The U.S. government, in the name of border security and in tandem with the Mexican government, created and kept dossiers — what NBC 7 in San Diego, which broke the story, called a “secret database” — on a group of 59 journalists, advocates, activists and an attorney who met with members of a migrant caravan that came to Tijuana late last year. U.S. Customs and Border Protection singled out many in the group for lengthy extra questioning when trying to cross the border and denied at least two journalists entry.

What was the justification? The documents obtained by NBC 7 showed that the U.S.-Mexico International Liaison

Unit considered those it gathered information on to be “suspected organizers, coordinators, instigators and media.” The Customs and Border Protection agency told NBC News that all 59 were present during a violent incident at the border in November and that journalists were tracked to learn more about what started the violence.

If there is no evidence these individuals “instigated” criminal activity, hassling them at the border, keeping them from entering Mexico and placing alerts on their passports is official harassment. It is against federal law to abet those who try to enter the U.S. without authorization, but federal law protects journalists covering a news event from official impediment.

FOUNDED IN 1887

The Free Press

1st Amendment: Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

STEVE JAMESON, Publisher

EDITORIAL MANAGEMENT

JOSEPH SPEAR, Managing Editor
KATHY VOS, News Editor
TIM KROHN, Business Editor
ROBB MURRAY, Features Editor
PAT CHRISTMAN, Photo Editor
JIM RUEDA, Sports Editor

BUSINESS MANAGEMENT

JUSTIN NILES, Audience Development Director
GLEN ASLSON, Facilities & Technology Manager
TODD BROUWER, Press/Post Press Manager
DEB PETERSON, General Manager - The Land

LETTERS POLICY

The Free Press welcomes letters on any issue of general community interest. Please limit your letters to no more than 275 words, typewritten or clearly printed. Letters or emails citing facts that are not commonly known should include the source. Letters must contain the author's name, address and phone number for verification. All letters will be edited for clarity, grammar, spelling and space. You may email letters to the editor to editor@mankatofreepress.com.



Investigate without impeachment

Impeachment investigation without actual impeachment: That's the strategy House Democrats have unveiled for taking on Donald Trump for the 20 months until the 2020 presidential elections.

The Michael Cohen hearings were, apparently, just the first salvo. On Monday, the House Judiciary Committee requested documents from 81 agencies, organizations and individuals connected to the president. The committee under Chairman Jerrold Nadler is preparing to leave no stone in Trump's life unturned.

This investigative barrage solves a political problem for the Democrats, namely the danger that impeaching Trump would not lead to his being removed by the Senate and might instead help him win re-election, by energizing his supporters.

Constitutionally, this aggressive exercise of oversight may answer a question that has troubled many observers, myself included: What happens to the rule of law if there is evidence that the president is guilty of serious crimes, but there's insufficient political will to impeach him? The answer may well be that such a president can be made to twist slowly in the wind, provided the opposition party controls one chamber of Congress.

Yet there is one meaningful risk associated with the Democratic approach. It might set a precedent for future aggressive investigations by opposition parties — even when a future president hasn't been accused of felonies in open court.

To understand the nature of the constitutional problem we are facing, you have to keep two very different things in mind at once.

The first is the Framers' failure to consider that national political parties could severely undermine the impeachment remedy they built into the Constitution.

The second is Trump's statement (and apparent belief) that he could “shoot somebody on Fifth Avenue” without losing the support of his

base voters.

The Framers thought it should be very difficult to remove a sitting president. They required not only impeachment in the House for high crimes and misdemeanors, but also a trial and a two-thirds vote in the Senate.

That made sense given that the Framers fantasized that the Senate would be made up of disinterested natural aristocrats who would always put country above party. (They were, ahem, thinking of themselves.)

It hasn't exactly turned out that way. In a two-party system with roughly equal distribution of power, whichever party holds the presidency will almost inevitably be able to block removal in the Senate, provided its members think the party has more to lose from removal than to gain from it.

That's a big reason presidents Andrew Johnson and Bill Clinton survived impeachment and were not removed by the Senate.

It might not have protected Richard Nixon; he certainly didn't think it would. But Nixon didn't have what Trump has so far: almost 40 percent of the electorate who appear willing to support him no matter what. These voters are Trump's trump card — his reason to think he can get away with anything.

This confluence of factors creates a constitutional anomaly that would have profoundly shocked James Madison. Cohen has credibly testified in court and before Congress that Trump directed him to commit campaign finance felonies by paying off Stormy Daniels and covering it up. The prosecutors of the Southern District of New York, who believe Cohen, have in effect implicated the president in a felony charge.

But they can't charge the sitting president, not under current Department of Justice guidelines. And impeachment by House Democrats is unlikely with little chance of Senate removal.

NOT REAL NEWS

Omar subject of false claims

The Associated Press

A roundup of some of the most popular but completely untrue stories and visuals of the week. None of these is legit, even though they were shared widely on social media. The Associated Press checked these out. Here are the real facts:

Claim: President Barack Obama resettled 70,000 Somali refugees in Minnesota. No wonder Rep. Ilhan Omar was elected.

The facts: Minnesota received 6,320 Somali refugees, not 70,000, under the Obama administration, according to data from the U.S. Department of State's Refugee Processing Center. About 54,000 Somali refugees total came to the U.S. under Obama, who served from Jan. 2009 to Jan. 2017. In contrast, the administration of President George W. Bush, a Republican, placed more Somali refugees in Minnesota — roughly 9,800.

Omar, a Minnesota Democrat who was elected to Congress last year, came to the United States from Somalia as a refugee 24 years ago, settling in Minneapolis with her family in 1997.

Somali refugees have long migrated to Minnesota and first began settling there in the early 1990s to flee an ongoing civil war, said Micaela Schuneman, refugee services director for the International Institute of Minnesota, a nonprofit that offers immigration services in the region.

Minnesota continues to be a popular place for the State Department to place Somali refugees because many of them have family members in the state and benefit from having an existing community of people from their home country, Schuneman said.

Claim: U.S. Rep. Ilhan Omar and Minnesota Attorney General Keith Ellison urged people to vote twice in same election.

The facts: Social media users are sharing a photo posted on Instagram by Omar in 2012 to falsely claim that she and Ellison, both Democrats, encouraged people to vote twice in an election. In the photo, Omar, a community activist at the time, and Ellison, who was a congressman, are marching behind a banner that states, “Be nice, VOTE NO twice. We don't need Voter ID.”

The photo is from an Oct. 20, 2012, march that was held to oppose two Minnesota statewide ballot amendments, one that would have required people to show a photo ID to vote and another that would have defined marriage as between a man and a woman. Both failed.

Emily Rodvold, a graphic designer and activist, told the AP this week that she developed the “vote no twice” motto to show opposition to the proposed ballot amendments. “That was not encouraging people to vote twice,” Rodvold said. “It was shorthand to tell people if you want to support gay marriage in the future and people's voting rights, you need to vote no twice.”

The result is a president who is undicted but accused of a felony — and who is in practice above the law while in office. Worse, he's the prosecutor in chief, sitting at the head of the executive branch.

It turns out there is one thing the Democrats can do to salvage the rule of law, and that is to investigate every possible form of Trump's wrongdoing that can be even loosely connected to his campaign or his office. They can subpoena and interview employees, associates and former sexual partners.

That may not budge Trump's 40 percent base. But it will take up all the air in public discussion for the foreseeable future.

The Democrats haven't managed to learn how to make the news media talk about a topic other than Trump. But they can at least now drive the subject to Trump's alleged malfeasance.

And they have a good shot at driving Trump crazy in the process. Soon enough, Trump will miss special counsel Robert Mueller and his behind-the-scenes, quiet investigation by professionals.

The Democrats will be gambling that the public won't get sick of the investigations, and that the investigations won't distract too much attention from the Democratic presidential candidates. Those seem like bets worth taking.

The constitutional downside is the risk that Democrats will be writing the script for a future Republican Congress to go after a Democratic president. That would destabilize democratic government over the long run.

But maybe the Democrats won't field candidates who open themselves to charges of election-related felonies. That would certainly be a good idea.

Noah Feldman is a Bloomberg Opinion columnist. He is a professor of law at Harvard University and was a clerk to U.S. Supreme Court Justice David Souter. His books include “The Three Lives of James Madison: Genius, Partisan, President.”