

Passion for perfect fields

Brewery elevates Lanesboro Grain Co. building

Hylee WINE SPIRITS **Busch Light Week** July 27-August 2 sch or Busch **Busch Light apple**

MIDWEEK POSTBUL

Minnesota Newspaper Association's 2022 Daily Newspaper of the Year

UNLOCK DIGITAL AT >>> POSTBULLETIN.COM/ACTIVATE | ROCHESTER, MINN. | TUESDAY, JULY 26, 2022

District judge issues 'corrective action' to improve jury pool formation

Change aims to increase diversity, better represent growing population

BY MOLLY CASTLE WORK

Post Bulletin

 ${\tt ROCHESTER} - {\tt A} \; {\tt Rochester}$ judge ordered a change to the jury selection process on Monday in response to concerns that the racial makeup of juries is nowhere near reflecting Minnesota's diversity.

"Minnesota's population continues to become more plural," Third Judicial District Chief Judge Joseph Bueltel

writes in his order. "The representativeness of the district's jury panels needs improvement

... These corrective actions are directed at increasing the representativeness of the district's jury panels and increasing the rate of response from summoned jurors across the district.'

The order requires jury summons and questionnaire forms in the Third District,

See JURY, Page A3



Traci Westcott / Post Bulletin

The Third Judicial District Administration in Rochester.



Photos by Traci Westcott / Post Bulletin

Abby Fick, 15, walks her calf Maureen to show her on July 15 at the Wabasha County Fair in

l got stuff to do'

Her arm is lost, but Lake City teen won't let that stop her

BY MATTHEW STOLLE

LAKE CITY, MINN.

n the day before her surgery, Abby Fick created a TikTok video that she titled "last TikTok with lefty.'

If she was scared, she didn't show it. Her dance was an unsentimental tribute to a turning point of her life. She was 14, and she was about to



Abby shows Maureen at the Wabasha County Fair in Wabasha.

lose her left arm. Her TikTok was an acknowledgment of the moment, and her TikTok friends told Abs that they

were praying for her. Later, a team of Mayo Clinic

See **ABBY**, Page **A2**

Get the newspaper format you love **EVERY DAY.**



or tablet's camera and point it at the time after 6 a.m. each day to access that day's print replica.



Seeking to open eyes to accessibility

BY RANDY PETERSEN

Post Bulletin

ROCHESTER — Moving through downtown can be challenging for Chris Mathews.

"It's good in places, at times, but to the same degree, it's frustrating at places, at times," said the Rochester resident who is legally blind and relies on a cane to navigate the city on his

Mathews, who has primarily lived downtown since 2020, has became comfortable enough with his surroundings to walk to his job at Mayo Field, find transportation to a second job in child care and even venture to Peace Plaza to play guitar.

However, as he seeks to broaden his understanding of the city's core, he faces struggles, some of which he highlighted in a recent YouTube video and others that he said are likely the subject for future videos.

Mathews said there's a lack of local information related to navigating Rochester without sight, so his video is an attempt to spur discussions of what works and what doesn't.

"The initial thing that really kicked it off is the flashing lights by Cheap Charlies," he said of a North Broadway Avenue crossing that was

Tucker Allen Covey / Post Bulletin

Lic. BC008077

See ACCESS, Page A6 Chris Mathews stands for a portrait in Peace Plaza on June 30.



HEAT Window Sale

Every home is unique from the location and style, to the people who live there. The same goes for your home's energy bill. Renewal by Andersen windows help keep your home warmer in the winter & cooler in the summer!

\$200 OFF

RENEWAL BY ANDERSEN **WINDOWS**



OBITUARIES PAGES B6-7

INDEX Business **D1-2**

Classifieds B8-9 Comics C-3

Life **C1-8** Nation A4 Opinion D3-4 Sports **B1-4** Weather A7

ROCHESTER, MINN. VOL. 97, NO. 60, 30 PAGES

Talk to an editor 507-285-7700 **Customer service** (800) 533-1727 © 2022 Rochester Post Bulletin All rights reserved.



St. Paul Farmers' Market honors vendor killed in stolen car crash

BY ISABEL SAAVEDRA-WEIS

St. Paul Pioneer Press

ST. PAUL — The spot where a longtime, respected vendor at the St. Paul Farmers' Market sold her family's fresh produce for two decades became a memorial to the matriarch killed last week in a hit-and-run with a stolen

Phoua Thao Hang, 70, died July 17 when an SUV collided

with the vehicle driven by Hang's husband as they returned from working their garden. The driver and vehicle have not been found.

The Hang family's booth at the market in St. Paul's Lowertown was empty Saturday as the family mourns the death of Phou Hang.

In their absence, the market turned the booth into a memorial with fresh flowers

and photographs of Hang and her family. The plan is to keep the booth decorated with fresh flowers until the Hang family returns to their stall.

"I'll always remember Phoua surrounded by her children, grandchildren and husband, happily greeting her customers and friends at the market," said David Kotsonas, Director of Operations for the **Hmong American Farmers** Association and a former

director of the Farmers' Market. He said the Hang family has been selling there for over 20 years.

Hang's grandson is Rep. Jay Xiong, DFL-St. Paul. Her daughter and son, Pakou Hang and Janssen Hang, founded the Hmong American Farmers Association.

On July 17, Hang and her husband were returning home about 10 p.m. when a stolen Kia Sportage came out from

an alley and struck the Hangs' vehicle, according to interim St. Paul Police Chief Jeremy Ellison. Hang's husband was taken to the hospital with nonlife threatening injuries and has since been discharged.

Police are continuing to look for the driver and passengers of the Kia Sportage, which was stolen in Minneapolis. Police are asking anyone with information to

Jury

From page A1

which includes Rochester, to be translated into languages other than English, such as Spanish, Somali, Hmong and Karen, a language originating from the area of Myanmar and Thailand, and to have these made available online.

It also edits the language on the form to clarify that there is no exact level of English language skill required, and instead jurors should come to court to discuss their eligibility with the judge if they are unsure.

Third District's Chief Court Administrator and Jury Commissioner Shelley Ellefson, who will be overseeing the implementation of these changes, said Thursday that she's not sure what the process will entail, but that she'll be working with the State Court Administrator's Office to determine next steps.

The Post Bulletin reached out to Bueltel and State Court Administration for comment, but they declined to respond saying they'd prefer to let the order speak for itself.

This development is a result of a formal letter sent in April to Bueltel from the Third District's Committee for Equity and Justice. The letter, which stated that people of color are substantially underrepresented at every stage of the jury selection process, requested Bueltel take action to "ameliorate the glaring and long-standing

racial disparities." The Committee for Equality and Justice made six recommendations to improve the issue, such as sending jury summons more than once and providing interpreters in the courtroom for non-

native English speakers. The Post Bulletin reported on CEJ's work as part of an in-depth investigation into the jury selection process in April. Bueltel's order implements one of the committee's

recommendations.

Cresston Gackle. **Assistant Public** Defender of the Third District Public Defender's Office, helped draft the letter and said he is pleased with its outcome, especially as Bueltel's order allows anyone who can communicate orally in English to participate in the jury process.

"There's plenty of people that can do exactly that and they should not be disqualified from serving on juries and rendering decisions on behalf of the community," Gackle said. "The courts need to recognize that there's a lot of mistrust and history between minority populations and the justice system. The least we can do to make people feel welcome and like they are wanted is to speak in their native

language." Bueltel's order is historic. Two attorneys said this is the first time, as far as they know, that a Minnesota chief judge has used this authority, even though

the precedent is written

into law.



Gackle

Corey Sherman, training director for the public defender system, said she was encouraged

to see a chief judge ordering change, but she said she is disappointed that CEJ's other five recommendations were denied - some which were denied due to cost and potential technological issues.

"Anytime we venture to change a system there will be costs and hurdles, but they are worth taking on to create an inclusive system," Sherman said. "I am hoping that the order encourages other districts to take a careful look at their systems for ways to increase access to our jury system. I also hope that we are not afraid to abandon outdated and unfair systems simply because we cannot immediately imagine how to create new ones."

Gackle said he looks forward to more change down the road. Conversations about jury inclusivity were already happening, but he said George Floyd's murder in Minneapolis moved racial equity higher up on the court system's agenda. It's become clear that many Minnesotans of color "have no confidence in the whole system," Gackle said.

Gackle is not the only one hard at work on this issue. He said the defense in Minnesota has hosted several presentations on racial equity and the importance of representative juries to public trust.

"You will find that everybody who works in the justice system, at some level, wants everyone to be confident about the results we reach in the justice system," he said.

In the future, Gackle hopes that this momentum will lead to the jury issue being addressed at the state level as well — by increasing juror pay, for example, so more jurors can participate regardless of financial means. In five to 10 years. he wants to see nonnative English speakers participating smoothly in the jury process.

"The status quo is unacceptable," he said. "We can't wait for more data ... We can't simply prove our case forwards and backwards again. That's not enough. We have to take some level of action.

In Olmsted County the percentage of Black residents in the jury pool is 59% less than it should be, to reflect the makeup of the local population.

While the jury selection process would appear to be race neutral jury summons are sent to a random selection of people and, after questioning for potential bias, a 12-person jury is selected from the pool and sworn in. However, racial disparities in the jury box continue.

Some issues are administrative. The master source list of all potential Minnesota jurors is compiled by merging voter registration records

and drivers license logs

(including state IDs) two sources where white Minnesotans are more thoroughly represented than non-whites. Many residents don't receive their summons because it is sent to an old address.

Jury service is a financial burden for many, so some jurors are excluded due to financial hardship. In some Minnesota counties, the juror per diem rate doesn't even cover the cost of parking. Court rules also disqualify potential jurors who have been convicted of a felony and are incarcerated or doing probation, which disproportionately targets people of color who are arrested at

higher rates.

call them at 651-266-5656.

Although the issue was acknowledged by the state court system in the 1990s and again in 2021, few recommended solutions have been implemented.

HOBBY LOBBY

STORE HOURS: 9 A.M. - 8 P.M. • CLOSED SUNDAY PRICES GOOD IN STORES MONDAY, JULY 25 – SATURDAY, JULY 30, 2022.
PRICES GOOD ONLINE SUNDAY, JULY 24 – SATURDAY, JULY 30, 2022.
SOME ADVERTISED ITEMS NOT AVAILABLE ONLINE. SALES SUBJECT TO SUPPLY IN STOCK. AD DOES NOT APPLY TO PRE-REDUCED ITEMS.

FIND A LOCATION NEAR YOU OR SHOP ONLINE AT HOBBYLOBBY.COM



HOME DECOR 50% **FEATURING WALL DECOR**

Categories Listed

Framed &

Canvas Art

Wood & Metal

Does not include Floral, Crafts, Seasonal, Candle & Frames Departments or items labeled Table Decor and Gifts

Decorative Crosses Knobs, Pulls, Handles, Hooks & Decorative Hardware Wall Decor

Pillows, Rugs, Throws & Doormats

Mirrors Clocks Letters Excludes

Crafts Department **Shelves**

Items Labeled

THE SPRING SHOP®

Fashion Items in

Tableware, Garden, Wall Decor,

All Memo Boards. Chalkboards, Corkboards & **Dry-Erase Boards** Excludes items in the Art Department



PARTY AND

Includes fabric

Classroom Decor & Fall items are not included in Home Decor sale.

"BUY ONE, GET ONE" OFFERS MAY SOUND APPEALING, BUT WE NEVER REQUIRE YOU TO BUY MORE THAN ONE ITEM TO GET OUR BEST PRICE.

FALL FLORAL

Arrangements, bushes,

wreaths, garlands, swags, stems, picks and ribbon Does not include custom designs

SUMMER Includes

Floral Stems, Bushes

& Arrangements

Floral and greenery

Does not include

custom designs

Dried Naturals

CLASSROOM DECOR

From Making the Grade™

Select Group of

Home Decor, Storage and More

FURNITURE NOW MARKED

Does not include Seasonal

YARN & NEEDLE ART 30% All Artiste® Floss

& Threads Cotton floss & craft thread packs, nylon,

acrylic and cotton crochet threads

Most Categories Listed

Packaged Quilt Battings Does not include "Your Price" items

Poly-fil" 100% Polyester 2.99 Soft Stuff Pillow Forms 18" x 18" 6.49

Premium Poly Foam,

Nu-Foam® & Smart Foam

T-Shirts Always 30% off the marked price* 30%

Categories Listed

Does not include Seasonal Department or items labeled "floral accents"

Gildan® Youth and Adult

Garlands, Swags,

Wreaths & Teardrops

Flowering and greenery

Faux Fruit & Vegetables

Potted Trees & Plants

Short-Sleeve T-Shirts

Baseball & Long Sleeve T-Shirts, Sweatshirts, Always

Infant & Toddler T-Shirts and Creepers Does not include Cricut® branded apparel

Includes Youth and Adult Short-Sleeve T-Shirts

Canvas Bags 996 and Up

BEST-SELLING BOOKS

Bibles, Devotionals, Gift Books and **Children's Books**

ALWAYS



Most Categories Listed

Does not include Seasonal Department Cake Decorating

All items labeled Sunny Side Up Bakery® Includes Cake. Cookie and Cuncake Essentials

Napkins & Plates

CANDLES & CANDLE HOLDERS 50%



All Items Labeled The Paper Studio

Stickers, Scrapbook Albums, Cards, Envelopes,

Embellishments. Cardstock Paper Packs.

Paper Pads & Page Kits,

Planners & Planner Accessories, Pen & Marker Sets,

Printed Single Sheets and Cardstock

Strung, Tubed &

Packaged Beads

and Czech Glass Beads

Includes Beads, Flatback and

Hotfix Crystals by Preciosa®

Does not include sterling silver

Metal Gallery™

by Color Gallery™. Bead Treasures®

Candles, Candle Holders, Sconces, LED Candles, Potpourri, Oils, **Room Sprays, Fragrance Cubes** & Warmers Priced \$2.99 & Up

Does not include Seasonal Department or "Your Price" items Cricut Maker® Cricut Maker® 3 Cricut Joy™

^{\$}249

Cricut

\$179

the Jewelry Shoppe™

Findings, hair accessories, nickel free and sterling silver

Timeline

the Gilded Age

Designs representing

Cricut Hat Press™

\$129

\$99

\$399

Cricut Easypress™ 2

Cricut BrightPad™

Cricut Explore® 3

\$299

\$149

Cricut

§79

\$129

Paints

ALWAYS

12.99 per pack

CRAFTS 50% Most Categories Listed

Craft Glitter & Glitter Glues All Felt Squares

Packaged Beads by Tree House Studio Craft Wood

Perler Kits & Beads

Candy Wafers

12 oz bag

by Playside Creations Cosplay EVA Foam Shapes, sheets & foam clay

Children's Activity Kits, Paint & Pencil by Number Kits, Diamond Art Kits and Fuzzy Posters

Children's Crafts

Priced \$4.99 & Up **40**% Cra-Z-Art* Products

Most Categories Listed

Grumbacher Tempera | Chalk Boards, Cork Boards

12x12 - 7 pack

16x20 - 5 pack

& Dry-Erase Boards Includes Packaged Cork Super Value Pack Canvas 8x10 - 10 pack

*Marked price \$19.99 11x14 - 7 pack

Paints Acrylic, Watercolor and Oil Paints

4.99

Liquitex[®] Basics

2-Pack Canvas 8 Sizes available 4.99 6.99





broadcloth, satin and more Excludes precut bundles and fat quarters





69.99



Always 50% off the marked price* Applies to frame only. See store for details.

Compare our prices to our

FREE QUOTES See our Great Selection.







competitors' prices.

Satisfaction Guaranteed *Discounts provided every day; marked prices reflect general U.S. market value for similar products. No coupons or other discounts may be applied to "Your Price" items.