
The University Senate

FACULTY · STUDENT · P&A · CIVIL SERVICE

UNIVERSITY OF MINNESOTA

Social Concerns Committee(SoCon)

January 27, 2025

Minutes of the Meeting

These minutes reflect discussion and debate at a meeting of a committee of the University of Minnesota Senate; none of the comments, conclusions or actions reported in these minutes reflect the views of, nor are they binding on, the senate, the administration or the Board of Regents. The University Senate Office utilized notes taken during the meeting, video recording and transcript of the meeting, and AI to assist in summarizing substantive parts of the meeting transcript to compose these minutes. Minutes are reviewed by the committee before posting.

[**In these minutes:** Welcome; Social Concerns Legal Implications Discussion; Center for Race, Indigeneity, Disability, Gender & Sexuality Studies; Old Business - Committee Priorities]

PRESENT: Asem Kaul (chair), Ari Ayala, Valerie Belair-Gagnon, Iris W Borowsky, Aubree Derksen, Lily Devereux, Sunasir Dutta, VV Ganeshanathan, Jess Gutknecht, Erik Hillesheim, Tarissa J Host, Jason Meyer, Harper Miller, Janeth Guerra de Patino, Char Psihos, Joanne E Richardson, Meaghan M Thul

REGRETS: Brianna Menning

OTHERS: Jane Kirtley, professor, Hubbard School of Journalism and Mass Communications; Jimmy Patiño, director, Center for Race, Indigeneity, Disability, Gender & Sexuality Studies

1. Welcome

Chair, Aseem Kaul, welcomed everyone to the meeting

2. Social Concerns legal implications discussion

Jane Kirtley, professor, Hubbard School of Journalism and Mass Communications addressed the committee, expressing gratitude for the opportunity to speak. She outlined her extensive background in media law and journalism, emphasizing her long-standing involvement in legal protections for journalists. She noted that her engagement with this issue began in November, prompted by concerns about law enforcement conduct during protests, particularly regarding interactions between the Minneapolis and University of Minnesota Police Departments (MPD and UMPD) and journalists.

Kirtley discussed journalists' ongoing challenges when covering protests, highlighting the need to educate law enforcement about First Amendment rights. She referenced the recent consent decree issued in January concerning MPD's interactions with both journalists and protesters. While acknowledging potential changes under the current presidential administration, she pointed out that Minneapolis officials had committed to following the decree's guidelines.

Providing legal context, Kirtley emphasized that, as a state university, the University of Minnesota is bound by the First and Fourth Amendments. She elaborated on additional statutory protections for journalists, particularly the Privacy Protection Act, which prohibits law enforcement from seizing journalistic materials without due process. She detailed the origins of this law, tracing it back to a controversial case involving the Stanford Daily in the 1970s. She stressed the importance of law enforcement training on these legal protections, arguing that ignorance of the law is not a valid excuse for violating journalists' rights.

Kirtley also addressed common law enforcement practices, such as seizing recording devices and attempting to suppress documentation of police actions. She underscored the legal right to record law enforcement officers in public spaces and recommended that journalists upload footage to the cloud to prevent loss or tampering. She warned

that law enforcement officers are not always forthcoming about their actions and that visual evidence remains crucial.

A significant portion of the discussion revolved around distinguishing journalists from protesters. Kirtley acknowledged the complexities in defining who qualifies as a journalist, particularly in an era where activists often engage in live streaming. She recommended that student journalists carry credentials issued by their organizations and suggested that UMPD be made aware of these identifiers to avoid wrongful detentions.

Several committee members posed questions regarding journalist protections, public perceptions, and law enforcement's approach. Kirtley acknowledged concerns about public misconceptions of journalistic legitimacy, particularly in the wake of protests. She argued that wearing a press vest, while standard practice globally, is not always sufficient for identification, especially when skepticism about journalism persists. She recommended dialogue between student journalists and UMPD to establish clear identification practices.

Regarding journalist detainment, Kirtley stated that unless a journalist actively breaks the law, they should not be handcuffed or detained. She noted that the Department of Justice's consent decree outlines appropriate restraint methods and stressed that arrests of journalists often result from inadequate law enforcement training. She advised student journalists to work in pairs to document interactions with police and provide mutual support.

Kirtley concluded by advocating for proactive engagement with policymakers, training initiatives, and broader campus education on First and Fourth Amendment rights. She suggested that the Social Concerns Committee consider organizing forums or teach-ins to increase awareness and ensure that university policies uphold constitutional protections for both journalists and protesters.

3. Center for Race, Indigeneity, Disability, Gender & Sexuality Studies

Jimmy Patiño, director, Center for Race, Indigeneity, Disability, Gender & Sexuality Studies addressed the committee to discuss concerns about the safety and support of immigrant and non-citizen students on campus, particularly in light of recent shifts in immigration enforcement policies under the current presidential administration. He introduced himself as a faculty member in the Department of Chicano and Latino Studies and the director of the Center for Racial, Indigenous, Disability, Gender, and Sexuality Studies (BRIDGES).

Patino explained that fears and uncertainties among students had escalated following the election, prompting his department and other campus organizations to hold workshops in collaboration with the Binger Center for New Americans. These sessions provided legal guidance on students' rights and potential changes in federal immigration enforcement. He emphasized that previous protections, such as schools and churches being considered off-limits for immigration enforcement actions, were now being re-examined, creating heightened concerns for the university community.

In 2017, following similar concerns under the previous Trump administration, the university established an Immigration Task Force, which centralized resources and legal assistance for students and staff. However, it was unclear what had become of that task force, leading to calls for its reinstatement. As a concrete step, Patino urged University leadership to rejoin the Presidents' Alliance on Higher Education and Immigration, an organization that supports immigrant students. He noted that former President Gabel had been a member and encouraged current President Cunningham to reaffirm the university's commitment. Patino outlined key recommendations from the alliance, including a public statement from the University president reaffirming support for immigrant students, a reinvigoration of a centralized task force to address these concerns, and an explicit commitment to protecting student and employee data from federal immigration authorities. He stressed that clear University protocols were needed should Immigration and Customs Enforcement (ICE) attempt to enter campus, emphasizing that legal protections exist, such as requiring ICE to obtain warrants before accessing student records or entering classrooms.

Janice Guerra de Patino, representing a University-affiliated community health center, reinforced these concerns, noting that healthcare facilities, once considered safe spaces, were now also vulnerable to ICE enforcement. She described efforts to collaborate with the Office of General Counsel to develop protocols for protecting patients from immigration enforcement actions.

Meaghan Thul, from the Office for Student Affairs, provided updates on ongoing efforts to support immigrant students, including the continued operation of the immigration response email through International Student and Scholar Services (ISSS) and the hiring of an additional immigration attorney to support students across all university campuses. She emphasized that while the University's Immigration Response Team had disbanded, its work had been integrated into various offices.

Kaul, drawing on his experience with the committee, provided historical context, explaining that in previous years, the University had been reluctant to designate itself as a "sanctuary campus" but had instead implemented many of the protections typically associated with that status. He highlighted that the committee had previously pushed for strong protections for undocumented students and staff, and while not all requests were granted, many key initiatives, such as the Immigration Response Team, had resulted from their efforts. V.V. Ganeshanathan suggested leveraging ongoing discussions within the university, including the current provost search, to emphasize the importance of leadership that prioritizes immigrant student protection. She also mentioned the upcoming University Senate meeting as a potential forum for raising these concerns. Aubree Derksen inquired about how university policies apply across different campuses and how local city or state sanctuary policies might impact enforcement. Patino responded that while the university has authority over its internal policies, broader legal protections would depend on local and federal laws. The meeting continued with discussions on next steps, including drafting a letter urging President Cunningham to rejoin the Presidents' Alliance, issuing a public statement in support of immigrant students, and requesting updates on the status of a new task force. The committee acknowledged the urgency of the issue and committed to further discussions on formalizing their recommendations.

4. Old Business- Committee Priorities

The committee discussed how to respond to Patino's request regarding immigrant student protections. Kaul outlined the potential steps, including drafting a letter to President Cunningham, encouraging the university to rejoin the Presidents' Alliance on Higher Education and Immigration, and taking steps aligned with the alliance's recommendations. Committee members voiced support for the initiative, emphasizing the importance of maintaining trust with immigrant students and communities. A vote was taken, with unanimous approval to move forward with drafting the letter.

Kaul then asked for volunteers to assist with drafting the letter, emphasizing that previous university responses could serve as a foundation. While no one immediately volunteered, he encouraged members to reach out via email if they were willing to contribute. The committee planned to circulate a draft for feedback before finalizing and sending it to the administration.

The conversation then shifted to campus protests and student rights. Ganeshanathan suggested a public forum featuring Kirtley and faculty members who had signed a recent letter in support of student protesters. The forum would focus on student rights, nonviolent protest, and the legal protections for journalists covering demonstrations. Kaul agreed, suggesting that a representative from campus law enforcement should also be included to ensure a balanced discussion.

Jess Gutknecht raised concerns about conflicting narratives surrounding campus protests, suggesting that the forum could also address how protest events are documented and communicated to the public. Members expressed interest in organizing such a forum but acknowledged the need for further planning.

The committee unanimously agreed to pursue the forum and planned to form a working group to handle logistics. Kaul noted that volunteers would be needed to coordinate invitations, secure a venue, and promote the event. He invited members to email him if they were interested in participating. Kaul thanked the members for their engagement and noted that the next meeting was scheduled for February 24. He assured the group that updates on the letter and forum planning would be shared before then.

5. Adjournment

With nothing additional, Kaul adjourned the meeting.

Deena Barker

University Senate Office