New wave of school closings

With enrollments down and funds tight, at least 20 Twin Cities schools won’t reopen.

By ALICE SEIB and EMILY JOHNS

The Tribune staff writes

Not since the early 1990s has the end of the school year brought such a large wave of schools in the Twin Cities area that will not reopen next fall. This week thousands of students and teachers in at least 20 schools are packing up their desks and their classrooms, shuttering buildings in coming years. Two of the state’s largest districts — Anoka-Hennepin and St. Paul — are experiencing their largest downsizing ever.

The closings are due to a combination of demographic and economic forces, and a greater choice of schools. Most acutely affected are those two big districts and Minneapolis, where fewer students have crested in a generation, has left districts with little choice but to close schools and to explore more shuttering of buildings in coming years.

“It’s like a family that has a house and a cabin and a time-share in Arizona,” said Charlie Kyte, executive director of the Minnesota Association of School Administrators. “When times get tough, they have to make a decision about which they want to keep and which they want to close.”

In Minnesota, which has some of the most creditor-friendly laws in the country, the use of arrest warrants against debtors has jumped 60 percent over the past four years, with 845 cases in 2009, a Star Tribune analysis of state court data has found. Not every warrant results in an arrest, but in Minnesota many debtors spend up to 40 hours in cells with criminals. Consumers or attorneys say such warrants are occurring in many states, including Arizona, Arkansas and Washington, driven by a bad economy, high consumer debt and a growing industry that buys bad debts and employs ev- mernies available to collect.

How often are debtors arrested across the country? No one has an answer. Uhlmeyer spent a sleepless night in a frigid Anoka County holding cell, her hands tucked under her armpits for warmth. Then, handcuffed in a squad car, she was taken to downtown Minneapolis for booking. Finally, after 16 hours in limbo, jail officials fingerprinted Uhlmeyer and explained her offense — missing a court hearing over an unpaid debt. “They have no right to do this to me,” said the 57-year-old patient care advocate, her voice as soft as a whisper. “Not for a stupid credit card.”

It’s not a crime to owe money, and debtors prisons were abolished in the United States in the 19th century. But people are routinely being thrown in jail for failing to pay debts.

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As a sheriff’s deputy dumped the contents of Joy Uhlmeyer’s purse into a Star Tribune analysis of state court data has found.

[A3 Sunday paper]
can one say. No national stat-
istics are kept, and the prac-
tices are largely unmonitored out-
side of local courts. The idea that
the debt collection industry does not want to
leak these stories is happening
does not match the way things would be widely condemned," said	Mary Spector, a law profes-
sor at Southern Methodist
School of Law in Dallas.

Debt collectors defend the prac-
tice, saying phone calls, letters and legal actions aren’t always enough to get people to pay.

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Debt collects
Is jailing debtors the same as debtors jail?

Some legal experts say the practice violates state constitutional bans on debtors prisons.

By CHRIS SERRES

“It’s a nuisance, said linking bail to debtors, they can expect to kiss the money goodbye, they have clauses dating to the 1850s and Illinois, people are being locked up for not making court-ordered payments. Known as “pay or stay,” it can mean days in jail and multiple arrests. Some legal experts say the practice is unconstitutional because the arrest is directly linked to the failure to pay the debt.

In Minnesota, the issue is more complicated: arrest warrants for non-payment of debt are issued for violating court orders, such as not filling out a financial disclosure form, not showing up for a hearing, not for failure to pay money. The purpose is to fight back after the January 2009 hearing, and if they are not paid, they can be incarcerated.

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Justice denied as debt seizures soar

By PAM LOUWAGIE and GLENN HOWATT • Star Tribune staff writers

The task of catching them falls mostly to Schiebel, and his small unit of four officers from the Minnesota Department of Corrections. Each morning, they swear to pick the right targets. They prioritize based on each convict’s danger. They go over their lists. On this early August day, they had new information on a man they considered dangerous. Schiebel stepped peppering. “These bugs,” he said, “are lethal. They make you sick.” A 55-year-old man, approximately 6 feet 2 inches tall and 240 pounds. Convicted of shooting at a police officer. “Over the phone,” Schiebel asked another officer through their open windows, discussing the address of a Minneapolis apartment building where Golden might be hiding. Schiebel put the Tahoe in gear. Ready to roll.

Justice denied as debt seizures soar

When convicts go missing in Minnesota

A small squad of corrections officers takes to the streets to catch those who have fled from supervised release. 

Photos by ROBERT THURSTON STAR TRIBUNE - ROBERT THURSTON - STARTRIBUNE.COM

Sunday Star Tribune

GET READY FOR HER TWO BIG SHOWS, $1

PRESEASON: VIKINGS 24, SEATTLE 13 • For Purple, an up-and-down victory

Justice denied as debt seizures soar

By CHRISTOPHER SEIBER and GLENN HOWATT • Star Tribune staff writers

After two weeks without a decent meal, Van Tran looked tired and agitated as he walked into the Ramsey County courthouse for a hearing in May. Tran, a 19-year-old nonviolent thief from St. Paul, had waited for this chance to explain why a collections firm made a serious mistake when it seized $8,016 from his bank accounts—three years worth of savings—to collect an alleged Discover credit card debt. Tran, a Vietnamese immigrant, recalls pleading to Judge Thomas Matt. “I need money to eat.”

But speedy justice was denied to Tran, as it is for many debtors whose savings or paychecks are seized in a legal process called garnishment. At nearly every stage of the process, the deck is stacked against consumers. In Minnesota, unlike most states, collectors can start a lawsuit without filing anything in court. If a consumer doesn’t respond, they can seize bank accounts or part of a paycheck. Most states require judicial oversight. But in Minnesota, collectors can take people’s money without proving in court the debt or the reasoning behind it.

The bad economy and the rapid growth of a new industry that collects old debts once deemed uncollectible—

Hunted continues on A14

Beck rally sidesteps politics for a call to ‘restore honor’

By KEVIN DIAZ • kdiaz@startribune.com

Ron Kelsey spotted the following newspaper ad two years ago and snapped it up for a little less than $6. There, at the bottom of an old Minneapolis Journal, was an advertisement for The Great Minnesota State Fair:

“For Purple, an up-and-down victory

Flamboyant officer Dave Schiebel covered the back yard in his team prepared to arrest them as many Minneapolis corrections officers as a few officers Minnesota Department of Corrections squad that tracks down fugitives who have violated supervised release conditions.

A small squad of corrections officers takes to the streets to catch those who have fled from supervised release.

STAR TRIBUNE EXCLUSIVE • ONLY IN YOUR SUNDAY PAPER

Photo by ROBERT THURSTON STAR TRIBUNE - ROBERT THURSTON - STARTRIBUNE.COM

When convicts go missing in Minnesota

Hunted continues on A14

This beauty contest is all about the ears

Appearance, not taste, is the crux of corn judging.

By JACKIE CORTNER • jcortner@startribune.com

Ron Kelsey spotted the following newspaper ad two years ago and snapped it up for about $6. There, at the bottom of an old Minneapolis Journal, was an advertisement for The Great Minnesota State Fair:

“We’re going to do it,” he said. “It’s a pleasure you own your state.”

Nearly lost in the ad (among $60,000 inking pressions and daily lights of Wright Bros. & Curtis Aerialplane) is a single line: First Northwestern Corn Show.

The date was Aug. 29, 1910. Now that corn contest is in its 100th year, and Kelsey is proud to lead the centennial celebration out of this corner of the Appalachian’s heartland.

He’s the State Fair Farmers’ crop superintendent, as well as its resident historian, and oversees the judging for corn, seed art and the scarecrow contest.

To city slickers ignorant of such matters, Kelsey will gently point out that the corn competition is not about taste. But what is it that makes one ear shine above the rest? A duty you owe yourself. A pleasure you owe yourself.

Red-hot deals to fill your grill.

Find even more at ZSW.
**Debtors and the new breed of collectors**

Bradley Scott’s bank account held only veterans benefits and disability income, both exempt from garnishment by debt collectors. He prepared to visit a financial counselor after the money was seized anyway.

**Self-Help Center at http://tinyurl.com/2er dplx.**

Sources: National Consumer Law Center, Minnesota Attorney General,

• For more information about garnishment, visit the Minnesota
  
  • Income from Social Security, unemployment insurance, veteran-
  
  • If you don’t claim exemptions, creditors can take part of your
  
  • To garnish wages, a creditor’s attorney must first send a notice
  
  • To garnish a bank account, a creditor’s attorney sends a notice
  
  • Debtors can fight garnishment actions by appealing the
  
  • Debt collectors say garnishment is a last resort. Often, they
  
  • Consumer advocates and many legislators contend collectors
  
  • Many are senior citizens living in nursing homes or dis-
  
  • Federal law says creditors can’t take Social Security, veter-
  
  • Many are senior citizens living in joint accounts.
  
  • The Minnesota Supreme Court rejected their claim, ruling that
  
  • Minnesota law allows collection of any payments to a debtor —
  
  • Money even over years, the only source of income was a
  
  • Banks risk a lawsuit or con-
  
  • Photo by LARRY STEAGALL <larry.steagall@startribune.com>

### How garnishment works in Minnesota

**Debtors and the new breed of collectors**

Creditors seeking to collect debts can seize a person’s bank account or wages through garnishment. Here is how it works:

- **Hounded from A1:**

Beleaguered by garnishment notices, Bradley Scott’s bank account held only veterans benefits and disability income, both exempt from garnishment by debt collectors. He prepared to visit a financial counselor after the money was seized anyway.

Sources: National Consumer Law Center, Minnesota Attorney General.

• For more information about garnishment, visit the Minnesota Self-Help Center at http://tinyurl.com/2er dplx.

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In May, the Treasury pro-
unemployment and un-
HOUNDED SERIES
This is the fourth installment of “hounded,” published occasionally since June. The story examines the aftermath of the credit boom that left many people in financial trouble and facing a collection climate that ag-
gresses new methods. Earlier reports are at startribune.com/hounded.

Finding your money
Financial experts say it’s never been easier to locate debtor bank accounts and seize money. Collectors can find out where a person banks from credit reports or data brokers. Creditors sometimes blanket bank windows in a metro area with garnishment orders and information requests, hoping they will target their debt. Bank employees can also help.

Minnesota is one of just a handful of states that allow collectors to send a garnish-
ment notice to a bank without obtaining a court judgment. As a result, the collector doesn’t prove in court that a debt is owed before seizing money. Minnesota is also unusual in allowing debt collectors to start a lawsuit without filing a complaint. In that case, what the consumer attorney terms “the fiduciary move” is to file a motion to vacate. Unfamiliar with the law, many consumers ignore it or assume it means a lawsuit, failing to contest the debt.

The next step — freezing funds in a bank account — also can occur outside the court sys-
. To dispute such a garnishment, the debtor must initiate legal action against a creditor. Many debtors don’t bother.

There is more court over-
. Some creditors can file for a credit report to see if a consumer is owed money. This is called a “pre-

1990s, the U.S. Treasury and its partly to blame. In the late 1990s, the federal government encouraged people to receive exempt Social Security Adminis-
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“We certainly try to avoid garnishing a debtor when we know they are receiving ex-
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1990s, the U.S. Treasury and its partly to blame. In the late 1990s, the federal government encouraged people to receive exempt Social Security Administration fees to process the garnishment. But collectors and banks could not do it again,” he said.

“I just want my money back until a debt in Minnesota, the courts are sparingly intervene. Even so, he said his firm doesn’t pursue such garnishments. He worries that consumer at-
torneys will challenge them on unconstitutionality.

“I don’t need to be in one of their lawsuits,” he said.

Seas of legal papers
Van Tran keeps legal paperwork spread out on the floor in his St. Paul home. More than $8,000 was mistakenly garnished from his bank accounts. He had to prove to a judge he was a victim of identity theft. He now questions whether he received exempt Social Security, and made phone calls on his be-

ry of Minneapolis sent a letter in January asking Tran to complete the paperwork. In the meantime, Tran pays the interest on his bank account. He pays thanks beneath the Virgin Mary statue that stands, arms out-
stretched, on his mantelpiece.

He then said a prayer of gratitude when he sees one.

Bradley Scott, 57, an Army veteran, suffers from a rare mental disability called agoraphobia, the fear of open spaces. He can’t drive or sleep alone, small changes in his surround-
ings can trigger panic. Scott spends most of his days in his 750-square-foot home near Como Park in St. Paul, watch-
ing television, listening to blues or folk music, and reading nonsmoke cigarettes.

His friends describe him as someone who keeps legal paperwork spread out on the floor in his St. Paul home. More than $8,000 was mistakenly garnished from his bank accounts. He had to prove to a judge he was a victim of identity theft. He now questions whether he received exempt Social Security, and made phone calls on his be-

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Howling winds will send wind chill warnings below zero. The relentless wind-whipped snow created a traffic nightmare, stranding people all over the Twin Cities.

By BOB VON STERNBERG • vonste@startribune.com

As predicted, more than a foot of snow has fallen across a wide swath of the state by Saturday evening, shutting down highways, bedeviling snowplow drivers and proclaiming that the winter is here to stay. The storm was shaping up to be one of the most historic ever recorded in Minnesota, with snow still being dumped on Minneapolis, with snow still falling.

By RACHEL E. STASSEN-BERGER • rachel.stassen-berger@startribune.com

Incoming governor must meet new reality
• Dayton continues on A8

“We have lost a lot of regular customers to the e-book revolution,” said owner Charlie Leonard. Booksellers are calling the shift a “Gutenberg moment” for the entire publishing industry, likening it to Johannes Gutenbergs game-changing invention of movable type almost 600 years ago.

E-books aren’t the only adversary of comic book people, said owner Robert Fink in general. Still, discussing books aloud in the digital age has led to quizzical looks.

Unfortunately, the publishers don’t understand the combinations to trick and mortar tower of the growth in electronic readers such as Kindles, Nooks and iBooks, said Am."
Would you give them your credit card number?

Minnesota law says people convicted of fraud or any felony are barred for five years from working as debt collectors. The job pays them to contact state financial data, including credit card numbers. Offenders routinely lie to get around the law.

LEE SONG, 32

She got her first job in debt collection after being released from prison for embezzlement in 2005. After the Embezzlement was pending charges were pulled, she went to work for a new col-
lection company. That required her to fill out a new state debt collector registration form. She checked no where it asked if she had ever been charged with a crime, according to court records. As a debt collector, she fraudulently obtained credit card numbers, illegally used the numbers and pocketed the money. When he registered with the state as a collector, he deducted from a co-worker to cash coun-
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Lee S. Song and her son Min hounded the minnesota star tribune.

LEESONG@STARTRIBUNE.COM

CRIMINALS OFTEN LIE TO GET WORK AS DEBT COLLECTORS

Source: Minnesota Commerce Department, court records.

<COLLECTORS FROM A1>

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Source: Minnesota Commerce Department, court records.

<COLLECTORS FROM A1>

about this series
The Star Tribune series “Hounded,” published in October,摘要 has since become a national issue, one that left many people in financial trouble and facing a collec-
tions industry that uses aggressive new methods. Earlier reports are at startribune.com/hounded.

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Bobbie L. Radke, 42, wanted to register with the state. The state rejected him in June, but he said he was not informed of the rejection. A law judge denied the appeal. "It creates a patchwork of collector's licenses," said Ron Latz, a leading U.S. credit card corporation who supports the state's effort to regulate debt collectors.

"Either they pay for their negligence, or nothing happens," Jim Cummings told me. "It's better to invest inexpensive softcovers than to lose your market share."

"I used to have Boy Scouts who would help me fill orders," he said. "I'm not sure if they're still here."

Laws have "little impact" Minnesota has the most stringent laws regulating individual collectors, but they have no impact on banks, because they are excluded. Other states are Indiana, Nebraska, Texas, and New York.

"I think most people are not reading the books they buy," said Jerry Brown, a retired librarian. "They don't need anymore. They can do it later."