

Moermond, Marcia (CI-StPaul)

From: Skarda, Therese (CI-StPaul)
Sent: Wednesday, August 29, 2012 3:21 PM
To: Moermond, Marcia (CI-StPaul); Vang, Mai (CI-StPaul)
Subject: 1725 Thomas

Hello Marcia and Mai –

I reviewed the video taken by Parks of the abatement of the couches at 1725 Thomas with Mai today and Mai printed out the hearing notes for me. I believe that the responsible party is attempting to object to the council being allowed to view the video without foundation. From the hearing notes it appears that the responsible party wants the individual who recorded the video present before the video can be played. I reviewed the file and it appears that the file contains copies of the initial complaint from 3/21/2012, a correction notice from 3/23/12, Photos from 3/23/12, a summary abatement order from 3/23/12, follow up photos from 3/28/12 and the removal information from 3/29/12.

I believe that the video may be received and viewed in these types of cases without the individual who took the video present. The video has a probative value and these types of videos are routinely relied upon to show that the work required and completed. At hearings such as these more informal rules of evidence should apply with a focus on the trustworthiness of the evidence. I can find no technical rule that says we would need the individual who took the video to be present. In fact, the Rules of Evidence for Administrative Law Hearings are just as relaxed and they are more formal hearings than the one you are asking about.

Hope this helps – and hope you are doing well - Therese

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