

STATE OF MINNESOTA  
COUNTY OF RAMSEY

DISTRICT COURT  
SECOND JUDICIAL DISTRICT

Case Type: Other-Civil

Feeding Our Future,

Plaintiff,

vs.

Minnesota Department of Education,

Defendant.

Court File No. 62-CV-20-5492  
The Honorable Patrick Diamond

**DECLARATION OF  
JENNY BUTCHER**

STATE OF MINNESOTA   )  
  ) ss.  
COUNTY OF RAMSEY    )

Jenny Butcher, being first duly sworn, deposes and says:

1. I am Outreach Lead for Summer Food Service (SFSP) and CACFP At-Risk Afterschool Meal Programs.

2. My role includes conducting preapproval visits of new sites and new sponsors, review of United States Department of Agriculture (“USDA”) CACFP At-Risk sites, as required under 7 C.F.R. § 226.6(m)(6), and community outreach with USDA food program sites and the people they serve.

3. On Saturday, October 16, 2021, I was working with fellow MDE employee Camille Jones. We had two appointments scheduled that day, a new site visit at 9:00 a.m. and a preapproval visit with a new sponsor at 1:00 p.m.

4. After completing the 9:00 a.m. site visit, we had some time before we needed to leave for the 1:00 p.m. preapproval visit. We drove around areas that have a number of USDA food program sites.

5. We stopped at a food distribution location in the parking lot of Monte Sinai Church of God, which I learned was a CACFP At-Risk site called Community Enhancement Service. I took a picture of the site's sign. I took this picture because the sign was well-designed, and I sometimes document sites' well-executed elements to provide ideas to other sites as part of my community outreach. I learned from the staff person conducting the food distribution that Community Enhancement Service is sponsored by Plaintiff.

6. We then stopped at another location, later identified as CACFP At-Risk site United Youth of Minneapolis-Lake, which was operating on a side street. The site caught our attention due to the high volume of people arriving to collect grocery bags full of food. The activity was so great that traffic was blocked.

7. Out of curiosity as to the organization providing the food, I approached a woman who appeared to working at the site and asked her what the site's name was. There was a language barrier and the woman did not answer. Instead, she led me to an office in a nearby building where there were several more people. One of those people told me it was a Feeding Our Future site but did not tell me the site name. I introduced myself and mentioned that I worked at the Minnesota Department of Education but I was not conducting a visit, I only was inquiring about the name of the organization providing the food.

8. After I left the office, a man who appeared to work at the site offered me a grocery bag of produce. I declined, but he insisted. At that point, I thought it would be awkward not to accept, so I took the bag of produce. A woman then offered me some milk. I declined and she did not pursue it any further.

9. After I was finished with work for the day, I gave the bag of produce to a family with children. I did this because any family with children is a proper recipient of food from a USDA food program.

10. While I was at United Youth of Minneapolis, I took two additional pictures. One picture was of some grocery bags in the trunk of a vehicle. The other picture was of the tent and tables set up to accommodate a high volume of service.

11. Neither the stop at Community Enhancement Services nor the stop at United Youth of Minneapolis was counted toward MDE's obligation to "review" sites under 7 C.F.R. § 226.6(m)(6).

I declare under penalty of perjury that everything I have stated in this document is true and correct.

Dated: 11/12/2021

Jenny Butcher  
Jenny Butcher