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State of Minnesota

HOUSE OF REPRESENTATIVES

SPECIAL SESSION

H. F. No. 113

06/15/2020 Authored by Johnson and Robbins
The bill was read for the first time and referred to the Public Safety and Criminal Justice Reform Finance and Policy Division

1.1 A bill for an act
1.2 relating to public safety; requiring peace officers to report use of force incidents;
1.3 proposing coding for new law in Minnesota Statutes, chapter 626.

1.4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.5 Section 1. 626.5534 USE OF FORCE REPORTS.

1.6 Subdivision 1. Definitions. (a) As used in this section, the following terms have the
1.7 meanings provided to them.

1.8 (b) "Board" means the Peace Officer Standards and Training Board.

1.9 (c) "Use of force incident" means any encounter that involved:

1.10 (1) the application of an electronic incapacitation device or other control device;

1.11 (2) the application of a restraint device other than handcuffs, shackles, or belly chains;

1.12 (3) a peace officer striking or kicking the individual subjected to the force;

1.13 (4) the individual subjected to force losing consciousness or suffering a visible injury;

1.14 (5) the individual subjected to force complaining of injury or continuing pain; and

1.15 (6) an application of force that would lead a reasonable peace officer to conclude that
1.16 the individual may have experienced more than momentary discomfort.

1.17 Subd. 2. Peace officer reports. Whenever a peace officer is involved in a use of force
1.18 incident, the officer must report the incident to the officer's department head within five
1.19 days on the form prepared by the board under subdivision 5, paragraph (a).

2.1 Subd. 3. Chief law enforcement officer report. By February 1 of each year, a chief
2.2 law enforcement officer shall provide the board with summary data of use of force incidents
2.3 in the preceding 12 months on the form prepared for this purpose by the board under
2.4 subdivision 5, paragraph (b).

2.5 Subd. 4. Board reporting. The executive director of the board shall file a report with
2.6 the legislature by March 15 of each year containing summary information concerning use
2.7 of force incidents by peace officers.

2.8 Subd. 5. Forms. (a) The executive director of the board shall prepare a form for peace
2.9 officers to report use of force incidents. The form must require, at a minimum, that the
2.10 officer:

2.11 (1) provide the officer's name and badge number;

2.12 (2) identify the person who was subjected to force and any injuries suffered by the
2.13 person, if these facts are known to the officer;

2.14 (3) identify any witnesses, including other peace officers, if their names are known to
2.15 the officer;

2.16 (4) identify and describe the specific types of force that were used; and

2.17 (5) articulate the specific grounds of why the officer determined that force was reasonable
2.18 under the circumstances.

2.19 (b) The executive director of the board shall prepare a form for chief law enforcement
2.20 officers to report use of force incidents to the board. The form shall require the chief law
2.21 enforcement officer to provide the following information on each use of force incident:

2.22 (1) identify the peace officer by name and badge number;

2.23 (2) identify the type of force used in the incident;

2.24 (3) whether a complaint was filed against the officer;

2.25 (4) whether the force was determined to be excessive or unreasonable; and

2.26 (5) whether the officer was disciplined for the use of force.