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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4156

02/22/2024

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The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act

1.2 relating to public safety; requiring law enforcement officers to collect and report

1.3 certain data; requiring the commissioner of public safety to publish a report and

1.4 hold meetings on the data collected; prohibiting law enforcement agencies that

1.5 fail to report data from receiving certain grants; requiring the Board of Peace

1.6 Officer Standards and Training to analyze agency reports and develop statewide

1.7 reports aimed at eliminating racial disparities in stops; proposing coding for new

1.8 law in Minnesota Statutes, chapter 626.

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

1.10 Section 1. 626.952 **COLLECTION AND ANALYSIS OF STOP STATISTICS;**

1.11 **REPORT REQUIRED.**

1.12 Subdivision 1. Duty of law enforcement officers to record information. (a) A law

1.13 enforcement officer who conducts a traffic, pedestrian, or bicycle stop shall record and

1.14 forward the following data to the chief law enforcement officer of the officer's agency:

1.15 (1) the date, time, and location of the stop, including an address, block number, and

1.16 street name; closest intersection; highway and closest highway exit; latitude and longitude;

1.17 or global positioning system location;

1.18 (2) the name and badge number of the peace officer making the stop;

1.19 (3) the name, address, and driver's license number of the person stopped;

1.20 (4) the officer's perception of the race, ethnicity, age, and gender of the person stopped

1.21 based solely on the observation or perception of the law enforcement officer making the

1.22 stop;

2.1 (5) the officer's perception of whether the pedestrian or operator of the vehicle or bicycle
2.2 is in a state of mental or behavioral crisis based solely on the observation and perception
2.3 of the law enforcement officer making the stop;

2.4 (6) the officer's perception of whether the pedestrian or operator of the vehicle or bicycle
2.5 has limited or no proficiency with English based solely on the observation and perception
2.6 of the law enforcement officer making the stop;

2.7 (7) the alleged traffic, pedestrian, or bicycle violation or reason that led to the stop and
2.8 an explanation of the reason for the stop consistent with the standards set forth in paragraph
2.9 (b), as well as the reason for the stop the reporting officer communicated to the person
2.10 stopped;

2.11 (8) the duration of the stop;

2.12 (9) actions taken by the peace officer during the stop, including orders given, field
2.13 sobriety tests conducted, canine use for detection of contraband, whether a patrol vehicle
2.14 or curbside detention was imposed, whether and what de-escalation techniques were used,
2.15 and whether a foot or vehicle pursuit was involved;

2.16 (10) whether and what use of force was used, including firearm point or discharge, canine
2.17 bite or pursuit, use of any of the officer's weapons or tools, and any other physical contact;

2.18 (11) whether a search was conducted of the driver, passengers, vehicle, or pedestrian,
2.19 and if so, the type of search, the legal authority and factual basis for the search, and the
2.20 outcome of the search;

2.21 (12) the authority for a search: consent, probable cause, or outstanding warrant; and if
2.22 the authority for the search is consent, the officer must also record whether the officer
2.23 requested consent to search, if and what type of consent was provided, and how the consent
2.24 was provided;

2.25 (13) whether any contraband or unlawful weapons were discovered or seized in the
2.26 course of the stop and the nature of the contraband or unlawful weapons;

2.27 (14) the outcome of the stop, including whether the person was released; issued a warning,
2.28 repair order, or citation; or taken into custodial arrest; and

2.29 (15) the officer's identification number, years of experience, and the type of assignment
2.30 that the officer was detailed to perform when the officer made the stop.

2.31 (b) If the primary reason for the stop is a traffic violation, the peace officer must cite
2.32 the statute that was violated and describe the nature of the alleged traffic violation, including

3.1 an indication of whether the violation was a moving violation, equipment violation, or
3.2 nonmoving violation. If the primary reason for the stop is reasonable suspicion that the
3.3 person was engaged in criminal activity, the peace officer must describe the circumstances
3.4 that gave rise to the officer's reasonable suspicion and identify the statutory citation for the
3.5 suspected violation of law that formed the basis for the stop.

3.6 (c) A law enforcement officer conducting a stop must not request the information
3.7 identified in paragraph (a), clauses (4) to (6), from the individual stopped.

3.8 Subd. 2. **Agency reports.** (a) Beginning in 2025, each law enforcement agency must
3.9 compile the data described in subdivision 1 semiannually and submit the data to the
3.10 commissioner of public safety by February 1 and August 1 of each year.

3.11 (b) A chief law enforcement officer of an agency subject to the requirements of this
3.12 section who does not submit the data described in subdivision 1 is ineligible to receive any
3.13 public safety related grants issued or administered by the state until the required information
3.14 is provided, or the commissioner of public safety grants an extension to file the data or a
3.15 waiver from the requirement.

3.16 (c) Agencies required to report data under this section must remove from the reports
3.17 any personally identifiable information of the persons stopped.

3.18 Subd. 3. **Statewide reports.** (a) On or before March 1, 2026, and every six months
3.19 thereafter, the commissioner of public safety shall publish a report including all of the
3.20 information that is reported to the commissioner pursuant to subdivision 2, including
3.21 aggregate data collected under subdivision 2 that includes disaggregated statistical data for
3.22 each reporting agency. The commissioner of public safety shall not release to the public a
3.23 peace officer's identification number or unique identifying information.

3.24 (b) Following publication of the first report under paragraph (a) and each year thereafter,
3.25 the commissioner of public safety shall hold meetings to review and assess the data on the
3.26 following actions that were collected in the prior year: traffic stops, pedestrian stops,
3.27 discretionary searches, citations, and arrests. The meetings must analyze:

3.28 (1) the percentage and proportionality of enforcement-related contacts, such as stops,
3.29 detentions, searches, citations, and arrests completed for different racial groups where the
3.30 recorded basis for the police enforcement activity is similar;

3.31 (2) the percentage of enforcement-related contacts, such as stops and detentions that
3.32 uncover evidence of criminal activity, including warnings, citations, and arrests, and the
3.33 nature of the criminal activity uncovered, such as the rate at which stops result in evidence

4.1 of felonies. The commissioner may also separately analyze the percentage of
4.2 enforcement-related contacts that lead to citations or arrests for traffic offenses or petty
4.3 misdemeanors;

4.4 (3) the percentage of searches that result in seizure of unlawful weapons;

4.5 (4) the percentage of searches that result in seizure of contraband, and the nature of the
4.6 contraband seized;

4.7 (5) any tactical, equipment, supervision, training, or policy concerns that are identified
4.8 and, to the extent necessary, addressed; and

4.9 (6) any patterns related to stops that are identified, including indicia of racial bias or
4.10 discrimination, and, to the extent necessary, addressed.

4.11 Subd. 4. **Board of Peace Officer Standards and Training.** No later than July 1, 2025,
4.12 the Board of Peace Officer Standards and Training must begin analyzing agency reports
4.13 and developing statewide reports aimed at eliminating racial disparities in traffic, pedestrian,
4.14 and bicycle stops. The duties of the board shall include but not be limited to the examination
4.15 and evaluation of state and local law enforcement policies and practices that contribute to
4.16 disparities within different geographic regions of Minnesota. The board shall annually
4.17 publish its findings and policy recommendations, convene at least one public meeting per
4.18 year, and submit its inaugural report on or before January 1, 2027.