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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 4379

03/17/2022

Authored by Jordan

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

1.1 A bill for an act
1.2 relating to public safety; prohibiting retaliation against peace officers who intercede
1.3 against or report on use of excessive force; providing for civil remedies; amending
1.4 Minnesota Statutes 2020, section 626.8452, by adding subdivisions.

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

1.6 Section 1. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 1b. **Prohibition against retaliation; employers.** (a) An employer or supervisor
1.9 shall not discharge, discipline, threaten, retaliate, otherwise discriminate against, or penalize
1.10 a peace officer regarding the officer's compensation, terms, conditions, location, or privileges
1.11 of employment because the officer interceded or made a report in compliance with section
1.12 626.8475 or a policy adopted under subdivision 1a regarding another employee or peace
1.13 officer who used excessive force.

1.14 (b) A court may order the employer or supervisor to pay back wages and offer job
1.15 reinstatement to any officer discharged from employment in violation of paragraph (a).

1.16 (c) In addition to any remedies otherwise provided by law, a peace officer injured by a
1.17 violation of paragraph (a) may bring a civil action for recovery of damages together with
1.18 costs and disbursements, including reasonable attorney fees, and may receive injunctive
1.19 and other equitable relief, including reinstatement, as determined by the court.

1.20 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes
1.21 of action accruing on or after that date.

2.1 Sec. 2. Minnesota Statutes 2020, section 626.8452, is amended by adding a subdivision
2.2 to read:

2.3 Subd. 1c. **Prohibition against retaliation; fellow officers.** (a) A peace officer or
2.4 employee of a law enforcement agency may not threaten, harass, retaliate, or otherwise
2.5 discriminate against a peace officer because the officer interceded or made a report in
2.6 compliance with section 626.8475 or a policy adopted under subdivision 1a regarding
2.7 another employee or peace officer who used excessive force.

2.8 (b) A person who violates paragraph (a) is subject to disciplinary action as determined
2.9 by the chief law enforcement officer of the agency employing the person.

2.10 (c) A peace officer who is the victim of conduct prohibited in paragraph (a) may bring
2.11 a civil action for recovery of damages together with costs and disbursements, including
2.12 reasonable attorney fees, and may receive injunctive and other equitable relief as determined
2.13 by the court.

2.14 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to causes
2.15 of action accruing on or after that date.