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HOUSE OF REPRESENTATIVES

Unofficial Engrossment

House Engrossment of a Senate File

SPECIAL SESSION

S. F. No. 104

06/17/2020 Companion to House File No. 93. (Authors:Mariani, Becker-Finn and Bernardy)
Read First Time and Referred to the Committee on Ways and Means
06/18/2020 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time
R/S Rules Suspended, urgency declared
Amended
Read Third Time as Amended
Passed by the House as Amended and transmitted to the Senate to include Floor Amendments

1.1 A bill for an act
1.2 relating to public safety; requiring local units of government to establish law
1.3 enforcement citizen oversight councils; specifying powers and duties of the councils
1.4 and the responsibilities of local authorities toward them; amending arbitrator
1.5 selection for peace officer grievance arbitrations; creating a process to collect and
1.6 analyze data on complaints filed against peace officers; providing for a peace
1.7 officer discipline report; expanding the membership of the Board of Peace Officer
1.8 Standards and Training; establishing a Police-Community Relations Council to
1.9 report to and advise the Peace Officer Standards and Training Board; extending
1.10 the civil statute of limitations for certain actions by peace officers; tolling the civil
1.11 statute of limitations during investigations of peace officers; providing for
1.12 mandatory revocation of peace officer license for violating use of force policy;
1.13 prohibiting warrior-style training for peace officers; prohibiting the use of certain
1.14 restraints; requiring law enforcement agencies to update policies regarding the use
1.15 of force; establishing a duty for peace officers to intercede when another peace
1.16 officer is using unreasonable force; establishing a duty for peace officers to report
1.17 excessive force incidents; requiring law enforcement agencies to adopt policies
1.18 that require peace officers to intercede when another officer is using unreasonable
1.19 force; providing for mandatory reporting of peace officer terminations and
1.20 resignation; authorizing residency requirements for peace officers; extending
1.21 reporting and use of appropriation for missing and murdered indigenous women
1.22 task force; authorizing rulemaking; modifying a peace officer's authority to use
1.23 deadly force; assigning prosecutorial authority for peace-officer-involved deaths
1.24 to the attorney general; providing for juvenile risk assessments; establishing an
1.25 independent Use of Force Investigations Unit within the Bureau of Criminal
1.26 Apprehension; limiting the use of money bail for certain offenses; providing critical
1.27 incident stress management services; providing for public safety peer counseling;
1.28 reporting law enforcement use of force; establishing an Officer-Involved Death
1.29 Review Board; establishing a Community-Led Public Safety Coordinator;
1.30 establishing grants to promote community-based crisis intervention; establishing
1.31 grants to promote community healing; establishing standards for crisis intervention
1.32 and mental illness crisis training for peace officers; requiring the development and
1.33 implementation of autism training for peace officers; restoring the civil right to
1.34 vote of an individual upon release from incarceration or upon sentencing if no
1.35 incarceration is imposed; requiring notice; requiring reports; classifying data;
1.36 appropriating money; amending Minnesota Statutes 2018, sections 8.01; 13.43,
1.37 subdivision 9, by adding a subdivision; 201.014, by adding a subdivision; 201.071,
1.38 subdivision 1; 260B.176, by adding a subdivision; 388.051, subdivision 1; 415.16,

2.1 subdivision 1, by adding a subdivision; 541.073, subdivision 2; 573.02, subdivision
2.2 1; 609.06, subdivision 1, by adding a subdivision; 609.066, subdivision 2, by
2.3 adding a subdivision; 609.165, subdivision 1; 626.841; 626.8432, subdivision 2;
2.4 626.8452, subdivisions 1, 2, by adding a subdivision; 626.8457, subdivision 1;
2.5 626.8469; 626.89, subdivisions 2, 17; 629.53; Minnesota Statutes 2019 Supplement,
2.6 section 204C.10; Laws 2019, First Special Session chapter 5, article 1, section 12,
2.7 subdivision 7; article 2, section 28, subdivisions 4, 5; proposing coding for new
2.8 law in Minnesota Statutes, chapters 8; 181; 201; 243; 299A; 299C; 541; 626;
2.9 repealing Minnesota Statutes 2018, section 181.973.

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

2.11 **ARTICLE 1**

2.12 **LAW ENFORCEMENT OVERSIGHT**

2.13 Section 1. Minnesota Statutes 2018, section 626.841, is amended to read:

2.14 **626.841 BOARD; MEMBERS.**

2.15 The Board of Peace Officer Standards and Training shall be composed of the following
2.16 ~~15~~ 19 members:

2.17 (1) two members to be appointed by the governor from among the county sheriffs in
2.18 Minnesota;

2.19 (2) four members to be appointed by the governor from among peace officers in
2.20 Minnesota municipalities, at least two of whom shall be chiefs of police;

2.21 (3) two members to be appointed by the governor from among peace officers, at least
2.22 one of whom shall be a member of the Minnesota State Patrol Association;

2.23 (4) the superintendent of the Minnesota Bureau of Criminal Apprehension or a designee;

2.24 (5) two members appointed by the governor from among peace officers, or former peace
2.25 officers, who are currently employed on a full-time basis in a professional peace officer
2.26 education program;

2.27 (6) two members to be appointed by the governor, one member to be appointed from
2.28 among administrators of Minnesota colleges or universities that offer professional peace
2.29 officer education, and one member to be appointed from among the elected city officials in
2.30 statutory or home rule charter cities of under 5,000 population outside the metropolitan
2.31 area, as defined in section 473.121, subdivision 2; ~~and~~

2.32 (7) ~~two~~ four members appointed by the governor from among the general public, of
2.33 which at least one member must be a representative of a statewide crime victim coalition,
2.34 at least one member must be a person of color, and at least one member must be a resident

3.1 of a county other than a metropolitan county as defined in section 473.121, subdivision 4;
3.2 and

3.3 (8) two members appointed by the commissioner of human rights from the general
3.4 public, of which one member must be a community organizer nominated by an organization
3.5 that organizes direct action campaigns and one member must have experience serving on
3.6 a law enforcement agency's civilian review board.

3.7 A chair shall be appointed by the governor from among the members. In making
3.8 appointments the governor shall strive to achieve representation from among the geographic
3.9 areas of the state.

3.10 **Sec. 2. [626.8434] POLICE-COMMUNITY RELATIONS COUNCIL.**

3.11 Subdivision 1. **Establishment and membership.** The Police-Community Relations
3.12 Council is established under the Peace Officer Standards and Training Board. The council
3.13 consists of the following 15 members:

3.14 (1) the superintendent of the Bureau of Criminal Apprehension, or a designee;

3.15 (2) the executive director of the Peace Officer Standards and Training Board, or a
3.16 designee;

3.17 (3) the executive director of the Minnesota Police and Peace Officers Association, or a
3.18 designee;

3.19 (4) the executive director of the Minnesota Sheriff's Association, or a designee;

3.20 (5) the executive director of the Minnesota Chiefs of Police Association, or a designee;
3.21 and

3.22 (6) ten community members, of which:

3.23 (i) four members shall represent the community-specific boards established under section
3.24 257.0768, reflecting one appointment made by each board;

3.25 (ii) two members shall be mental health advocates, of which one member shall be
3.26 appointed by the Minnesota chapter of the National Alliance on Mental Illness and the other
3.27 appointed by the governor's Council on Mental Health;

3.28 (iii) two members shall be advocates for victims, of which one member shall be appointed
3.29 by the Violence Free Minnesota and the other appointed by the Minnesota Coalition Against
3.30 Sexual Assault;

4.1 (iv) one member shall represent a community organization that organizes direct action
4.2 campaigns and shall be appointed by the commissioner of human rights; and

4.3 (v) one member shall have experience serving on a law enforcement agency's civilian
4.4 review board and shall be appointed by the commissioner of human rights.

4.5 Subd. 2. **Duties.** (a) The council shall:

4.6 (1) make recommendations on police-community relations to the board;

4.7 (2) review and make disciplinary and policy recommendations to the board on civilian
4.8 initiated police misconduct complaints filed with the board;

4.9 (3) send written notice and a recommendation for intervention to a chief law enforcement
4.10 officer when notified that a peace officer under the command of the chief is determined to
4.11 have a pattern of complaints or incidents of excessive use of force under section 626.8435;
4.12 and

4.13 (4) monitor and make recommendations on peace officer community policing excellence
4.14 data collected under section 626.8435.

4.15 (b) The council's recommendations to the board under paragraph (a), clause (2), must
4.16 be implemented by the board unless two-thirds of the members vote to reject a
4.17 recommendation within three months of receiving the recommendation from the council.

4.18 Subd. 3. **Organization.** The council shall be organized and administered under section
4.19 15.059, except that subdivision 2 shall not apply. Council members serve at the pleasure of
4.20 the appointing authority. The council shall select a chairperson from among the members
4.21 by majority vote at its first meeting. The chair may serve in that role for a period of two
4.22 years. The executive director of the board shall serve as the council's executive secretary
4.23 and is an ex officio, nonvoting member. The council does not expire.

4.24 Subd. 4. **Meetings.** The council must meet at least quarterly. Meetings of the council
4.25 are governed by chapter 13D.

4.26 Subd. 5. **Office support.** The executive director of the board shall provide the council
4.27 with the necessary office space, supplies, equipment, and clerical support to effectively
4.28 perform the duties imposed.

4.29 **EFFECTIVE DATE.** This section is effective the day following final enactment.

5.1 Sec. 3. [626.8435] PEACE OFFICER COMMUNITY POLICING EXCELLENCE

5.2 DATA.

5.3 Subdivision 1. Purpose. The purpose of this section is:

5.4 (1) to create data profiles for stakeholders to conduct needs assessments and make
5.5 appropriate recommendations to drive improvements in police effectiveness, efficiency,
5.6 training, supervision, procedural justice, accountability, and community relations;

5.7 (2) for police departments to more effectively manage their risks and improve
5.8 transparency; and

5.9 (3) for community members and advocates, as well as policy makers, decision makers,
5.10 and funders, to have access to accurate relevant information to help improve policing
5.11 practices in Minnesota.

5.12 Subd. 2. Data submission. (a) Beginning January 15, 2021, a chief law enforcement
5.13 officer of a law enforcement agency shall submit the following data regarding peace officers
5.14 employed by the law enforcement agency to a designated community-based research
5.15 organization that has contracted with the Department of Public Safety to monitor the data,
5.16 compile the report, and provide the notifications required by this section:

5.17 (1) the existence and status of a complaint made against an employed peace officer
5.18 including:

5.19 (i) the peace officer's unique identifier;

5.20 (ii) the nature of the complaint;

5.21 (iii) whether the complaint was filed by a member of the public, a law enforcement
5.22 agency, or another source;

5.23 (iv) whether the complaint resulted in disciplinary action;

5.24 (v) the final disposition of a complaint when disciplinary action was taken including:

5.25 (A) the specific reason for the action taken; and

5.26 (B) data documenting the basis of the action taken, except that data that would identify
5.27 confidential sources who are employees of the public body shall not be disclosed; and

5.28 (vi) the final disposition of any complaint:

5.29 (A) determined to be unfounded or otherwise not sustained;

5.30 (B) for which a peace officer was later exonerated; or

6.1 (C) which resulted in a nondisciplinary resolution including, but not limited to, employee
6.2 counseling;

6.3 (2) the unique identifier of any peace officer pending criminal prosecution, excluding
6.4 traffic violations;

6.5 (3) the unique identifier of any peace officer who was terminated due to substantiated
6.6 findings of officer misconduct and a summary of the basis for that termination;

6.7 (4) the unique identifier of any peace officer whose employment was terminated by
6.8 resignation in lieu of termination as a result of officer misconduct, and a summary of the
6.9 basis for the action; and

6.10 (5) the unique identifier of any peace officer involved in a use of force incident.

6.11 (b) For purposes of this section "complaint" means all formally filed allegations involving:

6.12 (1) public reported misconduct;

6.13 (2) excessive force;

6.14 (3) the integrity or truthfulness of an officer;

6.15 (4) violations of the law; or

6.16 (5) sexual misconduct or harassment.

6.17 (c) The board shall establish and publish guidelines, in consultation with the designated
6.18 community-based research organization, that are consistent with paragraph (b) on what
6.19 constitutes a valid complaint that must be reported under this section.

6.20 (d) The reporting requirements in paragraph (a) are in addition to any other officer
6.21 discipline reporting requirements established in law. Failure of a chief law enforcement
6.22 officer to comply with the reporting requirements established under this section is a violation
6.23 of the peace officer professional code of conduct established pursuant to section 626.8457.

6.24 Subd. 3. **Data storage and access.** (a) The designated community-based research
6.25 organization shall maintain the data collected under this section subject to the provisions
6.26 of chapter 13, including but not limited to section 13.05, subdivision 5. The civil remedies
6.27 and penalties under sections 13.08 and 13.09 may be applied against the designated
6.28 community-based research organization if the organization releases not public data in
6.29 violation of this section or other applicable provisions of chapter 13.

6.30 (b) The designated community-based research organization must establish written
6.31 procedures to ensure individuals have access to not public data maintained by the organization

7.1 only if authorized in writing by the organization. The ability of authorized individuals to
7.2 enter, update, or access not public data maintained by the organization must be limited
7.3 through the use of role-based access that corresponds to the official duties or training level
7.4 of the individual and the statutory authorization that grants access for a purpose authorized
7.5 by this section. All queries and responses, and all actions in which data are entered, updated,
7.6 accessed, shared, or disseminated, must be recorded in a data audit trail. Data contained in
7.7 the audit trail are public, to the extent that the data are not otherwise classified by law, and
7.8 must be made available upon request to the Peace Officer Standards and Training Board,
7.9 the Police-Community Relations Council, a law enforcement agency, or the subject of the
7.10 underlying data.

7.11 (c) The Peace Officer Standards and Training Board and the Police-Community Relations
7.12 Council must have direct access to both summary and individual data collected under this
7.13 section.

7.14 Subd. 4. **Updated data.** Within 30 days of final disposition of a complaint, as defined
7.15 in section 13.43, subdivision 2, paragraph (b), the chief law enforcement officer of the law
7.16 enforcement agency that employs the officer shall submit a supplemental report containing
7.17 the information identified in subdivision 2, clauses (1) to (5).

7.18 Subd. 5. **Monitoring data; pattern of misconduct.** The designated community-based
7.19 research organization must monitor the data on an ongoing basis to collect data on officers
7.20 subject to multiple complaints and excessive use of force incidents and, in consultation with
7.21 the Police-Community Relations Council, establish criteria for notifying the council when
7.22 an officer has been determined to have an excessive number of complaints. If the criteria
7.23 for notifying the Police-Community Relations Council are met, the designated
7.24 community-based research organization shall notify the council and suggest the need for
7.25 an intervention. A notice sent under this subdivision is not available to the public.

7.26 Subd. 6. **Confidentiality agreement prohibited.** Law enforcement agencies and political
7.27 subdivisions are prohibited from entering into a confidentiality agreement that would prevent
7.28 disclosure of the data identified in subdivision 2 to the board. Any such confidentiality
7.29 agreement is void as to the requirements of this section.

7.30 Subd. 7. **Data classification.** Data received by the designated community-based research
7.31 organization pursuant to subdivisions 2 and 3 is private data on individuals as defined in
7.32 section 13.02, subdivision 12, and the data must be maintained according to the statutory
7.33 provisions applicable to the data. This classification does not restrict the organization's
7.34 authority to publish summary data as defined in section 13.02, subdivision 19.

8.1 Subd. 8. **Public report.** At least annually, the designated community-based research
8.2 organization shall publish a summary of data submitted pursuant to subdivisions 1 and 2.
8.3 The board shall make the summary available on the board's website. The summary shall
8.4 exclude peace officers' names and license numbers and any other not public data as defined
8.5 by section 13.02, subdivision 8a.

8.6 Sec. 4. Minnesota Statutes 2018, section 626.8457, subdivision 1, is amended to read:

8.7 Subdivision 1. **Model policy to be developed.** By March 1, 1996, the Peace Officer
8.8 Standards and Training Board shall develop and distribute to all chief law enforcement
8.9 officers a model policy regarding the professional conduct of peace officers. The policy
8.10 must address issues regarding professional conduct not addressed by the standards of conduct
8.11 under Minnesota Rules, part 6700.1600. The policy must define unprofessional conduct to
8.12 include, but not be limited to, conduct prohibited by section 609.43, including timely
8.13 submission of peace officer misconduct data under section 626.8435, whether or not there
8.14 has been a conviction for a violation of that section. The policy must also describe the
8.15 procedures that a local law enforcement agency may follow in investigating and disciplining
8.16 peace officers alleged to have behaved unprofessionally.

8.17 Sec. 5. Minnesota Statutes 2018, section 626.89, subdivision 2, is amended to read:

8.18 Subd. 2. **Applicability.** The procedures and provisions of this section apply to law
8.19 enforcement agencies and government units. The procedures and provisions of this section
8.20 do not apply to:

8.21 (1) investigations and proceedings of a citizen oversight council described in section
8.22 626.99; or

8.23 (2) investigations of criminal charges against an officer.

8.24 Sec. 6. Minnesota Statutes 2018, section 626.89, subdivision 17, is amended to read:

8.25 Subd. 17. ~~Civilian review~~ **Citizen oversight.** ~~A civilian review board, commission, or~~
8.26 ~~other oversight body shall not have the authority to make a finding of fact or determination~~
8.27 ~~regarding a complaint against an officer or impose discipline on an officer. A civilian review~~
8.28 ~~board, commission, or other oversight body may make a recommendation regarding the~~
8.29 ~~merits of a complaint, however, the recommendation shall be advisory only and shall not~~
8.30 ~~be binding on nor limit the authority of the chief law enforcement officer of any unit of~~
8.31 ~~government~~ The powers and duties of citizen oversight councils for law enforcement agencies
8.32 are established under section 626.99.

9.1 Sec. 7. [626.99] LOCAL CITIZEN OVERSIGHT COUNCILS FOR LAW
9.2 ENFORCEMENT AGENCIES.

9.3 Subdivision 1. **Definition.** As used in this section, "law enforcement agency" has the
9.4 meaning given in section 626.84, subdivision 1, paragraph (f), but does not include state-level
9.5 law enforcement agencies.

9.6 Subd. 2. **Councils required.** The governing body of each local unit of government that
9.7 oversees a law enforcement agency that employs 50 or more peace officers shall establish
9.8 a citizen oversight council in compliance with this section.

9.9 Subd. 3. **Council membership.** The membership of a citizen oversight council must
9.10 reflect a broad cross section of the community it represents, including the community's
9.11 minority and youth populations. The membership must also include individuals who often
9.12 come into contact with, or who are affected by, the peace officers of the law enforcement
9.13 agency that the council oversees, other than suspects who are in criminal investigations.
9.14 The membership of the majority of a council must be weighted toward citizen members.
9.15 However, a council may also include members that reflect other specific viewpoints, such
9.16 as law enforcement, prosecutors, educators, mental health professionals, clergy, and business
9.17 and commercial leaders. A council shall elect a chair from among its members at its first
9.18 meeting. The board must develop and publish guidance on the best practices for selecting,
9.19 training, and educating oversight council members.

9.20 Subd. 4. **Operation of council; powers and duties.** (a) A citizen oversight council shall
9.21 meet on a regular basis. Meetings are open to the public and public testimony may be taken.

9.22 (b) A council's purpose is to encourage and provide community participation in the
9.23 operation of the law enforcement agency it oversees. A council shall work collaboratively
9.24 with the governing body of the local unit of government with authority over the agency and
9.25 the agency's chief law enforcement officer.

9.26 (c) A council may make recommendations and provide assessments relating to any facet
9.27 of the operation of the agency, including but not limited to:

9.28 (1) law enforcement tactics and strategies, such as community policing;

9.29 (2) the budget for the agency, including priorities on where money should be spent;

9.30 (3) training of the agency's peace officers;

9.31 (4) employment policies, such as residency requirements and minority hiring;

10.1 (5) the substantive operation of the agency relating to such matters as use of force,
10.2 profiling, diversion, data collection, equipment, militarization, general investigatory practices,
10.3 officer-initiated use of force investigations, and cooperation with other law enforcement
10.4 agencies; and

10.5 (6) personnel decisions.

10.6 In addition, a council may evaluate the performance of the agency and the agency's chief
10.7 law enforcement officer. A council may recommend whether to extend the chief's term and
10.8 on hiring a successor to the chief when a vacancy occurs.

10.9 Subd. 5. **Investigations into police misconduct.** (a) At the conclusion of any criminal
10.10 investigation or prosecution, if any, a citizen oversight council may conduct an investigation
10.11 into allegations of peace officer misconduct and retain an investigator to facilitate an
10.12 investigation. Subject to other applicable law, a council may subpoena or compel testimony
10.13 and documents in an investigation. Upon completion of an investigation, a council may
10.14 make a finding of misconduct and recommend appropriate discipline against peace officers
10.15 employed by the agency. If the governing body grants a council the authority, the council
10.16 may impose discipline on peace officers employed by the agency. A council shall submit
10.17 investigation reports that contain findings of peace officer misconduct to the chief law
10.18 enforcement officer and the Peace Officer Standards and Training Board's complaint
10.19 committee. A council may also make policy recommendations to the chief law enforcement
10.20 officer and the Peace Officer Standards and Training Board. For purposes of this section,
10.21 "misconduct" means a violation of law, standards promulgated by the Peace Officer Standards
10.22 and Training Board, or agency policy.

10.23 (b) Peace officer discipline decisions imposed pursuant to the authority granted under
10.24 this subdivision shall be subject to the applicable grievance procedure established or agreed
10.25 to under chapter 179A.

10.26 Subd. 6. **Duties of chief law enforcement officer.** The chief law enforcement officer
10.27 of a law enforcement agency under the jurisdiction of a citizen oversight council shall
10.28 cooperate with the council and facilitate the council's achievement of its goals. However,
10.29 the officer is under no obligation to agree with individual recommendations of the council
10.30 and may oppose a recommendation. If the officer fails to implement a recommendation that
10.31 is within the officer's authority, the officer shall inform the council of the failure along with
10.32 the officer's underlying reasons.

11.1 Subd. 7. **Duties of governing body.** A governing body shall ensure that a council is
11.2 given the opportunity to comment in a meaningful way on any matter within its jurisdiction.
11.3 This opportunity must occur with sufficient time before action on the matter is required.

11.4 Subd. 8. **Other applicable law.** Chapters 13 and 13D apply to oversight councils under
11.5 this section.

11.6 Subd. 9. **Annual report.** A citizen oversight council shall release an annual report that
11.7 addresses its activities. At a minimum, the report must summarize the council's activities
11.8 for the past year; recommendations made by the council, including what actions, if any,
11.9 were taken by other entities in response to the recommendations; and the amount of money
11.10 spent for the council's operation and the money's source.

11.11 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.12 Sec. 8. **TIMING.**

11.13 Governing bodies of local units of government shall comply with Minnesota Statutes,
11.14 section 626.99, by September 1, 2020. A citizen oversight council shall conduct its first
11.15 meeting by October 1, 2020.

11.16 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.17 Sec. 9. **COMPLIANCE REVIEWS.**

11.18 Local units of government required to create a citizen oversight council under Minnesota
11.19 Statutes, section 626.99, shall demonstrate compliance with the statute to the state auditor
11.20 in a form determined by the state auditor. Citizen oversight councils shall provide a copy
11.21 of the annual reports required under Minnesota Statutes, section 626.99, subdivision 9, to
11.22 the state auditor upon issuance. By March 15 of each year, the state auditor shall report on
11.23 compliance of citizen oversight councils to the chairs and ranking minority members of the
11.24 legislative committees with jurisdiction over public safety finance and policy.

11.25 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.26 Sec. 10. **INITIAL APPOINTMENTS; PROPOSED MEETING.**

11.27 Initial appointments to the Police-Community Relations Council established in section
11.28 2 must be made no later than August 1, 2020. The executive director of the Peace Officer
11.29 Standards and Training Board must convene the council's first meeting no later than
11.30 September 1, 2020.

11.31 **EFFECTIVE DATE.** This section is effective the day following final enactment.

12.1 Sec. 11. **APPROPRIATION; PEACE OFFICER COMMUNITY POLICING**
12.2 **EXCELLENCE REPORT DATABASE.**

12.3 (a) \$475,000 in fiscal year 2021 is appropriated from the general fund to the Office of
12.4 Justice Programs for a grant to a qualified community-based research organization to develop
12.5 a system to classify and report peace officer discipline by category, severity, type, and
12.6 demographic data of those involved in the incident. This appropriation is onetime. The
12.7 executive director of the Office of Justice Programs must consult with the Police-Community
12.8 Relations Council before selecting a community-based research organization to receive the
12.9 grant. As part of the system, the grant recipient must develop and incorporate:

12.10 (1) a protocol to assign a unique identifier for each peace officer; and

12.11 (2) safeguards to protect personal identifying information of peace officers.

12.12 (b) The grant recipient, in consultation with the stakeholder group identified in paragraph
12.13 (c), may recommend changes on how to adapt the system under paragraph (a) to collect
12.14 additional policing data that corresponds with peace officer interactions with the public
12.15 generally and suspects, arrests, and victims specifically.

12.16 (c) In developing the system described in paragraph (a), the grant recipient shall consult
12.17 with the Police-Community Relations Council established under Minnesota Statutes, section
12.18 626.8434.

12.19 Sec. 12. **APPROPRIATION; CITIZEN OVERSIGHT COUNCILS.**

12.20 \$1,900,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
12.21 of public safety for grants to local units of government to establish and maintain citizen
12.22 oversight councils. Up to 2.5 percent of the appropriation may be used by the commissioner
12.23 to administer the program.

12.24 **ARTICLE 2**

12.25 **POLICIES, TRAINING, REPORTING, APPROPRIATIONS**

12.26 Section 1. Minnesota Statutes 2018, section 415.16, subdivision 1, is amended to read:

12.27 Subdivision 1. **No exception for on-premises residence.** Except as provided in
12.28 subdivision 1a, notwithstanding any contrary provision of other law, home rule charter,
12.29 ordinance or resolution, no statutory or home rule charter city or county shall require that
12.30 a person be a resident of the city or county as a condition of employment by the city or
12.31 county except for positions which by their duties require the employee to live on the premises
12.32 of the person's place of employment.

13.1 Sec. 2. Minnesota Statutes 2018, section 415.16, is amended by adding a subdivision to
13.2 read:

13.3 Subd. 1a. **Residency requirements for peace officers; hires made on or after July**
13.4 **1, 2020.** A statutory or home rule charter city or county may require that a person hired as
13.5 a peace officer, as defined by section 626.84, subdivision 1, paragraph (c), on or after July
13.6 1, 2020, be a resident of the city or county as a condition of employment by the city or
13.7 county.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2020.

13.9 Sec. 3. Minnesota Statutes 2018, section 541.073, subdivision 2, is amended to read:

13.10 Subd. 2. **Limitations period.** (a) Except as provided in paragraph (b), an action for
13.11 damages based on sexual abuse: (1) must be commenced within six years of the alleged
13.12 sexual abuse in the case of alleged sexual abuse of an individual 18 years or older; (2) may
13.13 be commenced at any time in the case of alleged sexual abuse of an individual under the
13.14 age of 18, except as provided for in subdivision 4; and (3) must be commenced before the
13.15 plaintiff is 24 years of age in a claim against a natural person alleged to have sexually abused
13.16 a minor when that natural person was under 14 years of age.

13.17 (b) An action for damages based on sexual abuse may be commenced at any time in the
13.18 case of alleged sexual abuse by a peace officer, as defined in section 626.84, subdivision
13.19 1, paragraph (c).

13.20 ~~(b)~~ (c) The plaintiff need not establish which act in a continuous series of sexual abuse
13.21 acts by the defendant caused the injury.

13.22 ~~(e)~~ (d) This section does not affect the suspension of the statute of limitations during a
13.23 period of disability under section 541.15.

13.24 **EFFECTIVE DATE.** This section is effective the day following final enactment and
13.25 applies to causes of action that arise on or after that date; causes of action that arose before
13.26 that date if the limitations period has not expired; and, notwithstanding any statutory or
13.27 common law to the contrary, retroactively to any causes of action that arose before that
13.28 date.

13.29 Sec. 4. **[541.155] PERIODS OF INVESTIGATION OF PEACE OFFICER NOT**
13.30 **COUNTED.**

13.31 (a) For purposes of this section, "peace officer" has the meaning given in section 626.84,
13.32 subdivision 1, paragraph (c).

14.1 (b) Any of the following, arising any time after a cause of action accrued and during the
14.2 period of limitation, shall suspend the running of the period of limitation until the same is
14.3 removed:

14.4 (1) a criminal investigation of a peace officer for any conduct giving rise to the cause
14.5 of action;

14.6 (2) a criminal prosecution of a peace officer for any conduct giving rise to the cause of
14.7 action; or

14.8 (3) investigation by any political subdivision, state law enforcement agency, or the Board
14.9 of Peace Officer Standards and Training into allegations of misconduct by a peace officer
14.10 giving rise to the cause of action.

14.11 **EFFECTIVE DATE.** This section is effective the day following final enactment and
14.12 applies to causes of action that arise on or after that date; causes of action that arose before
14.13 that date if the limitations period has not expired; and, notwithstanding any statutory or
14.14 common law to the contrary, retroactively to any causes of action that arose before that
14.15 date.

14.16 Sec. 5. Minnesota Statutes 2018, section 573.02, subdivision 1, is amended to read:

14.17 Subdivision 1. **Death action.** When death is caused by the wrongful act or omission of
14.18 any person or corporation, the trustee appointed as provided in subdivision 3 may maintain
14.19 an action therefor if the decedent might have maintained an action, had the decedent lived,
14.20 for an injury caused by the wrongful act or omission. An action to recover damages for a
14.21 death caused by the alleged professional negligence of a physician, surgeon, dentist, hospital
14.22 or sanitarium, or an employee of a physician, surgeon, dentist, hospital or sanitarium shall
14.23 be commenced within three years of the date of death, but in no event shall be commenced
14.24 beyond the time set forth in section 541.076. An action to recover damages for a death
14.25 caused by an intentional act constituting murder may be commenced at any time after the
14.26 death of the decedent. An action to recover damages for a death caused by a peace officer,
14.27 as defined in section 626.84, subdivision 1, paragraph (c), may be commenced at any time
14.28 after the death of the decedent. Any other action under this section may be commenced
14.29 within three years after the date of death provided that the action must be commenced within
14.30 six years after the act or omission. The recovery in the action is the amount the jury deems
14.31 fair and just in reference to the pecuniary loss resulting from the death, and shall be for the
14.32 exclusive benefit of the surviving spouse and next of kin, proportionate to the pecuniary
14.33 loss severally suffered by the death. The court then determines the proportionate pecuniary
14.34 loss of the persons entitled to the recovery and orders distribution accordingly. Funeral

15.1 expenses and any demand for the support of the decedent allowed by the court having
15.2 jurisdiction of the action, are first deducted and paid. Punitive damages may be awarded as
15.3 provided in section 549.20.

15.4 If an action for the injury was commenced by the decedent and not finally determined
15.5 while living, it may be continued by the trustee for recovery of damages for the exclusive
15.6 benefit of the surviving spouse and next of kin, proportionate to the pecuniary loss severally
15.7 suffered by the death. The court on motion shall make an order allowing the continuance
15.8 and directing pleadings to be made and issues framed as in actions begun under this section.

15.9 **EFFECTIVE DATE.** This section is effective the day following final enactment and
15.10 applies to causes of action that arise on or after that date; causes of action that arose before
15.11 that date if the limitations period has not expired; and, notwithstanding any statutory or
15.12 common law to the contrary, retroactively to any causes of action that arose before that
15.13 date.

15.14 Sec. 6. Minnesota Statutes 2018, section 609.06, subdivision 1, is amended to read:

15.15 Subdivision 1. **When authorized.** Except as otherwise provided in ~~subdivision~~
15.16 subdivisions 2 and 3, reasonable force may be used upon or toward the person of another
15.17 without the other's consent when the following circumstances exist or the actor reasonably
15.18 believes them to exist:

15.19 (1) when used by a public officer or one assisting a public officer under the public
15.20 officer's direction:

15.21 (a) in effecting a lawful arrest; or

15.22 (b) in the execution of legal process; or

15.23 (c) in enforcing an order of the court; or

15.24 (d) in executing any other duty imposed upon the public officer by law; or

15.25 (2) when used by a person not a public officer in arresting another in the cases and in
15.26 the manner provided by law and delivering the other to an officer competent to receive the
15.27 other into custody; or

15.28 (3) when used by any person in resisting or aiding another to resist an offense against
15.29 the person; or

15.30 (4) when used by any person in lawful possession of real or personal property, or by
15.31 another assisting the person in lawful possession, in resisting a trespass upon or other
15.32 unlawful interference with such property; or

16.1 (5) when used by any person to prevent the escape, or to retake following the escape,
16.2 of a person lawfully held on a charge or conviction of a crime; or

16.3 (6) when used by a parent, guardian, teacher, or other lawful custodian of a child or
16.4 pupil, in the exercise of lawful authority, to restrain or correct such child or pupil; or

16.5 (7) when used by a school employee or school bus driver, in the exercise of lawful
16.6 authority, to restrain a child or pupil, or to prevent bodily harm or death to another; or

16.7 (8) when used by a common carrier in expelling a passenger who refuses to obey a lawful
16.8 requirement for the conduct of passengers and reasonable care is exercised with regard to
16.9 the passenger's personal safety; or

16.10 (9) when used to restrain a person with a mental illness or a person with a developmental
16.11 disability from self-injury or injury to another or when used by one with authority to do so
16.12 to compel compliance with reasonable requirements for the person's control, conduct, or
16.13 treatment; or

16.14 (10) when used by a public or private institution providing custody or treatment against
16.15 one lawfully committed to it to compel compliance with reasonable requirements for the
16.16 control, conduct, or treatment of the committed person.

16.17 Sec. 7. Minnesota Statutes 2018, section 609.06, is amended by adding a subdivision to
16.18 read:

16.19 Subd. 3. **Limitations on the use of certain restraints.** (a) A peace officer may not use
16.20 any of the following restraints unless section 609.066 authorizes the use of deadly force:

16.21 (1) a chokehold;

16.22 (2) tying all of a person's limbs together behind the person's back to render the person
16.23 immobile; or

16.24 (3) securing a person in any way that results in transporting the person face down in a
16.25 vehicle.

16.26 (b) For the purposes of this subdivision, "chokehold" means a method by which a person
16.27 applies sufficient pressure to a person to make breathing difficult or impossible, and includes
16.28 but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder
16.29 breathing, or reduce intake of air. Chokehold also means applying pressure to a person's
16.30 neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood
16.31 to the brain via the carotid arteries.

16.32 **EFFECTIVE DATE.** This section is effective the day following final enactment.

17.1 Sec. 8. Minnesota Statutes 2018, section 626.8432, subdivision 2, is amended to read:

17.2 Subd. 2. **Mandatory revocation; discovery of disqualifying conviction after licensure;**
17.3 **termination for wrongful use of force.** (a) The board ~~may suspend or revoke~~ shall review
17.4 for possible suspension or revocation a peace officer or part-time peace officer license when
17.5 the licensee:

17.6 (1) has been convicted of a crime recognized by the board as a crime that would disqualify
17.7 the licensee from participating in a professional peace officer education course, taking the
17.8 peace officer licensing examination or the part-time peace officer licensing examination,
17.9 or maintaining eligibility for licensure under Minnesota Rules, chapter 6700; or

17.10 (2) is terminated for a violation of the agency's use of force policy, unless the officer's
17.11 termination was ordered by a citizen oversight council pursuant to section 626.99, subdivision
17.12 5.

17.13 (b) The authority to suspend or revoke a license shall include all individuals who have
17.14 been granted a license when a disqualifying conviction that would have precluded eligibility
17.15 for licensure is discovered after licensure.

17.16 (c) If the board revokes the license of an officer under paragraph (a), clause (1), and the
17.17 officer is later reinstated after an appeal of the officer's termination, the board must reconsider
17.18 the decision to revoke the officer's license. If a court orders that the board reinstate an
17.19 officer's license, the board shall comply with the court's order unless the attorney general
17.20 appeals the court's ruling on behalf of the board.

17.21 Sec. 9. **[626.8434] WARRIOR-STYLE TRAINING PROHIBITED.**

17.22 Subdivision 1. **Definition.** For purposes of this section, "warrior-style training" means
17.23 training for peace officers that is intended to increase a peace officer's likelihood or
17.24 willingness to use deadly force in encounters with community members.

17.25 Subd. 2. **No continuing education credits or tuition reimbursement.** (a) The board
17.26 may not certify a continuing education course that includes warrior-style training.

17.27 (b) The board may not grant continuing education credit to a peace officer for a course
17.28 that includes warrior-style training.

17.29 (c) The board may not reimburse a law enforcement agency or a peace officer for a
17.30 course that includes warrior-style training.

17.31 Subd. 3. **Training prohibited.** A law enforcement agency may not provide warrior-style
17.32 training, directly or through a third party, to a peace officer.

18.1 Sec. 10. [626.8435] MANDATORY REPORTING PEACE OFFICER

18.2 TERMINATIONS AND RESIGNATIONS.

18.3 A chief law enforcement officer must report to the Peace Officer Standards and Training
18.4 Board when a peace officer is discharged or resigns from employment due to misconduct
18.5 or when a peace officer is suspended or resigns while a misconduct investigation is pending.
18.6 The report must be made to the board within ten days after the discharge, suspension, or
18.7 resignation has occurred. The board must investigate the report for and the reporting agency
18.8 must cooperate in the investigation. Notwithstanding any provision in chapter 13 or any
18.9 law to the contrary, upon written request from the board, the law enforcement agency shall
18.10 provide the board with information about the peace officer from the agency's files, any
18.11 termination or disciplinary proceeding, any settlement or compromise, or any investigative
18.12 file.

18.13 Sec. 11. Minnesota Statutes 2018, section 626.8452, subdivision 1, is amended to read:

18.14 Subdivision 1. **Deadly force policy.** By January 1, 1992, the head of every local and
18.15 state law enforcement agency shall establish and enforce a written policy governing:

18.16 (1) the use of force, including deadly force, as defined in section 609.066;

18.17 (2) conflict de-escalation; and

18.18 (3) interceding when another peace officer is using unreasonable force, by peace officers
18.19 and part-time peace officers employed by the agency. The policy must be consistent with
18.20 the provisions of section 609.066, subdivision 2, and may not prohibit the use of deadly
18.21 force under circumstances in which that force is justified under section 609.066, subdivision
18.22 2.

18.23 Sec. 12. Minnesota Statutes 2018, section 626.8452, is amended by adding a subdivision
18.24 to read:

18.25 Subd. 1a. **Prohibition on use of certain restraints.** (a) By January 1, 2021, the head
18.26 of every local and state law enforcement agency shall update and enforce the written policy
18.27 described in subdivision 1 to prohibit:

18.28 (1) the use of a chokehold;

18.29 (2) tying all of a person's limbs together behind the person's back to render the person
18.30 immobile; and

18.31 (3) transporting a person face down in a vehicle.

19.1 (b) For the purposes of this subdivision, "chokehold" means a method by which a person
19.2 applies sufficient pressure to a person to make breathing difficult or impossible, and includes
19.3 but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder
19.4 breathing, or reduce intake of air. Chokehold also means applying pressure to a person's
19.5 neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood
19.6 to the brain via the carotid arteries.

19.7 **EFFECTIVE DATE.** This section is effective the day following final enactment.

19.8 Sec. 13. Minnesota Statutes 2018, section 626.8452, subdivision 2, is amended to read:

19.9 Subd. 2. **Deadly force and firearms use; initial instruction.** Beginning January 1,
19.10 1992, the head of every local and state law enforcement agency shall provide instruction
19.11 on the use of force, deadly force, and the use of firearms, conflict de-escalation, and
19.12 interceding when another peace officer is using excessive or unreasonable force to every
19.13 peace officer and part-time peace officer newly appointed by or beginning employment
19.14 with the agency. This instruction must occur before the agency head issues a firearm to the
19.15 officer or otherwise authorizes the officer to carry a firearm in the course of employment.
19.16 The instruction must be based on the agency's written policy required in subdivision 1 and
19.17 on the instructional materials required by the board for peace officer and part-time peace
19.18 officer licensure.

19.19 Sec. 14. **[626.8475] DUTY TO INTERCEDE AND REPORT; POLICIES REQUIRED.**

19.20 Subdivision 1. **Duties; discipline.** (a) Regardless of tenure or rank, a peace officer must
19.21 intercede when:

19.22 (1) present and observing another peace officer using force in violation of section 609.066,
19.23 subdivision 2, or otherwise beyond that which is objectively reasonable under the
19.24 circumstances; and

19.25 (2) physically or verbally able to do so.

19.26 (b) A peace officer who observes another employee or peace officer use force that
19.27 exceeds the degree of force permitted by law has the duty to report the incident in writing
19.28 within 24 hours to the chief law enforcement officer of the agency that employs the reporting
19.29 peace officer.

19.30 (c) A peace officer who breaches a duty established in this subdivision is subject to
19.31 discipline by the board under Minnesota Rules, part 6700.1600.

20.1 Subd. 2. **Model policy required.** By September 15, 2020, the commissioner of public
20.2 safety, in consultation with the board, the attorney general, and other interested parties,
20.3 must develop a comprehensive model policy to require peace officers to intercede to prevent
20.4 the use of unreasonable force and report incidents of excessive use of force. The policy, at
20.5 a minimum, must be consistent with subdivision 1. The board must distribute the model
20.6 policy to all chief law enforcement officers.

20.7 Subd. 3. **Agency policies required.** (a) By December 15, 2020, the chief law enforcement
20.8 officer of every state and local law enforcement agency must establish and enforce a written
20.9 policy requiring peace officers employed by the agency to intercede and report that is
20.10 identical or substantially similar to the model policy developed under subdivision 2.

20.11 (b) Every state and local law enforcement agency must certify to the board that it has
20.12 adopted a written policy in compliance with this subdivision.

20.13 (c) The board must assist the chief law enforcement officer of each state and local law
20.14 enforcement agency in developing and implementing policies under this subdivision.

20.15 Subd. 4. **Compliance reviews authorized.** The board has authority to inspect state and
20.16 local law enforcement agency policies to ensure compliance with subdivision 3. The board
20.17 may conduct this inspection based upon a complaint it receives about a particular agency
20.18 or through a random selection process. The board may impose licensing sanctions and seek
20.19 injunctive relief under section 214.11 for an agency's failure to comply with subdivision 3.

20.20 Sec. 15. **[626.892] PEACE OFFICER GRIEVANCE ARBITRATION SELECTION**
20.21 **PROCEDURE.**

20.22 Subdivision 1. **Definitions.** (a) For the purposes of this section, the terms defined in this
20.23 section have the meanings given them.

20.24 (b) "Commissioner" means the commissioner of the Bureau of Mediation Services.

20.25 (c) "Employer" means a political subdivision or law enforcement agency employing a
20.26 peace officer.

20.27 (d) "Grievance" means a dispute or disagreement regarding any written disciplinary
20.28 action, discharge, or termination decision of a peace officer arising under a collective
20.29 bargaining agreement covering peace officers.

20.30 (e) "Grievance arbitration" means binding arbitration of a grievance under the grievance
20.31 procedure in a collective bargaining agreement covering peace officers, as required by this

21.1 section or sections 179A.04, 179A.20, and 179A.21, subdivision 3, to the extent those
21.2 sections are consistent with this section.

21.3 (f) "Grievance procedure" has the meaning given in section 179A.20, subdivision 4,
21.4 except as otherwise provided in this section or to the extent inconsistent with this section.

21.5 (g) "Peace officer" means a licensed peace officer or part-time peace officer subject to
21.6 licensure under sections 626.84 to 626.863.

21.7 Subd. 2. **Applicability.** (a) Notwithstanding any contrary provision of law, home rule
21.8 charter, ordinance, or resolution, the arbitrator selection procedure established under this
21.9 section shall apply to all peace officer grievance arbitrations for written disciplinary action,
21.10 discharge, or termination heard on or after the effective date.

21.11 (b) The grievance procedure for all collective bargaining agreements covering peace
21.12 officers negotiated on or after the day following final enactment must include the arbitrator
21.13 selection procedure established in this section.

21.14 (c) This section does not authorize arbitrators appointed under this section to hear
21.15 arbitrations of public employees who are not peace officers.

21.16 Subd. 3. **Fees.** All fees charged by arbitrators under this section shall be in accordance
21.17 with a schedule of fees established by the commissioner on an annual basis.

21.18 Subd. 4. **Roster of arbitrators.** The governor, in consultation with community and law
21.19 enforcement stakeholders, shall appoint a roster of no fewer than nine and no more than 15
21.20 persons suited and qualified by training and experience to act as arbitrators for peace officer
21.21 grievance arbitrations under this section. In making these appointments, and as applicable,
21.22 the governor may consider the factors set forth in Minnesota Rules, parts 5530.0600 and
21.23 5530.0700, subpart 6, as well as a candidate's experience and training in cultural competency,
21.24 racism, implicit bias, and recognizing and valuing community diversity and cultural
21.25 differences. The governor's appointments are effective immediately upon filing with the
21.26 secretary of state. Arbitrators on the roster created by this subdivision shall not serve as an
21.27 arbitrator in a labor arbitration other than a grievance arbitration as defined in this section.

21.28 Subd. 5. **Applications.** The secretary of state shall solicit and accept applications in the
21.29 same manner as for open appointments under section 15.0597.

21.30 Subd. 6. **Terms.** (a) Initial appointments to the roster of arbitrators shall be made as
21.31 follows:

21.32 (1) at least three, but no more than five, appointments to expire on the first Monday in
21.33 January 2023;

22.1 (2) at least three, but no more than five, appointments to expire on the first Monday in
22.2 January 2024; and

22.3 (3) at least three, but no more than five, appointments to expire on the first Monday in
22.4 January 2025.

22.5 (b) Subsequent appointments to the roster of arbitrators shall be for three-year terms to
22.6 expire on the first Monday in January, with the terms of no more than five arbitrators to
22.7 expire in the same year.

22.8 (c) An arbitrator may continue to serve until the arbitrator's successor is appointed, but
22.9 in no case later than July 1 of the year in which the arbitrator's term expires.

22.10 Subd. 7. **Applicability of Minnesota Rules, chapter 5530.** To the extent consistent
22.11 with this section, the following provisions of Minnesota Rules apply to arbitrators on the
22.12 roster of arbitrators established under this section:

22.13 (1) part 5530.0500 (status of arbitrators);

22.14 (2) part 5530.0800 (arbitrator conduct and standards); and

22.15 (3) part 5530.1000 (arbitration proceedings).

22.16 Subd. 8. **Performance measures.** To the extent applicable, the commissioner shall track
22.17 the performance measures set forth in Minnesota Rules, part 5530.1200, and provide that
22.18 data to the governor upon request.

22.19 Subd. 9. **Removal; vacancies.** An arbitrator appointed to the roster of arbitrators may
22.20 be removed from the roster only by the commissioner in accordance with the procedures
22.21 set forth in Minnesota Rules, part 5530.1300. A vacancy on the roster caused by a removal,
22.22 a resignation, or another reason shall be filled by the governor as necessary to fill the
22.23 remainder of the arbitrator's term. A vacancy on the roster occurring with less than six
22.24 months remaining in the arbitrator's term shall be filled for the existing term and the following
22.25 three-year term.

22.26 Subd. 10. **Training.** (a) A person appointed to the arbitrator roster under this section
22.27 must complete training on culture competency, racism, implicit bias, and recognizing and
22.28 valuing community diversity and cultural differences, and must continue to complete the
22.29 training as required by the commissioner during the person's appointment. The commissioner
22.30 may adopt rules establishing training and requirements for this purpose.

23.1 (b) An arbitrator appointed to the roster of arbitrators in 2020 must complete the required
23.2 training by July 1, 2021. An arbitrator appointed to the roster of arbitrators after 2020 must
23.3 complete the required training within six months of the arbitrator's appointment.

23.4 (c) All costs associated with the required training must be borne by the arbitrator.

23.5 Subd. 11. **Selection of arbitrators.** The commissioner shall assign or appoint an arbitrator
23.6 or panel of arbitrators from the roster to a peace officer grievance arbitration under this
23.7 section on a random or rotating basis. The parties shall not participate in, negotiate for, or
23.8 agree to the selection of an arbitrator or arbitration panel under this section. The arbitrator
23.9 or panel shall decide the grievance, and the decision is binding subject to the provisions of
23.10 chapter 572B.

23.11 Subd. 12. **Interaction with other laws.** (a) Sections 179A.21, subdivision 2, and 572B.11,
23.12 paragraph (a), and rules for arbitrator selection promulgated pursuant to section 179A.04
23.13 shall not apply to a peace officer grievance arbitration under this section.

23.14 (b) Notwithstanding any contrary provision of law, home rule charter, ordinance, or
23.15 resolution, peace officers, through their certified exclusive representatives, shall not have
23.16 the right to negotiate for or agree to a collective bargaining agreement or a grievance
23.17 arbitration selection procedure with their employers that is inconsistent with this section.

23.18 (c) The arbitrator selection procedure for peace officer grievance arbitrations established
23.19 under this section supersedes any inconsistent provisions in chapter 179A or 572B or in
23.20 Minnesota Rules, chapters 5500 to 5530 and 7315 to 7325. Other arbitration requirements
23.21 in those chapters remain in full force and effect for peace officer grievance arbitrations,
23.22 except as provided in this section or to the extent inconsistent with this section.

23.23 **EFFECTIVE DATE.** This section is effective September 1, 2020, except that subdivision
23.24 2, paragraph (b), is effective the day following final enactment.

23.25 Sec. 16. Laws 2019, First Special Session chapter 5, article 1, section 12, subdivision 7,
23.26 is amended to read:

23.27 **Subd. 7. Office of Justice Programs** 40,147,000 40,082,000

23.28 Appropriations by Fund

23.29 General 40,051,000 39,986,000

23.30 State Government

23.31 Special Revenue 96,000 96,000

23.32 **(a) Base Adjustment**

24.1 To account for the base adjustments provided
24.2 in Laws 2018, chapter 211, article 21, section
24.3 1, paragraph (a), the general fund base is
24.4 increased by \$2,000 in fiscal years 2022 and
24.5 2023.

24.6 **(b) Administration Costs**

24.7 Up to 2.5 percent of the grant funds
24.8 appropriated in this subdivision may be used
24.9 by the commissioner to administer the grant
24.10 program.

24.11 **(c) Indigenous Women Task Force**

24.12 \$105,000 the first year and \$45,000 the second
24.13 year are for expenses related to the task force
24.14 on missing and murdered indigenous women.
24.15 This appropriation is available until June 30,
24.16 2021. These are onetime appropriations.

24.17 **(d) Domestic Abuse Prevention Grants**

24.18 \$200,000 each year is for a grant to a domestic
24.19 abuse prevention program that provides
24.20 interdisciplinary, trauma-informed treatment
24.21 and evidence-informed intervention for
24.22 veterans and current or former service
24.23 members and their whole families affected by
24.24 domestic violence. The grantee must offer a
24.25 combination of services for perpetrators of
24.26 domestic violence and their families, including
24.27 individual and group therapy, evaluation and
24.28 research of programming, and short- and
24.29 long-term case management services to ensure
24.30 stabilization and increase in their overall
24.31 mental health functioning and well-being.
24.32 These appropriations are onetime.

24.33 **(e) Criminal Sexual Conduct Statutory**
24.34 **Reform Working Group**

25.1 \$20,000 the first year and \$14,000 the second
25.2 year are to convene, administer, and
25.3 implement the criminal sexual conduct
25.4 statutory reform working group. These
25.5 appropriations are onetime.

25.6 Sec. 17. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 4,
25.7 is amended to read:

25.8 Subd. 4. **Report.** The task force shall report to the chairs and ranking minority members
25.9 of the legislative committees and divisions with jurisdiction over public safety, human
25.10 services, and state government on the work of the task force, including but not limited to
25.11 the issues to be examined in subdivision 1, and shall include in the report institutional
25.12 policies and practices or proposed institutional policies and practices that are effective in
25.13 reducing gender violence and increasing the safety of indigenous women and girls. The
25.14 report shall include recommendations to reduce and end violence against indigenous women
25.15 and girls and help victims and communities heal from gender violence and violence against
25.16 indigenous women and girls. ~~The A~~ report shall be submitted to the legislative committees
25.17 by December 15, 2020, and a final report shall be submitted by June 30, 2021.

25.18 Sec. 18. Laws 2019, First Special Session chapter 5, article 2, section 28, subdivision 5,
25.19 is amended to read:

25.20 Subd. 5. **Expiration.** Notwithstanding Minnesota Statutes, section 15.059, the task force
25.21 expires ~~December 31, 2020~~ June 30, 2021.

25.22 Sec. 19. **APPROPRIATION.**

25.23 \$17,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer
25.24 Standards and Training Board for costs associated with this act. \$15,000 is added to the
25.25 board's base.

25.26 Sec. 20. **APPROPRIATION; BUREAU OF MEDIATION SERVICES.**

25.27 \$120,000 in fiscal year 2021 is appropriated from the general fund to the Bureau of
25.28 Mediation Services for rulemaking, staffing, and other costs associated with peace officer
25.29 grievance procedures. \$47,000 is added to the bureau's base.

26.1

ARTICLE 3

26.2

PEACE OFFICER USE OF FORCE AND PRETRIAL DETENTION

26.3

Section 1. Minnesota Statutes 2018, section 8.01, is amended to read:

26.4

8.01 APPEARANCE.

26.5

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The attorney general shall appear for the state in all causes in the supreme and federal courts wherein the state is directly interested; also in all civil causes of like nature in all other courts of the state whenever, in the attorney general's opinion, the interests of the state require it. Except as provided for in section 8.37, upon request of the county attorney, the attorney general shall appear in court in such criminal cases as the attorney general deems proper. Upon request of a county attorney, the attorney general may assume the duties of the county attorney in sexual psychopathic personality and sexually dangerous person commitment proceedings under chapter 253D. Whenever the governor shall so request, in writing, the attorney general shall prosecute any person charged with an indictable offense, and in all such cases may attend upon the grand jury and exercise the powers of a county attorney.

26.16

Sec. 2. **[8.37] PEACE-OFFICER-INVOLVED DEATHS.**

26.17

26.18

Subdivision 1. **Definitions.** (a) As used in this section, the following terms have the meanings provided.

26.19

26.20

(b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1, paragraph (f).

26.21

26.22

26.23

(c) "Officer-involved death" means the death of another that results from a peace officer's use of force while the officer is on duty or off duty but performing activities that are within the scope of the officer's law enforcement duties.

26.24

26.25

(d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph (c).

26.26

26.27

Subd. 2. **Prosecution of officer-involved deaths.** (a) The attorney general has charge of the prosecution of peace officers alleged to have caused an officer-involved death.

26.28

26.29

(b) When requested by the attorney general, a county attorney may appear for the state in any case instituted under this section and assist in the preparation and trial.

26.30

26.31

26.32

Subd. 3. **Local assistance.** Each law enforcement agency with jurisdiction over the area where an officer-involved death occurred must cooperate with the attorney general to the same extent as if the county attorney had charge of the prosecution.

27.1 Sec. 3. Minnesota Statutes 2018, section 260B.176, is amended by adding a subdivision
27.2 to read:

27.3 Subd. 1a. Risk assessment instrument. If a peace officer or probation or parole officer
27.4 who took a child into custody does not release the child as provided in subdivision 1, the
27.5 peace officer or probation or parole officer shall communicate with or deliver the child to
27.6 a juvenile secure detention facility to determine whether the child should be released or
27.7 detained. Before detaining a child, the supervisor of the facility shall use an objective and
27.8 racially, ethnically, and gender-responsive juvenile detention risk assessment instrument
27.9 developed by the commissioner of corrections, county, group of counties, or judicial district,
27.10 in consultation with the state coordinator or coordinators of the Minnesota Juvenile Detention
27.11 Alternative Initiative. The risk assessment instrument must assess the likelihood that a child
27.12 released from preadjudication detention under this section or section 260B.178 would
27.13 endanger others or not return for a court hearing. The instrument must identify the appropriate
27.14 setting for a child who might endanger others or not return for a court hearing pending
27.15 adjudication, with either continued detention or placement in a noncustodial
27.16 community-based supervision setting. The instrument must also identify the type of
27.17 noncustodial community-based supervision setting necessary to minimize the risk that a
27.18 child who is released from custody will endanger others or not return for a court hearing.
27.19 If, after using the instrument, a determination is made that the child should be released, the
27.20 person taking the child into custody or the supervisor of the facility shall release the child
27.21 as provided in subdivision 1.

27.22 EFFECTIVE DATE. This section is effective August 15, 2021.

27.23 Sec. 4. [299C.80] INDEPENDENT USE OF FORCE INVESTIGATIONS UNIT.

27.24 Subdivision 1. Definitions. (a) As used in this section, the following terms have the
27.25 meanings provided.

27.26 (b) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
27.27 paragraph (f).

27.28 (c) "Officer-involved death" means the death of another that results from a peace officer's
27.29 use of force while the officer is on duty or off duty but performing activities that are within
27.30 the scope of the officer's law enforcement duties.

27.31 (d) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
27.32 (c).

27.33 (e) "Superintendent" means the superintendent of the Bureau of Criminal Apprehension.

28.1 (f) "Unit" means the independent Use of Force Investigations Unit.

28.2 Subd. 2. **Formation; special agent in charge; duty.** The superintendent shall form an
28.3 independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension
28.4 to conduct officer-involved death investigations. The superintendent, in consultation with
28.5 the commissioner of public safety, shall select a special agent in charge of the unit.

28.6 Subd. 3. **Additional duty.** The unit shall investigate all criminal sexual conduct cases
28.7 involving peace officers, including criminal sexual conduct cases involving chief law
28.8 enforcement officers. The unit may also investigate conflict of interest cases involving peace
28.9 officers and other public officials accused of crimes

28.10 Subd. 4. **Staff; support.** The unit shall employ peace officers and staff to conduct
28.11 investigations and the superintendent shall develop and implement policies and procedures
28.12 to ensure no conflict of interest exists with agents assigned to investigate a particular incident.
28.13 The superintendent may permit bureau resources not directly assigned to this unit to be used
28.14 to assist the unit in fulfilling the duties assigned in this section.

28.15 Subd. 5. **Conflicts.** When a peace officer employed by the Bureau of Criminal
28.16 Apprehension is the subject of an officer-involved death investigation, the investigation
28.17 shall be conducted by an investigatory agency selected by the attorney general.

28.18 Subd. 6. **Reporting.** The superintendent must make all case files publicly available on
28.19 the bureau's website within 30 days of the end of the last criminal appeal of a subject of an
28.20 investigation, as provided for in chapter 13. By February 1 of each year, the superintendent
28.21 shall report to the commissioner, the governor, and the chairs and ranking minority members
28.22 of the legislative committees with jurisdiction over public safety finance and policy the
28.23 following information about the unit: the number of investigations initiated; the number of
28.24 incidents investigated; the outcomes or current status of each investigation; the charging
28.25 decisions made by the prosecuting authority of incidents investigated by the unit; the number
28.26 of plea agreements reached in incidents investigated by the unit; and any other information
28.27 relevant to the unit's mission.

28.28 Sec. 5. Minnesota Statutes 2018, section 388.051, subdivision 1, is amended to read:

28.29 Subdivision 1. **General provisions.** The county attorney shall:

28.30 (1) appear in all cases in which the county is a party;

28.31 (2) give opinions and advice, upon the request of the county board or any county officer,
28.32 upon all matters in which the county is or may be interested, or in relation to the official
28.33 duties of the board or officer;

29.1 (3) except as provided in section 8.37, prosecute felonies, including the drawing of
29.2 indictments found by the grand jury, and, to the extent prescribed by law, gross
29.3 misdemeanors, misdemeanors, petty misdemeanors, and violations of municipal ordinances,
29.4 charter provisions and rules or regulations;

29.5 (4) attend before the grand jury, give them legal advice, and examine witnesses in their
29.6 presence;

29.7 (5) request the court administrator to issue subpoenas to bring witnesses before the grand
29.8 jury or any judge or judicial officer before whom the county attorney is conducting a criminal
29.9 hearing;

29.10 (6) attend any inquest at the request of the coroner; and

29.11 (7) appear, when requested by the attorney general, for the state in any case instituted
29.12 by the attorney general in the county attorney's county or before the United States Land
29.13 Office in case of application to preempt or locate any public lands claimed by the state and
29.14 assist in the preparation and trial.

29.15 Sec. 6. Minnesota Statutes 2018, section 609.066, is amended by adding a subdivision to
29.16 read:

29.17 Subd. 1a. **Legislative intent.** The legislature hereby finds and declares the following:

29.18 (1) that the authority to use deadly force, conferred on peace officers by this section, is
29.19 a critical responsibility that shall be exercised judiciously and with respect for human rights
29.20 and dignity and for the sanctity of every human life. The legislature further finds and declares
29.21 that every person has a right to be free from excessive use of force by officers acting under
29.22 color of law;

29.23 (2) as set forth below, it is the intent of the legislature that peace officers use deadly
29.24 force only when necessary in defense of human life. In determining whether deadly force
29.25 is necessary, officers shall evaluate each situation in light of the particular circumstances
29.26 of each case and shall use other available resources and techniques if reasonably safe and
29.27 feasible to an objectively reasonable officer;

29.28 (3) that the decision by a peace officer to use deadly force shall be evaluated from the
29.29 perspective of a reasonable officer in the same situation, based on the totality of the
29.30 circumstances known to or perceived by the officer at the time, rather than with the benefit
29.31 of hindsight, and that the totality of the circumstances shall account for occasions when
29.32 officers may be forced to make quick judgments about using deadly force; and

30.1 (4) that peace officers should exercise special care when interacting with individuals
30.2 with physical, mental health, developmental, or intellectual disabilities as an individual's
30.3 disability may affect the individual's ability to understand or comply with commands from
30.4 peace officers.

30.5 Sec. 7. Minnesota Statutes 2018, section 609.066, subdivision 2, is amended to read:

30.6 Subd. 2. **Use of deadly force.** (a) Notwithstanding the provisions of section 609.06 or
30.7 609.065, the use of deadly force by a peace officer in the line of duty is justified only when
30.8 the officer reasonably believes, based on the totality of the circumstances, that such force
30.9 is necessary:

30.10 (1) to protect the peace officer or another from ~~apparent~~ imminent death or great bodily
30.11 harm; or

30.12 (2) to effect the arrest or capture, or prevent the escape, of a person whom the peace
30.13 officer knows or has reasonable grounds to believe has committed or attempted to commit
30.14 a felony ~~involving the use or threatened use of deadly force; or~~ and the officer reasonably
30.15 believes that the person will cause death or great bodily harm to another person unless
30.16 immediately apprehended.

30.17 ~~(3) to effect the arrest or capture, or prevent the escape, of a person whom the officer~~
30.18 ~~knows or has reasonable grounds to believe has committed or attempted to commit a felony~~
30.19 ~~if the officer reasonably believes that the person will cause death or great bodily harm if~~
30.20 ~~the person's apprehension is delayed.~~

30.21 (b) A peace officer shall not use deadly force against a person based on the danger the
30.22 person poses to self if an objectively reasonable officer would believe the person does not
30.23 pose an imminent threat of death or great bodily harm to the peace officer or to another
30.24 person.

30.25 Sec. 8. Minnesota Statutes 2018, section 626.8452, subdivision 1, is amended to read:

30.26 Subdivision 1. **Deadly force policy.** By January 1, 1992, the head of every local and
30.27 state law enforcement agency shall establish and enforce a written policy governing the use
30.28 of force, including deadly force, as defined in section 609.066, by peace officers and part-time
30.29 peace officers employed by the agency. The policy must be consistent with the provisions
30.30 of section 609.066, ~~subdivision~~ subdivisions 1a and 2, and may not prohibit the use of deadly
30.31 force under circumstances in which that force is justified under section 609.066, subdivision
30.32 2.

31.1 Sec. 9. Minnesota Statutes 2018, section 629.53, is amended to read:

31.2 **629.53 PROVIDING RELEASE ON BAIL; COMMITMENT.**

31.3 Subdivision 1. **Pretrial release.** A person charged with a criminal offense may be
31.4 released with or without bail in accordance with rule 6.02 of the Rules of Criminal Procedure
31.5 and this section. To the extent a court determines there is a conflict between rule 6.02 of
31.6 the Rules of Criminal Procedure and this section, this section shall control.

31.7 Subd. 2. **Release of a person charged with a misdemeanor offense.** (a) A defendant
31.8 charged with a misdemeanor offense, other than a violation identified in paragraph (e), must
31.9 be released on personal recognizance unless the court determines that there is a substantial
31.10 likelihood that the defendant will not appear at future court proceedings or poses a threat
31.11 to a victim's safety.

31.12 (b) If the court determines that there is a substantial likelihood that a defendant will not
31.13 appear at future court appearances, the court must impose the least restrictive conditions of
31.14 release that will reasonably assure the person's appearance as ordered. These conditions of
31.15 release include but are not limited to an unsecured appearance bond or money bail on which
31.16 the defendant may be released by posting cash or sureties. If the court sets conditions of
31.17 release other than an unsecured appearance bond or money bail, it must also set money bail
31.18 without other conditions on which the defendant may be released.

31.19 (c) The court must not impose a financial condition of release on a defendant subject to
31.20 this subdivision that results in the pretrial detention of the defendant. Financial conditions
31.21 of release include but are not limited to money bail.

31.22 (d) If a defendant subject to this subdivision remains in custody for more than 48 hours
31.23 after the court imposes a financial condition of release, the court must review the conditions
31.24 of release and there exists a rebuttable presumption that the financial condition resulted in
31.25 the pretrial detention of the defendant.

31.26 (e) This subdivision does not apply to violations of:

31.27 (1) section 169A.20;

31.28 (2) section 518B.01;

31.29 (3) section 609.224;

31.30 (4) section 609.2242;

31.31 (5) section 609.748;

31.32 (6) section 609.749; and

32.1 (7) section 629.75.

32.2 (f) If a defendant released pursuant to paragraph (a) or (b) fails to appear at a required
32.3 court hearing, the court shall issue a summons or warrant directing that the defendant appear
32.4 in court pursuant to rule 6.03 of the Rules of Criminal Procedure.

32.5 Subd. 3. **Presumption of release on personal recognizance.** Except as described in
32.6 subdivision 2, on appearance before the court, a defendant charged with a misdemeanor
32.7 must be released on personal recognizance or an unsecured appearance bond unless otherwise
32.8 provided by law, or a court determines that release will endanger the public safety, a victim's
32.9 safety, or will not reasonably assure the defendant's appearance.

32.10 Subd. 4. **Money bail; disposition.** Money bail is the property of the accused, whether
32.11 deposited by that person or by a third person on the accused's behalf. When money bail is
32.12 accepted by a judge, that judge shall order it to be deposited with the court administrator.
32.13 The court administrator shall retain it until the final disposition of the case and the final
32.14 order of the court disposing of the case. Upon release, the amount released must be paid to
32.15 the accused personally or upon that person's written order. In case of conviction, the judge
32.16 may order the money bail deposit to be applied to any fine or restitution imposed on the
32.17 defendant by the court and, if the fine or restitution is less than the deposit, order the balance
32.18 to be paid to the defendant. Money bail deposited with the court or any officer of it is exempt
32.19 from garnishment or levy under attachment or execution.

32.20 **EFFECTIVE DATE.** This section is effective August 1, 2020.

32.21 Sec. 10. **ATTORNEY GENERAL; APPROPRIATION.**

32.22 \$1,636,000 in fiscal year 2021 is appropriated from the general fund to the attorney
32.23 general for conducting criminal prosecutions, including prosecution of peace-officer-involved
32.24 death cases pursuant to Minnesota Statutes, section 8.37. This amount is added to the agency's
32.25 base.

32.26 Sec. 11. **APPROPRIATION FOR INDEPENDENT USE OF FORCE**
32.27 **INVESTIGATIONS UNIT IN BCA.**

32.28 \$3,365,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
32.29 of public safety to establish and operate the independent Use of Force Investigations Unit
32.30 in the Bureau of Criminal Apprehension. \$3,272,000 is added to the agency's base for this
32.31 purpose.

33.1

ARTICLE 4

33.2

COMMUNITY INVOLVEMENT IN PUBLIC SAFETY

33.3

Section 1. Minnesota Statutes 2018, section 13.43, subdivision 9, is amended to read:

33.4

Subd. 9. **Peer counseling debriefing data.** (a) Data acquired by a peer ~~group member~~
33.5 ~~in a support counselor when providing~~ public safety peer counseling ~~debriefing is private~~
33.6 ~~data on the person being debriefed~~ are governed by section 181.9732.

33.7

(b) For purposes of this subdivision, ~~"public safety peer counseling debriefing" means~~
33.8 ~~a group process oriented debriefing session held for peace officers, firefighters, medical~~
33.9 ~~emergency persons, dispatchers, or other persons involved with public safety emergency~~
33.10 ~~services, that is established by any government entity providing public safety emergency~~
33.11 ~~services and is designed to help a person who has suffered an occupation related traumatic~~
33.12 ~~event begin the process of healing and effectively dealing with posttraumatic stress;~~

33.13

(1) "peer support counselor has the meaning given in section 181.9732, subdivision 1,
33.14 paragraph (c); and

33.15

(2) "public safety peer counseling" has the meaning given in section 181.9732, subdivision
33.16 1, paragraph (c).

33.17

Sec. 2. Minnesota Statutes 2018, section 13.43, is amended by adding a subdivision to
33.18 read:

33.19

Subd. 9a. **Critical incident stress management data.** (a) Data acquired by a critical
33.20 incident stress management team member when providing critical incident stress management
33.21 services are governed by section 181.9731.

33.22

(b) For purposes of this subdivision:

33.23

(1) "critical incident stress management services" has the meaning given in section
33.24 181.9731, subdivision 1, paragraph (c); and

33.25

(2) "critical incident stress management team member" has the meaning given in section
33.26 181.9731, subdivision 1, paragraph (e).

33.27

Sec. 3. [181.9731] **CRITICAL INCIDENT STRESS MANAGEMENT.**

33.28

Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
33.29 the meanings given.

33.30

(b) "Critical incident" means an event that results in acute or cumulative psychological
33.31 stress or trauma to an emergency service provider. "Critical incident" includes, but is not

34.1 limited to, any encounter which may result in the death of or serious injury to another person
34.2 such as fatal motor vehicle accidents, child abuse investigations, death investigations, and
34.3 large scale man-made or natural disasters.

34.4 (c) "Critical incident stress management services" means consultation, risk assessment,
34.5 education, intervention, and other crisis intervention services provided by a critical incident
34.6 stress management team or critical incident stress management team member to an emergency
34.7 service provider affected by a critical incident.

34.8 (d) "Critical incident stress management team" means a group organized to provide
34.9 critical incident stress management to emergency service providers and consists of members
34.10 trained in accordance with standards that are both (1) established by a nationally recognized
34.11 critical incident stress management organization or network, and (2) recognized by the
34.12 commissioner of public safety. A critical incident stress management team may include
34.13 members from any emergency service discipline, mental health professionals, and designated
34.14 emergency service chaplains.

34.15 (e) "Critical incident stress management team member" means an individual who is
34.16 specially trained to provide critical incident stress management services, has met the critical
34.17 incident stress management team training requirements, was approved to function as a
34.18 critical incident stress management team member prior to the time critical incident stress
34.19 management services are provided, and is approved to function as a critical incident stress
34.20 management team member at the time the critical incident stress management services are
34.21 provided.

34.22 (f) "Emergency service provider" includes a peace officer, correctional officer, probation
34.23 officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or
34.24 emergency medical clinic personnel, forensic science professional, or other person involved
34.25 with public safety emergency services, either paid or volunteer.

34.26 Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a critical
34.27 incident stress management team member or any person who receives critical incident stress
34.28 management services shall not be required to disclose to a third party any information
34.29 obtained solely through the provision of or receipt of such services.

34.30 (b) Government data on individuals receiving critical incident stress management services
34.31 are classified as private data on individuals, as defined by section 13.02, subdivision 12,
34.32 but may be disclosed as provided in subdivision 3.

34.33 Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if
34.34 any of the following are true:

35.1 (1) the critical incident stress management team member reasonably believes the
35.2 disclosure is necessary to prevent harm to self by the person in receipt of critical incident
35.3 stress management services or to prevent the person from harming another person, provided
35.4 the disclosure is only for the purpose of preventing the person from harming self or others
35.5 and limited to information necessary to prevent such harm;

35.6 (2) the person who received critical incident stress management services provides written
35.7 consent to the disclosure of the information;

35.8 (3) the critical incident stress management team member is a witness or a party to a
35.9 critical incident that prompted the emergency service provider to receive critical stress
35.10 management services;

35.11 (4) the person receiving critical incident stress management services discloses information
35.12 that is required to be reported under the mandated reporting laws, including, but not limited
35.13 to, the reporting of maltreatment of minors under section 626.556 and the reporting of
35.14 maltreatment of vulnerable adults under section 626.557, provided the disclosure is only
35.15 for the purpose of reporting maltreatment and limited to information necessary to make
35.16 such a report;

35.17 (5) the emergency service provider who received critical incident stress management
35.18 services is deceased and the surviving spouse or administrator of the estate of the deceased
35.19 emergency service provider gives written consent to the disclosure; or

35.20 (6) the emergency service provider who received critical incident stress management
35.21 services voluntarily testifies, in which case the critical incident stress management team
35.22 member may be compelled to testify on the same subject.

35.23 **Sec. 4. [181.9732] PUBLIC SAFETY PEER COUNSELING.**

35.24 Subdivision 1. **Definitions.** (a) For purposes of this section, the following terms have
35.25 the meanings given.

35.26 (b) "Emergency service providers" includes a peace officer, correctional officer, probation
35.27 officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or
35.28 emergency medical clinic personnel, forensic science professional, or other person involved
35.29 with public safety emergency services, either paid or volunteer.

35.30 (c) "Peer support counselor" means an individual who is specially trained to provide
35.31 public safety peer counseling services in accordance with standards established by an
35.32 accredited mental health organization or network and recognized by the commissioner of

36.1 public safety, and who is designated by the emergency service provider's agency to provide
36.2 such services.

36.3 (d) "Public safety peer counseling" means a counseling session, led by a peer support
36.4 counselor for emergency service providers that is designed to help a person who has suffered
36.5 an occupation-related trauma, illness, or stress begin the process of healing and effectively
36.6 dealing with the person's problems, and includes the use of referrals to better service these
36.7 occupation-related issues.

36.8 Subd. 2. **Disclosure prohibited.** (a) Except as provided in subdivision 3, a peer support
36.9 counselor or any person who receives public safety peer counseling shall not be required
36.10 to disclose any information obtained solely through the provision of or receipt of such
36.11 services to a third party.

36.12 (b) Government data on individuals receiving peer counseling are classified as private
36.13 data on individuals, as defined by section 13.02, subdivision 12, but may be disclosed as
36.14 provided in subdivision 3.

36.15 Subd. 3. **Exceptions.** The prohibition established under subdivision 2 does not apply if
36.16 any of the following are true:

36.17 (1) the peer support counselor reasonably believes the disclosure is necessary to prevent
36.18 harm to self by the person in receipt of public safety peer counseling or to prevent the person
36.19 from harming another person, provided the disclosure is only for the purpose of preventing
36.20 the person from harming self or others and limited to information necessary to prevent such
36.21 harm;

36.22 (2) the person who received public safety peer counseling provides written consent to
36.23 the disclosure of the information;

36.24 (3) the peer support counselor is a witness or a party to a critical incident that prompted
36.25 the emergency service provider to receive public safety peer counseling;

36.26 (4) the person receiving public safety peer counseling discloses information that is
36.27 required to be reported under the mandated reporting laws, including, but not limited to,
36.28 the reporting of maltreatment of minors under section 626.556 and the reporting of
36.29 maltreatment of vulnerable adults under section 626.557, provided the disclosure is only
36.30 for the purpose of reporting maltreatment and limited to information necessary to make
36.31 such a report;

37.1 (5) the emergency service provider who received public safety peer counseling is deceased
37.2 and the surviving spouse or administrator of the estate of the deceased emergency service
37.3 provider gives written consent to the disclosure; or

37.4 (6) the emergency service provider who received public safety peer counseling voluntarily
37.5 testifies, in which case the peer support counselor may be compelled to testify on the same
37.6 subject.

37.7 Sec. 5. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to
37.8 read:

37.9 Subd. 2a. **Felony conviction; restoration of civil right to vote.** An individual convicted
37.10 of a felony has the civil right to vote restored when the individual completes any incarceration
37.11 imposed and executed by the court for the offense, or upon sentencing if no incarceration
37.12 is imposed. If the individual is later incarcerated for the same offense, the individual's civil
37.13 right to vote is lost only during the period of incarceration.

37.14 Sec. 6. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

37.15 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
37.16 contain the same information unless otherwise provided by law. A voter registration
37.17 application must contain spaces for the following required information: voter's first name,
37.18 middle name, and last name; voter's previous name, if any; voter's current address; voter's
37.19 previous address, if any; voter's date of birth; voter's municipality and county of residence;
37.20 voter's telephone number, if provided by the voter; date of registration; current and valid
37.21 Minnesota driver's license number or Minnesota state identification number, or if the voter
37.22 has no current and valid Minnesota driver's license or Minnesota state identification, the
37.23 last four digits of the voter's Social Security number; and voter's signature. The paper
37.24 registration application may include the voter's e-mail address, if provided by the voter. The
37.25 electronic voter registration application must include the voter's e-mail address. The
37.26 registration application may include the voter's interest in serving as an election judge, if
37.27 indicated by the voter. The application must also contain the following certification of voter
37.28 eligibility:

37.29 "I certify that I:

37.30 (1) will be at least 18 years old on election day;

37.31 (2) am a citizen of the United States;

37.32 (3) will have resided in Minnesota for 20 days immediately preceding election day;

38.1 (4) maintain residence at the address given on the registration form;

38.2 (5) am not under court-ordered guardianship in which the court order revokes my right
38.3 to vote;

38.4 (6) have not been found by a court to be legally incompetent to vote;

38.5 (7) ~~have the right to vote because, if I have been convicted of a felony, my felony sentence~~
38.6 ~~has expired (been completed) or I have been discharged from my sentence~~ am not currently
38.7 incarcerated for a felony offense; and

38.8 (8) have read and understand the following statement: that giving false information is a
38.9 felony punishable by not more than five years imprisonment or a fine of not more than
38.10 \$10,000, or both."

38.11 The certification must include boxes for the voter to respond to the following questions:

38.12 "(1) Are you a citizen of the United States?" and

38.13 "(2) Will you be 18 years old on or before election day?"

38.14 And the instruction:

38.15 "If you checked 'no' to either of these questions, do not complete this form."

38.16 The form of the voter registration application and the certification of voter eligibility
38.17 must be as provided in this subdivision and approved by the secretary of state. Voter
38.18 registration forms authorized by the National Voter Registration Act must also be accepted
38.19 as valid. The federal postcard application form must also be accepted as valid if it is not
38.20 deficient and the voter is eligible to register in Minnesota.

38.21 An individual may use a voter registration application to apply to register to vote in
38.22 Minnesota or to change information on an existing registration.

38.23 **Sec. 7. [201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
38.24 **VOTING RIGHTS.**

38.25 The secretary of state shall develop accurate and complete information in a single
38.26 publication about the voting rights of people who have been charged with or convicted of
38.27 a crime. This publication must be made available electronically to the state court administrator
38.28 for distribution to judges, court personnel, probation officers, and the commissioner of
38.29 corrections for distribution to corrections officials, parole and supervised release agents,
38.30 and the public.

39.1 Sec. 8. Minnesota Statutes 2019 Supplement, section 204C.10, is amended to read:

39.2 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
39.3 **VOTER RECEIPT.**

39.4 (a) An individual seeking to vote shall sign a polling place roster or voter signature
39.5 certificate which states that the individual:

39.6 (1) is at least 18 years of age;

39.7 (2) is a citizen of the United States;

39.8 (3) has resided in Minnesota for 20 days immediately preceding the election;

39.9 (4) maintains residence at the address shown;

39.10 (5) is not under a guardianship in which the court order revokes the individual's right to
39.11 vote;

39.12 (6) has not been found by a court of law to be legally incompetent to vote;

39.13 (7) has the right to vote because, if the individual was convicted of a felony, ~~the felony~~
39.14 ~~sentence has expired or been completed or the individual has been discharged from the~~
39.15 ~~sentence, completed the term of incarceration, if any, for the felony offense;~~

39.16 (8) is registered; and

39.17 (9) has not already voted in the election.

39.18 The roster must also state: "I understand that deliberately providing false information
39.19 is a felony punishable by not more than five years imprisonment and a fine of not more than
39.20 \$10,000, or both."

39.21 (b) At the presidential nomination primary, the polling place roster must also state: "I
39.22 am in general agreement with the principles of the party for whose candidate I intend to
39.23 vote." This statement must appear separately from the statements required in paragraph (a).
39.24 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

39.25 (c) A judge may, before the applicant signs the roster or voter signature certificate,
39.26 confirm the applicant's name, address, and date of birth.

39.27 (d) After the applicant signs the roster or voter signature certificate, the judge shall give
39.28 the applicant a voter's receipt. The voter shall deliver the voter's receipt to the judge in
39.29 charge of ballots as proof of the voter's right to vote, and thereupon the judge shall hand to
39.30 the voter the ballot. The voters' receipts must be maintained during the time for notice of
39.31 filing an election contest.

40.1 (e) Whenever a challenged status appears on the polling place roster, an election judge
40.2 must ensure that the challenge is concealed or hidden from the view of any voter other than
40.3 the voter whose status is challenged.

40.4 Sec. 9. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.

40.5 Subdivision 1. Correctional facilities; designation of official. The chief executive
40.6 officer of each state and local correctional facility shall designate an official within the
40.7 facility to provide the notice and application required under this section to persons to whom
40.8 the civil right to vote is restored by reason of the persons' release from actual incarceration.
40.9 The official shall maintain an adequate supply of voter registration applications and
40.10 informational materials for this purpose.

40.11 Subd. 2. Notice requirement. A notice of restoration of the civil right to vote and a
40.12 voter registration application must be provided as follows:

40.13 (1) the chief executive officer of each state and local correctional facility shall provide
40.14 the notice and application to a person being released from the facility following incarceration
40.15 for a felony-level offense; and

40.16 (2) a probation officer or supervised release agent shall provide the notice and application
40.17 to all individuals under correctional supervision for a felony-level offense.

40.18 Subd. 3. Form of notice. The notice required by subdivision 2 must appear substantially
40.19 as follows:

40.20 "NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.

40.21 Your receipt of this notice today means that your right to vote in Minnesota has been
40.22 restored. Before you can vote on election day, you still need to register to vote. To register,
40.23 you may complete a voter registration application and return it to the Office of the Minnesota
40.24 Secretary of State. You may also register to vote in your polling place on election day. You
40.25 will not be permitted to cast a ballot until you register to vote. The first time you appear at
40.26 your polling place to cast a ballot, you may be required to provide proof of your current
40.27 residence."

40.28 Subd. 4. Failure to provide notice. A failure to provide proper notice as required by
40.29 this section does not prevent the restoration of the person's civil right to vote.

40.30 Sec. 10. [299A.018] OFFICER-INVOLVED DEATH REVIEW BOARD.

40.31 Subdivision 1. Definitions. (a) The following terms have the meanings provided.

41.1 (b) "Board" means the Officer-Involved Death Review Board.

41.2 (c) "Commissioner" means the commissioner of public safety.

41.3 (d) "Law enforcement agency" has the meaning given in section 626.84, subdivision 1,
41.4 paragraph (f).

41.5 (e) "Officer-involved death" means the death of a person that results from a peace officer's
41.6 use of force while the officer is on duty or off duty but performing activities that are within
41.7 the scope of the officer's law enforcement duties.

41.8 (f) "Peace officer" has the meaning given in section 626.84, subdivision 1, paragraph
41.9 (c).

41.10 Subd. 2. **Establishment; membership; office support.** (a) The Officer-Involved Death
41.11 Review Board is established in the Department of Public Safety. The board consists of the
41.12 following members:

41.13 (1) the superintendent of the Bureau of Criminal Apprehension;

41.14 (2) a member of the Peace Officer Standards and Training Board selected by the executive
41.15 director of the Peace Officer Standards and Training Board;

41.16 (3) a representative of the Office of Violence Prevention in the Department of Health;

41.17 (4) the commissioner of the Department of Human Rights or a designee;

41.18 (5) the commissioner of corrections or a designee; and

41.19 (6) six persons selected by the commissioner that must include:

41.20 (i) a medical examiner or coroner;

41.21 (ii) a use of force expert;

41.22 (iii) a civil rights expert;

41.23 (iv) a prosecutor with expertise in officer-involved death reviews;

41.24 (v) a member of the public from the seven-county metropolitan area; and

41.25 (vi) a member of the public from outside of the seven-county metropolitan area.

41.26 (b) Members appointed by the commissioner of public safety under paragraph (a), clause
41.27 (6), serve a two-year term, and may be reappointed for one additional term.

41.28 (c) The commissioner must convene the board no later than November 1, 2020, and
41.29 provide meeting space and administrative assistance necessary for the board to conduct its
41.30 work, including documentation of meetings and review findings.

42.1 Subd. 3. **Review teams.** (a) The board shall appoint a review team from among the board
42.2 members to collect, review, and analyze data related to each officer-involved death that
42.3 occurs in the state. The board may also invite other relevant persons to participate as full
42.4 members of a review team as needed. Review team membership should represent the cultural
42.5 and racial diversity of the community where the death occurred, to the extent possible. A
42.6 member may not participate in a review if the member is a current or former employee of
42.7 the agency that is the subject of the team's review.

42.8 (b) In determining the cause of death, the review team shall consider death certificates
42.9 and other data relevant to determining cause of death, including investigative reports and
42.10 medical records. The review team may also analyze additional available information
42.11 concerning the decedent.

42.12 (c) As part of the review team's investigation of a peace officer involved in an
42.13 officer-involved death, the team should review:

42.14 (1) the peace officer's complete employment and training records;

42.15 (2) the policies and standard operating procedures of the agency that employs the peace
42.16 officer;

42.17 (3) applicable collective bargaining agreements; and

42.18 (4) other pertinent information concerning the peace officer and the agency that employs
42.19 the peace officer.

42.20 Subd. 4. **Access to data.** (a) The review team has access to the following not public
42.21 data, as defined in section 13.02, subdivision 8a, relating to an officer-involved death:

42.22 (1) inactive law enforcement investigative data under section 13.82;

42.23 (2) autopsy records and coroner or medical examiner investigative data under section
42.24 13.83;

42.25 (3) hospital, public health, or other medical records of the decedent under section 13.384;
42.26 and

42.27 (4) records under section 13.46, created by social service agencies that provided services
42.28 to the decedent.

42.29 (b) Access to medical records under this paragraph also includes records governed by
42.30 sections 144.291 to 144.298.

42.31 (c) The board has access to corrections and detention data as provided in section 13.85.

43.1 Subd. 5. **Agency notice; cooperation.** (a) The chief law enforcement officer of a law
43.2 enforcement agency that has an officer-involved death must notify the commissioner within
43.3 30 days of the death. The commissioner shall forward a copy of the filing to the board. The
43.4 notification shall contain information concerning the reason for and circumstances
43.5 surrounding the death.

43.6 (b) The law enforcement agency that employs a peace officer who was involved in an
43.7 officer-involved death must cooperate fully with the board and a review team appointed by
43.8 the board. The chief law enforcement officer of the agency that employs an officer under
43.9 investigation by a review team must provide written answers to questions posed by the
43.10 review team or the board.

43.11 Subd. 6. **Compel production of records; subpoena.** As part of any review, the board
43.12 may compel the production of other records by applying to the district court for a subpoena,
43.13 which will be effective throughout the state according to the Rules of Civil Procedure.

43.14 Subd. 7. **Officer-involved death reviews and recommendations.** (a) The board must
43.15 conduct an initial review of each officer-involved death within 90 days of the final
43.16 adjudication of the event to determine any immediate action, appropriate local representation,
43.17 and timeline. The board must submit a publicly available summary of the incident and the
43.18 board's response plan.

43.19 (b) The board must identify and analyze the root causes of the incident.

43.20 (c) The full review must be completed within six months of the final adjudication of the
43.21 event and the report must be filed with the commissioner and agency that employed the
43.22 peace officer involved in the event within 60 days of completion of the review.

43.23 (d) The board shall make recommendations to the commissioner for changes in statewide
43.24 training of peace officers. Following the analysis, the board must prepare a report that
43.25 recommends policy and system changes to reduce and prevent future incidents across
43.26 jurisdictions, agencies, and systems.

43.27 (e) The commissioner must post the report on the Department of Public Safety's public
43.28 website. The posted report must comply with chapter 13 and any data that is not public data
43.29 must be redacted.

43.30 Subd. 8. **Confidentiality; data privacy.** (a) Meetings of the board are not subject to
43.31 chapter 13D. A person attending a board meeting may not disclose what transpired at the
43.32 meeting, except to carry out the purposes of the review or as otherwise provided in this
43.33 subdivision.

44.1 (b) The board may disclose the names of the decedents in the cases it reviews.

44.2 (c) Proceedings and records of the board are confidential data as defined in section 13.02,
44.3 subdivision 3, or protected nonpublic data as defined in section 13.02, subdivision 13,
44.4 regardless of their classification in the hands of the person who provided the data, and are
44.5 not subject to discovery or introduction into evidence in a civil or criminal action against a
44.6 professional, the state, or a county agency, arising out of the matters the team is reviewing.
44.7 Information, documents, and records otherwise available from other sources are not immune
44.8 from discovery or use in a civil or criminal action solely because they were presented during
44.9 proceedings of the board.

44.10 (d) This subdivision does not limit a person who presented information before the board
44.11 or who is a member of the panel from testifying about matters within the person's knowledge.
44.12 However, in a civil or criminal proceeding, a person may not be questioned about the person's
44.13 good faith presentation of information to the board or opinions formed by the person as a
44.14 result of the board meetings.

44.15 (e) In addition to the requirements of section 13.05, subdivision 5, the board must
44.16 establish written procedures to ensure individuals have access to not public data only if
44.17 authorized in writing by the board. The ability of authorized individuals to enter, update,
44.18 or access not public data must be limited through the use of role-based access that
44.19 corresponds to the official duties or training level of the individual and the statutory
44.20 authorization that grants access for that purpose. All queries and responses, and all actions
44.21 in which data are entered, updated, accessed, shared, or disseminated, must be recorded in
44.22 a data audit trail. Data contained in the audit trail are public, to the extent that the data are
44.23 not otherwise classified by law.

44.24 Subd. 9. **External advice.** The board shall identify an external impartial entity to facilitate
44.25 reviews and establish the review process.

44.26 Subd. 10. **Reports to the legislature.** By June 15 of each year, the board must report
44.27 to the chairs and ranking minority members of the house of representatives and senate
44.28 committees and divisions with jurisdiction over public safety on:

44.29 (1) the number of reviews performed under this section in the last year;

44.30 (2) aggregate data on reviews performed;

44.31 (3) the number of reviews that included a recommendation that the law enforcement
44.32 agency under review implement a corrective action plan;

45.1 (4) a description of any recommendations made to the commissioner for statewide
45.2 training of peace officers; and

45.3 (5) recommendations for legislative action.

45.4 **Sec. 11. [299A.625] COMMUNITY-LED PUBLIC SAFETY COORDINATOR.**

45.5 Subdivision 1. **Community-led public safety coordinator established.** The
45.6 commissioner of public safety shall appoint a statewide community-led public safety
45.7 coordinator in the Office of Justice Programs who shall serve in the unclassified service.

45.8 Subd. 2. **Duties.** The office shall:

45.9 (1) promote and monitor alternatives to traditional policing models;

45.10 (2) identify effective forms of community-led intervention to promote public safety;

45.11 (3) strengthen connections between community members and local law enforcement
45.12 agencies;

45.13 (4) encourage the use of restorative justice programs including but not limited to
45.14 sentencing circles; and

45.15 (5) administer grants to promote community-based crisis intervention and promote
45.16 community healing.

45.17 **EFFECTIVE DATE.** This section is effective July 1, 2020.

45.18 **Sec. 12. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:**

45.19 **Subdivision 1. Restoration.** When a person has been deprived of civil rights by reason
45.20 of conviction of a crime and is thereafter discharged, such discharge shall restore the person
45.21 to all civil rights and to full citizenship, ~~with full right to vote and hold office,~~ the same as
45.22 if such conviction had not taken place, and the order of discharge shall so provide.

45.23 **Sec. 13. [626.5534] USE OF FORCE REPORTING.**

45.24 Subdivision 1. **Report required.** A chief law enforcement officer must provide the
45.25 information requested by the Federal Bureau of Investigation about each incident of law
45.26 enforcement use of force resulting in serious bodily injury or death, as those terms are
45.27 defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent
45.28 of the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form
45.29 for use by law enforcement agencies in making the report required under this section. The

46.1 report must include for each incident all of the information requested by the Federal Bureau
46.2 of Investigation.

46.3 Subd. 2. Use of information collected. A chief law enforcement officer must file the
46.4 report under subdivision 1 once a month in the form required by the superintendent. The
46.5 superintendent must summarize and analyze the information received and submit an annual
46.6 written report to the chairs and ranking minority members of the house of representatives
46.7 and senate committees with jurisdiction over public safety. The superintendent shall submit
46.8 the information to the Federal Bureau of Investigation.

46.9 Sec. 14. Minnesota Statutes 2018, section 626.8469, is amended to read:

46.10 **626.8469 TRAINING IN CRISIS RESPONSE, CONFLICT MANAGEMENT,**
46.11 **AND CULTURAL DIVERSITY.**

46.12 Subdivision 1. **In-service training required.** Beginning July 1, 2018, the chief law
46.13 enforcement officer of every state and local law enforcement agency shall provide in-service
46.14 training in crisis intervention and mental illness crises; conflict management and mediation;
46.15 and recognizing and valuing community diversity and cultural differences to include implicit
46.16 bias training to every peace officer and part-time peace officer employed by the agency.
46.17 The training shall comply with learning objectives developed and approved by the board
46.18 and shall meet board requirements for board-approved continuing education credit. Crisis
46.19 intervention and mental illness crisis training shall meet the standards in subdivision 1a.
46.20 The training shall consist of at least 16 continuing education credits with a minimum of six
46.21 hours for crisis intervention and mental illness crisis training within an officer's three-year
46.22 licensing cycle. Each peace officer with a license renewal date after June 30, 2018, is not
46.23 required to complete this training until the officer's next full three-year licensing cycle.

46.24 Subd. 1a. **Crisis intervention and mental illness crisis training.** (a) The board, in
46.25 consultation with the commissioner of human services and mental health stakeholders, shall
46.26 create a list of approved entities and training courses to instruct peace officers in techniques
46.27 for responding to a mental illness crisis. A course must include scenario-based instruction
46.28 and cover most of the following issues:

46.29 (1) techniques for relating to individuals with mental illnesses and the individuals'
46.30 families;

46.31 (2) techniques for crisis de-escalation;

46.32 (3) techniques for relating to diverse communities and education on mental illness
46.33 diversity;

- 47.1 (4) mental illnesses and the criminal justice system;
47.2 (5) community resources and supports for individuals experiencing a mental illness crisis
47.3 and for the individuals' families;
47.4 (6) psychotropic medications and the medications' side effects;
47.5 (7) co-occurring mental illnesses and substance use disorders;
47.6 (8) suicide prevention; and
47.7 (9) mental illnesses and disorders and the symptoms.

47.8 (b) A course must also include training on children and families of individuals with
47.9 mental illnesses to enable officers to respond appropriately to others who are present during
47.10 a mental illness crisis. The board shall update the list of approved entities and training
47.11 courses periodically as it considers appropriate.

47.12 Subd. 2. **Record keeping required.** The head of every local and state law enforcement
47.13 agency shall maintain written records of the agency's compliance with the requirements of
47.14 ~~subdivision 1.~~ subdivisions 1 and 1a including, at a minimum:

- 47.15 (1) documentation of the training provider;
47.16 (2) documentation of the content of the training provided;
47.17 (3) documentation that crisis intervention and mental illness crisis training included
47.18 scenario-based instruction in compliance with the standards described in subdivision 1a;
47.19 (4) compiled evaluations; and
47.20 (5) explanation of expenditure of funds.

47.21 ~~The documentation is subject to periodic review by the board, and shall be made available~~
47.22 ~~submitted to the board at its request.~~ The board shall include in the compliance reviews
47.23 required in section 626.8459 an evaluation of the effectiveness of in-service crisis intervention
47.24 and mental illness crisis training in reducing officer use of force and diverting people
47.25 experiencing a mental illness crisis from arrest.

47.26 Subd. 3. **Licensing sanctions; injunctive relief.** The board may impose licensing
47.27 sanctions and seek injunctive relief under section 214.11 for failure to comply with the
47.28 requirements of this section.

48.1 **Sec. 15. [626.8474] AUTISM TRAINING.**

48.2 **Subdivision 1. Learning objectives required.** (a) By January 1, 2021, the board shall
48.3 prepare learning objectives for preservice and in-service training on ensuring safer
48.4 interactions between peace officers and persons with autism. At a minimum, the objectives
48.5 must address the following:

- 48.6 (1) autism overview and behavioral understanding;
48.7 (2) best practices for interventions and de-escalation strategies;
48.8 (3) prevention and crisis reduction models; and
48.9 (4) objective review of tools and technology available.

48.10 (b) In developing the learning objectives, the board shall consult with, at a minimum:

- 48.11 (1) individuals with autism;
48.12 (2) family members of individuals with autism;
48.13 (3) autism experts; and
48.14 (4) peace officers.

48.15 **Subd. 2. Preservice training required.** (a) The learning objectives developed pursuant
48.16 to subdivision 1 must be included in the required curriculum of professional peace officer
48.17 educational programs.

48.18 (b) A person is not eligible to take the peace officer licensing examination after July 1,
48.19 2021, unless the individual has received the training described in paragraph (a).

48.20 **Subd. 3. In-service training required.** Beginning July 1, 2021, the chief law enforcement
48.21 officer of every state and local law enforcement agency shall provide in-service autism
48.22 training to every peace officer and part-time peace officer employed by the agency. The
48.23 training must comply with the learning objectives developed and approved by the board
48.24 and must meet board requirements for board-approved continuing education credit. The
48.25 training must consist of at least four continuing education credits within an officer's three-year
48.26 licensing cycle. Each peace officer with a license renewal date after June 30, 2021, is not
48.27 required to complete this training until the officer's next full three-year licensing cycle.

48.28 **Subd. 4. Record keeping required.** The head of every local and state law enforcement
48.29 agency shall maintain written records of the agency's compliance with the requirements of
48.30 subdivision 3. The documentation is subject to periodic review by the board, and must be
48.31 made available to the board at its request.

49.1 Subd. 5. **Licensing sanctions; injunctive relief.** The board may impose licensing
49.2 sanctions and seek injunctive relief under section 214.11 for failure to comply with the
49.3 requirements of this section.

49.4 Sec. 16. **APPROPRIATION; PEACE OFFICER CRISIS INTERVENTION AND**
49.5 **MENTAL ILLNESS CRISIS TRAINING.**

49.6 \$145,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer
49.7 Standards and Training (POST) Board to reimburse law enforcement agency crisis
49.8 intervention and mental illness crisis training expenses for training that is provided by
49.9 approved entities according to Minnesota Statutes, section 626.8469, subdivision 1a.
49.10 \$137,000 is added to the board's base.

49.11 Sec. 17. **APPROPRIATION; POLICE AND MENTAL HEALTH CRISIS TEAM**
49.12 **COLLABORATION.**

49.13 \$14,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer
49.14 Standards and Training (POST) Board to administer a pilot project to create collaborations
49.15 between county mobile crisis mental health services described in Minnesota Statutes, section
49.16 245.469, and municipal law enforcement agencies. This appropriation is onetime. The
49.17 appropriation shall be used to purchase tablets and video conferencing telehealth services
49.18 to allow peace officers to connect quickly with members of the mobile crisis mental health
49.19 team to assist individuals in crisis. No later than September 1, 2021, law enforcement
49.20 agencies awarded grants shall provide a written report to the board describing the expenditure
49.21 of funds and evaluating the effectiveness of the project in diverting people experiencing a
49.22 mental illness crisis from arrest. The board shall submit a written report compiling the law
49.23 enforcement agency reports and evaluating the program to the chairs and ranking minority
49.24 members of the house of representatives and senate committees with jurisdiction over public
49.25 safety by January 1, 2022.

49.26 Sec. 18. **APPROPRIATION.**

49.27 \$8,000 is appropriated from the general fund to the Bureau of Criminal Apprehension
49.28 for the fiscal year ending June 30, 2021, to implement autism training.

50.1 **Sec. 19. COMMUNITY-LED PUBLIC SAFETY GRANTS.**

50.2 Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2021 is appropriated from
50.3 the general fund to the commissioner of public safety to promote community-led public
50.4 safety.

50.5 Subd. 2. **Community-led public safety coordinator.** Of the amount appropriated in
50.6 subdivision 1, \$100,000 is for one community-led public safety coordinator position at the
50.7 Department of Public Safety.

50.8 Subd. 3. **Grants to promote community-based responses to crises.** (a) Of the amount
50.9 appropriated in subdivision 1, \$7,450,000 is for grants to promote mental health
50.10 crisis-response teams as provided in this subdivision.

50.11 (b) The community-led public safety coordinator shall award grants to local units of
50.12 government or tribal governments that form a partnership with community-based
50.13 organizations to support, develop, or establish independent crisis-response teams to
50.14 de-escalate volatile situations; respond to situations involving a mental health crisis; promote
50.15 community-based efforts designed to enhance community safety and wellness; and support
50.16 community-based strategies to interrupt, intervene in, or respond to violence.

50.17 Subd. 4. **Grants to promote community healing.** (a) Of the amount appropriated in
50.18 subdivision 1, \$7,450,000 is for grants to promote healing support in black, indigenous, and
50.19 people of color communities in Minnesota.

50.20 (b) The community-led public safety coordinator shall award grants to community-based
50.21 organizations that provide programs and direct intervention to promote wellness and healing
50.22 justice. In awarding grants, the coordinator may collaborate with organizations that provide
50.23 supportive professional community and mutual aid networks for wellness and healing justice
50.24 practitioners. Grants are available for:

50.25 (1) programmatic and community care support for wellness and healing justice
50.26 practitioners;

50.27 (2) the establishment and expansion of community organizations that provide wellness
50.28 and healing justice services;

50.29 (3) placing wellness and healing justice practitioners in organizations that provide direct
50.30 service to black, indigenous, and people of color communities in Minnesota;

50.31 (4) providing healing circles;

51.1 (5) establishing and expanding Community Coach Certification programs to train
51.2 community healers and establish a long-term strategy to build the infrastructure for
51.3 community healers to be available during times of tragedy; and

51.4 (6) restorative justice programs including but not limited to sentencing circles.

51.5 Subd. 5. **Report.** (a) On or before January 15 of each year, the community-led public
51.6 safety coordinator shall submit a report to the chairs and ranking minority members of the
51.7 legislative committees and divisions with jurisdiction over public safety that includes:

51.8 (1) the number of grants issued under subdivision 3;

51.9 (2) the number of grants issued under subdivision 4;

51.10 (3) the amount of funding awarded for each project;

51.11 (4) a description of the programs and services funded;

51.12 (5) plans for the long-term sustainability of the projects; and

51.13 (6) data on outcomes for the programs and services funded.

51.14 (b) Grantees must provide information and data requested by the coordinator to support
51.15 the development of this report.

51.16 **EFFECTIVE DATE.** This section is effective July 1, 2020.

51.17 Sec. 20. **REPEALER.**

51.18 Minnesota Statutes 2018, section 181.973, is repealed.

181.973 PUBLIC SAFETY PEER COUNSELING AND DEBRIEFING.

A person engaged in a public safety peer counseling or a public safety peer debriefing shall not, without the permission of the person being debriefed or counseled, be allowed to disclose any information or opinion which the peer group member or peer counselor has acquired during the process. However, this does not prohibit a peer counselor from disclosing information the peer counselor reasonably believes indicates that the person may be a danger to self or others, if the information is used only for the purpose of eliminating the danger to the person or others. Any information or opinion disclosed in violation of this paragraph is not admissible as evidence in any personnel or occupational licensing matter involving the person being debriefed or counseled.

For purposes of this section, "public safety peer counseling or debriefing" means a group process oriented debriefing session, or one-to-one contact with a peer counselor, held for peace officers, firefighters, medical emergency persons, dispatchers, or other persons involved with public safety emergency services, that is established by any agency providing public safety emergency services and is designed to help a person who has suffered an occupation-related trauma, illness, or stress begin the process of healing and effectively dealing with the person's problems or the use of the peer counselor for direction with referrals to better service these occupation-related issues. A "peer counselor" means someone so designated by that agency.