

HOUSE OF REPRESENTATIVES

Unofficial Engrossment

House Engrossment of a Senate File

SPECIAL SESSION

S. F. No. **1**

06/17/2020 Companion to House File No. 92. (Authors:Mariani, Noor, 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

1.1 A bill for an act

1.2 relating to public safety; providing critical incident stress management services;

1.3 providing for public safety peer counseling; reporting law enforcement use of

1.4 force; establishing an Officer-Involved Death Review Board; establishing a

1.5 Community-Led Public Safety Coordinator; establishing grants to promote

1.6 community-based crisis intervention; establishing grants to promote community

1.7 healing; establishing standards for crisis intervention and mental illness crisis

1.8 training for peace officers; requiring the development and implementation of autism

1.9 training for peace officers; restoring the civil right to vote of an individual upon

1.10 release from incarceration or upon sentencing if no incarceration is imposed;

1.11 requiring notice; requiring reports; appropriating money; amending Minnesota

1.12 Statutes 2018, sections 13.43, subdivision 9; 201.014, by adding a subdivision;

1.13 201.071, subdivision 1; 609.165, subdivision 1; 626.8469; Minnesota Statutes

1.14 2019 Supplement, section 204C.10; proposing coding for new law in Minnesota

1.15 Statutes, chapters 181; 201; 243; 299A; 626; repealing Minnesota Statutes 2018,

1.16 section 181.973.

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

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

1.19 Subd. 9. **Peer counseling debriefing data.** (a) Data acquired by a critical incident stress

1.20 management team member when providing critical incident stress management services

1.21 are governed by section 181.9731 and data acquired by a peer group member in a support

1.22 counselor when providing public safety peer counseling debriefing is private data on the

1.23 person being debriefed are governed by section 181.9732.

1.24 (b) For purposes of this subdivision, ~~"public safety peer counseling debriefing" means~~

1.25 ~~a group process oriented debriefing session held for peace officers, firefighters, medical~~

1.26 ~~emergency persons, dispatchers, or other persons involved with public safety emergency~~

1.27 ~~services, that is established by any government entity providing public safety emergency~~

2.1 ~~services and is designed to help a person who has suffered an occupation-related traumatic~~
2.2 ~~event begin the process of healing and effectively dealing with posttraumatic stress:~~

2.3 (1) "critical incident stress management services" has the meaning given in section
2.4 181.9731, subdivision 1, paragraph (c);

2.5 (2) "critical incident stress management team member" has the meaning given in section
2.6 181.9731, subdivision 1, paragraph (e);

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

2.9 (4) "public safety peer counseling" has the meaning given in section 181.9732, subdivision
2.10 1, paragraph (c).

2.11 **Sec. 2. [181.9731] CRITICAL INCIDENT STRESS MANAGEMENT.**

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

2.14 (b) "Critical incident" means an event that results in acute or cumulative psychological
2.15 stress or trauma to an emergency service provider. "Critical incident" includes, but is not
2.16 limited to, any encounter which may result in the death of or serious injury to another person
2.17 such as fatal motor vehicle accidents, child abuse investigations, death investigations, and
2.18 large scale man-made or natural disasters.

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

2.23 (d) "Critical incident stress management team" means a group organized to provide
2.24 critical incident stress management to emergency service providers and consists of members
2.25 trained in accordance with standards established by a nationally accredited critical incident
2.26 stress management organization or network and recognized by the commissioner of public
2.27 safety. A critical incident stress management team may include members from any emergency
2.28 service discipline, mental health professionals, and designated emergency service chaplains.

2.29 (e) "Critical incident stress management team member" means an individual who is
2.30 specially trained to provide critical incident stress management services, has met the critical
2.31 incident stress management team training requirements, was approved to function as a
2.32 critical incident stress management team member prior to the time critical incident stress

3.1 management services are provided, and is approved to function as a critical incident stress
3.2 management team member at the time the critical incident stress management services are
3.3 provided.

3.4 (f) "Emergency service provider" includes a peace officer, correctional officer, probation
3.5 officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or
3.6 emergency medical clinic personnel, or other person involved with public safety emergency
3.7 services, either paid or volunteer.

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

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

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

3.17 (1) the critical incident stress management team member reasonably believes the
3.18 disclosure is necessary to prevent harm to the person in receipt of critical incident stress
3.19 management services or to prevent harm to another person;

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

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

3.25 (4) the person receiving critical incident stress management services discloses information
3.26 that is required to be reported under the mandated reporting laws, including, but not limited
3.27 to, the reporting of maltreatment of minors under section 626.556 and the reporting of
3.28 maltreatment of vulnerable adults under section 626.557;

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

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

4.4 Sec. 3. [181.9732] PUBLIC SAFETY PEER COUNSELING.

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

4.7 (b) "Emergency service providers" includes a peace officer, correctional officer, probation
4.8 officer, supervision agent, firefighter, rescue squad member, dispatcher, hospital or
4.9 emergency medical clinic personnel, or other person involved with public safety emergency
4.10 services, either paid or volunteer.

4.11 (c) "Peer support counselor" means an individual who is specially trained to provide
4.12 public safety peer counseling services in accordance with standards established by an
4.13 accredited mental health organization or network and recognized by the commissioner, and
4.14 who is designated by the emergency service provider's agency to provide such services.

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

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

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

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

4.29 (1) the peer support counselor reasonably believes the disclosure is necessary to prevent
4.30 harm to the person in receipt of public safety peer counseling or to prevent harm to another
4.31 person;

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

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

5.5 (4) the person receiving public safety peer counseling discloses information that is
5.6 required to be reported under the mandated reporting laws, including, but not limited to,
5.7 the reporting of maltreatment of minors under section 626.556 and the reporting of
5.8 maltreatment of vulnerable adults under section 626.557;

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

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

5.15 Sec. 4. Minnesota Statutes 2018, section 201.014, is amended by adding a subdivision to
5.16 read:

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

5.22 Sec. 5. Minnesota Statutes 2018, section 201.071, subdivision 1, is amended to read:

5.23 Subdivision 1. **Form.** Both paper and electronic voter registration applications must
5.24 contain the same information unless otherwise provided by law. A voter registration
5.25 application must contain spaces for the following required information: voter's first name,
5.26 middle name, and last name; voter's previous name, if any; voter's current address; voter's
5.27 previous address, if any; voter's date of birth; voter's municipality and county of residence;
5.28 voter's telephone number, if provided by the voter; date of registration; current and valid
5.29 Minnesota driver's license number or Minnesota state identification number, or if the voter
5.30 has no current and valid Minnesota driver's license or Minnesota state identification, the
5.31 last four digits of the voter's Social Security number; and voter's signature. The paper
5.32 registration application may include the voter's e-mail address, if provided by the voter. The

6.1 electronic voter registration application must include the voter's e-mail address. The
6.2 registration application may include the voter's interest in serving as an election judge, if
6.3 indicated by the voter. The application must also contain the following certification of voter
6.4 eligibility:

6.5 "I certify that I:

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

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

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

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

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

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

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

6.16 (8) have read and understand the following statement: that giving false information is a
6.17 felony punishable by not more than five years imprisonment or a fine of not more than
6.18 \$10,000, or both."

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

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

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

6.22 And the instruction:

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

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

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

7.1 Sec. 6. **[201.276] DUTIES OF SECRETARY OF STATE; INFORMATION ABOUT**
7.2 **VOTING RIGHTS.**

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

7.9 Sec. 7. Minnesota Statutes 2019 Supplement, section 204C.10, is amended to read:

7.10 **204C.10 POLLING PLACE ROSTER; VOTER SIGNATURE CERTIFICATE;**
7.11 **VOTER RECEIPT.**

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

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

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

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

7.17 (4) maintains residence at the address shown;

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

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

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

7.24 (8) is registered; and

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

7.26 The roster must also state: "I understand that deliberately providing false information
7.27 is a felony punishable by not more than five years imprisonment and a fine of not more than
7.28 \$10,000, or both."

7.29 (b) At the presidential nomination primary, the polling place roster must also state: "I
7.30 am in general agreement with the principles of the party for whose candidate I intend to

8.1 vote." This statement must appear separately from the statements required in paragraph (a).
8.2 The felony penalty provided for in paragraph (a) does not apply to this paragraph.

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

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

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

8.13 **Sec. 8. [243.205] NOTICE OF RESTORATION OF RIGHT TO VOTE.**

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

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

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

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

8.27 **Subd. 3. Form of notice.** The notice required by subdivision 2 must appear substantially
8.28 as follows:

8.29 **"NOTICE OF RESTORATION OF YOUR RIGHT TO VOTE.**

8.30 Your receipt of this notice today means that your right to vote in Minnesota has been
8.31 restored. Before you can vote on election day, you still need to register to vote. To register,
8.32 you may complete a voter registration application and return it to the Office of the Minnesota

9.1 Secretary of State. You may also register to vote in your polling place on election day. You
9.2 will not be permitted to cast a ballot until you register to vote. The first time you appear at
9.3 your polling place to cast a ballot, you may be required to provide proof of your current
9.4 residence."

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

9.7 **Sec. 9. [299A.018] OFFICER-INVOLVED DEATH REVIEW BOARD.**

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

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

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

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

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

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

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

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

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

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

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

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

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

9.28 (i) a medical examiner or coroner;

9.29 (ii) a use of force expert;

9.30 (iii) a civil rights expert;

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

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

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

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

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

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

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

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

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

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

10.25 (3) applicable collective bargaining agreements; and

10.26 (4) other pertinent information concerning the peace officer and the agency that employs
10.27 the peace officer.

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

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

11.1 (2) autopsy records and coroner or medical examiner investigative data under section
11.2 13.83;

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

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

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

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

11.10 Subd. 5. **Agency notice; cooperation.** (a) The chief law enforcement officer of a law
11.11 enforcement agency that has an officer-involved death must notify the commissioner within
11.12 30 days of the death. The commissioner shall forward a copy of the filing to the board. The
11.13 notification shall contain information concerning the reason for and circumstances
11.14 surrounding the death.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

13.7 (2) aggregate data on reviews performed;

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

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

13.12 (5) recommendations for legislative action.

13.13 Sec. 10. [299A.625] COMMUNITY-LED PUBLIC SAFETY COORDINATOR.

13.14 Subdivision 1. Community-led public safety coordinator established. The
13.15 commissioner of public safety shall appoint a statewide community-led public safety
13.16 coordinator in the Office of Justice Programs who shall serve in the unclassified service.

13.17 Subd. 2. Duties. The office shall:

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

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

13.20 (3) strengthen connections between community members and local law enforcement
13.21 agencies;

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

13.24 (5) administer grants to promote community-based crisis intervention and promote
13.25 community healing.

13.26 EFFECTIVE DATE. This section is effective July 1, 2020.

13.27 Sec. 11. Minnesota Statutes 2018, section 609.165, subdivision 1, is amended to read:

13.28 Subdivision 1. **Restoration.** When a person has been deprived of civil rights by reason
13.29 of conviction of a crime and is thereafter discharged, such discharge shall restore the person

14.1 to all civil rights and to full citizenship, ~~with full right to vote and hold office~~, the same as
14.2 if such conviction had not taken place, and the order of discharge shall so provide.

14.3 Sec. 12. **[626.5534] USE OF FORCE REPORTING.**

14.4 Subdivision 1. **Report required.** A chief law enforcement officer must provide the
14.5 information requested by the Federal Bureau of Investigation about each incident of law
14.6 enforcement use of force resulting in serious bodily injury or death, as those terms are
14.7 defined in the Federal Bureau of Investigation's reporting requirements, to the superintendent
14.8 of the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form
14.9 for use by law enforcement agencies in making the report required under this section. The
14.10 report must include for each incident all of the information requested by the Federal Bureau
14.11 of Investigation.

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

14.18 Sec. 13. Minnesota Statutes 2018, section 626.8469, is amended to read:

14.19 **626.8469 TRAINING IN CRISIS RESPONSE, CONFLICT MANAGEMENT,**
14.20 **AND CULTURAL DIVERSITY.**

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

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

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

15.8 (2) techniques for crisis de-escalation;

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

15.11 (4) mental illnesses and the criminal justice system;

15.12 (5) community resources and supports for individuals experiencing a mental illness crisis
15.13 and for the individuals' families;

15.14 (6) psychotropic medications and the medications' side effects;

15.15 (7) co-occurring mental illnesses and substance use disorders;

15.16 (8) suicide prevention; and

15.17 (9) mental illnesses and disorders and the symptoms.

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

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

15.25 (1) documentation of the training provider;

15.26 (2) documentation of the content of the training provided;

15.27 (3) documentation that crisis intervention and mental illness crisis training included
15.28 scenario-based instruction in compliance with the standards described in subdivision 1a;

15.29 (4) compiled evaluations; and

15.30 (5) explanation of expenditure of funds.

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

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

16.9 Sec. 14. **[626.8474] AUTISM TRAINING.**

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

16.14 (1) autism overview and behavioral understanding;

16.15 (2) best practices for interventions and de-escalation strategies;

16.16 (3) prevention and crisis reduction models; and

16.17 (4) objective review of tools and technology available.

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

16.19 (1) individuals with autism;

16.20 (2) family members of individuals with autism;

16.21 (3) autism experts; and

16.22 (4) peace officers.

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

16.26 (b) A person is not eligible to take the peace officer licensing examination after July 1,
16.27 2021, unless the individual has received the training described in paragraph (a).

16.28 Subd. 3. In-service training required. Beginning July 1, 2021, the chief law enforcement
16.29 officer of every state and local law enforcement agency shall provide in-service autism
16.30 training to every peace officer and part-time peace officer employed by the agency. The
16.31 training must comply with the learning objectives developed and approved by the board

17.1 and must meet board requirements for board-approved continuing education credit. The
17.2 training must consist of at least four continuing education credits within an officer's three-year
17.3 licensing cycle. Each peace officer with a license renewal date after June 30, 2021, is not
17.4 required to complete this training until the officer's next full three-year licensing cycle.

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

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

17.12 Sec. 15. **APPROPRIATION; PEACE OFFICER CRISIS INTERVENTION AND**
17.13 **MENTAL ILLNESS CRISIS TRAINING.**

17.14 \$145,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer
17.15 Standards and Training (POST) Board to reimburse law enforcement agency crisis
17.16 intervention and mental illness crisis training expenses for training that is provided by
17.17 approved entities according to Minnesota Statutes, section 626.8469, subdivision 1a.
17.18 \$137,000 is added to the board's base.

17.19 Sec. 16. **APPROPRIATION; POLICE AND MENTAL HEALTH CRISIS TEAM**
17.20 **COLLABORATION.**

17.21 \$14,000 in fiscal year 2021 is appropriated from the general fund to the Peace Officer
17.22 Standards and Training (POST) Board to administer a pilot project to create collaborations
17.23 between county mobile crisis mental health services described in Minnesota Statutes, section
17.24 245.469, and municipal law enforcement agencies. The appropriation shall be used to
17.25 purchase tablets and video conferencing telehealth services to allow peace officers to connect
17.26 quickly with members of the mobile crisis mental health team to assist individuals in crisis.
17.27 No later than September 1, 2021, law enforcement agencies awarded grants shall provide
17.28 a written report to the board describing the expenditure of funds and evaluating the
17.29 effectiveness of the project in diverting people experiencing a mental illness crisis from
17.30 arrest. The board shall submit a written report compiling the law enforcement agency reports
17.31 and evaluating the program to the chairs and ranking minority members of the house of
17.32 representatives and senate committees with jurisdiction over public safety by January 1,
17.33 2022.

18.1 Sec. 17. APPROPRIATION.

18.2 \$8,000 is appropriated from the general fund to the Bureau of Criminal Apprehension
18.3 for the fiscal year ending June 30, 2021, to implement autism training.

18.4 Sec. 18. COMMUNITY-LED PUBLIC SAFETY GRANTS.

18.5 Subdivision 1. Appropriation. \$15,000,000 in fiscal year 2020 is appropriated from
18.6 the general fund to the commissioner of public safety to promote community-led public
18.7 safety.

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

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

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

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

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

18.28 (1) programmatic and community care support for wellness and healing justice
18.29 practitioners;

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

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

19.3 (4) providing healing circles;

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

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

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

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

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

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

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

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

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

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

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

19.20 Sec. 19. **REPEALER.**

19.21 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.