

**SENATE
STATE OF MINNESOTA
EIGHTY-NINTH SESSION**

S.F. No. 2050

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DATE	D-PG	OFFICIAL STATUS
04/13/2015	1515	Introduction and first reading Referred to Judiciary

A bill for an act

relating to public safety; expanding the Violent Crime Coordinating Council and multijurisdictional investigations to including combating sex trafficking crimes; appropriating funds for BCA agents; appropriating money; amending Minnesota Statutes 2014, section 299A.642, subdivisions 1, 3, 4, 5, 9.

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

ARTICLE 1

SEX TRAFFICKING CRIMES

Section 1. Minnesota Statutes 2014, section 299A.642, subdivision 1, is amended to read:

Subdivision 1. **Coordinating council established.** The Violent Crime Coordinating Council is established to provide guidance related to the investigation and prosecution of gang and, drug crime, and sex trafficking crimes. For the purposes of this section, "gang and, drug crime, and sex trafficking crimes" ~~includes~~ include violent crimes associated with gang, drug, or sex trafficking activity.

Sec. 2. Minnesota Statutes 2014, section 299A.642, subdivision 3, is amended to read:

Subd. 3. **Coordinating council's duties.** The coordinating council shall develop an overall strategy to ameliorate the harm caused to the public by gang and, drug crime, and sex trafficking crimes within the state of Minnesota. Additionally, the coordinating council shall:

(1) subject to approval by the commissioner of public safety, develop an operating procedures and policies manual to investigate gang and, drug crime, and sex trafficking crimes in a multijurisdictional manner;

2.1 (2) identify and recommend a candidate or candidates for statewide coordinator to
2.2 the commissioner of public safety;

2.3 (3) assist the Department of Public Safety in developing grant eligibility criteria and
2.4 operating an objective and conflict-free grant review application process;

2.5 (4) make recommendations to the commissioner of public safety to terminate grant
2.6 funding for multijurisdictional entities if an entity no longer operates in accordance with
2.7 subdivision 4, or no longer functions in a manner consistent with the best interests of
2.8 the state or public;

2.9 (5) assist in developing a process to collect and share information to improve the
2.10 investigation and prosecution of gang ~~and~~₂ drug, and sex trafficking offenses;

2.11 (6) develop and approve an operational budget for the coordinating council;

2.12 (7) develop policies that prohibit the improper use of personal characteristics such as
2.13 race, color, national origin, gender, or religion to target individuals for law enforcement
2.14 action, prosecution, or forfeiture action; and

2.15 (8) subject to approval by the commissioner of public safety, adopt narrowly
2.16 tailored, objective criteria and identifying characteristics for use in determining whether
2.17 individuals are or may be members of gangs involved in criminal activity. The council
2.18 shall review and update the criteria and characteristics adopted under this clause every two
2.19 years with the objective to ensure effectiveness and relevance to the accurate identification
2.20 of subjects actively involved in criminal gang activity. As part of its review process, the
2.21 council shall obtain input from members of communities that are impacted by criminal
2.22 gang activity. Before adopting any changes under this clause, the council must submit its
2.23 recommendations to the commissioner of public safety for approval.

2.24 Sec. 3. Minnesota Statutes 2014, section 299A.642, subdivision 4, is amended to read:

2.25 Subd. 4. **Duties and authority of commissioner.** (a) The commissioner of public
2.26 safety shall certify multijurisdictional entities, and their designated fiscal agents, that are
2.27 established pursuant to this section to combat gang ~~and~~₂ drug crime, and sex trafficking
2.28 crimes and receive grant funding under subdivision 9. To certify an entity and its
2.29 designated fiscal agent, the commissioner shall require that a multijurisdictional entity:

2.30 (1) be subject to the operational command and supervision of one of the participating
2.31 agencies;

2.32 (2) be subject to a biennial operational and financial audit contracted out to an
2.33 external organization not associated with the multijurisdictional entity and designed to
2.34 ensure that the entity and its designated fiscal agent are in compliance with applicable

3.1 legal requirements, proper law enforcement standards and practices, and effective
3.2 financial controls;

3.3 (3) have adequate staffing and funding to support law enforcement, prosecutorial,
3.4 and financial operations, including bookkeeping, evidence handling, and inventory
3.5 recording; and

3.6 (4) be subject to any other conditions the commissioner deems necessary to carry
3.7 out the purposes of this section.

3.8 The commissioner may use grant funds authorized under subdivision 9 to pay for costs
3.9 incurred in conducting audits under clause (2).

3.10 (b) A multijurisdictional entity, and its designated fiscal agent, must be certified
3.11 annually by the commissioner and may not operate under this section unless it is certified.
3.12 If the commissioner revokes an entity's or fiscal agent's certification, the commissioner
3.13 may order, for purposes relating to this section, any or all of the following:

3.14 (1) dissolution of the entity, its governing boards, or both;

3.15 (2) transfer of duties of the entity, its governing boards, or both, to the Department
3.16 of Public Safety; and

3.17 (3) any other action deemed necessary by the commissioner.

3.18 Notwithstanding any action taken by the commissioner, any outstanding obligations or
3.19 liabilities of the entity remain with the entity and the parties of the agreement and do
3.20 not transfer.

3.21 (c) An agreement entered into pursuant to section 471.59 and this section shall
3.22 provide that the parties to the agreement are subject to the provisions in this subdivision
3.23 and shall provide for the disposition of property and allocation of obligations upon
3.24 voluntary or mandated dissolution of the entity or upon termination of the agreement.

3.25 Sec. 4. Minnesota Statutes 2014, section 299A.642, subdivision 5, is amended to read:

3.26 Subd. 5. **Statewide coordinator.** The commissioner of public safety shall appoint a
3.27 statewide coordinator. The coordinator serving in the unclassified service shall:

3.28 (1) coordinate and monitor all multijurisdictional gang ~~and~~₂ drug, and sex trafficking
3.29 enforcement activities;

3.30 (2) facilitate local efforts and ensure statewide coordination with efforts to combat
3.31 gang ~~and~~₂ drug crime, and sex trafficking crimes;

3.32 (3) facilitate training for personnel;

3.33 (4) monitor compliance with investigative protocols; and

4.1 (5) review audits conducted under subdivision 4, take corrective actions based on
 4.2 audit results, and submit a summary report of the audits and any corrective actions to the
 4.3 commissioner of public safety.

4.4 Sec. 5. Minnesota Statutes 2014, section 299A.642, subdivision 9, is amended to read:

4.5 Subd. 9. **Grants authorized.** The commissioner of public safety may make grants
 4.6 to state and local units of government to combat gang ~~and~~, drug crime, and sex trafficking
 4.7 crimes. When awarding grants, the commissioner shall consider awarding grants under
 4.8 this section to fund community-based gang intervention and prevention efforts for youth
 4.9 and organizations that provide services to sexually exploited youth.

4.10 Sec. 6. **MULTIJURISDICTIONAL INVESTIGATION; SEX TRAFFICKING.**

4.11 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from
 4.12 the general fund to the commissioner of public safety to fund grants under Minnesota
 4.13 Statutes, section 299A.642, subdivision 9, to expand multijurisdictional entities' efforts in
 4.14 investigating, combating, and prosecuting sex trafficking crimes.

4.15 ARTICLE 2

4.16 APPROPRIATIONS FOR SEX TRAFFICKING INVESTIGATIONS

4.17 Section 1. **BUREAU OF CRIMINAL APPREHENSION; SEX TRAFFICKING**
 4.18 **INVESTIGATIONS.**

4.19 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the
 4.20 general fund to the commissioner of public safety to fund 12 agent positions within
 4.21 the Bureau of Criminal Apprehension to investigate sex trafficking crimes statewide.
 4.22 The agents shall serve the following areas: one agent in each of the ten field offices
 4.23 (Alexandria, Brainerd, Duluth, Grand Rapids, Mankato, Marshall, Moorhead, Rochester,
 4.24 Roseau, and Willmar), and one agent in each regional office (St. Paul and Bemidji).
 4.25 This funding shall be added to the base.

4.26 Sec. 2. **GRANTS; MULTIJURISDICTIONAL TASK FORCES; SEX**
 4.27 **TRAFFICKING INVESTIGATIONS.**

4.28 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the
 4.29 general fund to the commissioner of public safety to make grants to state and local units of
 4.30 government to create multijurisdictional entities to investigate, combat, and prosecute sex
 4.31 trafficking crimes.

5.1 **Sec. 3. GRANTS; REGIONAL INVESTIGATIONS; SEX TRAFFICKING.**

5.2 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the
5.3 general fund to the commissioner of public safety to make grants to state and local units of
5.4 government to investigate and assist other agencies in investigating sex trafficking crimes
5.5 in six regions of the state. The six regions shall correspond with those determined by the
5.6 commissioner of health under Minnesota Statutes, section 145.4717.

5.7 **Sec. 4. GRANTS; TECHNICAL ASSISTANCE; SEX TRAFFICKING**
5.8 **INVESTIGATIONS.**

5.9 \$..... in fiscal year 2016 and \$..... in fiscal year 2017 are appropriated from the
5.10 general fund to the commissioner of public safety to make grants to state and local units of
5.11 government to provide technical assistance to law enforcement agencies around the state
5.12 in sex trafficking investigations.

APPENDIX
Article locations in 15-3718

ARTICLE 1 SEX TRAFFICKING CRIMES Page.Ln 1.7
ARTICLE 2 APPROPRIATIONS FOR SEX TRAFFICKING INVESTIGATIONS Page.Ln 4.15