

SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4318

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DATE	D-PG	OFFICIAL STATUS
03/12/2020	5464	Introduction and first reading
		Referred to Judiciary and Public Safety Finance and Policy
04/14/2020	5607	Author added Bigham

1.1 A bill for an act

1.2 relating to public safety; prohibiting public safety peer counseling or peer debriefing

1.3 information as evidence; reporting law enforcement use of force; amending

1.4 Minnesota Statutes 2018, section 181.973; proposing coding for new law in

1.5 Minnesota Statutes, chapter 626.

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

1.7 Section 1. Minnesota Statutes 2018, section 181.973, is amended to read:

1.8 **181.973 PUBLIC SAFETY PEER COUNSELING AND DEBRIEFING.**

1.9 A person engaged in a public safety peer counseling or a public safety peer debriefing

1.10 shall not, without the permission of the person being debriefed or counseled, be allowed to

1.11 disclose any information or opinion which the peer group member or peer counselor has

1.12 acquired during the process. However, this does not prohibit a peer counselor from disclosing

1.13 information the peer counselor reasonably believes indicates that the person may be a danger

1.14 to self or others, if the information is used only for the purpose of eliminating the danger

1.15 to the person or others. Any information or opinion disclosed in violation of this paragraph

1.16 is not admissible as evidence in any ~~personnel or occupational licensing matter~~ criminal,

1.17 administrative, or civil proceeding involving the person being debriefed or counseled.

1.18 For purposes of this section, "public safety peer counseling or debriefing" means a group

1.19 process oriented debriefing session, or one-to-one contact with a peer counselor, held for

1.20 peace officers, firefighters, medical emergency persons, dispatchers, or other persons

1.21 involved with public safety emergency services, that is established by any agency providing

1.22 public safety emergency services and is designed to help a person who has suffered an

1.23 occupation-related trauma, illness, or stress begin the process of healing and effectively

2.1 dealing with the person's problems or the use of the peer counselor for direction with referrals
2.2 to better service these occupation-related issues. A "peer counselor" means someone so
2.3 designated by that agency.

2.4 Sec. 2. **[626.5534] USE OF FORCE REPORTING.**

2.5 Subdivision 1. **Report required.** A chief law enforcement officer must provide the
2.6 information requested by the Federal Bureau of Investigation about each incident of law
2.7 enforcement use of force resulting in serious bodily harm or death to the superintendent of
2.8 the Bureau of Criminal Apprehension. The superintendent shall adopt a reporting form for
2.9 use by law enforcement agencies in making the report required under this section. The report
2.10 must include for each incident all of the information requested by the Federal Bureau of
2.11 Investigation.

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