

6700.1600 STANDARDS OF CONDUCT.

Subpart 1. **Standards.** The board may impose disciplinary action as described in part 6700.1710 or Minnesota Statutes, section 626.8432, subdivision 1, paragraph (a), based on a violation of one or more of the standards of conduct. It is a violation of standards of conduct to:

A. engage in:

(1) any offense identified in part 6700.0700, subpart 1, item D, regardless of whether or not the conduct results in criminal charges;

(2) theft, prostitution, or controlled substance offenses;

(3) conduct identified as a gross misdemeanor in Minnesota;

(4) sexual harassment, as defined by Minnesota Statutes, section 363A.03, subdivision 43;

(5) obstructing legal process;

(6) fleeing by means other than a vehicle;

(7) carrying a pistol while under the influence of alcohol, a controlled substance, or an intoxicating substance; or

(8) driving while under the influence of alcohol, a controlled substance, or an intoxicating substance;

B. falsify or knowingly provide false information to the board, a law enforcement agency, or a court;

C. intentionally:

(1) mishandle evidence or property;

(2) make undisclosed or improper inducements to witnesses or suspects; or

(3) gain unauthorized access to or unlawfully misuse government data;

D. cheat or attempt to subvert the examination or licensing process;

E. regarding use of force:

(1) fail to intercede when observing another licensee using force beyond that which is objectively reasonable as required under Minnesota Statutes, section 626.8475;

(2) fail to report in writing within 24 hours to the chief law enforcement officer any use of force violations by another employee or peace officer as required under Minnesota Statutes, section 626.8475; or

(3) engage in unreasonable or excessive use of force, unauthorized use of force, or unauthorized use of deadly force;

F. fail to:

- (1) report crimes of bias or alleged crimes of bias as required under Minnesota Statutes, section 626.5531;
- (2) report the licensee's arrest or criminal charge, or any violation of standards of conduct to the board and the officer's chief law enforcement officer within ten days;
- (3) cooperate with a board investigation;
- (4) comply with any order of the board; or
- (5) comply with any other requirement in this chapter or Minnesota statutes for peace officers;

G. misuse a peace officer's authority by:

- (1) the use or attempted use of one's position or authority as a peace officer to obtain a benefit, avoid a detriment, or harm another;
- (2) committing misconduct under Minnesota Statutes, section 609.43; or
- (3) maliciously procuring a search warrant, exceeding the officer's authority in executing a search warrant, or executing a search warrant with unnecessary severity under Minnesota Statutes, section 626.22;

H. engage in discriminatory conduct;

I. join, support, advocate for, maintain membership in, or participate in the activities of a hate or extremist group as defined in part 6700.0100, subpart 29, or a criminal gang as defined in Minnesota Statutes, section 609.229, subdivision 1, as demonstrated by:

- (1) dissemination of material that promotes:
 - (a) the use of threats, force, violence, or criminal activity as described in part 6700.0100, subpart 29, item A;
 - (b) seditious activities; or
 - (c) the goals described in part 6700.0100, subpart 29, item C;
- (2) engagement in cyber or social media posts, chats, forums, and other forms of promotion of the group's activities;
- (3) display or use of insignia, colors, tattoos, hand signs, slogans, or codes associated with the group;
- (4) direct financial or in-kind contributions to the group;
- (5) a physical or cyber presence in the group's events; or

(6) other conduct that could reasonably be considered support, advocacy, or participation in the group's activities;

J. be the subject of revocation, suspension, or surrender of a peace officer license or certificate in resolution of a complaint or other adverse action relating to licensing or certification in another jurisdiction; or

K. engage in conduct prohibited by or listed as grounds for disciplinary action in this chapter or Minnesota Statutes, chapter 214, or engaging in conduct which violates any statute enforced by the board.

A violation under item I does not apply when the conduct is sanctioned by the law enforcement agency as part of the officer's official duties.

Subp. 2. **Incapacitation.** The license of a peace officer may be suspended or revoked by the board when the officer has been adjudicated by a court in any jurisdiction as incapacitated, lacking the capacity to serve as a peace officer, chemically dependent, mentally ill and dangerous to the public, or as having a psychopathic personality, or required to register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167.

Subp. 3. **Prior conduct.** Conduct of law enforcement officers that occurred before June 1, 2023, is subject to standards of conduct in effect at the time the conduct occurred.

Statutory Authority: *MS s 214.10; 214.12; 626.84 to 626.863*

History: *9 SR 2701; 11 SR 2337; 18 SR 1961; 20 SR 828; 30 SR 903; L 2013 c 62 s 32; 44 SR 353; 47 SR 1120; 49 SR 628*

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