

1 Peace Officer Standards and Training Board

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3 Adopted Permanent Rules Relating to Violations of Standards of

4 Conduct and Disciplinary Actions for Violations of

5 Administrative Rules

6

7 Rules as Adopted

8 6700.0900 CONTINUING EDUCATION.

9 [For text of subps 1 to 17, see M.R.]

10 ~~Subp. 18. Deadly force training. At least once during~~  
11 ~~each calendar year, each actively licensed peace officer and~~  
12 ~~part-time peace officer must complete the use of force and~~  
13 ~~deadly force learning objectives, as set forth and approved by~~  
14 ~~the board, for each agency employing the peace officer.~~

15 ~~The chief law enforcement officer of each law enforcement~~  
16 ~~agency shall maintain documentation which demonstrates that each~~  
17 ~~peace officer or part-time peace officer employed by the agency~~  
18 ~~has completed each of the learning objectives set forth in the~~  
19 ~~board's learning objectives for use of force and deadly force.~~

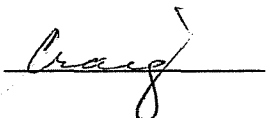
20 6700.1600 VIOLATION OF STANDARDS OF CONDUCT.

21 ~~Violations~~ Violation of any of the following standards of  
22 conduct by a licensee ~~shall be~~ constitutes grounds for  
23 ~~revocation, suspension, or nonrenewal of license~~ disciplinary  
24 action:

25 A. engaging in conduct prohibited by, or listed as,  
26 grounds for disciplinary action in this chapter, Minnesota  
27 Statutes, chapter 214, or sections 626.84 to 626.90, or engaging  
28 in conduct which violates any statute enforced by the board;

29 B. obtaining a license from the board by fraud or  
30 cheating, or attempting to subvert the examination process;

31 C. being convicted of an offense a felony or gross  
32 misdemeanor in this state, or in any other state or federal  
33 jurisdiction of an offense that would constitute a felony or  
34 gross misdemeanor if committed in Minnesota including a finding  
35 or verdict of guilt, whether or not the adjudication of guilt is



1 withheld or not entered, an admission of guilt, or no  
2 contest ~~plea-of-a-felony-or-gross-misdemeanor~~;

3 D. having been the subject of revocation, suspension,  
4 or surrender of a peace officer license or certificate in  
5 resolution of a complaint or other adverse action relating to  
6 licensing or certification in another jurisdiction;

7 E. failing to report the revocation, suspension, or  
8 surrender of a license or certificate in resolution of a  
9 complaint, or other disciplinary or adverse action taken against  
10 a licensee in this or another jurisdiction, or having been  
11 refused a license or certificate by any other jurisdiction;

12 F. being convicted of a state or federal narcotics or  
13 controlled substance law irrespective of any proceedings under  
14 Minnesota Statutes, section 152.18, or any similar law of  
15 another state or federal law;

16 G. being adjudicated by a court of competent  
17 jurisdiction, within or without the state, as incapacitated,  
18 mentally incompetent, chemically dependent, mentally ill and  
19 dangerous to the public, or as having a psychopathic  
20 personality;

21 H. violating any order issued by the board;

22 I. practicing outside the scope of Minnesota  
23 Statutes, section 626.863;

24 J. making an intentional false statement or  
25 misrepresentation to the board;

26 K. engaging in sexual penetration or contact without  
27 consent, as defined in Minnesota Statutes, section 609.341, or  
28 engaging in conduct that violates Minnesota Statutes, section  
29 617.23. Sexual contact does not include contact that is part of  
30 standard police procedure such as search and arrest;

31 L. being convicted, including a finding or verdict of  
32 guilt, whether or not the adjudication of guilt is withheld or  
33 not entered, an admission of guilt, or a no contest plea of a  
34 violation of Minnesota Statutes, sections 518B.01, subdivision  
35 14; 609.23; 609.231; 609.342; 609.343; 609.344; 609.345;  
36 609.3451; 609.43; 609.465; 609.466; 609.52; 609.53; 609.748,

1 subdivision 6; or 626.557;

2 M. failing to cooperate with an investigation of the  
3 board as required by part 6700.1610, subpart 4;

4 N. engaging in sexual harassment, as defined by  
5 Minnesota Statutes, section 363.01, subdivision 41;

6 O. using deadly force when not authorized by  
7 Minnesota Statutes, section 609.066; or

8 P. being convicted of solicitation, inducement, or  
9 promotion of prostitution in violation of Minnesota Statutes,  
10 section 609.322, or any conviction under Minnesota Statutes,  
11 section 609.324, or being convicted of similar offenses in  
12 another state or federal jurisdiction.

13 6700.1610 REPORTING OBLIGATIONS AND COOPERATION.

14 Subpart 1. **Reporting conduct violation.** A person with  
15 knowledge of conduct constituting grounds for action under  
16 Minnesota Statutes, chapter 214, or the board's regulatory  
17 provisions in part 6700.1600 may report the violation to the  
18 board.

19 Subp. 2. **Licensee reporting requirement.** A licensee shall  
20 report to the board and chief law enforcement officer any  
21 action, inaction, or condition of that licensee which the  
22 licensee reasonably believes would constitute grounds for  
23 disciplinary action under any of the board's regulatory  
24 provisions.

25 Subp. 3. **Report submittal requirement.** Reports required  
26 by this part must be submitted no later than 90 days after  
27 learning of the reportable event.

28 Subp. 4. **Cooperation by licensee.** A licensee who is the  
29 subject of an investigation, or who is questioned in connection  
30 with an investigation, shall cooperate fully with the  
31 investigation. Cooperating includes responding fully and  
32 promptly to questions raised by or on behalf of the board  
33 relating to the subject of the investigation, providing copies  
34 of records in the licensee's possession relating to matters  
35 under investigation, assisting the board in its investigation

1 which includes executing releases for records as requested by  
 2 the board, and appearing at conferences or hearings scheduled by  
 3 the board.

4 6700.1700 COMPLAINT PROCEDURES FOR VIOLATIONS OF STANDARDS OF  
 5 CONDUCT.

6 [For text of subpart 1, see M.R.]

7 Subp. 2. **Scope.** This part shall constitute the code for  
 8 regulating the management and processing of complaints  
 9 concerning allegations that a standard of conduct described in  
 10 part 6700.1600 was violated by a licensee. To the extent the  
 11 terms of this part are inconsistent with any other rules or  
 12 agreements, the terms of this part shall be controlling.

13 [For text of subps 3 to 11, see M.R.]

14 6700.1710 DISCIPLINARY ACTIONS FOR VIOLATIONS OF ADMINISTRATIVE  
 15 RULES.

16 Subpart 1. **Temporary restraining order.** In addition to  
 17 any other remedy provided by law, the board may, acting through  
 18 the complaint investigation committee and without a hearing,  
 19 petition a district court for a temporary restraining order if  
 20 the committee finds that the licensee has violated a rule that  
 21 the board is empowered to enforce and continued practice by the  
 22 licensee would create an imminent risk or harm to others.

23 Subp. 2. **Grounds.** When grounds exist under any of the  
 24 ~~board's administrative rule-regulatory~~ provisions set forth in  
 25 this chapter, the board may take one or more of the following  
 26 disciplinary actions:

- 27 A. deny an application for a license;  
 28 B. revoke the license;  
 29 C. suspend the license;  
 30 D. impose limitations on the licensee's ability to

31 practice:

- 32 E. impose conditions on the licensee; or  
 33 F. censure or reprimand the licensee; or

34 ~~G. take any other action justified by the facts of~~  
 35 ~~the case.~~

1           Subp. 3. **Settlement agreement.** When grounds exist under  
2 the board's regulatory provisions, the executive director may  
3 enter into a settlement agreement with the regulated licensee  
4 for corrective action which may include requiring the regulated  
5 person:

6           A. to complete an educational course or activity;

7           B. to submit to the executive director a written  
8 protocol or reports designed to prevent future violations of the  
9 same kind;

10           C. to meet with the executive director or designee to  
11 discuss prevention of future violations;

12           D. to reimburse the board for its legal and  
13 investigative costs; and

14           E. to perform other action justified by the facts.

15           The listing of these measures in this subpart does not  
16 preclude the board from including the measure in any order for  
17 disciplinary action.

18           Subp. 4. **Reinstatement fee.** Upon reinstating a license or  
19 granting an applicant's license, the board may, at its  
20 discretion, impose a reinstatement fee.

21           Subp. 5. **Cease and desist order.** The board may in its own  
22 name, acting through the complaint investigation committee,  
23 issue a cease and desist order to stop an unlicensed person from  
24 engaging in unauthorized practice or violating or threatening to  
25 violate a rule or order which the board has issued or is  
26 empowered to enforce. The cease and desist order must state the  
27 reason for its issuance and give notice of the person's right to  
28 request a hearing under Minnesota Statutes, sections 14.57 to  
29 14.62. The order shall be effective upon personal service or  
30 three days after mailing if served by mail. The board may also,  
31 in its own name, seek a temporary restraining order from the  
32 appropriate district court to stop an unlicensed person from  
33 engaging in unauthorized practice or violating or threatening to  
34 violate a rule or order which the board has issued or is  
35 empowered to enforce.

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07/20/95

[REVISOR ] RPK/CM AR2536

1 TERM CHANGE. The reference "part 6700.1101" will be substituted  
2 for the reference "part 6700.1100" wherever the latter reference  
3 appears in Minnesota Rules, parts 6700.1000 and 6700.1300.