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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-THIRD SESSION

H. F. No. 4414

02/28/2024 Authored by Novotny and Moller
The bill was read for the first time and referred to the Committee on Public Safety Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; changing name of Ensuring Police Excellence and
1.3 Improving Community Relations Advisory Council to Public Safety Advisory
1.4 Council; amending Minnesota Statutes 2022, sections 626.8435, subdivision 1;
1.5 626.8457, subdivision 3.

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

1.7 Section 1. Minnesota Statutes 2022, section 626.8435, subdivision 1, is amended to read:

1.8 Subdivision 1. Establishment and membership. The Ensuring Police Excellence and
1.9 Improving Community Relations Public Safety Advisory Council is established under the
1.10 Peace Officer Standards and Training Board. The council consists of the following 15
1.11 members:

1.12 (1) the superintendent of the Bureau of Criminal Apprehension, or a designee;

1.13 (2) the executive director of the Peace Officer Standards and Training Board, or a
1.14 designee;

1.15 (3) the executive director of the Minnesota Police and Peace Officers Association, or a
1.16 designee;

1.17 (4) the executive director of the Minnesota Sheriffs' Association, or a designee;

1.18 (5) the executive director of the Minnesota Chiefs of Police Association, or a designee;

1.19 (6) six community members, of which:

1.20 (i) four members shall represent the community-specific boards established under sections
1.21 15.0145 and 3.922, reflecting one appointment made by each board;

2.1 (ii) one member shall be a mental health advocate and shall be appointed by the Minnesota
2.2 chapter of the National Alliance on Mental Illness; and

2.3 (iii) one member shall be an advocate for victims and shall be appointed by Violence
2.4 Free Minnesota; and

2.5 (7) four members appointed by the legislature, of which one shall be appointed by the
2.6 speaker of the house, one by the house minority leader, one by the senate majority leader,
2.7 and one by the senate minority leader.

2.8 The appointing authorities shall make their appointments by September 15, 2020, and
2.9 shall ensure geographical balance when making appointments.

2.10 Sec. 2. Minnesota Statutes 2022, section 626.8457, subdivision 3, is amended to read:

2.11 Subd. 3. **Report on alleged misconduct; database; report.** (a) A chief law enforcement
2.12 officer shall report annually to the board summary data regarding the investigation and
2.13 disposition of cases involving alleged misconduct, indicating the total number of
2.14 investigations, the total number by each subject matter, the number dismissed as unfounded,
2.15 and the number dismissed on grounds that the allegation was unsubstantiated.

2.16 (b) Beginning July 1, 2021, a chief law enforcement officer, in real time, must submit
2.17 individual peace officer data classified as public data on individuals, as defined by section
2.18 13.02, subdivision 15, or private data on individuals, as defined by section 13.02, subdivision
2.19 12, and submitted using encrypted data that the board determines is necessary to:

2.20 (1) evaluate the effectiveness of statutorily required training;

2.21 (2) assist the ~~Ensuring Police Excellence and Improving Community Relations~~ Public
2.22 Safety Advisory Council in accomplishing the council's duties; and

2.23 (3) allow for the board, the ~~Ensuring Police Excellence and Improving Community~~
2.24 Relations Public Safety Advisory Council, and the board's complaint investigation committee
2.25 to identify patterns of behavior that suggest an officer is in crisis or is likely to violate a
2.26 board-mandated model policy.

2.27 (c) The reporting obligation in paragraph (b) is ongoing. A chief law enforcement officer
2.28 must update data within 30 days of final disposition of a complaint or investigation.

2.29 (d) Law enforcement agencies and political subdivisions are prohibited from entering
2.30 into a confidentiality agreement that would prevent disclosure of the data identified in
2.31 paragraph (b) to the board. Any such confidentiality agreement is void as to the requirements
2.32 of this section.

3.1 (e) By February 1 of each year, the board shall prepare a report that contains summary
3.2 data provided under paragraph (b). The board must post the report on its publicly accessible
3.3 website and provide a copy to the chairs and ranking minority members of the senate and
3.4 house of representatives committees and divisions having jurisdiction over criminal justice
3.5 policy.