



**Human Rights in Public Safety:
Overview of the Legislative Response
to the Murder of George Floyd**

Chair Carlos Mariani



Overview

- I. Before We Knew His Name
- II. George Floyd is Murdered
- III. Legislative Response
- IV. The Work that Remains

Before We Knew His Name: We Knew We Had a Problem.

Government and Non-Profits have repeatedly recommended greater accountability and a need for better police-community relations for over 40 years.

The following two slides were presented before this committee on March 4, 2020, 2 Months before the Murder of George Floyd.

Why This Bill is Needed:

30 Years of Government Reports

- Council on Black Minnesotans. “Incarcerated Blacks Are Overrepresented,” 1985.
- POST Board. “A study of deadly force by peace officers.” 1991.
- Minnesota Planning. “Community Crime Project : Planning Study and Preliminary Measures,” 1996.
- POST Board. “Report to the Minnesota Legislature on 5th degree assault and domestic abuse by peace officers for the reporting period of January 1, 1995 through June 30, 1996.” 1996.
- POST Board. “Community policing.” 1997.
- Bureau of Justice Assistance. “Addressing community gang problems : a model for problem solving.” 1997.
- Drug Strategies. “Forging new links: Police, communities and the drug problem.” 1997.
- DPS. “A report to the Legislature : MN Stat. 626.8441 : responding to calls involving emotional crisis and mental illness : model program pilot projects.” 2002.

“A 2016 Star Tribune poll [found] Six in 10 black Minnesotans believe police are more likely to use deadly force against a black person than someone who is white. Among white Minnesotans, 28 percent felt that police were more likely to use deadly force against blacks.”
- Governor’s Council on Law Enforcement and Community Relations Report, September 29, 2017

“Although the lack of trust between law enforcement and community members is sometimes perceived as a “metro issue,” demographic shifts indicate that communities of color (one of the groups at the forefront of this conversation) can be found in increasing numbers throughout the state.”

- Governor’s Council on Law Enforcement and Community Relations Report, September 29, 2017

Why This Bill is Needed:

30 Years of Government Reports

- Hennepin County Attorney. “Hennepin County Attorney’s Office report on allegations of misconduct involving Metro Gang Strike Force.” 2010.
- DPS, Office of Justice Programs. “Review of the Twin Cities safe streets violent gang task force.” 2011.
- Council for Minnesotans of African Heritage. “Annual Report Saint Paul, Minnesota, 2015-2017.”
- Department of Justice. “Maintaining First Amendment Rights and Public Safety in North Minneapolis: An After-Action Assessment of the Police Response to Protests, Demonstrations, and Occupation of the Minneapolis Police Department’s Fourth Precinct.” 2017.
- Governor’s Council on Law Enforcement and Community Relations. “Initial Report.” 2017. [17-0593]
- Governor’s Council on Law Enforcement and Community Relations. “Final Report.” 2017. [17-0940]
- DPS, Office of Justice Programs. “Report to the Legislature: Community justice reinvestment account.” 2018 and 2020.

Before We Knew His Name: We Acted To Prevent This Tragedy



The House Passed HF 2709

Promoted Police Community Relations By:

- Collecting misconduct data to inform policy changes and intervene into problem officers
- Granting citizens the power to enact policy changes
- Granting citizens a seat in the complaint investigation committee in POST
- Spending 6M To Extend Police Training Funds

A blurred photograph of a police scene at night. A white van is parked on a street, and several police officers in blue uniforms are gathered around it. One officer is kneeling on the ground, and another is standing nearby. The scene is dimly lit, with some lights visible in the background. The text "George Floyd is Murdered" is overlaid in white on the image.

George Floyd is Murdered

Minnesota Mourns





Germany



The World Responds



England



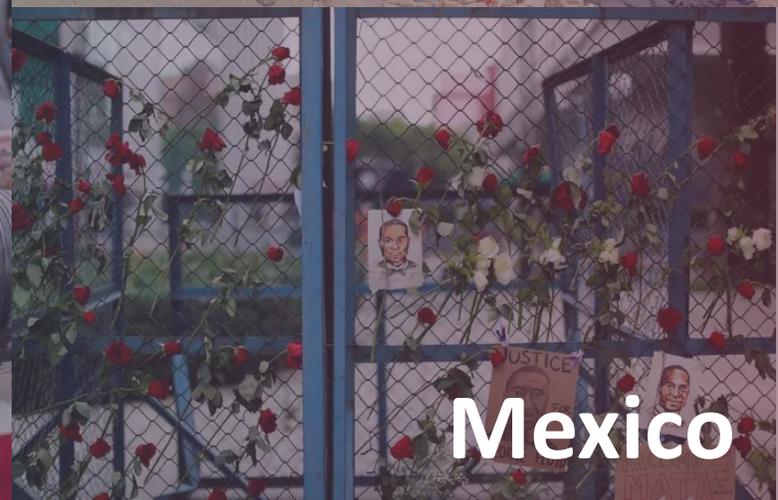
Senegal



Greece



Syria



Mexico

Legislative Response

The Minnesota Police Accountability Act

■ The Reclaiming Community Oversight Act

Civil Law and Regulatory Reforms

■ The Reforming Accountability Act

Criminal Justice Reforms

■ The Reimagining Public Safety Act

Structural Reforms

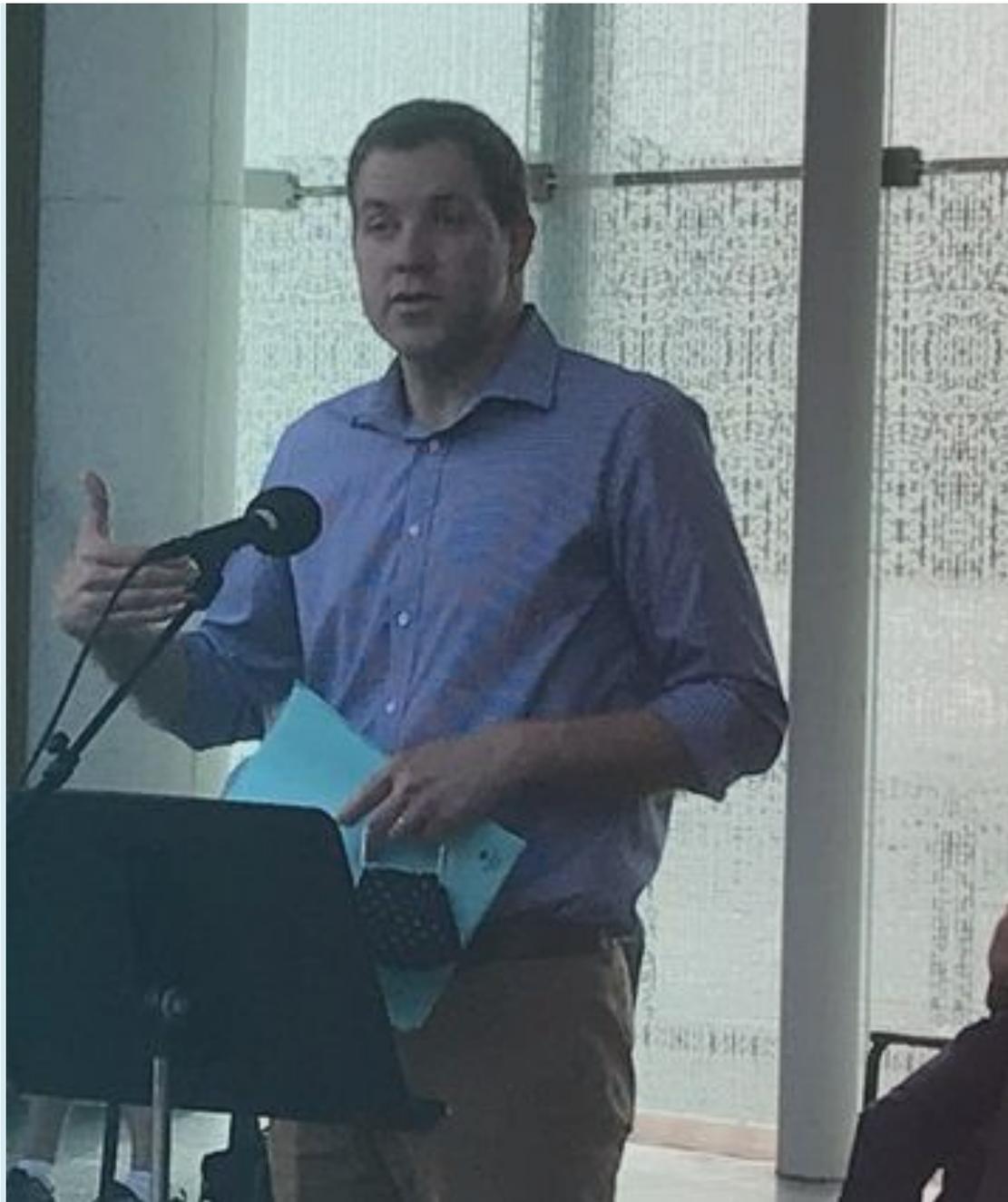


The Reclaiming Community Oversight Act.

Civil and Regulatory Reform

- Ban any kind of action by a peace officer that purposely restricts an airway, such as a chokehold;
- Require a peace officer to intercede when another officer is using excessive force and report the incident to the chief law enforcement officer of the agency in writing;
- Ban “warrior-style training,” more specifically, training that is intended to increase a peace officer’s likelihood or willingness to use deadly force in encounters with community members;
- Require the Peace Officer Standards and Training Board to establish a 15-member Police Community Relations Council that would collect and analyze misconduct data to make disciplinary and policy recommendations;
- Require each local unit of government’s governing body that oversees a law enforcement agency to establish a citizen oversight council; and
- Allow cities or counties to impose a residency requirement as a condition of employment for peace officers.





The Reforming Accountability Act: Criminal Justice Reforms

- More clearly define when police may use deadly force by clarifying it is only justified when an officer reasonably believes it is necessary to protect the officer from “imminent” rather than “apparent” death. It would also add a provision that in order for deadly force to be used an officer must reasonably believe a person will cause death or great bodily harm to another person unless immediately apprehended;
- Give the attorney general’s office jurisdiction to prosecute cases when peace officers are alleged to have caused an officer-involved death;
- Eliminate the need for cash bail for those charged with misdemeanor offenses, other than domestic assault and some driving while intoxicated violations;
- Establish an Independent Use of Force Investigations Unit within the Bureau of Criminal Apprehension to investigate officer-involved deaths; and
- Require an officer who takes a child into custody to communicate with, or take the child to, a juvenile secure detention facility to determine whether the child should be released or detained using a risk assessment.

The Reimagining Public Safety Act.

Structural Reforms

- Establish the position of “community-led public safety coordinator” in the Department of Public Safety’s Office of Justice Programs;
- Restore voting rights to convicted felons immediately upon their release from prison;
- Establish an “Officer-Involved Death Review Board” in the Department of Public Safety;
- Create critical incident stress management teams for emergency service providers to consult;
- Establish standards for crisis intervention and mental illness crisis training for peace officers;
- Require the development and implementation of autism training for peace officers; and
- Require officers whose use of force results in injury or death to file a report to the Bureau of Criminal Apprehension.





A group of approximately ten people, including officials and community members, are gathered for a formal event. They are all wearing face masks. In the center, a woman in a black jacket and white pants is presenting a white document to a man in a grey suit. To the left, a man in a grey suit stands with his hands clasped. In the background, an American flag and a blue flag are visible. The scene is set indoors with a light-colored wall.

A Compromise is Reached

HF 1 Passed Into Law

- Critical incident stress management teams and public safety peer counseling
- Investigatory reform
- Police residency reform
- Banning chokeholds and certain neck restraints
- Use of force reform
- Use of force reporting
- Peace officer training assistance funding extension
- POST Board reform and citizen engagement
- Prohibiting warrior-style training
- POST Board model policies
- ¹⁵ Mental health and crisis intervention training
- Mandatory autism training



The Work That Remains

- **Citizen Oversight Council Authority**
- **Body Camera Compliance**
- **Complaint Data Classification**
- **Sufficient Data to Conduct Early Intervention Efforts**
- **Use of Informants in Custody**
- **White Supremacy**
- **Promoting Police Co-Responder Models**
- **Arbitration Issues**
- **Protections for Officers and Those in Custody**
- **Adequate Training and Funding**
- **Duty to Intervene and Report**
- **And More...**

The Work That Remains: Governance Reforms

- **Systemic Human Rights Violations are more of a governance than policy failure.**
- **Addressing policy failures calls for the implementation of programs, practices, and procedures. Policy reforms are necessary not sufficient.**
- **Governance failures require 1) granting greater authority to certain existing institutions, 2) reorientating the relationships between existing institutions, and 3) the creation of additional institutions; all aimed at bolstering human rights. Governance Reforms are needed to address this long standing issue.**



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