Re: MSA and MCPA Position on HF 4200

March 23, 2022

Members of the Minnesota House of Representatives,

We are writing this letter to express our collective opinion about HF 4200 on behalf of the Minnesota Chiefs of Police Association (MCPA) and the Minnesota Sheriffs Association (MSA), which collectively represent more than 300 police chiefs and 87 county sheriffs across Minnesota. We appreciate the opportunities we have had to talk with Rep. Frazier about the bill, but we do not support the bill.

Article I

- This committee has long demanded more accountability and transparency from law enforcement. We agree that transparency equates to higher levels of trust and transparency therefore, we believe this bill should require equal levels of data collection and transparency that is required from law enforcement for community groups receiving funds in Article 1.

Article II

- While we appreciate and acknowledge the effort to fund new law enforcement officers, our associations cannot support appropriations levels into the future that do not match the initial investments.
- Agencies of all sizes, including the ones that would be eligible for these funds, are struggling to recruit new officers and retain their existing officers. The need for more officers' impacts agencies statewide is a critical need that should be prioritized with ongoing permanent funding.
- The funding for the body camera grant program has improved from previous iterations of the bill and while we appreciate those increases, the funding is still inadequate. The public already believe that all officers and agencies have body cameras while we know more than 50% of agencies do not have body cameras at this point.
- We continue to oppose several of the policy mandates as a condition of accepting the grant.
    - First, our associations oppose any statewide policy requirements for body worn cameras. The creation of body worn camera policy should be done in

partnership with the Community and their local Law enforcement agency. Sheriffs and Chiefs of many cities can tell you the value of community meetings and listening sessions they had to formulate their body camera policy WITH their community. Many changes were made to policy because of those meetings with local community partners.

- While we don't object to changing the law to allow the next of kin or family members to see the body camera footage of an officer involved incident, we do object to the current language. The bill does not consider how long the interview process takes in these cases. Traditionally these interviews take closer to 14 days to complete. We support simply making the data public to all in these incidents after the interview process has concluded.
- The language requiring no more redaction than is required by law is inflammatory. Law Enforcement follows current law. Additionally, it is the role of law enforcement agencies to protect the privacy of individuals and redaction requirements are appropriately covered under Chapter 13.
- We oppose the language that would require, when practical, that the officer notify individuals that they are being recoded. Use of Body Worn Cameras are not rare and in most places the community expects them to be utilized. Officer's attention is better directed at focusing on how to appropriately handle the call for services.

Article III

- We oppose the statewide, one policy fits all mandates in Article II and oppose them being added as policies at the POST Board for an officer to be subject to license suspension or revocation. Local policies should be developed with their community leaders and citizens, not through state statute.
- Local units of government already have the authority to create civilian oversight councils. To expand the authority of these boards and make them an investigatory body with subpoena power, compel testimony, or disciplinary authority is overreaching and could undermine the CLEO's ability to appropriately use discipline as a tool for correcting misconduct and poor performance.
- The bill drastically changes the funding mechanism for local training reimbursement and will not allow the state money to be used on key mandated training the state requires officers to have. This is an unfunded mandate that will have dramatic impacts on agencies of all sizes.
- Our associations believe that changing the arbitration system to an administrative law judge model for discipline cases would provide better oversight and allow CLEO's the ability to rid their agencies of bad officers.
- We oppose creating internal POST investigators. Agencies use other jurisdictions or the BCA to handle these incidents and that has worked well for all involved.

We look forward to working with you during the legislative session. Our state has a historic opportunity to fund and support law enforcement when they need your help more than ever. We hope you will find ways to help agencies recruit more officers, retain current officers, and help solve the rampant crime we are seeing across the state. Unfortunately, in its current form we don't feel this bill adequately addresses those realities.

Sincerely,

Jeff Potts
Executive Director
Minnesota Chiefs of Police Association

William M. Hutton
Executive Director
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