



February 14, 2022

Representative Samantha Vang  
527 State Office Building  
100 Rev. Dr. Martin Luther King Jr. Blvd.  
St. Paul, MN 55155

**RE: H.F. 717– Civil statute of limitations extended for peace officer actions**

Dear Representative Vang,

On behalf of the League of Minnesota Cities and our 837 member cities, I am writing to respectfully express serious concerns with H.F. 717, your bill which proposes to eliminate a limitations period for any civil claim brought against a peace officer involving sexual abuse or death. In addition to the need for clarifying language and further definition of the application and scope of this bill, eliminating a statute of limitations on such a wide basis will not further the important goals of police arbitration and cultural reform which the League strongly supports. A statute of limitations period restricts the time within which legal proceedings may be brought. The general objective is one of fairness and efficacy in the civil justice system. In certain situations, a class of *victims* are treated differently and provided additional time to bring civil claims. For example, claims for damages based on personal injury caused by sexual abuse must originate within six years of the time the plaintiff knew or had reason to know that the injury was caused by sexual abuse but if the victim is a minor, the six-year limitations begin to run one year after the plaintiff reaches 18. However, no clear data or research at this time supports that targeting a class of *alleged perpetrators*, here police officers, and giving an open-ended time for initiating certain civil claims against them, will result in positive consequences for plaintiffs in the civil justice system.

Reluctance and fear of intimidation or retaliation certainly exists for victims of sexual violence, including police officer involved misconduct. The League would support measures that would make it easier for sexual assault victims to come forward and file complaints. We also support addressing systemic factors that can potentially create greater risks of victimization by police officers and those that weaken an agency's accountability goals in internal discipline processes. For example, Phil Stinson, a former police officer turned professor, analyzed national data on police officer arrests for sexual misconduct, and saw some risks inherent in the profession: "Police routinely operate alone and largely free from any direct supervision, either from administrators or fellow officers. Police commonly encounter citizen who are vulnerable, usually because they are victims, criminal suspects, or perceived as 'suspicious' and subject to the power and coercive authority granted to police." Creating an open-ended timeframe for plaintiffs to bring civil claims, and thus potentially encouraging extensive delay in reporting and addressing allegations of misconduct, will not help the justice system or law enforcement agency effectively and timely respond to egregious allegations against police officers.

In addition, the current language of H.F. 717 creates a great deal of uncertainty and would cause confusion by those involved in the civil justice system who would need to interpret and apply this greatly expanded rule of law. For example, it is unclear if the bill only applies to use-of-force deaths

caused in the line of duty or if it applies to all claims involving loss of life such that that even an accidental squad car collision with another car would create an unlimited window of time to bring claims if a death was involved. The language also does not appear to limit application to damages caused by on-duty conduct or actions in the performance of official duties. This means that, potentially, those employed as peace officers would never have the benefit of a statute of limitations for any matter, even those that occur purely in their personal lives.

For these reasons, the League of Minnesota Cities respectfully opposes H.F. 717.

Sincerely,

A handwritten signature in black ink, appearing to read 'P. Beety', written in a cursive style.

Patricia Y. Beety  
General Counsel