

May 12, 2022

RE: Public Safety & Judiciary Omnibus Bill – SF 2673

Dear Members of the Public Safety & Judiciary Conference Committee,

On behalf of the 837 members of the League of Minnesota Cities, we would like to express our support for some important provisions addressed in SF 2673, but unfortunately also our opposition related to other provisions as follows:

SUPPORT: Funding (*Article 1*)

- The League supports provision in the House and Senate bills that provide funding to municipalities for public safety purposes.

SUPPORT: Physical strength and agility testing requirements (*Article 3, House Sec. 5, R3*)

- The League supports requiring physical strength and agility testing for law enforcement applicants to be scientifically content-validated and job-related.

SUPPORT: Background check efficiency for local governments (*Article 10, House Sec. 16, R14*)

- The League supports the authorization for local governments' law enforcement agencies to provide comprehensive background check information to local hiring authorities. This does not provide any new data that wasn't accessible under the current law nor do any new people get access to this data, but it is a process improvement to increase the efficiency of hiring for both cities and candidates.

OPPOSE: Body camera policy mandates (*Article 2, House Sec. 2, R1; Article 3, House Sec. 7, R4-5*)

- *Proposed language requires mandates.* The original body camera law was the result of deliberate negotiation and input by multiple stakeholders. While it was agreed that required written policies were necessary, the position of these policies should be left to the local law enforcement agency and the city, but only after input from its residents.
- *Unintended consequences of mandates.*
 - While one provision allows for redaction permitted under law, a conflicting provision requires policies prohibit any altering of body camera data. Redaction is needed for a variety of important reasons, such as ensuring protection of the identities of confidential informants.
 - Another proposed change is to keep body cameras "activated during all contacts with citizens" but there are concerns in sensitive situations, such as taking victim statements who may not want their identity made public.
 - Requiring a policy for release of body camera data to next of kin within 5 days does not adequately account for the time needed to complete interviews for investigation. The League would encourage that any proposed changes be done balancing the three important foundational values of the Minnesota Government Data Practices Act: (1) the public's right to know what its government is doing, (2) the right of individual's privacy, and (3) the government's need to function responsibly and efficiently.

OPPOSE: Civil statute of limitations extension for peace officer actions (*Article 3, House Sec. 2-3, R1-2*)

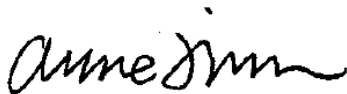
- *Timely response needed.* The League supports measures that would make it easier for sexual assault victims to come forward and file complaints, but an open-ended time period for initiating civil claims will not serve either the victims or the civil justice system. Timely and effective response by law enforcement agencies and the courts is needed to truly mitigate the harm caused by serious misconduct of peace officers.
- *Ambiguity in proposed language.* The 6-year statute-of-limitations language attaching to criminal charge decisions and proceedings in death actions addresses some of our concerns regarding timely reporting and remedial action. However, significant concerns remain over the when this provision would be applicable in situations involving off-duty conduct or accidental or negligent conduct of peace officers (such as in collisions while driving private vehicles).

REQUEST: Provisions to address mental health of public safety officers

- The League strongly encourages the addition of measures aimed at improving officer wellness, particularly mental wellness. Specifically, the League supports HF 4026 (Long), which contains provisions that would increase mental injury prevention, provide treatment for mental injuries and fund local costs associated with a sharp increase in public safety duty disability claims.

Thank you for considering city comments.

Sincerely,



Anne Finn
Assistant Intergovernmental Relations Director



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