



Alcohol
and Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management

Minnesota
State Patrol

Office of
Communications

Office of
Justice Programs

Office of
Pipeline Safety

Office of
Traffic Safety

State Fire
Marshal

Office of the Commissioner

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RE: Conference Committee on House and Senate Versions of HF 2432

Dear Conference Committee Members,

As conference committee commences, we wanted to thank you all for the work you have done to get us to this point. The Department of Public Safety provides critical services across the state. I want to begin by calling attention to the negative impacts that will result from the failure to fund the DPS operating adjustment at the Governor's recommended levels.

Operating Adjustment

While I recognize the legislature must take steps to address the future budget issues, I am deeply concerned that that lack of funding for DPS in this bill will have a devastating impact on public safety across Minnesota. Not fully funding our operating adjustment means real cuts to cops, forensic scientists, criminal analysts, victim service providers, and others who perform critical and lifesaving work across our State.

Both bills recommend a drastically lower DPS operating adjustment than the Governor's request of \$5.785 million for FY 26-27. The measured operating adjustment recommended by the Governor would assist DPS in addressing cost pressures while still requiring us to make strategic decisions to ensure minimal impacts to the public safety work of our divisions. HF2432-UE1 only provides \$2.604 million in FY 26-27 and HF2432-3 provides even less at \$1.009 million in FY 26-27.

This budget does not appropriately fund the Bureau of Criminal Apprehension's (BCA) essential needs for its ongoing increased costs in the proposed operating adjustment. The impact would be very damaging for the BCA and would have rippling impacts for public safety services Minnesotans expect. This all comes at a time with major uncertainty at the federal level. Federal law enforcement has adjusted their priorities and is looking at significant funding cuts. Additional workload will be placed on the BCA to fill these gaps in support of our communities across Minnesota. Without the funding level recommended by the Governor the BCA will:

- Cut special agents and criminal analysts focused on sensitive and specialized crime such as homicides and other violent crime, online sexual exploitation of children, human trafficking, serious threats and mass violence attacks, and drug trafficking. The BCA would have to cut analysts who gather criminal information and analyze threats to our schools, faith-based institutions and disrupting terrorism.
- The BCA laboratory will have to cut forensic scientists which will result in significant increases in forensic testing backlogs, turnaround times, and reductions in technology critical for improving case outcomes. These are areas BCA has made significant progress in the past few years with state funding investments that will go completely backwards.

- The BCA will not be able to ensure the security of our systems and networks or meet FBI security requirements for BCA systems and data security. At a time when cyber attacks and security vulnerabilities and public expectations to protect sensitive criminal justice information are at an all-time high, BCA would have to cut IT positions and those who support and maintain BCA's network, systems, and data.

Other DPS public safety divisions would be impacted as well without the full operating adjustment.

- If Alcohol and Gambling Enforcement (AGE) does not receive its requested operating adjustment it will require the division to limit hiring and filling of vacant positions, including cutting the number of peace officers hired. There will be real impacts in the ability to respond and investigate illegal gambling and alcohol-related complaints. These are specialized services that AGE provides statewide.
- The operating adjustment for Homeland Security and Emergency Management (HSEM) is for the increased rent cost association with the new Statewide Emergency Operations Center (SEOC). Without the amount requested HSEM will not have the needed funding to move into and operate the new SEOC without cutting staff. This is at a time when federal funding for vital programs, including emergency preparedness and disaster response are being cut and responsibilities are being pushed to the state without additional funding. The minimal operating adjustments included will impact our ability to prepare for and respond to disasters and emergencies in Minnesota.

The operating adjustments in front of this committee do not fund the Commissioner's office or agency support divisions. It directly funds our divisions who do the critical work to keep Minnesotans safe. I hope that we can continue to have conversations to work to find a solution that ensures safety and stability for all Minnesotans.

The agency appreciates the following items that are included in both the House and Senate versions:

- **Crime Victim Services Funding.** The level of funding for these vital services provided by the federal government has dropped significantly and Minnesota has stepped up to assist with the gap. With more uncertainty with federal funds than ever before, this bill ensures that funding will partially continue and help fund service providers for another year. DPS is also supportive of the creation of a special revenue account for dedicated crime victim services funding.
- **Commerce Fraud Bureau Move to Bureau of Criminal Apprehension (BCA) Conforming Changes.** I appreciate the inclusion of the statutory language to solidify the transfers from the Department of Commerce Fraud Bureau to the DPS Bureau of Criminal Apprehension (BCA) State Financial Crimes and Fraud Section, and the inclusion of additional resources on the House side for forensic accounting and increased criminal prosecution. These resources for the Financial Crimes and Fraud Section would bolster efforts to identify, disrupt, and hold those accountable who prey upon state programs designed to assist Minnesotans in need.
- **Increasing the appropriation for the state Urban Search and Rescue Teams and Air Rescue Team.** The additional investments and moving the funding to within the DPS State Fire Marshal Division strengthens the internal control structure for oversight of these state emergency response teams. Increasing the funding allows the teams to maintain their existing response capabilities and training activities in the wake of increasing costs.
- **Charter School Fire Inspection Fee.** The language included to increase the fire inspection fee for charter schools will ensure that all public schools pay the same rate for the building inspections that ensure required safety measures are in place to keep school children safe. Aligning these inspection fees ensures the fee covers the cost of the inspection and levels the playing field for public schools.
- **Philando Castille Law Enforcement Training Fund.** The funding provided to the POST board for law enforcement training will support law enforcement statewide.

- **ARMER Backbone Funding.** We appreciate the appropriation from the 911 fund to Minnesota Department of Transportation (MnDOT) to address necessary capital improvements and operating expenses for the continued essential operations of the critical public safety ARMER communication system.
- **DPS Policy Initiatives.** Both bills contain the DPS Office of Justice Programs (OJP) proposal to expand victim notification to include decisions not to prosecute violations of Order for Protection and Domestic Abuse No Contact Orders and to update victim notification into plain language. These changes will better serve victims of crime and ensure they have information about the services available to them. The bills also include the BCA initiative that would require only the video that captures the incident be posted the BCA website within 30 days of the end of appeals. This change will allow the BCA to improve efficiencies in preparing the video while also ensuring the public has access to the most relevant data in these incidents.

I'd also like to call attention to provisions in the Senate version of the omnibus bill:

- **Grant Administration Authority.** I am concerned that the Senate version of the bill does not contain the Governor's recommendation to allow DPS to utilize up to five percent of grant appropriations to administer noncompetitive grants and up to ten percent to administer competitive grants. Providing DPS the ability to use funding for these administrative costs is vital to ensuring adequate resources for critical oversight functions for grants such as monitoring grantees and programs to ensure compliance with requirements, ensuring timely financial and progress reporting, and ensuring compliance with state and federal requirements. These functions require adequate staffing and resources and are a critical component to prevent fraud or mismanagement, as well as ensuring grant dollars serve their intended purposes.
- **Line of Duty Death Benefit Changes.** I am also grateful to see the changes to the Line of Duty Death program included in this bill. These changes will provide clarity to the statute and expand eligibility to cover part-time fire fighters. Thank you for the extensions included in the appropriations for this program to ensure that DPS has the funding needed to account for these changes.
- **Unfunded Changes to Firearm Testing.** The Senate version of the bill includes language that would increase the testing of firearms that are recovered or confiscated by law enforcement and ensure that the data related to these firearms are submitted to a national database, the National Integrated Ballistics Information Network (NIBIN), which is operated by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). While the BCA supports the concept of this language and agrees that it would help solve and prevent violent crime and improve public safety, this expansion of firearms testing would increase the number of staff needed at BCA to conduct the testing. The BCA submitted a fiscal note for \$659,000 in one-time costs and \$443,000 ongoing for 4 new FTEs; however, there is currently no funding included in the bill for this work. BCA provides firearms testing statewide, including DNA testing and latent fingerprint collection, and enters the information into NIBIN.

The current turnaround time (TAT) for BCA to complete firearms testing is an average of two weeks. BCA estimates that the expansion of the firearms testing language in the Senate version of the bill would essentially double the TAT to approximately one month without the funding to add staff for this purpose. In addition, Superintendent Evans recently learned in briefings from ATF leadership that ATF is forecasting significant federal funding reductions that would impact its ability to conduct the NIBIN correlation services at the BCA. This would obviously add to the BCA's TAT and pressures to complete this work in a timely manner and contribute to solving and preventing violent crime.

- **Unfunded Changes to Access to Unredacted Crash Data.** I am concerned about the changes to access to unredacted data from portable recording systems included in the Senate version of the bill. These changes create a mandate for law enforcement to affirmatively provide all recordings to every subject in a crash report. For Minnesota State Patrol, who handles hundreds of crashes each year, this would be time-intensive and costly and require the hiring of additional staff. The estimated cost for the State Patrol is \$3 million each year in ongoing costs.

The Body Worn Camera recording law was passed with the intention that it be private data with limited exceptions, and this was largely due to the privacy interests of the subjects that peace officers interact with.

This proposed revision directly conflicts with the intent of this law by making the video in every crash available to all subjects in a crash and potentially the public. The language included also conflicts with other existing data practices laws governing Body Worn Camera data that is part of an active investigation.

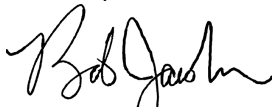
- **Increased Penalties for Theft of Public Funds.** I appreciate that the Senate version of this bill includes the Governor's recommended changes to increase penalties for theft of public funds. Increasing the penalties for theft of public funds ensures individuals who seek to defraud the state are held accountable and demonstrates a commitment to combatting fraud throughout Minnesota.
- **BCA Policy Initiatives.** The Senate bill includes policy proposals from the BCA and will strengthen efforts to stop child sexual abuse by banning the use of artificial intelligence to create child sexual abuse material or to have a child-like sex doll to imitate pornographic activities. The correlation between possession of child like sex dolls and participation in and possession of child sexual abuse material is extremely high and banning these materials will help protect children. Thank you for also including the BCA initiative to allow for the use of drones when pursuing fleeing suspects. This change will increase the safety of suspects, bystanders, officers, and the public in advance of and throughout pursuits by reducing the need for high-speed vehicle pursuits or foot pursuits.

There are also a few provisions I'll point out in the House version of the bill:

- **Grant Administration Authority.** I appreciate the inclusion of the ability for DPS to utilize up to five percent of grant appropriations to administer noncompetitive and up to ten percent to administer competitive grants. Providing DPS funding for these administrative costs is vital to ensuring adequate resources for critical oversight functions for grants and preventing fraud and misuse of public funds.
- **Intensive Comprehensive Peace Officer Education and Training (ICPOET) Grant Program.** DPS supports the inclusion of funding to support law enforcement through the ICPOET grant program. The funding in this bill will assist Minnesota law enforcement agencies with hiring and will fund additional peace officers in local communities, contributing to public safety across Minnesota.

The House and Senate bill have important funding provisions that I am grateful for. The Department of Public Safety looks forward to continuing to work with all chairs, committee members, and staff to ensure this bill has all the details right, can be effectively administered, and accomplishes the committee's and our Agency's shared goals. Thank you for your support of public safety. Working together to uplift the hardworking professionals who have chosen careers in public safety is critical.

Sincerely,



Bob Jacobson

Commissioner, Department of Public Safety