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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 327

01/24/2019 Authored by Moller, O'Neill, Becker-Finn, Her, Hassan and others
The bill was read for the first time and referred to the Committee on Ways and Means

1.1 A bill for an act
1.2 relating to public safety; requiring law enforcement to adopt policies for sexual
1.3 assault investigation cases; proposing coding for new law in Minnesota Statutes,
1.4 chapter 626.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. 626.8474 INVESTIGATING SEXUAL ASSAULT CASES; POLICIES
1.7 REQUIRED.

1.8 Subdivision 1. Model policy required. By September 15, 2019, the board, in consultation
1.9 with interested parties including at a minimum the Minnesota Coalition Against Sexual
1.10 Assault, must develop and distribute to all chief law enforcement officers a comprehensive
1.11 model policy for law enforcement investigations of sexual assault cases that takes into
1.12 account best practices and ensures a thorough investigation of these cases and that victims
1.13 are treated respectfully.

1.14 Subd. 2. Agency policies required. (a) By December 15, 2019, the chief law enforcement
1.15 officer of every state and local law enforcement agency must establish and enforce a written
1.16 policy governing the investigation of sexual assault cases within the agency that is identical
1.17 or substantially similar to the board's model policy described in subdivision 1. The chief
1.18 law enforcement officer must ensure that each peace officer investigating a sexual assault
1.19 case follows the agency's policy.

1.20 (b) Every state and local law enforcement agency must certify to the board that it has
1.21 adopted a written policy in compliance with this subdivision.

1.22 (c) The board must assist the chief law enforcement officer of each state and local law
1.23 enforcement agency in developing and implementing policies under this subdivision.

2.1 Subd. 3. **Compliance reviews authorized.** The board has authority to inspect state and  
2.2 local law enforcement agency policies to ensure compliance with subdivision 2. The board  
2.3 may conduct this inspection based upon a complaint it receives about a particular agency  
2.4 or through a random selection process. The board may impose licensing sanctions and seek  
2.5 injunctive relief under section 214.11 for an agency's failure to comply with subdivision 2.