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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **4200**

03/10/2022 Authored by Frazier; Hanson, J., and Mariani

The bill was read for the first time and referred to the Committee on Judiciary Finance and Civil Law

03/21/2022 Adoption of Report: Amended and re-referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

03/30/2022 Adoption of Report: Amended and re-referred to the Committee on Ways and Means

1.1 A bill for an act

1.2 relating to public safety; establishing a public safety innovation board; providing

1.3 for community safety grants; providing for law enforcement grants and policy;

1.4 requiring reports; providing for rulemaking; appropriating money; amending

1.5 Minnesota Statutes 2020, sections 214.10, subdivision 10; 626.843, by adding a

1.6 subdivision; 626.8473, subdivision 3; 626.89, subdivision 17; Laws 2021, First

1.7 Special Session chapter 11, article 1, section 15, subdivision 3; proposing coding

1.8 for new law in Minnesota Statutes, chapter 299A.

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

1.10 **ARTICLE 1**

1.11 **COMMUNITY SAFETY GRANTS**

1.12 Section 1. **[299A.625] PUBLIC SAFETY INNOVATION BOARD.**

1.13 Subdivision 1. **Establishment.** The Public Safety Innovation Board is established in the

1.14 Office of Justice Programs within the Department of Public Safety. The board has the powers

1.15 and duties described in this section.

1.16 Subd. 2. **Membership.** (a) The Public Safety Innovation Board is composed of the

1.17 following members:

1.18 (1) three individuals with experience conducting research in the areas of crime, policing,

1.19 or sociology while employed by an academic or nonprofit entity, appointed by the governor;

1.20 (2) five individuals appointed by the governor of whom:

1.21 (i) one shall be a victim of a crime or an advocate for victims of crime;

1.22 (ii) one shall be a person impacted by the criminal justice system or an advocate for

1.23 defendants in criminal cases; and

2.1 (iii) one shall have a background in social work;

2.2 (3) four members representing the community-specific boards established under sections
2.3 3.922 and 15.0145, with one appointment made by each board; and

2.4 (4) three members representing law enforcement, with one appointment by the Minnesota
2.5 Sheriffs' Association, one by the Minnesota Chiefs of Police Association, and one by the
2.6 Minnesota Police and Peace Officers Association.

2.7 (b) The members of the board shall elect one member to serve as chair.

2.8 Subd. 3. **Terms; removal; vacancy.** (a) Members are appointed to serve three-year
2.9 terms following the initial staggered-term lot determination and may be reappointed.

2.10 (b) Initial appointment of members must take place by July 1, 2022. The initial term of
2.11 members appointed under paragraph (a) shall be determined by lot by the secretary of state
2.12 and shall be as follows:

2.13 (1) five members shall serve one-year terms;

2.14 (2) five members shall serve two-year terms; and

2.15 (3) five members shall serve three-year terms.

2.16 (c) A member may be removed by the appointing authority at any time for cause, after
2.17 notice and hearing.

2.18 (d) If a vacancy occurs, the appointing authority shall appoint a new qualifying member
2.19 within 90 days.

2.20 (e) Compensation of board members is governed by section 15.0575.

2.21 Subd. 4. **Powers and duties.** The board shall improve public safety by increasing the
2.22 efficiency, effectiveness, and capacity of public safety providers and has the following
2.23 powers and duties:

2.24 (1) monitoring trends in crime within Minnesota;

2.25 (2) reviewing research on criminal justice and public safety;

2.26 (3) providing information on criminal trends and research to the commissioner,
2.27 municipalities, and the legislature;

2.28 (4) awarding grants;

2.29 (5) evaluating grant applications to assure compliance with evidence-based practices;

2.30 (6) assuring an efficient and expeditious distribution of grant funds; and

3.1 (7) working with the Minnesota Statistical Analysis Center to identify appropriate
3.2 outcomes to track on an annual basis for both programs receiving grants and local
3.3 communities for the purpose of monitoring trends in public safety and the impact of specific
3.4 programmatic models.

3.5 Subd. 5. **Meetings.** The board shall meet at least monthly. Meetings of the board are
3.6 subject to chapter 13D.

3.7 Subd. 6. **Report.** The board shall report to the legislative committees and divisions with
3.8 jurisdiction over public safety on the work of the board; the implementation, use, and
3.9 administration of grant programs under the board's jurisdiction; all grants issued by the
3.10 Office of Justice Programs to local law enforcement agencies for portable recording systems;
3.11 the outcomes tracked on an annual basis by the Minnesota Statistical Analysis Center; and
3.12 a summary and analysis of the evaluation programs completed by grant recipients in the
3.13 previous year.

3.14 **EFFECTIVE DATE.** This section is effective the day following final enactment.

3.15 Sec. 2. **OFFICE OF JUSTICE PROGRAMS; EXPANSION; APPROPRIATION.**

3.16 (a) \$4,852,000 in fiscal year 2023 is appropriated from the general fund to the
3.17 commissioner of public safety to increase staffing in the Office of Justice Programs, work
3.18 to simplify grant procedures, and expand the pool of grant applicants. Money must be used
3.19 as provided in paragraphs (b) to (f).

3.20 (b) The commissioner shall hire at least eight additional staff members to provide training
3.21 and technical assistance to grantees and potential grantees. Technical assistance must include
3.22 training on grant applications and programmatic elements required to qualify for grants.
3.23 The additional staff must hold weekly meetings in communities around the state to provide
3.24 information about the Office of Justice Programs, available grants, and grant processes and
3.25 requirements, and to receive feedback on the needs of communities in order to inform the
3.26 policies and practices of the Office of Justice Programs.

3.27 (c) The commissioner shall hire 12 additional community outreach specialists to leverage
3.28 relationships, knowledge, and experience in different communities. The community outreach
3.29 specialists shall make suggested changes to the practices and procedures of the Office of
3.30 Justice Programs to make them more accessible.

3.31 (d) The commissioner shall hire grant capacity trainers to implement the suggestions of
3.32 the community outreach specialists to continually expand the reach of the new training and
3.33 meet the needs identified by communities.

4.1 (e) The commissioner shall increase the funding of the Minnesota Statistical Analysis
4.2 Center to create a uniform evaluation program for all grantees.

4.3 (f) The commissioner shall hire additional grant compliance and financial compliance
4.4 staff to support the Office of Justice Programs and grantees in meeting state and federal
4.5 requirements and audits.

4.6 **Sec. 3. LOCAL COMMUNITY INNOVATION GRANTS.**

4.7 Subdivision 1. **Appropriation.** \$55,000,000 in fiscal year 2023 is appropriated from
4.8 the general fund to the commissioner of public safety for local community innovation grants
4.9 administered by the Office of Justice Programs as directed by the Public Safety Innovation
4.10 Board. The base for this appropriation is \$30,000,000 in fiscal year 2024 and beyond except
4.11 that beginning in fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month
4.12 percentage change in the Consumer Price Index as released in the previous January. Any
4.13 unencumbered grant balances at the end of the fiscal year do not cancel but are available
4.14 for grants in the following year.

4.15 Subd. 2. **Definitions.** (a) As used in this section, the following terms have the meanings
4.16 given.

4.17 (b) "Community violence interruption" means a program that works with other
4.18 organizations and persons in the community to develop community-based responses to
4.19 violence that use and adapt critical incident response methods, provide targeted interventions
4.20 to prevent the escalation of violence after the occurrence of serious incidents, and de-escalate
4.21 violence with the use of community-based interventions. The programs may work with
4.22 local prosecutorial offices to provide an alternative to adjudication through a restorative
4.23 justice model.

4.24 (c) "Co-responder teams" means a partnership between a group or organization that
4.25 provides mental health or crisis-intervention services and local units of government or Tribal
4.26 governments that:

4.27 (1) provides crisis-response teams to de-escalate volatile situations;

4.28 (2) responds to situations involving a mental health crisis;

4.29 (3) promotes community-based efforts designed to enhance community safety and
4.30 wellness; or

4.31 (4) supports community-based strategies to interrupt, intervene in, or respond to violence.

5.1 (d) "Qualified local government entity" means a city or town, or a federally recognized
5.2 Indian Tribe with a law enforcement agency that reports statistics on crime rates.

5.3 (e) "Restorative justice program" has the meaning given in Minnesota Statutes, section
5.4 611A.775, and includes Native American sentencing circles.

5.5 Subd. 3. **Expedited disbursement.** (a) Application materials for grants issued under
5.6 this section must be prepared and made available to the public within three months of an
5.7 appropriation being made to fund the grants.

5.8 (b) Applications must be received and reviewed, and awards must be made within six
5.9 months of an appropriation being made to fund the grants.

5.10 Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public
5.11 safety shall publish the following lists by August 1 of each year:

5.12 (1) the qualified local government entities with at least three recorded violent crimes in
5.13 the previous fiscal year and the 20 highest per capita crime rates in the previous fiscal year
5.14 based on the Uniform Crime Reports or National Incident Based Reporting System;

5.15 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
5.16 based on the Uniform Crime Reports or National Incident Based Reporting System;

5.17 (3) the qualified local government entities that are not included in the list generated
5.18 pursuant to clause (1) and have experienced at least three recorded violent crimes in the
5.19 previous fiscal year and the 20 fastest increases in the per capita rate of crime in the previous
5.20 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
5.21 System; and

5.22 (4) the counties that are not included in the list generated pursuant to clause (2) and have
5.23 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
5.24 based on the Uniform Crime Reports or National Incident Based Reporting System.

5.25 (b) A county or qualified local government entity identified in any list produced pursuant
5.26 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
5.27 or qualified local government entity that reports statistics on crime rates may apply as part
5.28 of a multijurisdictional collaboration with counties or local government entities that are not
5.29 listed provided the portion of programs or services provided through the grant funding that
5.30 are performed in the listed county or qualified local government entity is at least equal to
5.31 its proportion of the membership of the multijurisdictional collaboration.

6.1 (c) The commissioner of public safety shall notify every county and qualified local
6.2 government entity identified in any list published pursuant to paragraph (a), clauses (1) to
6.3 (4), of its eligibility for a grant under this section within three business days of publication.

6.4 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
6.5 must be awarded to counties or qualified local government entities identified in subdivision
6.6 4, paragraph (a), clause (1) or (2).

6.7 (b) Half the total amount appropriated under this section must be awarded to counties
6.8 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
6.9 or (4).

6.10 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
6.11 and manner established by the Public Safety Innovation Board.

6.12 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
6.13 in a specific subsection of the county or qualified local government entity through the
6.14 creation or expansion of:

6.15 (1) re-entry programs;

6.16 (2) victim services programs;

6.17 (3) homelessness assistance programs;

6.18 (4) mobile crisis teams and embedded social worker programs;

6.19 (5) restorative justice programs;

6.20 (6) co-responder programs;

6.21 (7) juvenile diversion programs;

6.22 (8) community violence interruption programs;

6.23 (9) blight elimination programs; or

6.24 (10) programs that provide technical assistance to service providers who are doing work
6.25 that would promote public safety.

6.26 Subd. 7. **Awards.** (a) Preference in awarding grants should be given to applicants whose
6.27 proposals are based on evidence-based practices, provide resources to geographic areas that
6.28 have been historically underinvested, and incorporate input from community stakeholders.

6.29 (b) Grant recipients may use funds to partner with or support other programs.

7.1 (c) Grant funds may not be used to fund the activities of law enforcement agencies or
7.2 offset the costs of counties or qualified local government entities.

7.3 (d) Any funds that are not encumbered or spent six years after being awarded must be
7.4 returned to the commissioner of public safety and awarded as part of a local community
7.5 innovation grant.

7.6 Subd. 8. **Evaluation.** Each grant recipient shall complete a uniform evaluation program
7.7 established by the Minnesota Statistical Analysis Center every two years.

7.8 Sec. 4. **EMERGENCY COMMUNITY SAFETY GRANTS.**

7.9 Subdivision 1. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from
7.10 the general fund to the commissioner of public safety for grants to crime prevention programs
7.11 for the purpose of providing public safety to victims. This appropriation is onetime. Any
7.12 unencumbered balance at the end of fiscal year 2023 does not cancel but is added to the
7.13 amount available for local community innovation grants.

7.14 Subd. 2. **Expedited disbursement; distribution.** The commissioner of public safety
7.15 must award emergency community safety grants and disburse funds by October 1, 2022.
7.16 Half of the total amount awarded must be provided to programs that do not involve law
7.17 enforcement agencies and are for the purposes identified in subdivision 3, paragraph (c),
7.18 clauses (1) to (8).

7.19 Subd. 3. **Eligible recipients.** (a) A county; city; town; local law enforcement agency,
7.20 including a law enforcement agency of a federally recognized Tribe, as defined in United
7.21 States Code, title 25, section 450b(e); or a federally recognized Indian Tribe may apply for
7.22 emergency community safety grants to support crime prevention programs.

7.23 (b) A county, city, town, or a federally recognized Indian Tribe may apply as part of a
7.24 multijurisdictional collaboration with other counties, cities, towns, or federally recognized
7.25 Indian Tribes.

7.26 (c) As used in this section "crime prevention programs" includes but is not limited to:

7.27 (1) re-entry programs;

7.28 (2) victim services programs;

7.29 (3) homelessness assistance programs;

7.30 (4) mobile crisis teams and embedded social worker programs;

7.31 (5) restorative justice programs;

- 8.1 (6) co-responder programs;
- 8.2 (7) juvenile diversion programs;
- 8.3 (8) community violence interruption programs;
- 8.4 (9) increasing the recruitment of officers by utilizing advertisements, or bonuses or
8.5 scholarships for peace officers who remain continuously employed as peace officers for at
8.6 least 12 months and have not been subject to disciplinary action in the previous 12 months;
- 8.7 (10) increasing patrols outside of squad cars, on foot or in transportation options that
8.8 provide more interaction between police and community members;
- 8.9 (11) increasing, establishing, maintaining, or expanding crisis response teams in which
8.10 social workers or mental health providers are sent as first responders when calls for service
8.11 indicate that an individual is having a mental health crisis;
- 8.12 (12) establishing, maintaining, or expanding co-responder teams;
- 8.13 (13) purchasing equipment to perform patrols outside of squad cars on foot or in
8.14 transportation options that provide more interaction between police and community members;
- 8.15 (14) hiring additional non-law-enforcement personnel to conduct functions typically
8.16 performed by law enforcement with the intent of freeing up additional law enforcement to
8.17 perform patrols or respond to service calls;
- 8.18 (15) increasing recruitment of additional detectives, investigators, or other individuals
8.19 with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor
8.20 vehicle theft, including hiring, on a temporary or permanent basis, retired officers utilizing
8.21 advertisement, or bonuses or scholarships for peace officers who remain continuously
8.22 employed as peace officers for at least 12 months and have not been subject to disciplinary
8.23 action in the previous 12 months;
- 8.24 (16) increasing recruitment of additional peace officers to replace officers transferred
8.25 or promoted to detective, investigator, or a comparable rank and assigned to investigate
8.26 homicides, nonfatal shootings, or motor vehicle theft;
- 8.27 (17) ensuring retention of peace officers identified as a detective, investigator, or a
8.28 comparable rank and assigned to investigate homicides and nonfatal shootings;
- 8.29 (18) acquiring, upgrading, or replacing investigative or evidence-processing technology
8.30 or equipment;
- 8.31 (19) hiring additional evidence-processing personnel;

9.1 (20) ensuring that personnel responsible for evidence processing have sufficient resources
9.2 and training;

9.3 (21) hiring and training personnel to analyze violent crime, specifically with regards to
9.4 the use of intelligence information of criminal networks and the potential for retaliation
9.5 among gangs or groups, and the geographic trends among homicides, nonfatal shootings,
9.6 and carjackings;

9.7 (22) ensuring that victim services and personnel are sufficiently funded, staffed, and
9.8 trained;

9.9 (23) ensuring that victims and family members of homicides and nonfatal shootings
9.10 have access to resources, including:

9.11 (i) convenient mental health treatment and grief counseling;

9.12 (ii) funeral and burial expenses;

9.13 (iii) relocation expenses;

9.14 (iv) emergency shelter;

9.15 (v) emergency transportation; and

9.16 (vi) lost wage assistance;

9.17 (24) developing competitive and evidence-based programs to improve homicide and
9.18 nonfatal shooting clearance rates; or

9.19 (25) developing best practices for improving access to, and acceptance of, victim services,
9.20 including those that promote medical and psychological wellness, ongoing counseling, legal
9.21 advice, and financial compensation.

9.22 Subd. 4. **Application for grants.** (a) A crime prevention program may apply to the
9.23 commissioner of public safety for a grant for any of the purposes described in subdivision
9.24 3 or for any other emergency assistance purpose approved by the commissioner. The
9.25 application must be on forms and pursuant to procedures developed by the commissioner.
9.26 The application must describe the type or types of intended emergency assistance, estimate
9.27 the amount of money required, and include any other information deemed necessary by the
9.28 commissioner.

9.29 (b) An applicant may not spend in any fiscal year more than five percent of the grant
9.30 awarded for administrative costs.

9.31 (c) Grant recipients may use funds to partner with or support other programs.

10.1 Subd. 5. Reporting by crime prevention programs required. A crime prevention
10.2 program that receives a grant under this section shall file a report by February 15, 2023,
10.3 with the commissioner of public safety itemizing the expenditures made, the purpose of
10.4 those expenditures, and the ultimate disposition, if any, of each case. The report must be
10.5 on forms and pursuant to procedures developed by the commissioner.

10.6 Sec. 5. LOCAL CO-RESPONDER GRANTS.

10.7 Subdivision 1. Appropriation. \$10,000,000 in fiscal year 2023 is appropriated from
10.8 the general fund to the commissioner of public safety for grants administered by the Office
10.9 of Justice Programs as directed by the Public Safety Innovation Board to establish, maintain,
10.10 or expand the use of co-responder programs that work with law enforcement agencies. Any
10.11 unencumbered balance at the end of the fiscal year does not cancel but is available in the
10.12 next fiscal year.

10.13 Subd. 2. Expedited disbursement; distribution. The Office of Justice Programs as
10.14 directed by the Public Safety Innovation Board must award local co-responder grants and
10.15 disburse funds within three months of the appropriation. Half of the total amount awarded
10.16 must be provided to applicants that are not law enforcement organizations.

10.17 Subd. 3. Eligible recipients. (a) A county; city; town; local law enforcement agency,
10.18 including a law enforcement agency of a federally recognized Tribe, as defined in United
10.19 States Code, title 25, section 450b(e); or a federally recognized Indian Tribe may apply for
10.20 local co-responder grants for the purposes identified in this subdivision.

10.21 (b) A county, city, town, or a federally recognized Indian Tribe may apply as part of a
10.22 multijurisdictional collaboration with other counties, cities, towns, or federally recognized
10.23 Indian Tribes.

10.24 (c) Qualifying programs must partner with local law enforcement organizations and
10.25 must include:

10.26 (1) embedded social workers;

10.27 (2) mobile crisis teams; or

10.28 (3) violence interrupters who work with law enforcement agencies.

10.29 Subd. 4. Application for grants. (a) A co-responder program may apply to the Public
10.30 Safety Innovation Board for a grant for any of the purposes described in subdivision 3. The
10.31 application must be on forms and pursuant to procedures developed by the board.

11.1 (b) An applicant may not spend in any fiscal year more than five percent of the grant
 11.2 awarded for administrative costs.

11.3 (c) Grant recipients may use funds to partner with or support other programs.

11.4 Subd. 5. **Reporting by co-responder programs required.** A co-responder program
 11.5 that receives a grant under this section shall file an annual report with the Public Safety
 11.6 Innovation Board itemizing the expenditures made during the preceding year, the purpose
 11.7 of those expenditures, and the impact of the co-responder teams. The report must be on
 11.8 forms and pursuant to procedures developed by the board.

11.9 Sec. 6. **PUBLIC SAFETY INNOVATION BOARD; APPROPRIATION.**

11.10 \$..... in fiscal year 2023 is appropriated from the general fund to the commissioner of
 11.11 public safety to establish and maintain the Public Safety Innovation Board.

11.12 Sec. 7. **OPIATE EPIDEMIC RESPONSE GRANTS.**

11.13 \$10,000,000 in fiscal year 2023 is appropriated from the general fund to the commissioner
 11.14 of public safety for grants to organizations selected by the Opiate Epidemic Response
 11.15 Advisory Council that provide services to address the opioid addiction and overdose epidemic
 11.16 in Minnesota consistent with the priorities in Minnesota Statutes, section 256.042, subdivision
 11.17 1, paragraph (a), clauses (1) to (4). Grant recipients must be located outside the seven-county
 11.18 metropolitan area.

11.19 **ARTICLE 2**

11.20 **LAW ENFORCEMENT GRANTS**

11.21 Section 1. **TASK FORCE ON ALTERNATIVE COURSES TO PEACE OFFICER**
 11.22 **LICENSURE.**

11.23 Subdivision 1. **Establishment.** The Task Force on Alternative Courses to Peace Officer
 11.24 Licensure is established to increase recruitment of new peace officers, increase the diversity
 11.25 of the racial makeup and professional background of licensed peace officers, promote
 11.26 education and training in community policing models, maintain the high standards of
 11.27 education and training required for licensure, and make policy and funding recommendations
 11.28 to the legislature.

11.29 Subd. 2. **Membership.** (a) The task force consists of the following members:

11.30 (1) the chair of the Peace Officer Standards and Training Board, or a designee;

- 12.1 (2) a member of the Peace Officer Standards and Training Board representing the general
12.2 public appointed by the chair of the Peace Officer Standards and Training Board;
- 12.3 (3) the chief of the State Patrol, or a designee;
- 12.4 (4) the superintendent of the Bureau of Criminal Apprehension, or a designee;
- 12.5 (5) the attorney general, or a designee;
- 12.6 (6) the president of the Minnesota Chiefs of Police Association, or a designee;
- 12.7 (7) the president of the Minnesota Sheriffs' Association, or a designee;
- 12.8 (8) a peace officer who is employed by a law enforcement agency of a federally
12.9 recognized Tribe, as defined in United States Code, title 25, section 450b(e), appointed by
12.10 the Indian Affairs Council;
- 12.11 (9) the executive director of the Minnesota Police and Peace Officers Association, or a
12.12 designee;
- 12.13 (10) a peace officer appointed by the executive director of the Minnesota Police and
12.14 Peace Officers Association;
- 12.15 (11) a member of a civilian review board appointed by the governor;
- 12.16 (12) an attorney who provides legal advice to victims of police brutality or who advocates
12.17 for civil liberties appointed by the governor;
- 12.18 (13) a representative from an organization that provides direct services to families or
12.19 communities impacted by police violence appointed by the governor; and
- 12.20 (14) two representatives from postsecondary schools certified to provide programs of
12.21 professional peace officer education appointed by the governor.
- 12.22 (b) Appointments must be made no later than August 30, 2022.
- 12.23 (c) Members shall serve without compensation.
- 12.24 (d) Members of the task force serve at the pleasure of the appointing authority or until
12.25 the task force expires. Vacancies shall be filled by the appointing authority consistent with
12.26 the qualifications of the vacating member required by this subdivision.
- 12.27 Subd. 3. **Officers; meetings.** (a) The task force shall elect a chair and vice-chair from
12.28 among its members. The task force may elect other officers as necessary.

13.1 (b) The chair of the Peace Officer Standards and Training Board shall convene the first
13.2 meeting of the task force no later than September 15, 2022, and shall provide meeting space
13.3 and administrative assistance as necessary for the task force to conduct its work.

13.4 (c) The task force shall meet at least monthly or upon the call of the chair. The task force
13.5 shall meet sufficiently enough to accomplish the tasks identified in this section. Meetings
13.6 of the task force are subject to Minnesota Statutes, chapter 13D.

13.7 Subd. 4. **Duties.** (a) The task force shall, at a minimum:

13.8 (1) identify barriers to recruiting peace officers;

13.9 (2) develop strategies for recruiting new peace officers;

13.10 (3) develop policies and procedures to increase the diversity of the racial makeup and
13.11 professional background of licensed peace officers;

13.12 (4) identify or develop curriculum that utilizes community policing models;

13.13 (5) provide recommendations on how to create and support an expedited pathway for
13.14 individuals to become peace officers; and

13.15 (6) assure that any alternative courses to licensure maintain the high standards of
13.16 education and training required for licensure as a peace officer in Minnesota.

13.17 (b) At its discretion, the task force may examine, as necessary, other related issues
13.18 consistent with this section.

13.19 Subd. 5. **Report.** By January 15, 2024, the task force must submit a report on its findings
13.20 and recommendations to the chairs and ranking minority members of the house of
13.21 representatives and senate committees and divisions with jurisdiction over public safety
13.22 finance and policy and the Minnesota Sentencing Guidelines Commission.

13.23 Subd. 6. **Expiration.** The task force expires the day after submitting its report under
13.24 subdivision 5.

13.25 Sec. 2. **BODY CAMERA DATA STORAGE PROGRAM; BODY CAMERA GRANT**
13.26 **PROGRAM; APPROPRIATION.**

13.27 Subdivision 1. **Definition.** As used in this section, "local law enforcement agency" has
13.28 the meaning given to "law enforcement agency" in Minnesota Statutes, section 626.84,
13.29 paragraph (f), but does not include a unit of state government.

13.30 Subd. 2. **Body camera data storage program.** (a) \$6,016,000 in fiscal year 2023 is
13.31 appropriated from the general fund to the commissioner of public safety to develop and

14.1 administer a statewide cloud-based body camera data storage program. Of this amount, the
14.2 commissioner may use up to \$1,000,000 to retain and compensate a staff necessary to
14.3 administer the program. The base for this appropriation is \$6,036,000 in fiscal year 2024
14.4 and \$6,057,000 in fiscal year 2025.

14.5 (b) State and local law enforcement agencies may voluntarily participate in the body
14.6 camera data storage program, but must agree to the conditions established in subdivision
14.7 4.

14.8 Subd. 3. **Body camera grant program.** (a) \$9,000,000 in fiscal year 2023 is appropriated
14.9 from the general fund to the commissioner of public safety for grants administered by the
14.10 Office of Justice Programs as directed by the Public Safety Innovation Board to local law
14.11 enforcement agencies for portable recording systems. The executive director shall award
14.12 grants to local law enforcement agencies for the purchase and maintenance of portable
14.13 recording systems and portable recording system data.

14.14 (b) The executive director must give preference to applicants that satisfy any of the
14.15 following criteria:

14.16 (1) agree to store body camera data in the statewide cloud-based body camera data
14.17 storage program;

14.18 (2) do not have an existing body camera program; or

14.19 (3) are ineligible for a local community policing grant under article 2, section 3.

14.20 (c) The executive director must award at least 25 percent of grant funds to applicants
14.21 located outside of the seven-county metropolitan area.

14.22 (d) The executive director must award at least 25 percent of grant funds to applicants
14.23 with existing body camera programs for maintenance and necessary upgrades to body camera
14.24 equipment.

14.25 Subd. 4. **Conditions for participants.** (a) By January 15 of each year, the chief law
14.26 enforcement officer for a grant recipient must report to the commissioner of public safety
14.27 each complaint and each case of officer discipline that arose from the use of body cameras.
14.28 No later than April 15 of each year, the commissioner shall submit a report to the Public
14.29 Safety Innovation Board that compiles the data received under this paragraph.

14.30 (b) As a condition of participating in the state body camera data storage program under
14.31 subdivision 2 or receiving a body camera grant under subdivision 3, a local law enforcement
14.32 agency's portable recording system policy required under Minnesota Statutes, section
14.33 626.8473, subdivision 3, must include the following provisions:

15.1 (1) prohibit altering, erasing, or destroying any recording made with a peace officer's
15.2 portable recording system or data and metadata related to the recording prior to the expiration
15.3 of the applicable retention period under Minnesota Statutes, section 13.825, subdivision 3,
15.4 except that the full, unedited, and unredacted recording of a peace officer using deadly force
15.5 must be maintained indefinitely;

15.6 (2) mandate that, notwithstanding any law to the contrary, a deceased individual's next
15.7 of kin, legal representative of the next of kin, or other parent of the deceased individual's
15.8 children be entitled to view any and all recordings from a peace officer's portable recording
15.9 system, redacted no more than what is required by law, of an officer's use of deadly force
15.10 no later than five business days following an incident where deadly force used by a peace
15.11 officer results in the death of an individual, except that a chief law enforcement officer may
15.12 deny a request if the investigating agency requests and can articulate a compelling reason
15.13 as to why allowing the deceased individual's next of kin, legal representative of the next of
15.14 kin, or other parent of the deceased individual's children to review the recordings would
15.15 interfere with a thorough investigation. If the chief law enforcement officer denies a request
15.16 under this paragraph, the involved officer's agency must issue a prompt, written denial and
15.17 provide notice to the deceased individual's next of kin, legal representative of the next of
15.18 kin, or other parent of the deceased individual's children that relief may be sought from the
15.19 district court;

15.20 (3) mandate that, notwithstanding any law to the contrary, an involved officer's agency
15.21 shall release all body-worn camera recordings of an incident where a peace officer used
15.22 deadly force and an individual dies to the public no later than 14 business days after the
15.23 incident, except that a chief law enforcement officer shall not release the video if the
15.24 investigating agency asserts in writing that allowing the public to view the recordings would
15.25 interfere with the ongoing investigation; and

15.26 (4) mandate, whenever practicable, that an officer operating a portable recording system
15.27 while entering a residence notify occupants of the residence that they are being recorded.

15.28 **Sec. 3. LOCAL COMMUNITY POLICING GRANTS.**

15.29 Subdivision 1. **Definition.** As used in this section, "qualified local government entity"
15.30 means a federally recognized Indian Tribe with a law enforcement agency that reports
15.31 statistics on crime rates, or a city or town that has a local law enforcement agency.

15.32 Subd. 2. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from the general
15.33 fund to the commissioner of public safety for local community policing grants administered
15.34 by the Office of Justice Programs as directed by the Public Safety Innovation Board. The

16.1 base for this appropriation is \$10,000,000 in fiscal year 2024 and fiscal year 2025 except
16.2 that in fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month percentage
16.3 change in the Consumer Price Index as released in the previous January. The base for this
16.4 appropriation is \$0 in fiscal year 2026 and beyond. Any unencumbered grant balances at
16.5 the end of a fiscal year do not cancel but are available for grants in the following year.

16.6 Subd. 3. **Expedited disbursement.** (a) Application materials for grants issued under
16.7 this section must be prepared and made available to the public within three months of an
16.8 appropriation being made to fund the grants.

16.9 (b) Applications must be received and reviewed, and awards must be made within six
16.10 months of an appropriation being made to fund the grants.

16.11 Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public
16.12 safety shall publish the following lists by August 1 of each year:

16.13 (1) the qualified local government entities that have recorded at least three violent crimes
16.14 in the previous fiscal year and have the 20 highest per capita crime rates in the previous
16.15 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
16.16 System;

16.17 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
16.18 based on the Uniform Crime Reports or National Incident Based Reporting System;

16.19 (3) the qualified local government entities that are not included in the list generated
16.20 pursuant to clause (1), have recorded at least three violent crimes in the previous fiscal year,
16.21 and have experienced the 20 fastest increases in the per capita rate of crime in the previous
16.22 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
16.23 System; and

16.24 (4) the counties that are not included in the list generated pursuant to clause (2) and have
16.25 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
16.26 based on the Uniform Crime Reports or National Incident Based Reporting System.

16.27 (b) A county or qualified local government entity identified in any list produced pursuant
16.28 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
16.29 or qualified local government entity may apply as part of a multijurisdictional collaboration
16.30 with counties and local government entities that are not listed provided the portion of
16.31 programs or services provided through the grant funding that are performed in the listed
16.32 county or qualified local government entity is at least equal to its proportion of the
16.33 membership of the multijurisdictional collaboration.

17.1 (c) The commissioner of public safety shall notify every county and qualified local
17.2 government entity identified in any list published pursuant to paragraph (a), clauses (1) to
17.3 (4), of its eligibility for a grant under this section within three business days of publication.

17.4 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
17.5 must be awarded to counties or qualified local government entities identified in subdivision
17.6 4, paragraph (a), clause (1) or (2).

17.7 (b) Half the total amount appropriated under this section must be awarded to counties
17.8 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
17.9 or (4).

17.10 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
17.11 and manner established by the Public Safety Innovation Board.

17.12 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
17.13 by increasing the capacity, efficiency, and effectiveness of law enforcement community
17.14 policing efforts through any of the following approaches:

17.15 (1) increasing the recruitment of officers by utilizing advertisements, or bonuses or
17.16 scholarships for peace officers who remain continuously employed as a peace officer for
17.17 at least 12 months and have not been subject to disciplinary action in the previous 12 months;

17.18 (2) increasing patrols outside of squad cars on foot or in transportation options that
17.19 provide more interaction between police and community members;

17.20 (3) increasing, establishing, maintaining, or expanding crisis response teams in which
17.21 social workers or mental health providers are sent as first responders when calls for service
17.22 indicate that an individual is having a mental health crisis;

17.23 (4) establishing, maintaining, or expanding co-responder teams;

17.24 (5) purchasing equipment to perform patrols outside of squad cars on foot or in
17.25 transportation options that provide more interaction between police and community members;
17.26 or

17.27 (6) hiring additional non-law-enforcement personnel to conduct functions typically
17.28 performed by law enforcement with the intent of freeing up additional law enforcement to
17.29 perform patrols or respond to service calls.

17.30 Subd. 7. **Awards.** (a) Preference in awarding grants should be given to applicants whose
17.31 proposals:

17.32 (1) involve community policing strategies;

18.1 (2) include collaboration with non-law-enforcement entities such as community-based
18.2 violence prevention programs, social worker programs, or mental health specialists;

18.3 (3) are based on academic studies or based on evidence-based policing research or
18.4 findings; or

18.5 (4) involve increased law enforcement accountability or transparency.

18.6 (b) Grant recipients may use funds to partner with or support other programs.

18.7 (c) Grant funds may not be used to offset the costs of law enforcement agencies, counties,
18.8 or qualified local government entities.

18.9 (d) Any funds that are not encumbered or spent six years after being awarded must be
18.10 returned to the commissioner of public safety and awarded as part of a local community
18.11 innovation grant.

18.12 Subd. 8. **Evaluation.** Each grant recipient shall complete a uniform evaluation program
18.13 established by the Minnesota Statistical Analysis Center every two years.

18.14 Subd. 9. **Rulemaking.** The commissioner of public safety may adopt rules pursuant to
18.15 Minnesota Statutes, chapter 14, to ensure that grant recipients have policies or patterns of
18.16 practice that promote community trust.

18.17 **Sec. 4. LOCAL INVESTIGATION GRANTS.**

18.18 Subdivision 1. **Definition.** As used in this section, "qualified local government entity"
18.19 means a federally recognized Indian Tribe with a law enforcement agency that reports
18.20 statistics on crime rates, or a city or town that has a local law enforcement agency.

18.21 Subd. 2. **Appropriation.** \$15,000,000 in fiscal year 2023 is appropriated from the general
18.22 fund to the commissioner of public safety for local investigation grants administered by the
18.23 Office of Justice Programs as directed by the Public Safety Innovation Board. The base for
18.24 this appropriation is \$10,000,000 in fiscal year 2024 and fiscal year 2025 except that in
18.25 fiscal year 2025 it shall be adjusted by a percentage equal to the 12-month percentage change
18.26 in the Consumer Price Index as released in the previous January. The base for this
18.27 appropriation is \$0 in fiscal year 2026 and beyond. Any unencumbered grant balances at
18.28 the end of a fiscal year do not cancel but are available for grants in the following year.

18.29 Subd. 3. **Expedited disbursement.** (a) Application materials for grants issued under
18.30 this section must be prepared and made available to the public within three months of an
18.31 appropriation being made to fund the grants.

19.1 (b) Applications must be received and reviewed, and awards must be made within six
19.2 months of an appropriation being made to fund the grants.

19.3 Subd. 4. **Eligible applicants; identification and notice.** (a) The commissioner of public
19.4 safety shall publish the following lists by August 1 of each year:

19.5 (1) the qualified local government entities that have recorded at least three violent crimes
19.6 in the previous fiscal year and have the 20 highest per capita crime rates in the previous
19.7 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
19.8 System;

19.9 (2) the counties with the 20 highest per capita crime rates in the previous fiscal year
19.10 based on the Uniform Crime Reports or National Incident Based Reporting System;

19.11 (3) the qualified local government entities that are not included in the list generated
19.12 pursuant to clause (1), have recorded at least three violent crimes in the previous fiscal year,
19.13 and have experienced the 20 fastest increases in the per capita rate of crime in the previous
19.14 fiscal year based on the Uniform Crime Reports or National Incident Based Reporting
19.15 System; and

19.16 (4) the counties that are not included in the list generated pursuant to clause (2) and have
19.17 experienced the 20 fastest increases in the per capita rate of crime in the previous fiscal year
19.18 based on the Uniform Crime Reports or National Incident Based Reporting System.

19.19 (b) A county or qualified local government entity identified in any list produced pursuant
19.20 to paragraph (a), clauses (1) to (4), may apply for a grant under this section. A listed county
19.21 or qualified local government entity may apply as part of a multijurisdictional collaboration
19.22 with counties and local government entities that are not listed provided the portion of
19.23 programs or services provided through the grant funding that are performed in the listed
19.24 county or qualified local government entity is at least equal to its proportion of the
19.25 membership of the multijurisdictional collaboration.

19.26 (c) The commissioner of public safety shall notify every county and qualified local
19.27 government entity identified in any list published pursuant to paragraph (a), clauses (1) to
19.28 (4), of its eligibility for a grant under this section within three business days of publication.

19.29 Subd. 5. **Grant distribution.** (a) Half of the total amount appropriated under this section
19.30 must be awarded to counties or qualified local government entities identified in subdivision
19.31 4, paragraph (a), clause (1) or (2).

20.1 (b) Half the total amount appropriated under this section must be awarded to counties
20.2 or qualified local government entities identified in subdivision 4, paragraph (a), clause (3)
20.3 or (4).

20.4 Subd. 6. **Application materials.** (a) Applicants must submit an application in the form
20.5 and manner established by the Public Safety Innovation Board.

20.6 (b) Applicants must describe the ways in which grant funds will be used to reduce crime
20.7 by increasing the capacity, efficiency, and effectiveness of law enforcement investigations
20.8 through the use of any of the following approaches:

20.9 (1) increasing recruitment of additional detectives, investigators, or other individuals
20.10 with a comparable rank or designation to investigate homicides, nonfatal shootings, or motor
20.11 vehicle theft, including hiring, on a temporary or permanent basis, retired officers by utilizing
20.12 advertisements, or bonuses or scholarships for peace officers who remain continuously
20.13 employed as a peace officer for at least 12 months and have not been subject to disciplinary
20.14 action in the previous 12 months;

20.15 (2) increasing recruitment of additional peace officers to replace officers transferred or
20.16 promoted to detective, investigator, or a comparable rank and assigned to investigate
20.17 homicides, nonfatal shootings, or motor vehicle theft;

20.18 (3) ensuring retention of peace officers identified as a detective, investigator, or a
20.19 comparable rank and assigned to investigate homicides and nonfatal shootings;

20.20 (4) acquiring, upgrading, or replacing investigative or evidence-processing technology
20.21 or equipment;

20.22 (5) hiring additional evidence-processing personnel;

20.23 (6) ensuring that personnel responsible for evidence processing have sufficient resources
20.24 and training;

20.25 (7) hiring and training personnel to analyze violent crime, specifically with regards to
20.26 the use of intelligence information of criminal networks and the potential for retaliation
20.27 among gangs or groups, and the geographic trends among homicides, nonfatal shootings,
20.28 and carjackings;

20.29 (8) ensuring that victim services and personnel are sufficiently funded, staffed, and
20.30 trained;

20.31 (9) ensuring that victims and family members of homicides and nonfatal shootings have
20.32 access to resources, including:

- 21.1 (i) convenient mental health treatment and grief counseling;
- 21.2 (ii) assistance for funeral and burial expenses;
- 21.3 (iii) assistance for relocation expenses;
- 21.4 (iv) emergency shelter;
- 21.5 (v) emergency transportation; and
- 21.6 (vi) lost wage assistance;
- 21.7 (10) developing competitive and evidence-based programs to improve homicide and
- 21.8 nonfatal shooting clearance rates; or
- 21.9 (11) developing best practices for improving access to, and acceptance of, victim services,
- 21.10 including those that promote medical and psychological wellness, ongoing counseling, legal
- 21.11 advice, and financial compensation.
- 21.12 Subd. 7. **Awards.** (a) Grant recipients may use funds to partner with or support other
- 21.13 programs.
- 21.14 (b) Grant funds may not be used to fund undercover peace officer work or offset the
- 21.15 costs of law enforcement agencies, counties, or qualified local government entities.
- 21.16 (c) Any funds that are not encumbered or spent six years after being awarded must be
- 21.17 returned to the commissioner of public safety and awarded as part of a local community
- 21.18 innovation grant.
- 21.19 Subd. 8. **Evaluation.** Each grant recipient shall complete a uniform evaluation program
- 21.20 established by the Minnesota Statistical Analysis Center every two years.
- 21.21 Subd. 9. **Rulemaking.** The commissioner of public safety may adopt rules pursuant to
- 21.22 Minnesota Statutes, chapter 14, to ensure that grant recipients have policies or patterns of
- 21.23 practice that promote community trust.
- 21.24 Sec. 5. **TASK FORCE ON ALTERNATIVE COURSES TO PEACE OFFICER**
- 21.25 **LICENSURE; APPROPRIATION.**
- 21.26 \$50,000 in fiscal year 2023 is appropriated from the general fund to the Peace Officer
- 21.27 Standards and Training Board to provide support for the task force on alternative courses
- 21.28 to peace officer licensure. This is a onetime appropriation.

22.1

ARTICLE 3

22.2

LAW ENFORCEMENT GRANTS AND POLICY

22.3 Section 1. Minnesota Statutes 2020, section 214.10, subdivision 10, is amended to read:

22.4 Subd. 10. **Board of Peace Officers Standards and Training; receipt of**
22.5 **complaint.** Notwithstanding the provisions of subdivision 1 to the contrary, when the
22.6 executive director or any member of the Board of Peace Officer Standards and Training
22.7 produces or receives a written statement or complaint that alleges a violation of a statute or
22.8 rule that the board is empowered to enforce, the executive director shall designate the
22.9 appropriate law enforcement agency to investigate the complaint and ~~shall~~ may order it to
22.10 conduct an inquiry into the complaint's allegations. The investigating agency must complete
22.11 the inquiry and submit a written summary of it to the executive director within 30 days of
22.12 the order for inquiry.

22.13 Sec. 2. Minnesota Statutes 2020, section 626.843, is amended by adding a subdivision to
22.14 read:

22.15 Subd. 1c. **Rules governing certain misconduct.** No later than January 1, 2024, the
22.16 board must adopt rules under chapter 14 that permit the board to take disciplinary action
22.17 on a licensee for a violation of a standard of conduct in Minnesota Rules, chapter 6700,
22.18 whether or not criminal charges have been filed and in accordance with the evidentiary
22.19 standards and civil processes for boards under chapter 214.

22.20 Sec. 3. Minnesota Statutes 2020, section 626.8473, subdivision 3, is amended to read:

22.21 Subd. 3. **Written policies and procedures required.** (a) The chief officer of every state
22.22 and local law enforcement agency that uses or proposes to use a portable recording system
22.23 must establish and enforce a written policy governing its use. In developing and adopting
22.24 the policy, the law enforcement agency must provide for public comment and input as
22.25 provided in subdivision 2. Use of a portable recording system without adoption of a written
22.26 policy meeting the requirements of this section is prohibited. The written policy must be
22.27 posted on the agency's website, if the agency has a website.

22.28 (b) At a minimum, the written policy must incorporate and require compliance with the
22.29 following:

22.30 (1) the requirements of section 13.825 and other data classifications, access procedures,
22.31 retention policies, and data security safeguards that, at a minimum, meet the requirements
22.32 of chapter 13 and other applicable law. The policy must prohibit altering, erasing, or

23.1 destroying any recording made with a peace officer's portable recording system or data and
23.2 metadata related to the recording prior to the expiration of the applicable retention period
23.3 under section 13.825, subdivision 3, except that the full, unedited, and unredacted recording
23.4 of a peace officer using deadly force must be maintained indefinitely;

23.5 (2) mandate that a portable recording system be:

23.6 (i) worn where it affords an unobstructed view, and above the mid-line of the waist;

23.7 (ii) activated during all contacts with citizens in the performance of official duties other
23.8 than community engagement, to the extent practical without compromising officer safety;

23.9 and

23.10 (iii) activated when the officer arrives on scene of an incident and remain active until
23.11 the conclusion of the officer's duties at the scene of the incident;

23.12 (3) mandate that officers assigned a portable recording system wear and operate the
23.13 system in compliance with the agency's policy adopted under this section while performing
23.14 law enforcement activities under the command and control of another chief law enforcement
23.15 officer or federal law enforcement official;

23.16 (4) mandate that, notwithstanding any law to the contrary, a deceased individual's next
23.17 of kin, legal representative of the next of kin, or other parent of the deceased individual's
23.18 children be entitled to view any and all recordings from a peace officer's portable recording
23.19 system, redacted no more than what is required by law, of an officer's use of deadly force
23.20 no later than five business days following an incident where deadly force used by a peace
23.21 officer results in the death of an individual, except that a chief law enforcement officer may
23.22 deny a request if the investigating agency requests and can articulate a compelling reason
23.23 as to why allowing the deceased individual's next of kin, legal representative of the next of
23.24 kin, or other parent of the deceased individual's children to review the recordings would
23.25 interfere with a thorough investigation. If the chief law enforcement officer denies a request
23.26 under this paragraph, the involved officer's agency must issue a prompt, written denial and
23.27 provide notice to the deceased individual's next of kin, legal representative of the next of
23.28 kin, or other parent of the deceased individual's children that relief may be sought from the
23.29 district court;

23.30 (5) mandate that, notwithstanding any law to the contrary, an involved officer's agency
23.31 shall release all body-worn camera recordings of an incident where a peace officer used
23.32 deadly force and an individual dies to the public no later than 14 business days after the
23.33 incident, except that a chief law enforcement officer shall not release the video if the

24.1 investigating agency asserts in writing that allowing the public to view the recordings would
24.2 interfere with the ongoing investigation;

24.3 (6) procedures for testing the portable recording system to ensure adequate functioning;

24.4 (3) (7) procedures to address a system malfunction or failure, including requirements
24.5 for documentation by the officer using the system at the time of a malfunction or failure;

24.6 (4) (8) circumstances under which recording is mandatory, prohibited, or at the discretion
24.7 of the officer using the system;

24.8 (5) (9) circumstances under which a data subject must be given notice of a recording;

24.9 (6) (10) circumstances under which a recording may be ended while an investigation,
24.10 response, or incident is ongoing;

24.11 (7) (11) procedures for the secure storage of portable recording system data and the
24.12 creation of backup copies of the data; and

24.13 (8) (12) procedures to ensure compliance and address violations of the policy, which
24.14 must include, at a minimum, supervisory or internal audits and reviews, and the employee
24.15 discipline standards for unauthorized access to data contained in section 13.09.

24.16 (c) The board has authority to inspect state and local law enforcement agency policies
24.17 to ensure compliance with this section. The board may conduct this inspection based upon
24.18 a complaint it receives about a particular agency or through a random selection process.
24.19 The board may impose licensing sanctions and seek injunctive relief under section 214.11
24.20 for an agency's or licensee's failure to comply with this section.

24.21 Sec. 4. Minnesota Statutes 2020, section 626.89, subdivision 17, is amended to read:

24.22 Subd. 17. **Civilian review.** (a) As used in this subdivision, the following terms have the
24.23 meanings given:

24.24 (1) "civilian oversight council" means a civilian review board, commission, or other
24.25 oversight body established by a local unit of government to provide civilian oversight of a
24.26 law enforcement agency and officers employed by the agency; and

24.27 (2) "misconduct" means a violation of law, standards promulgated by the Peace Officer
24.28 Standards and Training Board, or agency policy.

24.29 (b) A local unit of government may establish a civilian review board, commission, or
24.30 other oversight body shall not have council and grant the council the authority to make a
24.31 finding of fact or determination regarding a complaint against an officer or impose discipline

25.1 on an officer. ~~A civilian review board, commission, or other oversight body may make a~~
25.2 ~~recommendation regarding the merits of a complaint, however, the recommendation shall~~
25.3 ~~be advisory only and shall not be binding on nor limit the authority of the chief law~~
25.4 ~~enforcement officer of any unit of government.~~

25.5 (c) At the conclusion of any criminal investigation or prosecution, if any, a civilian
25.6 oversight council may conduct an investigation into allegations of peace officer misconduct
25.7 and retain an investigator to facilitate an investigation. Subject to other applicable law, a
25.8 council may subpoena or compel testimony and documents in an investigation. Upon
25.9 completion of an investigation, a council may make a finding of misconduct and recommend
25.10 appropriate discipline against peace officers employed by the agency. If the governing body
25.11 grants a council the authority, the council may impose discipline on peace officers employed
25.12 by the agency. A council may submit investigation reports that contain findings of peace
25.13 officer misconduct to the chief law enforcement officer and the Peace Officer Standards
25.14 and Training Board's complaint committee. A council may also make policy
25.15 recommendations to the chief law enforcement officer and the Peace Officer Standards and
25.16 Training Board.

25.17 (d) The chief law enforcement officer of a law enforcement agency under the jurisdiction
25.18 of a civilian oversight council shall cooperate with the council and facilitate the council's
25.19 achievement of its goals. However, the officer is under no obligation to agree with individual
25.20 recommendations of the council and may oppose a recommendation. If the officer fails to
25.21 implement a recommendation that is within the officer's authority, the officer shall inform
25.22 the council of the failure along with the officer's underlying reasons.

25.23 (e) Peace officer discipline decisions imposed pursuant to the authority granted under
25.24 this subdivision shall be subject to the applicable grievance procedure established or agreed
25.25 to under chapter 179A.

25.26 (f) Data collected, created, received, maintained, or disseminated by a civilian oversight
25.27 council related to an investigation of a peace officer are personnel data as defined by section
25.28 13.43, subdivision 1, and are governed by that section.

25.29 Sec. 5. Laws 2021, First Special Session chapter 11, article 1, section 15, subdivision 3,
25.30 is amended to read:

25.31 **Subd. 3. Peace Officer Training Assistance**

25.32 **Philando Castile Memorial Training Fund**

25.33 \$6,000,000 each year is to support and

26.1 strengthen law enforcement training and
26.2 implement best practices. This funding shall
26.3 be named the "Philando Castile Memorial
26.4 Training Fund." These funds may only be used
26.5 to reimburse costs related to training courses
26.6 that qualify for reimbursement under
26.7 Minnesota Statutes, sections 626.8469
26.8 (training in crisis response, conflict
26.9 management, and cultural diversity) and
26.10 626.8474 (autism training).

26.11 Each sponsor of a training course is required
26.12 to include the following in the sponsor's
26.13 application for approval submitted to the
26.14 board: course goals and objectives; a course
26.15 outline including at a minimum a timeline and
26.16 teaching hours for all courses; instructor
26.17 qualifications, ~~including skills and concepts~~
26.18 ~~such as crisis intervention, de-escalation, and~~
26.19 ~~cultural competency that are relevant to the~~
26.20 ~~course provided~~; and a plan for learning
26.21 assessments of the course and documenting
26.22 the assessments to the board during review.

26.23 Upon completion of each course, instructors
26.24 must submit student evaluations of the
26.25 instructor's teaching to the sponsor.

26.26 The board shall keep records of the
26.27 applications of all approved and denied
26.28 courses. All continuing education courses shall
26.29 be reviewed after the first year. The board
26.30 must set a timetable for recurring review after
26.31 the first year. For each review, the sponsor
26.32 must submit its learning assessments to the
26.33 board to show that the course is teaching the
26.34 learning outcomes that were approved by the
26.35 board.

27.1 A list of licensees who successfully complete
27.2 the course shall be maintained by the sponsor
27.3 and transmitted to the board following the
27.4 presentation of the course and the completed
27.5 student evaluations of the instructors.
27.6 Evaluations are available to chief law
27.7 enforcement officers. The board shall establish
27.8 a data retention schedule for the information
27.9 collected in this section.

27.10 Each year, if funds are available after
27.11 reimbursing all eligible requests for courses
27.12 approved by the board under this subdivision,
27.13 the board may use the funds to reimburse law
27.14 enforcement agencies for other
27.15 board-approved law enforcement training
27.16 courses. The base for this activity is \$0 in
27.17 fiscal year 2026 and thereafter.

27.18 **Sec. 6. MULTIJURISDICTIONAL LAW ENFORCEMENT TRAINING IN THE**
27.19 **PROPER USE OF FORCE, DUTY TO INTERCEDE, AND CONFLICT**
27.20 **DE-ESCALATION; REIMBURSEMENT; APPROPRIATION.**

27.21 (a) \$2,500,000 in fiscal year 2023 is appropriated from the general fund to the
27.22 commissioner of the Office of Higher Education to provide reimbursement grants to
27.23 postsecondary schools certified to provide programs of professional peace officer education
27.24 for providing in-service training programs for peace officers on the proper use of force,
27.25 including deadly force, the duty to intercede, and conflict de-escalation. Of this amount, up
27.26 to 2.5 percent is for administration and monitoring of the program.

27.27 (b) To be eligible for reimbursement, training offered by a postsecondary school must
27.28 consist of no less than eight hours of instruction and:

27.29 (1) satisfy the requirements of Minnesota Statutes, section 626.8452, and be approved
27.30 by the Board of Peace Officer Standards and Training, for use of force training;

27.31 (2) utilize scenario-based training that simulates real-world situations and involves the
27.32 use of real firearms that fire nonlethal ammunition when appropriate;

28.1 (3) include a block of instruction on the physical and psychological effects of stress
28.2 before, during, and after a high risk or traumatic incident and the cumulative impact of stress
28.3 on the health of officers;

28.4 (4) include blocks of instruction on de-escalation methods and tactics, bias motivation,
28.5 unknown risk training, defensive tactics, and force-on-force training; and

28.6 (5) be offered to peace officers at no charge to the peace officer or an officer's law
28.7 enforcement agency.

28.8 (c) A postsecondary school that offers training consistent with the requirements of
28.9 paragraph (b) may apply for reimbursement for the costs of offering the training.
28.10 Reimbursement shall be made at a rate of \$450 for each officer who participates in the
28.11 training. The postsecondary school must submit the name and peace officer license number
28.12 of the peace officer who received the training.

28.13 (d) As used in this section:

28.14 (1) "law enforcement agency" has the meaning given in Minnesota Statutes, section
28.15 626.84, subdivision 1, paragraph (f); and

28.16 (2) "peace officer" has the meaning given in Minnesota Statutes, section 626.84,
28.17 subdivision 1, paragraph (c).

28.18 **Sec. 7. PEACE OFFICER STANDARDS AND TRAINING BOARD**
28.19 **INVESTIGATORS; APPROPRIATION.**

28.20 \$2,500,000 in fiscal year 2023 is appropriated from the general fund to the Peace Officer
28.21 Standards and Training Board to hire investigators and additional staff to perform compliance
28.22 reviews and investigate alleged code of conduct violations, and to obtain or improve
28.23 equipment for that purpose.