



# Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200, Saint Paul, MN 55104

Main: (651) 643-3060 | [www.mn.gov/post/](http://www.mn.gov/post/)

---

## General Information about Filing Complaints with the Minnesota Board of Peace Officer Standards and Training (POST)

---

The POST Board's authority to investigate complaints and to impose discipline on a peace officer's license is limited by Minnesota Statutes [626.8431](#), [626.8432](#), and [626.845](#). These statutes provide that POST can take licensure action when a violation of the established standards of conduct for licensed peace officers occurs.

Some examples of standards of conduct violations include: engaging in discriminatory conduct, use of unauthorized or unreasonable force or unauthorized deadly force, misuse of authority, or committing certain criminal offenses. The full list of Standards of Conduct violations can be found in Minn. Rules [6700.1600](#).

**Local Agency:** Minnesota law requires that all law enforcement agencies have a policy on Allegations of Misconduct that outlines the acceptance, investigation and resolution of citizen complaints.

**POST Board:** If you believe that an officer has violated a POST Board standard of conduct, you may use this form to file a complaint with POST, in addition to filing a complaint with the agency of the officer.

After you have filed a complaint with us, our staff will review the complaint, then bring it before our Complaint Investigation Committee to determine if it falls within the POST Board's jurisdiction. If your complaint falls within the POST Board's jurisdiction, additional information will be gathered. The Board may order an investigation conducted by an outside agency.

If your complaint is determined to NOT be in POST Board jurisdiction, no further action will be taken and we will notify you. If your complaint is not in POST Board jurisdiction, we encourage you to contact the officer's agency and file a complaint with them if you have not already done so.

Additionally, we have created a frequently asked questions (FAQ) document that you can access at this link: [POST Board Complaints FAQ](#).

If you still have questions regarding the information in this complaint packet or the FAQ document or are having difficulty determining if your complaint is appropriate for POST Board action, do not hesitate to contact us at 651-643-3060 or send an email to [postboard.agency.docs@state.mn.us](mailto:postboard.agency.docs@state.mn.us) and ask to speak with a Standards Coordinator.

You can also use the following link to view the complaints page on our website: [POST Board Complaints Page](#).

## **STANDARDS OF CONDUCT FOR LAW ENFORCEMENT OFFICERS**

Effective June 1, 2023, officers who engage in the conduct listed below are subject to discipline by the POST Board. The “engaged in” standard is different from past rules and does not require an arrest or conviction. Officers are required to self-report any prohibited conduct to POST and the CLEO within 10 days.

### **Prohibited Conduct related to law enforcement authority:**

#### **Use of Force:**

- Engage in unreasonable or excessive use of force; unauthorized use of force, or unauthorized use of deadly force;
- Fail to intercede when observing another officer using force beyond that which is objectively reasonable (Minn. Stat. 626.8475);
- Fail to report any use of force violations by another employee or officer in writing within 24 hours to the chief law enforcement officer (Minn. Stat. 626.8475);

#### **Misuse Officer Authority:**

- Misuse an officer’s authority by the use or attempted use of one’s position or authority as an officer to obtain a benefit, avoid a detriment, or harm another;
- Misuse an officer’s authority by maliciously procuring a search warrant, exceeding the officer’s authority in executing a search warrant, or executing a search warrant with unnecessary severity (Minn. Stat. 626.22);
- Intentionally gain unauthorized access to or unlawfully misuse government data; or
- Intentionally make undisclosed or improper inducements to witnesses or suspects;

#### **Misconduct:**

- Fail to report crimes of bias or alleged crimes of bias (Minn. Stat. 626.5531);
- Fail to report the officer’s arrest or criminal charge, or any violation of standards of conduct to the board and the officer’s chief law enforcement officer within ten days;
- Falsify or knowingly provide false information to the board, a law enforcement agency, or a court;
- Intentionally mishandle evidence or property;
- Fail to cooperate with a board investigation;
- Conduct prohibited by or listed as grounds for disciplinary action in rule or statute;
- Cheat or attempt to subvert the examination or licensing process;
- Be the subject of revocation, suspension, or surrender of a law enforcement license or certificate in resolution of a complaint or other adverse action relating to licensing or certification in another jurisdiction;
- Misconduct of a public officer or public employee (Minn. Stat.609.43); or
- Fail to comply with any other requirement in rule or statute for officers.

## **Conduct unrelated to Law Enforcement Responsibilities (with or without any arrest or criminal charges)**

- Conduct that would be a felony in Minnesota or another jurisdiction;
- Conduct identified as a gross misdemeanor in Minnesota;
- Discriminatory conduct (Minn Rules 6700.0100 subp. 26)
- Engage in bias crimes, including assaults or criminal damage to property motivated by bias (Minn. Stat. 609.2231, subd. 4, and 609.595, subd. 2 (b));
- Join, support, advocate for, maintain membership, or participate in the activities of:
  - A hate or extremist group (6700.0100 subp. 29); or
  - A criminal gang (Minn. Stat. 609.229 Subd. 1);
- Theft, prostitution or controlled substance offenses;
- Sexual harassment (Minn. Stat. 363A.03, subd. 43);
- Domestic assault (Minn. Stat. 609.2242);
- Violation of a domestic abuse no contact order (Minn. Stat. 629.75, subd. 2);
- Violation of an order for protection (Minn. Stat. 518B.01 subd. 14);
- Harassment or stalking (Minn. Stat. 609.749);
- Violation of a harassment restraining order (Minn. Stat. 609.748 subd. 6);
- Interference with an emergency call (Minn. Stat. 609.78, subd. 2 (1));
- Nonconsensual dissemination of private sexual images (Minn. Stat. 617.261);
- Criminal sexual conduct (Minn. Stat. 609.341 to 609.3451);
- Indecent exposure (Minn. Stat. 617.23);
- Sexual extortion (Minn. Stat. 609.3458);
- Have been required at any point in time to be registered as a predatory offender;
- Interference with privacy (Minn. Stat. 609.746);
- Carrying a pistol while under the influence of alcohol, a controlled substance, or an intoxicating substance;
- Driving while under the influence of alcohol, a controlled substance, or an intoxicating substance;
- Fleeing by means other than a vehicle;
- Mistreatment of a vulnerable adult (Minn. Stat. 609.2231; 609.231; 609.2325; 609.2335; 609.234; and 609.72, subd. 3);
- Malicious punishment of a child (Minn. Stat. 609.377);
- Mistreating animals (Minn. Stat. 343.21);
- Making false claims for profit to a public body or officer (Minn. Stat. 609.465);
- Attempting medical assistance fraud (Minn. Stat. 609.466);
- Obstructing legal process;

### **Prior Conduct:**

Conduct of currently licensed law enforcement officers that occurred before June 1, 2023 is subject to standards of conduct in effect at the time the conduct occurred.

MINNESOTA BOARD OF PEACE OFFICER STANDARDS AND TRAINING

**COMPLAINT FORM**

- If you need assistance with completing this form for any reason please contact one of our Standards Coordinators: [postboard.agency.docs@state.mn.us](mailto:postboard.agency.docs@state.mn.us)
- We recognize that you may not have some of the information requested on this form. Please complete the sections using the information that you do have.
- If you have documents, audio or video recordings, or other supporting information to add to this complaint, contact one of our Standards Coordinators to discuss what formats POST can accept.

<b>Agency/Agencies:</b>	
<b>Officer(s):</b>	

**COMPLAINANT**

First Name	Middle Name	Last Name		
Street Address		City	State	Zip Code
Cell Phone	Alternate Phone	Email		

**WITNESS** *(If more than one witness, attach additional pages)*

First Name	Middle Name	Last Name		
Street Address		City	State	Zip Code
Cell Phone	Alternate Phone	Email		

**INCIDENT**

Date	Time	Location		
Name(s) of Principle Officer(s) <i>(If unknown, provide a physical description)</i>				
Badge Number(s)		Squad Number(s)		
Law Enforcement Agency/Agencies		Citation or Case Number		

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_



## NOTICE

You are voluntarily filing a complaint with the POST Board. Information you provide on this form, and in later communications or proceedings, may be used by POST Board staff or designated investigators to process and investigate your complaint. The information you provide may also be released to others who have authority to review it, including other individuals within the Board, the Minnesota Attorney General's Office, the Office of Administrative Hearings, state and federal law enforcement agencies, courts, and the legislative auditor. The information may also be used for statistics. You are not required to submit this form or provide all of the information requested on the form. However, if you do not provide all of the information, we may not be able to fully investigate the claim or contact you with additional questions. We will not identify you as the complainant unless you authorize us to do so below or we are ordered to disclose your identity by a presiding judicial officer. In some cases, we will not be able to investigate your complaint if you do not authorize us to disclose your identity. In any event, the law requires the Board to share a copy of your complaint against a licensed peace officer before it commences a formal disciplinary proceeding based on your complaint. Your name and identifying information will be redacted from the complaint if you do not authorize us to identify you, however, the licensee may still be able to discern your identity based solely on the factual allegations in your complaint. Lastly, the content of your complaint will be accessible to the licensee even if the Board does not act on it as a matter of law.

**Do you authorize the POST Board to share your name and identifying information with the subject of your complaint? Please check Yes or No.**

**YES** I hereby authorize the POST Board to release my name as the complainant to the subject of the complaint and to any other person as necessary for purposes of furthering the underlying investigation.

**NO** I do not authorize the POST Board to release my name as the complainant. I recognize that the Board may not be able to investigate my complaint if I do not authorize it to disclose my identity as the complainant. I understand that the law requires the Board to provide the licensee with a copy of my complaint with my personal identifying information redacted even if I check the "no" box. I further acknowledge that, even with my personal information redacted, the subject of my complaint may be able to discern my identity based solely on the nature of my allegations and, in any event, that a judicial officer may order the Board to disclose my identity as the complainant without consent.

**Signature or Typed Signature of Complainant**

**Printed Name**

**Date**