



# 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/)

## Public Safety Advisory Council

### MEETING AGENDA

Thursday, April 17, 2025 9:00am to 10:30am

*This meeting will be held at the MN POST Board, 1600 University Ave, Ste 200, St. Paul, MN 55104*

1. Call to Order.
2. Approval of the Agenda **ACTION.**
3. Introductions of New Council Members (Attachment).
4. Approval of Minutes from 10/9/24 Meeting **ACTION.**
5. Approval of Minutes from 2/10/25 Meeting **ACTION.**
6. Enforcement of Child Custody Laws (Violence Free Minnesota and Standpoint)  
**DISCUSSION.**
7. Juvenile Justice Subcommittee **DISCUSSION, UPDATE.** (Carl Crawford).
8. Citizen Review Board Outreach **DISCUSSION, UPDATE.** (Carl Crawford).
9. Advisory Council Six-Month Action Plan: Getting Out Into Community (Sue Abderholden).
10. Administrative Forfeitures Model Policy (Attachment), (Schyler Beaty).
11. Lighting Exemption of Law Enforcement Vehicles Model Policy (Attachment), (Schyler Beaty).
12. Adjournment.

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#### Minn. Stat. § 626.8435 **PUBLIC SAFETY ADVISORY COUNCIL**

(a) The purpose of the council is to assist the board in maintaining policies and regulating peace officers in a manner that ensures the protection of civil and human rights. The council shall provide for citizen involvement in policing policies, regulations, and supervision. The council shall advance policies and reforms that promote positive interactions between peace officers and the community.

**PUBLIC SAFETY ADVISORY COUNCIL ROSTER**

**April 2025**

Minnesota Council on Asian-Pacific Minnesotans	Chair Eric Won	<a href="mailto:cheztruffe@gmail.com">cheztruffe@gmail.com</a>
Bureau of Criminal Apprehension	Biiftuu Adam	<a href="mailto:biiftuu.adams@state.mn.us">biiftuu.adams@state.mn.us</a>
POST Executive Director	Erik Misselt	<a href="mailto:erik.misselt@state.mn.us">erik.misselt@state.mn.us</a>
Minnesota Police and Peace Officers Association	Shane Myre	<a href="mailto:shane.myre@hennepin.us">shane.myre@hennepin.us</a>
Minnesota Sheriff's Association	Sheriff Sean Deringer	<a href="mailto:sean.deringer@co.wright.mn.us">sean.deringer@co.wright.mn.us</a>
Minnesota Chief's of Police Association	Chief Terry Stier	<a href="mailto:tstier@ci.belleplaine.mn.us">tstier@ci.belleplaine.mn.us</a>
Minnesota Indian Affairs Council	Anne Haines Holy Eagle	<a href="mailto:ann@icwlc.org">ann@icwlc.org</a>
Minnesota Council on Latino Affairs	Eder Castillo	<a href="mailto:eder.castillo@hennepin.us">eder.castillo@hennepin.us</a>
Council for Minnesotans of African Heritage	Carl Crawford	<a href="mailto:crawfordc@stlouiscountymn.gov">crawfordc@stlouiscountymn.gov</a>
National Alliance on Mental Illness	Sue Abderholden	<a href="mailto:sabderholden@namimn.org">sabderholden@namimn.org</a>
Violence Free Minnesota	Nikki Engel	<a href="mailto:nengel@yfmn.org">nengel@yfmn.org</a>
Speaker of the House (Designee)	Bidal Duran	<a href="mailto:rep.bidal.duran@house.mn">rep.bidal.duran@house.mn</a>
House Minority Leader (Designee)	Kaohly Her	<a href="mailto:rep.kaohly.her@house.mn">rep.kaohly.her@house.mn</a>
Senate Majority Leader (Designee)	Judy Seeberger	<a href="mailto:sen.judy.seeberger@mnsenate.gov">sen.judy.seeberger@mnsenate.gov</a>
Senate Minority Leader (Designee)	(Vacant)	



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## Public Safety Advisory Council

October 9, 2024

9:00 a.m.

*This was a hybrid meeting held at the MN POST Board Office, 1600 University Ave, Ste 200, St. Paul, MN 55104*

### Members Present:

Chair Eric Won  
Anne Haines Holy Eagle  
Biiftuu Adam  
Carl Crawford  
Erik Misselt  
Kaohly Her  
Nikki Engel  
Paul Novotny  
Sue Abderholden  
Terry Stier

### Members Absent:

Andrew Mathews  
Cathy Spann  
Julio Zelaya  
Sean Deringer  
Shane Myre

### Staff Present:

Shari Bartness  
Mike Monsrud

**Call to Order:** Chair Won called the meeting to order on October 9, 2024 at 9:07 a.m.

**Approval of the Agenda:** Chair Won asked the Council if they had any modifications for the agenda.

- **Motion:** Ms. Haines Holy Eagle made a motion to approve the agenda. Ms. Abderholden seconded the motion. The motion was approved via unanimous voice vote.

**Approval of the August 7, 2024 Minutes:** Chair Won asked if everyone had a chance to review the minutes and asked if there were any edits needed.

- **Motion:** Mr. Misselt made a motion to approve the meeting minutes. Mr. Stier seconded the motion. The motion was approved via unanimous voice vote.

**Purpose of listening sessions:** Chair Won spoke about the mission of the Council is to promote positive interactions between police and community and then to report back to legislation on the progress.

Chair Won spoke about needing assigned staff to assist with the learning research.

Director Misselt spoke about the role of the MN POST Board is to provide clerical support. The creation of the content is what the Council is responsible for. MN POST Board can assist with distribution.

**Discussed topics:**

- Create a survey.
- Research needed.
- What are the needs of the community right now.
- Put together a flyer.
  - What would you like to see in your community?
  - Visit with certain groups.
- Meet once a month.
  - Identify goals that gives a reason for the council to meet once a month.
- Council agreed to have a half day retreat in December 2024.

**Update on public listening sessions:** The Council decided to table this discussion and move onto the next agenda item.

**Report titled “15 Principles for reducing the risk of restraint-related death”:** Ms. Abderholden provided a brief summary of the report that was put out by PERF.

Discussion ensued on #10 not willful compliance because of psychosis.

**Update on State Citizen Review Boards, new leadership and workshop:** Chair Won spoke about Minneapolis having a new Chair.

Mr. Crawford spoke about the subcommittee’s name has been changed to Juvenile Justice Subcommittee. The subcommittee has been working on creating a training module and looks forward to presenting the video to this Council once it is available.

**POST Executive Director update.** Director Misselt provided an update on the following:

- 2 new Board members; Mayor of Floodwood, Tad Farrell and public member Dr. Stephanie Burrage.
- Biennial report.
- SRO learning objectives.
- Rule making currently working on pre-service training so that it can become more efficient in streamlining the process for getting new officers while maintaining a high level of standards.

**Adjournment:** Chair Won asked for a motion to adjourn at 10:12 a.m.

- **Motion:** Ms. Abderholden made a motion to adjourn. Mr. Stier seconded the motion. Motion passed.



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## Public Safety Advisory Council Meeting Minutes

February 10, 2025

9:00 a.m.

*This was a hybrid meeting held at the POST Board office*

### Members Present:

Chair Eric Won  
Anne Haines Holy Eagle  
Carl Crawford  
Erik Misselt  
Nikki Engel  
Paul Novotny  
Shane Myre  
Sue Abderholden  
Sean Deringer

### Staff Present:

Schyler Beaty

### Members Absent:

Biiftuu Adam  
Kaohly Her  
Terry Stier  
Andrew Mathews  
Cathy Spann  
Julio Zelaya

**Call to Order:** Chair Won called the meeting to order on February 10, 2025 at 9:05 a.m.

**Approval of the Agenda:** Chair Won asked for a motion to approve the agenda.

- **Motion:** Mr. Myre made a motion to approve the agenda. Ms. Engel seconded the motion. The motion was approved via unanimous voice vote.

**Approval of the revised December 17, 2024 Workshop Minutes:** Chair Won asked if everyone had a chance to review the minutes and asked if there are any edits needed.

- **Motion:** Mr. Misselt made a motion to approve the workshop meeting minutes. Ms. Haines Holy Eagle seconded the motion. The motion was approved via unanimous voice vote.

**Approval of the January 13, 2025 Minutes:** Chair Won asked if everyone had a chance to review the minutes and asked if there are any edits needed.

- **Motion:** Ms. Abderholden made a motion to approve the January 13, 2025 meeting minutes. Ms.

Engel seconded the motion. The motion was approved via unanimous voice vote.

**Missing and Endangered Persons (model) policy update:** Mr. Beaty provided information on the effort to update this model policy. Input from the council at the 01/13/2025 meeting was incorporated in an update to the draft. The recommended updates on this policy and other model policies are expected to be submitted to the POST Board members for review and approval later this year.

Ms. Abderholden recommended content similar to “or substantial psychotic disorder” be added to “3)” of the definition for “Endangered”.

Ms. Engel asked for clarification of line 7 of the Investigation section. Mr. Misselt clarified that the lines in this section are meant as suggestions for peace officers to incorporate into their investigation when appropriate.

Mr. Misselt clarified that this policy was meant as guidance for any missing or endangered person investigation.

**Missing and Murdered Women and Girls:** Brief comments from Mr. Won, who then asked about the status of the council getting a representative from the Latino community. Mr. Misselt stated the person interested in joining the council is still going through the state process.

Mr. Crawford asked if recent executive orders have an impact on POST Board model policies. Mr. Misselt said there is no impact that he is aware of. The subject matter is currently beyond the scope of the POST Board.

**Administrative Forfeitures (model) policy:** Mr. Beaty briefly mentioned this policy and asked the council to review and provide input on recommended changes. Mr. Won asked that council members bring recommendations to the next meeting.

**Lighting Exemption of Law Enforcement Vehicles (model) policy:** Mr. Beaty briefly mentioned this policy and asked the council to review and provide input on recommended changes. Mr. Won asked that council members bring recommendations to the next meeting.

**Overview of MN POST Board Model Policies:** Mr. Beaty gave a brief overview of why these policies were created, and what law enforcement agencies are responsible for relative to having these policies in place.

**Minneapolis PD Court-ordered monitoring:** Mr. Won said the monitor for the MPD decree wanted to provide an update during this meeting but was not available.

Mr. Won asked for final comments from those in attendance. Ms. Abderholden said the transport hold issues continue. Mr. Crawford, Mr. Deringer and Mr. Myre addressed the support of law enforcement right now.

**Adjournment:** Chair Won asked for a motion to adjourn at 9:40 a.m.

- **Motion:** Mr. Misselt made a motion to adjourn. Mr. Myre seconded the motion. The motion was approved via unanimous voice vote.

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# Office of the Revisor of Statutes

## Office of the Revisor of Statutes

### 2024 Minnesota Statutes

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#### 609.26 DEPRIVING ANOTHER OF CUSTODIAL OR PARENTAL RIGHTS.

Subdivision 1. **Prohibited acts.** Whoever intentionally does any of the following acts may be charged with a felony and, upon conviction, may be sentenced as provided in subdivision 6:

(1) conceals a minor child from the child's parent where the action manifests an intent substantially to deprive that parent of parental rights or conceals a minor child from another person having the right to parenting time or custody where the action manifests an intent to substantially deprive that person of rights to parenting time or custody;

(2) takes, obtains, retains, or fails to return a minor child in violation of a court order which has transferred legal custody under chapter 260, 260B, or 260C to the commissioner of human services, a child-placing agency, or the local social services agency;

(3) takes, obtains, retains, or fails to return a minor child from or to the parent in violation of a court order, where the action manifests an intent substantially to deprive that parent of rights to parenting time or custody;

(4) takes, obtains, retains, or fails to return a minor child from or to a parent after commencement of an action relating to child parenting time or custody but prior to the issuance of an order determining custody or parenting time rights, where the action manifests an intent substantially to deprive that parent of parental rights;

(5) retains a child in this state with the knowledge that the child was removed from another state in violation of any of the above provisions;

(6) refuses to return a minor child to a parent or lawful custodian and is at least 18 years old and more than 24 months older than the child;

(7) causes or contributes to a child being a habitual truant as defined in section 260C.007, subdivision 19, and is at least 18 years old and more than 24 months older than the child;

(8) causes or contributes to a child being a runaway as defined in section 260C.007, subdivision 28, and is at least 18 years old and more than 24 months older than the child; or

(9) is at least 18 years old and resides with a minor under the age of 16 without the consent of the minor's parent or lawful custodian.

Subd. 2. **Defenses.** It is an affirmative defense if a person charged under subdivision 1 proves that:

(1) the person reasonably believed the action taken was necessary to protect the child from physical or sexual assault or substantial emotional harm;

(2) the person reasonably believed the action taken was necessary to protect the person taking the action from physical or sexual assault;

(3) the action taken is consented to by the parent, stepparent, or legal custodian seeking prosecution, but consent to custody or specific parenting time is not consent to the action of failing to return or concealing a minor child; or

(4) the action taken is otherwise authorized by a court order issued prior to the violation of subdivision 1.

The defenses provided in this subdivision are in addition to and do not limit other defenses available under this chapter or chapter 611.

Subd. 2a. **Original intent clarified.** To the extent that it states that subdivision 2 creates affirmative defenses to a charge under this section, subdivision 2 clarifies the original intent of the legislature in enacting Laws 1984, chapter 484, section 2, and does not change the substance of this section. Subdivision 2 does not modify or alter any convictions entered under this section before August 1, 1988.



Subd. 3. **Venue.** A person who violates this section may be prosecuted and tried either in the county in which the child was taken, concealed, or detained or in the county of lawful residence of the child.

Subd. 4. **Return of child; costs.** A child who has been concealed, obtained, or retained in violation of this section shall be returned to the person having lawful custody of the child or shall be taken into custody pursuant to section 260C.175, subdivision 1, clause (2), item (ii). In addition to any sentence imposed, the court may assess any expense incurred in returning the child against any person convicted of violating this section. The court may direct the appropriate county welfare agency to provide counseling services to a child who has been returned pursuant to this subdivision.

Subd. 5. **Dismissal of charge.** A felony charge brought under this section shall be dismissed if:

(a) the person voluntarily returns the child within 48 hours after taking, detaining, or failing to return the child in violation of this section; or

(b)(1) the person taking the action and the child have not left the state of Minnesota; and (2) within a period of seven days after taking the action, (i) a motion or proceeding under chapter 518, 518A, 518B, 518C, or 518D is commenced by the person taking the action, or (ii) the attorney representing the person taking the action has consented to service of process by the party whose rights are being deprived, for any motion or action pursuant to chapter 518, 518A, 518B, 518C, or 518D.

Clause (a) does not apply if the person returns the child as a result of being located by law enforcement authorities.

This subdivision does not prohibit the filing of felony charges or an offense report before the expiration of the 48 hours.

Subd. 6. **Penalty.** (a) Except as otherwise provided in paragraph (b) and subdivision 5, whoever violates this section may be sentenced as follows:

(1) to imprisonment for not more than two years or to payment of a fine of not more than \$4,000, or both; or

(2) to imprisonment for not more than four years or to payment of a fine of not more than \$8,000, or both, if the court finds that:

(i) the defendant committed the violation while possessing a dangerous weapon or caused substantial bodily harm to effect the taking;

(ii) the defendant abused or neglected the child during the concealment, detention, or removal of the child;

(iii) the defendant inflicted or threatened to inflict physical harm on a parent or lawful custodian of the child or on the child with intent to cause the parent or lawful custodian to discontinue criminal prosecution;

(iv) the defendant demanded payment in exchange for return of the child or demanded to be relieved of the financial or legal obligation to support the child in exchange for return of the child; or

(v) the defendant has previously been convicted under this section or a similar statute of another jurisdiction.

(b) A violation of subdivision 1, clause (7), is a gross misdemeanor. The county attorney shall prosecute violations of subdivision 1, clause (7).

Subd. 7. **Reporting of deprivation of parental rights.** Any violation of this section shall be reported pursuant to section 260E.11, subdivision 2.

**History:** 1963 c 753 art 1 s 609.26; 1967 c 570 s 1; 1979 c 263 s 1; 1984 c 484 s 2; 1984 c 654 art 5 s 58; 1985 c 227 s 1,2; 1986 c 444; 1986 c 445 s 1,2; 1986 c 463 s 4,5; 1987 c 246 s 1-3; 1988 c 523 s 1; 1989 c 290 art 7 s 3,4; 1991 c 285 s 10; 1994 c 631 s 31; 1994 c 636 art 2 s 25,26; 1999 c 86 art 1 s 78; 1999 c 139 art 4 s 2; 2000 c 444 art 2 s 45,46; 2001 c 178 art 1 s 44; 2002 c 379 art 1 s 105; 2005 c 164 s 29; 1Sp2005 c 7 s 28; 1Sp2020 c 2 art 8 s 137

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## Office of the Revisor of Statutes

### 2024 Minnesota Statutes

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#### **257.541 CUSTODY AND PARENTING TIME WITH CHILDREN BORN OUTSIDE OF MARRIAGE.**

Subdivision 1. **Mother's right to custody.** The biological mother of a child born to a mother who was not married to the child's father when the child was born and was not married to the child's father when the child was conceived has sole custody of the child until paternity has been established under sections 257.51 to 257.74, or until custody is determined in a separate proceeding under section 518.156.

Subd. 2. **Father's right to parenting time and custody.** (a) If paternity has been acknowledged under section 257.34 and paternity has been established under sections 257.51 to 257.74, the father's rights of parenting time or custody are determined under sections 518.17 and 518.175.

(b) If paternity has not been acknowledged under section 257.34 and paternity has been established under sections 257.51 to 257.74, the biological father may petition for rights of parenting time or custody in the paternity proceeding or in a separate proceeding under section 518.156.

Subd. 3. **Father's right to parenting time and custody; recognition of paternity.** If paternity has been recognized under section 257.75, the father may petition for rights of parenting time or custody in an independent action under section 518.156. The proceeding must be treated as an initial determination of custody under section 518.17. The provisions of chapter 518 apply with respect to the granting of custody and parenting time. An action to determine custody and parenting time may be commenced pursuant to chapter 518 without an adjudication of parentage. These proceedings may not be combined with any proceeding under chapter 518B.

**History:** 1983 c 308 s 3; 1987 c 403 art 3 s 96; 1990 c 574 s 3; 1Sp1993 c 1 art 6 s 34; 2000 c 444 art 2 s 6

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## PROCESSION OF PROPERTY SEIZED FOR ADMINISTRATIVE FORFEITURE

MN STAT 609.531

### POLICY

It shall be the policy of the \_\_\_\_\_ (law enforcement agency) that all employees of the agency, all employees assigned to another law enforcement agency's task force and all employees assigned from an outside law enforcement agency to a task force in which this agency serves as the fiscal agent, shall follow all state and federal laws pertaining to the processing of property seized for forfeiture. Training will be provided by the employing law enforcement agency in consultation with the prosecuting authority to officers who may exercise the use of administrative forfeiture in the performance of their assigned duties. Such training to be conducted whenever the agency policy is changed or modified based upon administrative directives, legislative statutes changes and/or relative court decisions. Training may include but not limited to agency policy, directives, electronic or traditional classroom education.

### DEFINITIONS

**Cash:** money in the form of bills or coins, traveler's checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit cards, gift cards/certificates or other negotiable financial instruments.

**Conveyance Device:** a device used for transportation and includes but is not limited to a motor vehicle, trailer, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

**Firearms/ammunition/firearm accessories:** a device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, fire arm optics, suppression devices, cleaning supplies, etc.

**Forfeiture:** the process by which legal ownership of an asset is transferred to a government or other authority.

**Jewelry/Precious Metals/Precious Stones:** The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

**Forfeiture/Seized Property Reviewer:** an Agency employee responsible for reviewing all forfeiture cases and is the liaison between the Agency and prosecutor's office.

**Seizure:** the act of law enforcement officials taking property, including cash, vehicles, etc. that has been used in connection with or acquired by illegal activities.

## **SEIZED PROPERTY SUBJECT TO ADMINISTRATIVE FORFEITURE**

The following property may be seized and is presumed under MN STAT 609.5314 to be subject to administrative forfeiture if the item has a retail value of \$50,000.00 or less:

All money, precious metals and precious stones found in proximity to:

- controlled substances;
- forfeitable drug manufacturing or distributing equipment or devices; or
- forfeitable records of manufacture or distribution of controlled substances.

All conveyance devices containing controlled substances with retail value of \$100 or more if possession or sale of the controlled substance would be a felony under MN STAT Chapter 152.

All firearms, ammunition and firearm accessories found:

- in a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;
- on or in proximity to a person from whom a felony amount of controlled substance is seized; or
- on the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under MN STAT Chapter 152.

Situations in which forfeiture should not be pursued:

- Seizure of property not listed above must be processed, reviewed and approved by the unit supervisor.

## **PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS**

When any property as described in the above section is seized, the peace officer making the seizure must prepare the following:

- The proper Notice of Seizure and Intent to Forfeit Property form. This form must be completed to include the following: a list describing each item seized, the name of the individual served with the Notice, location, and the date of seizure. Administrative forfeiture notices are NOT to be given for assets seized under MN STAT 609.5314 if the retail value of the asset exceeds \$50,000.00.
- A receipt for the item(s) seized.

The Notice form also contains information in English, Hmong, Somali and Spanish concerning the right to obtain judicial review and the procedure under MN STAT 609.5314 to follow to obtain it. The form must be dated and signed by the peace officer conducting the seizure. An agency case number must be included on the form. The individual from whom property is seized must be given an opportunity to sign the seizure notice form. If the person

refuses, the peace officer conducting the seizure must check the appropriate box indicating the refusal to sign. If property is seized from multiple individuals, a separate seizure form will be completed for each individual. A copy of the seizure form must be given to the individual served.

All property subject to and being processed for forfeiture through the agency must be held in the custody of the agency.

The peace officer conducting the seizure shall forward the original and pink copy of the seizure notices, seized property processing worksheets, property receipts and reports to the Forfeiture/Seized Property Reviewer within 10 days of seizure.

The peace officer conducting the seizure shall inform the Forfeiture/Seized Property Reviewer of the estimated retail value of drugs found in proximity to the asset seized.

### **Cash**

Peace officers shall not seize cash having an aggregate value less than (Agency Discretion), unless pre-recorded buy funds are included in the cash seized. Cash shall be recounted and the amount verified by another employee of the Agency. The property bag and/or inventory receipt shall then be co-signed when cash is involved.

All forfeitable cash seized will be turned over to the Forfeiture/Seized Property Reviewer or property/evidence room as soon as practicably possible (Agency Discretion) of the seizure.

Prior to deposit with the Forfeiture/Seized Property Reviewer, peace officers shall examine all cash seized to determine whether it contains any buy funds. Peace officers shall document the recovery of all buy funds and deposit those funds with the Forfeiture/Seized Property Reviewer to be returned to the appropriate unit's buy fund account.

Peace officers seizing cash shall also prepare a property inventory. If cash is seized from multiple individuals, a property inventory receipt will be completed for each individual. The property inventory receipt shall specify the total amount of cash seized from each individual. The agency property inventory shall also contain a detailed description of all checks, money orders and/or travelers checks or other financial instruments.

The peace officer conducting the seizure shall provide a copy of the completed property inventory receipt to the Forfeiture/Seized Property Reviewer.

It is the seizing peace officer's responsibility to secure the cash consistent with the agency policy or procedure.

### **Jewelry/Precious Metals/Precious Stones**

Peace officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the property inventory receipt prior to inventorying the items. A copy of the property inventory receipt and any photographs of the jewelry, precious metals and/or precious stones shall be delivered to the Forfeiture/Seized Property Reviewer.

Peace officers seizing jewelry, precious metals and/or precious stones shall deliver those items to the property/evidence room as soon as practicably possible.

### **Conveyance Device**

Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to an agency approved impound facility.

Peace officers shall inventory the conveyance device and its contents in accordance with agency policy. Peace officers shall also complete applicable report forms and distribute them appropriately.

### **Firearms/Ammunition/Firearm Accessories**

When firearms, ammunition or firearms accessories are seized, they shall be inventoried and delivered to the property/evidence room as per agency policy/procedure.

## **CASE FILE STATUS**

The Forfeiture/Seized Property Reviewer shall forward all changes to forfeiture status to the supervisor who initiated the case.

## **REPORT WRITING**

Peace officers seizing property must complete a report. All reports must include a description of the items seized, where the property is turned-in/inventoried, the name of the individual served, the date the seizure form was served, the name of the serving peace officer and whether or not the individual signed the Notice of Seizure and Intent to Forfeit Property form.

All reports dealing with seized property will be completed within 24 hours of the seizure when practically possible.

(02/11)

**LIGHTING EXEMPTION OF LAW ENFORCEMENT VEHICLES MODEL POLICY**  
MN STAT 169.541

**I. POLICY**

It is the policy of the \_\_\_\_\_ (law enforcement agency) to provide a uniform guideline for all department personnel to use when operating a department vehicle without headlights, taillights or marine navigational lighting while functioning as a peace officer.

**II. DEFINITIONS**

For the purpose of this policy the following definitions apply:

- A. Vehicle:** means a motor vehicle or watercraft owned, leased or otherwise the property of the State of Minnesota or a political subdivision.
- B. Lights:** refers to headlights, taillights and marine navigational lighting as referenced in MN STAT 84.87, 84.928, 169.48 to 169.65 and 86B.511.

**III. PROCEDURE**

A peace officer may **not** operate a vehicle without lights contrary to MN STAT 169.541. **LIGHTING EXEMPTION FOR LAW ENFORCEMENT; STANDARDS.** under conditions of limited or reduced visibility as defined in MN STAT 84.87, 84.928, 169.48 to 169.65 and 86B.511:

- on an interstate highway.
- at speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions.
- faster than the posted speed limit.
- in situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN STAT 609.487.