

# **Public Safety Advisory Council**

## **Retreat Agenda**

### **December 17, 2024**

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- 9:00 AM**      **Welcome and Introductions**
- I am.....(something personal)**
- 9:30 AM**      **Commitment to the Council**
- Why you are on the council, what challenge brings you to this work**
- 10:15 AM**      **History of the Legislation Forming the Council**
- Jamael Lundy**
- 10:35 AM**      **Break**
- 10:45 AM**      **Brainstorming**
- Using sticky notes, write down ideas for projects/activities for 2025**
- 11:15 AM**      **Identifying Viable Ideas and Champions**
- Place “dots” on ideas you believe are viable to carry out, place your initials on ideas you are willing to be the champion of (lead the work)**
- 11:30 AM**      **Discussion and Decision-Making on Goals for 2025 Plan**
- Discuss ideas that have “dots” and decide on goals/activities for 2025**
- 12:15 PM**      **Lunch**
- 1:00 PM**      **End**

## Draft Survey

The Public Safety Advisory Council purpose is to provide for citizen involvement in policing policies, regulations, and supervision. We want to hear your thoughts and ideas on how to promote positive interactions between peace officers and the community.

1. Please share your zip code

2. What communities do you identify with (check all that apply)

☐ American Indian or Alaska Native (for example, Anishinaabe, Dakota, etc.)

☐ Asian (for example, Chinese, Filipino, Hmong, Indian, Japanese, Karen, Vietnamese, etc.)

☐ Black or African American (for example, Ethiopian, Haitian, Jamaican, Liberian, Nigerian, Somali, etc.)

☐ Hispanic, Latino, or Spanish Origin (for example, Columbian, Mexican, Puerto Rican, Peruvian, Venezuelan, etc.)

☐ Southwest Asian or North African (for example, Iranian, Iraqi, Egyptian, Libyan, Moroccan, Saudi Arabian, Syrian, Sudanese, Turkish, etc.)

☐ Native Hawaiian or Pacific Islander (for example, Chamorro, Fijian, Hawaiian, Samoan, etc.)

☐ White (for example, French, German, Irish, Italian, Norwegian, Swedish, etc.)

☐ Agender

☐ Genderqueer or genderfluid

☐ Man

☐ Non-Binary

☐ Transgender Woman

☐ Transgender Man

☐ Two-Spirit

☐ Woman

Mental illness

Disability

Older adult (65+)

☐ Prefer not to answer

3. How would you assess the relationship between your community and peace officers?
  - a. Excellent
  - b. Good
  - c. Fair
  - d. Poor
  - e. Terrible
4. Are there any strategies or projects that have been developed by your police department in the past five years that have improved the relationship? Please share.
5. Are there strategies or projects that you think could improve the relationship?

**626.8435 PUBLIC SAFETY ADVISORY COUNCIL.**

Subdivision 1. **Establishment and membership.** The Public Safety Advisory Council is established under the Peace Officer Standards and Training Board. The council consists of the following 15 members:

- (1) the superintendent of the Bureau of Criminal Apprehension, or a designee;
- (2) the executive director of the Peace Officer Standards and Training Board, or a designee;
- (3) the executive director of the Minnesota Police and Peace Officers Association, or a designee;
- (4) the executive director of the Minnesota Sheriffs' Association, or a designee;
- (5) the executive director of the Minnesota Chiefs of Police Association, or a designee;
- (6) six community members, of which:

(i) four members shall represent the community-specific boards established under sections 15.0145 and 3.922, reflecting one appointment made by each board;

(ii) one member shall be a mental health advocate and shall be appointed by the Minnesota chapter of the National Alliance on Mental Illness; and

(iii) one member shall be an advocate for victims and shall be appointed by Violence Free Minnesota; and

(7) four members appointed by the legislature, of which one shall be appointed by the speaker of the house, one by the house minority leader, one by the senate majority leader, and one by the senate minority leader.

The appointing authorities shall make their appointments by September 15, 2020, and shall ensure geographical balance when making appointments.

Subd. 2. **Purpose and duties.** (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.

(b) The board chair must place the council's recommendations to the board on the board's agenda within four months of receiving a recommendation from the council.

Subd. 3. **Organization.** The council shall be organized and administered under section 15.059, except that the council does not expire. Council members serve at the pleasure of the appointing authority. The council shall select a chairperson from among the members by majority vote at its first meeting. The executive director of the board shall serve as the council's executive secretary.

Subd. 4. **Meetings.** The council must meet at least quarterly. Meetings of the council are governed by chapter 13D. The executive director of the Peace Officer Standards and Training Board shall convene the council's first meeting, which must occur by October 15, 2020.

Subd. 5. **Office support.** The executive director of the Peace Officer Standards and Training Board shall provide the council with the necessary office space, supplies, equipment, and clerical support to effectively perform the duties imposed.

Subd. 6. **Reports.** The council shall submit a report by February 15 of each year to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and the board. At a minimum, the report shall include:

- (1) all recommendations presented to the board and how the board acted on those recommendations;
- (2) recommendations for statutory reform or legislative initiatives intended to promote police-community relations; and
- (3) updates on the council's review and determinations.

**History:** *2Sp2020 c 1 s 15; 3Sp2020 c 2 s 3; 1Sp2021 c 11 art 9 s 25; 2024 c 123 art 3 s 8*



# Minnesota Board of Peace Officer Standards and Training

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April 12, 2021

Senator Warren Limmer, Chair, Senate  
Judiciary and Public Safety Finance Policy  
Committee [sen.warren.limmer@senate.mn](mailto:sen.warren.limmer@senate.mn)

Representative Carlos Mariani, Chair, Public  
Safety and Criminal Justice Reform Finance  
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Senator Ron Latz, Ranking Minority  
Member, Senate Judiciary and Public Safety  
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Representative Brian Johnson, Ranking  
Minority Member, Public Safety and Criminal  
Justice Reform Finance and Policy  
Committee [rep.brian.johnson@house.mn](mailto:rep.brian.johnson@house.mn)

Ms. Elizabeth Lincoln, Director, Legislative  
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[elizabeth.lincoln@lrl.leg.mn](mailto:elizabeth.lincoln@lrl.leg.mn)

**Subject: Annual Report on Ensuring Police Excellence and Improving Community  
Relations Advisory Council Minn. Stat. 626.8435, Subd. 6.**

Dear Senators, Representatives, Director Lincoln:

*Minnesota Statutes*, section 626.8435, subdivision 6, requires the council to submit a report by February 15 of each year to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and the board.

The Ensuring Police Excellence and Improving Community Relations Advisory Council held its first meeting on October 14, 2020. There were two additional meetings held in November and December of 2020, which occurred prior to the February 15<sup>th</sup> date for this report. Due to this short time frame, the advisory council did not submit any recommendations to the Minnesota Board of Peace Officer Standards and Training (POST) for the Board to consider. The advisory council also did not submit any recommendations for statutory reform or legislative initiatives in this reporting period.

Please do not hesitate to contact me at 651-201-7789 or email [erik.misselt@state.mn.us](mailto:erik.misselt@state.mn.us) with questions or if I can provide further assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Erik Misselt".

Erik Misselt  
Executive Director



# Minnesota Board of Peace Officer Standards and Training

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February 1, 2022

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Judiciary and Public Safety Finance Policy  
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Representative Carlos Mariani, Chair, Public  
Safety and Criminal Justice Reform Finance  
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Senator Ron Latz, Ranking Minority  
Member, Senate Judiciary and Public Safety  
Finance Policy Committee  
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Representative Brian Johnson, Ranking  
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Committee [rep.brian.johnson@house.mn](mailto:rep.brian.johnson@house.mn)

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Reference Library  
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**Subject: Annual Report on Ensuring Police Excellence and Improving Community  
Relations Advisory Council Minn. Stat. 626.8435, Subd. 6.**

Dear Senators, Representatives, Director Lincoln:

*Minnesota Statutes*, section 626.8435, subdivision 6, requires the council to submit a report by February 15 of each year to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and the board.

The Ensuring Police Excellence and Improving Community Relations Advisory Council held nine meetings during calendar year 2021.

Minn. Stat. 626.8435, Subd. 6 (1) *all recommendations presented to the board and how the board acted on those recommendations:*

**Recommendation 1:**

Immediately require that police officers follow their own local policies for public assembly response or face licensure action (as a minimum standard) in preparation for the Derek Chauvin trial.

**POST Board Action:**

This was first discussed at the April 22, 2021 full board meeting, staff was directed to seek clarification regarding the ability of the POST board to take licensing sanctions against individual officers for policy violations. Under current POST rule, the POST board enforces policy adoption, dissemination and training on the Chief Law Enforcement Officer (CLEO) and violations of those policies are the responsibility of the CLEO and the agency. At the July 22, 2021 POST Board meeting, it was confirmed by staff, in discussion with Board counsel that the POST Board does not have the authority to enforce model policy violations against individual officers. No further action taken.

### **Recommendation 2:**

By December 15, 2021, the board, in consultation with the legislative councils of color, the American Civil Liberties Union, community organizations that lead direct action campaigns, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs' Association and other interested parties, must develop a comprehensive model policy on responding to public assemblies. The policy must be based on best practices in public gathering management drawn from both domestic and international sources. The board must distribute the model policy to all chief law enforcement officers.

Agency policies required:

- By March 15, 2022, the chief law enforcement officer of every state and local law enforcement agency must establish and enforce a written policy that is identical or substantially similar to the board's model policy described in subdivision 1.
- Every state and local law enforcement agency must certify to the board that it has adopted a written policy in compliance with this subdivision.
- The board must assist the chief law enforcement officer of each state and local law enforcement agency in developing and implementing policies under this subdivision.

### **POST Board Action:**

At the April 22, 2021 POST Board meeting, staff were directed to create an ad-hoc working group to develop a best-practices model policy on Public Assembly/First Amendment Activity. That group was convened, completed its work and the final draft of the policy was adopted by the POST Board at its July 22, 2021 meeting. Making this policy a required model policy requires legislation and/or rule making. It is currently being considered as a part of the rules overhaul that is ongoing in calendar year 2022.

### **Recommendation 3:**

Require that the POST Board call an emergency special meeting to take place prior to the Chauvin trial in order to put the first recommendation into rule.

### **POST Board Action:**

This was an unrealistic request due to the length of time necessary to engage in rule-making or passing legislation which would have been necessary in order for recommendation one to be enforceable. As a result, the request to call an emergency special meeting for this purpose as well as prior to the Chauvin trial was rejected.

Minn. Stat. 626.8435, Subd. 6 (2) *recommendations for statutory reform or legislative initiatives intended to promote police-community relations*: None.

Minn. Stat. 626.8435, Subd. 6 (3) *updates on the council's review and determinations*: None.

Please do not hesitate to contact me at 651-201-7789 or email [erik.misselt@state.mn.us](mailto:erik.misselt@state.mn.us) with questions or if I can provide further assistance.

Sincerely,

  
Erik Misselt



# Board of Peace Officer Standards and Training

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March 13, 2023

Senator Ron Latz, Chair, Senate Judiciary and Public Safety Finance Policy Committee

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Representative Kelly Moller, Chair, Public Safety Finance and Policy Committee

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Senator Warren Limmer, Ranking Minority Member, Senate Judiciary and Public Safety Finance Policy Committee

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Representative Paul Novotny, Ranking Minority Member, Public Safety Finance and Policy Committee

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Ms. Elizabeth Lincoln, Director, Legislative Reference Library

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**Subject: Annual Report on Ensuring Police Excellence and Improving Community Relations Advisory Council Minn. Stat. 626.8435, Subd. 6.**

Dear Senators, Representatives, Director Lincoln:

*Minnesota Statutes*, section 626.8435, subdivision 6, requires the council to submit a report each year to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and the board.

The Ensuring Police Excellence and Improving Community Relations Advisory Council held five meetings during calendar year 2022.

Minn. Stat. 626.8435, Subd. 6 (1) *all recommendations presented to the board and how the board acted on those recommendations:*

**Recommendation/Discussion 1:**

The council discussed offering the following draft rules suggestions to the POST Board:

- Adopt an 'Excessive Force Standard' into the standard of conduct.
- Removing the conviction requirement from the standard of conduct rule draft.

**POST Board Action:**

There was no formal recommendation made on these topics since the POST Board had already included such language in the rules overhaul draft.

**Recommendation 2:**

Office of Ombudsperson for American Indian Families approached the council reference:

- Asking the POST Board to modify the learning objectives that POST has for pre-service education to incorporate questions to be asked of native american families when deciding out-of-home placement of native children.

**POST Board Action:**

At the October 27, 2022 POST Board meeting, this topic was referred to the training committee of the board for further study. On November 16, 2022 the training committee of the board directed board staff to work with the Office of Ombudsperson for American Indian Families to review the need for an update of the learning objectives, develop any suggested language changes and report back to the committee. That work is ongoing.

**Recommendation 3:**

POST Board to support and form a working group with the Unity Community Mediation Team to look further into the process for DNA collection from juveniles.

**POST Board Action:**

The POST Board reviewed the request and determined more information was needed from the advisory council as to the jurisdiction and scope of the problem. The board sent the recommendation back to the advisory council to conduct more research and/or create an advisory council working group to research the topic further. This work continues at the advisory council level.

**Additional Council Activities:**

- The council is working on regional public listening sessions to begin in spring of 2023. The goal is to have 8 sessions scattered across the state. Members of the council are working on organizing these listening sessions.
- The council will have the Chiefs of Saint Paul and Minneapolis Police Departments speaking at the next meeting in 2023.

Please do not hesitate to contact me at 651-201-7789 or email [erik.misselt@state.mn.us](mailto:erik.misselt@state.mn.us) with questions or if I can provide further assistance.

Sincerely,

Erik Misselt  
Executive Director