



Rules Committee Meeting Wednesday, April 16, 2025 10:00 a.m.

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

1. Call to Order
2. Approval of agenda (action)
3. Approval of the Rules Committee Meeting Minutes from March 5, 2025 (action)
4. Review and discussion on proposed changes to 6700.0601 (action)
5. Review and discussion of proposed changes to “Investigation and Resolution of Misconduct Allegations” (action)
 - 6700.2100
 - 6700.2200
 - 6700.2300
 - 6700.2400
 - 6700.2500
6. Staff Report on Preservice LE Focus Groups
7. Adjournment



Board of Peace Officer Standards and Training

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Rules Committee Meeting Minutes

March 5, 2025

1:00 p.m.

This was a hybrid meeting held at the POST Board office

Members Present:

Chair Justin Terrell
Tanya Gladney
Jason Bennett
Stephanie Revering
Troy Wolbersen

Staff Present:

Alicia Popowski
Erik Misselt

Members Absent:

Bobbi Holtberg

Call to Order: Chair Terrell called the meeting to order on March 5, 2025, at 1:02 p.m.

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

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

Approval of the January 22, 2024, Minutes: Chair Terrell asked if everyone had a chance to review the minutes and asked if there are any edits needed.

- **Motion:** Mr. Wolbersen made a motion to approve the February 5, 2025, meeting minutes. Mr. Bennett seconded the motion. The motion was approved via unanimous voice vote.

Review, discussion, and amendments to 6700.0501 regarding peace officer reciprocity: Ms. Popowski provided a summary of the changes (red text) made to 6700.0501. The changes were based on feedback received by the full board at the January 23, 2025 meeting. The committee discussed the changes and how they could expand upon them. These expansions included waiving a portion of the required credits based on training and/or experience and requiring a certain number of credits to be completed each year. The committee expressed they found it unfair to require MN trainees to have their law enforcement education prior to becoming a peace officer, while reciprocity applicants are allowed to achieve their degree/postsecondary education credits after being hired. The committee discussed the emphasis MN places on the professionalization of law enforcement and how education is a large piece of that. The committee determined they were interested in one of two options 1) amend subpart 11 (red text) so that applicants are required to actively work toward the 60 post-secondary education credit requirement or 2) re-refer the proposed rule back to the full board for further discussion without the additions (red text).

- **Motion:** Mr. Bennett made a motion to add a yearly credit achievement requirement to subpart 11

(red text) to ensure reciprocity applicants actively work toward completing the 60 post-secondary degree credit requirement. Mr. Wolbersen seconded the motion. The motion failed on a 2 (yes) to 3 (no) vote.

Rule 6700.0501 was re-referred to the full board as originally proposed for further discussion.

Adjournment: The meeting adjourned at 2:10 p.m.

- **MOTION:** Mr. Bennett made a motion to adjourn. Ms. Gladney seconded the motion. Motion passed via unanimous voice vote.

6700.0601 PROHIBITED EXAMINATION CONDUCT AND SANCTIONS STANDARDS.

Subpart 1. ~~Grounds for denial~~ **Prohibited Conduct.** ~~Violations of the following standards shall be grounds to deny an applicant to take an examination or to deny or revoke eligibility for a license:~~ The following conduct is prohibited and may result in discipline by the board.

- A. ~~making~~ Making any false material statement to the board;
- B. ~~communicating with any other person in any way during an examination, except with the express permission of the monitor;~~ Communicating with another person, without express permission from the proctor, in any way during the examination.
- C. ~~referring to books or any study material during the examination, except with the express permission of the monitor;~~ Using or referring to study materials or study aids during the examination.
- D. ~~obstructing~~ Obstructing a board investigation;
- E. ~~without board authorization, possessing a copy of any of the board's examinations;~~ Possessing or attempting to possess or manufacture a copy of the board's examination without the Board's permission.
- F. ~~aiding another person to violate items A to E; or~~ Violating the rules of the testing center or being banned from testing center locations.
- G. ~~failing to meet the minimum selection standards for licensure as a peace officer under part 6700.0700.~~ Aiding another individual in attempting or executing an act of prohibited examination conduct as listed in items A through F.
- H. Falsely claiming or failing to meet the minimum selection standards for peace officer licensure as described in part 6700.0700 except for subpart 1, items C, J, and K.

Subp. 2. [Repealed, 47 SR 1120]

Subp. 3. [Repealed, 47 SR 1120]

Subp 4. Sanctions. A violation of any of the provisions listed in subpart 1 may be grounds for the board to deny or revoke:

- A. an individual's application to take one of the licensing examinations; or
- B. an individual's license eligibility after successfully completing an examination.

Subp. 5. Procedures. Disciplinary proceedings under this part shall be conducted pursuant to the Administrative Procedure Act, Minnesota Statutes, chapter 14 and Examining and Licensing Boards, Minnesota Statutes, chapter 214.

SONAR DRAFT EXCERPT**6700.0601 PROHIBITED EXAMINATION CONDUCT AND SANCTIONS STANDARDS**

Part 6700.0601 discusses the conduct that is explicitly prohibited when taking the peace officer licensing exam. The title of this part was amended to more clearly inform readers which examination standards are being addressed in this section. Specifically, this part addresses prohibited examination conduct and the sanctions that may be imposed for participating in such conduct.

Subpart 1. The previous text of subpart 1 was deleted from the proposed rule and replaced with language that is more concise. Specifically, the title of subpart 1 was changed from “grounds for denial” to “prohibited conduct.” The new text of subpart 1, not unlike the previous text, goes on to state that the conduct described within this part is prohibited and may result in discipline by the board. The language within subpart 1 that discusses the specific consequences for participating in prohibited conduct was removed. The sanctions for participating in prohibited conduct is discussed in the new subpart 4 of this part. The change is needed and reasonable to improve the rule’s organizational structure.

A. Grammatical changes were made to item A, making it a complete sentence rather than a phrase included in a list of prohibited conduct.

B. Grammatical changes were made to item B, making it a complete sentence rather than a phrase included in a list of prohibited conduct.

C. Grammatical changes were made to item C, making it a complete sentence rather than a phrase included in a list of prohibited conduct. The direct reference to “books” as a study aid material was removed. The language was altered to be broader so that it includes any study materials or aids that may be used to cheat on the examination.

D. Grammatical changes were made to item D, making it a complete sentence rather than a phrase included in a list of prohibited conduct.

E. Grammatical changes were made to item E, making it a complete sentence rather than a phrase included in a list of prohibited conduct. In addition to possessing a copy of the board’s examination without the board’s permission, attempting to manufacture of copy of the board’s examination was added as a type of conduct that is prohibited. This addition is needed and reasonable as possessing a copy of the board’s examination is only possible if someone went through the trouble of manufacturing a copy of the exam.

F. The original text of item F was moved to item G. Item F was changed to “violating the rules of the testing center or being banned from testing center locations.” The board contracts with professional organizations who specialize in delivering licensing examinations. If a student is unable to enter or access a testing center location because they previously violated the testing center’s rules or standards of conduct, that individual

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will not be able to take the examination. To be banned or trespassed from a testing center, the applicant would have had to demonstrate or participate in deplorable behavior that violates the testing center's rules or policies. This provision is needed and reasonable to ensure peace officer examination applicants are conducting themselves in a respectable and professional manner when taking or attempting to take the examination.

G. Item G, which was previously item F, was changed to make it a complete sentence rather than a phrase included in a list of prohibited conduct. The items referenced in the text was also changed from items A-E to items A through F.

H. Item H is new. Per the proposed rule changes in 6700.0300, preservice training participants will have to sign a statement in which they attest they meet the minimum selection standards for peace officer licensure as described in part 6700.0700, except for subpart 1, items C, J and K. This provision allows the board to act if an individual falsely claims to meet those standards. The actions that may be taken by the board are covered in subpart 4. This section is needed and reasonable to ensure that individuals are not taking the examination if they do not meet the standards prescribed in part 6700.0700 to be hired by a law enforcement agency. It is a misuse of time and funds to allow individuals to take the peace officer licensing examination if they do not qualify for licensure.

Subpart 4. The new subpart 4, titled "Sanctions," discusses the actions the board may take against an examination applicant for participating in prohibited examination conduct. Specifically, this subpart states that a violation of any of the provisions listed in subpart 1 may be grounds for the board to deny or revoke an individual's application to take the examination or an individual's license eligibility after successfully completing an examination. This process would adhere/follow the guidelines prescribed in the Administrative Procedures Act. This section is needed and reasonable to inform test takers of consequences that may be implemented if they participate in prohibited examination conduct.

Subpart 5. The new subpart 5, titled "Procedures," states that disciplinary proceedings under this part will be conducted pursuant to the Administrative Procedures Act, Minnesota Statutes, chapter 14 and Examining and Licensing Board, Minnesota Statutes, chapter 214. This section is needed and reasonable to let readers know this process is not arbitrary and that the board will be following applicable state statutes related to discipline. The APA allows individuals to contest the board's decisions through OAH via a contested case hearing.

6700.2100 SCOPE.

~~The board recognizes the importance of the need for each agency and appointing authority to have and to use written procedures for the investigation and resolution of allegations of misconduct. The agency and appointing authority have the responsibility to impose the disciplinary sanctions they find appropriate for misconduct that occurs. Nothing in parts 6700.2000 to 6700.2600 shall be interpreted or is intended to authorize the board to approve, deny, or modify in any manner sanctions which may or may not be imposed by the agency or appointing authority.~~

6700.2200 DEVELOPMENT OF WRITTEN PROCEDURES.

~~On or before October 1, 1984, the~~ The board recognizes the need for each agency and appointing authority to have and to use published procedures for the investigation and resolution of allegations of misconduct. The chief law enforcement officer shall establish ~~written~~ procedures for the investigation and resolution of allegations of misconduct against licensees employed or appointed by the ~~chief's~~ law enforcement agency. These procedures shall minimally specify:

- A. the misconduct which may result in disciplinary action;
- B. the process by which complaints will be investigated;
- C. the sanctions which may be imposed if a complaint is sustained;
- D. the appeal process for the licensee;
- E. the process which will be used to notify the complainant of the investigation and disposition; and
- F. the effective date of the procedures or subsequent modifications of the procedures.

The procedures established according to this part must comply with model policies and Minnesota Statute, section 626.845, subdivision 1. Copies of current procedures governing allegations of misconduct shall be available to the public on request. Copies of published procedures governing allegations of misconduct and any subsequent modifications of the procedures shall be distributed by an agency to licensees who are employed or appointed by the agency.

Redact

~~6700.2300 AFFIRMATION OF COMPLIANCE.~~

~~The chief law enforcement officer shall affirm to the board compliance with part 6700.2200 no later than October 15, 1984. If an agency begins operation after October 1, 1984, the chief law enforcement officer shall affirm to the board compliance with part 6700.2200 no later than 15 days after the agency begins operation.~~

Redact**6700.2400 ~~COPIES OF PROCEDURES.~~**

~~Copies of current written procedures governing allegations of misconduct shall be available to the public on request. Copies of written procedures governing allegations of misconduct and any subsequent modifications of the procedures shall be distributed by an agency to licensees who are employed or appointed by the agency.~~

6700.2500 DOCUMENTATION OF COMPLAINTS.

The chief law enforcement officer ~~or designee or designees~~ shall maintain data concerning alleged misconduct by licensees employed or appointed by the agency according to the provisions of Minnesota Statutes, sections 15.17 ~~and 15.171~~. The board may request copies of this data. The chief law enforcement officer shall supply the data ~~in~~ ~~and an affidavit of compliance with part 6700.2200, item B~~ to the board within five days ~~of the request, or by the date specified in the Board's request, of the request, whichever is~~ longer, excluding Saturdays, Sundays, and legal holidays. If compliance is not possible within that time, the chief law enforcement officer shall inform the board and shall have an additional five days to comply with the request, excluding Saturdays, Sundays, and legal holidays.

SONAR DRAFT EXCERPT**~~6700.2100 SCOPE~~**

This part was redacted because it is not needed.

6700.2200 DEVELOPMENT OF WRITTEN PROCEDURES

The phrase “On or before October 1, 1982, the” was removed from the rule because it’s no longer necessary. This part now begins with a purpose statement that was taken and modified from part 6700.2100. The purpose statement tells readers that the board recognizes the need for each agency and the appointing authority to have and to use published procedures for the investigation and resolution of allegations of misconduct. This section states all law enforcement agencies should have established procedures for the investigation and resolution of alleged misconduct. The word “written” was stricken as policies are commonly published online or in an electronic format- making written paper copies obsolete. The word “chief’s” was replaced with “law enforcement” to make the rule’s intent clearer.

The last paragraph includes information from 6700.2300 and 6700.2400. This paragraph states that “The procedures established according to this part must comply with model policies and Minnesota Statute, section 626.0845, subdivision 1.” This sentence was added to provide CLEOs direction as to where they can get additional information on how to develop the required written procedures. This sentence also makes it clear to CLEOs that there are other rules and statutes that their procedures must follow. The last two sentences of this paragraph state that copies of the procedures must be available to the public upon request and furnished to all licensees employed by the agency. This language was taken directly from 6700.2400 in order to consolidate this portion of chapter 6700.

~~6700.2300 AFFIRMATION OF COMPLIANCE~~

This rule part is obsolete and no longer necessary.

~~6700.2400 COPIES OF PROCEDURES~~

This rule part was redacted and the relevant information was moved to 6700.2200. This change was needed and reasonable to consolidate this section of the rules.

6700.2500 DOCUMENTATION OF COMPLAINTS

The word “alleged” was added in front of the term “misconduct” to make it uniform with other rule parts. CLEOs must retain records on sustained and alleged reports of misconduct per MN Statute, section 626.8457. Reference to Minnesota Statute section 15.171 was removed as that statute was repealed and no longer exists. The phrase “in and an affidavit of compliance with part 6700.2200, item B” was removed as this is not a standard practice or operating procedure utilized by POST staff. Lastly, it is common for the POST Board to give CLEOs longer than 5

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days to submit misconduct data after a formal request has been made. Language was added to state that misconduct data needs to be supplied by the date specified in the formal request, which will not be fewer than five days. This will allow CLEOs a reasonable period of time to comply with a data request from the board.

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