

## **MEETING MINUTES FOR 12-11-13 VIOLENT CRIME COORDINATION COUNCIL (VCCC)**

Council members in attendance: John Marti; David Voigt; John Gross; David Hermerding; Gordon Ramsay; Melvin Carter; Hector Garcia; Mark Dunaski; Cari Gerlicher; Chris Benson; Jim Jensen; Kip Carver (for Rich Stanek); Mike Goldstein; Ken Reed (for Tom Smith); and Hilary Caligiuri.

**Staff: OJP staff:** Kristin Lail; Tricia Hummel; Brian Marquart; Jared Jordal; and Rita Joyce.

**Guests:** Dan Moren, Drug Enforcement Administration; Dr. Gavin Bart, Hennepin County Medical Center, Division of Addiction Medicine; and Don Rothstein, Department of Corrections.

**Absent:** Jance Harteau; William Hutton; Bill Ziegler; and Andrew Evans

**Meeting materials:** Minnesota Violent Crime Coordinating Council (VCCC) Organizational Bylaws; VCCC 2013 Committee Structure; SWC report; Drug Trends charts; 2013 Drug and Violent Crime Enforcement Teams map; 2013 Multijurisdictional Task Force Commanders list; General Reasons for Opposition to Proposed "Medical" Marijuana Legislation; Specific Concerns with the Provisions of Minnesota's Proposed "Medical" Marijuana Legislation; VCCC Tactical Action Plan 2013-14.

**Location:** The meeting was held in the Pung Conference Room, Minnesota Department of Corrections. 1450 Energy Park Drive.

### **Welcome and Introductions**

Chair Jim Jensen called the meeting to order at 10:05 a.m.

**Action on 10/14/13 meeting minutes:** Motion to approve minutes by Kip Carver, seconded by Ken Reed; motion passed.

**Action on Agenda:** Motion to approve agenda by Mike Goldstein, seconded by Ken Reed; motion passed.

**Membership & 2014 Meeting Schedule:** Council members discussed membership, meeting attendance and the 2014 meeting schedule. Kristin Lail suggested adding an executive committee, comprised of the VCCC Chair, Vice Chair and chairs of all of the subcommittees, to meet in between full council meetings on the odd month. The purpose would be to set the agenda and provide updates on subcommittee activities. John Gross highlighted possible changes to the VCCC bylaws noting the number of members participating and the purpose of the meeting are considerations for open meeting law. He further explained the designation of a special meeting. Mike Goldstein suggested that a conference call would be a valuable option to further the work of the Council and that members of the public could listen on-site at DPS.

**Action on Executive Committee:** There was a motion by Mike Goldstein to form a VCCC executive committee subject to the special meeting provisions of the open meeting law. Upon further discussion,

Gross suggested that under subdivision 5.4 of the bylaws, “the chair or any group of five members of the council may call a special meeting after giving notice of the time, place and purpose of the special meeting at least five business days before the meeting.” Ken Reed agreed that this existing provision would cover a meeting of Council leadership and committee chairs. Reed offered the following amendment to Goldstein’s motion: to form a VCCC executive committee, designated by the chair as a special meeting under the current bylaws and subject to open meeting law provisions. The motion was seconded by John Marti and passed. Kristin Lail confirmed that no revision to the bylaws would be necessary and noted that executive committee meetings, like full council meetings, could be posted on the VCCC website. Meetings can be conducted via conference call with an option to participate on-site at the Office of Justice Programs. She will update the 2014 meeting schedule, forward to VCCC members and post on the website.

**Tactical Action Plan:** The Chair referenced working documents from the October retreat and asked committee chairs to provide updates for the February meeting. Kristin Lail also asked members to confirm their committee assignments and noted that Drew Evans will now serve as the chair of the Data and Information Committee.

**DEA Update:** DEA Special Agent in Charge, Dan Moren, provided an overview drug trends, cartels and transportation issues in Minnesota and the Midwest. His presentation included discussion of marijuana, cocaine, methamphetamine, heroin, opiates and synthetic drugs. He highlighted coordination with local partners and equitable sharing of forfeitures.

### **Standing Sub-Committee Updates**

Hector Garcia provided an update on the **Community Engagement Sub-Committee** and plans for roundtable meetings in Rochester and St. Paul in early 2014. He and Chair Jensen met with community representatives and the South East Minnesota Narcotics Task Force in October. They informed them of the roundtable plan and were well-received. A meeting with the Ramsey County Violent Crime Enforcement Team Commander will also be conducted to make plans for the metro roundtable.

Brian Marquart provided the **Data Sub-Committee** update on behalf of Drew Evans. BCA has reassigned personnel to assist with the input of DOC gang data. There have been discussions about convening an advisory group to address questions on criteria submissions. OJP has approved federal Byrne/JAG funding for a BCA gang analyst for one year. Candidates must have some knowledge about gangs and information systems. The position may in the future be able to provide assistance with task force records management.

There was not a report from the **Governance Sub-Committee**. The 2013 VCCC Annual report is due to the legislature in February. Kristin Lail noted that it will include an overview of VCCC activities, summary of task force confidential funds and asset forfeiture audits as well as an update from BCA on the remaining files in the Gang Pointer System.

Jared Jordal provided a brief update on DPS legislative Initiatives. He noted that Representative Simonson convened a legislative work group on synthetic drugs and will be redrafting HF 1464, which included provisions for similar chemical compounds with the same effect as those that are scheduled as controlled. They will also be tracking legislation on medical marijuana and presumptive expungement.

**Action on Medical Marijuana:** Gordon Ramsay referenced medical marijuana materials prepared by the Minnesota Law Enforcement Coalition and made a motion for the VCCC to sign on as a partner with the Coalition in opposition of medical marijuana legislation. The motion was seconded by Goldstein, noting that the VCCC could provide leadership and partner in the development of additional materials. The motion passed.

**Action on Asset Forfeiture:** Cari Gerlicher next voiced concerns about pending asset forfeiture legislation and its potential impact in the field. Ramsay noted that the County Attorney's Association, together with the Chief's and Sheriff's Associations have prepared talking points which he will forward on to the VCCC. He recommended that the VCCC also voice their opposition to asset forfeiture changes because of the impact on law enforcement operations. Goldstein agreed suggesting that proposed changes would dramatically impact the task forces and their ability to operate. There was a motion by Gerlicher for the VCCC to join with MCAA in opposition to proposed asset forfeiture statute changes. It was seconded by Ramsay and the motion passed.

Cari Gerlicher reported that the **Professional Standards Committee** has reviewed a few of the final audit reports from the second round that have been published by the Office of the State Auditor. Brian Marquart is discussing findings on confidential funds management and asset forfeiture with auditors and commanders as they are identified. Thus far there have been fewer findings and most have been minor.

**Good Samaritan Opiate Overdose Legislation:** The council adjourned for lunch at 11:30 and reconvened for a presentation by Dr. Gavin Bart on proposed Good Samaritan Opiate overdose legislation. He provided an overview of growing opiate problem in Minnesota and the overdose prevention movement. He explained that naloxone, commonly referred to as Narcan, is an antidote for opiate overdose that is FDA regulated. Currently only medical personnel can provide it in Minnesota but other states have had good results in expanding its use. The proposed law would allow law enforcement and other first responders to administer naloxone. He explained that it can be administered by injection or nasal spray and that there are not any negative affects if dispensed to someone who is not overdosing. He further explained that the "Good Samaritan" provision allows people at the scene of an overdose to call 911 without fear of arrest. He suggested that it is not a get out of jail free card but some basic immunity for any information that is gathered as a direct result of calling 911. There were concerns raised by committee members about the Good Samaritan provisions of the bill and also about training and expenses of purchasing the naloxone.

**Action on Opiate Overdose:** Goldstein made a motion to support the use of naloxone by law enforcement, noting that it should not be a mandatory requirement. He suggested that individual Chiefs and Sheriffs could weigh in on the Good Samaritan provisions but would not include them in the

VCCC position. It was seconded by Hilary Caligiuri and passed. Kristin Lail noted that they would also contact the Steve Rummeler foundation.

**Ad Hoc Sub-Committee Update:** David Hermerding provided an update on Synthetic Drug Investigation and Prosecution Recommendations. He noted that the sale portion of the proposed legislation could be increased beyond the current 5 year, \$10,000 fine penalty. One of the recommendations to go forward would be to consider 1<sup>st</sup>, 2<sup>nd</sup>, 3<sup>rd</sup>, 4<sup>th</sup>, and 5<sup>th</sup> degree cases as in other controlled substances so synthetics drug cases are not low level felony offense. The sub-committee is also looking towards further defining dosage units, amounts and packaging. They have also discussed enhancements for prior offenses, transport and manufacture, similar to methamphetamine laws.

**Action on Synthetic Drugs:** There was a motion by David Voigt to authorize the VCCC Synthetics Drug sub-committee Chair David Hermerding to forward suggested language for the bill directly to Representative Simonson. It was seconded by Goldstein and passed.

**Statewide Commander Update:** Marquart summarized task force data and recent trends, including significant increase in heroin, methamphetamine and prescription drug seizures as well as marijuana grows on public lands. Task forces have voiced concerns to Marquart about methadone abuse and diversion. He provided an update on site visits, advisory board meetings and trainings attended. He plans to continue to research records management systems and will be conducting a site visit to Wisconsin to review their operations.

**OJP Grants Update:** Kristin Lail noted that 22 grant agreements for 2014 are moving forward with current task forces and that the North Central Task Force had disbanded. Unspent funds will be discussed early next year and may be used to support statewide VCCC priorities such as gang information and a records management program. These components may be incorporated into the 2015 RFP. A subcommittee will be convened in January to discuss funding targets and eligibility criteria.

**Action to adjourn:** Cari Gerlicher made a motion to adjourn the meeting which was seconded by Hermerding. The motion passed and the meeting was adjourned at 12:50 p.m. The next VCCC meeting will be held on Wednesday, February 12, 2014 at the same time and location.