

Violent Crime Coordinating Council
Report to the Legislature

Minnesota Department of Public Safety

February 1, 2018

This annual report, covering the period of Jan. 1, through Dec. 31, 2017, details the activities of the Violent Crime Coordinating Council (VCCC), summarizes site visits conducted on multijurisdictional entities, and reports on audits of criminal gang investigative data.

VCCC Activities

The [VCCC](#) was established by the Minnesota Legislature in 2010. The VCCC provides guidance related to investigation and prosecution of gang and drug crimes, especially violent crimes associated with gang activity. The council also provides direction and oversight to multijurisdictional violent crime enforcement teams (VCETs) located throughout the state.

The council's primary duty is to develop an overall strategy to reduce the harm caused to the public by gang and drug crimes in Minnesota. The council works closely with Department of Public Safety Commissioner Mona Dohman and is responsible for:

- Developing a policy and procedure manual to guide gang and drug investigations.
- Recommending an individual to serve as statewide coordinator.
- Developing grant eligibility criteria and an application review process.
- Recommending termination of funding to VCETs that fail to operate effectively.
- Developing an information-sharing process to improve investigation and prosecution of gang and drug offenses.
- Developing impartial policing policies that prohibit improper use of personal characteristics to target individuals for law enforcement, prosecution or forfeiture actions.
- Adopting objective criteria and identifying characteristics to determine whether individuals are or may be members of gangs involved in criminal activity.

Faribault Police Chief Andy Bohlen serves as VCCC chair, and Washington County Sheriff's Chief Deputy Brian Mueller is vice chair. A list of members is attached as Appendix A.

The Department of Public Safety Office of Justice Programs (DPS-OJP) employs a grant manager to administer law enforcement grant funding. DPS-OJP also employs a statewide gang and drug coordinator (statewide coordinator) to provide training and technical assistance for VCETs. In addition, these staff positions provide administrative support for the VCCC.

The VCCC meets bi-monthly to review gang and drug information. Four committees report at VCCC meetings: Data and Information, Professional Standards and Accountability, Governance and Legislation, and Community Engagement and Prevention. Members also review VCET performance data and grant updates. The statewide coordinator provides activity reports and coordinates presentations from others involved in investigating and prosecuting narcotics cases, gang cases and associated violent crime.

In 2017, VCCC guest speakers represented the following organizations:

- Minnesota Gang Investigators Association
- Minnesota Department of Human Services, Alcohol and Drug Abuse Division
- Minnesota Department of Health, Injury and Violence Prevention Unit
- United States Attorney's Office, District of Minnesota
- Morrison County Opioid Prescribers Initiative
- Drug Enforcement Administration, Forensic Science Laboratory
- Hennepin County #NOverse Campaign

Chair Bohlen has also begun inviting VCET commanders to bi-monthly VCCC meetings to provide a brief presentation of partners, operations and outcomes. In 2017 the following VCETs presented to the VCCC:

- Southwest Metro Drug Task Force
- Southeast Minnesota Narcotics and Gang Task Force
- Hennepin County Violent Offender Task Force

Additional VCET presentations are planned for 2018.

In October, the VCCC held a joint meeting with VCET Advisory Board chairs at the Bureau of Criminal Apprehension (BCA), which was well attended and highly rated. Board members appreciated meeting VCCC members and reviewing oversight responsibilities.

2017 VCCC Committee Activities and 2018 Goals

The Data and Information Committee, chaired by BCA Superintendent Drew Evans, continued to monitor the work of the Legislative Commission on Data Practices for law enforcement topics and discussion.

The Minnesota Fusion Center, based in the BCA, continues to manage, enter and audit the state Gang Pointer File. Any local law enforcement agency that has an investigative target meeting three or more of the state gang criteria may forward the individual's name to the BCA for inclusion in the Gang Pointer File.

The BCA has made Gang Pointer File information available for routine patrol records checks in the Minnesota Court Information System (MNCIS) to support officer safety.

The BCA will continue to audit the Gang Pointer File annually, and individuals who have not had any new convictions in three years are purged from the system.

Data and Information Committee goals for 2018:

- Coordinate with the BCA in maintaining the statewide Gang Pointer File.
- Conduct a two-year review of the nine-point gang criteria and make recommendations for any needed changes.
- Continue to monitor the work of the Legislative Commission on Data Practices for law enforcement topics and discussion.

The Professional Standards and Accountability Committee, chaired by Department of Corrections Director of Investigations Cari Gerlicher, reviewed all VCET on-site reviews conducted by the Office of the State Auditor (OSA) in 2016 as well as statewide coordinator follow-up. The VCCC revised the *Multijurisdictional Task Force Operating Procedures and Guidelines Manual* (Guidelines Manual) in April 2017 based on audit and site visit findings and emerging best practices. Proposed changes include specifying evidence disposal procedures, refining search warrant components, establishing a new policy on body cameras, and adding more detail on community engagement expectations.

In 2017, the statewide coordinator conducted peer-review site visits to all VCETs along with the commander from another VCET. In 2018, there will be additional revisions to the Guidelines Manual recommended from these peer reviews.

Professional Standards and Accountability Committee goals for 2018:

- Review 2017 VCET peer-review site visit reports and recommendations for revisions to the Guidelines Manual.
- Review 2018 independent audit reports and statewide coordinator follow-up.
- Recommend VCET requirements for the 2019 request for proposals.

The Governance and Legislation Committee, chaired by Washington County Sheriff's Office Chief Deputy Brian Mueller, requested an increase of \$1.5 million per year in VCET funding for the 2018-2019 biennium in the Governor's budget. This would have brought the state funding amount in the base budget to \$5 million each year.

VCET funding was included in Governor Dayton's budget. Commissioner Dohman presented to house and senate public safety committees and VCCC members provided testimony in support as well. The Legislature did not pass legislation to increase VCET funding.

DPS-OJP staff have regularly partnered with the Minnesota Departments of Human Services and Health as well as other state agency partners in the State Substance Abuse Strategy and State Opioid Oversight Project, culminating in a planning retreat in October. State agency partners are collaborating on the Opioid Dashboard project, funded by the federal Centers for

Disease Control and Prevention, the State Targeted Response project, funded by the federal Substance Abuse and Mental Health Services Administration, and the Minnesota Opioid Prescribing Work Group. Members provided data, strategies and support for the Governor's Opioid Plan and Legislative Package.

The BCA received a grant from the U.S. Department of Justice, Community Oriented Policing Services Office for a statewide Anti-Heroin Task Force. The Minnesota proposal highlighted racial disparities of opioid overdoses in Indian Country and is targeting grant resources on investigations of opioid overdose deaths and those with a nexus to the eleven tribal communities. VCETs will partner in these investigations and may receive reimbursement for overtime.

Governance and Legislation Committee goals for 2018:

- Continue to track emerging drug, gang and violent crime threats and trends and provide recommendations to Commissioner Dohman.
- Support request to the legislature for additional VCET state funding.
- Coordinate with the BCA on the Heroin Task Force Grant.

The Community Engagement and Prevention Committee, chaired by St. Paul Police Commander Ken Sass, reviewed VCET community engagement policies, grant requirements and reporting for 2017. Quarterly progress reports were expanded to include data on community meetings, events and communications.

The VCCC recognized the contributions of Hector Garcia, who represented the Minnesota Council on Latino Affairs and chaired the Community Engagement Committee for several years.

Community Engagement and Prevention Committee goals for 2018:

- Monitor performance measures for VCETs on community engagement policies and grant requirements.
- Continue engagement of all citizen member positions on the VCCC.
- Seek community input on any proposed changes to the gang criteria.

VCET Funding and Audits

In 2016 DPS-OJP managed a competitive application process that resulted in the funding of 21 multijurisdictional VCET grants in 2017 with state and federal Justice Assistance Grant funds. A VCET list is attached in Appendix B.

In 2017, all of the VCET on-site procedural reviews conducted by OSA were forwarded to the VCCC Professional Standards Committee for review. A summary of the OSA review process was provided in 2016 VCCC Annual Report and individual VCET reports are posted on the OSA website under [audit reports](#).

The statewide coordinator also reviewed each audit report, discussed specific findings with VCET commanders, and provided technical assistance for developing corrective action plans. He also discussed implementation of property room best practices with law enforcement partner agencies. The 2017 VCET Commanders Training, held in March at Camp Ripley, reviewed audit findings, highlighted Guidelines Manual updates, and provided task force leadership training.

The statewide coordinator conducted comprehensive site visits at all VCET locations in 2017, with other VCET commanders participating in a peer review process. All commanders were required to participate in a site visit of another VCET, and most reported that they gleaned information that would be helpful for their home agency. Areas identified for revision of the Guidelines Manual included best practices for managing confidential informants, maintaining confidential informant files, and setting forfeiture thresholds.

All 2017 VCETs were recommended for continuation funding in 2018, with five follow-up visits recommended on specific issues, including:

- Tracing seized weapons through the Bureau of Alcohol, Tobacco, Firearms and Explosives National Tracing Center
- Centralizing case information in the VCET files
- Maintaining chain of custody on all evidence
- Implementing random local audits by VCET board members

DPS-OJP staff are planning a training workshop for all VCET commanders in the spring of 2018 to review key provisions of the Guidelines Manual and highlighting areas noted in peer-review site visits.

DPS-OJP have entered into an interagency agreement with Alliant Consulting, a preferred state vendor through the Management Analysis Division (MAD), to conduct on-site procedural reviews of 21 VCET grants in 2018. Pilot visits and planning were completed in December 2017.

BCA Criminal Gang Investigative Data System Audit

The BCA conducts random audits of data in the Gang Pointer File and reports annually to Commissioner Dohman. The most recent audit of the Gang Pointer File was completed from October 2016 to Sept. 1, 2017.

- The Minnesota Department of Corrections began entering records in July 2017. They have entered four new subjects at the time of this report.
- There were no new entries by the Minnesota Fusion Center in the past year.

The BCA Training and Auditing Unit has the responsibility to perform audits of records submitted to the Gang Pointer File by law enforcement agencies in Minnesota.

- There are no remaining local law enforcement records requiring audit.
- All records entered under the Metro Gang Strike Force (MGSF), the Minnesota Fusion Center and the Minnesota Department of Corrections have been audited for the current one-year audit period.

BCA Training and Auditing Unit staff reviewed 275 criminal histories on the remaining subjects in the Gang Pointer File and four new subjects were entered during the past year. This audit also reviewed all remaining MGSF records for the statutorily required documentation. Of those 275 files, 226 of the MGSF records did not have the required documentation supporting the record entry. Those records are included in the subjects removed resulting from this audit.

Of the 275 files remaining from the previous audit plus four new records, 232 subjects were determined not to have any additional qualifying criminal conviction and were accordingly purged from the system. As of Sept. 1, 2017, 47 people remain in the Gang Pointer File.

Conclusion

The VCCC is scheduled to continue bimonthly meetings in 2018, and committees will be convened as needed to accomplish their goals. DPS-OJP will continue to manage VCET grants, provide technical assistance, and conduct VCET commander training. DPS-OJP will also manage a subcontracted review of VCET confidential funds, evidence handling and asset seizure and forfeiture. The BCA will continue to manage the Gang Pointer File, and the VCCC will review criteria in 2018.