

**MINNESOTA BOARD OF
PEACE OFFICER STANDARDS AND TRAINING**

**BOARD MEETING
POST Board Office
1600 University Avenue, Suite 200
Saint Paul, Minnesota
April 28, 2016**

Members Present

Mr. Tim Bildsoe (Chair)
Mr. Dave Bentrud
Mr. Marty Earley
Mr. Andrew Evans
Mr. Mark Fahning
Ms. Nancy Johnson
Ms. Mylan Masson
Mr. Joel Olejnicak
Dr. Joel Powell
Mr. Paul Schnell
Mr. Steve Stotko
Mr. Dave Titus
Mr. Troy Wolbersen

Staff Present

Mr. Nate Gove
Mr. Mark Raquet
Ms. Deb Soderbeck
Ms. Peggy Strand
Ms. Sheryl Waddick

Counsel Present

Ms. Karen Andrews,
Assistant A.G.

Members Absent

Ms. Becky Swanson
Mr. Kent Wilkening

Others Present

Mr. John Kingrey
Mr. Bryan Litsey
Ms. Heather Ring
Mr. Wade Setter
Dr. Nancy Steblay

Chair Bildsoe called the meeting to order at 10:00 a.m. and thanked everyone for attending the meeting. The Forum was the first item on the agenda. No one present asked to address the Board.

Approval of the Agenda: Chair Bildsoe looked for a motion to approve the agenda.

- **MOTION:** Mr. Bentrud moved to approve the agenda. Mr. Stotko seconded the motion. The agenda was approved.

Approval of the January 28, 2016 Board Meeting Minutes: Chair Bildsoe looked for a motion to approve the minutes with the correction of Mr. Stotko not attending that meeting.

- **MOTION:** Ms. Fahning moved to approve the January 28, 2016 Board meeting minutes as corrected. Chair Bildsoe seconded the motion. The minutes were approved.

Announcements: Mr. Gove introduced and welcomed Ms. Karen Andrews, Assistant Attorney General. Ms. Andrews was recently named as the POST Board's general counsel. Mr. Gove recognized staff member Ms. Sheryl Waddick, Standards Coordinator, for her 15 years of service to the State of Minnesota while at the Minnesota POST Board. He then welcomed Mr. Andrew Evans, Superintendent of the Minnesota Bureau of Criminal Apprehension (BCA), to the meeting. Mr. Evans was attending his first POST Board meeting since being named Superintendent. Mr. Gove thanked Mr. Evans for naming Mr. Wade Setter as the Superintendent's designee when he is unable to attend meetings.

Innocence Project of Minnesota (IPMN) – Best Practices in Eyewitness

Identification: Ms. Heather Ring, Executive Director of IPMN, spoke to the Board regarding the need for an eyewitness identification policy. She reported 71% of DNA-exonerated individuals were misidentified by eyewitnesses. She introduced Dr. Nancy Steblay. Dr. Steblay narrated a PowerPoint presentation that depicted a crime then asked the board to identify the perpetrator by looking at pictures of six different individuals. She explained, "Memory is fragile and malleable. Memory fades and intrusions to memory impacts identification. Line-ups are inherently dangerous and risky for the innocent. A witness needs to be told that the perpetrator may or may not be in the lineup because you want true recognition of the perpetrator, not "the closest to." Ms. Ring said the IPMN is waiting for response to a survey of the legislators regarding this matter. Discussion ensued. The Board then referred this issue to the Training Committee for discussion about how the POST Board could impact best practices in identification at the agency policy level, pre-service education and in-service education. Chair Bildsoe requested the committee report back to the Board in July. Mr. Gove will send a letter to State Senator Latz and Representative Cornish in support of IPMN's best practices.

2016 License Renewal Report: Using the new Salesforce computer application, Ms. Bjornberg reported that on April 5, 2016, license renewal applications were e-mailed to law enforcement agencies who employ officers due for license renewal this year. New this this year, license renewal applications requested e-mail addresses so that when a renewal is processed, an e-mail immediately goes directly to the officer with his/her renewed license attached. The names of officers who have not yet renewed will automatically be sent to their respective Chief Law Enforcement Officer (CLEO) on May 21st and again on June 21st. Also, by checking their agency portal, CLEOs can now see who has and has not renewed. Approximately 3,000 officer licenses are up for renewal by June 30, 2016. Ms. Bjornberg said that to date, 186 licenses were renewed online and 525 renewal applications were received via mail or walked-in. Chair Bildsoe commented the new Salesforce application sounds like an improvement over the previous software system Versa.

POST Licensing Exam Update: Mr. Hawkins provided a PowerPoint presentation containing information regarding the development of computer-based testing. He told the Board that the current practice of scheduled tests occurring every four to six weeks presents problems for individuals who are being considered for sworn positions. He also pointed out that reciprocity examinees from all over the United States are required to come to the office to take exam. Mr. Hawkins has been working with Mr. Kevin Donnan-Marsh, Contract Officer at the Department of Public Safety, to write a request for proposal (RFP) for a professionally-constructed, computer-based, on-demand test that would be available nationwide in a secure setting. The examinee would immediately know whether or not they passed the exam. Mr. Hawkins said he was aiming for roll-out of the computer-based testing in conjunction with the revised learning objectives in 2018. In answer to questions about students testing to the previous learning objectives versus the revised learning objectives, Mr. Hawkins added, "We will have to offer both tests for a while." Mr. Brian Litsey, Metropolitan State University, said, "We will offer a bridge course to our students. Due to the revised learning objectives, the rewrite of our curriculum is all geared toward implementation for fall of 2017." Ms. Masson inquired about the cost to the students and Mr. Hawkins said it would be an additional \$50 to \$75 per student to take the exam. Mr. Setter asked about the economics of the plan and Mr. Gove reported POST may be able to pay the estimated cost without seeking an

additional appropriation due to the \$100,000 appropriation granted by the legislature for each year of the current biennium. Mr. Hawkins told the Board that the company that builds the exam may not be the same company who delivers it. The next crucial milestone is to get the RFP out by mid-July. Mr. Hawkins would provide an update at the July meeting.

Remedial Plan Authorization: As per the POST Board's Rules and on the advice of the Board's previous Assistant Attorney General, Mr. Jacob Fischmann, Mr. Gove asked the Board for authorization on behalf of the Board to approve requests received for the re-examination of remedial-plan students who have to take the Peace Officer Licensing exam a fourth or subsequent time. Mr. Gove stated he would require a robust plan with prior approval granted from the student's PPOE Coordinator.

- **MOTION:** Mr. Schnell moved to confer authorization to Executive Director Gove on behalf of the POST Board. Ms. Masson seconded the motion. The motion passed unanimously.

Mental Health Crisis Response Training: Mr. Gove informed the Board that Senator Latz has introduced a bill to mandate Mental Health Crisis Response Training to licensed peace officers. Mr. Gove looked to the Board for direction on the issue as he said, "I will be asked for your position." Discussion followed. Mr. Schnell said, "This is not duplicative. It speaks to an important issue for law enforcement to make sure we have ongoing training to interact with the homeless and persons in mental health crisis. It's important that we recognize this issue. As professional law enforcement, we ultimately have to reflect the needs of our community." Mr. Bentrud added, "I believe we should have a mandated policy for crisis response that includes in-service training, and also some level of pre-service training - perhaps incorporated into the annual Use of Force training." Discussion and questions continued. Mandated? Voluntary? How would the training look? The Board referred the issue to the Training Committee to convene a meeting prior to the POST Board's July 2016 meeting.

EXECUTIVE DIRECTOR'S REPORT

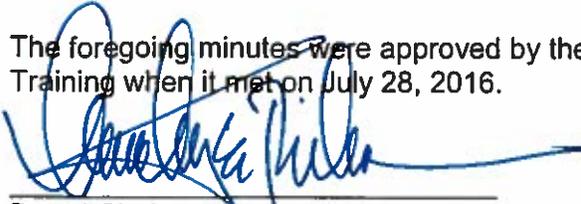
FY 2016 Budget: Copies of the Manager's Financial Report were distributed. Mr. Gove reported he meets monthly with POST's accounting officer, Mr. Dan Boytim and said, "We are right on track for the current fiscal year." He did point out, however, that MN.IT would be looking for funding for the work they do for POST in the near future. Mr. Evans added, "It will be expensive. They are moving to a billing model." Ms. Masson asked if the money for the new computer-based testing would be a single line item on the Manager's Financial Report. Mr. Gove would check with Mr. Boytim.

Strategic Planning Update: Mr. Gove told the Board that several, small-group, task force meetings are complete. The focus will now be on obtaining financial resources. "(Reinstituting) CE tracking will have the ability to do just that. Notice will go out to all CLEOs next week to inform them we will again be collecting data as of July 1, 2016 from training providers. This will eliminate individual audits and it will expand our reporting capabilities, i.e., how many officers in Minnesota received CIT training," said Mr. Gove.

Licensure Matters: This portion of the meeting was closed to the public. During this time, two Settlement Agreement and Consent Orders were considered and adopted by the Board. Complaint Committee members abstained from voting.

Seeing no additional business before the Board, Chair Bildsoe adjourned the meeting at 11:55 a.m.

The foregoing minutes were approved by the Board of Peace Officer Standards and Training when it met on July 28, 2016.



Board Chair



Executive Director