

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

**BOARD MEETING
Post Board Office
Electronic Meeting via Microsoft Teams
July 21, 2022**

Members Present

Kelly McCarthy, Chair
Jason Bennett
Jennifer Foster
Justin Page
Justin Terrell
Liz Richards
Luke Hennen
Nigel Perrote
Pilar Stier
Scott Kent
Scott Mueller for Andrew Evans
Shawn Williams
Shelly Schaefer
Tanya Gladney
Troy Wolberson

Members Absent

Jay DeCoux
Jim Yang

Staff Present

Erik Misselt
Michael Meehan
Rebecca Gaspard
Andy Burth
Michelle Haggberg
Katie Cederstrom
Michael Monsrud
Bob Barli
Shari Mitchell

Others Present

Invitation to listen to the live meeting was listed on the website.

Counsel Present

David Cullen, A.G. Office
Christopher Kaisershot A.G. Office

Call to Order: Chair McCarthy called the meeting to order on July 21, 2022 at 10:05 am. Chair McCarthy introduced two new Board members; Shawn Williams and Scott Kent.

Forum: Mr. Misselt indicated there was no one attending for the forum.

Introduction of new Board members:

- A. Chief Scott Kent – Alexandria PD
- B. Dr. Shawn Williams – St Cloud University

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

- **MOTION:** Mr. Hennen made a motion to approve the agenda. Mr. Wolberson seconded the motion. The agenda was approved via unanimous voice vote.

Approval of the April 21, 2022 Board Meeting Minutes: Chair McCarthy looked for a motion to approve the minutes with the changes on page 3 moving both Ms. Steir and Mr. Wolberson from a vote of “abstained” to a vote of “no” and removing the question mark behind Mr. Page’s name.

- **MOTION:** Mr. Wolberson made a motion to approve the minutes with the changes. Mr. Page seconded the motion. Minutes were approved via unanimous voice vote.

Committee Assignments:

- A. New Vice Chair appointment (Automatically fills vacancy on Executive Committee). Liz Richards has accepted this appointment.
- B. New Standards Committee member. Chief Scott Kent has accepted this appointment.
- C. New Training Committee member Dr. Shawn Williams has accepted this appointment.
- D. New Training Committee member and one alternate. Still vacant.

Update on Rules Process (comments received summary, next steps/Attachment) (Rules Coordinator report) DISCUSSION:

Ms. Gaspard began with indicating the deadline for the comments for the proposed rules was 7/20/22 at 4:30 pm. She advised that there has been roughly 1,000 requests thus far and there were 400 valid hearing requests. Next steps are in the handout for the remainder of the calendar year. The comments will be reviewed and responded to by the Advisory Committee by late August and then by the Board’s Rules Committee. The responses to the comments and possible rule changes that stem from the comments will be brought to the next Board meeting in September 2022 for the Board’s consideration. Ms. Gaspard then invited questions.

Mr. Terrell asked about the numbers and the breakdown of the comments received. Community vs. officers submitted. Ms. Gaspard indicated that roughly 1,020 comments were received, but this is not an accurate count as some comments had multiple signatures and are still currently being reviewed. There are 400 valid hearing requests. The majority of those requests, about 60%, came from people in law enforcement or are associated with law enforcement. About 40% are community members that requested hearings as well. These comments are still being processed and then will be posted on the POST Board website. Currently the comments are posted up to July 10, 2022. Ms. Gaspard said that she would send an email to all of the Board members with all of the comments once they are compiled.

Ms. Richards asked if the comments will be grouped. Ms. Gaspard said they will be grouped by rule site and by topic. Couple of topics applied to multiple rules.

Chair McCarthy wanted to remind that there is a Rules Advisory Committee to hash out the details. Then their suggestions come to the Rules Committee then the Rules Committee then decides what comes to the Board. The Board is then given all of the information and the chance to discuss is at this meeting. This is in accordance with the Data Practice law. If there are any questions prior to the meeting they should be directed to Mr. Misselt or Ms. Gaspard.

Discussion ensued on the upcoming hearings.

Chair McCarthy looked for a motion to have the hearing dates that are in red say Board or Rules will take out the “or” and will make it full Board meetings.

- **MOTION:** Mr. Wolberson made a motion to approve. Ms. Schaefer seconded the motion. The motion passed unanimously via voice vote.

Data analysis and reporting (Board member Schaefer): Ms. Schaefer began the discussion with wanting to talk to the Board in regards to the information and data being collected by the new complaint data system; Benchmark. She would like to be able to do data analysis from Benchmark and Salesforce to recognize patterns by agency, by geography, etc. This would be better to assist with recognizing deficits in training. Patterns of complaints. What is happening with 16 hr training, etc.

Chair McCarthy then spoke about the classification of the data and what data will be able to be used.

Mr. Misselt provided an overview of what information can be divulged. He also indicated that the database is still being worked on for next steps and that the next step is to build the training management system.

Much discussion ensued.

Approval of Updated Avoiding Racial Profiling Policy (Tentative/Attachment): Mr. Monsrud provided an overview with notation of the revisions for the updated Avoiding Racial Profiling Policy. He opened the floor for discussion.

Chair McCarthy looked for a motion to approve or deny the changes to the Avoiding Racial Profiling Policy.

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

Variance – Jeff Knopf: Ms. Gaspard spoke about Jeff Knopf’s variance application. He has a master and a bachelor’s degree. He has been a licensed part-time officer for 8 years. He is asking for a variance to allow him to take the licensing exam to then be able to apply for a licensed position.

Chair McCarthy looked for a motion to approve or deny Jeff Knopf’s request for a discretionary variance of Minnesota Rule 6700.0500. The variance would be granted because the application of the rule would result in hardship or injustice to Mr. Knopf; it would be consistent with public interest; and it would not negatively impact the legal or economic rights of others and ensures the protection of public health, safety and the environment. The variance is granted until Mr. Knopf passes the exam.

- **MOTION:** Mr. Mueller made a motion to approve Mr. Knopf’s request for a discretionary variance of MN Rule 6700.0500. Mr. Hennen seconded the motion. Mr. Bennett opposed the motion. The motion was approved via voice vote.

Variance – Patrick Klegstad: Ms. Gaspard spoke about Patrick Klegstad's variance application. He has been a part-time deputy sheriff and a full time investigative and victim service officer for Kittson County for 13 years. He has an AA degree from Northland Community College. He also has a letter from Kittson County supporting his request for a variance.

- **MOTION:** Mr. Wolberson made a motion to approve Mr. Klegstad's request for a variance of MN Rule 6700.0511. The variance would be granted because the application of the rule would result in hardship or injustice to Mr. Knopf; it would be consistent with public interest; and it would not negatively impact the legal or economic rights of others and ensures the protection of public health, safety and the environment. The variance is granted until Mr. Knopf passes the exam. Mr. Hennen seconded the motion. Mr. Bennett and Mr. Perrote opposed the motion. The motion was approved via voice vote.

Executive Director's report: Mr. Misselt spoke on the following:

A. Update on public data portal: Final stages of signing the contract with Slalom and should be signed by September 2022. This is a portal that will allow the public to search public records only on peace officers in the state and will include inactive officers. It will be similar to the Nursing Board or Psychology Board. The only disciplinary information will be if there was final disciplinary action by the Board. This is only Board information and is not individual agency information.

B. Budget update: Depending on approval of the rules if the rules get approved will need more staff and a larger space.

C. Personnel update:

Data Manager has been hired. Their start date is 8/3/22.

OASI position has been filled by Alex Xiong.

PPOE Education Coordinator position is currently open.

New Complaint form has been finalized. Mr. Misselt expressed appreciation for the work completed by Ms. Richards, Mr. Terrell, Mr. Page, Ms. Schaefer and Mr. Yang. This form will show what's in the Board's jurisdiction and what is not.

Biennial report is due October 1, 2022.

Licensure Matters (closed to the public)

Adjournment:

- **MOTION:** Ms. Richards made a motion to adjourn at 1241 pm. Ms. Foster seconded the motion.

