

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

**BOARD MEETING
Board of Cosmetologist Examiners
1000 University Ave W #100,
St Paul, MN 55104
July 22, 2021**

Members Present

Kelly McCarthy, Chair
Jason Bennett
Andrew Evans
Jennifer Foster
Tanya Gladney
Luke Hennen
Justin Page
Nigel Perrote (via Teams)
Liz Richards
Shelly Schaefer
Pilar Stier
Rebecca Swanson
Justin Terrell
Troy Wolbersen

Members Absent

Jay DeCoux
Sara Rice
Jim Yang

Counsel Present:

Karen McGillic, A.G. Office

Staff Present

Erik Misselt
Jeff Winger
Peggy Strand
Abby Brown
Rebecca Gaspard
Angie Rohow
John French
Andy Burth

Others Present

Jan Nye
Dave Bicking (CUAPB)
Andrew Kluis
Yvonne Keta
Michelle Gross
Stephen Montemayer
Phil Thiesse (KSTP TV)

Call to Order: Chair McCarthy called the meeting to order at 10:00am.

Forum: Per instructions on the posted agenda, there were no individuals that requested to speak during the forum.

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

- **MOTION:** Ms. Swanson moved to approve the agenda, the motion was seconded by Ms. Gladney. The agenda was approved through a voice vote.

Approval of the April 22, 2021 Board Meeting Minutes: Chair McCarthy looked for a motion to approve the minutes.

- **MOTION:** Mr. Evans moved to approve the minutes, the motion was seconded by Sheriff Hennen. The minutes were approved through a voice vote.

Review of the New Legislation passed involving MN POST Board: Executive Director Misselt summarized the new legislation which included:

- The MN POST Board is now allowed to collect private data as it relates to complaints against officers
- Reclassifying officer agency name as public data
- Personal phone numbers and email addresses of officers are now considered private data
- Development of a model policy in the use of Confidential Informants, a POST staff member and stakeholders will be working together to develop this
- Addition of approved list of providers for Alzheimer's Training
- Through the 2021 Omnibus bill, MN POST Board was authorized an additional full-time staff to address the additional workload that has been added through legislative changes
- Complaint Investigative Committee (CIC) has changed, three of which are Peace Officers and one needs to be a public member
- All POST Board members' position termination now follow all other licensing boards applicable in Chapter 214

Mr. Terrell discussed his belief that the POST Board should be working diligently to move forward on the 30 recommendations given during the legislative session. Director Misselt will create a matrix to share what the progress that has been made thus far on the IADLEST audit and tie the legislative recommendations into that work. Mr. Terrell also mentioned that there may be community organizations that could assist in addressing those recommendations.

Mr. Evans sought clarity on when to report Complaints of Misconduct. Director Misselt stated that he is committed to discussing these questions as they arise with individual chiefs and that he would include examples of appropriate times to report as he sends out updates on this topic.

Discussion on Board authority to address violations of mandated policies:

Director Misselt discussed the Attorney General's recommendation that MN POST Board can enforce whether or not the CLEO has adopted and implemented the model policy. However, the MN POST Board does not have authority to enforce model policy violations against the individual officer.

Updated Model Policy for Allegations of Misconduct: Ms. Rohow discussed the changes made to the model policy, as posted to the website prior to the meeting.

- **MOTION:** Mr. Evans moved to approve the changes made to the model policy, the motion was seconded by Mr. Terrell. The motion was approved through a voice vote.

Draft Model Policy on Public Assembly and First Amendment Activities: Ms. Gaspard discussed draft of the model policy, as posted to the website prior to the meeting. After some thoughtful discussion, Chair McCarthy looked for a motion to approve the model policy.

- **MOTION:** Mr. Bennett moved to approve the model policy, the motion was seconded by Ms. Stier. The motion was approved through a voice vote.

Rules Advisory Committee: Ms. Gaspard discussed the progress of the committee, stating that the work is currently on track and have began to work on the Standards of Conduct updates.

Complaint Process Special Committee update: Director Misselt discussed the progress that the Special Committee has been working on and that the recommendations will be presented to the full board during the next meeting.

Executive Director's Report: Director Misselt introduced and welcomed many new staff to the MN POST Board. He also discussed the transition from Department of Public Safety to the Small Agency Resource Team (SmART) for of Fiscal and Human Recourse guidance.

- **MOTION:** Mr. Bennett moved to close the open portion of the meeting for private licensure matters, the motion was seconded. The vote was approved through a voice vote.

When the closed session ended, the appointment of a Peace Officer and a Public Member alternate for the CIC was noted to have been overlooked.

- **MOTION:** Ms. Swanson moved to have Ms. Stier become the fourth member of the CIC and Mr. Page to become a public member alternate for the CIC. The motion was seconded by Mr. Evans. The vote was approved through a voice vote.

Ms. Swanson moved to adjourn the board meeting, Mr. Wolberson seconded the motion. Through a voice vote, the meeting was adjourned.

The foregoing minutes were approved by the Board of Peace Officer Standards and Training when it met on October 28, 2021.