To the MN POST Board,
I have reviewed the rule changes (and watched them evolve for months) and still have the following concerns:

https://dps.mn.gov/entity/post/meetings/Documents/POST%20SONAR%20June%202022%20R4641.pdf

6700.0670 Sub 1 (B) – Social Media- if a candidate misses an account that’s unused, is s/he in violation? If the backgrounder doesn’t agree with their opinion on a topic, will they be disqualified? If someone else is tagging the candidate, without their knowledge, is their potential career over because the Chief will report the disqualification to POST?

6700.0670 Sub 2 (A)(1) – a non-US citizen should not be in a position to limit the freedoms/rights of US citizens (power of arrest).

6700.0675 A 3 – psychologist report on predisposition to engage in discrimination- this is entirely too loose and undefined. Psychologists who may not agree with a candidate’s opinions could be quick to fail them in this area, permanently scarring a candidate from future hire, based on one Psychologist’s opinion.

6700.0700 Sub 1 (J)- the physical requirement was not broken and shouldn’t be removed. While it’s clear that detectives, SRO’s etc, may not need to meet the same requirements as patrol officers, in a moment’s notice, they may be required to be physically capable of doing the job. The initial entry requirement to get into this field needs to be upheld, or we’ve watered down the requirements for an already out of shape generation which will result in multitudes of lawsuits in the future for failure to protect our citizens and early medical retirements.

6700.1600 Sub 1 (A)(1) – conduct...regardless of whether or not the conduct results in criminal charges. Throughout the hearings I heard “due process” but this flies in the face of due process. 6700.1600 Sub 1 (B)- conduct that may lead to... Brady-Giglio- many Brady-Giglio officers are employed throughout the state and it’s up to each Prosecutor to deal with those issues. Many of
them have perfectly tailored assignments that keeps them out of Court and should no lose their license.

6700.1600 Sub 1 (G)- by far the most concerning of all the changes is the undefined “discriminatory conduct.” If someone is offended by an officer’s opinion and spins it in the direction of discrimination, will they lose their license? We are accused of “being racist” often just because a person of color doesn’t want to talk to the police. If they see an officer off duty and claim this, will the officer lose their license without due process?

6700.1600 Sub 1 (I)(2)- engagement in cyber or social media posts, chats, forums, and other forms of promotion of the group’s activities or ideology- what is “engagement”. If I’m viewing a group’s publications in order to stay apprised of the threats to my community am I risking my license? What if it’s a part of my investigation and some reporter finds my name, am I done in law enforcement? Paragraph 3 is even worse, what are the defined “hand signs” etc, that will lead me to lose my license? Who decides? Is Facebook the source of our information on what’s racist? This is a slippery slope.

In closing:
We have struggled for the last several years to draw people into this thankless field. Absolutely something needs to be done to protect our citizens regardless of color/creed/origin, but making this job less obtainable and licenses at risk is not the solution. Please, as a board, promote the adjudication of those that deserve it without the blanket punishment of the masses who are NOT racist and only want what’s best for our citizens.
Respectfully,
Sgt Schrage
These laws amount to indentured servitude. Officers should not have to give up their constitutional rights of freedom of speech and association. If this does pass, I hope it gets challenged all the way to the U.S. Supreme Court if needed.

On Thu, Jun 16, 2022, 6:23 PM Minnesota Police and Peace Officers Association <aitschert@mppoa.com> wrote:
From: Dave Titus, MPPOA Board President and former POST Board Member, and Brian Peters, MPPOA Executive Director

Members,

The POST Board is proposing extensive rule changes governing law enforcement officers.

The proposed language of the rules will have a significant impact on members, and the MPPOA Board takes this activity extremely seriously. Counsel has been retained and discussions are ongoing with other law enforcement associations.

We ask that you carefully read the proposed changes (found below in the hyperlinks) and give anonymous input to MPPOA via this Survey Monkey link by Friday, June 30. The MPPOA Board will discuss the responses and update the membership at the end of June. We will provide sample comment letters for members to provide a formal comment to the POST Board at that time.

Please contact us with any questions.

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LETTER SENT FROM POST

Proposed Amendments to Rules Governing Peace Officers, Minnesota Rules, Chapter 6700

Revisor’s ID Number 0-4641, OAH Docket Number 8-9007-38401

The POST Board proposes to adopt new or amended rules governing law enforcement officers. The proposed changes include requirements for background investigations, psychological screening, minimum selection standards, standards of conduct, and required agency polices. We expect to publish the notice in the State Register on June 20, 2022.

As explained in the Dual Notice, the POST Board is seeking comments on the proposed rules. Your comments and suggestions are welcomed and encouraged. Please review these documents:

- Notice of Intent to Adopt Rules with or without a Hearing
- SONAR (the Board’s reasons for each change are explained in the rule analysis section beginning on page 13)
- The draft of proposed rules
Your comments must be in writing. Please cite the rule number of the rule you are commenting on, and explain your reasons for your support or opposition, and any changes you would suggest to the proposed rules. Your comments are public and will be reviewed by the Board and the Administrative Law Judges that will review the proposed rules. The Board will carefully consider your comments at a Board meeting later this summer, and may make changes to the proposed rules based on the reasoning for comments received by the deadline.

**Comments must be received by the Board by 4:30 p.m. on July 20, 2022.**
Email comments and requests to POSTrules.POST@state.mn.us; fax to 651-643-3072; or send to POST Board, 1600 University Ave, #200, St. Paul, Minnesota, 55104.
You can also find the rule documents and updates on the status of rulemaking on the board’s website at https://dps.mn.gov/entity/post/Pages/statute-rules.aspx.
If you have any questions, please contact Rebecca Gaspard, Rules and Legislative Coordinator, at rebecca.w.gaspard@state.mn.us or 651-201-7781.
Unsubscribe e.h.hopkins@gmail.com
Constant Contact Data Notice
Sent by aitschert@mppoa.com powered by

Try email marketing for free today!
Good day,

In 6700.0670, subd. 2 B, another clause should be added to the effect of: “Unless an applicant is under investigation or serving imposed discipline at the time of the background investigation, an agency may choose to limit the scope of the background investigation to a 4.15 criminal history check and a driving records check when…”

This change should prevent two scenarios I have seen play out before. The first is when a current officer is under investigation by the first agency and has ties to the chief of another, who then hires the officer before the investigation is complete. If the applicant does not disclose the investigation and a narrowly scoped investigation is done that does not include people with knowledge of the investigation, it could be missed. Unless criminal, agencies tend to drop investigations when the subject employee leaves. Thereby, an officer who engaged in non-criminal bad conduct can move from one agency to another more easily. In this set of circumstances, a chief would be forced to thoroughly investigate the officer or face violating the POST rules. The second scenario is when an agency makes the assumption that an existing officer is in good standing and does not have the resources or skill to find it in a narrowly scoped investigation. It would not affect applicants who are ultimately cleared of allegations, it only makes the hiring agency aware.

Moving problem officers from agency to agency is a nationwide concern and one we should work to curtail in Minnesota. The POST board could mandate a question on police applications to serve this purpose.

Thank you,

Jeff
Hello,

We have some concern as a small agency on the background investigation requirement where the Chief of Police cannot conduct the backgrounds.

In a small agency the Chief has to conduct the backgrounds for we do not have the funds to hire out and we are unable to get other officers trained to do them due to budgets. We also usually just have 1 officer working during that day also; which is the Chief of Police.

Katie McMillin
Police Chief
kmcmillin@ci.foley.mn.us

City of Foley
251 4th Avenue North
P.O. Box 709
Foley, MN  56329
www.ci.foley.mn.us
320-968-0800  Office
320-968-0801  Fax
Hello,

6700.0670 BACKGROUND INVESTIGATION

Subp. 2. Requirements for background investigation.
3.5 A. Before employing an unlicensed or licensed applicant in a peace officer position,
3.6 the law enforcement agency must complete a background investigation on the applicant,
3.7 except as stated in item B. The background investigation must be completed no earlier than
3.8 six months prior to the agency's offer of employment to an applicant. The background
3.9 investigation may not be conducted by the chief law enforcement officer or by anyone
3.10 involved in selection of applicants for peace officer positions and must comply with
3.11 Minnesota Statutes, section 363A.08, subdivision 4, paragraph (a), clause (1).

We oppose to this rule for as a small agency on the background investigation requirement where
the Chief of Police cannot conduct the backgrounds.

In a small agency the Chief has to conduct the backgrounds for we do not have the funds to hire out
and we are unable to get other officers trained to do them due to budgets. We also usually just
have 1 officer working during that day also; which is the Chief of Police.

A possibility is to have all the findings that the Police Chief has found to be reviewed by a second
officer prior to the Chief making the final decision.

Katie McMillin
Police Chief
kmcmillin@ci.foley.mn.us
Hello Post Board,

Just a thought.

Page 3 -3.9 & 3.10 seem a little strict for smaller agencies that are attempting to conduct thorough background checks. As likely many smaller agencies utilize their Sgt. as the investigator (backgrounder) and also include that staff member in the interview process. Ultimately, the Sgt. and the chief will be informed about the applicants background check and findings before a final decision is made; making this rule moot.

Thanks for the consideration.

Chief Laura Eastman
Police Chief, Bayport
294 Third St. N
Bayport, MN 55003
Office 651-275-4400
FAX 651-275-4411
Dispatch 651-439-9381

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Greetings. I am writing to provide feedback on the proposed changes outlined in the 20 page document listed here:  https://dps.mn.gov/entity/post/meetings/Documents/rd4641-5-12-22.pdf

Subp. 3. Chief law enforcement officer. 5.2 A. The chief law enforcement officer must notify the board as soon as possible 5.3 but no later than ten days after the date that: 5.4 (1) a background investigation is initiated, giving the applicant’s full name, 5.5 date of birth, and peace officer license number, if applicable; and 5.6 (2) a background investigation identifies: 5.7 (a) a disqualifying offense under the minimum selection standards in 5.8 part 6700.0700, giving the specific offense or offenses; or 5.9 (b) for a licensed peace officer, a violation of standards of conduct under 5.10 this chapter.

This is an extra step in our hiring process. What assistance will the POST board offer to the agency by requiring this notice when we are backgrounding potential employees who are not currently licensed as an officer? How does the notification need to take place and what is the tracking/auditing process for compliance? Why does the POST board need to know the personal information of everyone undergoing a background check?

18.14 6700.1615 REQUIRED AGENCY POLICIES. 18.15 Subpart 1. Required policy. The chief law enforcement officer must ensure that the 18.16 agency adopts, implements, and enforces the required policies listed in items A and B. 18.17 A. Each agency must adopt, implement, and enforce policies listed below that are 18.18 based on a board’s model policy. An agency may incorporate additional agency specific 18.19 requirements or more stringent requirements in its adopted policy, but must include the 18.20 specific provisions of the board’s model policy. The board is not responsible for enforcing 18.21 any agency specific provisions of a required policy: 18.22 (1) use of force policy; 18.23 (2) eyewitness identification procedures policy; 18.24 (3) officer conduct complaint policy; 6700.1615 18 05/12/22 REVISOR KLL/EH RD4641 19.1 (4) professional conduct of officers policy; 19.2 (5) domestic abuse policy; 19.3 (6) racial profiling policy; 19.4 (7) investigation of sexual assault policy; 19.5 (8) public assembly-first amendment activity policy; 19.6 (9) missing and endangered persons policy; 19.7 (10) community notification of predatory offender policy; 19.8 (11) vehicle pursuit and emergency vehicle operations policy; 19.9 (12) criminal conduct on school buses policy; 19.10 (13) lighting exemption of law enforcement vehicles policy; 19.11 (14) administrative forfeiture policy; 19.12 (15) supervision of part-time licensed peace officers policy, applicable only 19.13 if the agency employs a part-time officer under Minnesota Statutes, section 626.8468; and 19.14 (16) any other required agency policy as established by the legislature or the 19.15 board addressing critical public safety and law enforcement procedures.
(1) automated license plate reader policy, applicable only if plate readers are 19.20 used by the agency under Minnesota Statutes, section 626.8472; 19.21 (2) portable recording systems adoption policy, applicable only if the agency 19.22 uses applicable recording systems under Minnesota Statutes, section 626.8473; and 6700.1615 19 05/12/22 REVISOR KLL/EH RD4641 20.1 (3) Use of unmanned aerial vehicles policy, applicable only if the agency 20.2 uses drones or other applicable aerial devices under Minnesota Statutes, section 626.19.

The list of required model policies appears to be growing rapidly requiring additional administrative staff and time to review, publish, and train. Please advise the calendar year that each of the required policies were mandated by POST.

Subp. 2. Chief law enforcement officer. The chief law enforcement officer must 20.4 ensure that: 20.5 A. the current version of each required policy is posted on the law enforcement 20.6 agency's website. If the agency does not have a website, the policy must be posted in the 20.7 public area of the agency's physical premises; 20.8 B. a copy of the current version of each required policy is provided on request by 20.9 an individual or organization; 20.10 C. a copy of the current version of each required policy is provided to each peace 20.11 officer employed by the agency; 20.12 D. each required policy is reviewed at least annually with each officer; 20.13 E. the agency's adopted policy is enforced at all levels of the agency; 20.14 F. violations of a required policy are reported to the board; and 20.15 G. the policy and training compliance form provided by the board is completed 20.16 and submitted to the board no later than March 1 of each year

This requirement again adds additional administrative staff and time to review and publish. All of our policies are public information and provided upon request. Requiring what each agency publishes for their policies and procedures is burdensome.

As a new chief, it appears that the POST board is attempting to paint all agencies with one brush. Please keep in mind that just as our recruiting and hiring efforts are difficult and will be for a number of years, that trickles throughout the organization including the administration. Many agencies like ours are focusing efforts on patrol operations and leaving administrative positions open for longer. Now is not the time to add more administrative duties and mandates to an already full plate. Thanks for your time.

Nick Francis, Chief
Apple Valley Police Department
7100 147 Street West | Apple Valley, MN 55124
Desk: 952.953.2701 | Fax: 952.953.2733 | nick.francis@applevalleymn.gov
I am writing today in support of rule amendment 6700.0700 subpart 1 A. The rule amendment being cited is, “be a Citizen of the United States or eligible to work in the United States under federal law”. I support this rule change.

There are states, such as Colorado, that allow non-citizens who have been issued valid work authorization by the Department of Homeland Security to become peace officers. Other states who allow non-citizens to serve as officers include Vermont, Maine, Louisiana, West Virginia, and Hawaii. Those with valid work authorization may serve with the Wisconsin State Patrol. California also just introduced legislation to allow non citizens to be officers.

I believe that it is now time for Minnesota to follow suit, so that immigrants, who have made this great country their home be given the honor to protect and serve their communities.

This will also allow law enforcement departments to become more diverse, as well as allow departments to open up the doors to new candidates in a time where law enforcement is having difficulties finding qualified candidates. Law enforcement departments serve very diverse community here in Minnesota, and now I believe it’s time for those departments to be a reflection of their communities.

I have attached a link by the U.S. Department of Justice and the U.S. Equal Employment Opportunity Commission about advancing diversity in law enforcement, and how getting ride of citizenship requirement may benefit law enforcement agencies.

https://www.eeoc.gov/advancing-diversity-law-enforcement#_ftn84

I am a non citizen that has lived in this country legally for 20 years. It is one of my dreams to become an peace officer and serve my community here in MN. Even though I have the opportunity to go to another state and pursue a career in law enforcement, it is important to me I serve the community I have I grew up in and have roots in.

It must be acknowledged that U.S. citizenship and permanent residency is not easy to acquire in United States. I have lived in this country for over 20 years, and I have just recently been given the opportunity to apply for permanent residency, which would eventually lead to the opportunity to apply for U.S. citizenship.

I have heard concerns throughout this process that immigrants cannot uphold the Constitution because their loyalties may lie elsewhere, and because they have not sworn allegiance to the U.S. This argument has no teeth. Many individuals come to this country because they are given opportunities, freedoms, and protections that are not possible in their home countries. Those freedoms, protections, and opportunities stem from the Constitution. Many individuals have experienced what life is like without the freedoms and protections that are given to us
from the Constitution, and have they been given opportunities in the United States that would never be possible in our home countries. For these reasons, immigrants cherish the Constitution and there is no reason to believe that their loyalties would lie elsewhere.

The citizenship requirement is a rule that has been enacted by the POST Board. The MN legislature has delegated the administrative authority on peace officer citizenship to the POST Board (see Minnesota Statute 626.843, subd. 1, clause (11) (https://www.revisor.mn.gov/statutes/cite/626.843). The POST Board has established the rule that requires officers to be US citizens (https://www.revisor.mn.gov/rules/6700.0700/) so, it has the power to change it. I support the board amendment to allow non-citizens that are eligible to work in the United States under federal law service as peace officers in Minnesota. It is also important state that even if this rule change passes, each individual agency will be able to set their own standards.
From: Steven J. Timmer <stimmer@planetlawyers.com>
Sent: Thursday, June 16, 2022 10:23 AM
To: Gaspard, Rebecca W (POST) <Rebecca.W.Gaspard@state.mn.us>
Subject: RE: POST Board Proposes New Rules for Law Enforcement Officers In Minnesota

Dear Ms. Gaspard,

Thanks for sending the proposed rules and the heads up about when the comment period will begin. I have given the rules just a once-over, but my impression is that they are very good. I think congratulations are in order all around. You’ll get some flak from certain parties about the white supremacist stuff, but it’s reasonable and directed to a legitimate law enforcement goal.

Cheers, Steve

From: Gaspard, Rebecca W (POST) <Rebecca.W.Gaspard@state.mn.us>
Sent: Wednesday, June 15, 2022 12:04 PM
To: >>; info@nlpoamn.org; baker, chanda <justin.terrell@state.mn.us>
Subject: POST Board Proposes New Rules for Law Enforcement Officers In Minnesota

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Dear Ms. Gaspard,

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Cheers,
Steve
You are receiving this email because you have registered to receive rulemaking notices from the Minnesota POST Board, or because we believe that you may be interested in possible rule changes related to law enforcement officers in Minnesota.

Please feel free to share this email with anyone you believe may be interested.

Proposed Amendments to Rules Governing Peace Officers, Minnesota Rules, Chapter 6700

Revisor’s ID Number 0-4641, OAH Docket Number 8-9007-38401

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You can also find the rule documents and updates on the status of rulemaking on the board’s website at https://dps.mn.gov/entity/post/Pages/statute-rules.aspx.

If you have any questions, please contact Rebecca Gaspard, Rules and Legislative Coordinator, at rebecca.w.gaspard@state.mn.us or 651-201-7781.

Rebecca Gaspard (she/her/hers)
Rules and Legislative Coordinator
Minnesota Board of Peace Officer Standards and Training
1600 University Avenue, Suite 200
Saint Paul, MN 55104
Office 651-201-7781
Cell 651-435-3090

rebecca.w.gaspard@state.mn.us
Hi there. Just wondering if there will be a class offered for the upcoming changes/amendments made to the background investigations? Has POST ever thought about putting out a standard background packet that is current, up to date, meets all standards and is fillable? That way every agency would be able to retrieve it off your website and utilize it. Takes the fog out of the process for everyone. There is a lot to absorb for investigators that don’t do this very often. And many agencies do not have a current packet. I think having a standardized one offered from POST would be incredible.

If agencies don’t want to use it....that is up to them.

Just my two cents.

Thanks!

Terri Berg  
Background Investigations  
2100 Radio Drive  
Woodbury, MN 55125  
(Cell) 651-755-3451  
(Fax) 651-714-3709
All,

I would like the board to take a second look at the requirement

(H.) on line 10.15 and 10.16.

**H. have no record or indication of participation or support of an extremist or hate group;**

Subdivision 43 I Line 16.20 also raises the same concern
Line 17.1 and 2 raise the same issue (Thin Blue Line Flag?)

The New rules leave the definition of “Hate Group” open to interpretation and that is not appropriate. There are people, some of whom work for our government, who consider Law Enforcement to be a hate group. **The words, “Hate Group” need to be defined** so that the definition is not open to interpretation by whom ever.

To make myself clear I am not opposed to any of the language above, however, failure to define the meaning of, “Hate Group” would make an officer’s support of the Boy Scouts of America a reason to remove him from service in Law enforcement in the eyes of some. Perhaps another example of a group some might consider a hate group is the Catholic Church because of their views on the abortion issue.

I believe the Definition of Hate Group must be included in the new POST rules! The norms of our society continue to change.

Thanks much for your consideration.

Thad
Sgt. Thad Monroe #6405

Northfield Police Department
1615 Riverview Drive
Northfield, MN 55057

General: 507-645-4477
Desk: 507-663-9318
Fax: 507-663-9323
thad.monroe@ci.northfield.mn.us
Board,

Thank you for reaching out to the community as a whole for feedback about the proposed changes for rules governing law enforcement officers. I am not sure of the scope you are looking for in our suggested comments, but I have a few areas of thought.

The Red portion indicates what you have denoted to be removed.

6700.0700 MINIMUM SELECTION STANDARDS.

C. The applicant shall complete a comprehensive written application. submit to 7.12 a psychological screening that meets the requirements of part 6700.0675

Does this mean that the Comprehensive Written application is not required any longer?

D. The applicant shall submit to provide a complete personal history using a form7.14 provided by the law enforcement agency and submit to a thorough background search,7.15 including searches by local, state, and federal agencies, to disclose the existence of any7.16 criminal record or conduct which would adversely affect the performance by the applicant7.17 of peace officer duties. investigation conducted by the agency that meets the requirements7.18 of part 6700.0670

Does this mean that the applicant has to handle the processing and contacting of a third party agency to conduct a background search?

F. E. No applicant may be appointed to the position of peace officer who has not 7.22 been convicted of:

7.23 (1) of a felony in this state or in any other state or federal jurisdiction;
7.24 (2) (1) of any a felony in Minnesota or an offense in any other state or federal
7.25 another jurisdiction which that would have been a felony if committed in Minnesota; 6700.0700 7 05/12/22 REVISOR KLL/EH RD4641 8.1
(3) under Minnesota Statutes, section 609.224, 609.2242, 609.231, 609.2325, 8.2
609.233, 609.2335, 609.234, 609.324, 609.465, 609.466, 609.52, or 609.72,
subdivision 3; 8.3 or convicted under any state or federal narcotics or controlled
substance law irrespective 8.4 of any proceeding under Minnesota Statutes, section
152.18, or any similar law of another 8.5 state or federal law; or
8.6 (4) of any of the crimes listed in this item in another state or federal
8.7 jurisdiction, or under a local ordinance that would be a conviction if committed in
Minnesota.
8.8 (2) any of the following nonfelony offenses or the equivalent in another 8.9
jurisdiction: 8.10
  (a) gross misdemeanor assault in the fifth degree under Minnesota 8.11
Statutes, section 609.224; 8.12
  (b) bias crimes, including assaults motivated by bias under Minnesota 8.13
Statutes, section 609.2231, subdivision 4, and criminal damage to
property under Minnesota 8.14 Statutes, section 609.595, subdivision 2,
paragraph (b);
8.15 (c) domestic assault under Minnesota Statutes, section 609.2242;
8.16 (d) violation of a domestic abuse no contact order under Minnesota
8.17 Statutes, section 629.75, subdivision 2;
8.18 (e) violation of an order for protection under Minnesota Statutes, section
8.19 518B.01, subdivision 14

This is an area of concern, because research has shown that a "mass incarceration"
phenomenon exists here in America. Some 24 million American citizens are thought
to be labeled as "FELONS". Although we would like to think that a person with a
squeaky clean background will make a perfect law enforcement officer, in practice this
is starting to show something different. I think that there should be some
consideration taken for individuals that are applying to become an officer. The scope,
magnitude and time elapsed since their conviction should be considered, rather than
automatically declining them.

J. The applicant shall pass a job-related examination of the applicant's physical 11.8
strength and agility to demonstrate the possession of physical skills necessary to the
11.9 accomplishment of the duties and functions of a peace officer.
11.10 K. The applicant shall successfully complete an oral examination conducted by
11.11 or for the agency to demonstrate the possession of communication skills
necessary to the
11.12 accomplishment of the duties and functions of a peace officer.

These are all being replaced by one psychological screening? If so, I think that that is
very concerning.

In general, I can appreciate the changes that are being presented, but have some
concern that mistakes will be made due to the oversimplification of existing
requirements.

Thank you for Your Time,

Joseph Phillips
Jersey Jo's - Owners

"Change is the Only Constant Thing in Life!"
Hello Ladies and Gentleman;

I would first like to introduce myself, my name is Art Vinson, I am a deputy sheriff with the Douglas County Sheriff’s Office. I have been a police officer since 1994 and with the DCSO for 27 years.

Next I want to make a comment on the proposed rule 6700.1600 the Standards of Conduct.

First off so I am very clear before I attempt to make my point, any discriminatory or racist behavior perpetrated by a Minnesota law enforcement officer or anyone for that matter is wrong and I do not support the behavior or that person in any form or fashion.

In reading this proposed rule change I question the motives and some of the need of how specifically one part is written. First off the motives, I was part of the listening sessions and I question how much of the current politics are influencing these proposed changes. There was a long piece in this that talked about the distrust with law enforcement, one and only one agency in Minnesota was cited, Minneapolis. In my area our citizens are very supportive and I believe trust their cops to be doing the right thing. How much of the distrust issue has been pushed by the media? I have been a cop long enough to have watched, and experience the media running with a story or not telling the whole story simply to get it out there. How about letting the investigation come to a conclusion before the cops are villainized?

Second part I would like to comment on is Item H in the standards of conduct. Why are we specifically defining white supremacy? Again having been a cop for almost 30 years I cannot recall an incident that involved a Minnesota law enforcement officer where that officer was part of a white supremist group. Simply because the FBI or other organizations don’t recognize a group as a hate group doesn’t mean they cannot be one. Why not take the lead in society and if the definition fits we label other groups as hate groups. In the following statement ADL tracks hate incidents but not hate groups. The ADL H.E.A.T. Map22 shows 163 incidents in Minnesota in 2021 of hate activity, of which 159 involved white supremacist incidents. How many of those incidents involved law enforcement officers? If the answer is none then what is the problem. If you are going to specifically put in white supremacy group then you better add all the outlaw motorcycle gangs, the street gangs, and any other criminal enterprise that could be considered a hate group.

If a law enforcement officer is a member of any hate group, criminal gang or involved in discriminatory conduct there should be repercussions.
Lastly with the multiple mentions of Brady-Giglio issues: I hope the board is not using this as an excuse or catch all in order to make these rule changes. Again citing from the rule St. Louis and Philadelphia officers were cited for discriminatory conduct, please give me a relevant instance in where a Minnesota officer has had this issue. If you can not do this then using Brady-Giglio to try and help push the rule change is disingenuous. Why did the Board have an Advisory Committee? Was it simply to say that you did? If you were going to disregard the suggestions they made then just do it. The committee’s wording on this rule seems far more reasonable than what the Board is attempting to do.

The Board says they want to make these rule changes because it is reasonable. Simply attempting to change rules because politicians could get legislation passed is wrong and not reasonable.

Please do the right thing.

If anyone has questions feel free to email me or call me at 320-219-4509

Art Vinson
With the additional language defining hate or extremist group I believe my concern has been addressed.

Thanks for allowing us to look it over and make suggestions.

Thad

Sgt. Thad Monroe #6405

Northfield Police Department
1615 Riverview Drive
Northfield, MN 55057

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Fax: 507-663-9323
thad.monroe@ci.northfield.mn.us

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CAUTION: This email originated from outside of the organization.

Sergeant,
Thank you for your comment regarding hate group.
The Advisory Committee and the Board agree that there should be a definition of a hate group and attempted to do that by establishing a criteria for what is a white supremacist, hate or extremist group, or criminal gang. There are 3 proposed criteria, If a group meets one of the three criteria, then it is one of those groups. The criteria start on line 16.9 of the rules draft, and read:

...a white supremacist; hate or extremist group; or criminal gang that:

(1) promotes derogatory or harmful actions against other persons based on a person's perceived race, color, creed, religion, national origin, disability, sex, sexual orientation, gender identity, public assistance status or any protected class as defined in Minnesota Statutes, or federal law;

(2) promotes the use of threats, force, violence, or criminal activity:
    a. to deprive or attempt to deprive individuals of their civil rights under the
If an officer is accused of “..supporting, advocating, or participating in” a hate group, then the officer and the Board’s complaint committee would investigate the group and decide whether or not the group did any of those three things. If it didn’t, then it wouldn’t be one of the groups.

Does that help? Are there changes or different criteria that you would suggest for a definition?

Thanks again,
Rebecca

Rebecca Gaspard  (she/her/hers)
Rules and Legislative Coordinator
Minnesota Board of Peace Officer Standards and Training
1600 University Avenue, Suite 200
Saint Paul, MN 55104
Office 651-201-7781
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rebecca.w.gaspard@state.mn.us

From: Thad Monroe <Thad.Monroe@ci.northfield.mn.us>
Sent: Wednesday, June 15, 2022 12:29 PM
To: MN_POSTrules <POSTrules.POST@state.mn.us>
Subject: I believe a definition is in order to make sure the intent is clear.

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All,

I would like the board to take a second look at the requirement (H.) on line 10.15 and 10.16.

**H. have no record or indication of participation or support of an extremist or hate group;**

Subdivision 43 I Line 16.20 also raises the same concern
Line 17.1 and 2 raise the same issue (Thin Blue Line Flag?)

The New rules leave the definition of “Hate Group” open to interpretation and that is not appropriate. There are people, some of whom work for our government, who consider Law Enforcement to be a hate group. **The words, “Hate Group” need to be defined** so that the definition is not open to interpretation by whom ever.

To make myself clear I am not opposed to any of the language above, however, failure to define the meaning of, “Hate Group” would make an officer’s support of the Boy Scouts of America a reason to remove him from service in Law enforcement in the eyes of some. Perhaps another example of a group some might consider a hate group is the Catholic Church because of their views on the abortion issue.

I believe the Definition of Hate Group must be included in the new POST rules! The norms of our society continue to change.

Thanks much for your consideration.

Thad

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**Sgt. Thad Monroe #6405**

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Thanks again for your time yesterday! As mentioned yesterday, it may be helpful to use some or all of the criteria in the permit to carry legal requirements in the amended rules.

Having worked in investigations involving permit to carry in my previous assignment, it seems reasonable to require peace officer candidates to meet the standards of permit to carry under Minnesota and Federal law. With the focus on law enforcement and shootings, the public likely would believe that a candidate for a peace officer position would have to meet the same legal standard or would likely have a higher expectation of peace officers due to the nature and risks involved.

The POST requirements could state that candidates would have to be eligible to carry a firearms based on state and federal law. Peace Officers are exempt from permit to carry under state or federal law; however, are required to be 18 years of age to carry. Retired peace officers are also exempt and not required to obtain a permit to carry based on State and Federal law under LEOSA.

Federal law only states that no one can purchase a handgun until they are 21. There is no law enforcement exemption for permit to purchase under state for federal law. In most cases, the departments issue the handguns so it is not an issue. In other cases, parents often make the purchase for them.

I have attached the permit to carry application form with restrictions that are highlighted in (3) areas.

One page two:

Under the permit to carry application process for citizens, law enforcement is required to check with the department of Human Services for data related to (4) highlighted areas with a signed waiver. It would be helpful if we could run this same check for Peace Officer Backgrounds as well. Peace Officers are not immune for any of those (4) areas. Perhaps this inquiry could be made by an appropriate person not directly involved in the hiring decision for each agency as I have seen in the new proposed language. That designee could then pass it on to the psychologist to consider in the psych exam if appropriate.

Page three and four:

The Minnesota and Federal Restrictions are on page 3 and 4. As a final option, some of the State
and Federal Statutes in Permit to Carry should be considered for inclusion in the new rules. Thank you for your time...

Craig Hendrickson  
Background Investigator  
Anoka County Sheriff’s Office  
13301 Hanson Blvd, NW  
Andover, MN 55304-4009

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Hello – I am reaching out to voice my support for the proposed POST rules (https://dps.mn.gov/entity/post/meetings/Documents/rd4641-5-12-22.pdf).

I believe the proposed rules will help to increase accountability of police officers as well as build trust in our communities. Overall, these are common-sense changes that could make a positive impact. I will be following this closely and sincerely hope the proposed rules are approved!

Thank you,
Krista Swanson
Minneapolis, MN 55419
Good morning,

I am writing to express support for the new proposed standards for peace officer licensure. In particular, the new proposed section 6700.1600 Standards of Conduct clarifies appropriate conduct for police officers in a way that better defines what erodes public trust and impairs the ability of an officer to fulfill their duty. Proposed sections D, E, G, H, and I are particularly important in spelling out what discriminatory practices should not be engaged in by an officer in order to maintain public trust and ensure officers are held to the highest standard of conduct (such as not belonging to a hate group, failing to intervene when another officer uses excess force, etc).

As a licensed occupational therapist, I take my state license standards of conduct very seriously as they help the public trust that I am acting for their good and not to their harm. Any of the above proposed changes would cause me to lose either my state licensure or national certification, and I believe any peace officer charged with a serious call to protect the public ought to be held to such standards as well. The previous licensure standards are less clear, making it more difficult for departments to enforce. The increased clarity should support them in better training and maintaining their officer forces.

Thank you,
Savannah Sisk
Minneapolis, MN