



Minnesota Board of Peace Officer Standards and Training

Rules Committee Meeting Minutes

February 9, 2022

Due to the pandemic declared,

pursuant to MN Statutes Section 13D.021, the meeting was held online and livestreamed for the public.

Members Present

Justin Terrell, Pilar Stier, Luke Hennen, Kelly McCarthy, and Tanya Gladney.

Members Absent

Jason Bennett

Staff Present

Rebecca Gaspard, Eric Misselt

1. Chair Terrell called the meeting to order at 9:02 am.
2. The agenda was approved.
3. The minutes of January 12, 2022 were approved.
4. Updates: Gaspard briefly reviewed the rules timeline for the upcoming months, and identified the topics of public meetings/listening sessions to be held in early spring.
5. Discussion of V12 Rules Draft:
Definition of Conviction: The current definition of conviction in rule was reviewed, and the issue of expungement was discussed. Chair Terrell asked staff to report back with information on the relationship between expungement and the minimum selection standards.

6700.0670 Background Investigations

Gaspard explained the advisory committee's concern with small agencies filling a minimal part-time position such as one weekend a month and having to complete a background and psych screening. 38% of the law enforcement agencies in Minnesota have 10 or fewer officers. Hennen noted that issues have been found when conducting background checks on experienced and currently licensed officers. After discussion, the committee affirmed that background checks and psychological screenings will be required prior to new hires, even if the new position is for minimal hours, unless the exception for a temporary or seasonal position applies.

The committee reviewed edits to 6700.0601 Examination Standards to conform to rule changes in minimum selection standards, and edits to 6700.0675 Psychological Screenings. Also reviewed were the reorganization of rule parts, including removing 6700.0701 Notice of Conviction as the requirement is addressed under 6700.0700 Minimum Selection Standards:

6700.0714 Inactive Status of Peace Officer; The committee approved removing old language (Subp. 3) that conflicts with the new language in minimum selection standards.

6700.1500 Standards of Conduct:

Terrell motioned and McCarthy seconded that the additions (obstructing legal process 609.50; fleeing by means other than a vehicle 609.487 Subd.6; and carrying a pistol while under the influence 624.7142) in Subp. 4, Item A be adopted. The motion passed unanimously.

The committee reviewed the reorganized sections which did not include any changes to requirements, including Item H.

There was discussion about Item J (violation of a model policy is a violation of standards of conduct). The committee reviewed the list of model policies and agreed that concerns that related to standards of conduct, such as UOF, were already addressed in conduct standards. Item K was edited to remove the reference to MN Statutes 626.

Terrell motioned and Stier seconded that the edits in standards of conduct be approved. The motion was passed unanimously.

6700.1700 Complaint Committee. The committee approved repealing this obsolete rule section. 6700.2700 -2703 sections on pursuit policy. Terrell noted that review of this model policy was beginning. The committee approved deleting the sections as model policies are not required to be in rule.

6700.XXXX Required Policies. New rule language was reviewed. The committee determined that the Public Assembly/First Amendment policy should be identified separately instead of listing it with the UOF policy so as to not underplay the importance of the policy. Chair Terrell made a motion, seconded by McCarthy to list the Public Assembly/First Amendment policy separately. The motion passed unanimously.

Model Policies. Terrell motioned and McCarthy seconded that Required Agency Policies/Model Policies be included in the prioritized rules to be recommended at the next board meeting. The motion passed unanimously.

Chair Terrell adjourned the meeting at 10:38 a.m.