



Minnesota Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200
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BOARD MEETING AGENDA 1600 University Avenue, Suite 200 Saint Paul, Minnesota April 22, 2021 10:00 a.m.

This meeting will be held online due to COVID-19 emergency, a link to observe the meeting will be on the POST website prior to the meeting. A recording will be available on the POST website after the meeting.

1. Call to Order
2. Forum* Those interested in participating in the forum must sign up in advance. Please email abby.e.brown@state.mn.us no later than 4:00 pm on Wednesday April 21th. Time will be allocated depending on number of requests.
3. Approval of the Agenda **ACTION**
4. Approval of the January 28, 2021 Board Meeting Minutes (Attachment) **ACTION**
5. Ensuring Police Excellence and Improving Community Relations Advisory Council presentation and recommendations (Attachment) **Discussion**
6. Standing Committee Appointments (Attachment) **Discussion, Possible Action**
7. Discussion of HF2497 (Attachment) - Bill Requiring PPOE instructors be current or former peace officers.
8. Rules Advisory Committee update.
9. Executive Director's Report
10. Licensure Matters (closed to the public) **Attachment(s) sent separately**
11. Adjournment

*Individuals may address the Board about any item not contained on the regular agenda. A maximum of 15 minutes is allotted for the Forum. The Board will take no official action on items discussed at the Forum, with the exception of referral to the Executive Director or Staff for a future report.

MINNESOTA BOARD OF
PEACE OFFICER STANDARDS AND TRAINING

Agenda 4
Item

BOARD MEETING
POST Board Office
Electronic Meeting VIA Microsoft Teams
January 28, 2021

Members Present

Kelly McCarthy, Chair
Jason Bennett
Andrew Evans
Tanya Gladney
Sara Rice
Pilar Stier
Rebecca Swanson
Troy Wolbersen
Jim Yang

Staff Present

Erik Misselt
Robert Hawkins
Peggy Strand
Abby Brown

Others Present

Robert Zink
Ellie Wilson
Eric Ringgenberg

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

Counsel Present:

Noah Cashman, A.G. Office
Christopher Kaisershot, A.G.
Office

Members Absent

Dave Hutchinson

Call to Order: Chair McCarthy called the meeting to order at 10:01am. The first order of business was the roll call conducted by Ms. Brown.

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. The agenda was approved through a roll call vote.

Approval of the October 22, 2020 Board Meeting Minutes: Chair McCarthy looked for a motion to approve the minutes.

- **MOTION:** Mr. Bennett moved to approve the minutes, the motion was seconded. The minutes were approved through an affirmative consent vote.

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Approval of the November 19, 2020 Special Board Meeting Minutes: Chair McCarthy looked for a motion to approve the minutes.

- **MOTION:** Ms. Gladney moved to approve the minutes, the motion was seconded. The minutes were approved through an affirmative consent vote.

Executive Director's Report: Director Misselt gave an update on many items relating to the POST Board. Currently the POST Board has 8 vacancies on the board. The Governor's appointment team are working to complete the appointments as soon as

possible. In regards to the budget, two change item requests that have been approved and placed in the Governor's budget proposal. Benchmark Analytics has begun the software development of the misconduct and complaint database with the go-live date of July 1, 2021.

The Advisory Council that was created out of the 2020 Legislative Session will begin to work on the complaint reporting recommendations that were put forth by the IADLEST audit completed.

Director Misselt will be reaching out to Dr. Joel Powell to thank him with an award for his two terms served on the POST Board.

Proposed Legislative changes this session hope to clarify language regarding the change of composition to the Complaint Investigative Committee (CIC). The composition would include three peace officers and one public member, all four of which will be from the 17 member board. Also, revisions of statutes have been submitted to Rep. Carlos Mariani that would revise classification of some POST licensing data. A request was also made for changes to Statute 626.842 which covers POST Board membership to assimilate appointment standards to conform to other Minnesota Boards.

Director Misselt announced that Bob Hawkins will be retiring the end of February from the POST Board after 42 years in public service. The Assistant Executive Director, Standards Coordinator and two Continuing Education Coordinator positions are being worked on within Human Resources. Director Misselt hopes to be interviewing within the next few weeks to fill these positions.

Training Committee Report: Ms. Strand discussed the learning objectives that were passed in December by the Training Committee. Members of the group were the present in the meeting and thanked the POST Board for the dedicated participation in the Autism Learning Objective Work Group

- **MOTION:** Ms. Gladney moved to accept and adopt the Training Committee's request for the New In-Service and Pre-Service Learning Objectives on Autism Training for Peace Officers and Part-Time Peace Officers to meet the requirements of Minn. Stat. 626.8474., the motion was seconded. The vote was approved through a roll call vote.
- **MOTION:** Mr. Bennett moved to accept and adopt the Training Committee's request for Revisions to the In-service Use of Force Learning Objectives for Peace Officers and Part-Time Peace Officers, the motion was seconded. The vote was approved through a roll call vote.

Ms. Rohow discussed the revisions to the Use of Force Learning Objectives that were passed in December by the Training Committee. Mr. Evans is working with the Attorney General's office on clarification and training of the new law on Use of Force Training.

- **MOTION:** Mr. Evans moved to approve the Revisions to the In-service Use of Force Learning Objectives for Peace Officers and Part-Time Peace Officers, the motion was seconded. The vote was approved through a roll call vote

- **MOTION:** Ms. Swanson moved to close the open portion of the meeting for private licensure matters, the motion was seconded. The vote was approved through a roll call vote.

The closed session ended and Mr. Bennett moved to adjourn the board meeting, Mr, Yang seconded the motion. The meeting was adjourned at 11:07 am.

The foregoing minutes were approved by the Board of Peace Officer Standards and Training when it met on April 22, 2021.

Kelly McCarthy
Board Chair

Erik Misselt
Executive Director

Summary of Advisory Council recommendations forwarded to the POST Board at the March 1, 2021 special meeting.

1. Immediately require that police officers follow their own local policies for public assembly response or face licensure action (as a minimum standard) in preparation for the Derek Chauvin trial.
2. Require that the POST Board work with community organizations (and follow domestic and international best practices) this year to develop a model policy for public assembly response, which all state and local enforcement agencies must adopt by March 2022.
3. Require that the POST Board call an emergency special meeting to take place prior to the Chauvin trial in order to put the first recommendation into rule.
4. Adopt a rule codifying section 2 of the A6 amendment to HF445:

Section 2 of the A6 Amendment to H.F. 445

Model Policy required:

- By December 15, 2021, the board, in consultation with the legislative councils of color, the American Civil Liberties Union, community organizations that lead direct action campaigns, the Minnesota Chiefs of Police Association, the Minnesota Sheriffs' Association and other interested parties, must develop a comprehensive model policy on responding to public assemblies. The policy must be based on best practices in public gathering management drawn from both domestic and international sources. The board must distribute the model policy to all chief law enforcement officers.

Agency policies required:

- (a) *By March 15, 2022, the chief law enforcement officer of every state and local law enforcement agency must establish and enforce a written policy that is identical or substantially similar to the board's model policy described in subdivision 1.*
- (b) *Every state and local law enforcement agency must certify to the board that it has adopted a written policy in compliance with this subdivision.*
- (c) *The board must assist the chief law enforcement officer of each state and local law enforcement agency in developing and implementing policies under this subdivision.*

2021 MN POST Board Committee Assignments Effective March 17, 2021

Executive

Kelly McCarthy (Chair)
Rebecca Swanson (Vice Chair)
Drew Evans
Jason Bennet
VACANT
VACANT
Staff: Executive Director

Standards

Vacant (Chair)
Rebecca Swanson
Jim Yang
Vacant
Vacant
*Staff: Mark Bloom
Angie Rohow*

By-Laws

Sara Rice (Chair)
Drew Evans
Troy Wolbersen
Staff: Rebecca Gaspard

Rules

Kelly McCarthy
Tanya Gladney
Vacant
Pilar Stier
Jason Bennett
Staff: Rebecca Gaspard

Complaint

Jim Yang (Chair)
Rebecca Swanson
Jason Bennet
Alternate: Tanya Gladney
Vacant (public member)
Vacant (Alternate)
Vacant (Alternate)
*Staff: Mark Bloom
Angie Rohow*

Training

Becky Swanson (Chair)
Vacant
Drew Evens
Vacant
Sara Rice
Troy Wolbersen
Vacant
Vacant (Alternate)
Vacant (Alternate)
Staff: Peggy Strand

This Document can be made available
in alternative formats upon request

State of Minnesota

Agenda
Item 7

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. **2497**

04/09/2021 Authored by Novotny, Johnson, Grossell and Mueller
The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring professional peace officer education instructors
1.3 to have at least five years of experience as a licensed peace officer; amending
1.4 Minnesota Statutes 2020, section 626.845, by adding a subdivision.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 626.845, is amended by adding a subdivision
1.7 to read:

1.8 Subd. 4. Instructor qualifications. The board may not certify or renew certification of
1.9 a postsecondary school's professional peace officer education program unless the school
1.10 employs only licensed peace officers, or formerly licensed peace officers, with a minimum
1.11 of five years of experience as a licensed peace officer to teach law enforcement courses in
1.12 the program.