

1.1 **Peace Officer Standards and Training Board**

1.2 **Proposed Permanent Rules Relating to Education and Licensing of Peace Officers**

1.3 **6700.0100 DEFINITIONS.**

1.4 *[For text of subparts 1 to 25, see Minnesota Rules]*

1.5 Subp. 26. **Discriminatory conduct.** "Discriminatory conduct" means a pattern of
1.6 conduct or a single egregious act that evidences knowing and intentional discrimination
1.7 based on the perception of a person's race, color, creed, religion, national origin, disability,
1.8 sex, sexual orientation, gender identity, or public assistance or any other protected class as
1.9 defined in Minnesota statutes or federal law; and would lead an objectively reasonable
1.10 person to conclude that the individual may not perform the duties of a peace officer in a
1.11 fair and impartial manner.

1.12 Subp. 27. **Seasonal position.** "Seasonal position" means a position which is necessary
1.13 due to recurring seasonal fluctuations in staffing needs and does not exceed 16 weeks in
1.14 duration.

1.15 Subp. 28. **Temporary position.** "Temporary position" means a short term of
1.16 employment with a designated end date of six months or less that may not exceed 300 hours
1.17 in a year.

1.18 **6700.0601 EXAMINATION STANDARDS.**

1.19 Subpart 1. **Grounds for denial.** Violations of the following standards shall be grounds
1.20 to deny an applicant to take an examination or to deny or revoke eligibility for a license:

1.21 *[For text of items A to F, see Minnesota Rules]*

1.22 ~~G. having been convicted of any crime listed as a disqualification from appointment~~
1.23 ~~to the position of~~ failing to meet the minimum selection standards for licensure as a peace
1.24 officer under part 6700.0700, subpart 1, item F.

2.1 Subp. 2. [See repealer.]

2.2 Subp. 3. [See repealer.]

2.3 **6700.0670 BACKGROUND INVESTIGATION.**

2.4 **Subpart 1. Applicants.**

2.5 A. Each applicant for employment as a peace officer must provide a personal
2.6 history statement with the application. The statement must include:

2.7 (1) background information on the topics addressed in subpart 2;

2.8 (2) a list of current and former names or aliases used by the applicant;

2.9 (3) a complete list of all law enforcement agencies the applicant has applied
2.10 to in the previous six years;

2.11 (4) a signed declaration attesting that all of the information the applicant has
2.12 provided during the background investigation and in the personal history statement is true
2.13 and correct to the best of the applicant's knowledge;

2.14 (5) a signed release allowing background investigation information to be
2.15 shared with the board and with other law enforcement agencies on request; and

2.16 (6) any additional information the applicant wishes to include.

2.17 B. Each applicant must consent to, disclose, and facilitate a review of social media
2.18 accounts, platforms, and groups in which the applicant has participated to the extent permitted
2.19 by law. An applicant is not required to provide login information.

2.20 C. Each applicant who is currently or previously licensed as a peace officer must
2.21 authorize the release to the employing agency and board of the officer's personnel files,
2.22 including disciplinary, termination, civil or criminal investigation, and other records or
2.23 information that are directly related to licensure.

3.1 D. Each applicant who is currently or previously licensed as a peace officer must
3.2 disclose any conduct that resulted or may result in an impeachment disclosure or
3.3 Brady-Giglio impairment.

3.4 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). Nothing in
3.12 this chapter precludes an agency from performing a more stringent background check. A
3.13 background investigation must address the following elements:

3.14 (1) United States citizenship status or verification that the applicant is eligible
3.15 to work in the United States under federal requirements;

3.16 (2) criminal history and arrests identified by means of electronic data transfer,
3.17 criminal records, histories, and warrant information through current state and federal systems
3.18 such as the Minnesota Crime Information System and the National Instant Criminal
3.19 Background Check System;

3.20 (3) Minnesota Department of Public Safety, Division of Driver and Vehicle
3.21 Services records and other states' driving records as applicable;

3.22 (4) drug and alcohol use;

3.23 (5) behavior indicative of discriminatory conduct as defined in part 6700.0100;

3.24 (6) education verification;

4.1 (7) employment history;

4.2 (8) military history verification;

4.3 (9) personal and professional references, such as friends, associates, family
4.4 members, and neighbors;

4.5 (10) personal interview. Personal interviews may occur before, during, and
4.6 after the investigation and may be used to discuss, among other topics, any arrest or
4.7 conviction records and any discrepancies or concerns raised in the investigation;

4.8 (11) residential history;

4.9 (12) records checks, such as open sources or social media, and financial
4.10 information, as permitted by law; and

4.11 (13) inquiry to the local prosecuting authority and law enforcement agency
4.12 in any jurisdiction in which the applicant has served as a peace officer as to whether the
4.13 applicant has any potential impeachment disclosure or Brady-Giglio impairment.

4.14 B. 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:

4.16 (1) the position being filled is for a seasonal or temporary position; and

4.17 (2) the applicant remains currently employed in Minnesota as a peace officer
4.18 by a different agency as verified in writing by the current employing agency.

4.19 C. Results of the background investigation must be retained by the law enforcement
4.20 agency for the duration of any resulting employment. If the applicant is not employed by
4.21 the agency, the background investigation must be retained for six years or as required by
4.22 the agency's retention schedule, whichever is longer.

5.1 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.

5.11 B. When an applicant who is a currently licensed peace officer is identified through
5.12 a background investigation as having a disqualifying offense, the board must notify the law
5.13 enforcement agency employing that officer.

5.14 **6700.0675 PSYCHOLOGICAL SCREENING.**

5.15 A. A pre-employment psychological screening of an applicant for a peace officer
5.16 position must be conducted after a conditional job offer by a law enforcement agency and
5.17 must be conducted only by a psychologist licensed in Minnesota or the state in which the
5.18 psychologist practices. The screening must include:

5.19 (1) a written psychological test battery relevant to the responsibilities of a
5.20 peace officer and the pre-employment psychological screening criteria established by the
5.21 law enforcement agency;

5.22 (2) an in-person or virtual interview conducted by the psychologist;

6.1 (3) to the extent possible as determined by the psychologist, an evaluation
6.2 of a predisposition on the part of the applicant to engage in discriminatory conduct as defined
6.3 in part 6700.0100; and

6.4 (4) a written report provided by the psychologist in the manner requested by
6.5 the law enforcement agency that addresses the psychological demands of a peace officer's
6.6 responsibilities and an evaluation of any emotional or mental condition that might adversely
6.7 affect the performance of the duties as a peace officer.

6.8 B. The psychological screening must conform to the standards of the Americans
6.9 with Disabilities Act.

6.10 C. Psychological screenings older than one year are no longer valid for the purpose
6.11 of satisfying the pre-employment psychological screening requirement.

6.12 D. The psychologist's written report on the psychological screening must be
6.13 retained by the agency for the duration of any resulting employment. If the applicant is not
6.14 employed by the agency, the report must be retained for six years or as required by the
6.15 agency's retention schedule, whichever is longer.

6.16 E. An agency may choose not to complete a psychological screening of the
6.17 applicant when:

6.18 (1) the position being filled is for a seasonal or temporary position; and

6.19 (2) the applicant remains currently employed in Minnesota as a peace officer
6.20 by a different agency as verified in writing by the current employing agency.

6.21 **6700.0700 MINIMUM SELECTION STANDARDS.**

6.22 ~~Subpart 1. Selection standards. A person eligible to be licensed shall meet the~~
6.23 ~~following minimum selection standards before being appointed to the position of peace~~
6.24 ~~officer. The appointing authority may affirm that the applicant has already completed certain~~

7.1 ~~of these standards, but the affirmation must be documented pursuant to subpart 2. An~~
 7.2 applicant identified by the board as eligible to be licensed or a peace officer currently
 7.3 licensed in Minnesota may apply for a peace officer position with a law enforcement agency.
 7.4 Prior to employment, the law enforcement agency must establish and document that the
 7.5 following minimum selection standards are met by the applicant. The applicant must:

7.6 A. ~~The applicant shall be a citizen of the United States; or eligible to work in the~~
 7.7 United States under federal requirements;

7.8 B. ~~The applicant shall possess a valid Minnesota driver's license; or in case of~~
 7.9 residency therein, when residing in another state, a valid driver's license from another that
 7.10 state; or eligibility to obtain either license.;

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

7.13 D. ~~The applicant shall submit to provide a complete personal history using a form~~
 7.14 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 any
 7.16 criminal record or conduct which would adversely affect the performance by the applicant
 7.17 of peace officer duties. investigation conducted by the agency that meets the requirements
 7.18 of part 6700.0670;

7.19 E. ~~The applicant must not be required to register as a predatory offender under~~
 7.20 Minnesota Statutes, section 243.166 or 243.167.

7.21 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;

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;

8.20 (f) harassment or stalking under Minnesota Statutes, section 609.749;

8.21 (g) violation of a harassment restraining order under Minnesota Statutes,
8.22 section 609.748, subdivision 6;

8.23 (h) sexual extortion under Minnesota Statutes, section 609.3458;

- 9.1 (i) any offense that would require the applicant to be registered as a
9.2 predatory offender under Minnesota Statutes, section 243.166 or 243.167;
- 9.3 (j) criminal sexual conduct under Minnesota Statutes, sections 609.341
9.4 to 609.3451;
- 9.5 (k) indecent exposure under Minnesota Statutes, section 617.23;
- 9.6 (l) criminal sexual conduct in the fifth degree under Minnesota Statutes,
9.7 section 609.3451;
- 9.8 (m) any mistreatment of a vulnerable adult, including under Minnesota
9.9 Statutes, sections 609.2231; 609.231; 609.2325; 609.233; 609.2335; 609.234; and 609.72,
9.10 subdivision 3;
- 9.11 (n) patrons of prostitution under Minnesota Statutes, section 609.324,
9.12 subdivision 2;
- 9.13 (o) making false claims for profit to a public body or officer under
9.14 Minnesota Statutes, section 609.465;
- 9.15 (p) attempting medical assistance fraud under Minnesota Statutes, section
9.16 609.466;
- 9.17 (q) theft under Minnesota Statutes, section 609.52, except that
9.18 misdemeanor theft of movable property valued at \$500 or less is not an automatic
9.19 disqualification;
- 9.20 (r) interference with an emergency call under Minnesota Statutes, section
9.21 609.78, subdivision 2, clause (1);
- 9.22 (s) nonconsensual dissemination of private sexual images under
9.23 Minnesota Statutes, section 617.261;
- 9.24 (t) interference with privacy under Minnesota Statutes, section 609.746;

10.1 (u) malicious punishment of a child under Minnesota Statutes, section
10.2 609.377;

10.3 (v) mistreating animals under Minnesota Statutes, section 343.21;

10.4 (w) misconduct of a public officer or public employee under Minnesota
10.5 Statutes, section 609.43; and

10.6 (x) narcotics or controlled substance law, excluding any nonfelony
10.7 marijuana offenses;

10.8 F. not be listed on the National Decertification Index or have had a law enforcement
10.9 license, certification, or authorization to serve as a law enforcement officer in any jurisdiction
10.10 revoked or rescinded;

10.11 G. be free of any indication of discriminatory conduct that would cause a
10.12 reasonable person to call into question the applicant's ability to impartially serve and protect
10.13 members of protected groups consistent with the Minnesota Human Rights Act, Minnesota
10.14 Statutes, chapter 363A, and federal law;

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

10.17 ~~G. I. The applicant shall be fingerprinted for the purpose of disclosure of any~~
10.18 ~~felony convictions. Fingerprint cards shall, and the fingerprints must be forwarded by the~~
10.19 ~~agency to the appropriate divisions of the Bureau of Criminal Apprehension and the Federal~~
10.20 ~~Bureau of Investigation. The chief law enforcement officer shall immediately notify the~~
10.21 ~~board if a previous felony conviction is discovered. results of the fingerprint check must be~~
10.22 maintained in the background investigation report;

10.23 ~~H. J. A licensed physician or surgeon shall make a thorough medical examination~~
10.24 ~~of the applicant to determine that the applicant is~~ be free from any physical condition which

11.1 that might adversely affect the performance of peace officer duties, as established through
11.2 an exam by a licensed medical professional;

11.3 ~~I. K. An evaluation, including an oral interview, shall be made by a licensed~~
11.4 ~~psychologist to determine that the applicant is free from any emotional or mental condition~~
11.5 ~~which might adversely affect the performance of peace officer duties. have passed a~~
11.6 ~~psychological screening that was conducted under part 6700.0675;~~

11.7 ~~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.~~

11.13 ~~L. have undergone training equivalent to an emergency medical responder or~~
11.14 ~~higher, or to be completed within the first six months of employment; and~~

11.15 ~~M. be at least 18 years old.~~

11.16 Subp. 2. **Documentation.** The chief law enforcement officer ~~shall maintain~~ must
11.17 ensure that documentation necessary to show ~~completion of~~ compliance with subpart 1. ~~The~~
11.18 ~~chief law enforcement officer is not required to obtain documentation for subpart 1, item~~
11.19 ~~J, if the applicant completed part 6700.0500, subpart 3~~ is retained by the law enforcement
11.20 agency for the duration of any resulting employment. If the applicant is not employed by
11.21 the agency, the background investigation must be retained for six years or as required by
11.22 the agency's retention schedule, whichever is longer. The documentation is subject to periodic
11.23 review by the board, and ~~shall~~ must be made available to the board at its request.

11.24 Subp. 3. [Repealed, 18 SR 1961]

12.1 Subp. 4. **More rigid standards.** ~~An appointing authority~~ A law enforcement agency
12.2 may require an applicant to meet more rigid standards than those prescribed in this part.

12.3 **6700.1600 ~~VIOLATION OF STANDARDS OF CONDUCT.~~**

12.4 Subpart 1. Standards. ~~Violation of any of the following standards of conduct by a~~
12.5 ~~licensee constitutes grounds for disciplinary action:~~ A licensed peace officer is subject to
12.6 discipline up to and including license revocation under part 6700.1710 when the board finds
12.7 that the officer has violated one or more of the standards of conduct. It is a violation of
12.8 standards of conduct to:

12.9 A. ~~engaging in conduct prohibited by, or listed as, grounds for disciplinary action~~
12.10 ~~in this chapter, Minnesota Statutes, chapter 214, or sections 626.84 to 626.90, or engaging~~
12.11 ~~in conduct which violates any statute enforced by the board;~~

12.12 B. ~~obtaining a license from the board by fraud or cheating, or attempting to subvert~~
12.13 ~~the examination process;~~

12.14 C. ~~being convicted of a felony or gross misdemeanor in this state, or in any other~~
12.15 ~~state or federal jurisdiction of an offense that would constitute a felony or gross misdemeanor~~
12.16 ~~if committed in Minnesota including a finding or verdict of guilt, whether or not the~~
12.17 ~~adjudication of guilt is withheld or not entered, an admission of guilt, or no contest;~~

12.18 D. ~~having been the subject of revocation, suspension, or surrender of a peace~~
12.19 ~~officer license or certificate in resolution of a complaint or other adverse action relating to~~
12.20 ~~licensing or certification in another jurisdiction;~~

12.21 E. ~~failing to report the revocation, suspension, or surrender of a license or~~
12.22 ~~certificate in resolution of a complaint, or other disciplinary or adverse action taken against~~
12.23 ~~a licensee in this or another jurisdiction, or having been refused a license or certificate by~~
12.24 ~~any other jurisdiction;~~

- 13.1 ~~F. being convicted of a state or federal narcotics or controlled substance law~~
13.2 ~~irrespective of any proceedings under Minnesota Statutes, section 152.18, or any similar~~
13.3 ~~law of another state or federal law;~~
- 13.4 ~~G. being adjudicated by a court of competent jurisdiction, within or without the~~
13.5 ~~state, as incapacitated, lacking the capacity to serve as a peace officer, chemically dependent,~~
13.6 ~~mentally ill and dangerous to the public, or as having a psychopathic personality, or required~~
13.7 ~~to register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167;~~
- 13.8 ~~H. violating any order issued by the board;~~
- 13.9 ~~I. practicing outside the scope of Minnesota Statutes, section 626.863;~~
- 13.10 ~~J. making an intentional false statement or misrepresentation to the board;~~
- 13.11 ~~K. engaging in sexual penetration or contact without consent, as defined in~~
13.12 ~~Minnesota Statutes, section 609.341, or engaging in conduct that violates Minnesota Statutes,~~
13.13 ~~section 617.23. Sexual contact does not include contact that is part of standard police~~
13.14 ~~procedure such as search and arrest;~~
- 13.15 ~~L. being convicted, including a finding or verdict of guilt, whether or not the~~
13.16 ~~adjudication of guilt is withheld or not entered, an admission of guilt, or a no contest plea~~
13.17 ~~of a violation of Minnesota Statutes, sections 169A.27; 518B.01, subdivision 14; 609.224;~~
13.18 ~~609.2242; 609.23; 609.231; 609.342; 609.343; 609.344; 609.345; 609.3451; 609.43; 609.465;~~
13.19 ~~609.466; 609.52; 609.53; 609.748, subdivision 6; or 626.557;~~
- 13.20 ~~M. failing to cooperate with an investigation of the board as required by part~~
13.21 ~~6700.1610, subpart 4;~~
- 13.22 ~~N. engaging in sexual harassment, as defined by Minnesota Statutes, section~~
13.23 ~~363A.03, subdivision 43;~~

14.1 ~~Θ. using deadly force when not authorized by Minnesota Statutes, section 609.066;~~

14.2 ~~or~~

14.3 ~~P. being convicted of solicitation, inducement, or promotion of prostitution in~~
14.4 ~~violation of Minnesota Statutes, section 609.322, or any conviction under Minnesota Statutes,~~
14.5 ~~section 609.324, or being convicted of similar offenses in another state or federal jurisdiction.~~

14.6 A. engage in:

14.7 (1) conduct that would bar licensure under the minimum selection standards
14.8 identified in part 6700.0700, subpart 1, item E, regardless of whether or not the conduct
14.9 results in criminal charges;

14.10 (2) theft, prostitution, or controlled substance offenses;

14.11 (3) conduct identified as a gross misdemeanor in Minnesota;

14.12 (4) sexual harassment, as defined by Minnesota Statutes, section 363A.03,
14.13 subdivision 43;

14.14 (5) obstructing legal process;

14.15 (6) fleeing by means other than a vehicle;

14.16 (7) carrying a pistol while under the influence; or

14.17 (8) driving while impaired or under the influence;

14.18 B. falsify or knowingly provide false information to the board, a law enforcement
14.19 agency, or a court or engage in other conduct that may lead to an impeachment disclosure
14.20 or Brady-Giglio impairment;

14.21 C. cheat or attempt to subvert the examination or licensing process;

14.22 D. regarding use of force:

15.1 (1) fail to intercede when observing another licensee using force beyond that
15.2 which is objectively reasonable as required under Minnesota Statutes, section 626.8474;

15.3 (2) fail to report in writing within 24 hours to the chief law enforcement
15.4 officer any use of force violations by another employee or peace officer as required under
15.5 Minnesota Statutes, section 626.8474; or

15.6 (3) engage in unreasonable or excessive use of force against a person, or the
15.7 illegal use of deadly force;

15.8 E. fail to:

15.9 (1) report crimes of bias or alleged crimes of bias as required under Minnesota
15.10 Statutes, section 626.5531;

15.11 (2) report the licensee's arrest or criminal charge, or any violation of standards
15.12 of conduct to the board and the officer's chief law enforcement officer within ten days;

15.13 (3) cooperate with a board investigation; or

15.14 (4) comply with any other requirement in this chapter or Minnesota statutes
15.15 for peace officers;

15.16 F. misuse a peace officer's authority by:

15.17 (1) the use or attempted use of one's position or authority as a peace officer
15.18 to obtain a benefit, avoid a detriment, or harm another;

15.19 (2) committing misconduct under Minnesota Statutes, section 609.43; or

15.20 (3) maliciously procuring a search warrant, exceeding the officer's authority
15.21 in executing a search warrant, or executing a search warrant with unnecessary severity under
15.22 Minnesota Statutes, section 626.22;

16.1 G. engage in on duty or off duty discriminatory conduct based on a perception of
16.2 a person's race, color, creed, religion, national origin, disability, sex, sexual orientation,
16.3 gender identity, public assistance or any other protected class as defined in Minnesota
16.4 statutes, or federal law;

16.5 H. undermine or jeopardize public trust in law enforcement, establish a
16.6 Brady-Giglio impairment, create an appearance of impropriety, or disrupt the cohesive
16.7 operation of law enforcement by supporting, advocating, or participating in any form in the
16.8 activities of a white supremacist, hate, or extremist group or criminal gang that:

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

16.13 (2) promotes the use of threats, force, violence, or criminal activity:

16.14 (a) to deprive or attempt to deprive individuals of their civil rights under
16.15 the Minnesota or United States Constitution; or

16.16 (b) to achieve goals that are political, religious, discriminatory, or
16.17 ideological in nature; or

16.18 (3) promotes seditious activities, threats, or violence against local, state, or
16.19 United States government;

16.20 I. support, advocate for, or participate in a white supremacist, hate, or extremist
16.21 group or criminal gang under item H as demonstrated by:

16.22 (1) dissemination of extremist material;

16.23 (2) engagement in cyber or social media posts, chats, forums, and other forms
16.24 of promotion of the group's activities or ideology;

17.1 (3) display or use of insignia, colors, tattoos, hand signs, slogans, or codes
17.2 associated with the group;

17.3 (4) direct financial or in-kind contributions to the group;

17.4 (5) a physical or cyber presence in the group's events; or

17.5 (6) other conduct that could reasonably be considered support, advocacy, or
17.6 participation;

17.7 J. be the subject of revocation, suspension, or surrender of a peace officer license
17.8 or certificate in resolution of a complaint or other adverse action relating to licensing or
17.9 certification in another jurisdiction; or

17.10 K. engage in conduct prohibited by or listed as grounds for disciplinary action in
17.11 this chapter or Minnesota Statutes, chapter 214, or engaging in conduct which violates any
17.12 statute enforced by the board.

17.13 A violation under item H or I does not apply when the conduct is sanctioned by the law
17.14 enforcement agency as part of the officer's official duties.

17.15 Subp. 2. **Incapacitation.** The license of a peace officer may be suspended or revoked
17.16 by the board when the officer has been adjudicated by a court in any jurisdiction as
17.17 incapacitated, lacking the capacity to serve as a peace officer, chemically dependent, mentally
17.18 ill and dangerous to the public, or as having a psychopathic personality, or required to
17.19 register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167.

17.20 **6700.1610 REPORTING OBLIGATIONS AND COOPERATION.**

17.21 **Subpart 1. Reporting conduct violation.** ~~A~~ An unlicensed person with knowledge
17.22 of conduct constituting grounds for action under Minnesota Statutes, chapter 214, or the
17.23 board's regulatory provisions in part 6700.1600 may report the violation to the board.

18.1 Subp. 2. **Licensee reporting requirement.** A licensee ~~shall~~ must report to the board
18.2 and chief law enforcement officer any action, inaction, or condition of that licensee which
18.3 the licensee reasonably believes would constitute grounds for disciplinary action under any
18.4 of the board's regulatory provisions.

18.5 Subp. 3. **Report submittal requirement.** Reports required by this part must be
18.6 submitted no later than ~~90~~ ten days after learning of the reportable event.

18.7 Subp. 4. **Cooperation by licensee.** A licensee who is the subject of an investigation,
18.8 or who is questioned in connection with an investigation, ~~shall~~ must cooperate fully with
18.9 the investigation. Cooperating includes responding fully and promptly to questions raised
18.10 by or on behalf of the board relating to the subject of the investigation, providing copies of
18.11 records in the licensee's possession relating to matters under investigation, assisting the
18.12 board in its investigation which includes executing releases for records as requested by the
18.13 board, and appearing at conferences or hearings scheduled by the board.

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;

- 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.
- 19.16 B. Each agency must adopt and implement a policy as listed below if the agency
19.17 uses that equipment or device. The agency policy must include any requirements identified
19.18 in statute:
- 19.19 (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

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.

20.3 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.

20.17 **REPEALER.** Minnesota Rules, parts 6700.0601, subparts 2 and 3; 6700.0701; 6700.1400,
20.18 subpart 3; 6700.1500; 6700.1700, subparts 1, 3, and 4; 6700.2700; 6700.2701; 6700.2702;
20.19 6700.2703; and 6700.2704, are repealed.