



Minnesota Board of Peace Officer Standards and Training

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Ensuring Police Excellence and Improving Community Relations Advisory Council MEETING AGENDA 1600 University Avenue, Suite 200 Saint Paul, Minnesota June 7, 2021 9:00-10:30 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.

1. Call to Order
2. Approval of the Agenda **ACTION**
3. Approval of the May 3, 2021 minutes **ACTION**
4. Just Action Coalition – Follow up to answer questions posed by Council at April 5th meeting.
5. IADLEST Audit Recommendations – Training discussion (pre-service and CE) **DISCUSSION**
6. Discussion of Rules vs. Statutes, POST authority (Chair Muhammad) **DISCUSSION**
7. Round table
8. Adjournment

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

**Ensuring Police Excellence and Improving Community Relations Advisory Council
Electronic Meeting VIA Microsoft Teams
May 5, 2021**

Members Present

Chair Nick Muhammad
Anne Haines Holy Eagle
Kaohly Her
Biiftuu Ibrahim Adam
Dave Titus
Sue Abderholden
Nikki Engel
Rep. Paul Novotny
Cathy Spann
Sean Deringer
Julio Zelaya
Mike Tusken
Tsua Xiong

Members Absent

Sen. Andrew Mathews

Staff Present

Erik Misselt
Jeff Winger
Abby Brown
Angie Rohow
Rebecca Gaspard

Others Present

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

Call to Order: Chair Muhammad called the meeting to order at 9:00 am. Roll call was taken by Ms. Brown. Of note - Kaohly Her, Cathy Spann and Anne Haines Holy Eagle arrived to the meeting after roll call was taken.

Agenda: Chair Muhammad sought any changes to the meeting agenda, hearing none, the meeting moved forward.

Approval of the Minutes: The motion to approve the meeting minutes for April 5, 2021 was made by Ms. Engel. The vote to approve was unanimous via a voice vote.

IADLEST Audit Recommendations: Executive Director Misselt gave an overview of the POST Board's broad regulatory authority. The areas which are bound by Rules and Legislation are Officer Conduct, Pre-Service Education and Continuing Education of Law Enforcement Officers. The Attorney General's office is currently reviewing the MN POST Board's authority to enforce policies and rules.

Many regularity functions and continuing education changes are already in the process with the Advisory Committee on POST Board Rules Overhaul. The Professional Peace Officer Education (PPOE) is a critical piece that has not been adequately addressed and perhaps could be reviewed and recommendations made by this council.

POST Board Update: The complaint database development timeline is still on target for a July 2021 go live date. Once this portion of the database is complete, the development of the continuing education database will begin.

During the POST Board meeting in April, two groups were created to work towards the recommendations that this council brought to the full Board for review. A Special Committee led

by Director Misselt was formed to review the POST complaint process vis-à-vis other licensing boards and bring recommendations back to the full board. The creation of a public assembly and first amendment rights model policy is being addressed by a working group that will be led by Rebecca Gaspard. The Rules Advisory Committee has also been tasked by the Board to develop and make recommendations on banning officers from being able to associate with white supremacy groups.

Round table Discussion: Chair Muhammad will send out documents to the councilmembers regarding other items to make recommendations on to include: No Knock Warrants, Compliance Reviews, Duty to Report and Body Camera usage. He believes that the Council was created to give community input to the POST Board which will encourage the Board to accept the power that they have been given by the Legislature and act upon that power.

Ms. Engel sought Director Misselt's opinion on how this council could best assist the Board to create changes based on the IADLEST audit. He believes that this council could begin to review and make recommendations about Pre-Service Education (PPOE) standards and expectations. Annual compliance reviews with all of the 417 agencies is not possible with the current number of staff with the POST board. He believes it would be beneficial for this council to assist in finding a way to streamline the process to create an effective means by which the reviews can be done effectively on an annual basis.

Mr. Novotny mentioned that perhaps the POST Board could develop the training and curriculum that is outcome based, specifically in regards to the mandated training courses. As well as how to improve the funding for the hands-on, scenario based training that agencies need to conduct.

Ms. Abderholden requested that for the next meeting the group take an extensive look at the training piece and have a thorough discussion. Chair Muhammad also invited all members of the council to bring other community members to present or testify at future meetings. Ms. Spann echoed the need to review the crucial training in areas including crisis, conflict and implicit biases. Chair Muhammad will put together a short presentation for the next meeting that creates a plain language explanation of the charging statute.

Adjournment: Ms. Her moved to adjourn the meeting and the motion was seconded. With no further discussion, the council meeting adjourned at 10:08 am.

The Ensuring Police Excellence and Improving Community Relations Advisory Council approved the foregoing minutes when it met on Monday June 7, 2021.

Nick Muhammad
Council Chair

Erik Misselt
Executive Director

Item #4

Just Action Coalition (JAC) Presentation: Matthew Seawood and Jalen Travis from the JAC serve to elevate youth voices in conversations regarding community safety. The JAC has come up with a proposal to build stronger relationships between the community and the officers who serve them. The key points to the proposal are as follows:

1. Measuring and recording police behaviors
 - a. Defining Officer Conduct and Misconduct
 - b. Utilize three tiers of a community complaint
 - i. Level I (Red Flag): Internal Investigation conducted by department of complaint origin with POST Board to review findings
 - ii. Level 2 (Yellow Flag): Internal Investigation completed by department of
 - iii. Level 3 (Blue Flag): Non-substantiated claims recorded in officer's file
2. Establishing grounds for review
3. Community recognition and review
4. Establishing a searchable public database

Included in the presentation, was the recommendation that every time an officer unholstered their firearm a report should to be filed to track the reason for this action. A few members on the council sought clarification as to whether this was a practical process and whom would review and retain these reports. The JAC will address the discussion points that were brought up and look forward to coming in front of the advisory council again in the future.

Item #5

Pre-Service Education and Training (PPOE)

A. Job task analysis

- a. According to the 2017-2018 Annual Report, a job task analysis (JTA) was conducted in 2015 and was used to update the PPOE learning objectives.
 1. It is time for another job task analysis for three reasons:
 - a. Best practices recommend JTAs every five years;
 - b. The communities' expectations of police officers has evolved greatly since 2015; and
 - c. The police profession is a dynamic profession, with new changes and challenges occurring regularly.
 2. The updated JTA should be used:
 - a. To identify learning objectives that are missing from the current curriculum,
 - b. To make adjustments to current learning objectives to keep them current with the profession, and
 - c. To eliminate learning objectives that are no longer relevant or critical.

B. Recertification of schools

- a. While the requirement to recertify and the ability to address problems during the interim is good, a 3-year renewal/review cycle would better address potential and unseen issues in a timely manner to make sure programs continue to deliver education and training at an exemplary level.

C. PPOE curriculum

- a. The Board should develop a template to better inform the educational and training institutions as to the optimum structure of the curriculum to achieve maximum retention and performance from the students as well as ensuring a basic foundational training is shared amongst all the State's officer regardless of their location of employing agency.
- b. Lesson plan development: 6700.0300 Subpart 4 mandates that schools utilize the learning objectives as set by the Board, but it allows the school to develop the content to address those objectives.
 1. Best practices would have the Board create lesson plans that are the foundation for PPOE training and education. Institutions could layer on top of them, but should be required to deliver the mandated lesson plan as the foundation. This assures that every graduate statewide gets the same base level of knowledge, and training is valid and consistent statewide.
 2. The state should consider creating a scholarship and/or grant program to address and hopefully eliminate the barrier to entering policing that is caused by an inability to afford college tuition costs.

D. PPOE records

- a. 6700.0300 Subpart 6, paragraph B mandates that “peace officer education be retained for five years.” These should be permanent records – or at least 50-year records to make sure they span an officer’s career and any lasting impacts of a career. Records should be made available for public inspection upon request.

E. PPOE student injuries

- a. 6700.0300 Subpart 8, paragraph C requires written documentation for any student injuries, but Subpart 10 only requires that the school maintain the records. Subpart 10 does not address how long these records should be retained. It is recommended that they be retained for at least ten (10) years.
- a. These injury records should be sent to the Board, who should have a staff person tasked with reviewing them for patterns and commonalities.

F. Licensing exam

- a. Need to assure a process is in place to update any questions related to statutes and case law in real time/immediately, rather than awaiting the annual review process.
- b. Test performance should be correlated to the PPOE program from which the candidate graduated to determine if there are patterns of deficiencies in knowledge or performance from specific institutions, either as a whole or in certain topic areas. This would allow the Board to work with that institution to address the deficiencies or to take other actions, as appropriate.