



# Minnesota Board of Peace Officer Standards and Training

1600 University Avenue, Suite 200  
St. Paul, MN 55104-3825  
(651) 643-3060 • Fax (651) 643-3072  
[www.post.state.mn.us](http://www.post.state.mn.us)

## Advisory Committee on Post Board Rules Overhaul

### MEETING AGENDA

1600 University Avenue, Suite 200  
Saint Paul, Minnesota

**May 12, 2021**

**9:30 a.m. -12:30 p.m.**

This meeting will be held online. Meeting materials and a link to observe the meeting are also posted on the board's website prior to the meeting.

1. Welcome/Housekeeping/Roll Call
2. Agenda Approval
3. Minutes Approval – April 7, 2021, 2021
4. Psychological Pre-Employment Screening  
Guests: Dr. Norma DiLorenzo and Dr. Laura Pendergrass
5. AV7 Advisory Committee Rules Draft
  - Psychological Pre-Employment Screening
  - Minimum Selection Standards
6. Licensure Renewal and Restoration
  - AV2 License Renewal
  - License cycle graphic
7. Wrap-up
8. Adjournment

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

**Advisory Committee on POST Board Rules Overhaul Meeting  
POST Board Office  
Electronic Meeting via Microsoft Teams  
April 7, 2021**

**Members Present**

David Bicking  
Bill Bolt  
Elliot Butay  
Gwen Degroff-Gunter  
Vincent Do  
Sara Edel  
Craig Enevoldsen  
Mark Fahning  
Michelle Gross  
Elisabeth Lee  
Bryan Litsey

Pat Nelson  
Theresa Paulson  
Jack Serier  
Raj Sethuraju  
Steven Soyka  
Tracy Stille  
Aaron Suomala-Fokerds

**Members Absent**

Jean Cemensky  
Sherisse Truesdale-Moore

**Staff Present**

Erik Misselt  
Rebecca Gaspard  
Abby Brown  
Angie Rohow  
Jeff Winger

**Others Present**

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

The meeting began at 9:30 am.

**Approval of the Agenda:** A vote was taken to approve the agenda through a virtual hand raise and was unanimous.

**Approval of the March 15, 2021 Meeting Minutes:** A vote was taken to approve the minutes through a virtual hand raise and was unanimous.

**AV4 Advisory Committee Rules Draft:** Rebecca Gaspard reviewed definitions. The committee agreed that the term “background investigations” would be used to replace “background checks”. It was determined that the background investigations must be completed no earlier than six months prior to appointment. Retention schedules were discussed at length and it was determined that the background investigations for hired officers should be retained for the duration of the officer’s employment. For background investigations that were conducted but the officer was not hired, the retention period will be six years.

The committee discussed negative results of background investigations into currently licensed officers, and the CLEO’s and board’s responsibilities.

Tracy Stille raised the issue of the statutory prohibition (in the Minnesota Human Rights Act) against CLEO’s conducting the investigation, or anyone involved in the hiring decision conducting the investigation (Minn. Stat. § 363A.08 subd. 4(1)).

Regarding psychological screenings, several members indicated they had researched and determined that currently there is no validated for cultural competence tool or instrument that can be used during the screening process. The committee also considered whether a minimum number of years of experience should be required for psychologists providing the screening. Raj Sethuraju raised the issue of applicants from some communities that may have experienced trauma that might affect their ability to

pass a psych eval, and that community screening of applicants could be considered. The committee requested that a psychologist experienced in law enforcement pre-employment screenings appear at the next meeting to address questions from the committee.

The committee was asked to submit questions for the psychologist in the next two weeks to Rebecca.

The discussion of the Minimum Selection Standards included adding other non-felony offenses to Section E 4.

**Licensure Renewal and Restoration:** Due to time constraints, this topic was not discussed during this meeting.

The meeting was adjourned at 12:30 pm.

**From:** [Stille, Tracy](#)  
**To:** [Gaspard, Rebecca W \(DPS\)](#)  
**Subject:** Psychological Screening for Police Recruits and MN Adm Rules Chapter 6700.0700, Subpart 1  
**Date:** Wednesday, April 28, 2021 1:52:58 PM

---

**This message may be from an external email source.**

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

Rebecca – while doing some research today, I came across this StarTribune article from 2018 written by Gary Fischler, a MN police and public-safety psychologist.

Perhaps you have already seen it, but it may contain some language that we could consider incorporating into a recommended rule revision. I thought he explained the “suitability” standard well vs. the more narrowly based “absence-of-mental-disorder” standard, which really shouldn’t be used as a research-based best practice to make a hiring recommendation.

<https://www.startribune.com/screening-for-minneapolis-police-recruits-is-concerning/493348881/?refresh=true>

<https://www.apmreports.org/story/2017/12/14/minneapolis-police-recruits-psychological-testing>

I hope you are having a nice week.

Tracy

**Mr. Tracy L. Stille | Public Safety Project Coordinator**

Phone: (651) 215-4051 | Mobile: (651) 341-5366

[tstille@lmc.org](mailto:tstille@lmc.org) | Twitter: @TStille70

League of Minnesota Cities | 145 University Ave. West | St. Paul, MN 55103

[www.lmc.org](http://www.lmc.org) | [Facebook](#) | [Twitter](#) | [Podcast](#)

[LMCIT Public Safety Risk Management Blog](#)

*Recommendations and comments are provided for loss control and risk exposure purposes only in conjunction with the insurance program referenced in this communication. The final responsibility for conducting safety, loss control and risk management must rest with the insured.*

**From:** [Elliot Butay](#)  
**To:** [Gaspard, Rebecca W \(DPS\)](#)  
**Subject:** Psych Evals  
**Date:** Thursday, April 29, 2021 5:01:51 PM

---

**This message may be from an external email source.**

Do not select links or open attachments unless verified. Report all suspicious emails to Minnesota IT Services Security Operations Center.

---

Hi Rebecca,

I just spoke with a member of the MN Board of Psychology, Jessica Gourneau, on pre-employment psych evals. These are some points from our conversation I wanted to share:

- There are no really official psychologist specializations in pre-employment testing for law enforcement. Those are both ambiguous, to paraphrase Jessica she said "I could just say I know a police officer." There are not many other professions that do this kind of pre-employment tests, except for large more corporate interests like say, Best Buy, that wants to test a lot of employees on teamwork, etc. But that wouldn't help with the law enforcement field.
- She said basically any test is going to be culturally biased. I shared the guidelines document that you shared with us and based on that she guessed most psychologists would at least use the MMPI2 test for some general personality traits.
- There are also no widespread tests that can identify if a person will be biased, because to be effective the person being tested would kind of need to be unaware that they were being tested on implicit bias, if that makes sense. But Harvard has had a sort of famous test, but people have to consent to be part of their research to take that test.

And some thoughts about what could be done moving forward:

- It would be possible for the POST board to recommend certain tests, you wouldn't want to limit it because each psychologist may be certified to give different assessments, but it could give some uniformity across the state if we give departments some guidance e.g. " tests including but not limited to the MMPI2, etc."
- It could be important that if a person of color is taking the assessment that their cultural history/race would be noted in the final report of the evaluation, to correct or consider bias as much as possible.
- For reducing implicit bias in officers themselves, knowledge about different culture's histories is very important and also scenario-based training showing that officer's can put their knowledge into practice. This is probably more a topic for learning objectives for PPOEs
- I think it would be beneficial for the group to identify what kind of personality traits and skills we would ideally want in an officer and then bring them back to psychologists and exchange those values for terms that are actually measurable in clinical tests. For example, "tenacity" is one of the traits that the guidelines say should be evaluated. There isn't really a clinical correlative to measure that, and it's an ill-defined term anyway. Plus, there's no guidance on whether tenacity is a good thing or not. It could be for a day-trader, but is it for a peace officer? I hope that makes sense! From there I think we could have a good foundation for some minimum standards that each department should be looking for in a psych eval, and if they want to add elements for their locales they

can.

I appreciate your time and organization of the group! I can say after being on several task force's and working groups, I very much appreciate your facilitation style and focus on moving things forward! I'm happy to talk more if this is all very confusing.

Best,

Elliot Butay | they/them he/him  
Criminal Justice Coordinator | NAMI Minnesota  
1919 University Ave West, Suite 400 | St. Paul, MN 55104  
Office: 651.645.2948 ex. 116 | Cell: 918.814.4391 | [www.namimn.org](http://www.namimn.org)

**Looking for a family-friendly, entertaining way to spend a Friday night? [Join us](#) for GAME NIGHT on April 30th at 7:00 PM!**

# Screening for Minneapolis police recruits is concerning

The psychological exams have consequences, and the example of Officer Mohamed Noor, who fatally shot Justine Damond, is a window into the process.

By Gary Fischler | SEPTEMBER 14, 2018 — 5:54PM

The shooting death of good Samaritan Justine Rusczyk Damond is a personal tragedy for her, her family and her community, and it should alarm all citizens of Minneapolis. As a police and public safety psychologist who has specialized in evaluating potential police officers for many years, I, along with many of my colleagues, remain appalled by the long-term apparent indifference of the Minneapolis Police Department (MPD) to the obvious need for high-quality, accurate psychological pre-employment exams by doctors with substantial training and experience in this highly specialized field. Clearly, the stakes could not be higher, and the consequences of inadequate psychological screening of police officer applicants can reach literally life-or-death proportions.

As the Star Tribune reported (<http://www.startribune.com/judge-rejects-motion-to-seal-medical-records-in-trial-for-officer-who-killed-justine-rusczyk-damond/492518991/>) on Sept. 6 (“Red flags raised before Noor hired”), there is reason to believe that Mohamed Noor, the now-former officer who shot and killed Ms. Damond in July 2017, had demonstrated “red-flag” personal characteristics in his pre-employment examination but was recommended for hire and subsequently was hired by the MPD. Since I have neither examined Mr. Noor nor reviewed his psychological pre-employment examination in its entirety, I cannot comment on his fitness or suitability for police work. However, the information that is available is sufficient to create suspicion that the psychological testing and evaluation process MPD uses is flawed and invites pernicious consequences such as those to Damond and to others who have been victimized by alleged police misconduct.

Other independent reports have called into serious question the adequacy of the MPD examination process and the level of expertise of its psychological examiners. For example, an American Public Media [report](https://www.apmreports.org/story/2017/12/14/minneapolis-police-recruits-psychological-testing) (<https://www.apmreports.org/story/2017/12/14/minneapolis-police-recruits-psychological-testing>) in December ([tinyurl.com/apm-police](http://tinyurl.com/apm-police)) concluded that the examination protocol used to examine Noor “is less rigorous than best practices nationally and the evaluator lacked the proper license” and pointed out that “Minneapolis has fired some of the most qualified police psychologists in the state, and then turned to a succession of mental health professionals with little or no experience in the field (including the ones most recently selected to continue to perform the exams).”

As the Sept. 6 Star Tribune article reported, Noor’s psychological examination report indicated that he “was flagged by two psychiatrists during the pre-hiring evaluation in early 2015 after he exhibited an inability to handle the stress of regular police work and unwillingness to deal with people.” Moreover, he was “more likely than other police candidates to become impatient with others over minor infractions, have trouble getting along with others, to be more demanding and have a limited social support network.” He was also described as “disliking people and being around them.” However, the psychiatric report concluded that since Noor exhibited no signs of a major mental illness, chemical dependence or personality disorder, he was deemed “psychiatrically fit to work as a cadet police officer for the Minneapolis Police Department.”

Let’s examine these startling revelations more closely.

Central to these issues are the criteria or standards that are used to evaluate officer fitness. Minnesota Administrative Rules Chapter 6700.0700, Subpart 1, requires police applicants to undergo a psychological evaluation, “including an oral interview ... made by a licensed psychologist to determine that the applicant is *free from any emotional or*



DAVID JOLAS • DAVID.JOLAS@STARTRIBUNE.COM

Former Minneapolis police officer Mohamed Noor appeared in Hennepin County District Court on May 8 with his attorney, Thomas

*mental condition which might adversely affect the performance of the peace officer duties”* (emphasis added). These criteria are much broader and more comprehensive than those apparently used by the doctor who examined Noor, which relied on an absence of major mental illness, chemical dependence or personality disorder to determine fitness. The difference between these sets of criteria is not merely semantic, as it reflects two completely different standards.

The standard applied to Noor is narrow and relies on absence of a diagnosable mental disorder. Using this standard, only a very small percentage of only the most disturbed individuals would be psychologically disqualified from a peace officer job. Indeed, on the basis of the psychiatric report, Noor is unlikely to experience any diagnosable mental disorder.

In contrast, the latter standard is much stricter, requiring that potential officers demonstrate acceptable psychological traits that show suitability to the unique and extraordinary demands of law enforcement. The Minnesota Board of Peace Officer Standards and Training (POST) Pre-employment Psychological Evaluation [Guidelines](https://dps.mn.gov/entity/post/forms/Documents/Psychological%20Evaluation%20Guidelines.pdf) (<https://dps.mn.gov/entity/post/forms/Documents/Psychological%20Evaluation%20Guidelines.pdf>) ([tinyurl.com/eval-guidelines](https://tinyurl.com/eval-guidelines)) specifies these broad personality traits, including “stress resistance,” “interpersonal skills,” “mental stability,” “absence of bias,” “anger management,” “honesty and integrity” and “identification with the community.” Several other authoritative sources also provide guidance and standards related to police pre-employment psychological evaluations that experienced and qualified police psychologists rely upon. It is easy to see how using an appropriate suitability standard vs. an absence-of-mental-disorder standard could have resulted in a different recommendation and outcome for Noor regarding hiring by the MPD.

We must all hold our law enforcement agencies, elected officials and administrators accountable for ensuring that our police officers are properly psychologically screened and hired using only research-based best practices by doctors with the highest levels of specialized training and experience. Police psychological examinations can, indeed, have consequences.

*Gary Fischler, of Minneapolis, is a police and public-safety psychologist. He is past chair of the International Association of Chiefs of Police/Police Psychological Services Section.*



## AV7 Advisory Committee Rules Draft – May 2021

*Note: No formal consensus on this draft*

### 6700.X001-Definitions

X. Discriminatory Conduct. Discriminatory conduct includes a pattern of conduct or a single egregious act that evidences knowing and intentional discrimination based on the perception of a person's race, color, creed, religion, national origin, disability, sex, sexual orientation, marital status, status with regard to public assistance, age, or any other protected class as defined by state or federal law, and would lead an objectively reasonable person to conclude that the applicant cannot perform the duties of office in a fair and impartial manner; *Note: discriminatory conduct relates to requirement under Background Investigations item E*

X. Licensed Medical Professional. Licensed medical professional means an individual licensed as a physician, surgeon, physician's assistant, or advanced practice registered nurse or other professional whose scope of practice includes physical exams. *Note: licensed medical professionals are those who can do the pre-employment physical exam required under Minimum Selection Standards*

### 6700.XXXX -Mandated Policies

#### Subp.1 check feb meeting notes

A. Mandated policies under this section are any policy required to be adopted by a law enforcement agency under the provisions of MN Statute 626 or this chapter. All mandated policies and subsequent policy revisions must be approved by the POST board before implementation.

B. Each chief law enforcement officer must ensure that:

1. the current version of each mandated policy is posted on the law enforcement agency's website;
2. the agency must provide a paper or electronic copy of a mandated policy on request by an individual or organization;
3. a paper or electronic copy of the current version of each mandated policy is provided to each peace officer employed by the agency; and
4. the agency's adopted policy is enforced at all levels of the agency

Subpart 2. Use of Force Mandated Policy. The head of the law enforcement agency identified in MN. Statutes 626.8452 is the licensed chief law enforcement officer appointed or employed by the law enforcement agency.

### 6700.07xx NOTIFICATION OF CONVICTION BACKGROUND

INVESTIGATION. A background investigation is intended to disclose the existence of any criminal record or conduct which would disqualify an applicant for licensure, to identify factors which may adversely affect the performance by the applicant of peace officer duties, and to evaluate the applicant's suitability for employment by the law enforcement agency conducting the background investigation.

1. Before appointing an applicant or licensed peace officer to a peace officer position, the law enforcement agency must complete a background investigation on the applicant. Exceptions to this requirement are noted under part xxxx. The background investigation must be completed no earlier than 6 months prior to the agency's appointment to a peace officer position. The investigation must include, but is not limited to, investigation into the following:

- (a) Citizenship. If the applicant is not a citizen, verification that the applicant is eligible to work in the United States under federal requirements.
  - (b) Criminal history and arrests by means of electronic data transfer, criminal records, histories, and warrant information through current state and federal systems such as the Minnesota Crime Information System and the National Instant Criminal Background Check System.  
*Note: HF1152 (in omnibus HF1078) requires BAC to include expunged offenses in checks for LEAs. See SF970 conference results 5/3*
  - (c) MN Driver Vehicle Service (DVS) records and other states' driving records as applicable;
  - (d) Drug and alcohol use;
  - (e) Behavior indicative of discriminatory conduct as defined in part xxx;
  - (f) Education verification;
  - (g) Employment history;
  - (h) Military history verification;
  - (i) Personal and professional references, including but not limited to friends, associates, family members, neighbors;
  - (j) Personal Interview. Personal interviews may occur both before and after the investigation, and may be used to discuss any arrest or conviction records and to clarify any discrepancies or concerns raised in the investigation;
  - (k) Residential history. Applicants with less than five years residence in the United States may be disqualified by the law enforcement agency.
  - (l) Work eligibility; and
  - (m) Records checks, which may include, but are not limited to:
    - (A) Open sources or social media, as permitted by law; and
    - (B) Financial information, as permitted by law.
- (2) Each individual being considered for employment must provide a personal history statement. The statement must include, but is not limited to:
- (a) Verification of the background information referred to in item 1;
  - (b) A complete list of all law enforcement agencies an individual has applied with in the past three years;
  - (c) A signed declaration acknowledging under penalty of perjury that all of the information the applicant has provided during the background investigation and in the personal history statement is true and correct to the best of the applicant's knowledge; and
  - (d) A signed release allowing background investigation information to be shared with other law enforcement agencies on request by the agency.
- (3) Results of the background investigation must be retained by the law enforcement agency for the duration of any resulting employment, or for 6 years if the applicant is not employed by the agency. Added at April meeting
- (4) Background investigations are required for all new applicants, including applicants previously licensed or employed by other law enforcement agencies, except as noted in part xxxx.
- (5) The background investigation may not be conducted by the chief law enforcement officer or by anyone involved in selection of applicants for peace officer positions as addressed in Minn. Stat. § 363A.08 subd. 4(1). New following April meeting
- (6) The chief law enforcement officer must notify the board as soon as possible but no later than 10 days as follows:
- (a) when a background investigation is initiated, giving the candidate's full name, date of birth; and the candidate's peace officer license number, if known; Note: required under 626.87 subd 5

~~(b) when a background investigation search required by this chapter reveals a disqualifying offense under the minimum selection standards in part 6700.0700, and identifying the specific offense(s). conviction of a felony, or the conviction of any crime listed in this chapter, or conviction of a crime which was charged under an ordinance or law of another state but would be a conviction under Minnesota Statutes, section 609.52, if it was charged under state law, the chief law enforcement officer shall immediately notify the board.~~

**(c) when a background investigation of a licensed peace officer reveals a disqualifying offense under the violations of standards of conduct in part 6700.1500, identifying the specific offense(s). The board will then notify any law enforcement agency that is currently employing the peace officer of the disqualifying offense.** *New following April meeting*

## **6700.07xx PSYCHOLOGICAL SCREENING.** *Use “screening” in min selection standards and elsewhere in draft rules, not “exam”.*

A. A psychological screening must be conducted after a conditional job offer by a law enforcement agency and must be conducted by a psychologist licensed in Minnesota or the state in which the psychologist practices. The screening must include:

- (1) A written psychological test battery relevant to the pre-employment psychological screening criteria established by the law enforcement agency. ~~The results of the written test must be reviewed and verified by the psychologist prior to the in-person interview.~~
- (2) An in-person interview conducted by the psychologist;
- (3) To the extent possible as determined by the psychologist, an evaluation of a predisposition on the part of the applicant to engage in discriminatory conduct as defined in part xxx; and
- (4) A written report provided by the psychologist in the manner requested by the law enforcement agency.

B. The psychological screening must conform to applicable standards of the Americans with Disabilities Act (ADA) Title 42 USC 1210.

C. Psychological screenings older than one year are no longer valid for the purpose of satisfying the pre-employment psychological screening requirement. *Ensure consistent with 6700.0700*

D. *require test to be retained, so what questions were asked?*

## **6700.0700-Minimum Selection Standards**

### **6700.0700 MINIMUM SELECTION STANDARDS.**

**Subpart 1. Certified applicants ~~Selection standards.~~** *Note: use Certified applicants instead of eligible to be licensed applicants? Tie in with part 6700.0600 exam apps* Applicants who are “eligible to be licensed” may be selected for a peace officer position by a law enforcement agency. Before employing the applicant, ~~An applicant determined by the board to be eligible to be licensed, or a licensed peace officer may be appointed to a peace officer position by a law enforcement agency. Prior to appointment, the law enforcement agency must establish that~~ A person eligible to be licensed shall meet the following minimum selection standards are met, before being appointed to the position of peace officer.

The appointing authority may affirm that the applicant has already completed certain of these standards, but the affirmation must be documented pursuant to subpart 2. The applicant must:

- A. ~~The applicant shall be a citizen of the United States or eligible to work in the United States.~~
- B. ~~The applicant shall possess a valid Minnesota driver's license; or in case of residency therein, a valid driver's license from another state; or eligibility to obtain either license.~~
- C. ~~The applicant shall complete an comprehensive written application. *Note – covered under D, separate requirement not related to selection standards is app to the board*~~
- D. ~~The applicant shall submit to provide a complete personal history and submit to a thorough background search investigation meeting the requirements of part xxx., including searches by local, state, and federal agencies, to disclose the existence of any criminal record or conduct which would adversely affect the performance by the applicant of peace officer duties.~~
- E. ~~The applicant must not be required to register as a predatory offender under Minnesota Statutes, section 243.166 or 243.167. *moved to section below*~~

F. ~~No applicant may be appointed to the position of peace officer who has been not been convicted of: *Note: define conviction*~~

(1) ~~of a felony in this state or in any other state or federal jurisdiction; *when conviction is defined, look at stay of imposition*~~

(2) ~~of any offense in any other state or federal jurisdiction which would have been a felony if committed in Minnesota;~~

(3) ~~any offense that would require the applicant to be registered as a predatory offender under Minnesota Statutes, section 243.166 or 243.167.~~

(3) ~~any of the following non-felony offenses under Minnesota Statutes:~~

- a) ~~assault in the 5<sup>th</sup> degree 609.224;~~
- b) ~~assaults motivated by bias 609.2331 Subd. 4 *suggested at April meeting, not sure how it differs from 5<sup>th</sup> degree assault?*~~
- c) ~~domestic assault 609.2242;~~
- d) ~~violation of domestic abuse no contact order 629.75 Subd. 2~~
- e) ~~violation of an order for protection 518B.01 Subd. 14 *check status of 2021 legislation*~~
- f) ~~harassment or stalking 609.749~~
- g) ~~violation of harassment restraining order 609.748 Subd. 6~~
- h) ~~sexual extortion, *check status of hf2502*~~
- i) ~~criminal sexual conduct in the fifth degree 609.3452 *Theresa suggested at April meeting*~~
- j) ~~any mistreatment of vulnerable adults mistreatment, including under sections *check status of SF2317* 609.231, 609.2325, 609.233, 609.2335, 609.234 609.72 subdivision 3;~~
- k) ~~patrons of prostitution 609.324, Subd. 3; *check SF970 on 609.324 – Note: Board rules committee April 2021 meeting agrees limiting to patrons*~~
- l) ~~making false claims for profit to a public body or officer 609.465;~~
- m) ~~attempting medical assistance fraud 609.466; or~~

- n) theft under [609.52](#), except that misdemeanor theft of movable property valued at \$500 or less Subd. 2(1) *may need to separate various theft incidents, vs exempting all theft non-felony convictions.*
- o) interferes with an emergency call [609.78](#) Subd2.(1)
- p) non-consensual dissemination of private sexual images [617.261](#)
- q) interference with privacy [609.746](#)
- r) malicious punishment of child [609.377](#)

(5) any non-felony state or federal narcotics or controlled substance law, **excluding any convictions of marijuana violations.** irrespective of any proceeding under Minnesota Statutes, section ~~152.18~~, or any similar law of another state or federal law; and *marijuana? Sf2348 s0f970 HF600 Note: Board's Rules Committee April 2021 excluded marijuana as a bar to licensure (leaves it up to the LEA)*

~~(4)(6)~~ of any of the crimes listed in this item in another state or federal jurisdiction, or under a local ordinance that would be a conviction if committed in Minnesota.

G. ~~The applicant shall be fingerprinted for the purpose of disclosure of any felony convictions. Fingerprint cards shall must be forwarded by the agency to the appropriate divisions of the Bureau of Criminal Apprehension and the Federal Bureau of Investigation. The chief law enforcement officer shall immediately notify the board if a previous felony conviction is discovered.~~

H. ~~A licensed physician or surgeon shall make a thorough medical examination of the applicant to determine that the applicant is be free from any physical condition which might adversely affect the performance of peace officer duties, as established through an exam by a licensed medical professional (*see definition of licensed medical professional*)~~

I. ~~An evaluation, including an oral interview, shall be made by a licensed psychologist to determine that the applicant is be free from any emotional or mental condition which might adversely affect the performance of peace officer duties and be capable of withstanding the psychological demands inherent in a peace officer's responsibilities, as established by a psychological screening that meets the requirements of [part xxxxx](#).~~

J. ~~The applicant shall pass a job related examination of the applicant's physical strength and agility to demonstrate the possession of physical skills necessary to the accomplishment of the duties and functions of a peace officer. *No consensus from advisory committee, up to each LEA to decide whether a physical skills test is necessary for their agency.*~~

K. ~~The applicant shall successfully complete an oral examination conducted by or for the agency to demonstrate the possession of communication skills necessary to the accomplishment of the duties and functions of a peace officer.~~

L. current registration as an emergency medical responder or emergency medical technician. *Note: Some concern by staff re # of hours to requalify as EMR Any LEA where 911 calls do not dispatch fire/emt? All sheriff depts, and LEAs where police response is reliably faster than emt?*

*Check statute re: patrol officers must have first aid training*

M. be at least 21 years old.-*No consensus – POST staff suggest 21 min age*

N. submit documentation of any legal name change(s) since birth. *New to committee*

**Subp. 1a. Currently licensed applicants.** A currently licensed peace officer who is leaving or has left their current employer and is applying for a position with a different LEA is subject to the requirements in this part. The LEA is not required to affirm that the applicant has met all of the minimum selection standards in **part 1** except as follows. The LEA must affirm that the licensee:

- a) has provided the LEA with a signed release allowing full access to the licensee's complete disciplinary, complaint, and personnel records from any previous LEA that employed the applicant as a peace officer;
- b) is free from any emotional or mental condition which might adversely affect the performance of peace officer duties and is capable of withstanding the psychological demands inherent in a peace officer's responsibilities, as established by a psychological screening that meets the requirements of part xxxxx. *Note: if psych wellness exam required at renewal, this part is unnecessary*
- c) *Criminal background check from other states? Another med exam?*

**Subp. 1b. Seasonal or temporary peace officer positions.** Currently licensed applicants who remain employed by another law enforcement agency and are applying for supplemental employment, seasonal or temporary employment of less than 3 months are not subject to the minimum selection requirements in **part 1**.

**Subp. 1c. Applicants with expired or inactive licenses.**

**Subp. 2. Documentation.** The chief law enforcement officer ~~shall~~ must maintain documentation necessary to ~~show completion of~~ establish that the requirements of subpart 1 are met. ~~The chief law enforcement officer is not required to obtain documentation for subpart 1, item J, if the applicant completed part 6700.0500, subpart 3.~~ The documentation is subject to periodic review by the board, and ~~shall~~ must be made available to the board at its request.

Subp. 3. [Repealed, 18 SR 1961]

**Subp. 4. More rigid standards.**

~~An appointing authority~~ law enforcement agency may require an applicant to meet more rigid standards than those prescribed in this part.

## **6700.07xx EMPLOYMENT OF PEACE OFFICERS section in progress**

*How does cleo know applicant is eligible?*

*If inactive applies, or expired applies...how does cleo know is eligible?*

**Subpart 1. Notification of Pending Employment.** The chief law enforcement officer ~~shall~~ must notify the board of the ~~appointment~~ prospective employment of any person to the position of a peace officer ~~before the first day of the appointee's employment~~ by submitting the applicant's information on a form

provided by the board, and affirming that the applicant has met all the selection standards as prescribed in part 6700.00. **The applicant must not act as a peace officer powers until the** board has approved the licensure status of the applicant.

**Subpart 2. ELIGIBLE TO BE LICENSED APPLICANTS.**

**Subpart 3. CURRENTLY LICENSED APPLICANTS.**

The chief law enforcement officer ~~shall~~ **must** notify the board of the ~~appointment~~ **employment** of any person to the position of peace officer ~~before~~ **prior to** the first day of the ~~appointee's~~ **applicant's** employment. Notification shall be made on a form provided by the board, and ~~it shall~~ **must** include the ~~appointee's~~ **applicant's** full name, ~~sex, gender,~~ date of birth, the effective date of the ~~appointment,~~ and an affirmation that the appointee has met all selection standards as prescribed in part [6700.0700](#). **The appointee may not exercise peace officer powers until the notification form is received and approved a license is issued by the board.**

**6700.0800 LICENSING OF PEACE OFFICERS.**

**~~Subpart 1. Board appointees; notification.~~**

~~The chief law enforcement officer shall notify the board of the appointment of any person to the position of peace officer before the first day of the appointee's employment. Notification shall be made on a form provided by the board, and it shall include the appointee's full name, sex, date of birth, the effective date of the appointment, and an affirmation that the appointee has met all selection standards as prescribed in part [6700.0700](#). The appointee may not exercise peace officer powers until the notification form is received and approved a license is issued by the board.~~ **Moved to 6700.07xx**

**Subp. 2. Application procedures.**

If the appointee is not already a licensed peace officer, but is eligible to be licensed, the appointee shall apply to be licensed at the time of appointment. Application shall be made on a form provided by the board, and both the applicant and the chief law enforcement officer shall affirm that the applicant is eligible to be licensed. The applicant shall also submit the licensing fee as prescribed in subpart 4.  
Subp. 3.

License certificate.

The executive director shall issue a license certificate to an applicant who has complied with the requirements in subpart 2 and part [6700.0700](#), subpart 1, and whose affirmations are consistent with the board's records. The period of initial licensure is determined by the original date the license was issued. The license shall be due for renewal on June 30 of the third calendar year after the year the license was issued, regardless of the month and day of initial licensure.

Subp. 4.

Licensing fee.

The licensing fee is \$90. The license will be valid through June 30 of the third year following receipt.  
Subp. 5.

Surrender of license certificate.

Licenses shall remain the property of the board. The license certificate and any renewal certificates shall be surrendered to the board if suspended or revoked.

**6700.0725 APPLICANTS FOR LICENSURE** *discuss appointment v employment*

**Subpart 1. Eligible to be licensed.** Individuals who have been determined by the Board to be eligible to be licensed may apply to law enforcement agencies for appointment to a peace officer position. When an agency has selected the individual for appointment, both the applicant and the agency must initiate the license application.

- A. the applicant must complete an application provided by the Board and submit a licensing fee of \$90.
- B. the agency must complete a notification form provided by the Board which attests to the satisfaction of the minimum selection standards identified in part 6700.0700.
- C. On receipt of the application, licensing fee, and notification form, the Board will process the application and:
  1. Issue a license to the applicant.
  2. Notify the law enforcement agency of the licensure.
- D. The applicant may not perform the duties of a peace officer until a license has been issued.

**6700.0750 MAINTAINING A PEACE OFFICER LICENSE**

**Subpart 1. Change of Name.** After a legal name change, a licensee has 30 days to complete a name change, and provide documentation of the name change. The Board will issue a license in the new name.

**6700.0800 LICENSING AND EMPLOYMENT OF PEACE OFFICERS.**

**Subpart 1. ~~Board appointees~~; notification.** *Needs mods to reflect process for all license statuses (eligible, active, inactive, etc.*

**Applicants for employment.**

~~The chief law enforcement officer shall must notify the board of the appointment of any person to the position of peace officer before the first day of the appointee's employment. Notification shall be made on a form provided by the board, and it shall include the appointee's full name, sex, date of birth, the effective date of the appointment, and an affirmation that the appointee has met all selection standards as prescribed in part 6700.0700. The appointee may not exercise peace officer powers until the notification form is received and approved by the board.~~

**~~Subp. 2. Application procedures.~~**

~~If the appointee is not already a licensed peace officer, but is eligible to be licensed, the appointee shall apply to be licensed at the time of appointment. Application shall be made on a form provided by the board, and both the applicant and the chief law enforcement officer shall affirm that the applicant is eligible to be licensed. The applicant shall also submit the licensing fee as prescribed in subpart 4.~~

**Subp. 3. License certificate.**

The executive director shall issue a license certificate to an applicant who has complied with the requirements in subpart 2 and part [6700.0700](#), subpart 1, and whose affirmations are consistent with the board's records. The period of initial licensure is determined by the original date the license was



issued. The license shall be due for renewal on June 30 of the third calendar year after the year the license was issued, regardless of the month and day of initial licensure.

**Subp. 4. Licensing fee.**

The licensing fee is \$90. The license will be valid through June 30 of the third year following receipt.

**Subp. 5. Surrender of license certificate.**

Licenses shall remain the property of the board. The license certificate and any renewal certificates shall be surrendered to the board if suspended or revoked.