MINNESOTA
OFFICE OF
ADMINISTRATIVE
HEARINGS

PO Box 64620
Saint Paul, MN 55164-0620
mn.gov/oah

PH (651) 361-7900

April 26, 2023

VIA EMAIL ONLY
Jenna Lipman
Public Records and Involvement Coordinator
Office of Secretary of State
180 State Office Building
100 Rev Dr Martin Luther King Jr Blvd
St. Paul, Minnesota 55155-1299
official.documents@state.mn.us

Re: ***In the Matter of the Proposed Permanent Rules Relating to Education and Licensing of Peace Officers***
OAH 8-9007-38401; Revisor R-04641

Dear Ms. Lipman:

Enclosed for filing is an electronic copy of the above-entitled adopted rules.

Please send the agency copy of the rules to:

Rebecca Gaspard
1600 University Ave #200
Saint Paul, MN 55155
Rebecca.w.gaspard@state.mn.us

If you have any questions regarding this matter, please contact William Moore at (651) 361-7893, william.t.moore@state.mn.us or via facsimile at (651) 539-0310.

Sincerely,

Nichole Helmueller

Nichole Helmueller
Legal Assistant

Enclosures
cc: Rebecca Gaspard (via email)

Document Number: 234802
Filed on April 28, 2023
Office of the Minnesota
Secretary of State, Steve Simon

Office of the Revisor of Statutes
Administrative Rules

TITLE: Adopted Permanent Rules Relating to Education and Licensing of Peace Officers

AGENCY: Peace Officer Standards and Training Board

REVISOR ID: R-4641

MINNESOTA RULES: Chapter 6700

Document Number: 234802
Filed on April 28, 2023
Office of the Minnesota
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The attached rules are approved for
filing with the Secretary of State

Karen L. Lenertz
Deputy Revisor

Peace Officer Standards and Training Board

Adopted Permanent Rules Relating to Education and Licensing of Peace Officers

6700.0100 DEFINITIONS.

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

Subp. 26. **Discriminatory conduct.** "Discriminatory conduct" means a pattern of conduct or a single egregious act that evidences knowing and intentional discrimination based on the actor's perception of a person's race, color, creed, religion, national origin, disability, sex, sexual orientation, gender identity, or public assistance or any other protected class as defined in Minnesota statutes or federal law; and would lead an objectively reasonable person to ~~conclude that~~ doubt the ~~individual may not~~ actor's ability to perform the duties of a peace officer in a fair and impartial manner. Membership in a religious organization as a lawful exercise of the freedom of religion is not discriminatory conduct.

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

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

Subp. 29. **Hate or extremist group.** "Hate or extremist group" means a group that, as demonstrated by its official statements or principles, the statements of its leaders or members, or its activities:

A. promotes the use of threats, force, violence, or criminal activity:

(1) against a local, state, or federal entity, or the officials of such an entity;

(2) to deprive, or attempt to deprive, individuals of their civil rights under the Minnesota or United States Constitution; or

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

B. promotes seditious activities; or

C. advocates for differences in the right to vote, speak, assemble, travel, or maintain citizenship based on a person's perceived race, color, creed, religion, national origin, disability, sex, sexual orientation, gender identity, public assistance status, or any protected class as defined in Minnesota statutes or federal law.

6700.0601 EXAMINATION STANDARDS.

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

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

G. failing to meet the minimum selection standards for licensure as a peace officer under part 6700.0700.

Subp. 2. [See repealer.]

Subp. 3. [See repealer.]

6700.0670 BACKGROUND INVESTIGATION.

Subpart 1. **Applicants.**

A. Each applicant for employment as a peace officer must provide a personal history statement ~~with the application~~ to the agency when the agency initiates a background investigation. The statement must include:

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

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

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

(4) a signed declaration attesting 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;

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

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

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

C. Each applicant who is currently or previously licensed as a peace officer must authorize the release to the employing law enforcement agency and board of the ~~officer's~~ applicant's personnel ~~files~~ data, including disciplinary, termination, civil or criminal investigation, and other records or information that are directly related to minimum selection requirements for licensure.

D. Each applicant who is currently or previously licensed as a peace officer must disclose any ~~conduct that resulted or may result in an impeachment disclosure or Brady-Giglio impairment.~~ disciplinary or court findings, of which the applicant has personal knowledge, that find the applicant to have engaged in:

(1) abuse of police authority;

(2) bias against a protected class;

(3) felony criminal conviction or finding of guilt;

(4) conviction or finding of guilt for a crime of dishonesty;

(5) an act or statement of dishonesty;

(6) mishandling of evidence or property;

(7) undisclosed or improper inducements to witnesses or suspects;

(8) unreasonable or excessive use of force;

(9) unauthorized access to or unlawful misuse of government data; or

(10) conduct that resulted in a Brady-Giglio disclosure by a prosecuting authority.

Nothing in this subpart prevents the applicant from providing additional or contextual information on the reported conduct.

Subp. 2. **Requirements for background investigation.**

A. Before employing an unlicensed or licensed applicant in a peace officer position, the law enforcement agency must complete a background investigation on the applicant that meets the requirements of this part, except as stated in item B. ~~The~~ A background investigation ~~must be completed no earlier than~~ is valid for six months ~~prior to the agency's~~ after completion. If the applicant is not hired during the six months, the background investigation must be updated before a final offer of employment to ~~an~~ the applicant. ~~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 and must comply~~ In compliance with Minnesota Statutes, section 363A.08, subdivision 4, paragraph (a), clause (1), the background investigation may not be conducted by anyone, including the chief law enforcement officer, involved in the selection of applicants for a peace officer position. Nothing in this chapter precludes an agency from performing a more stringent background check. A background investigation must address the following elements:

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

(2) criminal history and arrests identified 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~~;

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

(4) ~~drug and alcohol~~ use of alcohol, controlled substances, and intoxicating substances;

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

(6) education verification;

(7) employment history;

(8) military history verification;

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

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

(11) residential history;

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

(13) inquiry to the local prosecuting authority and law enforcement ~~agency~~ agencies in any jurisdiction in which the applicant has served as a peace officer as to whether the ~~applicant~~ prosecuting authority or law enforcement agency has any ~~potential impeachment disclosure or Brady-Giglio impairment.~~ knowledge of conduct, records, investigations, or disciplinary or court findings related to the applicant that involves:

(a) abuse of police authority;

(b) bias against protected class;

(c) felony criminal conviction or finding of guilt;

(d) conviction or finding of guilt for a crime of dishonesty;

(e) mishandling of evidence or property;

(f) undisclosed or improper inducements to witnesses or suspects;

(g) unauthorized, unreasonable, or excessive use of force;

(h) unauthorized access to or unlawful misuse of government data; or

(i) other conduct which required a Brady-Giglio disclosure by a prosecuting authority.

B. An agency may choose to limit the scope of the background investigation to a criminal history check and a driving records check when:

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

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

C. Results of the background investigation must be retained by the law enforcement agency for the duration of any resulting employment. If the applicant is not employed by

the agency, the background investigation must be retained for six years or as required by the agency's retention schedule, whichever is longer.

Subp. 3. **Chief law enforcement officer.**

A. The chief law enforcement officer must notify the board as soon as possible but no later than ten days after the date that:

(1) a background investigation is initiated, giving the applicant's full name, date of birth, and peace officer license number, if applicable; and

(2) a background investigation identifies:

(a) a ~~disqualifying offense~~ disqualification under the minimum selection standards in part 6700.0700, ~~giving the specific offense or offenses~~ identifying the disqualification or disqualifications; ~~or~~ and

(b) for a licensed peace officer~~,~~:

i. a disqualification under the minimum selection standards in part 6700.0700, even if the officer is exempt under part 6700.0700, subpart 1a; and

ii. any conduct that would be a violation of standards of conduct under this chapter.

A chief law enforcement officer's report to the board required under this part must comply with United States Code, title 28, section 20.33.

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

6700.0675 PSYCHOLOGICAL SCREENING.

A. A pre-employment psychological screening of an applicant for a peace officer position must be conducted after a conditional job offer by a law enforcement agency and must be conducted only 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 responsibilities of a peace officer and the pre-employment psychological screening criteria established by the law enforcement agency;

(2) an in-person or virtual 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~~ applicant's history of discriminatory conduct as defined in part 6700.0100; and

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

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

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

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

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

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

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

F. Psychological screenings initiated before June 1, 2023, are not subject to the requirements of this part.

6700.0700 MINIMUM SELECTION STANDARDS.

Subpart 1. **Selection standards.** An applicant identified by the board as eligible to be licensed or a peace officer currently licensed in Minnesota may apply for a peace officer position with a law enforcement agency. Prior to employment, the law enforcement agency must establish and document that the following minimum selection standards are met by the applicant. The applicant must:

A. be a citizen of the United States or eligible to work in the United States under federal requirements;

B. possess a valid Minnesota driver's license or, when residing in another state, a valid driver's license from that state;

~~C. submit to a psychological screening that meets the requirements of part 6700.0675;~~

~~D.~~ C. provide a complete personal history using a form provided by the law enforcement agency and submit to a thorough background investigation conducted by the agency that meets the requirements of part 6700.0670;

~~E.~~ D. not been convicted of:

(1) a felony in Minnesota or an offense in another jurisdiction that would ~~have been~~ be a felony if committed in Minnesota;

(2) a felony in another jurisdiction, unless the felony has been expunged, set aside, or pardoned, or the person's civil rights have been restored and expressly provides for the possession of a firearm; and

~~(2)~~ (3) any of the following nonfelony offenses or the equivalent in another jurisdiction:

(a) gross misdemeanor assault in the fifth degree under Minnesota Statutes, section 609.224;

(b) bias crimes, including assaults motivated by bias under Minnesota Statutes, section 609.2231, subdivision 4, and criminal damage to property under Minnesota Statutes, section 609.595, subdivision 2, paragraph (b);

(c) domestic assault under Minnesota Statutes, section 609.2242;

(d) violation of a domestic abuse no contact order under Minnesota Statutes, section 629.75, subdivision 2;

(e) violation of an order for protection under Minnesota Statutes, section 518B.01, subdivision 14;

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

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

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

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

~~(j)~~ (i) criminal sexual conduct under Minnesota Statutes, sections 609.341 to 609.3451;

~~(k)~~ (j) indecent exposure under Minnesota Statutes, section 617.23;

~~(l) criminal sexual conduct in the fifth degree under Minnesota Statutes, section 609.3451;~~

~~(m)~~ (k) any mistreatment of a vulnerable adult, including under Minnesota Statutes, sections 609.2231; 609.231; 609.2325; 609.233; 609.2335; 609.234; and 609.72, subdivision 3;

~~(n)~~ (l) patrons of prostitution under Minnesota Statutes, section 609.324, subdivision 2;

~~(o)~~ (m) making false claims for profit to a public body or officer under Minnesota Statutes, section 609.465;

~~(p)~~ (n) attempting medical assistance fraud under Minnesota Statutes, section 609.466;

~~(q)~~ (o) theft under Minnesota Statutes, section 609.52, except that misdemeanor theft of movable property valued at $500 or less is not an automatic disqualification;

~~(r)~~ (p) interference with an emergency call under Minnesota Statutes, section 609.78, subdivision 2, clause (1);

~~(s)~~ (q) nonconsensual dissemination of private sexual images under Minnesota Statutes, section 617.261;

~~(t)~~ (r) interference with privacy under Minnesota Statutes, section 609.746;

~~(u)~~ (s) malicious punishment of a child under Minnesota Statutes, section 609.377;

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

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

~~(x)~~ (v) narcotics or controlled substance law, excluding any nonfelony marijuana offenses; and

(w) been required at any point in time to be registered as a predatory offender under Minnesota Statutes, section 243.166 or 243.167, or required to register as a sex offender in any other state at any point in time;

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

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

~~H.~~ G. have no record ~~or indication of participation or support of an extremist or hate group;~~ of conduct described in part 6700.1600, subpart 1, items H and I, with:

(1) a hate or extremist group as defined in part 6700.0100, subpart 29; or

(2) a criminal gang as defined in Minnesota Statutes, section 609.229, subdivision 1;

~~I.~~ H. be fingerprinted, and the fingerprints must be forwarded by the agency to the Bureau of Criminal Apprehension and the Federal Bureau of Investigation. The results of the fingerprint check must be maintained in the background investigation report;

~~J.~~ I. be free from any physical condition that ~~might~~ would adversely affect the performance of peace officer duties, as established through an exam by a licensed medical professional;

~~K.~~ J. have passed a psychological screening that ~~was conducted under~~ meets the requirements of part 6700.0675; and

~~L.~~ K. have ~~undergone~~ completed training equivalent to ~~an~~ or exceeding the requirements for emergency medical responder ~~or higher~~ registration under Minnesota Statutes, section 144E.27, subdivision 2, or to be completed within the first six months of employment~~; and~~.

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

Subp. 1a. **Exempt officers.** An officer with a current active or current inactive license on June 1, 2023, is exempt, as applied to conduct that occurred before June 1, 2023, from minimum selection requirements under items A and B, unless that license was inactive for a period of more than 12 consecutive months at any time after June 1, 2023:

A. subpart 1, item D, subitem (3), units (b), (d) to (j), and (p) to (u); and

B. subpart 1, items E, F, G, and K.

Subp. 1b. **Exempt unlicensed applicants.** Unlicensed applicants who enrolled in a professional peace officer education program or an agency cadet or training program prior to January 1, 2023, and completed the program and passed the licensing exam before December 31, 2028, are exempt from the following minimum selection requirements for conduct that occurred prior to January 1, 2023, when applying for a law enforcement position:

A. subpart 1, item D, subitem (3), units (b), (d) to (j), and (p) to (u); and

B. subpart 1, items E, F, G, and K.

Subp. 2. **Documentation.** The chief law enforcement officer must ensure that documentation necessary to show compliance with subpart 1 is retained by the law enforcement agency for the duration of any resulting employment. If the applicant is not employed by the agency, the background investigation must be retained for six years or as required by the agency's retention schedule, whichever is longer. The documentation is subject to periodic review by the board, and must be made available to the board at its request.

Subp. 3. [Repealed, 18 SR 1961]

Subp. 4. **More rigid standards.** A law enforcement agency may require ~~an applicant~~ its applicants to meet more rigid standards than those prescribed in this part.

6700.1600 STANDARDS OF CONDUCT.

Subpart 1. **Standards.** ~~A licensed peace officer is subject to discipline up to and including license revocation under part 6700.1710 when the board finds that the officer has violated~~ The board may impose disciplinary action as described in part 6700.1710 or Minnesota Statutes, section 626.8432, subdivision 1, paragraph (a), based on a violation of one or more of the standards of conduct. It is a violation of standards of conduct to:

A. engage in:

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

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

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

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

(5) obstructing legal process;

(6) fleeing by means other than a vehicle;

(7) carrying a pistol while under the influence of alcohol, a controlled substance, or an intoxicating substance; or

(8) driving while ~~impaired or~~ under the influence of alcohol, a controlled substance, or an intoxicating substance;

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

C. intentionally:

(1) mishandle evidence or property;

(2) make undisclosed or improper inducements to witnesses or suspects; or

(3) gain unauthorized access to or unlawfully misuse government data;

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

~~D.~~ E. regarding use of force:

(1) fail to intercede when observing another licensee using force beyond that which is objectively reasonable as required under Minnesota Statutes, section ~~626.8474~~ 626.8475;

(2) fail to report in writing within 24 hours to the chief law enforcement officer any use of force violations by another employee or peace officer as required under Minnesota Statutes, section ~~626.8474~~ 626.8475; or

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

~~E.~~ F. fail to:

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

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

(3) cooperate with a board investigation; or

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

~~F.~~ G. misuse a peace officer's authority by:

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

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

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

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

~~H. undermine or jeopardize public trust in law enforcement, establish a Brady-Giglio impairment, create an appearance of impropriety, or disrupt the cohesive~~

~~operation of law enforcement by supporting, advocating, or participating in any form in the activities of a white supremacist, hate, or extremist group or criminal gang that:~~

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

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

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

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

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

I. ~~support, advocate for, or participate in a white supremacist, hate, or extremist group or criminal gang under item H~~ join, support, advocate for, maintain membership in, or participate in the activities of a hate or extremist group as defined in part 6700.0100, subpart 29, or a criminal gang as defined in Minnesota Statutes, section 609.229, subdivision 1, as demonstrated by:

(1) dissemination of ~~extremist~~ material~~;~~ that promotes:

(a) the use of threats, force, violence, or criminal activity as described in part 6700.0100, subpart 29, item A;

(b) seditious activities; or

(c) the goals described in part 6700.0100, subpart 29, item C;

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

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

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

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

(6) other conduct that could reasonably be considered support, advocacy, or participation in the group's activities;

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

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

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

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

Subp. 3. **Prior conduct.** Conduct of law enforcement officers that occurred before June 1, 2023, is subject to standards of conduct in effect at the time the conduct occurred.

6700.1610 REPORTING OBLIGATIONS AND COOPERATION.

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

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

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

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

6700.1615 REQUIRED AGENCY POLICIES.

Subpart 1. **Required policy.** The chief law enforcement officer must ensure that the agency adopts, implements, and enforces the required policies listed in items A and B.

A. Each agency must adopt, implement, and enforce policies listed below that are based on ~~a~~ the board's model policy. An agency may incorporate additional agency specific requirements or more stringent requirements in its adopted policy, but must include the ~~specific~~ identical or substantially similar provisions of the board's model policy. The board is not responsible for enforcing any agency specific provisions of a required policy:

(1) use of force policy;

(2) eyewitness identification procedures policy;

(3) officer conduct complaint policy;

(4) professional conduct of officers policy;

(5) domestic abuse policy;

(6) racial profiling policy;

(7) investigation of sexual assault policy;

(8) public assembly-first amendment activity policy;

(9) missing and endangered persons policy;

(10) community notification of predatory offender policy;

(11) vehicle pursuit and emergency vehicle operations policy;

(12) criminal conduct on school buses policy;

(13) lighting exemption of law enforcement vehicles policy;

(14) administrative forfeiture policy;

(15) supervision of part-time licensed peace officers policy, applicable only if the agency employs a part-time officer under Minnesota Statutes, section 626.8468; and

(16) any other required agency policy as established by the legislature or the board addressing critical public safety and law enforcement procedures.

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

(1) automated license plate reader policy, applicable only if plate readers are used by the agency under Minnesota Statutes, section 626.8472;

(2) portable recording systems adoption policy, applicable only if the agency uses applicable recording systems under Minnesota Statutes, section 626.8473; and

(3) Use of unmanned aerial vehicles policy, applicable only if the agency uses drones or other applicable aerial devices under Minnesota Statutes, section 626.19.

Subp. 2. **Chief law enforcement officer.** The chief law enforcement officer must ensure that:

A. the current version of each required policy is posted on the law enforcement agency's website. If the agency does not have a website, the policy must be posted in the public area of the agency's physical premises;

B. a copy of the current version of each required policy is provided on request by an individual or organization;

C. a copy of the current version of each required policy is provided to each peace officer employed by the agency;

D. each required policy is reviewed at least annually with each officer;

E. the agency's adopted policy is enforced at all levels of the agency;

F. violations of a required policy are reported to the board; and

G. the policy and training compliance form provided by the board is completed and submitted to the board no later than March 1 of each year.

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

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