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# SPRING LAKE PARK POLICE DEPARTMENT POST MANDATED POLICY MANUAL

# Allegations of Misconduct

Policy #: 1.2.4

Effective Date: 1/1/2026

Revised Date: 12/2/2025

## I. PURPOSE

The purpose of this policy is to inform all personnel and members of the public of the procedures for reporting, receiving, investigating and resolving misconduct complaints regarding licensed peace officers employed by the department. The provisions of this policy are applicable to the administrative investigation and disposition of allegations of misconduct. This policy does not apply to a criminal investigation.

## II. DEFINITIONS

**ADMINISTRATIVE INVESTIGATION** - an internal investigation conducted in response to a complaint with the goal of determining whether an employee engaged in misconduct.

**COMPLAINANT** - a person who submits a complaint to the department or Chief alleging misconduct by a department member.

**COMPLAINT** – a statement alleging behavior that constitutes misconduct.

**DISCIPLINE** (of law enforcement personnel) - results of officer misconduct including any of the following or combination thereof: oral reprimand, written reprimand, suspension, demotion, and/or discharge.

**EXONERATED** – a fair preponderance of the evidence established that either: the department member named in the complaint was not involved in the alleged misconduct; or the act(s) that provided the basis for the complaint occurred; however, the investigation revealed that such act(s) were justified, lawful or proper.

**LAW ENFORCEMENT OFFICER** - any officer of the United States or of a state or political subdivision thereof who is empowered by law to conduct investigations of or to make arrests for offenses enumerated in this chapter, or any attorney authorized by law to prosecute or participate in the prosecution of such offenses.

**MEMBER** – all voluntary and compensated personnel of the department.

**MISCONDUCT** – a violation of a department policy or procedure governing conduct of department members; or conduct by a peace officer that would be a violation of POST Standards of Conduct per [Minn. Admin. Rules 6700.1600](#).

**NOT SUSTAINED** - means the investigation failed to disclose sufficient evidence to prove or disprove the allegations made in the complaint.

**POLICIES AND PROCEDURES** – the administrative rules adopted by the department regulating the conduct of agency members.

**POLICY FAILURE** – the complaint revealed a policy failure. The allegation is factual and the law enforcement officer(s) followed proper agency procedure, however, the procedure has proven to be deficient.

**RECEIVING AUTHORITY** – the entity who receives and is required to investigate the complaint when the subject of the complaint is the Chief of Police.

**RESPONDENT** - an individual who is the subject of a complaint investigation.

**SUSTAINED** - means a fair preponderance of the evidence obtained in the investigation established that the law enforcement officer's actions constituted misconduct.

**UNFOUNDED** - there is no factual basis for the allegation. The act or acts alleged did not occur.

### III. GUIDELINES

#### A. Acceptance and Filing of Complaints

1. All complaints against the department or its employees, whether initiated by the public or by a member of the department, shall be reviewed and investigated, including any anonymous complaint.
2. Complaint forms must be made available to members of the public through department personnel, at designated public facilities, and online.
3. Complaints may be received either in person, over the telephone, in writing, or via the internet. A complainant may remain anonymous but the complainant should be advised that remaining anonymous may affect the investigation of the complaint.
4. A complainant may be accompanied by an attorney or other representative at the time a complaint is filed or at any other stage of the process.
5. Employees must provide assistance to individuals who express the desire to lodge a complaint against any employee of the department. The complainant must be advised of the procedures for submitting the complaint and be provided with a copy of their submitted complaint.
6. The complainant should be asked to verify and attest that their complaint is complete and accurate to the best of their knowledge by signing the complaint form. If the complainant elects not to sign, this fact shall be documented and the complaint processed according to department procedure.
7. The Chief or the Chief's designee will forward a copy of the written complaint to the respondent only after it is determined that the complaint does not allege a criminal violation.
8. A Chief or Receiving Authority may delegate the duties and responsibilities required of a Chief by this policy to an appropriate designee(s).
9. Any complaint made against the Chief of Police must initially be made to the City Administrator.

#### B. Investigation of a Complaint Against a Chief

1. The city administrator must refer investigations of alleged misconduct

against a Chief to a neutral, external investigative entity such as an outside law enforcement agency or criminal justice agency that has no discernible conflict of interest.

C. Investigation of a Complaint Against an Officer

1. Upon receipt of the complaint, the Chief or the Chief's designee must make an initial determination as to whether or not the facts alleged require an administrative investigation. This determination must be based on current department policies and [Minnesota Administrative Rule 6700.1600](#).
2. If the Chief or the Chief's designee decides that an investigation is not required, the disposition of the complaint must be cleared as "unfounded," "not sustained," or "exonerated." The complainant and the respondent will both be notified of this decision and the basis for the determination. If the complainant supplies additional information within thirty (30) days of that initial determination, the Chief or the Chief's designee may re-review the complaint and choose to reverse the previous decision and order an administrative investigation.
3. If the Chief or the Chief's designee determines an administrative investigation is required, an appropriate designee will be assigned to investigate the complaint. The designated authority in charge of investigating employee conduct or internal affairs function shall have direct access to the Chief.
4. When the Chief or the Chief's designee believes an external investigation is appropriate, or when the Chief is the subject of the complaint, the investigation will be assigned to a neutral, external investigative entity that has no discernible conflict of interest.
5. The complaint investigator must inform the complainant of his or her name, business phone number, and the status of the complaint as soon as possible after being assigned the investigation.
6. The investigator must thoroughly investigate all allegations contained in the complaint and any other potential misconduct discovered in the course of the investigation. If the investigation reveals potential misconduct by another department member, the investigator must report that fact to the Chief or the Chief's designee or, in the case of a complaint against a Chief, the appropriate city administrator, manager, or mayor.
7. At the completion of the administrative investigation, the investigator shall prepare a report organized in the following manner:
  - a. *Allegations:* The "allegations" section of the report should be an itemized summary of the acts of misconduct alleged in the complaint. The summary must also include any and all rules, procedures, orders, statutes, or constitutional provisions that would be violated if the allegations were to be sustained.

- b. *Investigation:* The “investigation” section of the report should be a chronological summary of the investigation and include all pertinent facts obtained through interviews with the complainant, accused department personnel, and all available witnesses. Written statements, descriptions, analysis of any physical evidence, and all other relevant information must be included in this section.
  - c. *Conclusions:* The “conclusions” section of the report should detail the investigator’s findings and conclusions as to whether any misconduct occurred. If misconduct did occur, the report should state which provisions were violated and the underlying reasons for the investigator’s findings and conclusions.
- 8. All department personnel must cooperate with administrative investigations. When the respondent is a licensed peace officer, the investigation must comply with the requirements of [Minn. Stat. § 626.89](#), the officer’s collective bargaining agreement, and any other applicable laws, administrative rules, or policies.
  - 9. The investigation should be completed within thirty (30) days of the filing of the complaint unless the Chief or Receiving Authority determines there is good cause to grant an extension. The complainant and respondent must be informed of any extension given to the investigative process.

#### D. Review and Disposition

- 1. Upon completion of the investigation, the investigator must submit the report, case file, and all investigative notes to the Chief or Receiving Authority. The Chief or Receiving Authority may make a request for additional investigative work or make one or more of the following determinations regarding the complaint: Unfounded, Exonerated, Not Sustained, Sustained, and/or Policy Failure.
- 2. The Chief or Receiving Authority may postpone making a decision until any related criminal charges are resolved. If a determination is postponed, the complainant and respondent must be informed of the decision.
- 3. If the decision is “unfounded,” “exonerated,” “not sustained” or “policy failure” the Chief or Receiving Authority must notify the complainant and the respondent of the decision as soon as practical.
- 4. If the complaint is “sustained” the Chief or Receiving Authority will:
  - a. Issue findings of fact including a summary of the acts constituting misconduct and the specific statutes, policies, regulations and/or procedures violated;
  - b. Impose an appropriate remedial plan and/or disciplinary action; and
  - c. Advise the complainant of any public information regarding the disposition.

5. Prior to the implementation of any remedial and/or disciplinary action the respondent must be provided with a copy of the findings of fact. The Chief, Receiving Authority and/or designee must review the findings of fact with the respondent and explain the reasons for the remedial and/or disciplinary action. When a “sustained” disposition is final the respondent may appeal the disposition pursuant to the rules and law governing the accused member's employment.
  6. An administrative complaint investigation may be re-opened by the Chief or Receiving Authority at any time if substantial new evidence is discovered concerning the complaint.
- E. Maintenance and Disclosure of Data
1. The public disclosure of any data connected to an investigative complaint processes created or received by the department in connection with this policy is governed by the Minnesota Government Data Practices Act.
  2. All data collected, created, received, or maintained by the department in connection with this policy must be maintained in a secure location and retained in accordance with the department’s record retention schedule.
  3. The placement of the disposition report or other data in an employee’s personnel file must be governed by the department’s personnel policy.
  4. The access to data collected, created, received or maintained in connection with this policy and procedure may only be authorized by the Chief, the Responsible Authority, [Chapter 13, the Minnesota Government Data Practices Act](#), or by a valid court order.
- F. Post Board Reporting Requirement
1. Under [Minnesota Administrative Rule 6700.1610](#), a licensed peace officer must self-report any Standards of Conduct violations to the POST Board. The rule also states that an unlicensed person with knowledge of peace officer misconduct constituting grounds for action under [Minnesota Statute Chapter 14](#) or [Minnesota Administrative Rule 6700.1600](#) may report the violation to the Board.
  2. According to [Administrative Rule 6700.1615, subpart 2](#), when a Chief confirms that a peace officer employed by the department has violated a board-required policy or the Standards of Conduct, the Chief must report the violation to the POST Board in a timely manner.
  3. [Minn. Stat. § 626.8457, subd. 3](#), requires the Chief report to the POST Board any confirmed allegations of misconduct by a peace officer of the department. The Chief must report the incident to the Board as soon as a determination has been made that a violation occurred. The Chief must update the information submitted to the Board within thirty (30) days after the final disposition of a complaint or investigation has been issued. The department is prohibited from entering into a confidentiality agreement that would prevent disclosure of the data identified in [Minn.](#)

[Stat. § 626.8457, subd. 3\(b\)](#) to the POST Board. Any such confidentiality agreement is void as to the requirements of this section.

4. [Minn. Stat. § 626.8457, subd. 4](#), requires the Chief to cooperate with the POST Board after receiving written notification from the Board that it is investigating an allegation of misconduct within its regulatory authority. Cooperation includes providing an individual peace officer's public and private data related to the allegation(s) of misconduct when requested by the Board.

G. Annual Review

1. The Chief or the Chief's designee shall complete a written annual summary and analysis of all employee conduct complaints and dispositions to include outcomes of applicable disciplinary procedures as well as other ongoing reporting requirements pursuant to [Minn. Stat. § 626.8457\(3\)\(b\) and \(c\)](#).

# Professional Conduct of Peace Officers

Policy #: 1.2.7

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## I. PURPOSE

The purpose of this policy is to set clear expectations for professional conduct and to reinforce the department's commitment to integrity, accountability, and ethical behavior by all officers, both on and off duty.

## II. GUIDELINES

This policy applies to all officers of the department engaged in official duties whether within or outside of the territorial jurisdiction of the department. Unless otherwise noted, this policy also applies to off-duty conduct. Conduct not mentioned under a specific rule but that violates a general principle is prohibited.

- A. Officers shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota State Constitution, and all applicable laws, ordinances and rules enacted or established by a legal authority. Officers must understand and obey the laws defining the scope of their enforcement powers. Officers may only act in accordance with the powers granted to them. Officers shall obey the same laws they are entrusted to enforce.
  - 1. Officers shall not knowingly exceed their authority in the enforcement of the law.
  - 2. Officers shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.
  - 3. Officers shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.
  - 4. Officers, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.
  - 5. Officers will not, according to [Minn. Stat. § 626.863](#), knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.
- B. Officers shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system. Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. An officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.
  - 1. Officers shall carry out their duties with integrity, fairness and impartiality.
  - 2. Officers shall not knowingly make false accusations of any criminal,

ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.

3. Officers shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
  4. Officers shall take no action knowing it will violate the constitutional rights of any person.
  5. Officers must obey lawful orders but a peace officer must refuse to obey any order the officer knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the officer shall, if feasible, request the issuing officer to clarify the order. An officer refusing to obey an order shall be required to justify his or her actions.
  6. Officers learning of conduct or observing conduct that is in violation of any law or policy of the department shall take necessary action and report the incident to an immediate supervisor who shall forward the information to the Chief of Police. If the officer's immediate supervisor commits the misconduct the officer shall report the incident to the immediate supervisor's supervisor.
- C. Officers shall perform their duties and apply the law impartially and without prejudice or discrimination. Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Officers must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, gender, marital status, or status regarding public assistance, disability, sexual orientation, or age.
1. Officers shall provide every person in our society with professional, effective, and efficient law enforcement services.
  2. Officers shall not, whether on or off duty, allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, gender, marital status, or status regarding public assistance, disability, sexual orientation, or age.
- D. Officers shall not, whether on or off duty, exhibit any conduct which discredits themselves or the department or otherwise impairs their ability or that of other officers or the department to provide law enforcement services to the community. An officer's ability to perform the officer's duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Officers must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.
1. Officers shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform.
    - a. Officers shall not use narcotics, hallucinogens, or other controlled

substances except when legally prescribed. When medications are prescribed, the officer shall inquire of the prescribing physician whether the medication will impair the officer in the performance of the officer's duties. The officer shall immediately notify the officer's supervisor if a prescribed medication is likely to impair the officer's performance during the officer's next scheduled shift.

2. Officers shall not consume alcoholic beverages to the extent the officer would be rendered unfit for the officer's next scheduled shift. An officer shall not report for work with the odor of an alcoholic beverage on the officer's breath.
  3. Officers, whether on or off duty, shall not engage in any conduct which the officer knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
  4. Officers shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper procedures.
  5. Officers, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting obscene behavior, except as permitted by department policy.
  6. Officers shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the officer from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the officer from the petitioner's home or workplace.
  7. Officers shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the officer or the department. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the officer's personal or family relationships.
- E. Officers shall treat all members of the public courteously and with dignity and respect.
1. Officers shall be respectful and professional and shall exercise reasonable courtesy in their dealings with the public, other officers, superiors and subordinates, to include the use of respectful language in all interactions.
  2. No officer shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person to violence.
  3. Officers shall identify themselves to a citizen as soon as practical unless the information would compromise public safety or an investigation.

4. Officers shall attempt to answer any relevant questions a person might have regarding a contact with law enforcement, when appropriate.
  5. Officers shall promptly advise any inquiring citizen of the department's complaint procedure and shall follow the established department policy for processing complaints.
  6. Officers shall provide their last name and/or badge number when requested.
- F. Officers shall not compromise their integrity nor that of the department or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as a peace officer for personal, commercial or political gain. Officers must avoid conduct that does or could cast doubt upon the impartiality of the individual officer or the department.
1. Officers shall not use their official position, identification cards, or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.
  2. Officers shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the Chief.
  3. Officers shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.
  4. Unless required for the performance of official duties, officers shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit officers from conducting walk-throughs of such establishments as part of their regularly assigned duties.
  5. Officers shall not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of the department in connection with advertisements for any product, commodity or commercial enterprise.
  6. Officers shall maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity.
  7. Officers shall not make endorsements of political candidates while on duty or while wearing the department's official uniform.

This section does not prohibit officers from expressing their views on existing, proposed, or pending criminal justice legislation in their official capacity.

- G. Officers shall not compromise their integrity, nor that of the department or profession, by taking or attempting to influence actions when a conflict of interest exists. Officers must avoid taking or influencing official actions where those actions would or could conflict with the officer's appropriate responsibilities.

1. Unless required by law or policy, an officer shall refrain from becoming involved in official matters or influencing actions of other peace officers in official matters impacting the officer's immediate family, relatives, or persons with whom the officer has or has had a significant personal relationship.
  2. Unless required by law or policy, an officer shall refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the officer has or has had a business or employment relationship.
  3. An officer shall not use the authority of their position as a peace officer or information available to them due to their status as a peace officer for any purpose of personal gain including but not limited to initiating or furthering personal and/or intimate interactions of any kind with persons with whom the officer has had contact while on duty.
  4. An officer shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the officer's ability to impartially perform the officer's official duties.
  5. Officers shall observe the confidentiality of information available to them due to their status as peace officers. Officers are entrusted with vast amounts of private and personal information or access thereto. Officers must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the officer's and the department's commitment to preserving such confidences. Officers shall not knowingly violate any legal restriction for the release or dissemination of information.
  6. Officers shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses, or complainants.
  7. Officers shall not divulge the identity of persons giving confidential information except as required by law or department policy.
- H. Allegations of Misconduct Investigation and Reporting
1. Any disciplinary actions arising from violations of this policy shall be investigated in accordance with [Minn. Stat. § 626.89](#), Peace Officer Discipline Procedures Act and the department's Allegations of Misconduct Policy as required by [Minnesota Administrative Rule 6700.2000](#) to [6700.2600](#).

# Impartial Policing

Policy #: 1.2.8

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## I. PURPOSE

The purpose of this policy is to uphold the duties of the department by ensuring each of its employees enforce the law fairly, without bias, discrimination, or favoritism. The department is committed to impartial policing and reinforcing procedures that assure the public that employees are providing service and enforcing laws in a fair and equitable manner to all.

## II. DEFINITIONS

**BIASED-BASED POLICING** - any police-initiated action that relies on the perceived or known race, ethnicity, or national origin rather than the behavior of an individual or information that leads the police to a particular individual who has been identified as being, or having been, engaged in criminal activity.

**RACIAL PROFILING** (defined by [Minn. Stat. § 626.8471](#))- any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than: (1) the behavior of that individual; or (2) information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity. Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include Law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

## III. GUIDELINES

- A. Investigative detentions, pedestrian and vehicle stops, arrests, searches, and property seizures by officers shall be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution. Officers must be able to articulate specific facts, circumstances, and conclusions that support reasonable suspicion or probable cause when conducting investigations or other law enforcement related functions.
- B. Department personnel shall be impartial when executing their job-related duties. This means officers shall not solely consider race, ethnicity, national origin, gender, sexual orientation, or religion in establishing reasonable suspicion or probable cause. Officers may consider the descriptors listed above when they relate to and/or specifically link to suspected unlawful or suspicious activity by a particular individual or group of individuals. In such instances, the above-mentioned attributes may be used in the same manner as age, height, weight, or other physical characteristics of specific suspects.
- C. To prevent the perception of bias, when interacting with suspects, victims, or other members of the community, officers must:
  1. Be respectful and professional;

2. Introduce or identify themselves to the citizen(s) and state the reason for the contact as soon as practical unless providing information will compromise officer or public safety;
3. Ensure detentions are compliant with state and federal law;
4. Attempt to answer any relevant questions the citizen may have regarding the contact including relevant referrals to other agencies when appropriate;
5. Provide their last name or badge number when requested; and
6. Explain the basis and reason for the stop, especially when reasonable suspicion does not result in finding a criminal or unlawful behavior/conduct.

D. Duty to Report

1. Officers shall promptly report any suspected or known instances of bias-based policing to a supervisor. Department personnel should, when reasonable to do so, intervene to prevent any biased-based actions by another officer. If a supervisor receives a report of biased-based policing the supervisor shall inform the Chief as soon as practical so the department may, if warranted, initiate an internal investigation into the alleged conduct.

E. Violations

1. Sustained violations of this policy will result in remedial training and/or disciplinary action up to termination.
2. Confirmed violations of this policy must be reported to the POST Board in accordance with the reporting requirements in [Minn. Stat. §626.8457](#).

F. Training

1. All department personnel must review this policy annually.

# Lighting Exemption of Law Enforcement Vehicles

Policy #: 1.3.4

Effective Date: 1/1/2026

Revised Date: 12/6/2025

## I. PURPOSE

The purpose of this policy is to provide officers employed by the department with uniform guidelines for use when operating a department vehicle without headlights, taillights or marine navigational lighting while in performance of official law enforcement duties.

## II. DEFINITIONS

**DEPARTMENT VEHICLE** – any motorized or non-motorized, occupied or non-occupied, vehicle, watercraft, or aircraft owned, titled, rented, leased, or borrowed by the city and/or the department.

**ILLUMINATION DEVICES** – the headlights, taillights, and watercraft lights vehicles are required to be equipped with and use according to Minnesota Statute.

## III. GUIDELINES

- A. An officer shall operate a vehicle with its illumination devices on as described and guided by Minnesota Statute when:
1. On an interstate highway;
  2. At speeds greater than what is reasonable and prudent under existing weather, road and traffic conditions;
  3. Faster than the posted speed limit; or
  4. In situations where the officer is an active participant in the pursuit of a motor vehicle in violation of [Minn. Stat. § 609.487](#).
- B. When the circumstances described above do not apply, a peace officer may apply the lighting exemption statute, [Minn. Stat. § 169.541](#), and stop or interrupt the use of their vehicle illumination devices, if:
1. The peace officer does so in the performance of their duties;
  2. The conduct is reasonable; and
  3. The peace officer reasonably believes that turning off a vehicle's illumination devices is necessary under the circumstances to investigate a criminal violation or suspected criminal violation. The types of violations being investigated may be state laws, rules, orders, or local laws, or ordinances, or regulations.

# Administrative Forfeitures

Policy #: 1.7.1

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## I. PURPOSE

The purpose of this policy is to ensure that all department employees, all employees assigned to another law enforcement agency's task force and all employees assigned from an outside law enforcement agency to a task force in which this department serves as the fiscal agent, follow all state and federal laws pertaining to the processing of property seized for forfeiture.

## II. DEFINITIONS

**AMMUNITION** (defined by [Minn. Stat. § 609.02, subd. 17](#)) - ammunition or cartridge cases, primers, bullets, or propellant powder designed for use in any firearm. Ammunition does not include ornaments, curiosities, or souvenirs constructed from or resembling ammunition or ammunition components that are not operable as ammunition.

**CONTROLLED SUBSTANCE** (defined by [Minn. Stat. §152.01, subd. 4](#)) - a drug, substance, or immediate precursor in Schedules I through V of section [152.02](#). The term shall not include distilled spirits, wine, malt beverages, intoxicating liquors or tobacco

**CONVEYANCE DEVICE** (defined by [Minn. Stat. § 609.531, subd. 1\(a\)](#)) – a device used for transportation and includes but is not limited to a motor vehicle, trailer, snowmobile, airplane or vessel and any equipment attached to it. The term “conveyance device” does not include property, which is in fact, itself stolen or taken in violation of the law.

**FIREARM** (defined by [Minn. Stat. §609.666, subd. 1\(a\)](#)) - a device designed to be used as a weapon, from which is expelled a projectile by the force of any explosion or force of combustion.

**FIREARM ACCESSORIES** – devices and attachments made to be used for or with a firearm. Firearm accessories may include, but are not limited to, holsters, gun cases, firearm optics, suppression devices, and firearm cleaning supplies.

**FORFEITURE** – the process by which legal ownership of an asset is transferred to a government or other authority.

**FORFEITURE REVIEWER** – a department employee responsible for reviewing all forfeiture cases and who serves as the liaison between the department and the prosecutor's office.

**JEWELRY/PRECIOUS METALS/PRECIOUS STONES** - refers to items of jewelry such as rings, necklaces, and watches that reasonably appear to be made with precious metals or precious stones. Precious metals include, but are not limited to, gold, silver, platinum, iridium, and palladium. Precious stones, often referred to as gemstones, include, but are not limited to, diamonds, emeralds, and rubies.

**MONEY** (defined by [Minn. Stat. § 609.5314, subd. 1\(d\)](#)) - United States currency and coin; the currency and coin of a foreign country; a bank check, cashier's check, or traveler's check; a prepaid credit card; cryptocurrency; or a money order.

**SEIZURE** – the act of law enforcement officials taking property, including but not limited to, money and vehicles, that has been used in connection with or acquired as a result of illegal activities.

### III. GUIDELINES

#### A. Seized Property Subject to Administrative Forfeiture

1. The items described herein are subject to administrative forfeiture under [Minn. Stat. § 609.5314](#):
  - a. All money totaling \$1,500 or more, precious metals, and precious stones for which there is probable cause to believe they represent the proceeds of a controlled substance offense.
  - b. All money found in proximity to controlled substances when there is probable cause to believe that the money was exchanged for the purchase of a controlled substance.
  - c. All conveyance devices containing controlled substances with retail value of \$100 or more if there is probable cause to believe that the conveyance device was used in the transportation or exchange of a controlled substance intended for distribution or sale.
  - d. All firearms, ammunition, and firearm accessories.

#### B. Processing Seized Property for Forfeiture Proceedings

1. When any property subject to administrative forfeiture is seized, the officer making the seizure must ensure the required forfeiture forms are completed, that a receipt for the seized items is completed, and that the appropriate notifications are made within sixty (60) days pursuant to [Minn. Stat. § 609.5314, subd. 2](#).
2. The Notice form contains information in English, Hmong, Somali and Spanish concerning the right to obtain judicial review and the procedure to follow under [Minn. Stat. § 609.5314](#) for obtaining the review. The form must be dated and signed by the officer conducting the seizure. A department case number must be included on the form. The individual from whom the property was seized must be given an opportunity to sign the seizure notice form. If the person refuses, the officer conducting the seizure must check the appropriate box indicating the refusal to sign. If property is seized from multiple individuals, a separate seizure form must be completed for each individual. A copy of the seizure form must be given to the individual served.
3. All property subject to and being processed for forfeiture through the department must be held in the department's custody.
4. The officer conducting the seizure shall ensure the original and pink copy of the seizure notices, seized property processing worksheets, property receipts and reports are forwarded to the Forfeiture Reviewer within ten (10) days of the seizure. The officer who conducted the seizure shall

inform the Forfeiture Reviewer of the estimated retail value of drugs found in proximity to the asset seized.

5. Money

- a. Officers shall not seize money having an aggregate value less than the department's established minimum, unless pre-recorded buy funds are included in the money seized. Money shall be counted by two officers while in the presence of one another, then the money must be placed in an envelope that is sealed and initialed and dated by the two officers. This process should be documented via video recording. If video recording is not available the officer shall document the reason(s) why a recording was not captured in their report. The property bag and/or inventory receipt shall then be signed and dated by the two officers who counted the money.
- b. All forfeitable money seized will be turned over to the Forfeiture Reviewer or the property room as soon as practical after the seizure. Prior to deposit with the Forfeiture Reviewer, officers shall examine all money seized to determine whether it contains any buy funds. Officers shall document the recovery of all buy funds and deposit those funds with the Forfeiture Reviewer or other designated person or entity to be returned to the appropriate unit's buy fund account.
- c. Officers seizing money shall also prepare a property inventory. If money is seized from multiple individuals, a property inventory receipt shall be completed for each individual. The property inventory receipt shall specify the total amount of money seized from each individual. The department property inventory shall also contain a detailed description of all money, checks, money orders, travelers checks and/or other financial instruments. The officer conducting the seizure shall provide a copy of the completed property inventory receipt to the Forfeiture Reviewer.
- d. It is the seizing officer's responsibility to secure the money consistent with the department's policies and procedures for seizing/forfeiting money.

6. Jewelry/Precious Metals/Precious Stones

- a. Officers seizing jewelry, precious metals and/or precious stones will write a detailed description of each item on the property inventory form/receipt prior to inventorying the items. A copy of the property receipt and any photographs of items shall be delivered to the Forfeiture Reviewer and kept with the case file. Officers seizing jewelry, precious metals or precious stones shall deliver those items to the property room as soon as practical.

7. Conveyance Device

- a. Upon seizure for forfeiture, all conveyance devices shall

immediately be either taken to a secure designated area or to an department approved impound facility. Officers shall inventory the conveyance device and its contents in accordance with the department's policies and procedures. Officers shall also complete the applicable forms and distribute them as appropriate. Copies of the appropriate forms shall also be provided to the Forfeiture Reviewer and kept with the case file.

8. Firearms/Ammunition/Firearm Accessories

- a. When firearms, ammunition, or firearm accessories are seized, they shall be inventoried and delivered to the property room as soon as practical. The appropriate forms shall be completed and distributed as appropriate. Copies of the completed forms shall be provided to the Forfeiture Reviewer and kept with the case file.

C. Forfeiture Reviewer

1. The Forfeiture Reviewer is responsible for ensuring forfeiture changes are forwarded to a supervisor for review.

D. Reports

1. Officers seizing property shall complete a report. All reports must include a description of the items seized, where the property was turned-in/inventoried, the name of the individual served, the date the seizure form was served, the name of the serving officer, and whether or not the individual signed the forfeiture form.
2. All reports dealing with the seized property must be completed within twenty- four (24) hours of the seizure unless the officer received permission from their direct supervisor to exceed the twenty-four (24) hour requirement. In such instances, information regarding what item was seized, by whom, and where the property is being stored shall be documented in a location accessible by other department personnel.

# Response to Resistance

Policy #: 3.3.2

Effective Date: 1/1/2026

Revised Date: 12/11/2025

## I. POLICY

It is the policy of the department to ensure officers respect the sanctity of human life when making decisions regarding use of force. Peace officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends.

Officers shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer.

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Officers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from peace officers.

The decision by an officer to use force shall be evaluated from the perspective of a reasonable peace officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

This policy applies to all licensed peace officers and part-time peace officers engaged in the discharge of official duties. This policy is to be reviewed annually. Any questions or concerns should be addressed with the immediate supervisor for clarification.

## II. DEFINITIONS

**AUTHORIZED DEVICE** - a device an officer has received permission from the department to carry and use in the performance of the officer's duties, and for which the officer has: obtained training in the technical, mechanical and physical aspects of the device; and developed a knowledge and understanding of the law, rules and regulations regarding the use of such a device.

**BODILY HARM** (defined by [Minn. Stat. § 609.02, subd. 7](#))- physical pain or injury, illness, or any impairment of physical condition.

**CHOKER HOLD** (defined by [Minn. Stat. § 609.06, subd. 3\(b\)](#))- a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choker hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries.

**DE-ESCALATION** - acting or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the

threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

**DEADLY FORCE** (defined by [Minn. Stat. § 609.066, subd. 1](#)) - force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm, other than a firearm loaded with less lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

**EXIGENT CIRCUMSTANCES** - refers to circumstances that would lead a reasonable officer to believe that a particular action is immediately necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence to individuals or law enforcement's efforts.

**GREAT BODILY HARM** (defined by [Minn. Stat. § 609.02, subd. 8](#)) - bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**IMMINENT** - something is ready to take place or is impending. Imminent does not mean instantaneous.

**LESS-LETHAL FORCE** - any use of force other than that which is considered deadly force that involves the physical effort to control, restrain, or overcome the resistance of another person.

**OBJECTIVELY REASONABLE** - the use and level of force used by an officer, given the totality of the circumstances and information known by the police officer at the time the force was used, is in alignment with what any other reasonable and prudent peace officer would do in the same or similar situation. Objective reasonableness is not evaluated using hindsight.

**TOTALITY OF THE CIRCUMSTANCES** - refers to all the facts and circumstances known to a police officer at the time, taken as a whole, when a use of force determination is made. This includes the conduct of the peace officer and subject leading up to any use of force.

### III. GUIDELINES

#### A. General Provisions

1. An officer shall use de-escalation techniques and other alternatives to force consistent with their training whenever possible and appropriate before resorting to force. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or the commission of a crime, an officer shall allow an individual time and opportunity to submit to verbal commands before force is used
2. In general, when using force, officers should consider or ensure the following:

- a. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
    - b. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used.
    - c. Once the scene is safe and as soon as practical, an officer shall provide appropriate medical care, consistent with his or her training, to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility.
  3. Except in cases where deadly force is authorized as articulated in [Minn. Stat. § 609.066](#) to protect the peace officer or another from death or great bodily harm, officers are prohibited from;
    - a. Using chokeholds,
    - b. Tying all of a person's limbs together behind their back to render the person immobile (i.e. a "hog tie"), or
    - c. Securing a person in any way that results in transporting the person face down in a vehicle.
  4. All uses of force shall be documented and investigated pursuant to the department's policies and procedures.
- B. Less-Lethal Force
1. When de-escalation techniques are not effective or appropriate, an officer may consider the use of force to control a non-compliant or actively resistant individual. An officer is authorized to use department-approved force techniques and equipment in the following circumstances:
    - a. Effecting a lawful arrest;
    - b. Executing a legal process;
    - c. Enforcing an order of the court;
    - d. Executing any other duty imposed upon the officer by law; and/or
    - e. Defending oneself or another.
- C. Deadly Force
1. An officer is authorized to use deadly force if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary. Use of deadly force is justified when one or both of the following apply:
    - a. To protect the officer or another from death or great bodily harm,

provided that the threat:

- Can be articulated with specificity;
- Is reasonably likely to occur absent action by the officer; and
- Must be addressed through the use of deadly force without unreasonable delay; or

b. To effect the arrest or capture, or prevent the escape, of a person whom the officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria listed above unless immediately apprehended.

2. An officer shall not use deadly force against a person based on the danger the person poses to themselves if an objectively reasonable officer would believe, based on the totality of the circumstances, that the person does not pose a threat of death or great bodily harm to the officer or another.
3. When feasible, the officer shall identify themselves as a law enforcement officer and warn of their intent to use deadly force.

D. Duty to Intercede and Report

1. Regardless of tenure or rank, an officer shall intercede when:
  - a. They are present and observe another peace officer use force in violation of [Minn. Stat. § 609.066, subd. 2](#), or otherwise beyond that which is objectively reasonable under the circumstances; and
  - b. They are physically or verbally able.
2. An officer who observes another peace officer use force that exceeds the degree of force permitted by law has the duty to report the incident in writing within twenty-four (24) hours to the Chief. This report shall be made even if the peace officer observed using excessive force is not employed by the department.

E. Written Report Requirement

1. A written report shall be submitted whenever an employee of the department uses weapons or force, including:
  - a. Discharging a firearm, for other than training or recreational purposes;
  - b. Application of deadly force;
  - c. Application of less lethal devices or weapons or a conducted energy weapon;
  - d. Application of weaponless subject control; or
  - e. Unintentional discharge of a firearm or a conducted energy weapon.
2. In addition to documenting any force used in a report, the specific Use of

Force Form must also be completed anytime an officer utilizes physical force and/or threatens the use of physical force which exceeds the routine application of handcuffs and/or escorts that do not cause any apparent injury to the subject or officer. Threats of physical force include the display and/or threatened use of any weapons. The completed Use of Force Form should be turned in to the officer's supervisor.

3. The Use of Force Form shall be entered into the appropriate record keeping system. The supervisor should review the body worn camera footage, in-squad video, reports, and any other available resources to determine if departmental policy was followed. If a policy violation is observed, the supervisor shall document the violation and forward it to their supervisor. That supervisor shall review the incident and must initiate an administrative investigation when appropriate. See Allegations of Misconduct policy.

F. Training

1. All officers shall receive training, at least annually, on the department's Response to Resistance policy and related legal updates. Throughout the year, the department will provide its officers de-escalation, simulation, and scenario-based trainings focused on use of force to aid officers in use of force situations and determinations.
2. Before being authorized to carry a firearm, all officers shall receive training and instruction with regard to the proper use of deadly force and to the department's policies and state statutes with regard to such force. Such training and instruction shall continue on an annual basis.
3. Before carrying an authorized device, all officers shall receive training and instruction on the use of the device including training as it relates to use of force situations. Such training and instruction shall continue on an annual basis. Officers shall only carry and use authorized devices unless circumstances exist, which pose an immediate threat to the safety of the public or the officer that justify the use of a device or object, that has not been previously authorized, to counter such a threat. With department approval, officers may modify, alter, or cause to be altered an authorized device in their possession or control.
4. The Chief shall maintain records of the department's compliance with mandatory use of force training.

# Public Assembly and First Amendment Activity

Policy #: 3.3.3

Effective Date: 1/1/2026

## I. PURPOSE

The purpose of this policy is to provide department personnel written guidelines regarding the application and operation of acceptable law enforcement actions addressing public assemblies and First Amendment activity. The department supports the individual rights of freedom of speech, expression, and peaceful assembly, which are protected by the United States Constitution and the Minnesota State Constitution. However, neither constitution protects criminal activity or threats against citizens, businesses, or critical infrastructure.

When dealing with First Amendment activity, officers shall ensure their actions are within the scope of the constitutions.

The [First Amendment](#) to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

The [Bill of Rights in Article 1](#) of the [Minnesota Constitution](#) addresses the rights of free speech and the liberty of the press.

## II. POLICY

The department will uphold the constitutional rights of free speech and assembly while using the minimum use of physical force and authority reasonably required to address a crowd management or crowd control issue. The policy of the department regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a public assembly or First Amendment activity. Department personnel must not harass, intimidate, or discriminate against or unreasonably interfere with persons engaged in the lawful exercise of their rights. This policy concerning crowd management, crowd control, crowd dispersal, and law enforcement responses to violence and disorder applies to spontaneous demonstrations, crowd event situations, and planned demonstrations or crowd events regardless of the permit status of the event. This policy shall be reviewed annually by all personnel.

This policy does not preclude officers from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

## III. DEFINITIONS

**CHEMICAL AGENT MUNITIONS** - munitions designed to deliver chemical agents from a launcher or hand thrown.

**CONTROL HOLDS** - soft empty hand control techniques that do not involve striking.

**CROWD CONTROL** - techniques used to address unlawful public assemblies.

**CROWD MANAGEMENT** - techniques used to manage lawful public assemblies before, during, and after an event. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and past event critiques.

**DEADLY FORCE** (defined by [Minn. Stat. § 609.066, subd. 1](#)) - force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing, death or great bodily harm. The intentional discharge of a firearm, other than a firearm loaded with less lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force.

**DIRECT FIRED MUNITIONS** - less-lethal impact munitions that are designed to be direct fired at a specific target.

**FIRST AMENDMENT ACTIVITIES** - First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression.

Common First Amendment activities include, but are not limited to, speeches, demonstrations, vigils, picketing, distribution of literature, displaying banners or signs, street theater, and other artistic forms of expression. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the Minnesota State Constitution. The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.

**GREAT BODILY HARM** (defined by [Minn. Stat. § 609.02, subd. 8](#)) bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**LEGAL OBSERVERS** refers to individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests, and other activities. The following may be indicia of a legal observer: wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

**LESS LETHAL IMPACT MUNITIONS** (defined by [Minn. Stat. § 609.066, subd. 1](#)) - projectiles which are designed to stun, temporarily incapacitate, or cause temporary discomfort to a person.

**MEDIA** -- any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution. For purposes of this policy, the following are indicia of being a member of the

media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

#### IV. GUIDELINES

##### A. Response to Crowd Situations

##### 1. Operational Planning

a. For preplanned First Amendment events, within the department's jurisdiction, supervisory/command staff shall develop an operational plan. The plan shall be communicated to and should be followed by personnel involved in the operation. The operational plan, at a minimum, should include the following information:

- The event date, time, and location,
- The type of event and the groups involved (organizer information may be included, if available),
- A description of the anticipated weather conditions,
- Department personnel assignments,
- Details regarding the equipment and additional resources available (including mutual support agencies), and
- Any other operational information that would be helpful to involved personnel.

b. For unplanned First Amendment events, the first responding officer should assess the event without interfering with attendees. From the assessment, the officer shall relay the following information, if it is known, to dispatch and command staff:

- The location of the event,
- The approximate number of attendees,
- The purpose of the event,
- Whether any indicators of unlawful activity are present, and
- The officer's predicted ability/need to continue monitoring the event.

##### 2. Uniform

a. All officers responding to First Amendment assemblies must at all times, including when wearing protective gear, display the department's name and a unique personal identifier in compliance with the department's uniform requirements. The Chief must maintain a record of any officer at the scene who is not in compliance with this requirement due to exigent circumstances.

3. Officer Conduct

- a. All officers responding to public assemblies must be mindful of their personal conduct and remain professional.
- Officers shall avoid negative verbal engagement with members of the crowd. Verbal abuse against officers does not constitute a reason for an arrest or for any use of force against such individuals.
  - Officers must maintain professional demeanor and remain neutral in word and action despite unlawful or anti-social behavior on the part of crowd members.
  - Officers must not act or fail to act based on the opinions being expressed.
  - Officers must not interfere with the rights of members of the public to observe and document police conduct via video, photographs, or other methods unless doing so interferes with on-going police activity.

4. Lawful Assembly

- a. Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest, or otherwise express their views and opinions through varying forms of communication including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting, and loitering.

5. Unlawful Assembly

- a. According to [Minn. Stat. 609.705](#), an assembly is considered unlawful when three or more persons assemble 1) with the intent to commit an unlawful act by force; 2) with intent to carry out any purpose in a manner that will disturb or threaten the public peace; or 3) without an unlawful purpose, but the participants so conduct themselves in a disorderly manner as to disturb or threaten the public peace. It is a misdemeanor for an individual to participate in an unlawful assembly.
- The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly.
  - The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.
  - Whenever possible, the unlawful behavior of a few

participants must not result in the majority of peaceful protestors being deprived of their First Amendment rights, unless other participants or officers are threatened with dangerous circumstances.

- Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques must not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease, and the First Amendment activity can continue.

#### 6. Declaration of Unlawful Assembly

a. If the on-scene supervisor/incident commander has declared an unlawful assembly, the reasons for the declaration and the names of the decision maker(s) must be recorded. The declaration and dispersal order must be announced to the assembly. The name(s) of the officers announcing the dispersal order should be recorded, with the time(s) and date(s) documented. The dispersal order must include:

- The name and rank of the person and agency giving the order;
- A declaration of “Unlawful Assembly” and the reason(s) for the declaration;
- Information regarding egress or escape routes that may be used by individuals to disperse;
- The specific consequences of failure to comply with dispersal order; and
- How long the group has to comply with the dispersal order.

b. Dispersal announcements must be made in a manner that will ensure that they are audible over a sufficient area. Dispersal announcements must be made from different locations when the demonstration is large and noisy. The dispersal announcements should be repeated after commencement of the dispersal operation so that individuals who were not present for the original broadcast will understand that they must leave the area. The announcements must specify adequate egress or escape routes. Whenever possible, a minimum of two escape/egress routes shall be identified and announced. Whenever possible, dispersal orders should also be given in other languages that are appropriate for the audience. Officers must recognize that not all crowd members may be fluent in the language(s) used in the dispersal order.

#### 7. Crowd Dispersal

a. Crowd dispersal techniques should not be initiated until officers

have made repeated announcements to the crowd, or are aware that repeated announcements have been made, asking members of the crowd to voluntarily disperse. The dispersal orders should have also informed individuals in the crowd of the specific consequences that will result due to a failure to disperse (i.e., arrest). Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with a peace officer's commands before action is taken. If verbal announcements to disperse do not result in voluntary movement by the crowd, officers may utilize additional crowd dispersal tactics. Additional crowd dispersal tactics must be approved and ordered by the on-scene supervisor/incident commander before department staff may deploy additional crowd dispersal tactics/tools. The use of these crowd dispersal tactics shall be consistent with department policy. Officers must use the minimal amount of intervention reasonably necessary to address a crowd management or control issue.

- b. If a group or crowd subsequently participates in another assembly at a different geographical location after receiving a dispersal order, so the participants are not engaged in unlawful activity, the assembly cannot be dispersed. A secondary assembly may only be dispersed after a determination of unlawful assembly and new declarations and dispersal orders have been issued.

**B. Tactics and Weapons to Disperse or Control a Non-Compliant Crowd**

The purpose of this section is to provide officers guidance on use of force determinations when dealing with non-compliant crowds and/or crowd dispersals. Nothing in this policy prohibits an officer from using appropriate force in order to defend themselves or others as outlined by the department's Response to Resistance policy or Minnesota Statute.

**1. Contact Weapons**

Contact weapons shall be used only when soft and hard empty hand controls have failed to bring the subject or situation under control, and it reasonably appears other such methods would be ineffective. Contact weapons may only be used in the manner described herein, unless the use of deadly force is warranted.

- a. Batons may be visibly displayed and held in a ready position during squad or platoon formations.
- b. When reasonably necessary for the protection of peace officers or to disperse individuals in the crowd pursuant to the procedures of this policy, batons or other contact weapons may be used in a pushing, pulling, or jabbing motion. Baton jabs must not be used indiscriminately against a crowd or group of persons but only against individuals who are physically aggressive or actively resisting arrest. Baton jabs should not be used in a crowd control situation against an individual who is attempting to comply but is physically unable to

disperse or move because of the press of the crowd or some other fixed obstacle.

- c. Contact weapons may be used to defend officers from an actively aggressive suspect.
- d. Contact weapons may be used to strike an actively aggressive suspect for the purpose of rendering that person temporarily incapacitated in order to bring the situation under control. Officers may only strike areas of the body identified in their training that result only in incapacitation.
- e. Intentionally striking an individual in the head or neck with a contact weapon is only justified in the use of deadly force.
- f. Indiscriminately swinging or striking individuals in a crowd is prohibited.

## 2. Direct Fired Munitions

Direct fired munitions may never be used indiscriminately against a group or crowd even if some individuals are involved in violent or disruptive behavior/criminal activity. A(n) officer(s) use of direct fired munitions must be in alignment with this policy.

- a. Except for exigent circumstances, the on-scene supervisor/incident commander must authorize the deployment of direct fired munitions.
- b. Officers using munitions must be trained and qualified in their use per department policy.
- c. Officers are authorized to deploy direct fire munitions in accordance with their training and manufacturer specifications.
- d. Officers shall not discharge direct fired munitions at a person's head, neck, throat, face, left armpit, spine, kidneys, or groin unless deadly force is justified.
- e. When circumstances permit, the on-scene supervisor/incident commander must attempt to accomplish the policing goal without the use of direct fired munitions as described above, and, if practical, an audible warning shall be given to a subject before deployment of the weapon.

## 3. Aerosol Chemical Agents

Aerosol chemical agents must be used during a crowd event in accordance with the department's policies.

- a. Aerosol hand-held chemical agents shall be used in accordance with the officer's training and manufacturer specifications.
- b. High volume OC delivery systems, such as a MK9, are designed for and may be used during a crowd event against individuals and/or groups of individuals engaged in unlawful acts or endangering public

safety and/or security.

- c. Aerosol hand-held chemical agents may not be used indiscriminately against a crowd or group of persons, but only against specific individuals who are engaged in specific acts of serious unlawful conduct or who are actively resisting arrest.
- d. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.
- e. When possible, persons should be removed quickly from any area where chemical agents have been used. Officers must monitor the subject and pay particular attention to the subject's ability to breathe following the application of a chemical agent. If/when possible, decontamination efforts must be made.
- f. Subjects who have been affected by chemical agents shall be placed in the recovery position if a seated or standing position cannot be achieved.

#### 4. Chemical Munitions

- a. Chemical munitions may be used for crowd control and dispersal when:
  - a threat of imminent harm or serious property damage is present, or other crowd dispersal techniques have failed or did not accomplish the policing goal as determined by the incident commander,
  - sufficient egress exists to safely allow the crowd to disperse, and
  - the use of chemical munitions is approved by the on-scene supervisor/incident commander.
- b. When feasible, additional announcements should be made prior to the use of chemical munitions in a crowd situation warning of the imminent use of chemical munitions. Additionally, each chemical munition round deployed must be recorded. The information that shall be recorded for each chemical munition round deployed and be available to the public upon request includes:
  - the name the chemical munition used,
  - the location the munition was deployed,
  - the time the munition was deployed, and
  - the safety data sheets (SDS) for the type of chemical agent used.
- c. When chemical munitions are used and when feasible, an emergency responder will be on standby at a safe distance near the target area. Chloroacetophenone (CN) chemical munitions

are prohibited.

5. Conducted Energy Weapons (CEWs)

- a. CEWs must not be used for the purposes of crowd control, crowd containment, or crowd dispersal.

C. Media

1. The media have a First Amendment right to cover public activity, including the right to record video or film, livestream, photograph, or use other mediums. The media must not be restricted to an identified area, and must be permitted to observe and must be permitted close enough access to view the crowd event and any arrests. An onsite supervisor/incident commander may identify an area where media may choose to assemble. Officers will not arrest members of the media unless they are physically obstructing lawful efforts to disperse the crowd, or efforts to arrest participants, or engaged in criminal activity. The media must not be targeted for dispersal or enforcement action because of their media status. Even after a dispersal order has been given, clearly identified media must be permitted to carry out their professional duties unless their presence would unduly interfere with the enforcement action.

D. Legal Observers

1. Legal observers, including unaffiliated self-identified legal observers and crowd monitors, do not have the same legal status as the media, and are subject to laws and orders similar to any other person or citizen. Legal observers and monitors must comply with all dispersal orders unless the on-site supervisor/incident commander chooses to allow individual legal observers and monitors to remain in an area after a dispersal order. Legal observers and crowd monitors must not be targeted for dispersal or enforcement action because of their status.

# Motor Vehicle Pursuits

Policy #: 3.5.2

Effective Date: 3/6/2026

## I. POLICY

Vehicle pursuits expose the public, peace officers, and offenders to a variety of risks including serious injury or death. Department personnel must consider a variety of factors, including the sanctity of human life, when making vehicle pursuit determinations.

## II. DEFINITIONS

**BLOCKING OR VEHICLE INTERCEPT** - a slow-speed coordinated maneuver where two or more law enforcement vehicles simultaneously intercept and block the movement of a suspect vehicle, with the driver possibly unaware of the impending enforcement stop, with the goal of containment and preventing a pursuit. Blocking is not a moving or stationary roadblock.

**BOXING IN** - a tactic designed to stop a violator's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

**CHANNELING** - to direct vehicular traffic into a progressively narrowing passageway or lane location on the roadway.

**COMPELLING PATH** - the use of channeling technique with a modified roadblock located at its narrowed end. The compelling path differs from a termination roadblock in that the driver or any vehicle traveling the path has an exit option at the narrowed end.

**DISCONTINUE A PURSUIT** – a pursuit is discontinued when the pursuing peace officer(s) turn off their emergency lights/siren, reduce speed to the posted speed limit, and notify dispatch that the pursuit has ended.

**DIVIDED HIGHWAY** - any highway that is separated into two or more roadways by a physical barrier or has a dividing middle section constructed to impede vehicular traffic.

**FLEE** (defined by [Minn. Stat. § 609.487, subd. 1](#)) - to increase speed, extinguish motor vehicle headlights or taillights, refuse to stop the vehicle, or use other means with intent to attempt to elude a peace officer following a signal given by any peace officer to the driver of a motor vehicle.

**OTHER ASSISTING UNITS** – law enforcement units not actively involved in the pursuit who assist by deploying stop sticks, blocking intersections, making compelling paths, or otherwise working to minimize risk.

**PARALELLING** - the practice of non-pursuing squad vehicles driving on streets near the active pursuit, in a manner that is generally parallel to the pursuit route. Parallel driving does not exempt officers from obeying traffic laws. [Minn. Stat. § 169.14, subd. 1](#).

**PORTABLE TIRE DEFLATION DEVICE** – a device that extends across the roadway and is designed to puncture the tires of the fleeing offender's pursued vehicle.

**PRIMARY UNIT** - the law enforcement unit that initiates a pursuit or any other unit that

assumes control of the pursuit.

**PURSUIT** - an active attempt by a peace officer in an authorized emergency response vehicle to apprehend a driver of a motor vehicle who, having been given a visual and audible signal by a peace officer to bring their vehicle to a stop, increases speed, extinguishes motor vehicle headlights or taillights, refuses to stop the vehicle, or uses other means with intent to attempt to elude a peace officer.

**PURSUIT INTERVENTION TECHNIQUE (PIT)** -- a driving maneuver designed to stop a fleeing motorist by applying precision vehicle-to-vehicle contact resulting in a predictable spin of the suspect's vehicle, bringing it to a stop.

**RAMMING** - the deliberate act of colliding with a fleeing offender's vehicle with another vehicle to functionally damage or otherwise force the violator to stop.

**SUPPORT UNITS** - refers to the secondary responding units whose responsibility it is to remain in close proximity to the pursuing vehicle(s) so that officers are immediately available to render aid or assistance to anyone who may require it as a result of the pursuit. Support officers may also assume responsibility for radio traffic.

### III. GUIDELINES

#### A. Guiding Principles

1. The decision to pursue a fleeing motor vehicle should be based on the totality of the information and circumstances known to the officer at the time the decision is made, without the benefit of hindsight. Officers pursuing a motor vehicle shall evaluate the risks to the public and other officers against the potential consequences of failing to apprehend the offender(s). When pursuing a motor vehicle, officers shall slow down and sound their siren or, minimally, display one red light to the front before cautiously proceeding through an area displaying a stop sign or red light. Speed limitations do not apply to an authorized emergency vehicle that is engaged in a pursuit. This does not relieve the driver of an authorized emergency vehicle from the duty to drive with due care/regard nor from the consequences of recklessly disregarding the safety of others. When the likelihood of a collision with another vehicle or pedestrian is higher, officers shall reduce their speeds and ensure the area is clear. During a pursuit, involved officers shall frequently evaluate the factors and conditions affecting a pursuit and discontinue when appropriate. No officer will be disciplined for discontinuing a pursuit.

#### B. Pursuit Considerations

1. A pursuit is justified when the risks of such a law enforcement action are outweighed by either 1) the immediate need to apprehend the suspect or 2) the risk the suspect poses to public.
2. When engaging in a pursuit, officers must consider the following factors:
  - a. The severity or nature of the offense, in cases of non-violent offenses, officers should consider discontinuing the pursuit;
  - b. Speed of the pursuit;

- c. Area of the pursuit, including the geographical area, time of day, amount of vehicular and pedestrian traffic, and the officer's familiarity with the area;
    - d. Whether there are divided highways or one-way roads;
    - e. The presence and approach of intersections that are controlled by traffic signals, signs or other locations where there is an increased likelihood of a collision;
    - f. Environmental conditions, such as weather, visibility, and road surface conditions;
    - g. The ability to identify the offender at a later time;
    - h. Age of the suspect and occupants; and
    - i. Whether there are other individuals or suspects in the vehicle.
  3. When the decision is made to engage in a pursuit, the officer shall continuously assess the pursuit and the present factors. When conducting their evaluation, officers should ask themselves the following questions:
    - a. Does the immediate need to apprehend the offender outweigh the risk created by the pursuit?
    - b. Do the dangers created by the pursuit exceed the dangers posed by allowing the offender to escape?
- C. Procedures and Tactics for an Officer Engaging in a Pursuit
  1. All emergency vehicles shall be driven in a safe manner and with due regard for public safety.
  2. Emergency vehicles operating in emergency mode are permitted to violate certain traffic regulations, when necessary, as long as the operator continues to exercise due care.
- D. Primary Unit
  1. The primary officer, or primary unit, shall notify the Public Safety Answering Point (PSAP) of the pursuit and provide the following information, when possible:
    - a. Travel direction/location/traffic and road conditions;
    - b. Reason for initial contact, providing specific violation(s);
    - c. Identity of the fleeing driver, if known;
    - d. Plate number, if available, and/or vehicle description; and
    - e. Speed of the fleeing vehicle.
  2. During a pursuit, the primary unit shall, when feasible, provide any relevant or evolving information to PSAP.
  3. No officer will intentionally make vehicle-to-vehicle contact with the suspect unless the action is in accordance with the department's Response to

Resistance Policy.

4. Roadblocks must conform to the department's Response to Resistance Policy.
5. Only a law enforcement vehicle with emergency lights and siren may be used as a pursuit vehicle.
6. Unmarked and low-profile department vehicles may engage in pursuits until a marked vehicle can take over as the primary vehicle. Officers shall not become engaged in a pursuit while operating a non-department (private) motorvehicle or departmental vehicles that do not have all required emergency equipment.

E. Support Units

1. Secondary officers, or support units, are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Support units directly involved in the pursuit should utilize their siren and/or emergency lights.
2. When possible, non-pursuing personnel needed at the conclusion of the pursuit should respond in a non-emergency manner, obeying all non-emergency traffic laws.

F. Supervision of Pursuit Activities

1. When feasible, pursuits should be monitored by a supervisor not directly involved in the pursuit. Supervisors should give a verbal acknowledgement over the radio after a pursuit is initiated that notifies the officer(s) involved that a supervisor is monitoring their radio traffic and the pursuit conditions. While monitoring the pursuit, the supervisor shall attempt to gather the critical information necessary to evaluate the continuation of the pursuit and ensure the pursuit adheres to department policy and state statute. If the pursuit is not justified under this policy or state statute, the supervisor shall discontinue the pursuit. The discontinuation of the pursuit shall be communicated to all involved units, and the supervisor shall ensure the discontinuation is acknowledged by the pursuing officer(s).
2. Supervisors should keep the following in mind while monitoring a pursuit:
  - a. Paralleling opportunities,
  - b. Channeling opportunities,
  - c. Compelling path opportunities,
  - d. Air support,
  - e. Available equipment (grapplers, spike strips, or other tire deflation devices),
  - f. Pursuit intervention techniques (PIT),
  - g. Blocking or vehicle intercept opportunities,
  - h. Boxing-in opportunities, and

- i. The availability of other apprehension or GPS tracking equipment.
- G. Post-Pursuit Chain of Command Notifications
  - 1. Post-pursuit chain of command notification is required.
  - 2. Officers shall notify the on-duty supervisor of the pursuit. If there is not an on-duty supervisor, the officer should notify the next supervisor on duty of the pursuit by leaving a copy of the incident report(s) in their box.
  - 3. The officer or supervisor shall leave copies of the incident report(s) and any Department of Public Safety forms for the Chief of Police.
  - 4. If the pursuit results in injury or property damage, officers shall notify the Chief of Police or a supervisor immediately.
- H. Telecommunicator Responsibilities
  - 1. Upon notification that a pursuit has been initiated, telecommunicators will be responsible for the following tasks:
    - a. Coordinating pursuit communications among the involved units and personnel;
    - b. Notifying and coordinating with other involved or affected agencies as needed and practicable;
    - c. Ensuring that a supervisor, if available, is notified of the pursuit;
    - d. Assigning an incident number and logging all pursuit activities; and
    - e. Broadcasting pursuit updates as well as other pertinent information as necessary.
- I. Care and Consideration of Victims
  - 1. If, during a pursuit, an officer observes or is made aware of an injury to an individual, the officer must immediately notify the PSAP to have the appropriate emergency unit(s) respond. The aid an officer should render includes, but is not limited to:
    - a. Requesting an ambulance,
    - b. Rendering first aid until officers are no longer needed at the injury scene, and
    - c. Summoning additional units to the scene for assistance with the injured person and/or traffic control.
- J. Use of Firearms
  - 1. The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging a firearm. Officers should not discharge firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

K. Capture of Suspect(s)

1. Proper self-discipline and sound professional judgement are keys to the successful conclusion of a pursuit and the apprehension of evading suspects. Arrests shall be performed in accordance with this department's policies and state statute.

L. Pursuit Summary Report

1. The supervisor and primary officer must file a pursuit summary report. The Chief must ensure the state's pursuit form is completed and submitted to the Commission of Public Safety within thirty (30) days following the pursuit. [Minn. Stat. § 626.5532](#). The report submitted to the Commission of Public Safety must include the following information:
  - a. The reason(s) for the pursuit;
  - b. The circumstances surrounding the pursuit,
  - c. The alleged offense committed by the suspect,
  - d. The length of the pursuit in distance and time,
  - e. The outcome of the pursuit,
  - f. A summary of any injuries or property damage resulting from the pursuit,
  - g. The pending criminal charges against the driver, and
  - h. Any other information deemed relevant by the Commissioner of Public Safety.

M. Evaluation and Critique

1. After each pursuit, the officers and supervisor involved must evaluate the pursuit and make recommendations, if applicable, to the Chief on ways to improve the department's pursuit policy and tactics.

N. Air Support

1. When available and practical, aircraft assistance should be requested. Once the air unit has established visual contact with the pursued vehicle, the primary and secondary ground units should consider whether the participation of an aircraft warrants their continued involvement in the pursuit. The air unit should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards, or other pertinent information to evaluate whether to continue the pursuit. If ground units are not within visual contact and the air unit determines that it is unsafe to continue the pursuit, the air unit should recommend discontinuing the pursuit.

O. Discontinuing a Pursuit

1. The primary unit officer and supervisor must continually evaluate the risks and likelihood of successful apprehension of the suspect. Personnel

involved in the pursuit must consider discontinuing the pursuit when the any of the following conditions are present.

- a. The officer deems the conditions of the pursuit to be too great of a risk to the public to continue.
- b. A supervisor orders pursuing officer(s) to discontinue.
- c. New information or communications indicate the pursuit is not in accordance with department policy.
- d. Disruptions in radio communications with PSAP and/or other responding units.
- e. Visual contact of the suspect is lost for a reasonable period of time and/or the direction of travel cannot be determined.
- f. The suspect is known and could be apprehended later – delaying apprehension does not create a substantial known risk of injury or death to another person.

P. Interjurisdictional Pursuits

1. The primary unit or officer in a pursuit must update critical information to the telecommunicator before leaving their jurisdiction. The primary unit must remain the primary unit in another jurisdiction unless the controlling pursuit authority transfers its authority. Upon receiving notification that the pursuit has entered another agency's jurisdiction, the telecommunicator must forward all critical information possessed by the PSAP to that agency. When a pursuit enters another agency's jurisdiction, the primary officer or supervisor, taking into consideration distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to ask the other agency to assume control of the pursuit. Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary officer or supervisor ensure that notification is provided to PSAP and to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether such jurisdiction is expected to assist.
2. If a pursuit by another agency enters the department's jurisdiction, the telecommunicator must notify the on-duty supervisor or another officer identified as the contact person for the agency and relay to them all pertinent pursuit information. Assistance may be provided if the pursuit conforms with the department's policies and state statute.

Q. Interstate Pursuits

1. No pursuit will continue into another state unless officer(s) have received permission from their on-duty supervisor – if available and practical. Prior to, or as soon as possible after crossing the state line, the telecommunicator must notify the appropriate out of state authority to coordinate the pursuit and the channels to be used for communications. So long as the conditions in this paragraph are met, officers may continue a pursuit across state lines if the state has reciprocity. These states include

North Dakota, South Dakota, Iowa, and Wisconsin.

R. Training

1. In accordance with POST requirements, all sworn members of the department must be given initial and periodic updated training on the department's pursuit policy and safe emergency vehicle operation tactics. In accordance with [Minn. Stat. §626.8458](#), the Chief or the Chief's designee shall provide in-service training in emergency vehicle operations and pursuit driving to every officer, including part-time officers, who may become involved in a police pursuit given the officer's duties and responsibilities. This training must comply with learning objectives developed and approved by POST and must minimally consist of eight (8) hours of classroom and skills-based training. This training must be completed, minimally, once every five (5) years. Refresher courses should be considered for personnel authorized to use the PIT maneuver, tire deflation device deployment, GPS tracking devices, and any other devices or tools used for pursuit intervention.
2. If the Chief determines an officer will not be involved in police pursuits, given their duties and responsibilities, the Chief must notify POST of the officer's exemption status.

# Automated License Plate Readers

Policy #: 3.5.9

Effective Date: 1/1/2026

Revised Date:

## I. PURPOSE

This policy is intended to provide guidance on the use of an Automated License Plate Reader (ALPR) and the maintenance and use of the data collected by these systems.

## II. DEFINITIONS

**AUTOMATED LICENSE PLATE READER (ALPR)** (defined by [Minn. Stat. § 13.824, subd. 1\(b\)](#)) – an electronic device mounted on a law enforcement vehicle or positioned in a stationary location that is capable of recording data on or taking a photograph of a vehicle or its license plate and comparing the collected data and photographs to existing law enforcement databases for investigative purposes. Automated License Plate Reader includes a device that is owned or operated by a person who is not a government entity to the extent that data collected by the reader are shared with a law enforcement agency. Automated license plate reader does not include a traffic safety camera system.

## III. GUIDELINES

### A. Installation or Integration of an ALPR

1. Within ten (10) days of the installation or current use of an ALPR or the integration of automated license plate reader technology into another surveillance device, the Chief or the Chief's designee shall notify the Bureau of Criminal Apprehension (BCA) of that installation or use and of any fixed location of a stationary ALPR. [Minn. Stat. § 13.824, subd. 8\(a\)](#).

### B. Authorization and Use of an ALPR

1. Only department personnel trained in the proper use of the ALPR system may access and operate the system. Access to the ALPR system shall be authorized in writing by the Chief or the Chief's designee, prior to personnel obtaining access.
2. The ALPR system shall only be used for official and legitimate law enforcement purposes.
3. Operators receiving an alert on the ALPR system shall obtain independent verification of the information associated with the alert prior to taking any enforcement action.
4. An ALPR shall not be used to monitor or track an individual who is the subject of an active criminal investigation unless authorized by a warrant,

issued upon probable cause, or exigent circumstances justify the use without obtaining a warrant. [Minn. Stat. § 13.824, subd 2 \(d\)](#).

5. Documentation

- a. A record of all data queries shall be generated, including the factual basis for the access and any associated case number, complaint, or basis for the access.
- b. All queries and responses, and all actions in which data are entered, updated, accessed, shared, or disseminated shall be recorded in a log. Any ALPR use shall be documented in the log, unless the department determines the data is exempt pursuant to [Minn. Stat. § 13.37, subd. 2](#). Documentation in the log shall include:
  - Specific times and dates when ALPR data was collected;
  - The aggregate number of vehicles or license plates on which data was collected for each period of active use and a list of all state and federal databases which the data was compared to, unless the existence of the database is not public;
  - The number of vehicles or license plates identified by an ALPR where the ALPR alerted to each of the following categories: stolen vehicle or license plate, warrant for the arrest of the owner of the vehicle, an owner with a suspended or revoked driver's license or similar category, or an active investigation alert (KOPS); and
  - For stationary ALPR's, the location where the ALPR was installed and used while collecting data, including a list of current and previous locations documenting dates at those locations for use.

C. Data Collection

1. Pursuant to [Minn. Stat. § 13.824, subd. 2\(a\)](#), data collected from an ALPR shall be limited to:
  - a. License plate numbers;
  - b. Date, time and location data on vehicles; and
  - c. Pictures of license plates, vehicles and areas surrounding the vehicles.

D. Data Classification

1. All data collected by an ALPR shall be classified as private and nonpublic, unless the data is part of an active criminal investigation, under [Minn. Stat. § 13.82, subd. 2](#), or is within a specific exception as provided in [Minn. Stat. § 13.82, subs. 2, 3, or 6](#).

E. Data Distribution

1. ALPR information gathered and retained by the department may be used and shared with prosecutors and other law enforcement agencies for legitimate law enforcement purposes, or as otherwise permitted by law, in compliance with [Minn. Stat. § 13.824, subd. 4](#).
2. ALPR data that is not related to an active criminal investigation may not be shared with, disseminated to, sold to or traded with other individuals or entity unless explicitly authorized by law.

F. Data Retention and Destruction

1. Data collected by an ALPR that is not related to an active criminal investigation must be destroyed no later than sixty (60) days from the date of collection, unless otherwise prescribed by law. [Minn. Stat. § 13.824, subd. 3\(a\)](#).
2. Upon written request from an individual who is the subject of a pending criminal charge or complaint, along with the case or complaint number and a statement that the data may be used as exculpatory evidence, ALPR data otherwise subject to destruction must be preserved by the department until the criminal charge or complaint is resolved or dismissed. [Minn. Stat. § 13.824, subd. 3\(b\)](#).

G. Records and Audits

1. The department shall maintain a list of the current and previous locations, including dates at those locations, of any fixed stationary ALPR or other surveillance device with ALPR capability used by the department. [Minn. Stat. § 13.824, subd. 5\(b\)](#). This list shall be accessible to the public, unless the department determines that the data constitutes security information as provided by [Minn. Stat. § 13.37, subd. 2](#).
2. The department shall maintain records showing the date and time ALPR data was collected and the applicable classification of the data.
3. The department shall arrange for an independent, biennial audit of the records to determine whether data currently in the records are classified, how the data are used, whether they are destroyed as required by statute, and to verify compliance with all rules and regulations. [Minn. Stat. § 13.824, subd 6\(a\)](#).

4. A report summarizing the results of each audit shall be provided to the commissioner of administration, to the chairs and ranking minority members of the committees of the house of representatives and the senate with jurisdiction over data practices and public safety issues and to the Legislative Commission on Data Practices and Personal Data privacy no more than thirty (30) days following completion of a biennial audit. [Minn. Stat. §13.824, subd. 6\(c\).](#)

# Unmanned Aerial Vehicles

Policy #: 3.5.10

Effective Date: 1/1/2026

Revised Date: 12/2/2025

## I. PURPOSE

The purpose of this policy is to provide guidance on the use of Unmanned Aircraft Vehicles (UAV) and the storage, retrieval, dissemination, and retention of any images or data captured by a UAV.

## II. DEFINITIONS

UNMANNED AERIAL VEHICLE (UAV) (defined by [Minn. Stat. § 626.19, subd. 1\(b\)\(3\)](#)) – an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

## III. GUIDELINES

### A. Authorized Use of a UAV

1. A UAV may only be used by a department employee in conjunction with a search warrant, or when there is an applicable exception to the search warrant requirement as authorized by [Minnesota Statute section 626.19, subdivision 3](#). Such exceptions include:
  - a. During or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person;
  - b. To document evidence that is at imminent risk of destruction;
  - c. Over a public event where there is a heightened risk to the safety of participants or bystanders;
  - d. To counter the risk of a terrorist attack by a specific individual or organization if the department determines that credible intelligence indicates a risk;
  - e. To prevent the loss of life and property in natural or man-made disasters and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters;
  - f. To conduct a threat assessment in anticipation of a specific event;
  - g. To collect information from a public area if there is reasonable suspicion of criminal activity;
  - h. To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road;
  - i. Over a private area with the written consent of the occupant or a public area, for officer training or public relations purposes;
  - j. For purposes unrelated to law enforcement at the request of a government entity provided that the government entity makes the

request in writing to the department and specifies the reason for the request and proposed period of use; or

k. To facilitate the active search for a missing person.

B. Limitations on Use

1. Any employee using a UAV must comply with all Federal Aviation Administration (FAA) requirements and guidelines.
2. The department may only deploy a UAV with facial recognition or other biometric-matching technology if expressly authorized by a warrant. [Minn. Stat. § 626.19, subd. 4 \(b\)](#).
3. The department shall not equip any UAV with a weapon. [Minn. Stat. § 626.19, subd. 4 \(c\)](#).
4. The department shall not use a UAV to collect data on public protests or demonstrations unless expressly authorized by a warrant, or an exception otherwise applies under [Minn. Stat. § 626.19, subd. 3](#).

C. Operation of a UAV

1. Only department personnel trained in the proper use of the UAV may operate the aircraft.
2. The UAV shall only be used for official and legitimate business as authorized.
3. Unless explicitly permitted by a warrant or as a result of exigent circumstances, operators and observers shall not intentionally record images of any location where a person would have a reasonable expectation of privacy. Operators shall take reasonable precautions to avoid inadvertently recording images of areas where there is a reasonable expectation of privacy.

D. Documentation

1. Each operator of a UAV shall maintain a flight log in accordance with FAA rules and regulations. The UAV operator shall document the date, flight time, and location of all UAV deployments, including any training operations.
2. Each UAV deployment shall be assigned a unique case number. Operators shall document in a report the case number for the deployment, a factual basis for the use of a UAV and include the search warrant or otherwise identify the applicable exception for use without a warrant. [Minn. Stat. § 626.19, subd. 5](#).
3. Data Classification and Retention
  - a. Any data collected by a UAV on individuals and shall be classified as private data and is nonpublic data. [Minn. Stat. § 626.19, subd. 6\(a\)](#).
  - b. If the individual subject requests a copy of the UAV recording, data on other individuals who do not consent to its release must be redacted from the copy disclosed. [Minn. Stat. § 626.19, subd. 6\(a\)\(1\)](#).

- c. UAV data may be disclosed as necessary in an emergency situation that involves the risk of death or bodily harm to a person. [Minn. Stat. § 626.19, subd. 6\(a\)\(2\)](#).
- d. UAV data may be disclosed to the government entity making a request for UAV use by the department for a purpose unrelated to law enforcement as allowed for by [Minn. Stat. § 626.19, subd. 3\(9\)](#).
- e. UAV data that is criminal investigative data shall be disclosed in accordance with [Minn. Stat. § 13.82, subd. 7](#).
- f. Notwithstanding [Minn. Stat. § 138.17](#), the department shall delete data collected by a UAV as soon as possible, and in no event later than seven (7) days after collection, unless the data is part of an active criminal investigation. [Minn. Stat. § 626.19, subd. 6\(c\)](#).

E. Reports on Use of UAV

- 1. In accordance with [Minn. Stat. § 626.19, subd. 12 \(a\)](#), by January 15 of each calendar year, the Chief or the Chief's designee shall submit to the commission of public safety a report regarding the preceding calendar year, which shall include:
  - a. The number of times a UAV was deployed without a search warrant issued, the date of deployment and the basis authorizing the use of the UAV without a warrant; and
  - b. The total cost of the agency's UAV program.

# Portable Recording Systems

Policy #: 3.5.11

Effective Date: 1/1/2026

Revised Date: 12/15/2025

## I. PURPOSE

The purpose of this policy is to ensure the proper use of portable recording systems. The primary purpose of using these portable recording systems is to capture evidence arising from department employee encounters with citizens. Such systems also serve to enhance transparency and accountability by providing an objective record of law enforcement interactions. The department authorizes the use of department-issued portable recording systems, and this policy sets forth guidelines governing the use of body worn and squad vehicle cameras, and the management of the resulting data.

## II. DEFINITIONS

**DATA SUBJECTS** – any person or entity whose image or voice is documented in the data; the officer who collected the data; or any other officer whose voice or image is documented in the data, regardless of whether that officer is or can be identified by the recording.

**PORTABLE RECORDING SYSTEM** - a device worn by a department employee or equipped in a squad vehicle that is capable of both video and audio recording of the employee's activities and interactions with others or collecting digital multimedia evidence as part of an investigation.

## III. GUIDELINES

### A. Maintenance and Use of Portable Recording Systems

1. An employee may only use a portable recording system issued and maintained by the department to document the employee's work-related activities while on duty.
2. Employees may only use department-issued portable recording systems in the performance of official duties for the department or when otherwise performing authorized law enforcement services as an employee of the department.
3. Uniformed officers who are working patrol, traffic enforcement, special assignment or details, or department authorized off-duty employment shall use a body worn camera unless permission has been granted by a supervisor to deviate from this policy.
4. Plain clothes officers and/or officers working administrative assignments shall use a body worn camera for all search warrants, preplanned apprehensions and/or enforcement details, including traffic stops and person stops. Plain clothes officers may elect to use a body worn camera pursuant to the needs of a specific investigation or job duty, or when directed by a supervisor. If use of a body worn camera would be detrimental or compromise a plain-clothes operation, the use of a body worn camera

would not be required with supervisor approval.

5. Officers who are working under the direction of another chief law enforcement officer or federal law enforcement official and who are assigned a portable recording system must operate the device in compliance with this policy.
6. Employees shall conduct a function test of their department-issued portable recording system(s) at the beginning of each shift. Employees noting a malfunction during testing or at any other time should promptly report the malfunction to a supervisor. Supervisors should take prompt action to address malfunctions and assign replacement equipment when necessary.
7. A body worn camera system must be worn at or above the midline of the waist at a position that maximizes the recording system's capacity to record video coverage of the employee's activities.
8. Employees shall not intentionally block the recording system's audio or visual recording functionality to defeat the purposes of this policy.

B. Portable Recording System Use

1. Employees shall activate their body worn cameras when anticipating that they will be involved in or become involved in a pursuit, investigative stop of a motorist or pedestrian, search, seizure, arrest, use of force, adversarial contact, and during other activities likely to yield information having evidentiary value. Employees need not activate their cameras when it would be unsafe, impossible, or impractical to do so.
2. Employees have discretion to record or not record any informal encounter with a citizen that is not and does not become law enforcement related or adversarial, and a recording of the event would not yield information relevant to an ongoing investigation. Employees may decide to use their body worn cameras to record any citizen encounter if there is reason to believe the recording would potentially yield information having evidentiary value, unless such recording is otherwise expressly prohibited.
3. Employees have no affirmative duty to inform people that a portable recording system is being operated or that the individuals are being recorded but may do so at any time.
4. Employees should be sensitive to the dignity of members of the public being recorded and exercise sound discretion to respect privacy by discontinuing recording when it reasonably appears that such privacy outweighs any legitimate interest in recording. Requests by members of the public to stop recording should be considered using these same criteria. Recording should resume when privacy is no longer at issue unless no longer required by another section of this policy. Employees should state the reason on camera before deactivating their recording device(s) and specify the circumstances in their report.
5. Employees need not record persons being provided medical care unless

there is reason to believe the recording would document information having evidentiary value. When responding to an apparent mental health crisis or event, body worn cameras shall be activated as necessary to document any use of force and the basis for it, and any other information having evidentiary value. Body worn cameras need not be activated when doing so would serve only to record symptoms or behaviors believed to be attributable to the mental health issue.

6. Employees should use their body worn camera to record their transportation and the physical transfer of persons in their custody to hospitals, detox, mental health facilities, or another agency's detention facility, but otherwise should not record inside these facilities unless necessary to document criminal activity, use of force, or an adversarial encounter.
7. Employees shall not use their portable recording system(s) to record non-work-related activity. Employees shall not use their portable recording system(s) to record other department personnel during non-enforcement related activities, such as before or after shift time, in locker rooms or restrooms, during breaks, during other private conversations or within areas of the department restricted to personnel-only, unless recording is authorized as part of an administrative or criminal investigation.
8. Once activated, the portable recording system should continue recording until the conclusion of the incident or encounter, or until it becomes apparent that additional recording is unlikely to capture information having evidentiary value. An officer having charge of a scene may direct the discontinuance of recording when further recording is unlikely to capture additional information having evidentiary value. If the recording is discontinued while an investigation, response or incident is ongoing, the employee should state the reasons for ceasing the recording on camera before deactivating the device. If circumstances change, employees shall reactivate their cameras as required by this policy to capture information having evidentiary value.

C. Documentation

1. Whenever an employee makes a recording it shall be documented in the incident report. If no report is written, the recording shall be noted in the Computer-Aided Dispatch (CAD) event.
2. If an employee fails to record an activity that is required to be recorded under this policy, or captures only part of the activity, the employee must document the reasons for not recording in the incident report, or if no report is written, in the CAD event. If an activity was not recorded due to a supervisor's directive, the circumstances shall be documented in the same manner.

D. Data Retention

1. Employees are responsible for transferring portable recording system data to the video storage server by the end of their shift. In cases involving a

shooting or any incident resulting in death or great bodily harm, a supervisor or investigator shall take custody of the portable recording system and ensure the data is properly secured, transferred, and retained.

2. All portable recording system data shall be retained for a minimum period of ninety (90) days. There are no exceptions for erroneously recorded or non-evidentiary data. Other body worn camera data that is classified as non-evidentiary, becomes non-evidentiary, or is not maintained for training should be destroyed after ninety (90) days.
3. All recordings documenting the discharge of a firearm by a peace officer in the course of duty, other than for training or the killing of an animal that is sick, injured, or dangerous, and recordings documenting the use of force by a peace officer that results in substantial bodily harm must be maintained for a minimum period of one (1) year.
4. The full, unedited, and unredacted recording of a peace officer using deadly force must be maintained indefinitely.
5. Other data having evidentiary value shall be retained for the period specified in the applicable records retention schedule.
6. When a particular recording is subject to multiple retention periods, it shall be maintained for the longest applicable period.
7. Upon written request by a body worn camera data subject, the department shall retain a recording pertaining to that subject for an additional time period requested by the subject, up to one hundred eighty (180) days, pursuant to [Minn. Stat. § 13.825, subd. 3](#). The department must notify the requestor at the time of the request that the data will then be destroyed unless a new written request for retention is received.

#### E. Data Access and Disclosure

1. Access by Employees
  - a. Employees may only access portable recording system data for legitimate law enforcement or data administration purposes.
  - b. Employees may access and view stored video only when there is a business need for doing so, including the need to defend against an allegation of misconduct or substandard performance. Employees may review video footage of an incident in which they were involved prior to preparing a report, giving a statement, or providing testimony about the incident.
  - c. Supervisors should review portable recording system usage by each employee to ensure compliance with this policy.
  - d. Supervisors and other assigned personnel may access portable recording system data for the purpose of reviewing or investigating a specific incident that has given rise to a complaint or concern about employee misconduct or performance.

- e. Field training officers may utilize portable recording system data with trainees for the purposes of providing coaching and feedback on the trainee's performance.
  - f. Employees seeking access to portable recording system data for non- business reasons may make a request for it in the same manner as any member of the public.
2. Access by Non-Employees
- a. An individual should be allowed to review portable recording system data about themselves and other data subjects in the recording, however access shall not be granted:
    - If the data was collected or created as part of an active investigation; or
    - To portions of the data that the department would otherwise be prohibited by law from disclosing to the person seeking access.
  - b. Unless the data is part of an active investigation, an individual data subject shall be provided with a copy of the recording upon request, subject to redaction.
    - Data on other individuals in the recording who do not consent to the release must be redacted.
    - Data that would identify undercover officers must be redacted.
    - Data on other officers who are not undercover and who are on duty and engaged in the performance of official duties may not be redacted.
  - c. Portable Recording System Data from Motor Vehicle Collisions
    - A person entitled to a report of a collision, under [Minn. Stat. § 169.09, subd. 13](#), must be provided with copies of unredacted data from all portable recording systems used in the collision investigation, including data on other individuals who are the subject of the recording. A request must be made in writing and accompanied by the accident report relating to the data.
    - The department shall notify the requester of the remedies and penalties applicable under [Minn Stat. § 13.08](#) should the requester use or disseminate the data in an unauthorized manner. [Minn. Stat. § 13.825, subd. 4](#).
    - The department may deny a request for unredacted portable recording system from a person entitled to a report of a motor vehicle collision, if:
      - The department determines there is a compelling

reason that providing access to the data would interfere with an active investigation;

- The data is clearly offensive to common sensibilities; or
- The data is classified as not public by a provision of [Minnesota Statute Chapter 13](#).
- If the department denies access, the department must provide a prompt, written reason for the denial to the individual who requested the data with a description of the compelling reason and must provide notice that relief may be sought from the district court under [Minn. Stat. § 13.82, subd. 7](#). [Minn. Stat. § 13.825, subd. 4](#).

b. Data Documenting Deadly Use of Force Incidents

- When an individual dies as a result of the use of force by an officer employed by the department, the department shall release all body worn camera data documenting the incident, redacted no more than what is required by law, no later than fourteen (14) days after the incident, pursuant to [Minn. Stat. § 13.825](#).
- As allowed by [Minn. Stat. § 13.825](#), upon request, when an individual dies as a result of use of force by an officer, the department must allow the following individuals to view all body worn camera data, redacted no more than what is required by law, within five (5) days of the request:
  - The deceased individual's next of kin;
  - The legal representative of the deceased individual's next of kin; and
  - The other parent of the deceased individual's child.
- The Chief may deny a request if the department determines that there is a compelling reason that viewing or releasing the video would interfere with an active investigation. If the Chief deems releasing portable recording system data within the mandated fourteen (14) day period would interfere with an ongoing investigation, the Chief must assert this in writing. If the department denies access to an eligible individual, the Chief must provide a prompt, written denial to the individual who requested the data with a short description of the compelling reason access was denied and must provide notice that relief may be sought from the district court pursuant to [Minn. Stat. § 13.82, subd. 7](#).

b. Pursuant to [Minn. Stat. § 13.82, subd. 15](#), the department may make any data classified as confidential, protected nonpublic, or

private accessible to any person, agency, or the public if the department determines that the access will aid the law enforcement process, promote public safety, or dispel widespread rumor or unrest.

B. Authorized Disclosures

1. Officers may display portions of portable recording system footage to witnesses as necessary for purposes of investigation, as allowed by [Minn. Stat. § 13.82, subd. 15](#). These displays should be limited in order to protect against the incidental disclosure of individuals whose identities are not public. Protecting against incidental disclosure could involve strategies such as showing only a portion of the video, showing only a screen shot of the footage, muting the audio, or playing the audio but not displaying the video.
2. Portable recording system data may be shared with other law enforcement agencies only for legitimate law enforcement purposes that are documented in writing at the time of the disclosure.
3. Portable recording system data shall be made available to prosecutors, courts, and other criminal justice entities as provided by law.

C. Inventory and Records

1. The department shall maintain a written record of:
  - a. The total number of recording devices owned or maintained by the department;
  - b. A daily record of the total number of recording devices deployed and used by officers;
  - c. The policies and procedures for use of portable recording systems; and
  - d. The total amount of recorded audio and video data collected by the portable recording system and maintained by the department's retention schedule of the data, and the department's procedure for destruction of the data.
2. This information is public and shall be provided upon request.

D. Compliance

1. Supervisors shall monitor for compliance with this policy. The unauthorized access to or disclosure of portable recording system data may constitute misconduct and subject individuals to disciplinary action and criminal penalties, pursuant to [Minn. Stat. § 13.09](#).
2. If data collected by a portable recording system is received from another law enforcement agency, the department must comply with all data classification, destruction, and security requirements of the recording agency.
3. The Chief or the Chief's designee should periodically review the efficacy of

the body worn camera program, including review of this policy, to ensure it remains compliant with relevant laws and practices.

# School Resource Officers

Policy #: 3.7.1

Effective Date: 1/1/2026

Revised Date: 12/7/2025

## I. PURPOSE

The primary purpose of this policy is to provide guidelines which define the relationship between the department and the schools utilizing school resource officers (SRO). It will further facilitate the understanding of this relationship with regards to criminal matters and law enforcement situations, which will arise at the local school level. The goal of the SRO programs is to provide safe learning environments, provide valuable resources to school staff members, foster a positive relationship with students and develop strategies to resolve problems that affect our youth with the goal of protecting all children, so they can reach their fullest potential.

## II. DEFINITIONS

**CUSTODIAL ARREST** - the actual physical restraint of a person and subsequent detention. Custodial arrest may occur with or without a warrant depending on the circumstances.

**DE-ESCALATION** - taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

**DEVELOPMENTALLY APPROPRIATE PRACTICES** - individualized, responsive care that is appropriate for the child's age, cultural context, disability status and personality.

**GREAT BODILY HARM** (defined by [Minn. Stat. § 609.02, subd. 8](#)) - bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**POSITIVE SCHOOL CLIMATE** - a school environment that makes students feel safe, supported and welcome.

**PRONE RESTRAINT** (defined by [Minn. Stat. § 121A.58](#)) - placing a person in a face down position.

**SCHOOL** - an elementary school, middle school, or secondary school, as defined in [Minn. Stat. § 120A.05, subs. 9, 11 and 13](#).

**SCHOOL RESOURCE OFFICER (SRO)** - a licensed peace officer who is assigned to work in an elementary school, middle school, or secondary school during the regular instructional school day as one of the officer's regular responsibilities through the terms of a contract entered between the peace officer's employer and the designated school district or charter school.

### III. GUIDELINES

#### A. Guiding Principles

1. Any SRO should be carefully selected, thoroughly trained, and appropriately equipped to fulfill their role within the school community. The SRO should actively engage in early prevention and early intervention educational programs that focus on and support student needs.
2. SROs shall be specially trained in the principles and standards identified in [Minn. Stat. § 626.8482, subd. 4](#) which recognize the unique role of an SRO to foster positive relationships, open communication and mentorship while providing a safe and constructive environment for students, staff and visitors in the school setting.
3. SROs are expected to recognize and consider alternatives to formal criminal referrals such as diversion and restorative justice programs where possible and as appropriate for the incident, the involved students and families, victim(s) and the larger school community.
4. When a criminal incident also involves a violation of school rules, SRO's should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.
5. Nothing in this policy should be construed as limiting any other duty or responsibility imposed on officers; the expectation that officers will exercise professional judgment and discretion to protect the health, safety, and general welfare of the public when carrying out their duties; or creates a duty for school resource officers to protect students, staff, or others on school grounds that is different from the duty to protect the public as a whole.

#### B. General Contractual Agreements

1. The department's contract with a school district or charter school shall define the SRO duties in compliance with [Minn. Stat. § 626.8482, subd. 2](#). Additionally, SRO contracts entered into by this department:
  - a. Must address a mutually agreed upon policy regarding the use of plain clothes, modified uniforms, and other changes to SRO attire with the goal of fostering a positive school climate, facilitating the establishment of positive relationships with students, and promoting open communication;
  - b. Shall articulate the role, if any, of the school district in the selection, vetting and retention of the SRO;
  - c. Should address how the SRO will be informed of school district resources available to school staff to assist with de-escalation of conflicts in school, e.g. specialized crisis teams, mediation opportunities, etc.; and
  - d. Shall establish a public notification process that an SRO will be

present in the schools.

2. A school district or charter school may contract with the department to perform duties that are in addition to those described above.

C. Duties and Tasks

1. Fostering a Positive School Climate and Constructive Relationships:

- a. In order to facilitate a positive school climate and constructive relationships with students, SROs should:

- Consider establishing a presence at times that allow opportunities to build connections and relationships;
- Establish connections based upon mutual trust and respect while encouraging communication; and
- Act as a resource for educating students on what concerns should be reported to a responsible adult.

2. Collaboration and Campus Safety

- a. SROs employed with the department are expected to work in collaboration with the schools to provide campus safety training. In doing so, SROs should:

- Use developmentally appropriate practices that take into consideration differences in culture, language, trauma and an individual's disabilities;
- Use methods that help ensure school safety and security, focusing on safety over violence; and
- Encourage students to ask questions about school safety.

3. Crisis Intervention and De-escalation

- a. SROs are often required to make assessments of rapidly evolving situations, analyze potential responses and act upon various levels of safety concerns. Crisis intervention and de-escalation strategies should be used whenever possible in response to crisis or safety situations. The safety of the individual, SRO's, school staff, students, and others present should not be compromised during de-escalation tactics. To that end, SROs should understand and use developmentally appropriate principles of evidence-based crisis intervention and de-escalation strategies. These strategies include, but are not limited to:

- Being empathetic and non-judgmental,
- Respecting the personal space of others,
- Using non-threatening nonverbal communication,
- Avoiding complex questions, and
- Giving individuals an appropriate amount of time to make

decisions.

4. Use of Force.

- a. If an SRO must use force in the school, the force shall comply with the department's Response to Resistance policy and all applicable Minnesota Statutes. When force is necessary, SROs should try utilizing special tactics and techniques, including de-escalation, to minimize the level of force required to render a situation safe. SROs shall also minimize the use and duration of physical restraints, including the prone restraint, on students whenever possible. When reasonable, SROs should use the least restrictive physical intervention techniques. To that end, SROs should only use the amount of force that reasonably appears necessary given the facts and circumstances perceived by the SRO at the time of the event to accomplish a legitimate law enforcement purpose.
- b. When force is utilized on a student, as with any other use of force incident, SROs shall assess the condition of the student(s) and render aid as needed. This includes restoring the student to a non-prone or non-restrained position as soon as practical.
- c. Use of force considerations for SROs in the schools include:
  - the immediacy and severity of the threat or potential injury to the SRO and/or bystanders,
  - the conduct of the individual being confronted, as reasonably perceived by the SRO at the time,
  - the personal characteristics of a subject and SRO (such as age and/or maturity, physical size, and physical abilities),
  - the subject's ability to understand and/or comply with SRO commands (is the student impaired by drugs/alcohol, experiencing reduced mental capacity, or is the student known to have an education plan or accommodations?),
  - the presence or proximity of weapons or dangerous improvised devices,
  - the degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained,
  - the availability of other reasonable and feasible options and their possible effectiveness (seriousness of the suspected offense),
  - the immediate need for intervention versus allowing time and distance for de-escalation,
  - the training and experience of the SRO,
  - whether the subject appears to be resisting, attempting to

evade arrest by flight, or is attacking the SRO,

- the risk and foreseeable consequences of the subject's escape,
- whether the conduct of the subject being confronted no longer reasonably appears to pose an immediate threat to officers or others,
- prior contacts with the subject and knowledge of their propensity for violence, and
- any other exigent circumstances.

d. When a criminal incident also involves a violation of school rules, SROs should consider referral of the matter to school authorities in lieu of formal criminal referral, as appropriate for the incident, the students and families involved, the victim(s) and the larger school community.

e. SROs should exercise age-appropriate practices when interacting with children, and developmentally appropriate practices with youth and individuals known to have physical, mental health, developmental or intellectual disabilities recognizing that the individual's disability may affect their ability to understand or comply with commands from SROs.

#### 5. Arrest Considerations

a. As much as is reasonably practical, SROs should utilize alternatives to formal criminal charges. These alternatives include, but are not limited to, diversion and restorative justice programs. Formal charge alternatives may be used when appropriate for the incident, the students and families involved, and for victim(s) as well as the larger school community.

b. Custodial arrests in school should be avoided if reasonably practical. If a custodial arrest is necessary due to exigent circumstances or other public safety concerns, if practical, the arrest should be made in a non-communal area away from the view of the other students. When possible, appropriate school staff should be notified of custodial arrests prior to the arrest being conducted. If it is not possible to give school staff prior notice, the SRO should notify school staff as soon as practical after a custodial arrest has been made.

#### D. Training

1. Except as provided for below, beginning September 1, 2025, an officer assigned to serve as a SRO must complete a training course that provides instruction on the learning objectives identified in [Minn. Stat. § 626.8482](#), subd. 4 prior to assuming the duties of a SRO. Whenever practicable, it is preferable that an officer completes the training required under this section prior to filling the role of SRO.

2. An officer who has completed either the School Safety Center standardized Basic School Resource Officer Training or the National School Resource Officer Basic School Resource Officer course prior to September 1, 2025, must complete the training mandated by [Minn. Stat. § 626.8482, subd. 4](#), before June 1, 2027. An officer covered under this paragraph may complete a supplemental training course approved by the board pursuant to [Minn. Stat. § 626.8482, subd. 4\(b\)](#), to satisfy the training requirement.
3. If the department is unable to provide the required training course to an officer prior to when they assume the duties of a school resource officer, the officer must complete the required training within six (6) months of assuming the duties of a SRO. The officer is not required to perform the duties described in [Minn. Stat. § 626.8482, subd. 2\(a\)\(4\) or \(5\)](#), until the officer has completed the required training course. The officer must review any policy adopted by the department pursuant to [Minn. Stat. § 626.8482, subd. 6](#) before assuming the other duties of a school resource officer.
4. An SRO will complete a refresher course at a minimum of once every three (3) years. For each school resource officer employed by a department, the Chief or the Chief's designee must maintain a copy of the most recent training certificate issued to the officer for completion of the training mandated under this section.
5. Substitute SROs
  - a. Officers serving as a substitute SRO for fewer than sixty (60) student contact days within a school year are not obligated to complete the required training or perform the duties described in [Minn. Stat. § 626.8482, subd. 2\(a\)\(4-5\)](#). Substitute SROs, however, must review and comply with any policies adopted by the department regarding SROs.

E. Data Practices

1. The contract between the school district and the department must address data practices policies and procedures. These procedures and policies shall identify the education records that can be shared with the department generally and with the SRO specifically and for what purposes. Law enforcement records that contain student and parent data that are maintained by the department shall be governed by the department's Data Practices policy and in compliance with the requirements of the [Minnesota Data Practices Act, Minnesota Statutes, Chapter 13](#), and [Minnesota Administrative Rules 1205.0100](#) and [1205.2000](#).

# Eyewitness Identification

Policy #: 4.1.1

Effective Date: 1/1/2026

Revised Date: 12/12/2025

## I. PURPOSE

It is the purpose of this policy to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols. Erroneous eyewitness identifications have been cited as the factor most frequently associated with wrongful convictions. Therefore, in addition to eyewitness identification, all appropriate investigative steps and methods should be employed to uncover evidence that either supports or eliminates the suspect identification.

## II. POLICY

Officers shall adhere to the procedures for conducting eyewitness identifications set forth in this policy. This policy establishes guidelines for eyewitness identification procedures involving show-ups, photo arrays, and line-ups. Photo arrays and line-ups will be conducted by displaying the suspect and fillers sequentially using a blind or blinded administration.

## III. DEFINITIONS

**ADMINISTRATOR** - the law enforcement official conducting the identification procedure.

**BLIND PRESENTATION** – the administrator conducting the identification procedure does not know the suspect’s identity.

**BLINDED PRESENTATION** - the administrator may know the identity of the suspect, but does not know which photo array member is being viewed by the eyewitness at any given time.

**CONFIDENCE STATEMENT** - a statement in the witness’s own words taken immediately after an identification is made stating his or her level of certainty in the identification.

**FILLER** - a live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

**LINE UP** - the process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

**PHOTO ARRAY** – a means of presenting photographs to an eyewitness for the purpose of identifying or eliminating suspects.

**SEQUENTIAL** - presentation of a series of photographs or individuals to a witness one at a time.

**SHOW UP** - the in-person presentation of a single individual to an eyewitness within a short time frame following the commission of a crime to either confirm or eliminate the individual as a possible perpetrator. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

**SIMULTANEOUS** – the presentation of a series of photographs or individuals to a witness all at once.

#### IV. GUIDELINES

##### A. Identification Procedures

1. Generally, only one identification procedure should be used per witness per suspect and investigative event. This means that multiple identification procedures regarding the same witness and suspect should not be conducted. Witnesses should be separated when identifying suspects and should not share or be aware of the responses of other witnesses. Officers should carefully avoid the use of statements, cues, casual comments, or information that may influence the witness's decision making in any way during the identification process. After an identification has been made, the administering officer shall ask the witness to provide a confidence statement and document the witness's response. Finally, the administering officer shall ask the witness to complete and sign an Eyewitness Identification Procedure Form. All identification procedures should be video and/or audio recorded whenever possible. If a procedure is not recorded, a written record shall be created and the reason for not recording documented. Additionally, still photographs used for the purpose of eyewitness identification shall also be documented and copies preserved with the case file documents.

2. The witness shall be given a copy of the following instructions prior to viewing a photo array or line-up. The administrator shall read the instructions aloud before the identification procedure.

*“You will be asked to look at a series of individuals.*

*The perpetrator may or may not be present in the identification procedure.*

*It is just as important to clear innocent persons from suspicion as it is to identify guilty parties.*

*I don't know whether the person being investigated is included in this series. Sometimes a person may look different in a photograph than in real life because of different hair styles, facial hair, glasses, a hat or other changes in appearance. Keep in mind that how a photograph was taken or developed may make a person's complexion look lighter or darker than in real life.*

*You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.*

*The individuals are not configured in any particular order.*

*If you make an identification, I will continue to show you the remaining individuals or photos in the series.*

*Regardless of whether you make an identification, we will continue to investigate the incident.*

*Since this is an ongoing investigation, you should not discuss the*

*identification procedures or results.”*

B. Photographic Arrays

Photographic arrays are the preferred method/procedure of achieving an eyewitness identification of a suspect. When a photographic array cannot be done or a different method is more reasonable under the circumstances, an officer may use a line-up or show-up.

1. Creating a Photo Array

a. When using a photographic array, officers should follow the basic guidelines described in this policy, including:

- Use contemporary photos.
- Do not mix color and black and white photos.
- Photo arrays should consist of six individuals- the suspect and five fillers.
- Use photos of the same size and basic composition.
- Never mix mug shots with other photos and ensure consistent appearance of photograph backgrounds and sizing.
- Do not include more than one photo of the same suspect.
- Cover any portions of mug shots or other photos that provide identifying information on the subject – and similarly cover other photos used in the array.
- Where the suspect has a unique feature, such as a scar, tattoo, or mole or distinctive clothing that would make him or her stand out in the photo array, filler photographs should include that unique feature either by selecting fillers who have the same features themselves or by altering the photographs of fillers to the extent necessary to achieve a consistent appearance.
- Avoid the use of fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
- Fillers should not be reused in arrays for different suspects shown to the same witness.
- Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness’s description of the offender.
- If there is more than one suspect, include only one in each photo array.
- Place the suspect in different positions in each photo array for each witness.

## 2. Presenting a Photo Array

- a. The primary investigating officer is responsible for ensuring these described procedures are followed:
- Inform the witness that the suspect may or may not be in the photo array.
  - During a photo array presentation, no one who is aware of the suspect's identity should be present.
  - Photo arrays should be presented by a blind administrator.
  - If a blind administrator is not available, a blinded administrator may present the photo array using the following procedures.
    - Place the suspect and at least five filler photos in separate folders for a total of six (or more depending on the number of fillers used).
    - The administrator will take one folder containing a known filler and place it to the side. This will be the first photo in the series. The administrator should then shuffle the remaining folders (containing one suspect and the remainder of fillers) such that they cannot see how the line-up members are ordered. These shuffled folders will follow the first filler photo. The stack of photos is now ready to be shown to the witness.
    - The administrator should position themselves so that they cannot see inside the folders as they are viewed by the witness.
    - The photo array should be preserved, together with full information about the identification process, as part of the case file and documented in a report. See also, the Sequential Photo Display Form.
    - The witness should be asked if he or she recognizes the person in the photo before moving onto the next photo. If an identification is made before all of the photos are shown, the administrator should tell the witness that he or she must show the witness all of the photos and finish showing the sequence to the witness, still asking after each photo if the witness recognizes the person in the photo.
    - If possible, the array should be shown to the witness only once. If, upon viewing the entire

array the witness asks to see a particular photo or the entire array again, the witness should be instructed that he or she may view the entire array only one additional time. If a second viewing is permitted, it must be documented.

- Witnesses should not be permitted to see or be shown any photos of the suspect prior to the photo array.

## B. Line-Ups

### 1. Creating the Line-up

- a. When using a line-up, officers should follow the basic guidelines described in this policy, including:
  - Live line-ups shall be conducted using a blind administrator.
  - Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.
  - Line-ups should, minimally, consist of six individuals – the suspect and five fillers.
  - Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.
  - Avoid the use of fillers who so closely resemble the suspect that a person familiar with the suspect might find it difficult to distinguish the suspect from the fillers.
  - Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature on the fillers.
  - If there is more than one suspect, include only one in each line-up.
  - Place the suspect in different positions in each line-up for each witness.

### 2. Conducting the Line-up

- a. The primary investigating officer is responsible for ensuring the procedures described herein are followed.
- b. Scheduling the line-up on a date and at a time that is convenient for all concerned parties, to include the prosecuting attorney, defense counsel, and any witnesses.
- c. Ensuring compliance with any legal requirements for transfer of

the subject to the line-up location if the individual is incarcerated at a detention center.

- d. Making arrangements to have persons act as fillers.
- e. That the witness was informed the suspect may or may not be in the line-up prior to the live line-up.
- f. Ensuring that the suspect's right to counsel is scrupulously honored and that he or she is provided with counsel if requested. Obtaining proper documentation of any waiver of the suspect's right to counsel.
- g. Allowing counsel representing the suspect sufficient time to confer with his or her client prior to the line-up and to observe the manner in which the line-up is conducted.
- h. Only the suspect's attorney may be present for a line-up.
- i. Witnesses should not be permitted to see or be shown the suspects or their photos prior to the line-up.

## C. Show-Ups

### 1. Conducting a Show-up

- a. The use of show-ups should be avoided whenever possible. The use of a line-up or photo array procedure is preferred. However, when circumstances require the prompt presentation of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness and increase reliability.
  - Document the witness's description of the perpetrator prior to conducting the show-up.
  - Conduct a show-up only when the suspect is detained within a reasonable time frame after the commission of the offense and within a close physical proximity to the location of the crime.
  - Do not use a show-up procedure if probable cause to arrest the suspect has already been established.
  - If possible, avoid conducting a show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.
  - Caution the witness that the person he or she is about to see may or may not be the perpetrator—and it is equally important to clear an innocent person. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.
  - Do not conduct the show-up with more than one witness present at a time.

- Separate witnesses and do not allow communication between them before or after conducting a show-up.
- If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.
- Do not present the same suspect to the same witness more than once.
- Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.
- Remind the witness not to talk about the show-up to other witnesses until law enforcement or prosecutors deem it permissible.
- Document the time and location of the show-up, the officers present, the result of the procedure, and any other relevant information.

# Confidential Informants

Policy #: 4.4.2

Effective Date: 1/1/2026

Revised Date: 12/7/2025

## I. PURPOSE

The purpose of this policy is to establish clear safeguards for the selection, management, and use of confidential informants in support of lawful criminal investigations, while ensuring the safety of all parties, accountability of law enforcement personnel, and the protection of the public interest.

## II. DEFINITIONS

**CONFIDENTIAL INFORMANT (CI)** – a person who cooperates with a department confidentially to protect the person or the department’s intelligence gathering or investigative efforts and;

1. Seeks to avoid arrest or prosecution for a crime, mitigate punishment for a crime in which a sentence will be or has been imposed, or receive a monetary or other benefit; and
2. Is able, because of the person’s familiarity or close association with suspected criminals, to:
  - a. Make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation
  - b. Supply regular or constant information about suspected or actual criminal activities to a department; or
  - c. Otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

**CONFIDENTIAL INFORMANT FILE** – a file maintained to document all information that pertains to a confidential informant.

**CONTROLLED BUY** – the purchase of contraband, controlled substances, or other items that are material to a criminal investigation from a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

**CONTROLLED SALE** – the sale of contraband, controlled substances, or other item(s) that are material to a criminal investigation, to a target offender that is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a confidential informant.

**COMPELLING PUBLIC INTEREST** - includes any situation in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for persons, property, or public safety that thereby demands action.

**JUVENILE** – any person under the age of eighteen (18) years old.

**TARGET OFFENDER** – the person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a confidential informant.

**OVERSEEING OFFICER** – the officer primarily responsible for the supervision and management of a confidential informant.

### III. GUIDELINES

#### A. Initial Suitability Determination

1. An initial suitability determination must be conducted on any individual who is being considered for a role as a CI. The report must be submitted to an individual who has proper delegated authority for determining whether a person may be a CI. The report must include sufficient detail regarding the risks and benefits of using the individual so that a sound determination may be made. The following information must be addressed in the report, where applicable:
  - a. Age, sex, and residence;
  - b. Employment status or occupation;
  - c. Affiliation with legitimate businesses and illegal or suspicious enterprises;
  - d. Extent to which potential information, associations, or other assistance could benefit a present or future investigation;
  - e. Relationship with the target of an investigation;
  - f. Motivation in providing information or assistance;
  - g. Risk of adversely affecting an existing or future investigation;
  - h. Extent to which provided information can be corroborated;
  - i. Prior record as a witness;
  - j. Criminal history, to include whether he or she is the subject of a pending investigation, is under arrest, or has been charged with a crime;
  - k. Risk to the public or as a flight risk;
  - l. Consultation with the individual's probation, parole, or supervised release agent, if any;
  - m. Consideration and documentation of the individual's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the individual's history of mental illness, substance use disorder, traumatic brain injury or disability;
  - n. Relationship to anyone in law enforcement;
  - o. Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement; and
  - p. Prior or current service as a CI with this or another law enforcement

organization.

2. Prior to approving an individual as a CI, an individual with the proper delegated authority must review the initial suitability report. Any prospective or current CI must be excluded from engaging in a controlled buy or sale if the prospective or current CI:
  - a. Is receiving in-patient treatment or partial-hospitalization treatment administered by a license service provider for a substance use disorder or mental illness; or
  - b. Is participating in a treatment-based drug court program or treatment court; except that the prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program, or treatment court.
3. Documentation and special consideration must be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the individual is known to have experience, or has reported experiencing, a drug overdose in the previous twelve (12) months. Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided resources regarding resources and treatment services.
4. Any prospective or current CI that has a physical or mental illness that impairs the ability of the individual to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager/social worker from the county social services agency, or other substance abuse and mental health services.
5. Each CI's suitability must be reviewed every six (6) months, at a minimum, during which time the CI's overseeing officer must submit a Continuing Suitability Report addressing the foregoing issues in this section as applicable. An initial suitability determination must be conducted on a reactivated CI regardless of the length of inactivity. Any information that may negatively affect a CI's suitability during the course of their use must be documented in the CI's file and forwarded to the appropriate authorized personnel as soon as possible. Supervisors must review informant files regularly with the overseeing agent and must attend debriefings of CIs periodically as part of the informant management process. If a supervisor is unable to attend a CI briefing, another agent or investigatory partner must attend the meeting so two (2) officers are present. When a CI is active for more than twelve (12) consecutive months, a supervisory meeting with the CI must be conducted without the overseeing agent. CI contracts must be terminated, and the CI file placed in inactive status when the CI has not been utilized for six (6) months or more.

**B. Exigent Confidential Informants**

1. When an individual who has been arrested is willing to immediately

cooperate and perform investigative activities under the direction of an overseeing officer, the initial suitability determination may be deferred. In these cases, the individual may be utilized as a CI for a period not to exceed twelve (12) hours from the time of arrest. An exigent confidential informant may be used if all of the conditions listed below are met:

- a. The individual is not excluded from utilization as a CI per the conditions described in this policy;
  - b. There is a compelling public interest, or exigent circumstances exist, that demand immediate utilization of the individual as a CI and any delay would significantly and negatively affect any investigation; and
  - c. A supervisor has reviewed and approved the individual for utilization as a CI under these circumstances.
2. An initial suitability determination must be conducted after the twelve (12) hour window if the CI decides to engage in any further investigative activities.

C. Special Confidential Informants

1. Certain individuals who are being considered for use as a CI require special review and approval. In all instances, the Chief or the Chief's designee and the office of the prosecutor or county attorney should be consulted prior to the use of these individuals as CIs. The following individuals are considered "special" confidential informants and require additional review and approval prior to taking on a CI role:
  - a. Juveniles,
  - b. Individuals obligated by legal privilege of confidentiality, and
  - c. Government officials.
2. A juvenile under the age of eighteen (18) may only participate in a controlled buy or sale if his or her parent(s) or guardian(s) have provided the department or overseeing officer with written permission. The use of a juvenile CI may only be granted by the supervising authority when there is a compelling public interest. Juveniles who are wards of the State may not be used as a CI.
3. The use of any special CI identified in this policy requires special review and approval by the supervising authority and the office of the prosecutor or county attorney.

# Domestic Abuse Response and Arrest

Policy #: 4.4.3

Effective Date: 1/1/2026

Revised Date: 12/2/2025

## I. PURPOSE

The purpose of this policy is to establish priorities, guidelines, and procedures to be followed by officers of the department in response to domestic violence calls to take a proactive, victim-centered approach to such investigations. The department takes a zero-tolerance position on domestic violence, and all incidents will be investigated thoroughly, including any instances involving an officer or individuals in positions of power or influence.

## II. DEFINITIONS

**CHILD** (defined by [Minn. Stat. §299C.52, subd.1\(a\)](#)) – any person under the age of eighteen (18) years or any person certified or known to be mentally incompetent.

**DOMESTIC ABUSE** (defined by [Minn. Stat. § 518B.01, subd. 2\(a\)](#)) - means the following, if committed against a family or household member:

1. physical harm, bodily injury, or assault;
2. the infliction of fear of imminent physical harm, bodily injury, or assault; or
3. Threats of violence.

**FAMILY OR HOUSEHOLD MEMBER** (defined by [Minn. Stat. § 518B.01, subd. 2\(b\)](#)) - spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

**PREDOMINANT AGGRESSOR** - the individual who poses the most serious, ongoing threat, who might not necessarily be the initial aggressor in a specific incident.

## III. GUIDELINES

### A. Preliminary Response

1. An officer should prioritize response to a domestic violence related call and respond directly to the scene without unreasonable delay.
2. Entry
  - a. Officers should request entry, in the event the incident occurred at a private residence.
  - b. Refused Entry
    - If refused entry, officers must insist on speaking with all

individuals present to ensure their safety.

- Officers may enter the premises without permission or a warrant if there is a reasonable belief that an occupant's safety is at risk.
- If entry is denied and no legal grounds exist for warrantless entry, but a crime is suspected, officers should consult a supervisor regarding obtaining a search warrant. See the department's Application for and Execution of Search Warrants Policy.

3. Securing the Scene

- a. Officers should make contact with all individuals present, including potential witnesses, victims, or perpetrators, and separate all parties, keeping everyone out of sight and hearing range of one another, as much as safely possible.
- b. Officers should inquire about any weapons in the area or potential access to weapons and identify and take temporary custody of firearms or weapons in plain sight.

B. On-Scene Investigation

1. Officers shall assess for physical injuries, including inquiring about strangulation or possible internal, non-visible injuries or sexual violence. Officers shall administer first aid and request additional medical services if necessary, or if requested by the victim or suspect.
2. An officer shall interview the victim away from other parties present at the scene. The interview should at a minimum include questions regarding:
  - a. Acts of intimidation, including attempted prevention of the victim calling law enforcement or seeking other assistance;
  - b. Recent or previous history of threatening, assaultive, violent, or stalking behaviors;
  - c. Conduct by the suspect that made the victim feel frightened or threatened; and
  - d. Specific facts and details surrounding the incident that occurred and resulted in the law enforcement response.
3. Investigating officers shall obtain a comprehensive statement from each involved individual and witness, and such interviews should be at least audio recorded.
4. An officer shall take photographs of the victim and suspect, whether or not there are any visible injuries.
5. An officer shall take photographs of any visible injuries of all parties, including any healing or old injuries.
  - a. Descriptive and specific documentation of the injuries should accompany the photos.

- b. When possible, additional photographs should be taken of recent injuries twenty-four (24), forty-eight (48), and/or seventy-two (72) hours later in the event the injuries become more pronounced.
- c. An officer shall collect any relevant physical evidence that establishes or corroborates the facts of the crime.
- d. An officer shall check for the existence of a protection order or similar court order between the parties. If a protection order or other court order exists, the officer shall take appropriate action and obtain a copy to include with the documents and reports from the incident.
- e. An officer shall review the criminal record of the suspect for any prior convictions that may impact the offense to be charged.

C. Arrest Decision

- 1. When making an arrest in domestic violence cases, officers must identify the predominant aggressor and avoid dual arrests. In situations where both parties are alleged to have assaulted each other, the officer shall determine whether there is sufficient evidence to conclude that one of the parties is the predominant aggressor based on the officer's judgement and in consideration of:
  - a. The comparative extent of any injuries inflicted;
  - b. Fear of physical injury because of past or present threats;
  - c. Actions taken in self-defense or to protect oneself;
  - d. The history of domestic abuse perpetrated by one party against the other; and
  - e. The existence or previous existence of a protection order.
- 2. If there is probable cause to believe a crime has occurred and the predominant aggressor has been identified, the officer shall arrest the individual unless there is a clear and compelling reason not to do so.
- 3. An individual may be arrested based on probable cause to believe that a domestic assault occurred without obtaining an arrest warrant.
- 4. An officer shall not ask a victim for their opinion or input on making an arrest, nor should an officer make an arrest decision based on victim input.

D. Victims' Rights and Services

- 1. An officer shall provide immediate assistance to a victim of domestic abuse or a violation of an order for protection, regardless of whether an arrest is made. [Minn. Stat. § 629.342, subd. 3](#). Assistance shall include assisting the victim in obtaining necessary medical treatment and providing the victim with a notice of their rights under [Minn. Stat. § 629.341, subd. 3](#). The officer should also provide any victim with resources and support information, including providing information about obtaining an order for protection, contact information for any local domestic violence service providers,

notification services such as Victim Information and Notification Everyday (VINE), the crime report number, and the officer's contact information.

E. Post-Incident

1. Officers should remain at the scene until any disturbance has been eliminated and they believe that there is no likely risk of further imminent abuse.
2. Any officer responding to the scene of an alleged crime involving domestic or family violence shall use all reasonable means to prevent further violence. This may include but is not limited to:
  - a. Transporting or obtaining transportation for the alleged victim and any children to a designated safe place to meet with a domestic violence counselor, local family member, or friend;
  - b. Assisting the alleged victim in removing toiletries, medication, and necessary clothing; and/or
  - c. Giving the alleged victim immediate and written notice of victims' rights and available services.

F. Documentation

1. An officer shall write a report after responding to a domestic violence related call. The report shall include, but is not limited to:
  - a. The date, time, and location of response;
  - b. Identification and contact information for all victims, witnesses, and suspects;
  - c. A detailed description of all aspects of the investigation the officer was involved in and actions taken, including:
    - A detailed summary of any statements taken;
    - Descriptions of injuries or relevant conduct observed;
    - A detailed description of the scene;
    - Identification of the predominant aggressor if cross-allegations were made, and the factors considered in making that determination; and
    - A detailed description of any photographs taken or evidence seized.
  - d. Existence of any protection orders and a copy of the court order; and
  - e. Existence of a qualifying prior conviction, if any, including the date of conviction, offense convicted of, and court file number.

G. Incidents Involving Law Enforcement

1. In instances where one or more parties of a reported domestic violence incident is a law enforcement officer, the following additional steps shall be

taken.

2. Notifications

- a. When a telecommunicator receives a call that involves or appears to involve a law enforcement officer, they shall immediately notify and dispatch a supervisor, regardless of the involved individual's jurisdiction, and notify responding officers that the call involves a law enforcement officer.
- b. If previously unaware that the call for service involves a law enforcement officer, responding officers shall immediately notify communications personnel and request that a supervisor of a rank higher than the involved law enforcement officer report to the scene, regardless of the involved law enforcement officer's jurisdiction. If there is no one of higher rank on duty, the shift commander should be notified.
- c. The on-scene supervisor shall notify the Chief or the Chief's designee as soon as possible.
- d. When the law enforcement officer involved is from another agency or jurisdiction, the supervisor shall ensure that the Chief or the Chief's designee in the accused law enforcement officer's agency of employment is notified.
- e. If the reported incident involves the chief of a law enforcement agency, the appropriate prosecutor(s) and the individual with direct oversight of the accused individual shall be notified.
- f. All notifications and attempts to notify shall be fully documented.

3. When serving arrest warrants related to domestic violence offenses involving a law enforcement officer, as well as any subsequent protective orders, the primary focus must be on ensuring the safety of all individuals involved. The service should be conducted with careful planning, professionalism, and adherence to established safety protocols to minimize risk and maintain the integrity of the process.

4. Seizure of Firearms

- a. In instances where the accused law enforcement officer is arrested and firearms have not previously been seized, firearms shall be seized if permitted by the department or applicable law, including [18 U.S.C. 922\(g\)\(9\)](#). The seizure and transfer of weapons shall be conducted professionally and in accordance with all legal requirements to ensure the safety of all individuals involved.

5. An employee of the department accused of domestic violence shall be investigated in accordance with the Investigation of Allegations of Employee Misconduct and Disciplinary Process policies. The investigation will be conducted fairly, thoroughly, and in compliance with all applicable laws and department policies. If a policy violation occurred or if the employee's access to necessary security clearances is revoked, appropriate administrative

action may be taken. This may include temporary reassignment, restricted duties, or leave as necessary to uphold the integrity of the investigation, maintain public trust, and ensure compliance with department standards and operational requirements.

# Investigating Sexual Assault

Policy #: 4.4.4

Effective Date: 1/1/2026

Revised Date: 12/6/2025

## I. PURPOSE

The purpose of this policy is to provide officers important guidelines and information for responding to reports of sexual assault and affirms the authority and responsibility officers have to conduct thorough investigations and to make arrest determinations in accordance with established probable cause standards.

## II. POLICY

It is the policy of the department to recognize sexual assault as a serious problem in society and to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area. When investigating incidents of sexual assault, officers shall utilize investigative techniques that are victim centered. Officers should strive to protect the dignity and autonomy of victims by giving them choices, whenever possible, and by helping them to better understand the criminal justice system and its processes. Officers shall coordinate and work cooperatively with the prosecutor's office and assist in conducting any necessary follow-up investigations when directed to do so by the prosecuting attorney or a supervisor.

The department will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, immigration status, or national origin.

## III. DEFINITIONS

**CHILD** (defined by [Minn. Stat. §299C.52, subd.1\(a\)](#)) – any person under the age of eighteen (18) years or any person certified or known to be mentally incompetent.

**CONSENT** (defined by [Minn. Stat. § 609.341](#)) - words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act. A person who is mentally incapacitated or physically helpless as defined by [Minnesota Statute § 609.341](#) cannot consent to a sexual act. Corroboration of the victim's testimony is not required to show lack of consent.

**CRIMINAL SEXUAL CONDUCT** – a person who engages in sexual contact or penetration with another person in a criminal manner as identified in Minn. Stat. [§ 609.342](#) to [§ 609.3451](#).

**FAMILY OR HOUSEHOLD MEMBER** - spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, persons who have a child in common regardless of whether they have been married or have lived together at any time, and persons involved in a significant romantic or sexual relationship. It also includes a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time.

**MEDICAL FORENSIC EXAMINER** - health care provider conducting a sexual assault medical forensic examination.

**MENTALLY INCAPACITATED** (defined by [Minn. Stat. § 609.341, subd. 7](#)) – (1) that a person under the influence of alcohol, a narcotic, anesthetic, or any other substance, administered to that person without the person’s agreement, lacks the judgement to give a reasoned consent to sexual contact or sexual penetration; or (2) that a person is under the influence of any substance or substances to a degree that renders them incapable of consenting or incapable of appreciating, understanding, or controlling the person’s conduct.

**PHYSICALLY HELPLESS** (defined by [Minn. Stat. § 609.341, subd. 9](#)) - means that a person is (a) asleep or not conscious, (b) unable to withhold consent or to withdraw consent because of a physical condition, or (c) unable to communicate non-consent and the condition is known or reasonably should have been known to the actor.

**SEXUAL ASSAULT** - a person who engages in sexual contact or penetration with another person in a criminal manner as identified in [Minnesota Statute § 609.342](#) to [§ 609.3451](#).

**SEXUAL ASSAULT MEDICAL FORENSIC EXAMINATION** - an examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients.

**VICTIM ADVOCATE** - a Sexual Assault Counselor defined by [Minn. Stat. § 595.02, subd. 1\(k\)](#) and/or Domestic Abuse Advocate as defined by [Minn. Stat. § 595.02, subd. 1\(1\)](#) who provide confidential advocacy services to victims of sexual assault and domestic abuse. Victim advocates as defined provide coverage in all counties in Minnesota. Minnesota Office of Justice Programs (MN OJP) can assist law enforcement agencies in locating their local victim advocacy agency for the purposes outlined in this policy.

**VICTIM CENTERED APPROACH** - a victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim’s rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims’ input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.

**VULNERABLE ADULT** - any person eighteen (18) years of age or older who:

1. is a resident inpatient of a facility as defined in [Minn. Stat. § 626.5572, subd. 6](#);
2. receives services at or from a facility required to be licensed to serve adults under the Human Services Licensing Act, except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause (4);
3. receives services from a home care provider required to be licensed under sections [144A.43](#) to [144A.482](#); or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under sections

[256B.0625, subd. 19a](#), [256B.0651](#) to [256B.0654](#), and [256B.0659](#); or

4. regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:
  - a. that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and
  - b. because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

#### IV. GUIDELINES

##### A. Responding to a Sexual Assault Call

1. When responding to a sexual assault call, officers shall respond without delay and follow standard incident response procedures. Upon arrival, officers should determine whether the victim needs medical attention as well as the location/jurisdiction in which the assault took place. If the assault took place outside of the department's jurisdiction, the responding officer should assist the victim in contacting the appropriate law enforcement agency and provide any services or assistance requested by the victim. If the victim is unsure of where the assault took place or another jurisdiction cannot be determined, the officer should take the report. Department personnel shall treat victims of sexual assault with dignity and respect. Department personnel should also recognize that victims of traumatic incidents may not be willing or able to immediately assist with the criminal investigation.
2. During initial contact, the responding officer should explain the investigative process to the victim. This explanation should include a description of the various tasks and roles the first responder, investigator, and anyone else with whom the victim will likely interact. Officers are encouraged to connect the victim with local victim advocates as soon as possible. Personnel should inform the victim that there are confidential victim advocates available to address any need they might have and to support them through the criminal justice process. These advocates may be present to support the victim during any interviews that take place. The victim should be provided with contact information for the local victim advocate and officers are encouraged to contact local victim advocates on the victim's behalf with their permission. Victim advocates are not, without the consent of the victim, allowed to disclose any opinion or information received from or about the victim.
3. Anoka County Sheriff's Office – Criminal Investigation Division (CID) should be contacted for further investigation.

##### B. Investigation

1. During a sexual assault investigation, officers shall ensure the following tasks

are completed:

- a. The responding officer shall collect the victim's preferred contact information;
  - b. Officers shall ask about and document any signs and/or symptoms of injury, including strangulation;
  - c. Officers shall ensure the victim knows they can go to a designated facility for a forensic medical examination. Officers may arrange for transportation for the victim or transport the victim themselves.
  - d. If the victim seeks medical attention or elects to have a forensic medical examination completed, officers shall attempt to obtain a signed medical release form from the victim;
  - e. Officers shall identify and attempt to interview any potential witnesses to the sexual assault and/or anyone the victim may have told about the assault; and
  - f. Officers shall collect any evidence related to the assault, including but not limited to: clothing, bedding, electronic data and security footage.
2. The department recognizes that victims of sexual assault due to their age or physical, mental or emotional distress, are better served by utilizing trauma informed interviewing techniques and strategies. In all Criminal Sexual Conduct (CSC) cases, officers will contact Anoka County Sheriff's Office – Criminal Investigation Division (CID) for direction on investigation prior to a formal interview. In recognizing the potential need for non-traditional interviewing techniques for sexual assault victims, officers should consider the following:
- a. Officers are encouraged to offer to have a confidential victim advocate present, if possible, as additional support for the victim during the process.
  - b. Officers should conduct the victim interviews in person in a comfortable and welcoming environment to the extent possible.
  - c. Officers should let the victim share details of the event at their own pace.
  - d. Officers should be mindful of the fact that victims may have difficulty remembering incidents in a linear fashion and may remember details in the days and weeks following the assault.
3. Depending on the victim, additional interviews might be needed to gather additional information. During initial and subsequent victim interviews, officers and/or investigators should attempt to discern the following:
- a. Whether the suspect was known to the victim;
  - b. How long the victim knew the suspect;
  - c. The extent of their previous or current relationship;

- d. Whether the use of drugs or alcohol were involved in the incident;
- e. Whether there were any behaviors or actions that altered the encounter, such as an encounter that started off consensual then changed based on the behaviors of one or more of the individuals involved;
- f. Specific actions, statements, and/or thoughts of both victim and suspect immediately prior, during, and after assault; and
- g. Relevant communication through social media, email, text messages, or any other forms of communication.

C. Evidence Collection

1. Officers investigating a sexual assault shall follow standard evidence collection procedures and any other procedures mandated by the department.
2. When collecting evidence, officer should consider the following points:
  - a. Officers should collect evidence or document information regarding the environment in which the assault took place, including indications of isolation and soundproofing.
  - b. Officers should document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.
  - c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, drug paraphernalia, or other related items.
  - d. If the victim has declined a medical examination or a medical forensic examination will not be conducted, the officer should attempt to obtain victim consent and take photographs of visible physical injuries, including any healing or old injuries. The victim should be instructed on how to document any bruising or injury that becomes apparent in the hours or days after the altercation. Officers are encouraged to follow-up with the victim a day or two after the reported event to take additional photos if the victim consents.

D. Sexual Assault Medical Forensic Examinations

1. Prior to the sexual assault medical forensic examination, the investigating officer should do the following:
  - a. Ensure the victim understands the purpose of the sexual assault medical forensic examination and its importance to both their general health and wellness and to the investigation. Officers should inform the victim that forensic medical examinations are completed at zero cost to them.
  - b. Provide the victim with general information about the procedure and encourage them to seek further detail and guidance from the

forensic examiner, health care professional, or a victim advocate. Officers and investigators cannot deny a victim the opportunity to have an exam.

- c. Officers should be aware and if necessary, relay to victims who do not want to undergo an exam that there might be additional treatments or medications they are entitled to even if they do not want to have an examination completed. Victims can get additional information on these other treatments from a health care provider or a victim advocate. If possible, law enforcement should transport or arrange transportation for the victim to the designated medical facility.
  - d. Ask the victim to sign a medical release form to gain access to any medical records related to the examination.
2. Officers should not be present during any part of the examination, including during the medical history. Following the examination, the evidence collected shall be handled according to department policy and [Minn. Stat. § 299C.106](#).

E. Minors and Vulnerable Adults

1. The department recognizes that victims are better served by utilizing interview techniques and strategies that eliminate the need for multiple interviews. Department members will be alert for victims who would be best served by the use of specialized interview techniques. Officers, in making this determination, should consider the victim's age, level of maturity, communication skills, intellectual capacity, emotional state, and any other observable factors that would indicate specialized interview techniques would be appropriate for a particular victim. When an officer determines that a victim requires the use of these specialized interview techniques, the officer should limit their actions to the following:
  - a. Ensuring the safety of the victim;
  - b. Ensuring the scene is safe;
  - c. Safeguarding evidence where appropriate;
  - d. Collecting any information necessary to identify the suspect; and
  - e. Addressing the immediate medical needs of individuals at the scene.
2. Initial responding officers should not attempt to interview the victim in these situations. Instead, officers should attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and what crime(s) may have occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.
3. Officers responding to victims with special considerations must comply with the mandated reporting requirements of [Minnesota Statute § 260E.06](#) and [§](#)

[626.557](#), as applicable. Officers investigating cases involving victims with special considerations are encouraged to coordinate these investigations with human services. Any victim or witness interviews conducted with individuals having special considerations must be audio and video recorded whenever possible. All other interviews must be audio recorded whenever possible.

4. Not all sexual assaults of minor victims require a mandatory report to human services. This policy recognizes that in certain cases, notifying and/or the involvement of a parent/guardian pursuant to [Minn. Stat. § 260E.22](#) can cause harm to the minor and/or impede the investigation. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under [Minn. Stat. § 260E.06](#) should assess the impact on the victim and the investigation if parents/guardians were notified before involving them.
5. Officers should obtain necessary contact information for the victim's caregiver, guardian or parents and where the victim may be located at a later time. Officers should advise the victim and/or any accompanying adult(s), guardians or caregivers that an investigating officer will follow up with information on a forensic interview. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident, they should listen to them but not question them as this may influence any future statements.
6. Officers responding to a report of sexual assault committed against a family and/or household member must follow the requirements/guidelines of this policy as well as those in the department's Domestic Abuse Response and Arrest policy and protocols.

F. Suspect Contact and Interviews

1. When circumstances allow, officers should review the suspect's criminal history record before initiating contact. When reviewing the record, officers should pay special attention to qualified domestic abuse related offenses and other accusations or charges related to criminal sexual conduct. Initial and subsequent interviews with a suspect should, whenever possible, be conducted in person and recorded. If the suspect does not deny having sexual contact with the victim, but denies the encounter was non-consensual, officers should:
  - a. Collect evidence of past communication, including but not limited to all relevant interactions on social media, through text message, and through any other mediums between the suspect and victim, and
  - b. Gather additional details regarding the events that transpired prior to, during, and after the assault in an effort to identify additional potential witnesses, crime scene locations, and evidence.
2. As part of their investigation, officers should collect evidence from the suspect- either by consent or with a search warrant. Sexual assault medical forensic examinations may be completed on a suspect by a medical

professional. If a forensic examination is not conducted, the investigating officer should ensure the following evidence is collected:

- a. DNA (that of the suspect and any obtainable that may be from the victim, possibly via fingernail scrapings);
  - b. Biological trace evidence, if applicable;
  - c. The suspects' clothing worn during the assault; and
  - d. Injury photographs.
3. Officers should also document the suspect's appearance, the presence of any scars/tattoos, piercings, and other identifiable marks, features, or attributes.
  4. For sexual assaults involving strangers, officers should focus investigative efforts on collection of video, DNA, and other trace evidence that may help identify the perpetrator.

#### G. Victim Rights

1. Officers have a statutory obligation to inform domestic and sexual assault victims of their rights. Officers must provide victims of sexual assault, minimally with the information included herein.
  - a. [Minn. Stat. § 611A.02, subd. 2\(b\)\(1-6\)](#) requires peace officers to provide victims an initial notice of their rights as a victim of a crime.
  - b. [Minn. Stat. § 629.341, subd. 3](#). Requires peace officers to inform victims whether a shelter or other services are available in their community. Under this provision, officers shall also inform the victim of their legal rights and the remedies available to them.
  - c. [Minn. Stat. § 611A.27, subd. 1](#) requires peace officers to release information regarding a sexual assault examination kit to the victim or their delegate upon request. Victims should be informed of their right to request this information.
2. As stated in [Minn. Stat. § 611A.26, subd. 1](#), no officer or prosecutor shall require a victim, or complainant, of sexual assault to submit to a polygraph examination as a condition of proceeding with the investigation or prosecution of the crime. A victim may submit to a polygraph examination if the conditions described in [Minn. Stat. §611A.26, subds. 2-4](#) are met.

#### H. Evidence Preservation

1. When a victim calls to report a sexual assault and the assault was recent, dispatchers and/or peace officers should inform the victim of the following to ensure critical evidence is not lost:
  - a. Suggest to the victim that they not bathe or clean up,
  - b. If the victim needs to urinate, suggest they collect the urine in a clean container for testing and avoid wiping, and
  - c. Place any clothing, blankets, or linens worn or present during or

after the assault in a paper bag unwashed.

2. If the assault happened more than twenty-four (24) hours prior to the report or the victim has already bathed or washed their clothing/bedding, officer should reassure the victim that other evidence may still be identified and recovered by other means.

# Predatory Offender Registration and Community Notification

Policy #: 4.4.5

Effective Date: 1/1/2026

Revised Date: 12/6/2025

## I. PURPOSE

The purpose of this policy is to provide guidelines for consistently upholding its duty to protect the public by disclosing information on predatory offenders residing in this community. This department will decide what information to disclose and who to disclose it to based on the level of danger posed by the offender, the offender's pattern of offending behavior and the needs of community members to enhance their individual and collective safety.

## II. DEFINITIONS

**IMMEDIATE HOUSEHOLD** (defined by [Minn. Stat. § 244.052, subd. 1\(2\)](#)) - any and all individuals who live in the same household as the offender.

**LIKELY TO ENCOUNTER** (defined by [Minn. Stat. §244.052, subd. 4\(c\)](#)) -the organizations or community members are in a location or in close proximity to a location where the offender lives or is employed, or which the offender visits or is likely to visit on a regular basis, other than the location of the offender's outpatient treatment program; and the types of interaction which ordinarily occur at that location and other circumstances indicates that contact with the offender is reasonably certain.

**OFFENDER RISK LEVELS** - the level of notification governed by the level of risk assigned by the Department of Corrections (DOC). Three possible risk levels can be assigned to an offender. They are: Level 1 – low risk of re-offending, Level 2 – moderate risk of re-offending, Level 3 – high risk of re-offending. Some offenders who are required to register as predatory offenders are not assigned a risk level because their sentence was completed prior to predatory offender legislation or because they have not spent time in state or federal prison. These offenders are not subject to community notification.

**PREDATORY OFFENDER (or OFFENDER)** (defined by [Minn. Stat. § 244.052, subd. 1\(5\)](#)) – a person who is required to register as a predatory offender under section [243.166](#).

**PREDATORY OFFENDER REGISTRATION AND COMMUNITY NOTIFICATION** - refers to the Minnesota law that requires certain predatory offenders to register with the Minnesota Department of Public Safety Predatory Offender Unit. The law also provides for community notification about certain adult predatory offenders who have been incarcerated by the Minnesota Department of Corrections (DOC) or confined by the Minnesota Department of Human Services (DHS).

**PRIMARY ADDRESS** - the mailing address of the person's dwelling. If the mailing address is different from the actual location of the dwelling, primary address also includes the physical location of the dwelling described with as much specificity as possible.

**REGISTRANT** – means the predatory offender or offender subject to registration.

**RISK ASSESSMENT SCALE** – the scale the Commissioner of Corrections uses to assign weights to the various risk factors listed in [MN Statute 244.052, subdivision 3\(g\)](#), and specifies the risk level to which offenders with various risk assessment scores shall be assigned.

### III. GUIDELINES

#### A. Registration

1. When an individual arrives to register with this agency, officers should ask what state the offense was committed in and if the individual has previously registered elsewhere. Officers shall verify that the individual is at the correct location to complete their registration - meaning that the registrant's primary address, work address, or school address are within the department's jurisdiction. Officers can review the list of registrable offenses on [the BCA's website](#) or by referring to [Minn. Stat. § 243.166, subd. 1b](#). In some cases, the department may have received prior notice from the commissioner of corrections that a predatory offender would be coming to the department to complete their registration.
2. If the individual is required to register, contact the BCA POR UNIT or login to the [POR LE/ES](#) portal to determine whether the individual has already registered and submitted a DNA sample. If the individual is already registered, complete a *Change of Information Form*. If the individual is not registered, complete a *Predatory Offender Registration Form*. If the individual is from or registered with another state, contact the state the individual is registered in and request a copy of the offender's original registration form, criminal complaint, and sentencing documents. All documents and photos can be downloaded and/or submitted via the BCA's MN Predatory Offender Registry Electronic Submissions (POR ES) portal.
3. The department strongly encourages its officers to verify the addresses of registrants living in this jurisdiction. [Minn. Stat. § 243.166](#) requires predatory offenders to register a new primary address at least five (5) days before the person starts living at a new location. The statute also requires registrants to provide written notice to the assigned corrections agent or to the law enforcement authority that has jurisdiction over the person's primary address that the person is no longer living or staying at an address, immediately after the person is no longer staying there. Statute requires the predatory offender to submit these written notices in person. Homeless registrants within the department's jurisdiction, or any agency's jurisdiction, are required to check in/register with law enforcement on a weekly basis.
4. If an officer finds that a registrant is not living at their registered primary address, contact the BCA POR UNIT or login to the POR ES portal to determine whether a *Change of Information Form* was submitted. If it was not, the registrant may be charged with failure to notify authorities of a change in residence. To make this charge, contact the BCA POR UNIT to request a prosecution packet. Submit the packet to the county attorney's office to file formal charges. Prior to submitting any formal charging paperwork, officers shall verify that the registrant is no longer residing at

his/her last address. If possible, officers should collect evidence of the registration violation in the form of a formal statement from friends, co-workers, neighbors, caretakers, etc. of the registrant.

B. Community Notification

1. The duty to provide notification depends on the risk level of predatory offenders, as provided by the Bureau of Criminal Apprehension (BCA) and Department of Corrections (DOC).
2. DOC Licensed Residential Facilities
  - a. Public notification must not be made if a registrant is placed or resides in one of the DOC licensed residential facilities (halfway houses). The DOC RA/CN unit may be contacted for a current list of designated halfway houses.
  - b. If a predatory offender or registrant leaves a DOC licensed facility, officers shall not disclose any information until the department is notified the registrant will move to a residential location within the department's jurisdiction.
  - c. If public notice (level 2 or 3) is required on an unhoused registrant, that notice should include as much specificity as possible, for example, "in the vicinity of (*location, landmark, intersection*)."
3. Level 1 Notification
  - a. The department and its officers may disclose the information it maintains on level 1 predatory offenders to other law enforcement agencies.
  - b. The department may disclose registrant information received from the DOC to any victims of or witnesses to the offense committed by the registrant.
  - c. The department and its officers shall disclose registrant information to the victims of the offense committed by the registrant who have made a disclosure request for enhanced notification as well as the adult members of the registrant's immediate household.
  - d. For more information regarding level 1 offender notification, refer to [Minn. Stat. § 244.052, subd. 4\(b\) \(1\)](#). See Confidential Fact Sheet.
4. Level 2 Notification
  - a. The department and its officers may make the same disclosures for a level 2 predatory offender as a level 1. Registrant information may also be disclosed to agencies and groups that the registrant is likely to encounter for the purpose of securing those institutions and protecting individuals in their care while they are on or near the premises of the institution. These agencies/groups include the staff members of public and private education institutions, day care establishments, and establishments that primarily serve individuals likely to be victimized by the registrant. Officers shall make

notification determinations based on the registrant's pattern of offending or victim preferences as documented in the information provided by the DOC or DHS.

- b. Level 2 predatory offender information may also be provided to property assessors, property inspectors, code enforcement officials, and child protection officials who are likely to visit the registrant's home while carrying out their work duties.
- c. For more information regarding level 2 predatory offender public notifications, refer to [Minn. Stat. § 244.052, subd. 4\(b\)\(2\)](#). See Fact Sheet- Notification of Relocation in Minnesota.

5. Level 3 Notification

- a. The department shall disclose level 3 predatory offender information to the individuals and organizations that are eligible for disclosure for level 1 and 2 registrants. The department shall also disclose level 3 registrant information to members of the community whom the registrant is likely to encounter, unless the department determines that public safety would be compromised by the disclosure or that a more limited disclosure is necessary to protect the identity of the victim.
- b. The department must make a good faith effort to complete the disclosure on a level 3 predatory offender within fourteen (14) days of receiving documents/notice from the DOC. The process of notification will be determined by the department.
- c. For more information regarding level 3 registrant public notification, refer to [Minn. Stat. § 244.052, subd. 4\(b\)\(3\)](#).

C. Healthcare Facility Notification

- 1. Upon notice that a registered predatory offender without a supervising agent has been admitted to a health care facility in its jurisdiction, the department shall provide a fact sheet to the facility administrator with the following information:
  - a. name and physical description of the offender;
  - b. the offender's conviction history, including the date of conviction;
  - c. the risk level assigned to the offender, if any; and
  - d. the profile of likely victims.

D. Victim Notification

- 1. The department shall provide victims who have requested notification with information that is relevant and necessary to protect the victim and augment their safety planning efforts. The victim is not required to live within the department's jurisdiction to receive notification.
- 2. The DOC will provide victim contact information to the department when there is a victim/witness who has requested enhanced notification. Law

enforcement personnel may directly contact the victim/witness. See Victim Survivor Notification form

3. Community based victim advocacy resources may also be available to assist with locating a victim and with providing notification. Assistance is also available from the DOC RA/CN and Victim Services staff.
- E. Out of State Predatory Offenders and Offenders Released from Federal Facilities Subject to Notification
1. If an officer learns that a person under its jurisdiction is subject to registration and desires consultation on whether or not the person is eligible for notification, the department, or officer, must contact the DOC. The DOC will review the governing law of the other state and, if comparable to Minnesota requirements, inform the department that it may proceed with community notification in accordance with the level assigned by the other state. If DOC determines that the governing law in the other state is not comparable, community notification by the department may be made consistent with that of a level 2 registrant.
  2. If an officer or other member of the department believes that a risk level assessment is needed, the department may request an end-of-confinement review by the DOC. The department shall provide the DOC any necessary documents required for assessing the predatory offender and assigning a risk level.
- F. Neither the department nor its officers shall disclose the identity or any identifying characteristic of the victims of or witness to a predatory offender's offenses.
- G. A registrant who is the subject of a community notification meeting may not attend the meeting.
- H. The department shall disclose information on a registrant as required by statute for as long as the offender is required to register under [Minn. Stat. §243.166](#).
- I. When a registrant for whom notification was made no longer resides, is employed, or is regularly found in the department's jurisdiction, the department shall inform the entities and individual initially informed of the registrant's status.
- J. For questions regarding community notification or the risk level assigned, contact the Risk Assessment/Community Notification Unit of the Department of Corrections (DOC RA/CN Unit) at 651-361-7340 or at [notification.doc@state.mn.us](mailto:notification.doc@state.mn.us). The DOC is also available to assist the department with conducting public notification meetings when a registrant who is subject to notification moves into the department's jurisdiction.

# Response to Reports of Missing and Endangered Persons

Policy #:4.4.6

Effective Date: 1/1/2026

Revised Date: 12/7/2025

## I. PURPOSE

The purpose of this policy is to establish guidelines and responsibilities for the consistent response to, and investigation of, all reports of missing and/or endangered persons. This policy addresses investigations where the person has been determined to be missing and/or endangered and includes all procedures required by [Minn. Stat. § 299C.52](#).

The department recognizes there is a critical need for immediate and consistent response to reports of missing and/or endangered persons. The decisions made and actions taken during the preliminary stages may have a profound effect on the outcome of the case. Therefore, the department has established the following responsibilities and guidelines for the investigation of missing and/or endangered persons.

## II. DEFINITIONS

**CHILD** (defined by [Minn. Stat. §299C.52, subd.1\(a\)](#)) – any person under the age of eighteen (18) years or any person certified or known to be mentally incompetent.

**DNA** (defined by [Minn. Stat. § 299C.52, subd. 1\(b\)](#)) - deoxyribonucleic acid from a human biological specimen.

**ENDANGERED** (defined by [Minn. Stat. § 299C.52, subd. 1\(c\)](#)) – law enforcement officials have received sufficient evidence that the missing person is at risk of physical injury or death:

1. the person is missing as a result of a confirmed abduction or under circumstances that indicate that the person's disappearance was not voluntary;
2. the person is missing under known dangerous circumstances;
3. the person is missing more than thirty (30) days;
4. the person is under the age of 21 and at least one other factor in this paragraph is applicable;
5. there is evidence the person is in need of medical attention or prescription medication such that it will have a serious adverse effect on the person's health if the person does not receive the needed care or medication
6. the person does not have a pattern of running away or disappearing;
7. the person is mentally impaired:

- a. there is evidence that the person may have been abducted by a noncustodial parent;
- b. the person has been the subject of past threats or acts of violence;
- c. there is evidence the person is lost in the wilderness, backcountry, or outdoors where survival is precarious and immediate and effective investigation and search and rescue efforts are critical; or
- d. any other factor that the law enforcement agency deems to indicate that the person may be at risk of physical injury or death, including a determination by another law enforcement agency that the person is missing and endangered.

**MISSING** (defined by [Minn. Stat. § 299C.52, subd. 1 \(d\)](#)) - the status of a person after a law enforcement agency has received a report of a missing person, has conducted a preliminary investigation, and determined that the person cannot be located.

**MISSING PERSON NETWORKS** - databases or computer networks available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the National Missing and Unidentified Persons System (NamUs), the National Center for Missing and Exploited Children (NCMEC), the Minnesota Justice Information Services (MNJIS), the Minnesota Missing and Unidentified Persons Clearinghouse, and the Minnesota Crime Alert Network.

**UNMANNED AERIAL VEHICLE (UAV)** (defined by [Minn. Stat. § 626.19, subd. 1\(a\)\(3\)](#))- an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

### III. GUIDELINES

#### A. Initial Response

- 1. As required by [Minn. Stat. § 299C.53, subd. 1\(a\)](#), the department shall accept, without delay, any report of a missing person. A report shall be accepted regardless of where the person was last seen where the person resides, or any question of jurisdiction. When taking a missing person report, officers shall complete the tasks listed below, as applicable.
  - a. An officer shall conduct a preliminary investigation to determine the person is missing and/or endangered.
  - b. Interpretive services shall be utilized when necessary.
  - c. Interview the person who made the initial report, and if the person is a child, the child's parent(s) or guardian(s).
  - d. Determine when, where, and by whom the missing person was last seen.
  - e. Interview the individual(s) who last had contact with the missing

and/or endangered person.

- f. Obtain a detailed description of the missing and/or endangered person, abductor, vehicles, etc. and ask for recent photograph of the person and any other persons or items of importance.
- g. Obtain cell phone number(s) for the missing person and suspect(s).
- h. Collect and preserve the missing and/or endangered person's cellphone(s), tablet(s), and computer(s).
- i. Broadcast an "Attempt to Locate" (ATL) or similar alert if the person is under the age of eighteen (18) years and/or there is evidence that the missing person is endangered, and the broadcast would not further endanger the missing person. The alert should be broadcast as soon as is practical but in no event more than one (1) hour after determining the missing person is under the age of eighteen (18) years or may be endangered.
- j. Immediately enter the missing person's complete descriptive and critical information into the appropriate category of the National Crime Information Center (NCIC) Missing Person File.
  - As required by [34 U.S.C. 41307](#), law enforcement shall, as soon as possible, enter missing children less than twenty-one (21) years of age into the NCIC and NamUs databases.
  - As required by [Minn. Stat. § 299C.53, subd. 1\(b\)](#), if the person is determined to be missing and endangered, the department shall enter identifying and descriptive information about the person into the NCIC as soon as possible.
- k. Enter complete descriptive information regarding suspects and any suspect vehicle(s) in the NCIC system.
- l. If needed, request investigative and supervisory assistance.
- m. Update additional responding personnel.
- n. Communicate known details promptly and as appropriate to other patrol units, local law enforcement agencies, and surrounding law enforcement agencies. Use the International Justice & Public Safety Network (NLETS), the Minnesota Crime Alert Network, and MNJIS KOPS Alert to alert state, regional and federal law enforcement agencies.
- o. Notify the family of the services available through Minnesota Missing/Unidentified Persons Clearinghouse.
- p. Secure the crime scene and/or last known position of the missing person and attempt to identify and interview people in the area at the time of the incident, if any.
- q. Obtain and protect uncontaminated missing person scent articles for

possible use by search canines.

- r. Activate protocols for working with the media.
- s. As required by [Minn. Stat. Chapter 299C.53, subd. 1\(b\)](#), consult with the Minnesota Bureau of Criminal Apprehension (BCA) if the missing person is determined to be endangered. Request assistance as necessary.
- t. Implement multi-jurisdictional coordination/mutual aid plan when:
  - The primary agency has limited resources;
  - The investigation crosses jurisdictional lines; or
  - Jurisdictions have pre-established task forces or investigative teams.
- u. Based on the preliminary investigation, determine whether a physical search is required.

B. Initial Investigation

- 1. During the initial investigation, an investigator or officer should be assigned to the case for the purposes of coordinating and overseeing the investigation/search. The investigator or officer shall ensure the following steps are taken.
  - a. Seek assistance from the BCA, Missing and Murdered Black Women and Girls Office of the Minnesota Department of Public Safety (MMBWG), Missing and Murdered Indigenous Relatives Office of the Minnesota Department of Public Safety (MMIR) or other state agencies.
  - b. Seek assistance from culturally based community organizations.
  - c. Assign an investigator or officer as a family liaison and primary point of contact for the family and create a communication plan for keeping the family updated.
  - d. Provide general information to the family/reporting party or designee about the investigation; only to the extent that disclosure would not adversely affect locating and protecting the missing person, apprehending a suspect, and future prosecution.
  - e. Conduct a canvas of the neighborhood and of vehicles in the vicinity.
  - f. Send emergency phone subpoenas to phone providers for the missing person's and suspect's phone(s).
  - g. Arrange for news media and social media coverage.
  - h. Maintain records of all communications/messages.
  - i. Ensure that everyone at the scene is identified and interviewed separately.
  - j. Search the home/building/property where the incident took place,

and conduct a search of all surrounding areas. Obtain consent or a search warrant as necessary.

C. Investigation

1. If the missing and/or endangered person is not located during the initial investigation, the investigator or officer overseeing the investigation shall ensure the following steps are taken, as applicable.
  - a. Set up the Command Post/Operation Base in an appropriate location, away from the person's residence. Assign responsibilities to personnel, such as Command Post Supervisor, Media Specialist, Search Coordinator, Investigative Coordinator, Communications Officer, and Support Unit Coordinator. Consider appointing two liaison officers, one to remain at the command post and one at the victim's residence. The role of the liaison officer at the victim's residence includes facilitating support and advocacy for the family.
  - b. Establish the ability to "trap and trace" all incoming calls.
  - c. Set up a tip line, via phone line, website, app, etc. for developing and investigating leads.
  - d. Attempt to determine the missing person's location through GPS-enabled devices and any social media accounts they may have.
  - e. Establish a geo-fence at any potential last known time and location points or crime scene to identify any devices that were in that geographic area during that time.
  - f. Identify, secure, and collect all home/business/public surveillance video from the missing and/or endangered persons last known location and crime scene sites.
  - g. Compile a list of known sex offenders in the region.
  - h. In cases of infant abduction, investigate claims of home births made in the area.
  - i. In cases involving children, obtain child protective agency records for any reports of child abuse.
  - j. Review records for previous incidents related to the missing person and prior law enforcement activity in the area, including prowlers, indecent exposure, attempted abductions, etc.
  - k. Obtain the missing person's medical and dental records, fingerprints, and DNA when practical or within thirty (30) days.
  - l. Create a Missing Person Profile with detailed information from interviews and records from family and friends describing the missing person's health, relationships, personality, problems, life experiences, plans, equipment, etc.
  - m. Update the NCIC file with any additional information regarding the missing person, suspect(s), and/or vehicle(s).

- n. Interview delivery personnel, utility company employees, taxi drivers, post office personnel, sanitation workers, etc.
- o. For persons under the age of twenty-one (21), contact the National Center for Missing and Exploited Children (NCMEC) for photo dissemination and other case assistance.
- p. If the missing person is believed to be a Black female, contact the MMBWG Office for assistance and to utilize their available resources.
- q. If the missing person is believed to be an Indigenous person, contact the MMIR Office for assistance and to utilize their available resources.
- r. Determine if outside help is needed and utilize local, state, and federal resources related to specialized investigative needs including:
  - available Search and Rescue (SAR) resources,
  - investigative resources,
  - interpretative services,
  - telephone services (traps, traces, triangulation, etc.), and
  - media assistance (local and national).
- s. Secure electronic communication information such as the missing person's cell phone number, email address, and social networking accounts.

D. MISSING FOR OVER 30 DAYS

1. If the person is still missing thirty (30) days after being entered into NCIC, and the additional information specified below has not been gathered, the department shall attempt to obtain the following:
  - a. DNA samples from family members and, if possible, from the missing person;
  - b. Dental information and x-rays;
  - c. Additional photographs and video that may aid the investigation or identification;
  - d. Fingerprints; and
  - e. Other specific identifying information.
2. The department will be contacted by the BCA Missing and Unidentified Persons Clearinghouse to request this information, if not already provided. This information will be entered into the appropriate databases by BCA Clearinghouse personnel. If the person is still missing after thirty (30) days, the case file shall be reviewed to determine whether any additional information received on the missing person indicates that the person is endangered, then update the record in NCIC to reflect any status change.

E. Prolonged Investigation

1. During a prolonged missing and/or endangered person investigation, the primary investigator or officer assigned shall, when practical, do the following to maintain transparency and further develop the investigation.
  - a. Maintain contact with the family and/or reporting party or designee.
  - b. Use truth verification devices with parents, spouse, and other key individuals.
  - c. Re-read all reports and transcripts of interviews, revisit the crime scene, review all photographs and videos, re-interview key individuals and re-examine all physical evidence collected.
  - d. Review all potential witness/suspect information obtained in the initial investigation and consider background checks on anyone of interest identified in the investigation.
  - e. Periodically check pertinent sources of information about the missing person for any activity such as phone, bank, internet or credit card activity.
  - f. Develop a timeline and other visual exhibits.
  - g. Critique the results of the on-going investigation with appropriate investigative resources.
  - h. Arrange for periodic media coverage.
  - i. Utilize rewards and crime-stoppers programs.
  - j. Update NCIC Missing Person File information.
  - k. Re-contact the National Center for Missing and Exploited Children (NCMEC) for age progression assistance.

F. Recovery/Case Closure

1. Alive
  - a. When a missing and/or endangered person is located and alive, personnel shall ensure the following steps are taken, when applicable.
    - Verify that the located person is the reported missing person.
    - If appropriate, arrange for a comprehensive physical examination of the person.
    - Conduct a careful interview of the person, document the results of the interview, and involve all appropriate agencies.
    - Notify the family/reporting party that the missing person has been located. In adult cases, if the located adult permits the disclosure of their whereabouts and contact

information, the family/reporting party may be informed of this information.

- Consider the need for reunification assistance, intervention, counseling, or other services for either the found person or family/reporting party.
- Cancel alerts, including any Minnesota Crime Alert, AMBER Alert, etc. that issued; remove case from NCIC, as required by [Minn. Stat. § 299C.53, subd. 2](#); NamUs and other information systems and remove posters and other publications from circulation.
- Perform constructive post-case critique. Assess the procedures used and update the department's policy and procedures as appropriate.

## 2. Unidentified Persons

- a. Department personnel investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying themselves shall ensure the following steps are taken, when applicable.
- Obtain a complete description of the person.
  - Enter the unidentified person's description into the NCIC Unidentified Person File and the NamUs database.
  - Use available resources, such as those related to missing persons, to identify the person.

## 3. Deceased

- a. When an unidentified or potential missing and/or endangered person is recovered and deceased, department personnel shall ensure the following steps are taken, when applicable.
- Secure the crime scene.
  - Contact the coroner, medical examiner or forensic anthropologist to arrange for body recovery and examination.
  - Collect and preserve any evidence at the scene.
  - Consider the need for intervention, counseling or other services for the family/reporting party or designee.
  - Cancel alerts and remove case from NCIC, NamUs and other information systems, and remove posters and other publications from circulation.
  - Perform constructive post-case critique. Assess the procedures used and update the department's policy and procedures as appropriate.

G. Unmanned Aerial Vehicles

1. UAVs may be used without a search warrant during a search for a missing and/or endangered person so long as one of the exceptions listed in [Minn. Stat. § 626.19, subd. 3](#) applies to the circumstances of the case. The use of a UAV must be in compliance with the department's Unmanned Aerial Vehicles policy.

H. Training

1. All personnel shall receive training on the department's missing and/or endangered persons policy and procedures during field training, or upon initial hire, and as updates occur.

# Criminal Conduct on School Buses

Policy #: 4.4.8

Effective Date: 1/1/2026

Revised Date: 12/6/2025

## I. PURPOSE

It is the purpose of this policy to recognize that it is the responsibility of the department to respond to allegations of criminal conduct which occur on school buses within our jurisdiction and to provide guidelines for responding to such incidents in cooperation with school officials, transportation personnel, parents, students, and any other law enforcement agency that has jurisdiction over the alleged offense occurring on a school bus in order to protect student safety and deal appropriately with those who violate the law. This policy is not intended to interfere with or replace school disciplinary policies that relate to student misconduct on school buses.

## II. GUIDELINES

### A. Department personnel shall:

1. Respond to calls for assistance from any citizen, school, or bus transportation company official regarding criminal conduct on a school bus;
2. Investigate reports of crimes committed on school buses by using procedures like those followed in other criminal investigations as appropriate for juveniles and/or adults;
3. Issue citations, release suspects pending further investigation, or apprehend and transport suspects who were engaged in criminal activity while on a school bus;
4. Prepare and submit investigative reports for review, approval, and consideration of charges as required by law and department policy and procedure;
5. Conduct follow-up investigative work when requested by someone with proper authority within the department or from the prosecutor's office; and
6. Provide the appropriate school with information regarding the incident, as required or authorized by law.