

1.1 moves to amend H.F. No. 1078, the delete everything amendment
1.2 (H1078DE3), as follows:

1.3 Page 5, line 13, delete "\$319,000" and insert "\$160,000"

1.4 Page 11, after line 8, insert:

1.5 "(h) Body Camera Grant Program

1.6 \$1,000,000 each year it to provide grants to
1.7 local law enforcement agencies for portable
1.8 recording systems. The executive director shall
1.9 award grants to local law enforcement
1.10 agencies for the purchase and maintenance of
1.11 portable recording systems and portable
1.12 recording system data. An applicant must
1.13 provide a 50 percent match to be eligible to
1.14 receive a grant. The executive director must
1.15 give priority to applicants that do not have a
1.16 portable recording system program. The
1.17 executive director must award at least one
1.18 grant to a law enforcement agency located
1.19 outside of the seven-county metropolitan area.

1.20 As a condition of receiving a grant, a law
1.21 enforcement agency's portable recording
1.22 system policy required under Minnesota
1.23 Statutes, section 626.8473, subdivision 3, must
1.24 include the following provisions:

2.1 (1) prohibit altering, erasing, or destroying
2.2 any recording made with a peace officer's
2.3 portable recording system or data and
2.4 metadata related to the recording prior to the
2.5 expiration of the applicable retention period
2.6 under Minnesota Statutes, section 13.825,
2.7 subdivision 3, except that the full, unedited
2.8 and unredacted recording of a peace officer
2.9 using deadly force must be maintained
2.10 indefinitely;

2.11 (2) mandate that the deceased individual's next
2.12 of kin, legal representative of the next of kin,
2.13 or other parent of the individual's children be
2.14 entitled to view any and all recordings from a
2.15 peace officer's portable recording system,
2.16 redacted no more than what is required by law,
2.17 of an officer's use of deadly force no later than
2.18 48 hours after an incident where deadly force
2.19 used by a peace officer results in death of an
2.20 individual, except that a chief law enforcement
2.21 officer may deny a request if investigators can
2.22 articulate a compelling reason as to why
2.23 allowing the deceased individual's next of kin,
2.24 legal representative of the next of kin, or other
2.25 parent of the individual's children to review
2.26 the recordings would interfere with the agency
2.27 conducting a thorough investigation. If the
2.28 chief law enforcement officer denies a request
2.29 under this provision, the agency's policy must
2.30 require the chief law enforcement officer to
2.31 issue a prompt, written denial and provide
2.32 notice to the deceased individual's next of kin,
2.33 legal representative of the next of kin, or other
2.34 parent of the individual's children that they
2.35 may seek relief from the district court;

3.1 (3) mandate release of all recordings of an
 3.2 incident where a peace officer used deadly
 3.3 force and an individual dies to the individual's
 3.4 next of kin, legal representative of the next of
 3.5 kin, and other parent of the individual's
 3.6 children no later than 90 days after the
 3.7 incident; and

3.8 (4) mandate, whenever practicable, that an
 3.9 officer operating a portable recording system
 3.10 while entering a residence notify occupants
 3.11 of the residence that they are being recorded.

3.12 **(i) Office of Missing and Murdered**
 3.13 **Indigenous Relatives**

3.14 \$500,000 each year is to establish and
 3.15 maintain an office dedicated to reviewing,
 3.16 preventing, and ending the targeting of
 3.17 Indigenous people, disappearance of
 3.18 Indigenous people, and deaths of Indigenous
 3.19 people that occur under suspicious
 3.20 circumstances through coordination with
 3.21 Tribal nations, executive branch agencies and
 3.22 commissions, and community organizations
 3.23 and impacted communities."

3.24 Adjust amounts accordingly

3.25 Page 11, line 9, delete "(h)" and insert "(j)"

3.26 Page 21, delete section 8

3.27 Page 21, line 27, delete "\$6,274,000" and insert "\$6,265,000"

3.28 Page 24, line 24, delete "of police" and insert "law enforcement officer, or designee,"

3.29 Page 24, line 25, delete "of police" and insert "law enforcement officer, or designee,"

3.30 Page 24, line 29, delete "of police" and insert "law enforcement officer, or designee,"

3.31 Page 25, line 4, delete "quarterly"

4.1 Page 25, line 5, after the period, insert "An agency must report the use of a no-knock
4.2 search warrant to the commissioner no later than three months after the date the warrant
4.3 was issued."

4.4 Page 30, line 5, delete "both" and delete "and informal"

4.5 Page 30, line 7, delete "informal complaint,"

4.6 Page 32, line 22, delete everything after "(2)"

4.7 Page 32, delete line 23

4.8 Page 32, line 24, delete "(3)"

4.9 Page 32, line 28, before the semicolon, insert ", except that a chief law enforcement
4.10 officer may deny a request if investigators can articulate a compelling reason as to why
4.11 allowing the deceased individual's next of kin, legal representative of the next of kin, or
4.12 other parent of the individual's children to review the recordings would interfere with the
4.13 agency conducting a thorough investigation. If the chief law enforcement officer denies a
4.14 request under this provision, the agency's policy must require the chief law enforcement
4.15 officer to issue a prompt, written denial and provide notice to the deceased individual's next
4.16 of kin, legal representative of the next of kin, or other parent of the individual's children
4.17 that they may seek relief from the district court"

4.18 Page 32, delete lines 29 to 32 and insert:

4.19 "(3) mandate release of all recordings of an incident where a peace officer used deadly
4.20 force and an individual dies to the individual's next of kin, legal representative of the next
4.21 of kin, and other parent of the individual's children no later than 90 days after the incident;"

4.22 Page 33, delete lines 1 and 2

4.23 Renumber the clauses in sequence

4.24 Page 35, delete lines 5 to 10 and insert:

4.25 "(7) limits or restrictions on the potential exclusion of an informant from engaging in a
4.26 controlled buy or sale of a controlled substance if the informant is known by the law
4.27 enforcement agency to: (i) be receiving in-patient or out-patient treatment administered by
4.28 a licensed service provider for substance abuse, (ii) be participating in a treatment-based
4.29 drug court program, or (iii) have experienced a drug overdose within the past year; "

4.30 Page 35, delete lines 16 to 22 and insert:

5.1 "(10) guidelines for the law enforcement agency to consider if the agency decides to
5.2 establish a procedure to request an advocate from the county social services agency for an
5.3 informant if the informant is an addict in recovery or possesses a physical or mental infirmity
5.4 or other physical, mental, or emotional dysfunction that impairs the informant's ability to
5.5 understand instructions and make informed decisions, where the agency determines this
5.6 process does not place the informant in any danger;

5.7 (11) guidelines for the law enforcement agency to use to encourage prospective and
5.8 current confidential informants who are known to be substance abusers or to be at risk for
5.9 substance abuse to seek prevention or treatment services;"

5.10 Page 35, delete lines 30 to 32 and insert:

5.11 "(15) procedures to deactivate a confidential informant that maintain the safety and
5.12 anonymity of the informant;

5.13 (16) optional procedures that the law enforcement agency may adopt relating to
5.14 deactivated confidential informants to offer and provide assistance to them with physical,
5.15 mental, or emotional health services;"

5.16 Renumber the clauses in sequence

5.17 Page 63, delete section 24

5.18 Page 193, after line 2, insert:

5.19 "Sec. **[299A.85] OFFICE FOR MISSING AND MURDERED INDIGENOUS**
5.20 **RELATIVES.**

5.21 Subdivision 1. **Definitions.** As used in this section, the following terms have the meanings
5.22 given.

5.23 (a) "Indigenous" means descended from people who were living in North America at
5.24 the time people from Europe began settling in North America.

5.25 (b) "Missing and murdered indigenous relatives" means missing and murdered indigenous
5.26 people.

5.27 (c) "Missing and Murdered Indigenous Women Task Force report" means the report
5.28 titled "Missing and Murdered Indigenous Women Task Force: a Report to the Minnesota
5.29 Legislature," published by the Wilder Research organization in December 2020.

6.1 Subd. 2. **Establishment.** The commissioner shall establish and maintain an office
6.2 dedicated to preventing and ending the targeting of indigenous women, children, and
6.3 two-spirited people with the Minnesota Office of Justice Programs.

6.4 Subd. 3. **Executive director; staff.** (a) The commissioner must appoint an executive
6.5 director who is a person closely connected to a Tribe or indigenous community and who is
6.6 highly knowledgeable about criminal investigations. The commissioner is encouraged to
6.7 consider candidates for appointment who are recommended by Tribes and indigenous
6.8 communities. The executive director serves in the unclassified service.

6.9 (b) The executive director may select, appoint, and compensate out of available funds
6.10 assistants and employees as necessary to discharge the office's responsibilities. The executive
6.11 director may appoint an assistant executive director in the unclassified service.

6.12 (c) The executive director and full-time staff shall be members of the Minnesota State
6.13 Retirement Association.

6.14 Subd. 4. **Duties.** The office has the following duties:

6.15 (1) advocate in the legislature for legislation that will facilitate the accomplishment of
6.16 the mandates identified in the Missing and Murdered Indigenous Women Task Force report;

6.17 (2) advocate for state agencies to take actions to facilitate the accomplishment of the
6.18 mandates identified in the Missing and Murdered Indigenous Women Task Force report;

6.19 (3) develop recommendations for legislative and agency actions to address injustice in
6.20 the criminal justice system's response to the cases of missing and murdered indigenous
6.21 relatives;

6.22 (4) facilitate research to refine the mandates in the Missing and Murdered Indigenous
6.23 Women Task Force report and to assess the potential efficacy, feasibility, and impact of the
6.24 recommendations;

6.25 (5) develop tools and processes to evaluate the implementation and impact of the efforts
6.26 of the office;

6.27 (6) facilitate technical assistance for local and tribal law enforcement agencies during
6.28 active missing and murdered indigenous relatives cases;

6.29 (7) conduct case reviews and report on the results of case reviews for the following types
6.30 of missing and murdered indigenous relatives cases: cold cases for missing indigenous
6.31 people and death investigation review for cases of indigenous people ruled as suicide or
6.32 overdose under suspicious circumstances;

7.1 (8) conduct case reviews of the prosecution and sentencing for cases where a perpetrator
7.2 committed a violent or exploitative crime against an indigenous person. These case reviews
7.3 should identify those cases where the perpetrator is a repeat offender;

7.4 (9) prepare draft legislation as necessary to allow the office access to the data required
7.5 for the office to conduct the reviews required in this section and advocate for passage of
7.6 that legislation;

7.7 (10) review sentencing guidelines for missing and murdered indigenous women-related
7.8 crimes, recommend changes if needed, and advocate for consistent implementation of the
7.9 guidelines across Minnesota courts;

7.10 (11) develop and maintain communication with relevant divisions in the Department of
7.11 Public Safety regarding any cases involving missing and murdered indigenous relatives and
7.12 on procedures for investigating cases involving missing and murdered indigenous relatives;
7.13 and

7.14 (12) coordinate, as relevant, with the Bureau of Indian Affairs' Cold Case Office through
7.15 Operation Lady Justice and other federal efforts, as well as efforts in neighboring states and
7.16 Canada. This recommendation pertains to state efforts. Tribes are sovereign nations that
7.17 have the right to determine if and how they will coordinate with these other efforts.

7.18 Subd. 5. **Coordination with other organizations.** In fulfilling its duties the office may
7.19 coordinate, as useful, with stakeholder groups that were represented on the Missing and
7.20 Murdered Indigenous Women Task Force and state agencies that are responsible for the
7.21 systems that play a role in investigating, prosecuting, and adjudicating cases involving
7.22 violence committed against indigenous women, those who have a role in supporting or
7.23 advocating for missing or murdered indigenous women and the people who seek justice for
7.24 them, and those who represent the interests of indigenous people. This includes the following
7.25 entities: Minnesota Chiefs of Police Association; Minnesota Sheriffs' Association; Bureau
7.26 of Criminal Apprehension; Minnesota Police and Peace Officers Association; tribal law
7.27 enforcement; Minnesota County Attorneys Association; United States Attorney's Office;
7.28 juvenile courts; Minnesota Coroners' and Medical Examiners' Association; United States
7.29 Coast Guard; state agencies, including the Departments of Health, Human Services,
7.30 Education, Corrections, and Public Safety; the Minnesota Indian Affairs Council; service
7.31 providers who offer legal services, advocacy, and other services to indigenous women and
7.32 girls; the Minnesota Indian Women's Sexual Assault Coalition; Mending the Sacred Hoop;
7.33 Indian health organizations; indigenous women and girls who are survivors; the 11 tribal

8.1 nations that share geography with Minnesota; and organizations and leadership from urban
8.2 and statewide American Indian communities.

8.3 Subd. 6. **Reports.** The office must report on measurable outcomes achieved to meet its
8.4 statutory duties, along with specific objectives and outcome measures proposed for the
8.5 following year. The office must submit the report by January 15 each year to the chairs and
8.6 ranking minority members of the house of representatives and the senate committees with
8.7 primary jurisdiction over public safety.

8.8 Subd. 7. **Grants.** The office may apply for and receive grants from public and private
8.9 entities for purposes of carrying out the office's duties under this section.

8.10 Subd. 8. **Access to data.** Notwithstanding section 13.384 or 13.85, the executive director
8.11 has access to corrections and detention data and medical data maintained by an agency and
8.12 classified as private data on individuals or confidential data on individuals when access to
8.13 the data is necessary for the office to perform its duties under this section."

8.14 Renumber the sections in sequence and correct the internal references