

Subject Reforming Accountability Act

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Overview

This bill contains a variety of proposals to address peace officer accountability.

Summary

Section	Description
1	<p>Appearance.</p> <p>Creates an exception to the attorney general's limited prosecutorial role to reflect that the attorney general will prosecute crimes arising out of peace-officer-involved deaths as provided for in section 2.</p>
2	<p>Peace-officer-involved deaths.</p> <p>Directs the attorney general to prosecute crimes arising out of peace-officer-involved deaths.</p>
3	<p>Independent Use of Force Investigations Unit.</p> <p>Creates the independent Use of Force Investigations Unit within the BCA to conduct officer-involved death investigations and other investigations when law enforcement has a conflict of interest. The unit must make its case files available to the public at the conclusion of the criminal process and file a report on the unit's activities each year with the legislature, the governor, and the commissioner of public safety.</p>
4	<p>General provisions.</p> <p>Contains a conforming amendment to the county attorney jurisdiction statute to account for the transfer of peace-officer-involved death cases to the attorney general.</p>
5	<p>Legislative intent.</p> <p>Establishes the legislature's intent for peace officer's use of deadly force.</p>

Section	Description
6	<p>Use of deadly force.</p> <p>Limits the authority of peace officers to use deadly force in the course of their duties. Threats of harm must be “imminent.” Restricts the use of deadly force in cases where the person only presents a danger to self.</p>
7	<p>Deadly force policy.</p> <p>Conforming change.</p>
8	<p>Providing release on bail; commitment.</p> <p>Establishes limits on the use of financial conditions of release in most misdemeanor cases.</p> <p>Subd. 1. Pretrial release. Provides that Rule 6.02 of the Rules of Criminal Procedure and this section control the pretrial release of a defendant, and states that this section takes precedence over any conflict with court rules.</p> <p>Subd. 2. Release of a person charged with a misdemeanor offense. Requires that a defendant charged with a misdemeanor offense, other than a domestic assault-related offense or certain DWI offenses, must be released on the defendant’s personal recognizance unless the court determines that there is a substantial likelihood that the defendant will not appear at future court proceedings or the defendant poses a threat to the victim’s safety. Requires a court that makes such a determination to set the least restrictive conditions of release that will reasonably assure the defendant’s return. Prohibits the court from imposing a financial condition of release that results in the pretrial detention of the defendant, using similar language to federal law (18 U.S.C. section 3142, paragraph (c), clause (2)). Establishes a presumption that the court imposed a financial condition that results in pretrial detention if a defendant remains in custody for 48 hours following a bail hearing. Establishes an exception for domestic violence related offenses and certain DWI offenses. Provides that, if a defendant released under this subdivision fails to appear at a required court hearing, the court must issue a summons or warrant consistent with the Rules of Criminal Procedure.</p> <p>Subd. 3. Presumption of release on personal recognizance. Retains the current requirements in setting bail which appear in court rules for all offenses not covered under subdivision 2.</p> <p>Subd. 4. Money bail; disposition. Adds a subdivision title to existing law.</p>

Section	Description
9	Attorney general; appropriation. Appropriates an unspecified amount to the attorney general to fund the prosecutions of peace-officer-involved death cases.
10	Appropriation for independent Use of Force Investigations Unit in BCA. Appropriates an unspecified amount to fund the operations of the independent Use of Force Investigations Unit in the BCA.



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