

City of Minneapolis
Request for Committee Action

To: Intergovernmental Relations
Date: 3-3-16
Referral: N/A
From: Intergovernmental Relations Department
Prepared by: Melissa Lesch, Senior Government Relations Representative
Presented by: Melissa Lesch, Senior Government Relations Representative
File type: Action
Subcategory: Policy Position

Subject:

Updates to City of Minneapolis' 2016 Policy Positions, Public Safety Section

Description:

Approving staff-recommended updates to the City of Minneapolis' 2016 Policy Positions, Public Safety Section as reflected in the following text:

Public Safety and Criminal Justice Reform

~~Keeping residents and visitors safe is a top priority for the City of Minneapolis. Providing public safety, a core responsibility of local government, is threatened by insufficient funding. Minneapolis supports policies that will ensure a safe and livable City, including:~~

Public safety is a core responsibility of local government. The City of Minneapolis supports policies that ensure a safe and livable community. The City of Minneapolis also supports initiatives that strengthen community policing and trust among local government, law enforcement officers and the communities they protect and serve.

CRIMINAL JUSTICE REFORM:

- Restore the right to vote to those who have completed their period of incarceration for a criminal conviction. (moved from Resources and Funding for Public Safety Section, and expanded)
- Make the Driver Diversion Program permanent and modify the program to increase access to and completion of the program. (moved from Traffic and Driving Safety Section)
- Expand funding for restorative justice programs. (moved from Resources and Funding for Public Safety Section)

RESOURCES AND FUNDING FOR PUBLIC SAFETY:

- Funding for the entire public safety system, including such critical functions as police, fire, prosecutors, public defense, communication systems, probation, the courts and victim services.
- Sufficient funding for programs that fund mental health treatment and other safety net services.
- Continued funding for re-entry programs and efforts to coordinate the programs with existing opportunities, including legislation that supports the re-entry of ex-offenders into their communities through voting rights, public/private training and employment programs, mental health and chemical dependency treatment, and access to affordable housing.

- ~~Initiatives to address livability crimes, including continued and increased state funding for restorative justice programs.~~
- Continued and increased state financing of local costs to participate in the Allied Radio Matrix for Emergency Response (ARMER). Such financing should include the acquisition and modernization of console and tower site equipment and subscriber equipment, such as portable and mobile radios required for ARMER users when such modernization is mandated and driven by a state timeline to comply.
- Imposing a statewide, wholesale level impact fee equivalent to a per-drink surcharge on alcoholic beverages and using the proceeds for public safety, crime prevention and rehabilitation.

PUBLIC SAFETY POLICES AND COORDINATION EFFORTS:

- Creating a statewide coordinated plan for dealing with released sex offenders that addresses the overall concentration of offenders located within the City of Minneapolis and Hennepin County and especially mitigates the concentration of sex offenders within vulnerable neighborhoods. To ensure this equitable distribution of sex offenders, the State must fund additional housing options and placement of half-way houses throughout the metropolitan region.
- Protecting the human rights of immigrant populations and establishing a culture of mutual trust between law enforcement and ~~immigrant populations~~ these communities to foster greater community public safety.
- Legislation that modifies the Minnesota driver's license procedures to allow information regarding the applicant to be gathered from an identification card issued by a government other than the United States. (moved from Municipal Governance: Staffing and Human Resources Section)

STRENGTHENING CRIMINAL CODE:

- Changing the criminal code to address chronic offenders of indecent exposure laws and allowing for enhancement to felony level offenses.
- Amending the burglary statues to make it a crime for a person to enter a building without consent and commit invasion of privacy offenses.
- ~~Legislation creating tougher penalties for offenders convicted of tagging, which includes the suspending of drivers' licenses for up to one year; and also support a statewide age limit on the purchase of spray paint.~~
- Allowing "any equivalent crime in another state" to be added to the increased penalty for certain misdemeanors statute and clarifying when prosecutors may charge offenders.
- Creating a misdemeanor to refuse to submit to a chemical test if a peace officer has lawfully placed a person under arrest for carrying a pistol in public while intoxicated.
- Establishing a gross misdemeanor for assault against code enforcement officers while they are performing their duties.
- ~~Strengthening laws regarding the health, safety and wellbeing of vulnerable adults, including indecent exposure and neglect laws.~~

DATA PRACTICES:

- Legislation classifying body worn camera data that balances the privacy rights of individuals with the use of technology to improve public safety and transparency in our communities.
- Legislation classifying criminal intelligence data received from other states in the manner it was designated in that other state at the time of the request.

SEX TRAFFICKING:

- Efforts to reduce trafficking and exploitation.
- Legislation designating funding for treatment and creation of transitional housing programs to support survivors of sex trafficking.

- Efforts to end the sexual exploitation of youth by building a system that responds effectively to their needs, including sufficient resources and training for law enforcement and service providers.
- Legislation to prohibit motor carriers of passengers from allowing or permitting nude adult entertainment or consumption of alcohol by a minor to occur onboard, and conditioning the renewal or maintenance of their certificates of registration with the Commissioner of Transportation upon compliance.

DOMESTIC ABUSE:

- Amending the existing definition of “family or household members” to clarify that it does include persons *formerly* involved in such a relationship.
- Strengthening the existing domestic abuse no contact order statute to provide increased safety for victims and to enable police, prosecutors, probation and the courts to hold domestic abuse offenders who violate those orders more accountable.

TRAFFIC AND DRIVING SAFETY:

- ~~Making the Driver Diversion Program permanent, expand the program statewide, and modify the eligibility criteria to increase access to the program.~~(moved to Criminal Justice Reform Section)
- Allowing for a gross misdemeanor and increasing penalties for careless driving offense if driving conduct results in a fatality or great bodily harm.
- Establishing an aggravating factor to the driving while impaired statute for having caused an accident resulting in property damage or physical injury to another person.
- Amending the reckless or careless driving statute to address aggressive driving perpetrated with malicious intent.
- Legislation enabling cities to efficiently leverage public safety resources by allowing the use of technology such as photo enforcement systems.
- Legislation making it a crime to drive under the influence of any drug that makes a person an unsafe driver.
- Amending the driving while impaired statute to change to .16, the level at which a person’s alcohol concentration becomes an aggravating factor.

REDUCING GUN VIOLENCE PREVENTION AND RESPONSIBLE GUN OWNERSHIP:

- Legislation supporting significant ~~gun control~~ violence prevention measures and efforts to support responsible gun ownership including the mandatory reporting of any lost or stolen firearm, strengthening laws regulating the transfer of firearms, requiring universal criminal background checks on all gun sales, the prohibition of possessing replica guns in public, and measures to stop the flow of handguns to youth.
- Prohibiting carrying a pistol with a blood-alcohol concentration of .08 or more.
- Creating a gross misdemeanor offense for carrying a firearm while under the influence.
- Clarifying that uninvited people and trespassers on private land may not circumvent Minnesota’s permit to carry law.
- Reductions in access to firearms and revocation of firearms permits for those who have experienced a mental health incident that required the intervention of law enforcement, such as a 72-hour hold.
- Amending state law to allow local jurisdictions to implement firearms safety ordinances different from state law that are appropriate to that community.
- Increasing discretionary power for municipalities to grant or deny firearm permits.
- Creating a legislatively mandated, multi-disciplinary gun violence policy committee to look in-depth at Minnesota’s gun laws, and to make recommendations to the legislature.
- Raising the legal age for purchasing guns from 18 to 21.

FIRE SAFETY:

- Requiring inspections by the State Fire Marshall to include private schools, assisted living facilities and resorts.
- Methods to secure reimbursement for medical care provided by first responders.
- The establishment of a Community Emergency Medical Technician (EMT) standard to allow fire departments across the state to partner with health care systems to become incorporated in a patient's treatment plan via home visits in order to ensure the patient is following their doctor's orders, has their required medication, obtain vital signs and conduct home safety audits for elderly patients.

OPPOSITION TO POLICIES THAT COMPROMISE PUBLIC SAFETY:

- Expanding of the sale and use of fireworks.
- ~~Decriminalizing misdemeanor and livability-related offenses.~~

Previous Actions:

The City Council approved the City of Minneapolis' 2016 Policy Positions on November 20, 2015, and the City of Minneapolis' 2016 Legislative Agenda on December 11, 2015.

Ward/Address:

All Wards

Background/Analysis:

Staff recommends updating the referenced text for enhanced specificity and clarity, and to reinforce the City's priorities.

Financial Review:

No financial impact.

Enter SUPB goals explanation.

Attachments:

1. 2016 Public Safety and Criminal Justice Reform Section Update, 3-3-16