



## Request for City Council Committee Action from the Department of Intergovernmental Relations

Date: October 24, 2006  
To: Intergovernmental Relations Committee

**Subject:** Public Safety Section of the Proposed 2007 Legislative Agenda

**Recommendation:** Discussion

Prepared by: Karen Lowery Wagner Approved by: Presenters in Committee: Karen Lowery Wagner

### Reviews

#### Financial Impact

- No financial impact
- Action requires an appropriation increase to the \_\_\_ Capital Budget or \_\_\_ Operating Budget
- Action provides increased revenue for appropriation increase
- Action requires use of contingency or reserves
- Action is within the Business Plan
- Action requires a change to the Business Plan
- Other financial impact
- Request provided to the Finance Department when provided to the Committee Coordinator

#### Community Impact

- Neighborhood Notification
- City Goals
- Comprehensive Plan
- Zoning Code
- Other

**Supporting Information:**

Please see the attached draft copy of the proposed 2007 public safety legislative agenda.

## Proposed 2007 Public Safety Legislative Agenda

Keeping residents and visitors safe is a top priority for the City of Minneapolis.

### Public Safety Funding

- Funding for the entire public safety system, including such critical functions as police, fire, prosecutors, public defense, communication systems, probation and the courts. Providing public safety, a core responsibility of local government, is threatened by insufficient funding. (*priority issue*)
- Support amendments to NRP statutes to include language allowing expenditures of NRP funds for community public safety strategies.
- ~~Support for legislation establishing the fire safety account from revenues on fire premiums and assessments.~~
- ~~Support funding of public safety appropriations including the Minnesota Gang Strike Force; reimbursement to municipalities for bomb squad assistance; youth intervention programs; support services for families/individuals who have died by homicide, suicide or accident; and Minneapolis business district security.~~
- **Impose a per-drink surcharge on alcoholic beverages and use the proceeds for public safety, crime prevention and rehabilitation of offenders.**
- **Designate public safety as city's top priority and seek additional funding from the legislature. Consider a ¼ cent sales tax subject to a referendum if legislative approval is not forthcoming.**
- **Establish a Minneapolis-based extended day treatment program for adjudicated at-risk youth (modeled after a program currently operating in Minnetonka as a collaboration between Hennepin County Department of Community Corrections and Independent School District 287 and community agencies/service providers) that provides opportunities for education, vocational training, support, structure and supervision necessary to overcome barriers to self-sufficiency.**

### Sex Offenders

- 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. To ensure this equitable distribution of sex offenders, the State must fund additional housing options and placement of half-way houses and should require the county of commitment to bear financial responsibility

for released offenders. (*priority issue*)

### Chronic Offenders

- Changing the criminal code to address chronic offenders of indecent exposure laws.
- Increasing penalties for chronic offenders by including theft; receiving stolen property; trespass; disorderly conduct; crimes involving transit; violations of local ordinances, including prohibitions against loitering or lurking with intent to commit a crime as enforceable offenses.

### Domestic Abuse

- Adding the following to the list of qualified domestic abuse offenses: murder in the first, second and third degree, manslaughter in the first and second degree, interfering with an emergency phone call, false imprisonment, kidnapping, violation of a no contact order and domestic assault by strangulation.
- Amending domestic assault provisions of the criminal code to require courts to furnish criminal history information to prosecutors without charge.
- Amend the “qualified domestic violence related offense” definition to “qualified prior offense” to allow for broader application for non-domestic (stranger) assaults.
- **Domestic Violence-Related offenses – expand definition of persons involved in a significant romantic or sexual relationship to include persons formerly involved in such relationships.**
- **Amend domestic assault, gross misdemeanor statute to delete the requirement that the prior qualified offense be against a family or household member in order to enhance a new offense to a gross misdemeanor.**
- **Amend domestic abuse data statute to provide municipal prosecutors with access to district court records of orders for protection (OFP).**
- **Amend domestic abuse statutes to provide police officers a twelve hour arrest window for violations of orders for protection, similar to the ability to arrest for domestic assault.**
- **Amend the Domestic Abuse Act to include situations where a defendant has been convicted of an offense arising from a domestic assault-related offense, i.e., disorderly conduct.**

- **Amend the Domestic Abuse Act to include interference with an emergency call and conviction of a violation of a domestic abuse no contact order as basis for disqualifying a person so convicted from owning or possessing a pistol.**

### **Driving and Traffic-Related Offenses**

- Legislation making it a crime to drive under the influence of any drug that makes a person an unsafe driver, including THC.
- Allowing for a gross misdemeanor careless driving offense if conduct results in a fatality and increasing penalties for all other driving offenses resulting in fatalities.
- Increasing the probation period for criminal vehicular homicide and injury.
- **Seek red light camera legislative authority**
- **Support the prohibition of use of hand held cell phones by all drivers.**
- **Amend the driving while impaired statute to change to .16, the level at which a person's alcohol concentration becomes an aggravating factor, allowing prosecutors to charge such an offense at a higher level.**
- **Amend the reckless or careless driving statute to address aggressive driving perpetrated with malicious intent.**

### **Firearms**

- Amending the rifles and shotguns in public places statute to apply to the outdoor areas, such as the front and back yards, of the private lands owned by persons other than the possessors of the weapons.
- **Mandate for individuals to report stolen firearms.**
- **Amend the disposition of forfeited property statute to give police officers discretion to not return stolen firearms to owners who have been charged with an offense related to the firearm.**

### **Crime Enhancements/Miscellaneous Public Safety Provisions**

- Streamlining statutes in order to more effectively prosecute prostitution-related offenses.

- Expanding the vulnerable adult statutes to prescribe felony level punishment for neglect
- Allowing for a misdemeanor offense for restricting access to a telephone for the purpose of emergency calls in a place of business.
- ~~Enhancing the penalty for assaults on Animal Control Officers to assault in the fourth degree.~~
- ~~Retaining the City's authority to limit full liquor off-sale hours to 8:00 p.m., Monday through Thursday, without negatively impacting the ability to regulate the sale hours of 3.2 malt liquor off-sale.~~
- **Amend the victims' rights statute to allow prosecutors to obtain victims' input on potential terms of plea agreements prior to attendance in court, so that court proceedings are not delayed.**
- **Make indecent exposure in the presence of a vulnerable adult a gross misdemeanor.**
- **Amend the burglary statute to make it a crime for a person to enter a building without consent and masturbate therein or fondle or touch the unattended underwear of another.**
- **Amend the prostitution in a public place statute to make a second violation of this section a gross misdemeanor by enhancement.**
- **Amend the increased penalties for certain misdemeanors statute to reflect Court of Appeals decisions that state law preempts municipal regulation of the sale or possession of controlled substances.**
- **Increase the maximum penalty for a misdemeanor from 90 days to 180 days.**
- **Increase the penalty for possession or sale of a small amount of marijuana from a petty misdemeanor to a misdemeanor.**

## Immigration

- Minneapolis supports protecting the human rights of immigrant populations and establishing a culture of mutual trust between law enforcement and immigrant populations to foster greater community public safety. The ability of local governments to ensure greater public safety should not be hampered by state efforts to impose unfunded mandates or dictate traditional federal government responsibility to the local level.

## **Fire Initiatives**

- **Oppose expansion of “legalized” fireworks**
- **Promote fire resistive cigarettes**
- **Support mandated fire sprinklers in certain facilities – large homes, nursing homes, high rises**
- **Support required inspections by the State Fire Marshall to include private schools, assisted living facilities and resorts**