

CHAPTER 299A

DEPARTMENT OF PUBLIC SAFETY

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299A.01 DEPARTMENT OF PUBLIC SAFETY; CREATION, ORGANIZATION.

[For text of subs 1 and 1a, see M.S.2000]

Subd. 1b. **Department advertising sales; appropriation.** The commissioner may accept paid advertising for departmental publications, media productions, or other informational materials. Advertising revenues received are appropriated to the commissioner to be used to defray costs of publications, media productions, or other informational materials. The commissioner may not accept paid advertising from an elected official or candidate for elective office.

[For text of subs 2 to 7, see M.S.2000]

History: 1Sp2001 c 8 art 2 s 65

299A.295 YOUTH NEIGHBORHOOD CENTERS; PILOT PROJECTS.

[For text of subd 1, see M.S.2000]

Subd. 2. [Repealed, 2001 c 161 s 58]

299A.41 DEFINITIONS.

[For text of subs 1 to 3, see M.S.2000]

Subd. 4. **Public safety officer.** "Public safety officer" includes:

- (1) a peace officer defined in section 626.84, subdivision 1, paragraph (c) or (f);
- (2) a correction officer employed at a correctional facility and charged with maintaining the safety, security, discipline, and custody of inmates at the facility;
- (3) an individual employed on a full-time basis by the state or by a fire department of a governmental subdivision of the state, who is engaged in any of the following duties:
 - (i) firefighting;
 - (ii) emergency motor vehicle operation;
 - (iii) investigation into the cause and origin of fires;
 - (iv) the provision of emergency medical services; or
 - (v) hazardous material responder;
- (4) a legally enrolled member of a volunteer fire department or member of an independent nonprofit firefighting corporation who is engaged in the hazards of firefighting;
- (5) a good samaritan while complying with the request or direction of a public safety officer to assist the officer;
- (6) a reserve police officer or a reserve deputy sheriff while acting under the supervision and authority of a political subdivision;
- (7) a driver or attendant with a licensed basic or advanced life support transportation service who is engaged in providing emergency care;
- (8) a first responder who is certified by the emergency medical services regulatory board to perform basic emergency skills before the arrival of a licensed ambulance service and who is a member of an organized service recognized by a local political

subdivision to respond to medical emergencies to provide initial medical care before the arrival of an ambulance; and

(9) a person, other than a state trooper, employed by the commissioner of public safety and assigned to the state patrol, whose primary employment is the enforcement of commercial motor vehicle laws and regulations.

[For text of subd 5, see M.S.2000]

History: *1Sp2001 c 8 art 2 s 66*

299A.45 EDUCATION BENEFIT.

Subdivision 1. **Eligibility.** Following certification under section 299A.44 and compliance with this section and rules of the commissioner of public safety and the higher education services office, dependent children less than 23 years of age and the surviving spouse of a public safety officer killed in the line of duty on or after January 1, 1973, are eligible to receive educational benefits under this section. To qualify for an award, they must be enrolled in undergraduate degree or certificate programs after June 30, 1990, at an eligible Minnesota institution as provided in section 136A.101, subdivision 4. Persons who have received a baccalaureate degree or have been enrolled full time or the equivalent of ten semesters or the equivalent, whichever occurs first, are no longer eligible.

[For text of subds 2 and 3, see M.S.2000]

Subd. 4. **Renewal.** Each award must be given for one academic year and is renewable for a maximum of eight semesters or the equivalent. An award must not be given to a dependent child who is 23 years of age or older on the first day of the academic year.

History: *1Sp2001 c 1 art 2 s 20,21*

299A.64 CRIMINAL GANG COUNCIL AND STRIKE FORCE.

Subdivision 1. **Membership of council.** The criminal gang oversight council consists of the following individuals or their designees: the commissioner of public safety; the commissioner of corrections; the superintendent of the bureau of criminal apprehension; the attorney general; the chief law enforcement officers for Minneapolis, St. Paul, St. Cloud, and Duluth; a chief of police selected by the president of the Minnesota chiefs of police association; two sheriffs, one from a county in the seven-county metropolitan area other than Hennepin or Ramsey county and the other from a county outside the metropolitan area, both selected by the president of the Minnesota sheriffs association; and the Hennepin, Ramsey, St. Louis, and Olmsted county sheriffs. The council may select a chair from among its members.

[For text of subds 2 to 10, see M.S.2000]

History: *1Sp2001 c 8 art 5 s 4*

299A.68 FINANCIAL CRIMES INVESTIGATION TASK FORCE.

Subdivision 1. **Investigation task force established.** A group of two or more local governmental units may enter into an agreement to establish a major financial crimes investigation task force.

Subd. 2. **Investigation task force's duties.** The investigation task force shall investigate consumer identity theft cases and reported financial crimes from individuals and businesses who are victims of such crimes. The investigation task force shall focus on financial crimes including, but not limited to, statewide crimes such as: theft, fraud, and forgery crimes, including identity theft, check forgery, fraud in obtaining credit, financial transaction card fraud, theft from merchants; possession or sale of stolen or counterfeit checks, issuance of dishonored checks, creation or use of counterfeit state identification, obtaining counterfeit state identification, fraudulent Internet transactions, fraudulent merchandise returns, and other related financial crimes. In particular,

the investigation task force shall investigate individuals, based on their criminal activity, who:

- (1) commit multiple, cross-jurisdictional, financial crimes;
- (2) employ computers and other sophisticated technology to counterfeit documents or commit fraud; or
- (3) illegally obtain consumer information for identity theft.

Subd. 3. Role of participating local governmental units. The local governmental units that agree to form and participate in a single, centralized, financial crimes investigation task force shall oversee the investigation task force's operation by establishing procedures and guidelines in their agreement. The agreement must be addressed in a memorandum of understanding and signed by the person in charge of each participating local unit of government. The memorandum of understanding shall address the following:

- (1) the command structure of the investigation task force;
- (2) acquisition and liquidation of equipment, office space, and transportation;
- (3) procedures for contracting for necessary administrative support;
- (4) selection and assignment of members;
- (5) transfer of investigation task force members;
- (6) resolution of disputes between participating local governmental units;
- (7) requirements and procedures for all workers' compensation and other liability to remain the responsibility of each member's employing agency; and
- (8) all other issues deemed pertinent by the participating local governmental units.

Subd. 4. Commander. The participating local governmental units shall select a commander to direct the investigation task force. The commander shall make tactical decisions regarding the commencement, continuation, and conclusion of investigations of crimes within the investigation task force's jurisdiction. The commander shall also report annually to the bureau of criminal apprehension as required in subdivision 10.

Subd. 5. Members; employment status. The investigation task force may include law enforcement officers, prosecutors, federal law enforcement officers, and investigators from local governmental units who are selected by their supervisors to participate in the investigation task force. All law enforcement officers selected to join the investigation task force must be licensed peace officers under section 626.84, subdivision 1, or qualified federal law enforcement officers as defined in section 626.8453. Members shall remain employees of the same entity that employed them before joining the investigation task force. Compensation, personnel evaluations, grievances, merit increases, and liability insurance coverage, such as general, personal, vehicle, and professional liability insurance, shall be covered by each member's employing agency. Members of the financial crimes task force are not employees of the state.

Subd. 6. Jurisdiction and powers. Law enforcement officers who are members of the investigation task force shall have statewide jurisdiction to conduct criminal investigations into financial crimes as described in subdivision 2 and possess the same powers of arrest as those possessed by a sheriff.

Officers assigned to the financial crimes task force shall follow their county arrest procedures, booking processes, reporting processes, county attorney charging requirements, and appropriate notification protocols to local and county sheriff agencies where arrests are made and search warrants executed. The commander of the task force is responsible for ensuring compliance with applicable local practices and procedures.

Subd. 7. Collaboration with other prosecutorial and law enforcement offices. To the greatest degree possible, the investigation task force shall cooperate and collaborate with existing prosecutorial offices and law enforcement agencies.

Subd. 8. Prosecutor. A participating local governmental unit may seek a grant for reimbursement for the time and resources that a prosecutor and the prosecutor's staff dedicate to the investigation task force. In order to receive a grant under this subdivision, a participating local governmental unit must provide a 25 percent match in

nonstate funds or in-kind contributions either directly from its budget or from businesses directly donating support. A participating prosecutor shall remain an employee of the contributing county.

Subd. 9. **Forfeiture.** Property seized by the investigation task force is subject to forfeiture pursuant to sections 609.531, 609.5312, 609.5313, and 609.5315 if ownership cannot be established. The investigation task force shall receive the proceeds from the sale of all property that it properly seizes and that is forfeited.

Subd. 10. **Required reports.** (a) Beginning June 30, 2002, the commander of the investigation task force shall report annually to the commissioner on the activities of the investigation task force and the use of grants awarded under Laws 2001, First Special Session chapter 8, article 4, section 10, subdivision 7.

(b) By March 1, 2003, the commissioner of public safety shall report to the chairs and ranking minority members of the house of representatives and senate committees and divisions having jurisdiction over criminal justice policy and funding on the activities of the investigation task force and the use of grants awarded under Laws 2001, First Special Session chapter 8, article 4, section 10, subdivision 7.

Subd. 11. **Expiration.** This section expires on June 30, 2003.

History: *1Sp2001 c 8 art 5 s 5*

299A.75 AUTOMOBILE THEFT PREVENTION PROGRAM.

Subdivision 1. **Program described; commissioner's duties.** (a) The commissioner of public safety shall:

(1) develop and sponsor the implementation of statewide plans, programs, and strategies to combat automobile theft, improve the administration of the automobile theft laws, and provide a forum for identification of critical problems for those persons dealing with automobile theft;

(2) coordinate the development, adoption, and implementation of plans, programs, and strategies relating to interagency and intergovernmental cooperation with respect to automobile theft enforcement;

(3) annually audit the plans and programs that have been funded in whole or in part to evaluate the effectiveness of the plans and programs and withdraw funding should the commissioner determine that a plan or program is ineffective or is no longer in need of further financial support from the fund;

(4) develop a plan of operation including:

(i) an assessment of the scope of the problem of automobile theft, including areas of the state where the problem is greatest;

(ii) an analysis of various methods of combating the problem of automobile theft;

(iii) a plan for providing financial support to combat automobile theft;

(iv) a plan for eliminating car hijacking; and

(v) an estimate of the funds required to implement the plan; and

(5) distribute money pursuant to subdivision 3 from the automobile theft prevention special revenue account for automobile theft prevention activities, including:

(i) paying the administrative costs of the program;

(ii) providing financial support to the state patrol and local law enforcement agencies for automobile theft enforcement teams;

(iii) providing financial support to state or local law enforcement agencies for programs designed to reduce the incidence of automobile theft and for improved equipment and techniques for responding to automobile thefts;

(iv) providing financial support to local prosecutors for programs designed to reduce the incidence of automobile theft;

(v) providing financial support to judicial agencies for programs designed to reduce the incidence of automobile theft;

(vi) providing financial support for neighborhood or community organizations or business organizations for programs designed to reduce the incidence of automobile theft and to educate people about the common methods of automobile theft, the models of automobiles most likely to be stolen, and the times and places automobile theft is most likely to occur; and

(vii) providing financial support for automobile theft educational and training programs for state and local law enforcement officials, driver and vehicle services exam and inspections staff, and members of the judiciary.

(b) The commissioner may not spend in any fiscal year more than ten percent of the money in the fund for the program's administrative and operating costs. The commissioner must distribute the full amount of the proceeds credited to the automobile theft prevention special revenue account each year.

[For text of subd 2, see M.S.2000]

Subd. 3. Grant criteria; application. (a) A county attorney's office, law enforcement agency, neighborhood organization, community organization, or business organization may apply for a grant under this section. Multiple offices or agencies within a county may apply for a grant under this section.

(b) The commissioner must develop criteria for the fair distribution of grants from the automobile theft prevention account that address the following factors:

(1) the number of reported automobile thefts per capita in a city, county, or region, not merely the total number of automobile thefts;

(2) the population of the jurisdiction of the applicant office or agency;

(3) the total funds distributed within a county or region; and

(4) the statewide interest in automobile theft reduction.

(c) The commissioner may give priority to:

(1) offices and agencies engaged in a collaborative effort to reduce automobile theft; and

(2) counties or regions with the greatest rates of automobile theft.

(d) The minimum amount of a grant award is \$5,000. After considering the automobile theft rate and total population of an applicant's jurisdiction, if a grant award, as determined under the criteria and priorities in this subdivision, would be less than \$5,000, it must not be awarded.

Subd. 4. Advisory board; creation; membership. An automobile theft prevention advisory board is established to advise the commissioner on the distribution of grants under this section. The board must consist of seven members appointed by the commissioner and must include representatives of law enforcement, prosecuting agencies, automobile insurers, and the public. The commissioner must annually select a chair from among its members.

History: *1Sp2001 c 8 art 5 s 6-8*

299A.76 SUICIDE STATISTICS.

(a) The commissioner of public safety shall not:

(1) include any statistics on committing suicide or attempting suicide in any compilation of crime statistics published by the commissioner; or

(2) label as a crime statistic, any data on committing suicide or attempting suicide.

(b) This section does not apply to the crimes of aiding suicide under section 609.215, subdivision 1, or aiding attempted suicide under section 609.215, subdivision 2, or to statistics on a suicide directly related to the commission of a crime.

History: *1Sp2001 c 9 art 13 s 17*