

# GENERAL ORDER



<b>Effective:</b>	August 25, 2020	<b>Number:</b>	20-10-000
<b>Subject:</b>	<b>MISSION STATEMENT, VISION STATEMENT, CORE VALUES, AND OATH OF A MINNESOTA STATE TROOPER</b>		
<b>Reference:</b>			
<b>Special Instructions:</b>	Rescinds General Order 15-10-000	<b>Distribution:</b>	G

## I. MISSION STATEMENT

The mission of the Minnesota State Patrol is to protect and serve all people in the state through assistance, education, and enforcement; provide support to allied agencies; and provide for the safe, efficient movement of traffic on Minnesota's roadways.

## II. VISION STATEMENT

To eliminate vehicle crashes in Minnesota through highly professional service and the implementation of evolving best practices.

## III. CORE VALUES

The core values of the Minnesota State Patrol are Respect, Integrity, Courage, Honor and Excellence.

## IV. OATH

The Oath of a Minnesota State Patrol Trooper is as follows:

I do solemnly swear:

To support the constitution of the United States, the constitution and laws of the State of Minnesota, and that I will faithfully and impartially discharge the duties of State Patrol Trooper employed and designated under and pursuant to the provisions of Minnesota Statutes Chapter 299D, and all Acts amendatory thereto;

To serve the State of Minnesota and the United States of America honestly and faithfully and at all times fulfill my oath as State Patrol Trooper

To be loyal to my supervisors and fellow troopers and obey and enforce the law without fear, favor or discrimination as to class, color, race or creed;

To help those in danger or distress and, if necessity arise, lay down my life rather than swerve from the path of duty; and

To conduct myself at all times in accordance with the highest moral standards and never commit any act that will reflect discredit on the Minnesota State Patrol or any member thereof.

All this I solemnly swear to the best of my knowledge and ability, so help me, God.

**Approved:**

**SIGNED 8/25/2020**

**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

## GENERAL ORDER



### MINNESOTA STATE PATROL POLICIES; GENERAL ORDERS; CHIEF'S MEMOS; DISTRICT/ SECTION MEMOS

Policy Number	10-001
Effective Date	9/2/2025
Last Review Date	9/2/2025
Distribution	G

Related Policies: All General Orders, Chief's Memos, District/Section Memos

Approved by: Colonel Christina Bogojevic

### I. POLICY

The policy of the Minnesota State Patrol is to provide guidance and direction to its employees on matters relating to the conduct of employees and the delivery of services to the public. These policies will be communicated through General Orders, Chief's Memos, and District/Section Memos.

- Employees are responsible for knowing and understanding the Minnesota State Patrol Policies applicable to their assignment.
- Managers and supervisors are responsible for enforcing Minnesota State Patrol Policies.
- Failure to comply with these policies may result in disciplinary action.

### II. DEFINITIONS

#### A. Policy

Policy is a statement describing the attitude, intent, and philosophy of management.

#### B. Procedure

Procedure is a method of performing a task or a manner of proceeding on a course of action.

#### C. HRLFNDT

High-Risk, Low-Frequency, No Discretionary Time. General Orders which are categorized as "HRLFNDT" are those activities in which we as an agency have the most risk, but the frequency with which we perform these high risk situations is very low and the member has very little to no time to think the process through. Every member must have thorough knowledge of HRLFNDT General Orders.

### III. MINNESOTA STATE PATROL POLICIES

#### A. General Orders

1. Are department-wide policies, procedures, and practices of a long-standing nature that have been approved by the Chief or Assistant Chief and used to guide the actions of employees in daily operations and service to the public.
2. Contain the department's policy, procedures, any directions relating to the subject matter, and will designate the responsibilities required therein, to the extent practical.
3. Will be clearly identified HRLFNDT and published with a gold background, if applicable.
4. Format
  - a. Effective Date: The effective date shall be stated on each General Order. The date must not be retroactive.
  - b. Numbering: Each General Order is issued a code that designates the year issued, the general subject of the General Order, and the index number.
    - (1) Year - The two numbers following the prefix indicate the year of issuance

- (2) General Subject - The general subject is indicated by a two number code separated from the year by a dash. The subject codes are listed Addendum 1.
  - (3) A three digit number separated from the general subject by a dash, e.g., 15-10-001, indexes the specific subject.
  - c. Subject: The space contains the title of the General Order.
  - d. Reference: The reference space identifies other documents dealing with the same subject matter. Reference to other General Orders may indicate only the last five digits of the number.
  - e. Special Instructions: Special instructions include a listing of previous General Orders or memos that are superseded or rescinded by the current General Order.
  - f. Distribution: Policies approved after the date of this General Order will be distributed according to the distribution group list in Addendum 1.
5. Will be distributed in an electronic format. The PowerDMS system contains the official policies and maintains signatures noting that the policies have been read and understood. An electronic (.pdf) reference file, updated on a monthly basis, will also be available on the MSP network.
    - a. Any text references (e.g., reference on a General Order to a new memo, updated website) added after the signature and approval of the Chief or Assistant Chief will be noted in red text on the General Order. No substantive policy changes may be made via this method.
  6. A hard copy of the policy with the Chief or Assistant Chief's signature will be maintained by the Executive Assistant to the Chief.
  7. Will be submitted to the Chief or Assistant Chief for final approval.
  8. Shall only be issued under the signature of the Chief or Assistant Chief.
  9. Dissemination of General Orders outside of the Department of Public Safety is subject to the provisions of General Order 10-025 (Data Practices – Classification and Dissemination).

#### **B. Chief's Memos**

1. Are department-wide policies, procedures, and practices of a temporary nature that have been approved by the Chief or Assistant Chief, and are used to guide employees for a short time or for a temporary situation or circumstance.
2. May also be used to communicate important and/or immediate changes to General Orders that will be corrected in the next revision to the General Order.
3. Are in effect until the expiration date on the memo, or when they are revised or rescinded. A retention memo will be issued in the first quarter of each year.
4. Are numbered in the format year-sequential (e.g., 07-001).
5. Will be distributed in an electronic format according to the distribution group list in Addendum 1. The PowerDMS system contains the official policies and maintains signatures noting that the policies have been read and understood. An electronic (.pdf) reference file, updated on a monthly basis, will also be available on the MSP network.
6. Shall only be issued under the signature of the Chief or Assistant Chief.
7. Memos approved prior to this General Order are classified as either Supervisor or Trooper Memos.

#### **C. District/Section Memos**

1. Are used to communicate policies, procedures, or practices of long-standing or temporary nature that are unique to a particular district or section and its employees.
2. Are numbered in the format: district/section, year, sequential (e.g., D28-07-001).
3. A copy of the District/Section Memo shall be retained in a master file in the district or section office.
4. Are in effect until the expiration date on the memo, or when they are revised or rescinded. A retention memo will be issued in the first quarter of each year.
5. Copies shall be forwarded to the Policy Manager and may be incorporated into the PowerDMS

electronic version.

6. Shall only be issued under the signature of the District or Section Commander.

#### **IV. RESPONSIBILITIES**

##### **A. Policy Manager**

1. Develop a policy revision process and review General Orders to identify those needing revision.
2. Supervise and direct the research, drafting, and revision of Minnesota State Patrol Policies.
3. Ensure that whenever applicable, Minnesota State Patrol policies comply with state statute, federal law, and Department of Public Safety Policies. A review of relevant case law, changes in statute, new research, industry best practices, and the operational needs of the department should be taken into consideration when drafting or changing Minnesota State Patrol Policies.
4. Submit new and revised General Orders to Command Staff for review.
5. Ensure policies are disseminated through PowerDMS.
6. Maintain both the electronic reference file on the MSP network and the PowerDMS system.

##### **B. Command Staff**

1. Review new and revised General Orders.
2. Suggest new and revised General Order ideas to the Policy Manager.

##### **C. District/Section Commanders**

1. Provide new or transferred employees with up-to-date copies of District/Section memos.
2. Provide a copy of all District/Section Memos to the Policy Manager or designee.
3. Notify the Policy Manager of General Orders requiring possible revisions.
4. Issue a retention memo for District/Section Memos in the first quarter of each year.
5. Enforce and comply with all Minnesota State Patrol Policies.

##### **D. District/Section Supervisors**

1. Be familiar with and responsible for knowing contents of Minnesota State Patrol Policies that are applicable to their assignment.
2. Enforce and comply with Minnesota State Patrol Policies.

##### **E. Troopers Candidates**

Prior to becoming certified as a Minnesota State Trooper, trooper candidates must receive and sign off on all current written directives, including general orders.

##### **F. All Employees**

1. Be familiar with and responsible for knowing contents of Minnesota State Patrol Policies that are applicable to their assignment.
2. Direct new and revised General Order ideas through the chain-of-command to the Policy Manager.
3. Log into PowerDMS at least once per month to check for new General Orders and memos.

# GENERAL ORDER

	<b>Effective:</b> June 22, 2022	<b>Number:</b> 22-10-002
	<b>Subject:</b> <b>COMPUTERS AND ELECTRONIC COMMUNICATIONS: RULES AND GUIDELINES</b>	
	<b>Reference:</b> MMB policies: Appropriate Use of Electronic Communication and Technology and State Mobile Device Policy and Acknowledgment; DPS Admin. Policy 5100; GO 40-011 (MDCs)	
	<b>Special Instructions:</b> Rescinds GO 19-10-002	<b>Distribution:</b> G

## I. PURPOSE

To provide all members of the Minnesota State Patrol (MSP), sworn and non-sworn, with policy, procedures, and guidelines for the appropriate use of electronic communications equipment provided by MSP. Adopting MMB and the Department of Public Safety's applicable computers and electronic equipment policy provides uniformity and facilitates understanding and compliance.

## II. POLICY

- A. Electronic communications tools are fundamental resources in achieving the MSP's mission and MSP employees are expected to adhere to the highest ethical standards when utilizing electronic equipment and tools provided by the MSP, including but not limited to: computers, mobile data computers (MDCs), mobile devices, servers, internet, and email. All members shall be conscientious in their use to ensure a level of security and confidentiality appropriate to the purpose of the communication.
- B. The MSP may monitor, at its discretion and in the ordinary course of business, employee use of electronic communications tools during actual use, during routine post-audits, and during investigations, without the consent or knowledge of the user.

## III. PROCEDURE

- A. MSP fully adopts the Minnesota Department of Public Safety's Policy 5100 (Acceptable Use of Department Computers/Electronic Equipment), MMB Policy – Appropriate Use of Electronic Communication and Technology, MMB Policy -- Statewide Mobile Device Usage and Agreement Policy, and any revisions applicable department-wide with the following clarifications:
  1. When a laptop is left unattended, it shall be secured by physically locking it in the docking station with a key and the screen locked to prevent unauthorized access.
  2. MSP IT shall serve as the link to the DPS Service Desk. As a result, all issues/reporting should occur directly with MSP IT.
- B. Mobile Phones

The State Patrol will issue state-owned mobile phones to assist troopers in completing their duties. These phones shall be used for legitimate business purposes only. Typical uses of a state-issued mobile phone would include, but are not limited to: capturing evidence, contacting witnesses, obtaining search warrants, coordinating death notifications, providing media web information to dispatch, etc.

  1. State-issued mobile phones shall not be used for personal use.
  2. Mobile phones shall be subject to inspection in accordance with GO 30-003 (Equipment, Use and Care) and utilized in accordance with GO 20-017 (Photographs) and 30-023 (Audio Video Recording).

3. All members are prohibited from using a mobile phone while driving a state unit for any purpose, unless it is configured to allow hands-free operation and it is used in that manner while driving.
4. Members shall update the phone operating system as soon as practicable when updates become available. Any available public or private WiFi can be used to perform the update.

#### **IV. SUPERVISOR RESPONSIBILITY**

MSP supervisors are responsible for ensuring all electronic communication tools are appropriately used. District/Section Lieutenants are responsible for, and expected to, monitor monthly mobile phone usage reports to ensure compliance with this policy.

**Approved:**

**SIGNED 6/22/2022**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# Minnesota Department of Public Safety

<b>Policy:</b>	<b>Acceptable Use of Department Computers, Electronic Equipment, Information Systems and Resources</b>
<b>Number:</b>	<b>5100</b>
<b>Applicability:</b>	<b>Department-wide</b>
<b>Maintained by:</b>	<b>Office of Technology and Support Services</b>
<b>Originated:</b>	<b>7/15/99</b>
<b>Effective:</b>	<b>4/20/10</b>

## Definitions

### Acceptable Use-

What an authorized user is permitted to do with department-owned computers and equipment, department-owned, operated, or managed information systems and resources

### Computers, Equipment, Systems, and Resources-

Tools used at the Department of Public Safety such as workstations, PCs, laptops, office machines, mobile devices, PDA's, e-mail systems, intranet and Internet systems and access, Web-based business systems, data bases, and all other data, information or information systems

### Authorized Users-

Department employees, contractors, vendors, consultants, interns, volunteers, and all other users who have been authorized by the department

### IT Service Desk-

The department's Office of Technology and Support Services and the technical support units within the BCA and the State Patrol

## Purpose

The purpose of this policy is to provide direction, guidance, and requirements for the use of department computers, electronic equipment, information systems and resources.

## Policy Statements

- Failure to comply with this policy will result in disciplinary action up to, and including termination
- This policy applies to use at all department facilities and at any remote location
- Computers and all department systems such as equipment, software, operating systems, storage media, network accounts for e-mail, Web services, and file transfers are the property of the department

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- Access and use of electronic tools such as e-mail and the Internet is intended for business-related purposes; limited and reasonable personal use of these tools, is permitted
- Authorized users should not have an expectation of the privacy of any information stored on any equipment or device belonging to the department
- All data or information that is created, entered, stored, or processed on department systems or with department resources is the property of the department; viewing, distributing, or using department data or information for mere curiosity or any other non-business purpose is strictly prohibited
- The department may monitor the use of any system or resource without notification
- Examples listed in this policy are provided for purposes of illustration and do not comprise an exhaustive list
- Some provisions or requirements of this policy may be altered by the Commissioner of Public Safety, the Commissioner of Minnesota Management and Budget, or the Governor due to priority service needs during a business emergency
- Authorized users will seek clarification if there are questions about the terms of this policy
- Authorized users who have legitimate business needs to access and or store otherwise unacceptable data (e.g. sexual or violent images), must have prior written approval from the division director, with a copy maintained in the supervisor file
- Authorized users will comply with all provisions of this policy unless an official department policy exception has been granted

## Responsibilities

### **ALL AUTHORIZED USERS MUST:**

- Read, and agree to comply with this policy prior to using any state or department computer, electronic equipment, information system or resource
- Read, and agree to comply with this policy annually with the applicable division supervisor or manager
- Be responsible for seeking assistance about how this, or any other policy, applies to them or their job duties
- Adhere to the highest ethical standards when conducting state business and follow Minnesota §43A.38, *Code of Ethics for Employees in the Executive Branch* and Minnesota Chapter 13, *Minnesota Government Data Practices Act*
- Take reasonable security measures to protect department computers, equipment, systems, electronic information, and resources from theft and unauthorized activities including disclosure, modification, copying, deletion, misuse, and inappropriate use
- Not share passwords
- Secure computers, laptops, or other electronic or mobile devices by logging off or “locking” the device whenever it is left unattended

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- Take reasonable security measures when electronically transmitting data classified as not public data, under the Minnesota Chapter 13, *Government Data Practices Act*
- Report any misuse or inappropriate use, or the improper or unsecured handling of information, immediately to their supervisor, manager, division director, or the Director of Human Resources
- Contact their appropriate IT Service Desk if they suspect that a system is malfunctioning, or that antivirus/anti-malware software is missing or not functioning properly
- Report any suspected loss or theft of any computer, equipment, system, or resource such as laptops, portable hard drives, USB flash drives, backup tapes, or authentication tokens immediately to the division director

## **ALL SUPERVISORS AND MANAGERS MUST:**

- Understand this policy and respond to authorized users' questions about acceptable and unacceptable practices. This includes finding answers from agency resources for any questions that they themselves cannot answer
- Ensure the appropriate use of all computers, electronic equipment, information systems and resources through training, supervising, or coaching
- Report inappropriate use or actions immediately to the division director and take appropriate disciplinary action when necessary
- File appropriate DPS document for official department policy exceptions (form is located on the DPS intranet)
- File appropriate DPS document for the theft or loss of state assets (form is located on the DPS intranet)
- Maintain policy acknowledgement and compliance agreement documentation of authorized users at the time of hire and renew this documentation at least annually

## **IT SERVICE DESK AND USER SUPPORT PERSONNEL MUST:**

- Report any suspicion of policy violation to their supervisor
- Not ask for or use an authorized user's password. In the rare emergency situation when this may be necessary, it must be documented and reported immediately to IT Service Desk supervisors
- Not access an authorized user's computer, electronic equipment, information system or resource without notifying the user, unless directed to do so by the Human Resources or Internal Affairs Director designee
- Ensure all department networks, systems and resources have current up-to-date antivirus/anti-malware software installed and operational
- IT Service Desk supervisors will follow through with all reports of suspected policy violations until the matter has been resolved appropriately or referred to other authority

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## ACCEPTABLE USE OF DEPARTMENT COMPUTERS, ELECTRONIC EQUIPMENT, INFORMATION SYSTEMS AND RESOURCES

### 1. LIMITED PERSONAL USE

Department computers, equipment, systems, and resources are intended for business purposes. Limited and reasonable personal use is permissible, but must withstand public scrutiny without causing embarrassment to the department or the State of Minnesota. If authorized users are unclear if their personal use of a department system or resource is appropriate, it is their responsibility to seek clarification prior to acting.

The personal use of department e-mail and Internet:

- Must not result in any additional costs such as loss of time or resources
- Must not interfere with productivity
- Must not interfere with any department or division business activity
- Must not cause the department or its information systems and resources unacceptable risk or liability
- Must not violate other provisions of this or any other department or state policy
- Must not use resources for activities related to an authorized user's non-department employment

### 2. SAFEGUARDING SECURITY CREDENTIALS

Authorized users are responsible for safeguarding their security credentials which include user ID's, log-ons and passwords. The proper use of security credentials is fundamental to the appropriate and secure access of all department networks, systems, tools, and resources.

- Authorized users will comply with all security credential requirements as required by department networks, systems and resources
- Authorized users will only use security credentials assigned to them as required by their job responsibilities
- All use of security credentials will be presumed to be only that of the assigned authorized user

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## 3. ELECTRONIC COMMUNICATION

### Electronic Communication Tools

Electronic communication tools include department e-mail, state-owned cell phones and other electronic personal digital devices or means of communication that assist in conducting state business. Good judgment must be exercised when any electronic communication tool is used and should withstand public scrutiny without embarrassment to the recipient, the department, or the State of Minnesota.

When using electronic communication tools to conduct state business, an authorized user will ensure that:

- Communication in both tone and content is appropriate and professional. The use of profanity, obscenities, or derogatory remarks is strictly prohibited; refer to the department's Office of Communication *Style Guide* for guidance in e-mail structure and etiquette (guide is located on the DPS intranet)
- Only the department's authorized e-mail system is used when conducting department business
- Only state-owned equipment is used to access department e-mail remotely with division director approval
- Receipt of offensive or inappropriate messages is reported to their supervisor
- Suspicious e-mail or attachments will be deleted unopened

### Record Retention Schedules

Record retention schedules will remain the same regardless of the medium used to create or store the record. However, the department's read and unread e-mail messages older than 30 days in the *Inbox* and *Sent Items* folder are automatically deleted.

## 4. COMPUTERS AND EQUIPMENT

Department computers and removable storage are provided to all authorized users with the software, tools, and appropriate encryption methods needed to successfully perform their duties. If additional or optional equipment or software is required, the division director, manager, or supervisor will make such requests to the appropriate IT Service Desk to ensure appropriate licensing, maintenance, and support capabilities.

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Department computers and all department networks and systems such as equipment, software, operating systems, storage media, network accounts for e-mail and Web browsing, and file transfers are the property of the department, provided for department purposes. All use will be for department purposes or otherwise meet the *Limited Personal Use* requirements from Section 1 of this policy.

- Only state-owned equipment authorized by the appropriate IT Service Desk, with current antivirus software installed and operational, is allowed to directly connect to a department network or system
- All computers (pc and laptop) must be connected to the department's network every 30 days in order for security and software updates to be performed; contact the appropriate IT Service Desk when this is not feasible
- With the permission of their division director and the use of approved state-owned equipment, authorized users may access department networks or systems remotely
- User-owned devices such as computers, PDA's, mp3 players, portable storage devices, or mobile phones will not be connected to department-owned computers, equipment, e-mail systems, networks, or resources
- Removing department computers, equipment, systems, or resources from the premises without the specific approval of a supervisor or division manager is prohibited
- The testing of information systems and resources for security vulnerabilities is prohibited without the express written consent from the department's Office of Technology and Support Services Chief Information Security Officer (CISO) or the technical support units within the BCA and the State Patrol
- All portable computer equipment and removable storage must be encrypted; contact the appropriate IT Service Desk for standards and assistance
- Only removable storage approved by the appropriate IT Service Desk which has been authorized in writing by the division director, may be used to conduct state business, such as portable hard drives, USB flash drives, Smart Phones, CD-R/RW, etc. ; a record of the approval shall be kept on file by the division
- Connection to, or use of, a non-department network to conduct the state's business is **only** allowed with a DPS issued computer using an approved remote access method such as Outlook Web access (OWA) or a virtual private network (VPN) solution provided by the department. All authorized users who will remotely access department resources through OWA, VPN or other approved method will have an approved *Remote Work Location Agreement* on file (agreement is located on the DPS intranet)

## Use of Wireless Networks

Authorized users will not connect any state-owned wireless network device to the department's networks without the review and prior consent of the appropriate IT Service Desk.

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When using a wireless network with state-owned equipment, authorized users shall use a department VPN connection and ensure that the equipment has:

- Up-to-date antivirus/anti-malware and encryption software installed and operational. Authorized users are required to contact their IT Service Desk if they encounter equipment without this software or feel the software is not functioning properly
- A device firewall installed, configured, and operational

## 5. INTERNET USE

Internet access is provided to authorized users as a tool for the department's business purposes. All access will be for department purposes or otherwise meet the *Limited Personal Use* requirements from Section 1 of this policy.

Authorized users may be unintentionally exposed to pornographic or otherwise objectionable Web content when using the Internet. The authorized user is accountable for material viewed, downloaded, or received through the Internet. All use of the Internet is presumed to be intentional; any unintentional access must be reported to the user's supervisor or as otherwise defined in division procedures.

Authorized users should be aware that:

- The department may monitor the Internet use of all authorized users
- Some Web content may be filtered
- Many inappropriate Web sites are accessible even with Web content filtering. Authorized users cannot rely upon Web content filtering to prevent them from accessing inappropriate Web sites and Web content
- Authorized users will not take any action in an attempt to avoid Web content filtering
- Authorized users may request a variance in order to access Web sites or content necessary for business purposes which may be blocked by Web content filtering. Such requests must be approved by the authorized user's supervisor and submitted to the appropriate IT Service Desk

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## 6. SOCIAL NETWORKING TECHNOLOGIES

Social networking technologies include current and emerging Web services such as *Twitter*, *My Space*, *Facebook*, and *YouTube*. The use of social networking technology in government serves three primary functions:

- To communicate and deliver messages directly to citizens
- To encourage citizen involvement, interaction, and feedback
- To complement other communication and information resources (broadcast faxes, Web site postings, e-mails etc.) as an additional communication tool for content delivery to media and constituencies

### **Department Use of Social Networking Technologies**

Division directors have the discretion to allow authorized users access or use of social networking technologies and/or clients or other similar services, applications, or collaborative technologies provided that the limited use provisions from Section 1 of this policy are adhered to.

Division directors will identify the necessity and purpose of implementing social networking technologies to meet business needs within their division.

- Division directors will obtain approval from the Office of Communications before any social networking technology is established
- Division directors will authorize the appropriate authorized user to be responsible for posting and maintaining the content of the information that appears on a department social networking site
- Division directors will be held accountable for posted information that violates any state or agency policy
- The Office of Communications will provide assistance to the divisions to update content on social media sites
- The content of the social networking sites will be periodically reviewed by the Office of Communications for consistency, clarity, and appropriateness

### **Non-department, Personal Social Networking Accounts**

The unauthorized creation or use of a personal social networking technology or account with a department tool, resource, or system is prohibited.

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Authorized users who have non-department, personal social networking accounts or sites may not expressly or implicitly represent themselves as an employee or representative of the department and:

- Engage in any personal Internet posting that may harm or tarnish the image, reputation and/or goodwill of the department and/or any of its employees or customers
- Make any discriminatory, disparaging, defamatory, or harassing comments or conduct prohibited under department policies #1501, *General Harassment* and #1502, *Illegal Discrimination, Sexual Harassment* when blogging or on their personal Internet postings or any personal Web sites
- Speak or make representation on behalf of the department or that imply to be on behalf of the department

All authorized users who have non-department, personal social networking accounts or sites:

- Are prohibited from posting any department information considered not public or any other confidential material covered by department or state policy on their personal Internet postings or personal Web sites
- Will not use the department's logos, trademarks, and any other department intellectual property in connection with any personal Internet posting or personal Web site activity
- Will assume any and all risk associated with personal Internet posting

## **7. MISUSE OR INAPPROPRIATE USE OF COMPUTERS, EQUIPMENT, SYSTEMS, OR RESOURCES**

All authorized users are required to seek clarification if there are questions about any of the terms of this policy. With prior written approval from the division director, an authorized user with a legitimate business need may be exempt from complying with an example listed below.

The following list of activities or actions are examples of misuse or inappropriate use:

- Failing to take reasonable security measures when electronically transmitting data classified as not public data under the Minnesota Government Data Practice Act
- Sharing security credentials or leaving them where they would be easily accessible by others
- Illegal activities which violate state or federal laws or regulations

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- Gambling, wagering, and betting
- Promoting political positions, promoting religious activities, expressing political or religious views
- Fundraising for any purpose unless department or state-sanctioned
- Commercial activities or personal non-department business activities
- Changing or removing security or other controls from department systems or resources
- Accessing, downloading, or installing unauthorized software including games, crossword puzzles, freeware and executable files by any means including but not limited to the Internet or any other means (e.g. accessing an online game or a program that is run from an Internet site, such as TurboTax, or downloading an executable file which contains the setup files to install a program on your pc) or from a CD, DVD, or USB drive, floppy disk, Zip Drive, or any other media
- Unauthorized access of non public, not public, private, or confidential data
- Allowing unauthorized users access to department equipment or resources
- Uses that are in any way disruptive or harmful to the reputation or business of the department or State of Minnesota
- Receiving, viewing, storing, displaying, or transmitting sexual or violent images, messages, text, audio, cartoons, jokes, or anything that may be construed as harassment or disparagement of others based on their sex, age, race, national origin, sexual orientation religion, disability, marital status, or membership in any other protected class
- Visiting chat rooms or subscribing to newsgroups for any reason other than for an approved department purpose
- Participating in chain letters, letters or messages requesting money, donations, promising luck, compensation, or reward, or promising harm if the recipient fails to forward the message to others
- Accessing non-department approved e-mail accounts while at work
- Union campaigning, organizing, or solicitation
- Using screen savers other than those included with Windows. Personal photos may be used for screen savers and wallpaper if they are installed within the guidelines of the Microsoft program and are static in nature
- Installing, downloading, or listening to music and audio other than what is needed for business purposes
- Installing or downloading destructive software, or password-breaking programs and viruses
- Installing state-owned or state-licensed hardware or software on any device that is not a state asset

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## Other applicable policies, authority, or resources

- Minnesota Statute 43A.38 - Code of Ethics for Employees in the Executive Branch
- Minnesota Statute Chapter 13 - Minnesota Government Data Practices Act
- State of Minnesota 2006-04 - Enterprise Security Policy on Portable Computing Devices
- State of Minnesota - Appropriate Use of Electronic Communication and Technology policy
- DPS Policy 1501 - General Harassment
- DPS Policy 1502 - Illegal Discrimination
- DPS Policy 4063 - Employee Conduct
- DPS Policy 3541 - Property Management Reporting and Accountability
- DPS Policy 3545 - Telecommunication Device Purchase and Usage
- DPS Policy 4006 - Telework
- DPS Form 1000-01 - Policy Exception Request
- DPS Form 3541-01 - Admin Minnesota Stolen, Lost, Damaged or Recovered Property Report
- DPS Remote Work Location Agreement
- DPS Office of Communications Style Guide
- DPS Information Security Requirements, Standards and Best Practices

Date this policy was last revised:	
Approved for implementation and distribution:	 Commissioner's Signature 4-20-2010 Date

# GENERAL ORDER

	<b>Effective:</b> September 29, 2017	<b>Number:</b> 17-10-003
	<b>Subject:</b> <b>AUTHORITIES OF MINNESOTA STATE PATROL TROOPERS</b>	
	<b>Reference:</b> Minn. Stat. Chap. <a href="#">299D.03</a> and Minn. Stat. sec. <a href="#">626.76</a>	
	<b>Special Instructions:</b> Rescinds GO 17-10-003 (May 25, 2017)	<b>Distribution:</b> A,B,C

## I. PURPOSE

To identify the statutory authorities and jurisdiction of the State Patrol.

## II. AUTHORITIES

- A. Full Authority (Minn. Stat. sec. [299D.03, subd.1\(b\)\(\(7\)-\(10\)\)](#))  
Sworn members of the State Patrol have and shall exercise full police authority on state property and federal highways within the State of Minnesota. Such authority is concurrent with local law enforcement authorities, and due consideration must be given for positive inter-agency cooperation.
- B. Limited Authority (Minn. Stat. sec. [299D.03, subd.1\(b\)\(12\)](#))  
Sworn members of the State Patrol have limited authority in all other locations within the State of Minnesota. Such limited authority consists of the power of arrest for any crime or violation committed within the presence of the member. Non-traffic cases requiring subsequent investigations shall be referred to the local agency of jurisdiction with a detailed arrest or investigation report.
- C. Support Authority (Minn. Stat. secs. [299D.03, subd.1\(b\)\(8\)-\(9\); 626.76](#))  
Sworn members of the State Patrol shall, when necessary, assist peace officers from other agencies subject to the following regulations:
1. The peace officer or agency making the request must be acting officially in the line of duty and within jurisdiction.
  2. A peace officer or agency may request assistance or a member must contact the peace officer or agency to inquire if assistance is needed.
  3. These regulations do not in any way alter the responsibility of assisting other peace officers whose life or safety is in jeopardy pursuant to Minn. Stat. secs. [299D.03-299D.09](#).
  4. State Patrol Dispatch shall be notified when a member responds to assist another peace officer or agency.
- D. General
1. Sworn members of the State Patrol, in performing their duties as assigned in this General Order, are covered under the Worker's Compensation Act.
  2. Sworn members of the State Patrol, while on duty, shall not be deputized by other law enforcement agencies unless specifically authorized by the Chief of the State Patrol, but shall cooperate with federal, state and local agencies to the fullest extent within the authorities of this agency.

Approved:

SIGNED 9/29/2017

Colonel Matthew Langer, Chief  
Minnesota State Patrol

## GENERAL ORDER

 <b>ORGANIZATION AND COMMAND STRUCTURE</b>	Policy Number	<b>10-004</b>
	Effective Date	<b>9/2/2025</b>
	Last Review Date	<b>9/2/2025</b>
	Distribution	<b>G</b>
Related Policies		
Approved by:	<b>Colonel Christina Bogojevic</b>	

### I. PURPOSE

This policy provides information regarding organizational structure, command authority, and chain of command communications within the State Patrol.

### II. POLICY STATEMENTS

In order to efficiently and effectively accomplish its mission, the State Patrol will be comprised of various organizational components. Each component will be under the direct command of only one supervisor or commander, and all supervisors and commanders will be accountable for the activities of the members under their immediate control. The authority and responsibility of the Chief of the State Patrol is designated in Minnesota State Statute 299D.03.

Each member will only be accountable to only one supervisor at any given time, and members should clearly understand the reporting relationship and be accessible to a supervisor.

At every level within the State Patrol, members will be given authority to make decisions necessary for the effective execution of their responsibilities. Assigned and/or delegated responsibility will be accompanied by commensurate authority and consistent with the State Patrol's mission statement and core values. Commanders should continuously clarify authority, alleviate confusion, and ensure uninterrupted leadership.

Members will obey any lawful order of a superior, including any order relayed from a superior by a member of the same or lesser rank. If a member receives an unlawful order, the receiving member will notify a higher-ranking State Patrol authority for resolution. If a member receives conflicting orders, the member will advise the superior giving the conflicting order the nature of the conflict; the member issuing the order will decide what action the subordinate member will take and will notify the source of the original order or any decision to countermand the original order.

Members will relay State Patrol communications through channels within the chain of command except when it is clearly impractical to do so, when confidentiality is paramount, or when required by written directive. Internal communications should be professional, clear, and concise. Commanders will encourage and support the exchange of information among all agency functions and members to coordinate activities.

The Chief's office will ensure the State Patrol's organizational structure is depicted graphically on an organizational chart that it is reviewed and updated as needed, and that is accessible to all members. The chart will also reflect the formal lines of authority and communication within the agency.

### III. OPERATIONAL PROCEDURES

#### A. Organizational Components

##### 1. Regions

- a. The chief will divide the State Patrol into regions based on experience, skill capacity and agency goals/strategic planning.
- b. Each region will be commanded by a Major.

##### 2. Districts and Sections

- a. Districts will provide for the State Patrol's patrol function across Minnesota.
- b. Sections will provide operational support for the districts and other State Patrol operations.
- c. A captain or civilian equivalent will command districts/sections

##### 3. Districts

- a. Each State Patrol district will be divided into stations.
- b. Each station will be supervised by a Lieutenant.

##### 4. Specialized Units

- a. Specialized units may be placed at different levels throughout the organizational structure.

##### 5. Individual Positions

- a. Individual positions will vary in the degree to which they are non-supervisory, supervisory or command.
- b. Supervisory positions will be composed of either line authority, staff authority, or both.
- c. Specialty positions may be placed at different levels of the organizational structure.
- d. For information on recruitment and selection processes, protocols, and requirements for State Patrol positions, contact your supervisor.

#### B. Component Functions

##### 1. Command

- a. Office of the Colonel
  - i. Legislative Initiatives
  - ii. Budget
  - iii. Public Information
  - iv. Communications\*
  - v. Legal
- b. Strategic Planning and Oversight
  - i. Strategic Plan
  - ii. Tribal Relations
  - iii. Honor Guard
  - iv. Accreditation
- c. Operations

- i. Districts and Sections
    - ii. Human Resources
    - iii. Promotions and Transfers
    - iv. Internal Affairs and Affirmative Action\*
    - v. Fiscal Administration and Support Staff
    - vi. Awards
    - vii. Data Practices
    - viii. Labor Relations\*
  - d. Wellness
    - i. Peer Support
    - ii. Chaplains
  - e. Equipment and Safety
    - i. Critical Incident Review
    - ii. Towards Zero Deaths
    - iii. Work Zone Safety and Traffic Incident Management
    - iv. Fleet
    - v. Warehouse\*
    - vi. Information Technology\*
    - vii. Leasing\*
- 2. Districts/Stations
  - a. Each district and station enforce Minnesota laws primarily on highways. This includes enforcement actions, crash investigations, and educational safety programs.
  - b. Executive security provides personal protection to the Governor.
  - c. Capitol Complex security provides security to all Capitol Complex buildings.
  - d. Commercial Vehicles provides training, outreach, safety assistance, enforcement and compliance for pupil transportation and commercial vehicles traveling in Minnesota.
- 3. Sections
  - a. Flight Section is responsible for state, county and local aerial law enforcement and public safety support.
  - b. Training and Development Section provides academy and incumbent training for members and oversees recruitment and retention efforts.
  - c. Investigative Services Section provides investigative support with an emphasis on reconstruction, auto theft investigation, highway drug interdiction, and other serious crimes.
  - d. Communications provides dispatch for Troopers while performing sworn duties.
- 4. Specialty Assignments
  - a. Honor Guard provides ceremonial services at events including law enforcement and state government, funerals for fallen officers and troopers in Minnesota and around the country, and trooper retiree funerals.
  - b. Mobile Response Team is made up of troopers specifically trained to respond to civil disturbances, disasters, or emergencies.
  - c. Special Response Team provides tactical operations support for the State Patrol and allied agencies, including special weapons and tactics related services on high-risk

calls, search and rescue operations, and dignitary protection.

#### C. Span of Control

1. Command Staff, through the Executive Accreditation Review process, will annually review spans of control throughout the agency to ensure appropriate limits are not exceeded.
2. The exact number of members overseen by any one supervisor or commander will vary depending on the nature of the program and tasks being performed and other factors that may influence work environment.

#### D. Command Protocol

1. During typical, day-to-day operations, the Chief is the State Patrol's highest-ranking member.
  - a. Command at the regional level is delegated to the Lieutenant Colonel.
  - b. Command the District/Section level is delegated to the Majors.
  - c. Command at the Stations is delegated to Captains.
  - d. During exceptional situations, including anticipated absences for extended periods, commanders (including the chief) will designate, in writing, an acting authority.
    - i. If a commander is incapacitated or otherwise unavailable or unable to designate an "acting" authority, the higher-ranking commander in the chain of command will designate, in writing, an "acting" authority.
    - ii. Majors may designate the "on-call" Major to act in their authority.
    - iii. If the chief is incapacitated or otherwise unavailable or unable to designate an "acting" authority, the Minnesota Department of Public Safety Commissioner or designee will designate, in writing, an acting or interim chief.
  - e. Command may be predetermined for certain emergency or critical incidents and for specific operational activities.
  - f. In situations involving personnel of different functions engaged in a single operation, the command will be predesignated or assumed by the highest-ranking member directly involved.
    - i. The highest-ranking member involved in the situation will consider the following variables when issuing orders and delegating responsibilities:
      - Knowledge, skills, and abilities of involved members;
      - Specialized functions and geographic responsibilities of involved members.
  - g. Unless otherwise specified by a higher-ranking trooper, the senior trooper will be in command. The senior trooper may relinquish authority to a junior trooper if conditions warrant such action.

#### E. Functional Cooperation and Communication

1. Commanders will identify avenues for cooperation, resource support, and information-sharing between functions under their command and other State Patrol organizational components.
2. In addition to the written mission, goals, and objectives of the State Patrol, members will familiarize themselves with the needs and goals of the various functions and geographic areas within the State Patrol.

3. Communication of relevant information may take many forms, including:
  - a. Production and member receipt of:
    - ii. electronic updates
    - iii. shift briefing information
    - iv. other training
  - b. Participation in
    - i. State Patrol committees
    - ii. State Patrol community outreach activities
    - iii. State Patrol

# GENERAL ORDER

	<b>Effective:</b> January 4, 1999	<b>Number:</b> 99-10-005
	<b>Subject:</b> <b>MANAGEMENT – SUPERVISORY AUTHORITIES AND RESPONSIBILITIES</b>	
	<b>Reference:</b> Minnesota Statute <a href="#">299D</a> ; General Order 10-004; CALEA, Chapter 1	
	<b>Special Instructions:</b> Rescinds R 96-10-005	<b>Distribution:</b> A,B,C,E

## I. PURPOSE

To establish the levels of authorities and responsibilities of the executive, management and supervisory levels within the Minnesota State Patrol.

## II. AUTHORITIES AND RESPONSIBILITIES

Subject to the orders of the Commissioner of Public Safety and Minnesota Statute [299D](#), the levels of authority for the management and supervision of the State Patrol shall be as follows:

### A. Executive Level

1. Composition: Chief, Assistant Chief, Majors.
2. Responsibilities: Members of this level shall be responsible for the planning, organizing, staffing, directing and controlling, coordinating, reporting and budgeting functions of the State Patrol. Their authorities shall be commensurate with such responsibilities to allow for effective and efficient organizational operation.
3. Reportability: The Legislative Liaison/Commercial Vehicle Major and Assistant Chief shall report and be subordinate to the Chief. The Region Majors and the Support Services and Pupil Transportation Major shall report and be subordinate to the Assistant Chief.

### B. Management Level

1. Composition: The Communications Coordinator, Executive Protection-Capitol Security Commander, District/Section Captains, Training Section Commander, Traffic Safety Program Director, Fleet Management and Supply Director, Information Data Services Director, Budget and Planning Director.
2. Function: Members of this level shall be responsible for the planning, organizing, staffing, directing and controlling, coordinating and reporting functions of the District/Section or assigned duties. Their authorities shall be commensurate with such responsibilities to allow for effective District/Section or assignment operation.
3. Reportability: The Executive Protection-Capitol Security Commander shall report and be subordinate to the Chief. District 2100, 2200, 2300, 2400, 2500 and the Flight Section Captains, the Investigative Services Sergeants and Special Response Team shall report to and be subordinate to the South Region Major. District 2600, 2700, 2800, 2900, 3100, 3200 Captains and the Vehicle Task Force Commander shall report and be subordinate to the North Region Major. The Communications Coordinator, Traffic Safety Program Director, Fleet Management and Supply director, Information Data Services Director, Training Unit Commander, and the

Budget and Planning Director shall report and be subordinate to the Support Services and Pupil Transportation Major.

**C. Supervisory Level**

1. Composition: Lieutenants, Communication Supervisors, CVI IIIs and OSS Is.
2. Function: Members of this level shall be responsible for the first-line supervision of subordinate District/Section personnel and related activities. Such responsibilities shall include planning, reporting, improving, directing and evaluating functions at the District/Section level.
3. Reportability: Lieutenants, Communication Supervisors, CVI IIIs, and OSS Is shall report and be subordinate to their respective District or Section Commanders.

**III. GENERAL**

All authorities of rank shall be subordinate to higher rank on an organizational basis. In those instances where conflict arises between members of equal rank, the member with direct responsibility shall prevail over the member of no or indirect responsibility until higher authority is consulted.

<b>Approved:</b>  <b>Signed 01/04/1999</b>  _____ <b>Colonel Anne Beers, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>    _____ <b>Signature</b>
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# GENERAL ORDER



## CITIZEN COMPLAINTS/ INTERNAL INVESTIGATIONS/ POST BOARD REPORTING

Policy Number	25-10-006
Effective Date	6/11/2025
Last Review Date	6/11/2025
Distribution	G

Related Policies

N/A

### I. PURPOSE

The purpose of this policy is to establish a process whereby objectivity, fairness and justice are protected in the investigation and review of complaints about the Minnesota State Patrol (MSP) or any of its members.

Citizens demand integrity from public institutions. The credibility of and public confidence in the MSP is critical to our mission. An open and credible process of internal investigations, one that balances citizen complaints with the rights of employees, is the hallmark of our commitment to continuing quality improvement in order to ensure the highest level of professional service within the MSP.

This administrative policy does not supersede the rights of individuals. Investigations carried out under this policy shall be done in accordance with state statutes, collective bargaining agreements and other laws. Investigations into alleged misconduct of licensed peace officers will be in accordance of Minn. Stat. sec. [626.89](#), the Peace Officers Discipline and Procedures Act.

### II. POLICY

- A. The Minnesota State Patrol fully adopts the Minnesota Department of Public Safety's (DPS) Policy [1002](#) (Investigation and Resolution of Employee Misconduct) and any revisions that are applicable department-wide.
- B. MSP shall consider any allegation of a First Amendment violation regarding the media as "serious misconduct," which requires an investigation by Internal Affairs pursuant to DPS Policy No. 1002.
- C. MSP shall maintain a record of all formal complaints regarding the agency or employees in a secure area to maintain confidentiality.

### III. MANDATORY REPORTING TO POST BOARD

Minn. Stat. sec. [626.8457, subd. 3](#) requires individual peace officer public and private data related to allegations of misconduct be submitted to the POST Board. The law requires an allegation of misconduct to be reported regardless of how the complaint is received, whether or not the complainant is willing to complete and sign a written statement, or whether or not the agency intends to conduct an internal investigation.

- A. This data must be reported in real time via the POST Board database and updated within 30 days official disposition of a complaint or investigation.
- B. Supervisors aware of any allegations of misconduct that fall under this requirement must notify their superior through chain of command. Notification must continue to the Assistant Chief who will ensure the data is entered to the POST Board either directly or by delegating to the Chief's Executive Assistant.
- C. Misconduct required to be reported under this section includes: Criminal Standards of Conduct Violations/Allegations:
  - Any Felony or Gross Misdemeanor
  - Certain Misdemeanors
  - DWI 4th Degree 169A.27
  - Assault 5th Degree 609.224
  - Domestic Assault 609.2242
  - Mistreatment of Persons Confined 609.23
  - Mistreatment of Residents or Patients 609.231
  - Misconduct of Public Officer or Employee 609.43

- Presenting False Claims (Payments) 609.465
- Medical Assistance Fraud 609.466
- Theft 609.52
- Receiving Stolen Property 609.53
- Restraining Order or OFP Violation 609.748, 518B.01
- Prostitution Related Offense 609.324
- Unauthorized Practice 626.863

Non-Criminal Standards of Conduct Violations/Allegations:

- Fraud or Cheat to Obtain License
- Subvert the Examination Process
- Prior Adverse License Action
- Fail to Report Prior Adverse License Action
- Adjudicated as Incapacitated
- Adjudicated as Mentally Ill and Dangerous
- Adjudicated as Chemically Dependent
- Adjudicated as Lacking Capacity to Serve
- Adjudicated as Psychopathic Personality
- Required to Register as Predatory Offender
- Violate any POST Board Order
- Intentional False Statement to Board
- Failure to Cooperate with Board investigation
- Sexual Harassment
- Unauthorized Deadly Force
- Child Support License Suspension

**POST Mandated Model Policy Violations/Allegations** **General Order**

<b>Use of Force Model Policy</b>	MN STAT 626.8452, subd.1,1a	10-027
<b>Vehicle Pursuit and Emergency Vehicle Operations Model Policy</b>	MN STAT 626.8458, subd. 2	20-012
<b>Vehicle Pursuit and Emergency Vehicle Operations Model Policy</b>	MN RULES 6700.2700 - 6700.2704	20-033
<b>Allegations of Misconduct Model Policy</b>	MN RULES 6700.2200	10-029
<b>Professional Conduct of Officers (Conduct Unbecoming) Model Policy</b>	MN STAT 626.8457	10-029
<b>Response to Reports of Missing and Endangered Persons Model Policy</b>	MN STAT 299C.51-299C.5655, 390.25 & 626.8454	N/A
<b>Domestic Abuse Model Policy</b>	MN STAT 629.342	80-006
<b>Predatory Offender Registration and Community Notification Model Policy</b>	Minnesota Session Laws 1996, Chapter 408, Art. 5, Sec. 7	N/A
<b>Criminal Conduct on School Buses Model Policy</b>	MN STAT 169.4581	N/A
<b>Supervision of Part-time Licensed Peace Officers Model Policy</b>	MN RULES 6700.1110	N/A

<b>Lighting Exemption of Law Enforcement Vehicles Model Policy</b>	MN STAT 169.541	20-033
<b>Avoiding Racial Profiling Model Policy</b>	MN STAT 626.8471, subd. 4	10-057
<b>Procession of Property for Administrative Forfeiture Model Policy</b>	MN STAT 609.531	80-005
<b>Investigation of Sexual Assault Model Policy</b>	MN STAT 626.8442	80-007
<b>Eyewitness Identification Procedures Model Policy</b>	MN STAT 626.8433	20-036
<b>Automated License Plate Reader Policy</b>	MN STAT 626.8472	30-019
<b>Portable Recording Systems Adoption</b>	MN STAT 626.8473	30-023
<b>Use of Unmanned Aerial Vehicles</b>	MN STAT 626.19	60-010

## RELATED RESOURCE OR FORM

RESOURCE	TITLE
Minn. Stat. sec. <a href="#">626.8457, subd. 3</a>	Mandatory Reporting to Post Board
DPS Policy 1002	Investigation and Resolution of Alleged Misconduct

## APPROVAL

NAME	<b>Colonel Christina Bogojevic</b>
TITLE	<b>Chief, Minnesota State Patrol</b>
DATE	<b>June 11, 2025</b>



# Minnesota Department of Public Safety

## **DPS Administrative Policy No. 1002: Investigation and Resolution of Alleged Misconduct**

Applicability: All employees of the Department of Public Safety

### **PURPOSE**

This policy is intended to bolster public confidence and trust in the Department of Public Safety, and to foster work environments in which employees and other covered individuals may thrive and excel in delivering services to the public. To do this, the Department has established processes through which complaints of misconduct will be promptly, objectively, thoroughly, and respectfully reviewed and addressed.

### **POLICY STATEMENTS**

- The Department of Public Safety expects all employees and other covered individuals to conduct themselves in a professional manner, with dignity and respect for others, and in accordance with all applicable state, department and division policies and procedures.
- Members of the public, employees, and other covered individuals are encouraged to report acts of misconduct and will be assisted in making a complaint upon request.
- The Department will review and investigate reports of alleged misconduct in a consistent, thorough, fair, and respectful manner.
- When allegations of misconduct are sustained, the Department will take corrective action, up to and including termination of employment.
- The Department will not tolerate any retaliation against anyone who has complained of, or participated in an investigation of, alleged misconduct.

### **DEFINITIONS**

*Complainant* – A person who files a complaint alleging misconduct by an employee or other covered individual.

*Deficient Performance* – Performance of duties that fails to meet the standards established by the applicable division, the department, or a position description. Examples include, but are not limited to, excessive errors, low production rates, tardiness, absenteeism, insubordination, and sick leave abuse.

*Employee* – “Employee” means all Department of Public Safety employees, including full-time, part-time, temporary, intermittent, seasonal, or emergency workers, interns, and student workers.

*Internal Affairs/Affirmative Action* – IA/AA, sometimes referred to as IAD, is the department's

internal investigative unit. The Director of Internal Affairs/Affirmative Action is the department's Affirmative Action Officer.

*Misconduct* – Actions that violate state, departmental, or divisional policies; conduct that may reflect negatively upon the department or state government; conduct that may hinder or discredit the employee's or other covered individual's performance of necessary job duties; and/or deficient performance.

*Other Covered Individuals* – All individuals, such as volunteers, contractors, grantees, or subgrantees working in or on behalf of the Department of Public Safety.

*Retaliation* – Any act that intimidates, threatens, stigmatizes, harasses, or negatively affects the employment of someone because they have opposed, made a good-faith report of, or participated in an investigation into alleged misconduct. Retaliation also includes any act that could prevent or deter someone from opposing, reporting, or participating in an investigation of alleged misconduct.

*Serious Misconduct* – Misconduct that is particularly egregious or harmful, including but not limited to the following:

- On- or off-duty conduct by an employee or other covered person that results in a criminal investigation, citation, charge, arrest, detention, or conviction, other than for a petty misdemeanor traffic offense;
- Sexual harassment or retaliation related to it;
- Discrimination or harassment based on protected class, or retaliation related to it;
- Acts or threats of workplace violence;
- On-duty use/possession of alcohol or other drugs, or the appearance of being under the influence;
- Conduct violating professional standards or codes of conduct for employees or other covered persons whose job duties requires licensure under state or federal law;
- Conduct that violates a person's civil rights or otherwise violates civil laws; and
- Interference with any investigation into alleged misconduct, including attempted/actual retaliation against complainants or witnesses.

*Subject* – A person who allegedly engaged in misconduct.

## **ROLES AND RESPONSIBILITIES**

### **Employees and Other Covered Individuals**

- Understand how this and all other policies apply to them, seeking assistance and clarification when needed.
- Perform their responsibilities in a professional manner and in accordance with standards established by the department or responsible division.
- Avoid behavior that is, or could be perceived as, misconduct or serious misconduct.
- Comply with all applicable state, department and division policies and procedures.
- Report violations of misconduct by employees or other covered individuals in accordance with this policy.
- Assist persons asking for help to file a complaint.
- Cooperate with any internal investigation.
- Refrain from retaliating against anyone who reports alleged misconduct or who

participates in an investigation into such allegations.

### **Directors, Managers, Supervisors**

- Ensure that employees and other covered individuals are aware of the provisions of this policy and other applicable state, department, and division policies.
- Seek clarification if there are questions about this policy.
- Enforce the provisions of this policy and take disciplinary action as warranted.
- Report all allegations of misconduct and/or retaliation by employees and other covered individuals.
- Respond promptly to all allegations of misconduct they receive.
- Investigate allegations related to performance matters, and all complaints referred to them by Internal Affairs/Affirmative Action thoroughly, objectively, and promptly.

### **Director of Internal Affairs/Affirmative Action**

- Determine the method of investigation for complaints of alleged misconduct by employees and other covered individuals.
- Exercise delegated authority to conduct complaint intake and conduct investigations on behalf of the chief law enforcement officers (“CLEOs”) of the Alcohol and Gambling Enforcement Division, the Bureau of Criminal Apprehension, and the Minnesota State Patrol.
- Refer all complaints which are determined to be performance matters to the subject’s division and to Human Resources for investigation.
- Assist supervisors, managers, and division directors/CLEOs with investigations as necessary.
- Consult with Human Resources to ensure investigations are conducted in compliance with collective bargaining agreements and plans.
- Assign an investigator for all allegations involving serious misconduct.
- Maintain security of physical and electronic investigative data, including complaints and retain data pursuant to Internal Affairs/Affirmative Action’s written record retention plan.
- Report annually to the Commissioner and all division directors/CLEOs the number of complaints filed under this policy.

### **Human Resources**

- Assist supervisors, managers, and division directors/CLEOs with performance matter investigations.
- When allegations are sustained, assist supervisors, managers, and division directors/CLEOs in determining the proper corrective and remedial actions.
- Refer all complaints which are perceived to be misconduct to the Internal Affairs/Affirmative Action Division and subject’s division for investigation.

## **PROCEDURE**

### **Acceptance of Complaints**

- A complaint may be reported to any department employee. Complaints must be accepted in any form (in writing, in person, or by telephone, email, or fax), and may be made anonymously.
- The Formal Complaint of Alleged Misconduct form may be used to document a report of employee misconduct. It will be provided to any individual wishing to make such a complaint, but complainants are not required to use the form. A

person who receives an unwritten complaint may use the Formal Complaint of Alleged Misconduct form to document the information received.

- Employees are expected to assist others in making a complaint, as requested, even if the complaint is about them.
- Any employee who receives a complaint must promptly forward the information to a supervisor, manager, division director, Human Resources, or Internal Affairs/Affirmative Action. The employee must not forward the complaint to the subject of the complaint.
- Anyone receiving a complaint of serious misconduct must immediately forward the complaint to the Director of Internal Affairs/Affirmative Action or their designee at [DPS.IA@state.mn.us](mailto:DPS.IA@state.mn.us).

### **Investigation of Complaints**

Complaints of alleged misconduct may be addressed through one of the following processes:

- Administrative Inquiry – An administrative inquiry is an informal means of resolving concerns or gathering more information. For example, an administrative inquiry might be appropriate when:
  - An employee or citizen raises concerns about the proper application or interpretation of existing policies, procedures and/or work rules; or
  - The allegations of misconduct in a complaint are vague, and additional information is needed to determine the correct course of action.
- Informal process – The complainant asks to have their concerns addressed through conflict resolution, performance management, or some other alternative to formal investigation. This process may not be used to address complaints of serious misconduct.
- Formal Process – The formal process is used when an employee or citizen submits a Formal Complaint of Alleged Misconduct directly to Internal Affairs/Affirmative Action, or requests that the complaint be forwarded to Internal Affairs/Affirmative Action for review. All complaints of serious misconduct must follow the formal process.

The Director of Internal Affairs/Affirmative Action or their designee will review all complaints received by IA/AA and determine a course of action. If appropriate or necessary, the Director will consult with subject's division director/CLEO.

- For all complaints, division directors/CLEOs, or their delegates, will receive email notification containing the employee's name and a summary of the alleged misconduct when IA/AA retains a complaint. If IA/AA forwards a complaint of misconduct to supervisory staff to be handled, IA/AA will copy the Division Director or their delegate. If the investigation involves a Division Director or a member of the DPS Commissioner's Office, IA/AA will notify the Commissioner. If IA/AA determines no investigation is warranted, the complainant and subject will be notified of the disposition and the basis of the disposition.

Complaints alleging performance deficiencies or misconduct will be assigned to the employee's division director or supervisor for investigation. The complainant will be notified as soon as possible after this determination is made.

Complaints alleging serious misconduct will be investigated by IA/AA through Internal Affairs/Affirmative Action investigators or by internal or external investigators working under IA/AA's direction. Internal Affairs/Affirmative Action investigators will provide case-management assistance to internal or external investigators to ensure investigations are conducted

appropriately. Investigators will notify the complainant of their name and contact information on assignment.

Internal Affairs/Affirmative Action will conduct investigations into alleged deficient performance only when asked to do so by the Commissioner, Human Resources, or Division Director. All other complaints of deficient performance will be referred to the subject's division director or a division supervisor to conduct the investigation in consultation with Human Resources. Internal Affairs/Affirmative Action investigators will advise investigating supervisors upon request.

All investigations will be conducted in accordance with applicable collective bargaining agreements, compensation plans, and/or state and federal law, including the Peace Officer Discipline Procedures Act, [Minnesota Statutes, section 626.89](#).

Investigations will be completed within a reasonable timeframe given the allegations and complexity of the investigation. If an investigation lasts more than more than 30 days, the investigator will notify the complainant of the extension.

An investigation may be discontinued when:

- A complainant or witness fails to cooperate with the investigation and/or does not provide necessary information essential to the investigation, and the information cannot be obtained by other means; or
- Even when construed most broadly, the complainant's allegations do not rise to the level of a violation of policy, procedure, or work rules.

## **Conclusion and Notification of Results**

Findings on allegations will be categorized as follows:

- *Exonerated* – The alleged actions did not occur; the employee or other covered individual named in the complaint was not involved in the acts giving rise to the alleged misconduct allegation; or the alleged acts occurred and were in accordance with policy and otherwise proper.
- *Not Sustained* – The evidence gathered during the investigation does not establish that the alleged actions did or did not occur.
- *Sustained* – The investigation supports a finding that the employee or other covered individual engaged in the alleged actions.

Upon the completion of every investigation conducted by or under the supervision of Internal Affairs/Affirmative Action, the Director of Internal Affairs/Affirmative Action or designee will review the investigation and make recommended findings, conclusions, and other observations to the subject's Division Director. Other notifications shall be made as follows:

- Internal Affairs/Affirmative Action will notify the complainant when the investigation is complete and provide information on requesting data under the Minnesota Government Data Practices Act.
- The subject of the investigation will be notified of the result of the investigation by the Division Director or their designee.
- When disciplinary action is taken, the subject and their collective bargaining representative (if applicable) will be notified of the intent to discipline by the Division Director or their designee.

All performance investigations conducted by supervisors will be conducted in accordance with the procedures established by Human Resources.

- The complainant will be notified that the investigation is complete by their supervisor, unless the Division Director directs otherwise.
- The subject of the investigation will be notified of the result of the investigation by their supervisor, unless the Division Director directs otherwise.
- When disciplinary action is to be taken, the subject's supervisor will notify the subject and their collective bargaining representative (if applicable) of the Department's intent to discipline, unless the Division Director directs otherwise.

### **Criminal Investigations**

If criminal charges are filed against a department employee or other covered individual, Internal Affairs/Affirmative Action is responsible for conducting the administrative investigation. All complaints that stem from criminal charges, or that allege criminal activity, must be referred to Internal Affairs/Affirmative Action.

When Internal Affairs/Affirmative Action receives information alleging criminal activity, it will notify the Commissioner and the Human Resources Director, in addition to the Division Director or their delegate.

Upon being notified of allegations that an employee or other covered individual engaged in criminal activity, the Commissioner or the subject's Division Director will report the alleged conduct to the local law enforcement agency.

Internal Affairs/Affirmative Action will cooperate with the agency conducting the criminal investigation to ensure that evidence is obtained and the criminal investigation is not compromised.

The Director of Internal Affairs/Affirmative Action will determine whether the administrative investigation will be conducted concurrently with the criminal investigation or after the criminal investigation is complete.

Internal Affairs/Affirmative Action will determine when the subject will be interviewed in the administrative investigation and if the subject will be compelled to participate in the interview.

- Internal Affairs/Affirmative Action will ensure the subject receives notice of the allegations, consistent with their collective bargaining agreement/compensation plan and state and federal law.
- Unless ordered by a court or otherwise required by federal or state law, Internal Affairs/Affirmative Action will not provide information from a subject's compelled statement to any criminal investigator.

### **Disposition**

- The subject's Division Director will review the investigative file before making a final decision on the outcome of an investigation.
- The subject's Division Director will consult with the Director of Human Resources and the Labor Relations Manager to determine the proper corrective action.
- If the investigation supports a finding that one or more allegations are sustained, the subject's Division Director will take corrective action, which may include discipline.
- If the investigation results in a "not sustained" finding, the subject's Division Director may take corrective action, which may include discipline.
- The Division Director will notify Internal Affairs/Affirmative Action of the outcome of any investigation that was conducted by or under the supervision of Internal

Affairs/Affirmative Action, or that was referred to the division for investigation by Internal Affairs/Affirmative Action.

- The Commissioner may review and modify any final decision of a Division Director to ensure that such decision-making is performed fairly and consistently throughout the Department.

## **ADDITIONAL RESOURCES**

All State and DPS policies, including but not limited to:

[HR/LR Policy #1329](#), Sexual Harassment Prohibited

[HR/LR Policy #1436](#), Harassment and Discrimination Prohibited

[DPS Policy #1502](#), Discrimination/Discriminatory and Sexual Harassment

[HR/LR Policy #1444](#), Workplace Violence Prohibited

[DPS Policy #1001](#), Workplace Violence Prohibited

[HR/LR Policy #1418](#), Prohibition of Drug and Alcohol Use by State Employees

[DPS Policy #4068](#), Alcohol and Other Drug Use by State Employees

[HR/LR Policy #1432](#), Respectful Workplace

[DPS Policy #4063](#), Employee Conduct

[DPS Policy #1501](#), General Harassment/Inappropriate Workplace Conduct

[DPS Policy #1003](#), Conduct Unbecoming a Peace Officer

[HR/LR Policy #1445](#), Code of Ethical Conduct

[DPS Policy #5100](#), Acceptable Use of Department Computers

Minnesota Government Data Practices Act, [Minnesota Statutes, chapter 13](#)

Minnesota Post Board [Model Policy, Minnesota Admin. Rules, section 6700.2200](#)

Peace Officer Discipline Procedures Act, [Minnesota Statutes, section 626.89](#)

[Collective bargaining agreements and compensation plans](#)

Policy Owner: Internal Affairs/Affirmative Action

Effective Date: December 18, 2024

Origination and Revision Dates: December 30, 1998; June 12, 2012; December 15, 2024

# GENERAL ORDER



<b>Effective:</b>	September 1, 2023	<b>Number:</b>	23-10-007
<b>Subject:</b>	<b>DRIVING A VEHICLE FOR STATE BUSINESS</b>		
<b>Reference:</b>	DPS Policy 4062; MMB Policy 1419, Minn. Stat. secs. 171.02, subd. 2; 171.161; Fed. Stat. 49 CFR Part 383.3, subd. d		
<b>Special Instructions:</b>	Rescinds GO 15-10-007	<b>Distribution:</b>	G

## I. POLICY

Employees who drive a vehicle in the course and scope of their employment with the Minnesota State Patrol must possess an active, valid and appropriate class driver's license for the vehicle being operated and comply with requirements contained in MMB Policy 1419 and DPS Policy 4062.

## II. PROCEDURE

The Minnesota State Patrol fully adopts the Minnesota Department of Public Safety's Policy 4062 (Driving a Vehicle For State Business) and any future revisions applicable department wide.

## III. SPECIALTY VEHICLES

Pursuant to state and federal law, State Patrol personnel must have the appropriate class of driver's license for the vehicle being operated, based on circumstances of the use. State Patrol specialty vehicles are vehicles equipped with audible and visual signals but are not used for normal patrol duties. Some specialty vehicles have an actual weight or gross vehicle weight rating requiring a class of driver's license greater than a Class D.

### A. Emergency Use

All State Patrol personnel, when approved by a supervisor, are able to operate a specialty vehicle when the use is necessary for the preservation of life or property, or in the execution of an emergency governmental function. The emergency ends when the vehicle is returned to its normal staging location.

### B. Non-Emergency Use

Any member operating a specialty vehicle for non-emergency use, including but not limited to, for vehicle maintenance, pre-staging for special events or display, or for training purposes, must have the appropriate class driver's license for the vehicle. All single unit vehicles with an actual weight or gross vehicle weight rating greater than 26,000 pounds requires a Class B commercial driver's license (CDL). All vehicle combinations that exceed an actual weight or a gross vehicle rating greater than 26,000 pounds, with a trailer that exceeds 10,000 pounds, require a Class A CDL. All members on the State Patrol's CDL list must ensure proper medical card self-certification in order to maintain the CDL license.

Approved:

SIGNED 9/1/2023

\_\_\_\_\_  
Colonel Matthew Langer, Chief  
Minnesota State Patrol



# Minnesota Department of Public Safety

## Driving a Vehicle for State Business

No. 4062

Applicability: All employees who drive a state vehicle or personal vehicle on state business

### **POLICY**

The public must have confidence in State employees who drive as part of their job duties. The department adopts *the HR/LR Policy and Procedure #1419; MMB-Admin DL and Record Checks Policy* [http://mn.gov/mmb/employee-relations/laws-policies-and-rules/statewide\\_hr\\_policies](http://mn.gov/mmb/employee-relations/laws-policies-and-rules/statewide_hr_policies) in its entirety which requires state employees who drive a state vehicle or a personal vehicle on state business to possess an active, valid, and appropriate driver's license. Driving without an active, valid, and appropriate driver's license shall constitute just cause for disciplinary action, up to and including discharge.

The department is responsible for verifying at the time of hire and at least once each year that its employees have appropriate driver's licenses. Employees are responsible for reporting: all valid drivers' license(s), information changes (name, address etc.) and completing the online Vehicle Use Agreement on the State of Minnesota Self- Service website under the Personal Information tab.

Employees whose job duties require the use of a state vehicle or who must regularly drive their personal vehicle on state business shall immediately inform their supervisor of any loss of their driving privileges. Failure to do so shall constitute just cause for discipline, up to and including discharge.

#### **A. When will a driver's license check be performed?**

Driver's license record checks will be performed for employees who:

- Drive as a requirement of their job duties;
- Routinely drive once a month or more on state business; or
- Occasionally drive a few times a year on state business.

Driver's license record checks will be performed for employees who drive:

- An assigned state vehicle;
- A state or department owned or leased vehicle;
- A rented vehicle; or
- An employee's personal vehicle for state business.

#### **B. How often will my driving record information be checked?**

- Any change in your driver's license information must be updated in Self Service.
- Any change to your driver's license information will require a new authorization of the online Vehicle Use Agreement.
- Your driving record will be checked annually.

#### **C. May employees use their personal vehicle for state business?**

Employees are discouraged from using their personal vehicle for state business. However, the department recognizes that occasional personal vehicle use will occur. Employees are advised

that if a personal vehicle is used for state business, the employee's personal auto insurance coverage is primary in the event of a crash or incident. The State's insurance coverage is secondary.

**D. Are employees required to attend driver safety training?**

All employees who are required to drive state owned vehicles or are authorized to drive a state vehicle or their personal vehicle for state business must participate in the department sponsored driver safety training programs at least every three years. Documented completion of the approved training course must be submitted to Human Resources. Licensed law enforcement personnel are exempt from this driver safety training program and will comply with any division specific requirements and Peace Officer Standards and Training license requirements pertaining to motor vehicle operations instead.

**E. Are there any driver safety standards?**

The department has adopted driver safety standards based on the Model Fleet Safety Management Standards created by State of Minnesota Fleet Safety Management Standards Subcommittee. Employees must comply with these standards. Due to the nature of their job assignments and duties, the department's licensed law enforcement personnel may be excluded from some of the driver responsibilities established in the driver safety standards. These employees must follow their division specific policies.

To address commonly asked questions, the few of the standards are listed below. The complete DPS Driver Safety Standards can be located at [http://mn.gov/admin/images/model\\_fleet\\_safety\\_standards\\_rev5.pdf](http://mn.gov/admin/images/model_fleet_safety_standards_rev5.pdf)

- Personal use of a state or department owned, leased or rented vehicle is prohibited, except where specifically allowed by statute.
- Only authorized individuals are permitted to ride in state owned vehicles. Authorized individuals include:
  - State employees
  - Other individuals participating in state programs or functions.
- There is zero tolerance for the use or consumption of alcohol or drugs that impact driving performance while operating a vehicle engaged in state business.
- When a police report is required by Minnesota Statute, the crash must be investigated by the State Patrol if it involves a state owned, leased or rented vehicle.
- Drivers are personally responsible for all traffic violations and fines that occur while driving a state vehicle or a personal vehicle on state business.

**ADDITIONAL RESOURCES**

- DPS Driver Safety Standards
- State of Minnesota Model Fleet Safety Management Standards, Department of Administration
- State of Minnesota, Statewide Policy on Driver's License and Records Checks, Minnesota Management and Budget

Policy Owner: Human Resources  
Effective Date: 1/9/15  
Origination and Revision Dates: 11/3/11; 7/27/10

# GENERAL ORDER

	<b>Effective:</b> January 13, 2012	<b>Number:</b> 12-10-008
	<b>Subject:</b> HARASSMENT AND DISCRIMINATION	
	<b>Reference:</b> 42 USC 2000e; Minn. Stat. sec. 363A.08; DPS Policies 1501 and 1502 (attached); DOER Admin. Policy <u>1.2</u>	
	<b>Special Instructions:</b> Rescinds GO's 10-008 and 50-007	<b>Distribution:</b> G

## I. PURPOSE

The purpose of this policy is to ensure that all complaints of harassment and discrimination will be promptly, thoroughly and respectfully handled and investigated. Adopting the Department of Public Safety's applicable harassment and discrimination policies provides uniformity and facilitates understanding and compliance.

## II. POLICY

It is the policy of the Minnesota State Patrol to provide a work environment free of discrimination and harassment based on race, color, creed, religion, national origin, sex, age, veteran status, marital status, sexual orientation, disability and status with regard to public assistance. Furthermore, employees are prohibited from discriminating against or harassing other employees and/or members of the public. Employees are also prohibited from retaliating against anyone who reports discrimination or harassment. All agency employees are covered under this policy.

## III. PROCEDURE

The Minnesota State Patrol fully adopts the Minnesota Department of Public Safety's Policies 1501 (General Harassment) and 1502 (Discrimination/Discriminatory Harassment) and any revisions that are applicable department-wide.

Approved:

SIGNED 1/13/2012

\_\_\_\_\_  
Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# Minnesota Department of Public Safety

<b>Policy:</b>	<b>General Harassment/Inappropriate Workplace Conduct</b>
<b>Number:</b>	<b>1501</b>
<b>Applicability:</b>	<b>Department-wide</b>
<b>Maintained by:</b>	<b>Internal Affairs/Affirmative Action</b>
<b>Originated:</b>	<b>02/01/93</b>
<b>Effective:</b>	<b>2/3/11</b>

## Definitions

### Inappropriate behavior-

Inappropriate behavior includes any hostile, abusive, degrading, intimidating, offensive, exploitative, or physical conduct. Inappropriate workplace behavior may include, but is not limited to, rudeness, exclusionary behavior, inappropriate joking, name calling, belittling, disrespectful, or profane language, or comments or actions that are perceived as threatening.

### Bullying-

Bullying is frequent, persistent, and unreasonable behavior that demeans, intimidates, and humiliates employees, either as individuals or groups. Bullying may include, but is not limited to, hostile glares and other non-verbal behaviors, use of put-downs, exclusion and "the silent treatment," and false accusations of mistakes and errors.

**Note:** Inappropriate behavior and/or bullying *does not* include actions taken by a supervisor that are within the scope of the supervisor's responsibilities and would be considered reasonable and appropriate actions.

### Employee-

Employee means all Department of Public Safety employees including full-time, part-time, temporary, seasonal, or emergency workers, interns, and student workers.

### Other covered individuals-

All individuals, such as volunteers and contractors, working in the Department of Public Safety workplace.

### Reprisal-

Reprisal may include, but is not limited to, any form of retaliation, intimidation, or harassment directed toward a complaining party because the individual has filed a complaint under this policy.

# Minnesota Department of Public Safety

## Purpose

The purpose of this policy is to ensure that the Minnesota Department of Public Safety is a positive working environment free from inappropriate, offensive, or bullying behavior by providing a process through which complaints will be promptly, thoroughly, and respectfully handled and investigated.

## Policy Statements

- It is the policy of the Minnesota Department of Public Safety that all its employees are able to work in a professional, respectful, and productive environment. The Department will not tolerate inappropriate or offensive behavior or bullying among its employees and will take appropriate corrective action against employees who violate this policy.
- Though not prohibited by law, some behaviors are simply unacceptable for the workplace and will be treated as such.
- This policy prohibits inappropriate workplace behavior by any employee, volunteer, or contractor of the Minnesota Department of Public Safety. This policy also prohibits inappropriate behavior by Department of Public Safety employees, volunteers, or contractors toward a member of the public.
- All employees are expected to conduct themselves with dignity and respect for others. Employees are responsible for creating and maintaining an environment free from inappropriate or offensive behavior and bullying.
- Employees are encouraged to report possible violations of this policy as soon as possible.
- Employees who engage in inappropriate behavior in the workplace can expect disciplinary action. All disciplinary actions will be considered on an individual basis. Appropriate corrective action, up to and including termination of employment, will be taken.
- The Department will not tolerate any reprisal. Such retaliatory action constitutes a separate violation of this policy and may result in discipline up to and including termination of employment.

## Responsibilities

### ALL EMPLOYEES, VOLUNTEERS, AND CONTRACTORS

- Are responsible for seeking assistance about how this, or any other policy, applies to them
- Are responsible for personal conduct in a manner consistent with the spirit and intent of this policy

# Minnesota Department of Public Safety

## MANAGERS AND SUPERVISORS

- Must seek clarification if there are questions about this policy
- Department administrators, managers, and supervisors are responsible for implementing and enforcing this policy and for enforcing all articles relating to inappropriate workplace behavior in collective bargaining agreements
- Managers and supervisors have a special responsibility to report allegations of inappropriate behavior; supervisors shall immediately report any allegation of prohibited conduct to the Department of Public Safety Director of Internal Affairs/Affirmative Action

## DIRECTOR OF INTERNAL AFFAIRS/AFFIRMATIVE ACTION

- Any claims of inappropriate behavior under this policy will be investigated by investigator(s) selected by the Director of Internal Affairs/Affirmative Action. During the investigation an attempt will be made to maintain confidentiality as much as is practical, on a need-to-know basis
- The Director of Internal Affairs/Affirmative Action will monitor the progress of each investigation
- The Director of Internal Affairs/Affirmative Action shall report annually to the Commissioner and all Division Directors the number of complaints filed under this policy

## PROCEDURES TO FILE AN INTERNAL COMPLAINT

The following internal complaint procedure is intended to help the department and its employees resolve concerns or complaints about inappropriate workplace behavior:

1. Employees, volunteers, or contractors who believe they have been treated inappropriately in the workplace, or who have witnessed such behavior among other employees or covered individuals, are encouraged to file a complaint as quickly as possible so that these matters can be resolved promptly. If managers or supervisors learn through an exit interview or other means that an employee, volunteer, or contractor has left the department because of inappropriate treatment, the Division Director or Director of Human Resources will notify the Director of Internal Affairs/Affirmative Action of the situation to determine the appropriate follow up. When appropriate, the Division Director or Director of Human Resources will conduct an inquiry. A copy of this inquiry and any determination made will be forwarded to the Director of Internal Affairs/Affirmative Action.
2. Individuals are encouraged to file their concerns and complaints in writing using the Formal Complaint of Employee Misconduct Form. However, oral complaints will be accepted and processed as well. Complaints may be filed with the employee's supervisor, the Director of Internal Affairs/Affirmative Action or the Director of Human Resources, or anyone in a supervisory or management position in the Department of Public Safety.

## Minnesota Department of Public Safety

If the complaint involves the employee's immediate supervisor, the complaint may be filed with any other supervisor or manager in the Department of Public Safety or the Directors of Internal Affairs/Affirmative Action or Human Resources.

3. The person who receives the concern or complaint will immediately notify the Director of Internal Affairs/Affirmative Action. While not required, the Complaint Intake Form may be used.
4. The Director of Internal Affairs/Affirmative Action will direct and review the investigation. The investigation shall be conducted within 60 days. If the investigation cannot be completed within 60 days, the Director of Internal Affairs/Affirmative Action will inform the complainant of the status of the investigation and the expected date of completion.
5. The Director of Internal Affairs/Affirmative Action will inform the complainant when the investigation is concluded. The Director of Human Resources and appropriate division director will consult to determine appropriate corrective action and notify the subject of the complaint.
6. Any corrective action decision or recommendation will be made by the division director in consultation with the Director of Human Resources and/ or the Labor Relations Manager.
7. The Director of Internal Affairs/Affirmative Action will follow-up with all complainants, following completion of the investigation, to assess the current situation and encourage timely reporting of any further complaints.

Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

# Minnesota Department of Public Safety

## Other applicable policies, authority, or resources

- Department of Public Safety Policy 1002, Investigation and Resolution of Reports of Employee Misconduct
- Department of Public Safety Policy 1502, Discrimination/Discriminatory Harassment
- Department of Public Safety Complaint Intake Form
- Department of Public Safety Formal Complaint of Alleged Employee Misconduct Form
- Minnesota Government Data Practices Act, Minn. Stat. Ch. 13
- Applicable collective bargaining agreements and plans

Date this policy was last revised:	4/1/05
Approved for implementation and distribution:	<div style="display: flex; justify-content: space-between;"><div style="text-align: center;"> Commissioner's Signature</div><div style="text-align: center;"><p>2/3/11</p>Date</div></div>

# Minnesota Department of Public Safety

<b>Policy:</b>	<b>Discrimination/Discriminatory Harassment</b>
<b>Number:</b>	<b>1502</b>
<b>Applicability:</b>	<b>Department - wide</b>
<b>Maintained by:</b>	<b>Internal Affairs/Affirmative Action</b>
<b>Originated:</b>	<b>11/21/94</b>
<b>Effective:</b>	<b>2/3/11</b>

## Definitions

### Discrimination-

Discrimination is any conduct that adversely impacts the employment, work environment or provision of service to an individual based on the individual's race, color, creed, religion, national origin, sex, sexual orientation, marital status, public assistance status, age, disability, or membership or activity in a local commission.

### Discriminatory harassment-

Discriminatory harassment is any behavior based on a protected class characteristic that unreasonably creates an intimidating, hostile, or offensive work environment or unreasonably interferes with an individual's work performance. Discriminatory harassment may include, but is not limited to: repeated disparaging, belittling, derogatory comments, slurs, or jokes; or displaying objects, cartoons, or pictures of a derogatory or discriminatory nature.

### Sexual harassment-

Sexual harassment is any sexually oriented conduct, whether it is intended or not, that is unwelcome and:

- 1) has the effect of creating a workplace that is hostile, offensive or humiliating,
- 2) submission to sexual conduct is made a term or condition of the individual's employment, or
- 3) unreasonably interferes with the individual's work performance.

Sexual harassment can occur between individuals of the opposite sex or same sex. Sexual harassment may include, but is not limited to, unwelcome sexual advances, sexually motivated physical conduct or other unwelcome verbal or physical conduct. Sexual behavior that does not rise to the level of illegal sexual harassment but that is inappropriate, disruptive, or creates a hostile work environment may also result in disciplinary action by the Department of Public Safety.

### Employee-

Employee means all Department of Public Safety employees including full-time, part-time, temporary, seasonal, or emergency workers, interns, and student workers. While not employees, this policy also applies to volunteers and contractors.

# Minnesota Department of Public Safety

Protected class –

Protected class characteristics in Minnesota are an individual's race, color, creed, religion, national origin, sex, sexual orientation, marital status, public assistance status, age, disability, or membership or activity in a local commission.

Reprisal-

Reprisal may include, but is not limited to, any form of retaliation, intimidation, or harassment directed toward a complaining party because the individual has filed a complaint under this policy.

## Purpose

The purpose of this policy is to ensure that the Minnesota Department of Public Safety's practices are free from discrimination, including sexual harassment and harassment based upon protected class status by providing a process through which complaints of discrimination and/or discriminatory harassment will be promptly, thoroughly, and respectfully handled and investigated.

## Policy Statements

- It is the policy of the Minnesota Department of Public Safety that all its employees are able to work in an environment free from discrimination and discriminatory harassment. The Department will not tolerate discrimination or discriminatory harassment among its employees and will take appropriate corrective action against employees who violate this policy.
- Discrimination and discriminatory harassment are prohibited by state and federal law. The Department may take corrective actions when inappropriate behavior or actions occur, even if they are not so serious as to be unlawful.
- This policy prohibits discrimination or discriminatory harassment by any employee, volunteer, or contractor of the Minnesota Department of Public Safety. This policy also applies to the handling of complaints against Department of Public Safety employees, volunteers, or contractors alleged to have engaged in discrimination or harassment against a member of the public. This policy applies both to conduct that occurs in the workplace and to conduct that occurs at any location that has a reasonable nexus to the workplace.
- All employees are expected to conduct themselves with dignity and respect for others.
- Employees are responsible for creating and maintaining an environment free from discrimination or discriminatory harassment.
- Employees are encouraged to report possible violations of this policy as soon as possible.
- Employees who engage in discrimination or discriminatory harassment in the workplace can expect disciplinary action. All disciplinary actions will be considered on an individual basis. Appropriate corrective action, up to and including termination of employment, will be taken.

# Minnesota Department of Public Safety

- The Department will not tolerate any reprisal. Such retaliatory action constitutes a separate violation of the Discrimination/Discriminatory Harassment policy and may result in discipline up to and including termination of employment.

## Responsibilities

### ALL EMPLOYEES, VOLUNTEERS, AND CONTRACTORS

- Are responsible for seeking assistance about how this, or any other policy, applies to them
- Are responsible for personal conduct in a manner consistent with the spirit and intent of this policy

### MANAGERS AND SUPERVISORS

- Must seek clarification if there are questions about this policy
- Department administrators, managers, and supervisors are responsible for implementing and enforcing this policy and for enforcing all discrimination and sexual harassment articles in collective bargaining agreements
- Managers and supervisors have a special responsibility to report allegations of discrimination or harassment. Supervisors shall immediately report any allegation of discrimination or harassment to the Department of Public Safety Director of Internal Affairs/Affirmative Action

### DIRECTOR OF INTERNAL AFFAIRS/ AFFIRMATIVE ACTION

- Any claims of discrimination or discriminatory harassment or inappropriate behavior under this policy will be investigated by investigator(s) selected by the Director of Internal Affairs/Affirmative Action. During the investigation an attempt will be made to maintain confidentiality as much as is practical, on a need-to-know basis
- The Director of Internal Affairs/Affirmative Action will monitor the progress of each investigation
- The Director of Internal Affairs/Affirmative Action shall report annually to the Commissioner and all Division Directors the number of complaints filed under this policy

# Minnesota Department of Public Safety

## PROCEDURES TO FILE AN INTERNAL COMPLAINT

The following internal complaint procedure is intended to help the Department and its employees resolve concerns or complaints of sexual harassment and other types of discrimination and discriminatory harassment:

1. Employees, volunteers, or contractors who believe they have been harassed or otherwise discriminated against in the work place, or who have witnessed such behavior among other employees or other covered individuals, are encouraged to file a complaint as quickly as possible so that these matters can be resolved promptly. If managers or supervisors learn through an exit interview or other means that an employee, volunteer, or contractor has left the department because of alleged harassment or discrimination, the Division Director or Director of Human Resources will notify the Director of Internal Affairs/Affirmative Action of the situation to determine the appropriate follow up. When appropriate, the Division Director or Director of Human Resources will conduct an inquiry. A copy of this inquiry and any determination made will be forwarded to the Director of Internal Affairs/Affirmative Action.
2. Employees, volunteers, and contractors are encouraged to file their concerns and complaints in writing using any format including the Formal Complaint of Alleged Employee Misconduct form. However, oral complaints will be accepted and processed as well. Complaints may be filed with the employee's supervisor, the Director of Internal Affairs/Affirmative Action or the Director of Human Resources, or anyone in a supervisory or management position in the Department of Public Safety. If the complaint involves the employee's immediate supervisor, the complaint may be filed with any other supervisor or manager in the Department of Public Safety or the Directors of Internal Affairs/Affirmative Action or Human Resources.
3. The person who receives the concern or complaint will immediately notify the Director of Internal Affairs/Affirmative Action. While not required, the DPS Complaint Intake form may be used.
4. The Director of Internal Affairs/Affirmative Action will direct and review the investigation. Whenever possible, the investigation will be completed within 60 days. If the investigation cannot be completed within 60 days, the Director of Internal Affairs/Affirmative Action will inform the complainant of the status of the investigation and the expected date of completion.
5. The Director of Internal Affairs/Affirmative Action will inform the complainant when the investigation is concluded. The Director of Human Resources and appropriate Division Director will consult to determine appropriate corrective action and notify the subject of the complaint.

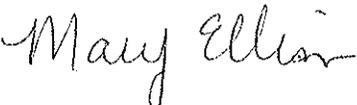
# Minnesota Department of Public Safety

6. Any corrective action decision or recommendation will be made by the division director in consultation with the Director of Human Resources and/or the Labor Relations Manager.
7. The Director of Internal Affairs/Affirmative Action will follow-up with all complainants, following completion of the investigation, to assess the current situation and encourage timely reporting of any further complaints.
8. The Director of Internal Affairs/Affirmative Action shall provide the Commissioner of the Minnesota Management and Budget Office with a summary of the investigation as required under Minnesota Administrative Rule 3905.0500 and Minnesota Statute § 43A.04.

Employees, volunteers, and contractors are encouraged to use this procedure, but may also pursue information and/or remedies available through the Equal Employment Opportunity Commission, the Minnesota Department of Human Rights, or the courts. Employees are advised to check with these agencies to determine the existence of time limitations for the filing of complaints. Intentional use of this policy or complaint procedure for reasons of personal malice or abuse toward another employee is prohibited.

## Other applicable policies, authority, or resources

- The Civil Rights Act of 1964; 42 U.S.C. 2000
- The Americans with Disabilities Act of 1990; 42 U.S.C. 12131
- The Age Discrimination in Employment Act of 1975; 42 U.S.C. 6101
- Minnesota Human Rights Act, Minn. Stat. Ch. 363A
- Minnesota Government Data Practices Act, Minn. Stat. Ch. 13
- Department of Public Safety Policy 1002, Investigation and Resolution of Reports of Employee Misconduct
- Department of Public Safety Policy 1501, General Harassment/Inappropriate Workplace Conduct
- Department of Public Safety Complaint Intake Form
- Department of Public Safety Formal Complaint of Alleged Employee Misconduct Form
- Applicable collective bargaining agreements and plans

Date this policy was last revised:	4/1/05	
Approved for implementation and distribution:	 Commissioner's Signature	2/3/11 Date

# GENERAL ORDER

	<b>Flight Section and Pilot Selection</b>	Policy Number	10-009
		Effective Date	8.13.25
		Date of Last Review	8.12.25
		Distribution	A, B, C
Referenced Documents	Collective Bargaining Agreement(s)		
CALEA Standards	Law Enforcement 31, 46 Training Academy 5.2		
Approved By	Colonel Christina Bogojevic, Chief		

## I. POLICY

It is the policy of the Minnesota State Patrol to utilize the State Patrol Flight Section to provide airborne support to the Minnesota State Patrol’s mission and to enhance public safety through enforcement, education, and assistance. Aircraft assistance will be provided to State Patrol ground personnel in the performance of traffic enforcement, crash investigation, airborne surveillance, and assistance to other law enforcement agencies, personnel and emergency transportation.

## II. DEFINITIONS

- A. Chief Pilot: Individual hired to oversee Minnesota State Patrol aviation operations, training, safety protocols, and ensuring compliance with regulations and best practices. The chief pilot is responsible for developing and implementing guidelines for pilot and aircrew training and managing the overall aviation program. This position reports to the State Patrol Chief or their designee, the Major who oversees aviation.

## III. OPERATING PROCEDURES

- A. General
  - 1. State Patrol pilots will conduct all flight activities in accordance with the Federal Aviation Administration Rules and Regulations (FARS), Aircraft Operations Manuals, and State Patrol policies and procedures.
  - 2. The pilot shall make the final decision whether a flight should be initiated, continued or terminated, taking into consideration the weather, the condition of the aircraft, any hazards, and crew limitations or restrictions.
  - 3. Only those Troopers designated as State Patrol pilots and pilots designated by the Chief Pilot may act as pilot in command of State Patrol aircraft.
  - 4. In emergency or disaster situations, the Flight Section will serve in any capacity deemed appropriate by the Chief of the State Patrol, Department of Public Safety Commissioner, or Governor.
- B. Transportation of Passengers
  - 1. Persons transported in State Patrol aircraft shall be limited to those whose transport would best serve the interests of the Department of Public Safety.
  - 2. Transportation of personnel must be approved by the Chief Pilot or the appropriate Major.

### **III. PROCEDURES TO REQUEST AIRCRAFT/FLIR OPERATORS**

#### **A. District/Section Commanders and Dispatch**

1. When requesting an aircraft, District Commanders and Communications personnel should evaluate the conditions of the situation to help ensure the response will be effective and timely. Several factors should be taken into consideration:
  - a. The necessity for the aircraft equipped with Forward Looking Infrared (FLIR) and whether its use would enhance the potential to save lives, officer safety, or result in significant personnel-hour savings.
  - b. The current weather conditions as heavy rain, snow, icing and fog may delay or cancel operations.
  - c. The timeliness of the response as estimating flight time to determine if the time lapse would be detrimental to the success of the mission. The helicopters have a fuel/time range of approximately three hours; when responding to sites beyond 1.5 hours the location and availability of jet fuel is a primary concern. Depending on the location, it may be necessary to divert and refuel prior to continuing to the site.
2. Safety is of paramount concern to flight operations and as such, once the mission has been approved, the pilot has final authority as to its continuation or termination. If a mission is terminated, the Flight Section will make every effort to advise the requesting District or Agency as to the reason.
3. The State Patrol Flight Section can provide FLIR operations as another form of airborne support to Districts and other agencies.

### **IV. AUTHORITY AND CHIEF PILOT RESPONSIBILITIES**

#### **A. Authority**

The State Patrol Flight Section is under the command of the chief pilot. The chief pilot will direct and supervise Flight Section personnel and oversee administration operations. The chief pilot reports to the Chief of the State Patrol or their designee.

#### **B. Responsibilities**

In addition to the overall supervision of the Flight Section personnel, the chief pilot will

1. Maintain a fleet of safe, serviceable aircraft.
2. Keep current maintenance records of each aircraft to insure airworthy condition.
3. Monitor the condition of each aircraft and set up a projected schedule of replacement within budgetary limits.
4. Schedule semi-annual State Patrol pilots' meetings for the purpose of evaluation of programs, objectives and goals.
5. Oversee flight proficiency checks and flight physicals on all State Patrol pilots according to FAA regulations.

### **V. QUALIFICATIONS AND REQUIREMENTS OF PILOTS**

#### **A. Applicant Qualifications**

1. Minimum Qualifications for Initial Selection:
  - a. have completed three years of service as a State Trooper with the Minnesota State Patrol,
  - b. have not been suspended without pay within the previous 36 months,
  - c. has received at least "Consistently Meets Expectations" rating for the Overall Contribution of Employee" section on all annual performance evaluations within the previous 36 months,
  - d. hold a single engine fixed-wing or rotorcraft-helicopter private pilot's license with an

- instrument rating,
  - e. have at least 100 hours of flight experience in a single engine fixed-wing or rotorcraft-helicopter aircraft,
  - f. meet current flight experience requirement for both VISUAL FLIGHT RULES (VFR) and Instrument Flight Rules (IFR),
  - g. have completed an upgrade of their pilot's license or satisfactorily completed a biennial flight review within the past 24 months, and
  - h. possess a current and valid second-class Airman Medical Certificate.
- 2. Preferred Qualifications:
  - a. possess a fixed-wing or rotorcraft-helicopter commercial pilot's license, and
  - b. have completed five years of service as a State Trooper with the Minnesota State Patrol.
- B. Pilot Selection Process
  1. The chief of the State Patrol will authorize the chief pilot to fill a new or existing pilot position.
  2. The chief pilot will prepare and submit a draft memo to the appropriate Major advertising the position. The announcement will specify the minimum qualifications, eligibility, residency requirements, and application and selection procedures for the position.
  3. When the State Patrol is authorized to fill a pilot vacancy or add a pilot position to the Flight Section, the position will be advertised by memo sent to all sworn State Patrol personnel.
  4. The chief of the State Patrol or their designee shall appoint a selection board to interview all troopers who have indicated a desire to be considered for the position.
  5. The selection board will consist of the Chief Pilot and at least two additional members.
  6. The selection board shall determine knowledge, skills and abilities required of the position and evaluate all candidates by those criteria considering the following:
    - a. candidate's resume',
    - b. candidate's annual performance evaluations,
    - c. written or other practical product reviews, and
    - d. other criteria the selection board deems relevant.
  7. The selection board shall establish a ranked list of qualified eligible troopers for the position and shall forward such a list to the chief of the State Patrol, who will make the final decision regarding the selection.
  8. The selection board's ranked list shall only be valid for the current posted position (s).
  9. The chief of the State patrol reserves the right to fill any position at their discretion.
- C. Requirements after Selection to Maintain Assignment and Pilot Pay
  1. Upon selection to a pilot position, troopers must establish their residence and domicile within 20 miles of the assigned aircraft location (per General Order 10-035).
  2. Pilots must maintain a FAA second-class medical certificate.
  3. Pilots in the Flight Section must serve a 12-month probationary period starting on the date of appointment to the Flight Section.
  4. Within nine months following selection, the pilot candidate must obtain their Commercial Pilot rating with any training and testing fees related to the initial Commercial Pilot rating paid by the employee.
  5. With a reasonable amount of time determined by the chief pilot, pilots must be able to fly all mission aircraft, be proficient as a Tactical Flight Officer (TFO), and successfully pass all necessary trainings and/or certifications associated with being a successful

State Patrol pilot. Necessary trainings will be determined by the chief pilot, and include but are not limited to the following:

- a. Fixed Wing Certification with instrument and commercial qualifications,
  - b. Rotor Certification with instrument and commercial qualifications,
  - c. Rotor Rescue Training with certifications in short-haul and hoist rescues,
  - d. Night Vision Goggle (NVG) initial and recurrent training, and
  - e. any manufacturer schools associated with mission aircraft.
6. Pilots who are unable to meet or maintain the requirements outlined in this section or voluntarily resign from the program will be separated from the Flight Section and be reassigned to their previous rate and patrol district position.
- D. Tactical Flight Officers (TFO)
1. May include current pilots or may be selected from the ranks of State Patrol troopers.
  2. Selected troopers will receive their training to operate FLIR from members of the State Patrol Flight Section.
  3. Following successful completion of the FLIR training, the trooper will be designated a State Patrol TFO.

# GENERAL ORDER



<b>Effective:</b>	January 6, 2011	<b>Number:</b>	12-10-010
<b>Subject:</b>	<b>PREGNANCY AND PARENTAL LEAVE</b>		
<b>Reference:</b>	General Orders 90-021, 10-011, 10-038 and 10-058		
<b>Special Instructions:</b>	Rescinds 96-10-010	<b>Distribution:</b>	A,B,C,F, N, O

## I. PURPOSE

To provide pregnancy/parental leave options and guidelines for female State Patrol Troopers, Commercial Vehicle Inspectors, and Capitol Security Officers which are consistent with current work agreements, the member's personal needs, and the State Patrol's interests, including public safety.

## II. POLICY

Pregnancy is a temporary physical condition which may or may not affect the ability to perform many of the usual duties of the job classification. The decisions regarding this ability will be made on an individual basis.

## III. PROCEDURE

### A. Full-Duty Status

1. During a pregnancy, a member may be able to continue to work in her usual, full-duty assignment until she and her physician determine that it is no longer physically possible to do so. In making this determination, a member shall discuss her full-duty job requirements with her physician. In addition, Troopers shall provide a copy of G.O. 03-10-058 to their physicians.
2. Both the physician and the member are expected to consider the risk and benefits of remaining on full-duty status. The agency will not require a member to accept a limited duty assignment or take leave prior to a determination that full-time status is no longer advisable, absent a compelling medical or public safety reason.

### B. Limited Duty Status

At any time during a pregnancy, upon written recommendation of a physician, a member may request limited duty. Troopers shall request a temporary reassignment to limited duty status consistent with G.O. 12-10-038. For purposes of limited duty status, pregnant Troopers will have the same limitations as those with non-work related illnesses/injuries. For all other members, limited duty requests will be handled on a case-by-case basis between the member and her District Commander. If a member becomes unable to perform the functions of her limited duty, the agency may require her to take leave in compliance with the Family and Medical Leave Act (FMLA) and other applicable law. The member may also elect to take such leave if medically warranted and in conformance with applicable employer regulations and procedures. The member will be treated the same as any other employee voluntarily seeking leave and/or sick pay because of any other physical condition.

**C. Parental Leave**

Commencement and termination dates of parental leave will be decided on an individual basis by the member and her physician with notification to her District Commander. Leave will be granted in accordance with contract, state law and/or FMLA.

**D. Return to Work**

Upon returning to work, the member and her District Commander shall meet regarding her reintegration. At that time, the returning member shall provide medical documentation of fitness for duty. Reasonable accommodations for nursing mothers shall be made pursuant to Minn. Stat. sec. 181.939.

**Approved:**

**SIGNED 1/6/2012**

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**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> September 25, 2014	<b>Number:</b> 14-10-011
	<b>Subject:</b> LEAVE; REQUESTING, REPORTING, RECORDING	
	<b>Reference:</b> Work Agreements/Union Contracts, Personnel Rules and Regulations	
	<b>Special Instructions:</b> Rescinds GO 12-10-011	<b>Distribution:</b> G

## I. PURPOSE

To establish uniform procedures for requesting, reporting and recording leave.

## II. DEFINITIONS

- A. Documented leave request: A leave request can be made via email or CAD message and shall contain the following information: employee name, type of leave requested, and dates of requested leave. Leave types include: employee illness, employee/dependent medical appointment, spouse/dependent illness, birth/adoption, vacation, floating holiday, alternate holiday, compensatory, military, and bereavement (requires further details/explanation in the request).
- B. Informal leave request: A leave request made with limited advance notice, usually via telephone, text message, or any other method that makes documentation difficult or impossible.
- C. Approved leave request: A leave request, whether documented or informal, that has been approved by the member's immediate supervisor. For troopers, the Station Sergeant serves as the immediate supervisor for scheduling, or in the event a Station Sergeant is not available, a district supervisor.

## III. SCOPE

- A. No member of the State Patrol shall be absent or fail to report for scheduled or assigned duty without just cause and/or permission.
- B. All leave requests must be documented and approved, regardless of leave type. When a member's informal leave request is approved, the member shall, as soon as practicable, obtain verification by sending a documented leave request to the approver. The member is responsible to provide verification in the form of an approved documented leave request.
- C. Every member shall retain a copy of all documented leave requests and approvals until 90 days after the approved leave is taken. This copy shall be available and provided in the event of a discrepancy.

## IV. SICK LEAVE

- A. Overview
  1. Sick leave is to be regarded as a privilege, used within restrictions, rather than a right. Abuse of the privilege may result in denial of the sick leave and/or disciplinary action.
  2. Sick leave shall be granted, with pay, to the extent of the member's accumulation for absence and governed by MMB/DPS/State Patrol policies, work agreements and/or union contracts. If any part of this General Order conflicts with a work agreement or contract, the agreement or contract shall prevail.
- B. Expected Absence
  1. Whenever possible, prior to an expected absence, e.g., doctor, dental or clinic appointment, etc., the member shall submit a documented sick leave request for approval to the member's Station Sergeant or immediate supervisor in the event the member does not have a Station Sergeant.

2. If the leave requested is to be for more than three (3) days it must be accompanied by a medical provider's statement sufficiently explaining the reason for the extended leave.

#### 15-Unexpected Absence, Off-Duty

1. In event a member becomes ill or has suffered an injury which prevents the member from reporting for scheduled duty, the member shall, as soon as possible, notify the member's Station Sergeant/immediate supervisor or designee, if accessible, and the district communications section. The member must follow up the original notification by obtaining an approved documented leave request.
2. Additional information regarding the illness or injury may be requested if necessary.

#### 16-Work-Related Injury

A member receiving an injury resulting from contact or action in the line of duty shall:

1. Arrange for medical treatment as soon as possible if the injury or condition requires immediate treatment.
2. Verbally report the incident to the member's Lieutenant or District/Section Commander as soon as possible.
3. Provide the appropriate billing information to the care provider: Med Check – Corvel, Suite 610, 3001 NE Broadway Street, Minneapolis, MN 55413-2658.
4. Forward to the member's district/section office:
  - a. A completed Injury, Illness, Incident Data (IDF) Form and corresponding Employee Statement Form.
  - b. A completed Report of Work Ability form.

#### 17-General Provisions

1. A medical provider's statement may be required when a member is absent from duty due to injury or illness in excess of three (3) consecutive working days, and/or there is reason to believe a member has been or is abusing sick leave.
2. Failure to supply a sufficient medical provider's statement, when required, and obtain the necessary approval or permission to utilize sick leave, may result in the denial of sick leave and/or disciplinary action.
3. A member frequently using sick leave or absent because of illness may be requested to undergo a medical examination to determine the member's physical or psychological condition before being allowed to return to active duty.

#### 18-Returning to Active Duty

1. A member who has been on short-term sick leave, i.e., three consecutive work days or less may return to active duty when the member feels fit for duty. The member should give advance notice of the intent to return to active duty to the member's Station Sergeant and the district communications section.
2. Before returning to active duty from an extended injury or illness, i.e., more than three consecutive work days, or from a work-related injury, a member may be required to provide a written physician's authorization stating that he/she is able to perform all of his/her required duties. (For Troopers, these duties are listed in GO 10-058.)

#### 19-Supervisor Responsibilities

1. Determine that all required reports, forms and/or documents are properly prepared and submitted to State Patrol Headquarters as soon as possible.
2. Determine, in consultation with DPS Human Resources if required, whether the member requesting to return to duty is physically fit and ready to perform all necessary duties.
3. Maintain contact with members on extended sick leave (more than three (3) consecutive work days) to remain informed of the member's condition and likely date of return to duty.

4. Notify State Patrol Headquarters of all appropriate important information relative to the health and/or physical status of the member.
5. Determine if a duty-related injury or illness qualifies the member for injured on-duty (IOD) pay pursuant to pertinent work agreements/union contracts. Qualifying injuries must be approved in advance by the appropriate Regional Major on an IOD request form before an IOD bank is created.
6. For duty-related injury or illness, complete an Agency Claims Investigation form. Forward copies of all required forms (IDF/Employee Statement/Report of Work Ability/Agency Claims Investigation) to the DPS Health and Safety Coordinator. Direct any comments or questions in reference to this subject to the DPS Health and Safety Coordinator.

## V. MILITARY LEAVE

Under Minnesota statute [192.26](#), members of the National Guard or Military Reserve Forces are entitled to fifteen (15) paid days of military leave in each calendar year. Members are authorized to supplement their paid military leave with vacation/compensatory time/alternate holiday/floating holiday/unpaid leave to compensate for military orders or drill dates in excess of the fifteen (15) paid days per year.

Procedures:

1. Due to the required twenty-one (21) day notice on any change in schedule, it will be necessary that the District/Section Office be advised of any military orders as soon as possible.
2. Copies of all military orders shall be forwarded to the District/Section Office by the member; yearly drill schedules shall be forwarded to the District/Section Office at the beginning of the federal fiscal year.

## VI. VACATION TIME/ALTERNATE HOLIDAY

- A. The approval of vacations shall in all cases be made subject to the needs of the employer.
- B. Members shall not take vacation time off to work an overtime shift. Overtime may be worked on a scheduled vacation day when the hours worked are outside of the scheduled shift taken off.
- C. The approval of vacations shall be governed by appropriate contractual or work agreement language.

Sections D/E/F are specific to MLEA and/or Commissioner's Plan employees:

- D. Requests to liquidate alternate holiday time will be granted under the same terms and provisions that govern requests for vacation time off.
- E. Consideration for vacations:
  1. Only one District/Section Supervisor will be permitted to be on vacation at a time in Districts/Sections with three or fewer supervisors, unless otherwise authorized by the Regional Major.
  2. District Special Duty Troopers will be granted vacation at the discretion of their supervisor.
  3. All troopers assigned to a station will be included in the station complement when determining the vacation schedule.
  4. In stations where the complement is less than seven, no more than one member may be on vacation at a time.
  5. In stations where the complement is seven or more, no more than two members may be on vacation at any one time.
- F. Vacation will be granted on a seniority basis for selection of vacation dates submitted at least sixty (60) days prior to one of the two vacation periods. Requests must be submitted by March 1 for the summer and September 1 for the winter vacation periods.
  1. The summer vacation period will start the first Monday in May through and ending by 2400 hours the Sunday preceding the first Monday in November.

2. The winter vacation period will start the first Monday in November through and ending by 2400 hours the Sunday preceding the first Monday in May.
3. The Station Sergeant is responsible for granting vacation, except in the following cases:
  - a. Vacation requests in excess of two weeks must be granted by the District/Section Commander.
  - b. Vacation requests in excess of four weeks must be granted by the Chief.

## VII. NOTIFICATION REQUIREMENTS

- A. Sick leave notification – In all instances, troopers shall make reasonable efforts to notify a district supervisor prior to using sick leave.
  1. On duty: If a trooper intends to take time off during a shift, they shall contact a district supervisor informing them of the need to use sick leave.
  2. Off duty notification: Troopers will contact a district supervisor and notify them of the intent/desire to use sick leave. The district supervisor will contact the Communications Center advising them of the trooper's leave. The supervisor will further assess staffing implications and make subsequent staffing adjustments as needed. Communications personnel are not responsible for determining district staffing needs and making staff adjustments of troopers.
- B. Short notice schedule changes (less than 24 hours prior to an assigned shift)
  1. Troopers shall take reasonable steps to make all schedule changes through their station sergeant or district supervisors with access authority to the scheduling program.
  2. Troopers may contact the Communications Center directly and advise of their intent to take approved short-notice vacation or approved compensatory time off or make other approved schedule adjustments; however: troopers shall state under whose authority they are taking the time or making the adjustment. It is entirely the responsibility of the trooper to ensure adequate staffing levels exist prior to taking time off through this method.
- C. Schedule changes - not short notice (more than 24 hours prior to an assigned shift)

Troopers shall make all schedule changes beyond 24 hours of the start of a shift via their station sergeant or other district supervisors with access authority to the scheduling program. Communications Center staff will not make scheduling changes unless exigent circumstances exist.

## VIII. COMPENSATORY TIME

Requests to liquidate compensatory time will be governed by appropriate contract or work agreement language. Members shall not be provided overtime hours for extraordinary enforcement campaigns (OTS grants), when compensatory time off overlaps the overtime hours requested or assigned.

Approved:

SIGNED 9/25/2014

Lt. Col. Matthew Langer, Acting Chief  
Minnesota State Patrol

## GENERAL ORDER

 <b>MEMBER IDENTIFICATION CARDS</b>	Policy Number	<b>10-012</b>
	Effective Date	<b>9/2/2025</b>
	Last Review Date	<b>9/2/2025</b>
	Distribution	<b>G</b>
Related Policies		
Approved by:	<b>Colonel Christina Bogojevic</b>	

### I. PURPOSE

This policy establishes guidelines and procedures regarding member identification cards.

### II. POLICY STATEMENTS

- A. All State Patrol members will be issued a State Patrol Identification Card from the Minnesota State Patrol's Operational Technology Section.
- B. State Patrol Identification Cards are the property of the Minnesota State Patrol and must be turned in to the member's district/section commander or the Operational Technology Section for disposal upon any change to the employment status.
- C. New identification cards are issued every three years or upon any change to the member's permanent job classification.
- D. Identification card photos will be taken every three years for all members of the agency.
  1. Members required to be in uniform, while in the performance of their official duties, will be photographed in uniform. Those members will be photographed in the seasonal work uniform, with no hat.
  2. All other members will be photographed in appropriate business attire or if issued, section specific clothing such as a communications polo shirt.
- E. Those members that are permanently, temporarily assigned or have ongoing work-related tasks to perform at the Capitol Complex (4600), will be issued a Capitol Security Identification Card that contains electronic access to buildings.

### III. DEFINITIONS

- A. State Patrol Identification Card is a member's official photo identification card issued by the Minnesota State Patrol's Operational Technology Section
  1. All cards bear the following information about all members: name, title/rank, issue date, expiration date & a QR code.
  2. All cards will display a face photo of the member.
  3. Sworn member cards will display the issued badge number and member POST number.
- B. Capitol Security Identification Card is for a member that is assigned to the Capitol Security Complex that also acts as an electronic badge to gain access to areas on the Capitol Complex. Members temporarily assigned or have work-related tasks to perform will also be issued a Capitol Security identification Card.

### IV. PROCEDURES

- A. New Member Identification Cards
  1. Photos

- a. Please use the attached guide as a reference for taking the best quality identification card photo for the State Patrol Identification Card.
- b. A new member's supervisor or designee will take the required Identification Card Photo as soon as practicable after a person starts working for the agency, but no longer than two weeks after the official start date.
  - i. Members attending the State Patrol Training Academy need to have their photo taken, in the seasonal MSP work uniform, no later than one week before graduation.
- c. The supervisor or designee will submit the photo using the designated process.
  - i. The request may be rejected if the photo quality is poor or not to the specifications as outlined in the attached guide.

2. Issuance

- a. The Operational Technology Section will issue a State Patrol Identification Card to new members within one month of starting employment with the agency.
- b. The State Patrol Identification Card will be issued to probationary troopers once POST numbers are known for each new member.

B. Change in Job Classification

1. When a person has a change in their permanent assignment which results in a title or rank change, a new card will be issued within two weeks of the change.
2. A new photo is not required if the existing photo on file is less than one year old.
3. The district/section commander or designee will collect the State Patrol Identification Cards from members whose card is being replaced at the time of issuance of the replacement card.
  - a. Any expired State Patrol Identification Cards shall be destroyed by the district commander or designee.

C. Lost or Replacement Identification Cards

1. Members shall follow the process to request a new ID card. This process automatically notifies their supervisor.
2. A new photo is not required if the photo on file is less than one year old. Members should work with their supervisor to obtain an updated photograph if needed.
3. The district/section commander or designee will collect the State Patrol Identification Cards from members whose card is being replaced at the time of issuance of the replacement card.
  - a. Any expired State Patrol Identification Cards shall be destroyed by the district commander or designee.

D. Three-year replacement cycle

1. Each quarter, the Operational Technology Section will distribute a list of ID cards set to expire in the following quarter.
2. The district/section commander or designee shall obtain new photos of the members in the district set to expire in that upcoming quarter.
  - i. Updated photos shall be submitted using the designated process.
3. The Operational Technology Section will produce the cards and send them to the district/section commander or designee to distribute to their members.
4. The district/section commander or designee will collect the State Patrol Identification Cards from members whose card is being replaced at the time of issuance of the replacement card.
  - a. Any expired State Patrol Identification Cards shall be destroyed by the district commander or designee.

E. When Members Separate Employment

1. A member separating employment shall turn in their State Patrol Identification Card to their district/section commander or designee.
2. The member's district/section commander or designee will be responsible for destroying all State Patrol Identification Cards upon the member's separation of employment.

F. Requests to View Member Identification

1. When performing official duties, unless working in an undercover or covert capacity or when doing so would jeopardize a member's safety, members will display their State Patrol-issued photo identification card upon the request of a member of the public.
2. Members, not in uniform, will display a State Patrol Identification Card or badge in civilian attire at the Academy, State Patrol Headquarters, or any other State Patrol facilities.

#### **V. RETIRE IDENTIFICATION CARDS**

At the discretion of the chief, upon retirement a sworn retiree in good standing may receive a retired member photo identification badge from their commander.

#### **VI. UNAUTHORIZED USE**

- A. The State Patrol Identification Card shall not be displayed or used by any member except when acting in an official or authorized capacity.
- B. Agency members shall not:
  1. Display or use the State Patrol Identification Card for personal gain, benefit or to avoid a detriment. Sworn members must abide by MN POST Board Rule 6700.1600 Standards of Conduct.
  2. Loan or borrow the State Patrol Identification Card to others.
  3. Permit the identification card to be reproduced or duplicated.

# GENERAL ORDER



<b>Effective:</b>	July 31, 2023	<b>Number:</b> 23-10-013 HRLFNDT
<b>Subject:</b>	<b>FIRST AMENDMENT ASSEMBLIES; STRIKES AND INDUSTRIAL/LABOR DISPUTES; SIGNS AND BANNERS ON HIGHWAY</b>	
<b>Reference:</b>	First Amendment of the US Constitution; Art. 1 of the Minn. Constitution; Minn. Stat. secs. 160.2715; 179.01, subd. 7; Chap. 299D	
<b>Special Instructions:</b>	Rescinds GO 22-10-013	<b>Distribution:</b> A,B,C, N

## I. POLICY

The purpose of this General Order is to provide guidance to members regarding protests, demonstrations, rallies, hereafter referred to as "First Amendment assemblies," and strikes and/or industrial/labor disputes.

## II. GUIDING PRINCIPLES

- A. The Minnesota State Patrol (MSP) supports the First Amendment of the U.S. Const. and Art. 1 (Bill of Rights) of the Minn. Const. which provides for the freedom of speech; liberty of the press; and the right to peacefully assemble and express ideas and will not unreasonably interfere with those engaged in the lawful exercise of these rights.
- B. MSP respects the rights of the media to cover First Amendment activity and shall never intentionally target them for dispersal or enforcement action based on their media status.
- C. Behavior during a demonstration or assembly can be dynamic and vary from lawful actions to criminal behavior. As such, MSP responses shall be professional, measured and appropriate for the situation. Troopers must work diligently to distinguish lawful actions from criminal behavior as they make decisions about how best to handle a situation.
- D. The purpose of MSP presence at any First Amendment assembly is to preserve peace, protect public safety, provide traffic safety service, and prevent the destruction of property.
- E. Arrests should be made only when necessary, after considering a totality of the circumstances, respecting the First Amendment rights of an individual, and to protect life/property. Members recognize that verbal abuse is not grounds for arrest. Identifying individual criminal actors amongst a group of otherwise lawful participants is necessary for procedural justice.
- F. First Amendment assemblies closing controlled access road systems present inherent danger to those illegally on the roadway, the motoring public who are required to react to the abrupt and unplanned closure, and our members or other first responders who may need to utilize the roadway for emergency purposes or respond to safely handle any event and reopen the roadway. Therefore, every effort should be made to clear these areas as soon as practicable in order to preserve the safety and security of assembly attendees and the motoring public.
- G. MSP operates within the statutory jurisdiction established by Minn. Stat. Sec. 299D.03.
  1. Minn. Stat. sec. 299D.03, Subd. 1(8), states that while MSP is authorized to cooperate with local law enforcement, it "...shall have no power or authority in connection with strikes or industrial disputes." MSP not only cannot be involved, but has no power to assist local enforcement off a trunk highway for these purposes.
  2. MSP retains the power and responsibility to enforce laws and direct and control traffic on any highway in the event a strike takes place on any trunk highway or within the normal jurisdiction of the State Patrol. MSP will enforce laws protecting the public, and proactively work to keep trunk highways open to traffic, to the best of our abilities.

## III. DEFINITIONS

- A. **MSP Statutory Jurisdiction**

For purposes of this General Order, MSP statutory jurisdiction means the power and authority vested in members pursuant to Minn. Stat. sec. 299D.03, which includes, but is not limited to, enforcing provisions of the law relating to the protection and use of trunk highways, and as peace officers to provide security

and protection to the governor and other state employees, state buildings, and for certain state property. Minn. Stat. 299D.03 specifically states that members do not have any power or authority in connection with strikes or industrial disputes.

B. Journalist (or Media Member)

The following shall be considered indicia of being a journalist or media member: visible identification as a member of the press, such as by carrying a professional or authorized press pass or wearing a professional or authorized press badge or other official press credentials or distinctive clothing that identifies the wearer as a member of the press. These indicia are not exclusive, and a person need not exhibit every indicium to be considered a journalist.

C. Legal Observer

An individual who attends First Amendment assemblies (often from civil rights-based agencies such as the ACLU or National Lawyer's Guild and wear identifying hats or vests) to monitor/ provide information regarding laws and rights to participants.

D. Industrial Dispute

For purposes of this General Order, "industrial dispute" under Minn. Stat. sec. 299D.03, subd. 1(b)(8) means "labor dispute" as defined in Minn. Stat. sec. 179.01, subd. 7. It is defined as any controversy concerning employment, tenure, or conditions or terms of employment or concerning the association or representation of persons in negotiating, fixing, maintaining, changing, or seeking to arrange terms, tenure, or other conditions of employment, regardless of whether or not the relationship of employer and employee exists as to the disputants.

E. Strike

The temporary stoppage of work by the concerted action of two or more employees as a result of an industrial/labor dispute. Minn. Stat. 179.01, subd. 8.

F. Clear Notice

Clear notice that an industrial/labor dispute is in progress would exist where an "on strike" sign is exhibited in a manner which permits drivers of vehicles entering the establishment to see it.

#### **IV. FIRST AMENDMENT ASSEMBLIES**

- A. For preplanned events under MSP statutory jurisdiction, the District/Section Commander or designee shall develop an operational plan based on information obtained in a transparent and lawful manner. The plan should be communicated to and followed by involved members, and include consultation with the commanders of any MSP specialized teams involved. The plan, at a minimum, should include:
1. General Information such as: Information about the event and groups involved, date, time, location, weather, agency contact information and assignments, allied agency contact information, etc.
  2. Operational Information such as: Briefings, roles and responsibilities, equipment, uniforms, staging, radio communications, resource deployment plan, dispersal order information with consideration to the applicable laws/elements, monitored injunction terms, etc.
  3. Event organizer information, if available. A good faith effort should be made by the District/Section Commander or designee to establish contact with the organizer prior to the event to discuss event details.
- B. If the event is unplanned, the first responding trooper or security officer should conduct an assessment of conditions and communicate them to dispatch for assignment of a supervisor and to facilitate MSP response. The assessment should include, but is not limited to, the following:
- Location of the event
  - Number of participants
  - Purpose of the event
  - Event leadership (whether apparent/effective), and any communication with leaders regarding intent/plans
  - Any indicators of unlawful activity or impact on lawful use of walkways, roadways, or public buildings
  - Any predicted ability/need to continue monitoring
- C. Communications and coordination with allied agencies should be established and mutual support

arranged for when practicable.

- D. Requests for additional resources shall be made through chain of command. Consideration should be given toward activation of one or more of MSP's specialized teams.
- E. A command structure should be implemented, consistent with training and the operational plan developed for each event.
- F. Assisting Other Agencies
  - 1. First Amendment assemblies occurring outside of the MSP's statutory jurisdiction are to be addressed primarily by local law enforcement. Involvement of the MSP may only occur if the local agency has requested its assistance, when local efforts are insufficient to control the situation, or immediately in the event another peace officer's life or safety is in jeopardy.
  - 2. Any pre-planned request for MSP resources to assist with First Amendment assemblies outside MSP statutory jurisdiction shall be vetted through chain of command to the district/section commander. District/section commanders shall coordinate effectively with the lead local agency and communicate any MSP involvement to the appropriate regional major.
  - 3. Prior to a formal request for help, district/section commanders may assign a limited number of troopers to be inconspicuously available in the general vicinity of an anticipated disturbance or foreseeable trouble. These troopers are not to be involved in the disturbance without authorization from the district/section commander or supervisor, except as necessary to prevent death or injury to another peace officer.

## **V. MEDIA AND FIRST AMENDMENT ASSEMBLIES**

### **A. Court Monitored Injunction Order Regarding Media at First Amendment Assemblies – Compliance Requirements**

- 1. MSP members are prohibited from:
  - a. Arresting, threatening to arrest, or using physical force – including through the use of flash bang grenades, non-lethal projectiles, riot batons, or any other means – directed against any person whom they know or reasonably should know is a journalist (defined below), unless MSP has probable cause to believe that such individual has committed a crime. Individuals identifiable as journalists shall not be required to disperse following the issuance of an order to disperse, and such persons shall not be subject to arrest for not dispersing following the issuance of an order to disperse. Such persons shall, however, remain bound by all other laws.
  - b. Using chemical agents directed against any person whom they know or reasonably should know is a journalist, including but not limited to mace/oleoresin capsicum spray or mist/pepper spray/pepper gas, tear gas, skunk, inert smoke, pepper pellets, xylol bromide, and similar substances, unless such journalist presents an imminent threat of violence or bodily harm to persons or damage to property; and
  - c. Seizing or intentionally damaging any photographic equipment, audio-recording or video-recording equipment, or press passes in the possession of any person whom MSP knows or reasonably should know is a journalist, or ordering such person to stop photographing, recording or observing a protest, unless MSP is lawfully seizing that person for a separate crime. Except as provided below, MSP must return seized equipment or press passes immediately upon release of a person from custody.
- 2. If any MSP member, or any person acting under MSP's direction, seizes property from a Journalist who is lawfully arrested consistent with this Order, an MSP representative shall, as soon thereafter as is reasonably possible, make a written list of seized property and shall provide a copy of that list to the Journalist. If property seized in connection with the lawful arrest of a Journalist is needed for evidentiary purposes, MSP shall promptly seek a search warrant, subpoena, or other court order to authorize the continued seizure of such property. If such a search warrant, subpoena, or other court order is denied (or quashed), or if property seized in connection with an arrest is not needed for evidentiary purposes, MSP shall immediately return the seized property to its rightful possessor.
- 3. The following shall be considered indicia of being a Journalist: visible identification as a member of the press, such as by carrying a professional or authorized press pass or wearing a professional or authorized press badge or other official press credentials or distinctive clothing that identifies the wearer as a member of the press. These indicia are not exclusive, and a person need not exhibit

- every indicium to be considered a Journalist.
4. MSP shall not be liable for unintentional violations of this Order in the case of an individual who does not carry or wear a press pass, badge, or other official press credential or distinctive clothing that identifies the wearer as a member of the press.
  5. MSP is not precluded from issuing otherwise lawful crowd-dispersal orders. MSP shall not be liable for violating this injunction if a Journalist is incidentally exposed to crowd-control devices after remaining in the area where such devices were deployed in conjunction with the enforcement of an otherwise lawful dispersal order.
  6. MSP troopers responding to civil unrest or protests covered by journalists shall prominently display their agency name and badge number readable from a distance of twenty feet.
  7. MSP shall maintain a record of all agents or employees deployed to respond to civil unrest or protests.
- B. Any allegation of mistreatment of a media member by an MSP Trooper is deemed serious misconduct and will result in an internal affairs investigation.
1. Where journalists are involved, MSP Troopers must obtain approval from an MSP supervisor (to be documented as soon as practicable) before issuing any citations to or detaining/arresting a journalist.
  2. Troopers should be aware that journalists are often times exempt from any curfew orders.

## **VI. LABOR STRIKES AND INDUSTRIAL DISPUTES**

- A. Minn. Stat. sec. 299D.03, subd. 1(8), grants MSP the power and authority "to cooperate, under instructions and regulations of the Commissioner of the Department of Public Safety, with all sheriffs and other police officers anywhere in the state, provided that said employees shall have no power or authority in connection with strikes or industrial disputes."
- B. When a member of the MSP is made aware of a strike or industrial/labor dispute in their work area, they shall immediately notify their district/section commander of the dispute/strike. The district/section commander shall contact the sheriff or chief of police and advise them of the MSP's abilities and legal limitations restricting the involvement of troopers in any strike or industrial/labor dispute.
- C. Jurisdiction may be established when a person or persons involved in an industrial/labor dispute imminently threaten the safety of persons or traffic. In such cases, such information shall be communicated through the chain of command and a plan developed, including dispersal orders when appropriate.
- D. Minn. Stat. sec. 179.121 states that any person who operates a motor vehicle which is entering or leaving a place of business or employment where there is a clear notice that an industrial/labor dispute is in progress, and who fails to fully stop at the entrance or exit, or who fails to exercise caution in entering or leaving that place, is guilty of a misdemeanor. For purposes of this statute, if not otherwise marked, the point of entrance or exit should be regarded as the general area where the private property abuts the right-of-way. Further, no enforcement action should be taken if there is clear notice, but there are no persons on foot in the immediate area.
- E. MSP will not attempt to prohibit picketing or peaceful demonstrations unless a court order is violated.
- F. Regardless of clear notice, all drivers must still exercise reasonable caution in the presence of pickets or other persons at any location in the general area, whether they are on public property or private property.
- G. In those instances where other related offenses are committed which endanger persons or property, the offender is to be cited or arrested for the appropriate charge. Consideration shall be given to MSP's area of statutory jurisdiction with the arrest being turned over to the local agency with primary jurisdiction.
- H. Local law enforcement agencies may request our help in handling local police service so that their officers can handle the strike situation. Troopers must have the ready ability to communicate by radio with the requesting agency's dispatch center.
1. Requests of this type should be routed from the chief local enforcement officer through the district/section commander to the Chief of MSP. If the request is granted, troopers may respond to calls for service as requested by the local agency.
  2. Extreme caution should be used in dealing with calls of a nature not normally handled by MSP.

## VII. SIGNS AND BANNERS AND HIGHWAY RIGHT OF WAY

- A. Minn. Stat. sec. 160.2715 states that, except for certain road authorities, it is unlawful to maintain, paint, print, place, or affix any advertisement or any object within the limits of any highway, and any violation of this provision constitutes a misdemeanor.
- B. A person is permitted to hold a sign in a location that is legal for a pedestrian to walk or stand. A sign, however, may not be placed into the ground or onto the ground without a person holding it, nor can it be placed by or affixed/attached to a fence, post, bridge or any structure. If the person is using the fence, bridge or other structure as support for the sign, it should be considered a violation since the structure is partially holding the sign in place.
- C. The holding or waving of signs and other distracting behavior upon the highway may be considered a public nuisance crime if the behavior is substantial enough to outweigh the protection of free speech. Factors to consider include the number of people involved, the specific behaviors exhibited, the location, and the number of motor vehicle travelers on the roadway affected. The content of the signs is not relevant in this determination.

## VIII. ARRESTS

- A. Troopers and supervisors should respond to unlawful behavior according to the operational plan for pre-planned events or under the direction of supervisors for unplanned events. If practicable, this would include appropriate dispersal warnings and advisements with specific messaging and a reasonable response to any resistance encountered before any arrest.
- B. A dispersal order can only be made with the approval of a supervisor and must be announced to the assembly in a way that ensures it is audible over the entire area and should be repeated when possible. If there is reason to believe there is a language barrier, it should be addressed accordingly. The warning must include:
  - 1. Name/Rank/Agency of person giving the order;
  - 2. Declaration of unlawful assembly and reason for the declaration;
  - 3. Identification of egress route(s);
  - 4. Specific consequences of failure to comply with the order; and
  - 5. If practical, when the order goes into effect.
- C. Legal observers have no special rights but must not be targeted for dispersal or arrest because of their status.
- D. Absent exigent circumstances, participants who disperse after a declaration of unlawful assembly should not be prevented from regathering at a separate geographic location if they are engaged in nonviolent and lawful first amendment activity.
- E. All dispersal tactics employed after verbal dispersal warnings/order must be consistent with training and policy. If employed, mass arrest procedures should integrate reasonable measures designed to keep the arrestee and Trooper safe and to make sure they occur in a reasonable and efficient manner. This will include deploying a media ombudsman and media field liaison to all mass arrest situations.
- F. Mass arrests should only be employed when alternative strategies appear futile or are unsuccessful and resources are available to successfully accomplish them. Resources must be present to arrest, document, contain, and transport anyone taken into custody. Mass arrests shall only be undertaken upon the order of the Incident Commander or designee. There must be probable cause for each arrest, with respect to the elements of each criminal charge.

## IX. DOCUMENTATION

- A. Taking video or photos of protesters in addition to BWC should only be done if necessary for criminal investigation; debriefing; responding to citizen complaints/legal challenges; or training, and must not be a form of retaliation or done in a way that unreasonably interferes with a person's lawful participation in First Amendment assemblies.
- B. A supervisor shall complete and submit a detailed TraCS report documenting the involvement of Troopers during First Amendment assemblies. The reasons for a declaration of unlawful assembly, the name(s) of the supervisor(s) involved, and the times/dates of the dispersal orders must be included in the documentation.
- C. Troopers shall complete and submit reports for arrest and use of force events they have been involved

with at First Amendment assemblies, if applicable. The report, booking forms or other arrest documentation should include a description of any possessions seized from individuals and where the items are located. A copy of the property list must be shared with the individual upon request.

- D. If property seized in connection with the lawful arrest of a journalist is needed for evidentiary purposes, MSP shall promptly seek a search warrant, subpoena, or other court order to authorize the continued seizure of such property. If such a search warrant, subpoena, or other court order is denied, or if property seized in connection with an arrest is not needed for evidentiary purposes, the State Defendants shall immediately return the seized property to its rightful possessor.
- E. Supervisors shall maintain a record of all members deployed to First Amendment assemblies where media is present.
- F. After any large scale, high profile, or complicated event covered under this policy, the Chief may call for an after-action debrief to provide a forum for discussion centered on applying any lessons learned to future similar situations.

**Approved:**

**SIGNED 7/31/2023**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> October 26, 2012	<b>Number:</b> 12-10-017
	<b>Subject:</b> SUPERVISORY CALL DUTY	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds PR 98-10-017	<b>Distribution:</b> A,B,D, E

## I. PURPOSE

To establish a procedure for notifying State Patrol district staff and command staff of extraordinary and high-profile events.

## II. PROCEDURE

- A. Each District Commander will ensure that a district supervisor is designated as an "on-call" supervisor during times when a district supervisor is not on duty. The appropriate communications center will be advised as to which supervisor is on-call.
- B. Radio communications shall notify the on-duty or on-call supervisor of any event/incident in accordance with General Orders 20-012 (Pursuit), 60-009 (State Unit Damage), or any other applicable agency or district policy.
- C. For extraordinary events, the District Commander or on-call district supervisor will ensure that notification is made to the on-call Major. The on-call Major can be contacted using the dedicated cell phone number: 651-201-7151.
- D. The on-call Major is responsible for notifying the Lieutenant Colonel and/or Colonel.
- E. Examples of extraordinary events requiring notification would include, but not be limited to, any of the following:
  1. Death or serious injury of a Patrol member
  2. Death or serious injury to another as a result of actions by or involvement of a Patrol member
  3. Natural or man-made disaster
  4. Items likely to solicit mass news coverage
  5. Extraordinary pursuits
  6. Extraordinary felony arrests
  7. Extraordinary fatal crashes, e.g. school bus, multiple fatalities, etc.

Approved:

SIGNED 10/26/2012

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Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> February 1, 2024	<b>Number:</b> 24-10-018
	<b>Subject:</b> PURCHASING – FLEET CARD, CREDIT CARD, FIELD PURCHASE ORDER, DEPARTMENT PURCHASE ORDER	
	<b>Reference:</b> DPS Policies 3505, 3509, 3543	
	<b>Special Instructions:</b> Rescinds General Order 17-10-018	<b>Distribution:</b> G

## I. POLICY

It is the policy of the Minnesota State Patrol to utilize purchasing authority appropriately and maintain accurate records to ensure compliance with state purchasing procedures.

## II. DEFINITIONS

**Acquisition:** The act of acquiring goods and services (including construction) for the use of a governmental activity through purchase, rent, or lease. Includes the establishment of needs, description of requirements, selection of procurement method, selection of sources, solicitation, award of contract, financing, contract administration, and related functions.

**ALP:** Authority for Local Purchase: granted by the commissioner of Administration to an individual who has successfully completed all requirements established by the Materials Management Division.

**ALP Certified Buyer:** A state employee who has been certified by the Department of Administration Office of State Procurement (formerly Department of Administration Materials Management Division) to make purchases of goods and services up to a specific dollar amount when authorized by the employee's state agency. All purchasing must comply with all purchasing laws, rules, policies and procedures, and the Office of State Procurement Authority for Local Purchase Manual.

**Authority for Local Purchase (ALP) Manual:** The ALP Manual is administered by the Minnesota Department of Administration Office of State Procurement (formerly Department of Administration Materials Management Division). When making purchases on behalf of their state agency, ALP certified buyers must follow all purchasing laws, rules, policies, and procedures, in addition to the instructions contained in the manual.

**Employee:** A person who performs services for hire for an employer. (Minn. Stat. sec 181.960, subd. 2) All sworn personnel of the Minnesota State Patrol and designated non-sworn personnel have received training and have authority to make authorized purchases on behalf of the Agency.

**Goods:** All types of personal property including commodities, materials, supplies, and equipment. [Minn. Stat. § 16C.02, subd. 8]

**Lease:** A contract conveying from one entity to another the use of real or personal property for a designated period of time in return for payment or other consideration. (Minn. Stat. sec. 16C.02, subd. 10)

**M5:** A web-based application used to administer and manage the state fleet.

**Purchasing Card (P-CARD):** State issued credit card that allows employees to make authorized purchases.

**Purchase Order (PO):** The signed written acceptance of the offer from the vendor. A purchase order serves as the legal and binding contract between both parties.

**Services:** Unless otherwise indicated, both professional or technical services and service performed under a service contract. (Minn. Stat. sec. 16C.02, subd. 17)

**Statewide Integrated Financial Tools (SWIFT):** The PeopleSoft-based online financial, procurement, and reporting system used by the State of Minnesota. SWIFT replaced the Minnesota Accounting and Procurement

System (MAPS) starting with July 1, 2011 obligations

**Targeted Group Businesses (TG):** Certified business designated by the commissioner of Administration that are at least 51 percent owned and operated by a woman, persons with substantial physical disabilities, or specific minorities and provide goods, products, or services within purchasing categories designated by the commissioner. (Minn. Rule 1230.0150, subp. 23)

**Vendor:** Someone who sells something; a "seller." A natural person or a business and includes both if the natural person is engaged in a business. (Minn. Rule 1230.0150, subp. 27)

### III. WEX FLEET PURCHASING CARD

#### A. General

1. The WEX fleet purchasing card is the preferred method of payment and may be used to purchase vehicle repairs, preventative maintenance, and limited items necessary for the safe operation of the state unit such as:
  - a. Fuel
  - b. Windshield wiper blades and air filters
  - c. Car washes
  - d. Vehicle fluids (oil, coolant, transmission, windshield wiper fluid, etc.);
  - e. Minor mechanical vehicle repairs/maintenance up to \$3000 - Includes repairs at EATI Tire repair (not purchase); and
  - f. Towing (individual's state unit only)
2. The WEX card may not be used for items such as full-service fueling, vehicle body repair, food, beverage, alcohol, tobacco, warranty-covered services, pre-paid services (coupon books or packages for oils changes, car washes, etc.), ice-scrapers, vehicle detailing, goods or services of any kind for non-state vehicles, cell phones, cell phone accessories, or for any other personal use.
3. An individual employee has purchasing authority up to \$3000 with the fleet purchasing card.
4. Fleet cards are vehicle specific and may not be used for another state unit unless it is an emergency.

#### B. Employee Responsibilities

1. When used for purchasing fuel, the WEX fleet purchasing card transaction can only include fuel, add fluids, and car washes. Purchase of repair/maintenance services cannot be included on the same card transaction with fuel purchases.

Note: When purchasing both fuel and repair/maintenance (such as an oil change, transmission service, etc.) from one vendor/facility, the purchases must be processed with the card separately (one card swipe for the fuel purchase and a separate card swipe for the repair/maintenance purchase). The vendor must also separate and identify fuel from other purchases (car wash, add fluids, windshield wiper blades, etc.) within the same transaction. This is required due to fuel tax exemption issues.

2. WEX fleet purchasing card receipts for fuel purchases must be submitted in the fuel slip envelope no later than the 5th of the following month and must include:
  - a. final month end odometer reading
  - b. credit card slips must include the exact vehicle odometer reading, gallons, price per gallon, and itemized list of any add-oil costs, in addition to total charges
  - c. For emergency fuel purchases made at locations where the fleet card is not accepted, the date, number of gallons, exact vehicle odometer reading, and vendor information must be written on the outside of the envelope

3. Employees are expected to select the most cost effective provider of services and supplies.
  4. Prior to obtaining repair/maintenance services, the employee must verify that the vendor accepts the WEX fleet purchasing card. The employee must also verify that the vendor has the capability to swipe and process WEX fleet purchasing card transactions electronically (no phoned in or faxed in transactions are allowed.) Any vendor inquiries on how to be included on the approved fleet vendor list should be directed to the 1-800 Customer Service phone number listed on the back of the card. When purchasing from a contract vendor, employees must ask for the state contract pricing.
  5. For routine maintenance, an accurate estimate of the cost prior to work starting must be obtained. If the state unit is being diagnosed for an unknown mechanical problem, inform the technician that the state will only pay up to one hour at the shop rate for the diagnosis of the problem. The service facility must prepare a written estimate or work order of the repairs to be made, including the total cost, prior to the repair commencing. The employee may authorize the repair if the total cost of the repair is \$3000 or less.
  6. An itemized vendor invoice is required for all repair/maintenance performed.
    - a. The vendor invoice must separate parts and labor for each individual repair or service. If parts and labor are not clearly indicated, contact the vendor for this information and note on the invoice that the vendor has been called.
    - b. Verify that any tax is correctly applied prior to paying for the transaction. Tax must be included for all purchases made with the fleet card. If no tax is reflected on the vendor invoice:
      1. A Payment of Sales Tax form must be completed
      2. A copy of the invoice must be attached to the form and turned into your division's fleet manager or designated person in your fleet unit. It will then be submitted to FAS for payment
      3. The original vendor invoice should also be submitted to the Fleet Section for reconciliation and tracking
    - c. The following information is required and must be included on each vendor invoice (either included by the vendor or handwritten by the employee):
      1. State unit #
      2. Employee badge #
      3. State unit odometer reading
      4. Vendor tax ID #
  7. After the WEX fleet purchasing card transaction is completed, the transaction slip must be stapled to the vendor invoice. Forward all repair/maintenance/service invoices to the District/Section Office on a weekly basis. Invoices may be submitted with the Weekly Report; however, must be submitted within seven days of the transaction.
  8. Failure to follow the fleet purchasing card procedure will result in the loss of the use of the expanded fleet purchasing card. A fleet "fuel only" card will be issued to replace the fleet purchasing card. The state must be reimbursed for any unauthorized purchases. If this occurs, employees must notify their District/Section Commander and submit a memo explaining the purchase and a check to the Fleet Section made out to the Commissioner of Public Safety.
  9. Notify their District/Section Commander of any lost or damaged cards. All damaged cards must be submitted to the Fleet Section.
- C. District/Section Commander (or Designee) Responsibilities
1. Review submitted invoices for compliance with this policy. Notify the Fleet Section of any unauthorized purchases.
  2. Report any lost or damaged cards to the Fleet Section.
- D. Fleet Section Responsibilities
1. Implement a random sample program that audits receipts compared to invoices every six months. The sample should be based on 5% of the fleet.
  2. Review the Fuel Mileage Exception report in M5.

**IV. US BANK PURCHASING CARDS WITH STANDARD PRIVILEGES****A. General**

1. A US Bank purchasing card will be issued to division employees by DPS Fiscal and Administrative Services (FAS) only for the uses authorized below. These cards have standard purchasing privileges as described in this section.
2. The US Bank purchasing card has a limit of \$3000, and can be used for purchases approved by a supervisor up to \$5000.
3. All purchasing card activities are subject to audit at any time.
4. Purchasing cards shall be rescinded and disciplinary actions may be taken if there is any improper usage of the card.
5. Prior to the issuance of a purchasing card, each employee shall attend training provided by FAS in the use and security of the card, the requirements of this policy, and the processing and reporting requirements.
6. This purchasing card does not replace the current purchasing process and all cardholders should work with their division purchasers to make sure that all procedures are followed before any purchases are made (i.e., special expenses, bid requirements).

**B. Authorized Uses**

1. Vehicle maintenance and repair, where the vendor does not accept WEX cards but accepts the US Bank card
2. Fire extinguisher repair/recharge
3. Motel payment (4700 and Safety Education personnel only)
4. Truck weighing (one-time basis with plate number listed in body form)
5. Payment for drawing blood samples (subject name and the report number should be written on the receipt)
6. Hemming of current issue uniform trousers and other authorized alterations

**C. Unauthorized Uses**

1. Fuel
2. Equipment that requires a license (e.g. motor vehicles, trailers, boats, snowmobiles, ATVs)
3. Weapons, explosives, and ammunition
4. Maintenance/license agreements
5. Meals
6. Telephone calls (business or personal)
7. Cash advances
8. Professional/technical services
9. Liquor/alcohol/alcoholic beverages
10. Fixed assets
11. Insurance, claims, and fines
12. Employee relocation expenses
13. Any non-state business related expenses, including but not limited to, refreshments for employee meetings and parties not covered by DPS Policy #3064, flowers or gifts for fellow employees, or office expenses typically paid for by employees

**D. Taxes**

1. Tax must be included on any purchases made with a US Bank purchasing card with only the exceptions noted below.
2. All invoices must be split into parts and labor. Only the parts are taxable and should be added at the time of purchase.

**E. Cardholder Recordkeeping Responsibilities**

1. Every transaction made with the purchasing card shall be accompanied by an electronic copy of the original receipt.
2. Fill out purchasing card monthly log, and electronically attach receipts to the log in the order they are listed on the log. The dollar amounts on the log and receipts must agree with the dollar amounts on the monthly statement. If the dollar amounts do not agree, the cardholder shall resolve the difference prior to sending the log to their designated district/section support staff for reconciliation. The cardholder shall highlight that transaction on the log and attach a note describing the discrepancy and the correct amount. Each entry must have the correct funding information for the individual purchase. Note: due to the complexity of split funding

sources, Districts 4600 and 4700 may adopt their own reconciliation process that otherwise complies with this policy.

3. The purchasing cardholder shall electronically send the log, receipts, and the monthly statement from US Bank to the District Office by the end of the billing month.

## **V. US BANK PURCHASING CARD WITH EXPANDED PRIVILEGES**

### A. General

1. Cardholders who were issued purchasing cards prior to June 25, 2023 and those specifically authorized after that date have expanded privileges. These cards may be used for the items listed in section IV and those in this section.
2. A purchasing card may be issued to division employees by DPS Fiscal and Administrative Services (FAS) only after their specific needs have been identified.
3. The purchasing card is available for three categories of purchasing. Each purchasing card is assigned an individual credit limit. Credit limits can be increased or decreased if necessary with the approval of the cardholder's supervisor and the Purchasing Card Program Officer.
4. All purchasing card activities are subject to audit at any time.
5. Purchasing cards shall be rescinded and disciplinary actions may be taken if there is any improper usage of the card.
6. Prior to the issuance of a purchasing card, each employee shall attend training provided by FAS in the use and security of the card, the requirements of this policy, and the processing and reporting requirements.
7. This purchasing card does not replace the current purchasing process and all cardholders should work with their division purchasers to make sure that all procedures are followed before any purchases are made (i.e., special expenses, bid requirements).

### B. Authorized Uses

1. Travel Expenses - Airfare, lodging, car rental, taxi cabs, parking, copy service, courier service, computer network and information) service
2. Conference registration fees
3. Vendors that require a credit application in conjunction with a DPO
4. Vendors that require advance payment
5. Vendors that do not accept a DPO
6. Aviation fuel for State Patrol airplanes
7. Purchasing on the Internet
8. Supplies and expenses unavailable from contract vendor and not prohibited elsewhere in this policy

### C. Unauthorized Uses

1. Fuel for rental vehicles. Fuel for rental vehicles must be purchased with a travel fleet purchasing card. A travel fleet purchasing card is obtainable from the Fleet Section and must be requested at least ten days prior to the scheduled travel departure date
2. Equipment that requires a license (e.g. motor vehicles, trailers, boats, snowmobiles, ATVs)
3. Weapons, explosives, and ammunition
4. Maintenance/license agreements
5. Meals
6. Telephone calls (business or personal)
7. Cash advances
8. Professional/technical services
9. Liquor/alcohol/alcoholic beverages
10. Fixed assets
11. Insurance, claims, and fines
12. Employee relocation expenses
13. State Patrol personnel are not to requisition supplies from any MnDOT supply or have any work done on any State Patrol unit at a MnDOT mechanical shop.

14. Any non-state business related expenses, including but not limited to, refreshments for employee meetings and parties not covered by DPS Policy #3064, flowers or gifts for fellow employees, or office expenses typically paid for by employees

#### D. Cardholder Recordkeeping Responsibilities

1. Every transaction made with the purchasing card shall be accompanied by an electronic copy of the original receipt. When the transaction involves a phone, mail or fax order, a copy of the original order, the packing slip, or faxed confirmation of receipt of order from the merchant, becomes the receipt.
  - a. Fill out purchasing card monthly log, and attach receipt(s) and packing slip/invoice/etc. to the log. Number the receipts to match the transaction number on the log. The dollar amounts on the log and receipts must agree with the dollar amounts on the monthly statement. If the dollar amounts do not agree, the cardholder shall resolve the difference prior to sending the log to their designated support staff for reconciliation. The cardholder shall highlight that transaction on the log and attach a note describing the discrepancy and the correct amount. Each entry must have the correct funding information for the individual purchase,
2. Due to the complexity of split funding sources, Districts 4600 and 4700 may adopt their own reconciliation process that otherwise complies with this policy.
3. The purchasing cardholder shall send the log, receipts, any related special expense or travel authorization forms, and the original statement to their designated support staff by the end of the billing month.

#### DI. ALL US BANK CARDS

- A. Supervisors shall review all card logs for compliance to this policy.
- B. Designated support staff will reconcile purchases with funding strings, ensure a supervisor approves the logs, and forward all required documents electronically to \*Patrol - pcards by the 5<sup>th</sup> of the month following the end of the billing cycle.

#### DII. DEPARTMENT PURCHASE ORDER

##### A. Expenditures

1. Purchasing below \$5,000:
  - a. Obtain a minimum of one price quote (contact a Targeted/Economically Challenged-TG/ED vendor when available/practical).
  - b. Price quotes can be obtained via telephone, fax, in writing, email, website, or at the transaction in a retail store.
  - c. Buyer must obtain a firm price prior to issuing an order.
  - d. Purchasing file must be documented and reviewed and approved by a certified buyer.
2. Purchasing between \$5,000 and \$10,000, purchasing at this level requires ALP Certification:
  - a. A minimum of two solicitations are required with a minimum of one solicitation to a TG/ED vendor if one is reasonably available.
  - b. Price quotes can be obtained via telephone, email, website, fax, or in writing.
  - c. The responses must be documented in SWIFT in the Response Documentation section.
  - d. The low bid response must be confirmed in writing.
  - e. The purchasing file must be documented.
3. Purchasing between \$10,000.01 and \$50,000, purchasing at this level requires ALP Certification at a \$25,000 to \$50,000 level:
  - a. A minimum of three solicitations are required with a minimum of one solicitation to a TG/ED vendor if one is available.
  - b. The solicitation must be processed in SWIFT using the SWIFT sourcing module
  - c. The solicitation must be advertised on Materials Management Division's website.
  - d. The purchasing file must be documented.

##### B. District/Section Commander Responsibilities

1. All associated packing slips must be forwarded to or kept by the originator of the corresponding PO. All sign-up sheets and/or invoices must be forwarded to Fleet Section for vehicle related purchases/repairs or to DPS Fiscal and Administrative Services for other purchases as soon as possible after receipt of the requested items.
2. The appropriate information must be entered into the SWIFT system in accordance with the procedures outlined in the ALP Manual.

**VII. CONFLICT OF INTEREST****A. General**

State Patrol management, supervisory staff and employees have a responsibility to take all actions necessary to prevent an employee involved in the acquisition of goods, services, and utilities from being put in a position where the individual employee might have a conflict of interest or the action may be perceived as being a conflict of interest by any outside entity.

**B. Guidelines**

The following situations are considered conflicts of interest and will not be allowed:

1. State Patrol purchasers and/or employees who can influence purchasing decisions cannot acquire goods or services from other Department of Public Safety employees or from a business that the purchaser or employee may have direct or indirect financial interests.
2. DPS employees or any businesses the employee may have direct or indirect financial interest in, shall not promote and sell goods or services to any division of DPS.
3. Employees of DPS shall not purchase goods or services (i.e., surplus items) directly from any division of DPS.

**C. Rewards**

1. State employees are prohibited from accepting a gift or reward from activities related to their official duties. This includes the personal use of "rewards cards" or similar rewards programs operated by business establishments used by State Patrol employees in the course of conducting state business. The use of these rewards cards or similar programs is not allowed.
2. "Rewards programs" would include those offered by gas stations that offer merchandise or gift cards upon reaching a certain point value based on purchases. Because state vehicle fueling is within the course of normal duties and is paid for by state funds, those rewards may not be accepted by an employee. This also applies to the acceptance of frequent flier miles and "rewards points" on credit card purchases where the expense is being reimbursed by the state.

**Approved:**

**SIGNED 2/1/2024**

**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> July 1, 1996	<b>Number:</b> 96-10-019
	<b>Subject:</b> <b>BAIL, REGISTRATION TAX AND PERMIT FEES</b>	
	<b>Reference:</b> General Order 20-001	
	<b>Special Instructions:</b> Rescinds R 83-10-019	<b>Distribution:</b> A,B,C,E

## I. PURPOSE

To establish rules which regulate the acceptance of money for payment of bail, registration taxes, permit fees, and other regulatory fees.

## II. COLLECTION OF BAIL, TAX, AND FEES PROHIBITED

Members of the State Patrol shall not, in any case, accept money as bail or bond, nor accept money for payment of registration tax. If they find it necessary to have such payments made, they should be made to some person outside of the State Patrol who has authority to accept money.

- A. The Chief may authorize acceptance of bail in special cases such as at fixed scale sites with concurrence of the court in that particular area. Other fees may be also collected only with the express authority of the Chief (such as permit fees and fuel tax).

<b>Approved:</b>  <b>Signed 07/01/1996</b>  _____ <b>Colonel Mike Chabries, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>  _____ <b>Signature</b>
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# GENERAL ORDER

	<b>Effective:</b> March 2, 2012	<b>Number:</b> 12-10-020
	<b>Subject:</b> NOTIFICATION OF MEMBER'S FAMILY OF TRAGIC INCIDENT	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds 96-10-020	<b>Distribution:</b> G

## I. PURPOSE

To develop a procedure for notifying a member's family or loved ones in the event of the member's death, serious injury, or other traumatic incident.

## II. PROCEDURE

- A. The District/Section Commander shall immediately be notified of any death or life threatening injury occurring to an on-duty member. The Commander, if not personally, shall designate the highest ranking on-duty member (Lieutenant, Station Sergeant, or Senior Trooper) not primarily involved in the handling or investigation of the incident, as the official in charge of the notification.
- B. Every effort must be made to personally notify the family before other sources, i.e., radio, television, friends, social media, etc. The notification shall be made by at least two persons. Members making notification should consider the wishes of the injured member, and should consider bringing a mental health professional, clergy, or other close friends to assist with the notification.
- C. Every effort must be made to use tact and express compassion, while providing factual information to answer immediate questions.
- D. The District/Section Commander, or designee, shall offer the immediate help and support of the Patrol, including peer counselors, and referrals to the statewide Employee Assistance Program.
- E. The District/Section Commander will assign a member to serve as the information liaison between the State Patrol and the grieving family. This member will be responsible for providing updates to the family and answering any questions they might have. Once identified, State Patrol command staff shall be notified of the designated liaison.

## III. EMERGENCY CONTACT INFORMATION FORM

- A. Immediate notification depends on having accurate and up-to-date emergency contact information. While members are under no obligation to provide any additional information beyond what is required for employment, members are encouraged to consider providing additional information should emergency notification be necessary.
- B. Members electing to provide additional information can do so via the Minnesota State Patrol's Emergency Contact Information form.
- C. District/Section Commanders shall retain any submitted forms in a confidential manner and shall have it accessible in the event of an emergency.

Approved:

SIGNED 3/2/2012

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Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> October 9, 2015	<b>Number:</b> 15-10-021
	<b>Subject:</b> ASSIGNED WORK AREAS	
	<b>Reference:</b> General Order 10-004	
	<b>Special Instructions:</b> Rescinds GO 96-10-021	<b>Distribution:</b> A,B,C,E

## I. PURPOSE

To establish assigned geographic work areas and a policy for response by Patrol members.

## II. WORK AREAS; DEFINED

- A. **Headquarters Staff:** Seven County Metro Area.
- B. **Majors:** As assigned by the Chief.
- C. **Captains:** Their assigned Districts/Sections.
- D. **Lieutenants:** Their assigned Districts/Sections.
- E. **Technical Sergeants:** As assigned by their District/Section Commander.
- F. **Station Troopers:** Their assigned Districts/Sections.
- G. **Pilots:** Seven County Metro Area and/or Districts as assigned by the Chief Pilot.
- H. **Commercial Vehicle Inspectors:** As assigned by their District/Section Commander.

## III. POLICY

- A. A member of the State Patrol, while on duty, shall not leave their assigned work area except:
  - 1. In pursuit of a violator,
  - 2. In an emergency, or
  - 3. As otherwise directed.
- B. A member of the State Patrol shall not, while in uniform or while operating state equipment, cross a state border unless:
  - 1. So instructed or they receive permission from their immediate supervisor, or
  - 2. The member is in pursuit of a felon, a suspected felon, or a driver whose continued operation would obviously jeopardize life.

Approved:

SIGNED 10/9/2015

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Colonel Matthew Langer, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> November 30, 2012	<b>Number:</b> 12-10-022
	<b>Subject:</b> VACATION, TRANSFER OF	
	<b>Reference:</b> Minn. Stat. sec. 43A.04, subd. 8, MSPTA Contract	
	<b>Special Instructions:</b> Rescinds GO 04-10-022	<b>Distribution:</b> A,B,C

## I. PURPOSE

To allow members of the Minnesota State Patrol Troopers Association (MSPTA) to donate an additional five (5) hours of vacation time to the president of the Association or his/her designee so they may fulfill the duties of the office.

## II. PROCEDURE

### A. Donor

1. Article III, Section 2, Paragraph 3, of the Troopers' By-Laws states: "In addition to regular dues, each member shall be assessed three (3) hours of vacation time per fiscal year to be placed into the Association time bank." Each member desiring to donate an additional five (5) hours vacation time shall submit a Request for Leave/Overtime (Form SF00011) in duplicate to their district/section commander stipulating the number of hours donated. The notation "to the MSPTA" shall be entered in the explanation area of the form.
2. The enrollment period shall begin on July 1 of each year and remain open throughout the fiscal year.
3. The maximum amount of vacation time each member may donate is eight (8) hours per fiscal year, including the three (3) hour mandatory assessment.

### B. District/Section Commander and Timekeeper

1. Upon receipt of the request form indicating transfer of vacation time, the district/section commander shall approve by signing both copies and forwarding them to the district timekeeper.
2. The timekeeper will complete the necessary entries in both the district timekeeping program and central payroll.
  - a. Both copies of the request form shall be marked noting pay period when donation was entered.
  - b. The original shall remain in the district/section file.
  - c. The copy shall be submitted to State Patrol Headquarters.

### C. Headquarters

Upon request, the payroll coordinator at MSP Headquarters shall provide the president of the Troopers Association an accounting of the hours donated and the balance of unassigned hours.

### D. Minnesota State Patrol Troopers Association

1. The president of the Association shall be responsible for assigning donated time to recipients. This shall be accomplished in written form directed to the Assistant Chief, and include the name of the recipient and the hours to be received.
2. The president of the Association or other person using donated vacation time shall indicate in the explanation section of the request form that the vacation time used was for MSPTA business and was from the Troopers Association donation bank.

**Approved:**

**SIGNED 11/30/2012**

**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> June 21, 2016	<b>Number:</b> 16-10-023
	<b>Subject:</b> TRAVEL STATUS, EXPENSE REIMBURSEMENT AND RELOCATION	
	<b>Reference:</b> GO 10-021 and Applicable Labor Contracts	
	<b>Special Instruction</b> Rescinds GO 13-10-023	<b>Distribution:</b> G

## I. PURPOSE

To establish uniform procedures for supervisory authorization and employee's reimbursement of incurred expenses while in travel status and employee relocation.

## II. DEFINITION

- A. Employee must be in travel status, as defined below, to be eligible for expense reimbursement:
1. Greater Minnesota Troopers  
Assigned to be away from home overnight (lodging), or required to travel/work 35 miles out of assigned district.
  2. Seven County Metro Troopers  
Assigned to be away from home overnight (lodging), or required to travel/work 35 miles out of assigned district and seven county area.
  3. Greater Minnesota Non-Sworn Employees  
Assigned to be away from home overnight (lodging), or required to travel/work 35 miles from assigned workstation.
  4. Seven County Metro Non-Sworn Employees  
Assigned to be away from home overnight (lodging), or required to travel/work 35 miles from assigned work station and out of the seven county area.

## III. PROCEDURE

The following procedures shall be followed in all instances by employees in travel status:

- A. In-state travel must be approved by the employee's district/section commander.
- B. Out-of-state travel requires the approval of the Chief, regardless of what transportation is used or what expenses, if any, are incurred. An "Authorization for Travel" Form (DPS 3060) shall be submitted to the District/Section Commander at least thirty (30) days prior to travel. The form shall then immediately be forwarded by chain of command to the Chief's executive assistant.
- C. Expense reimbursement shall be made upon submission of a SEMA4 Employee Expense Report. Each expense report shall be properly completed using the instructions on the reverse side of the form.
- D. The original expense report shall be signed and dated and submitted to the District/Section Commander for signature/approval. Copies will not be processed/accepted.
- E. Original receipts are required for all expenses, except for meals, and must be attached to the expense report. No fixed amounts are prescribed for lodging. The employee is responsible for using good judgment in incurring lodging costs. Charges shall be reasonable and consistent with available facilities.
- F. While no receipt is required for meals, claims for meal expense reimbursement while in travel status shall comply with the applicable labor contract.
- G. It is the responsibility of the district/section commander to determine that expense reports have been

inspected for completeness and accuracy before being forwarded to DPS Fiscal and Administrative Services (FAS) for processing.

- H. Expense reports shall be submitted to DPS FAS as soon as reasonably possible after the expense is incurred, but no later than 14 days. The employee shall retain a copy of the expense report for his/her own file.

#### **IV. EMPLOYEE RELOCATION**

Once an employee is approved to have relocation expenses reimbursed, he/she shall contact the Chief's executive assistant to receive the necessary information and forms. Guidelines for the relocation process will be consistent with the applicable labor contract and other state/DPS policies.

**Approved:**

**SIGNED 6/21/2016**

\_\_\_\_\_  
**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER



## AUTHORITIES OF COMMERCIAL VEHICLE INSPECTORS (CVIs)

Policy Number	25-10-024
Effective Date	5/29/2025
Last Review Date	5/29/2025
Distribution	B, F

Related Policies

N/A

### I. PURPOSE

To identify the statutory authorities and jurisdictions and establish rules for State Patrol Commercial Vehicle Inspectors (CVIs) and promote a safe environment on Minnesota roadways.

### II. STATUTORY AUTHORITY

Minn. Stat. sec. [299D.06](#) states that:

- A. Personnel must be classified employees assigned to the Division of the State Patrol if they are employed to enforce:
  1. Laws relating to motor vehicle equipment; school bus equipment; driver's licenses; motor vehicle registration; motor vehicle size and weight; motor carrier insurance, registration, and safety; motor vehicle petroleum taxes.
  2. Pollution Control Agency rules relating to motor vehicle noise abatement.
  3. Laws relating to directing the movement of vehicles.
  4. The North American uniform out-of-service criteria and issue out-of-service orders, as defined in the Code of Federal Regulations, [Title 49, part 383.5](#).
- B. Employees engaged in these duties, while actually on the job during their working hours only, shall have power to issue citations in lieu of arrest and continued detention, and prepare notices to appear in court for violations of these laws and rules, in the manner provided in section [169.91, subd. 3](#). "They shall not be armed... and shall have none of the other powers and privileges reserved to peace officers..."

### III. AUTHORITIES: COMMERCIAL VEHICLE INSPECTOR

- A. A CVI does not have statutory authority to initiate a stop of a driver or motor vehicle.
- B. While at an assigned work site/inspection site and during working hours only, CVIs are authorized to enforce the laws and issue citations (Uniform Traffic Ticket, Form 1821) in the manner provided in Minn. Stat. sec. [169.91](#) for violations relating to that listed in Sect. II. A (above).
- C. A CVI does not possess the authority for warrant service, incarceration, or custodial arrest.
  1. A custodial arrest should be accomplished by requesting a trooper to transport the arrestee to a place of detention. If no trooper is available, it is appropriate to request the aid of any other licensed peace officer. If help is not readily available and/or the person will not willingly await the arrival of a trooper or peace officer, the CVI shall immediately notify a radio communications operator of all pertinent information concerning the incident, including the person's vehicle description, destination, and direction of travel.
  2. A field report incidental to the occurrence shall be properly completed and filed.
- D. A CVI does not possess authority for enforcing laws relative to chemical tests for intoxication (e.g. Minn. Stat. secs. [169A.20](#) and [169A.51](#)). Chemical testing must be administered by a peace officer. A CVI is authorized to declare a driver out-of-service if the driver displays indicia of alcohol consumption or is in possession of or under the influence of a controlled substance. Additionally, field sobriety tests, including a preliminary breath test, may be administered upon obtaining the suspect's consent.
- E. CVIs have the authority to conduct inspections at approved mobile sites or locations, only if the vehicles being stopped for inspection are stopped by a licensed peace officer.
  1. When operating at these sites, the CVI shall utilize warning lights only for safety purposes, along with appropriate vehicle inspection signs posted, and approved safety vest/ jacket being worn.
  2. Because there is no statutory authority to do so, CVIs shall not attempt to stop a driver or vehicle (e.g. flagging, hand gestures, or otherwise) or pursue a vehicle which does not stop at any fixed scale or inspection/enforcement site. A licensed peace officer must initiate the stop of any vehicle.

- F. A CVI may require a driver of a vehicle which has been lawfully stopped to submit the vehicle and load to weighing by means of portable or stationary scales. Furthermore, a CVI may direct the vehicle to a fixed scale. If the vehicle operator refuses to comply, radio communications should be notified as described in paragraph D (3) above.
- G. A CVI may provide assistance to law enforcement personnel and the public as directed or needed, and shall be relieved of those responsibilities as soon as practicable. The assistance shall not exceed the scope of the CVI's authority.
- H. While performing their duties as assigned in this General Order, CVIs are covered under the Worker's Compensation Act.

**IV. USE OF FORCE**

- A. State statute does not authorize a CVI to be armed. No weapon of any kind shall be carried or concealed by a CVI. Weapons shall not be present in a CVI's state vehicle or within a work site.
- B. The use of physical force to any degree is prohibited except in self-defense or protection of another.

**V. NON-EMERGENCY VEHICLE OPERATIONS**

- A. When operating a state unit, a CVI shall always drive with due care and operate the vehicle in accordance with all state statutes.
- B. When on the scene of an incident or when conducting mobile inspections, the amber warning lights of the state unit shall be activated for safety purposes.
- C. The following procedures apply to a CVI when traveling into an adjoining state with a state unit:
  - 1. For the purpose of conducting a post-crash inspection, a CVI shall notify his/her regional or on-call lieutenant to obtain permission for the travel.
  - 2. For the purpose of conducting or receiving training or to conduct a presentation, a CVI must first have District 4700 submit an out-of-state travel request to Headquarters and receive approval.

**RELATED RESOURCE OR FORM**

RESOURCE	TITLE
Minn. Stat. sec 299D.06	Patrol Employees Who Are Not Troopers
Minn. Stat. sec. 169.85	Weighing; Penalty
Minn. Stat. sec. 169.771	Spot-Check of Motor Vehicle
Minn. Stat. sec. 169.91	Arrest
GO 25-006	Commercial Vehicle Enforcement and NAI Program

**APPROVAL**

NAME	Colonel Christina Bogojevic
TITLE	Chief, Minnesota State Patrol
DATE	May 29, 2025

## GENERAL ORDER

	<b>Effective:</b> June 28, 2022	<b>Number:</b> 22-10-025
	<b>Subject:</b> DATA PRACTICES – CLASSIFICATION AND DISSEMINATION	
	<b>Reference:</b> <a href="#">Minn. Stat. Chaps. 13 and 260B</a> ; <a href="#">Minn. Stat. § 13A.02 and 169.09, subd. 13</a>	
	<b>Special Instructions:</b> Rescinds General Order 19-10-025	<b>Distribution:</b> G

### I. PURPOSE

The purpose of this policy is to establish procedures and guidelines consistent with state and federal law regarding the gathering, creating, storing and disseminating data by the Minnesota State Patrol (MSP).

### II. POLICY

It is the policy of the MSP to comply with the obligations set forth in Chapter 13, the Minnesota Government Data Practices Act and other applicable laws regarding data collection/sharing and retention. All government data is considered public unless otherwise defined by the Minnesota Government Data Practices Act, statute, or federal law. MSP personnel may be disciplined and subject to civil and/or criminal penalties for violations of these laws.

### III. PERSONNEL DATA

Pursuant to [Minn. Stat. § 13.43](#), personnel data is considered private except for:

- Name, employee ID number (not to be confused with social security number), salary, pension, title, work location, work phone, education and employment dates, among other specifically enumerated items found in this provision.
- Internal Affairs investigations, district investigations and background checks constitute private data. Requests for this type of data shall be directed to the designated Major.
- Requests for other personnel data should be referred to the DPS Office of Human Resources and the designated Major.

### LAW ENFORCEMENT DATA

A. The following information created or collected by MSP is always public, **regardless of whether the case is active or inactive:**

1. Request for Service Data ([Minn. Stat. § 13.82, subd. 3](#)):
  - The nature of the request/activity complained of;
  - Name/address of individual making the request unless identity falls under Protected Identities (IV.B. below);
  - Time/date of the request or complaint; and
  - The response initiated and response/incident number.
2. Response or Incident Data ([Minn. Stat. § 13.82, subd. 6](#)) (including traffic accident data):
  - Date, time and place of responses;
  - Agencies involved;
  - Any vehicle pursuit;
  - Resistance encountered;
  - Any weapons use;
  - Brief factual reconstruction;
  - Names and addresses of witnesses/victims unless it would reveal identify of those listed as Protected Identities (IV.B. below);
  - Name of health care facility victims where transported to and their medical status;
  - Date of birth of those involved in a traffic accident;
  - Seat belt use;
  - Alcohol concentration of drivers (but not PBT result); and
  - Whether a portable recording system was used to document the response or actions.
3. Arrest Data ([Minn. Stat. § 13.82, subd. 2](#)):

- Time, date, place and whether resistance encountered/pursuit engaged;
- Whether weapons were used by agency or other individual;
- The charge, arrest or search warrants, or other legal basis for the action;
- Whether person is incarcerated and where;
- Name, age, address and sex of any adult released;
- See Section V (below) for juvenile suspect and arrest data;
- Whether a portable recording system or LPR was employed;
- The manner in which the agency received the information unless it would reveal the identity of those listed in (IV.B. below); and
- Response or incident report number.

B. The following are always considered non-public data and **shall not be released**:

1. Information identifying the following ([Minn. Stat. § 13.82, subds. 8, 9, 10, 11, 17](#)):
  - a. Vulnerable adults;
  - b. Child abuse victims;
  - c. Undercover law enforcement officers;
  - d. Victim of criminal sexual conduct or sex trafficking crime;
  - e. Mandatory reporters;
  - f. Informants;
  - g. Witnesses or victims who have requested not to be identified for safety reasons;
  - h. Juvenile witnesses if the agency determines the need for protecting their identity; and
  - i. Complainants of real property as described in [Minn. Stat. § 13.44, subd. 1](#).
2. Photos that clearly offend common sensibilities as determined by the Colonel or the Colonel's designee.
3. Separately classified data including unredacted accident reports, driver's license data, medical data, and/or medical examiner/autopsy reports.

## V. CRIMINAL INVESTIGATIVE DATA

- A. Active Criminal Investigative Data ([Minn. Stat. § 13.82, subd. 7](#)) is the non-public information that is collected to prepare a case against a person and is classified as confidential. To ensure the integrity of the investigation, this data may only be accessed by MSP personnel with a "right to know" and exchanged with other law enforcement agencies in furtherance of an investigation. In addition, active criminal investigative data may be shared with other persons/agencies/departments if access will "aid the law enforcement process, promote public safety, or dispel widespread rumor or unrest." ([Minn. Stat. § 13.82, subd. 15](#)). The District/Section Commander shall make this determination.
- B. Inactive Criminal Investigative Data ([Minn. Stat. § 13.82, subd. 7](#)) becomes inactive upon the occurrence of any of the following events:

1. A decision by the agency or appropriate prosecutorial authority not to pursue the case;
2. Expiration of the time to bring a charge or file a complaint under the applicable statute of limitations; or
3. Exhaustion of or expiration of all rights of appeal by a person convicted on the basis of the investigative data.

Inactive criminal investigative data is public unless specific data within is otherwise classified or would jeopardize another investigation (by any law enforcement agency) or is listed in IV.B. above. Data determined to be inactive under this section is reclassified as confidential if the agency or appropriate prosecutorial authority decides to reopen the investigation.

C. Miscellaneous.

1. Booking photos are public, but can be temporarily withheld during investigation. [Minn. Stat. § 13.82, subd. 26](#).
2. Audio recordings of 911 calls are private data. The transcripts are public, except for that data which identifies those listed in IV.B. (above). [Minn. Stat. § 13.82, subd. 4](#).
3. Medical data is generally private with limited exceptions. [Minn. Stat. § 13.384, subd. 3](#).
4. Requests for Medical Examiner data generally should be referred to the Medical Examiner. A coroner/autopsy report is non-public or private data. [Minn. Stat. § 13.83, subd. 4](#).
5. Investigative evidence presented in court shall be public. [Minn. Stat. § 13.82, subd. 7](#).

## VI. BODY-WORN CAMERAS (BWC)

- A. [Minn. Stat. § 13.825, subd. 1](#) defines a portable recording system as a device worn by a peace officer that is capable of both video and audio recording the officer's activities and interactions with others or collecting digital multimedia evidence as part of an investigation.
- B. Body-worn camera videos are classified as either private data on individuals or non-public if data subjects are not contained in the video.
- C. Body worn camera videos may be released to prosecuting authorities to aid in proper charging and any subsequent adjudication. [Minn. Stat. § 13.825, subd. 2\(3\)](#).
- D. A data subject may request access to the data, including data on other individuals who consent to its release. Data on other individuals who do not consent to its release must be redacted from the copy. [Minn. Stat. § 13.825, subd. 4](#).
- E. The MSP BWC Request form shall include a signed consent to release form by the data subject(s) that is either: 1) Notarized; or 2) The data subject's government issued identification card is presented in person at the location where the request is being made (i.e. district office, HQ).
- F. Any request for body-worn camera data shall be directed to the Data Practices Coordinator.

## VII. CRASH REPORTS

- A. [Minn. Stat. § 169.09, subd. 13](#) provides that crash reports are confidential except for limited use (such as: federal and state agencies for crash analysis; individuals involved or limited representatives; prosecutors in implied consent and traffic criminal offenses; or legal counsel or representatives of insurer, and are not discoverable in court or allowed as evidence. Disclosing information in a crash report, except as provided in [Minn. Stat. § 13.82, subd. 6](#) (response or incident data), is a misdemeanor.
- B. Any request for accident report copies should be directed to the Driver and Vehicle Services Division.
- C. All other data collected as part of a criminal investigation is classified under Section IV.
- D. See Section VI for juvenile data.
- E. If the requester is not involved in the accident, the requester may access only the public portion of the crash report as defined in Section IV considered "response or incident data."

## VIII. DATA ON JUVENILES

- A. Records on juvenile suspects and arrestees must be kept separate from other records. [Minn. Stat. § 260B.171, subd. 5](#).
- B. Parents of a minor are entitled to data pertaining to their child. It is assumed parents are entitled to access unless there is a state law or court order such as divorce, separation, etc., to the contrary. A minor may request that access be denied and [Minn. R. 1205.0500, subp. 3\(a\)](#) states that the agency must inform the minor that such a request can be made and must be in writing. The best interests of the child will be considered in granting/denying the request (as outlined in this rule).
- C. The name and date of birth of juvenile involved in a crash is public unless a juvenile was cited or could be cited for an offense. In that case, only the age and gender of the juvenile is public. [Minn. Stat. § 260B.171, subd. 5\(a\) and \(d\)](#).
- D. MSP shall make reasonable efforts to contact the parent or guardian when a juvenile is issued any traffic citation. [Minn. Stat. § 260B.225](#). A juvenile parent letter shall be completed in TraCS and sent to the named parent or guardian.
- E. The sharing of juvenile data with school districts is addressed in [Minn. Stat. § 13.32, subs. 3\(d\) and 8](#).
- F. Also see Section IV.B.

## IX. DRIVER'S LICENSE AND VEHICLE REGISTRATION DATA

- A. Driver's license and vehicle registration data are addressed in federal law ([18 U.S.C. 2721](#)) and state law ([Minn. Stat. § 171.12 and 168.346](#)). Such data shall only be used by a law enforcement agency to "carry out its functions."
- B. MSP functions are found under [Minn. Stat. § 299D.03](#) and include:
  - 1. Enforcing provisions of the law relating to protection and use of trunk highways;
  - 2. Serving warrants related to motor vehicle crimes;
  - 3. Exercising criminal jurisdiction on trunk highways;
  - 4. Making arrests for crimes committed in their presence;

5. Assisting and aiding any peace officer whose life or safety is in jeopardy; and
  6. Cooperating with other all sheriffs and other police officers anywhere in the state under instructions and rule of the commissioner of public safety.
- C. Any access of driver's license or registration information that does not serve a statutorily-stated MSP function is prohibited. Furthermore, under [Minn. Stat. § 171.12](#), the Commissioner must immediately and permanently revoke the authorization of any individual who willfully enters, updates, accesses, shares or disseminates this data in violation of state or federal law.
- D. Personal information on a driver's license (including DL numbers, picture, etc.) shall not be disclosed.

#### **X. SUMMARY DATA**

Summary data means statistical records and reports derived from existing data on individuals but in which individuals are not identifiable ([Minn. Stat. § 13.02 subd. 19 and 13.05 subd. 7](#)). All requests will be forwarded to the Public Information Officer Lieutenant at Headquarters.

- A. Upon approval, MSP will prepare summary data from private or confidential data. Within 10 days of the receipt of the request, the agency designee will inform the requesting party of the estimated cost to provide the summary data, or will provide a written statement describing a time schedule for the preparation including reasons for time delays, or will provide a written statement to the requesting party stating why the agency has determined that access would compromise the private, confidential or security data. The agency will charge the requesting party costs associated with the preparation of summary data. The agency will provide an estimate of the fee to the requesting party before preparing the summary and may require payment in advance of the preparation.
- B. The responsible authority shall prepare summary data in a reasonable period of time from private or confidential data on individuals upon the request of any person if the request is in writing and the cost of preparing the summary data including redaction is borne by the requesting person.

#### **XI. ACCESS TO FINANCIAL RECORDS BY GOVERNMENT AUTHORITIES**

- A. Pursuant to [Minn. Stat. § 13A.02](#), law enforcement access to financial records held by a financial institution is restricted and may only be released under the following circumstances:
1. The customer has authorized the disclosure;
  2. The financial records are disclosed in response to a search warrant;
  3. The financial records are disclosed in response to a judicial or administrative subpoena;
  4. The financial records are disclosed to law enforcement, a lead investigative agency as defined in [Minn. Stat. § 626.5572, subd. 13](#), or prosecuting authority that is investigating financial exploitation of a vulnerable adult in response to a judicial subpoena or administrative subpoena under [Minn. Stat. § 388.23](#); or
  5. The financial records are disclosed pursuant to [Minn. Stat. § 609.535](#) (Issuance of Dishonored Checks) or other statute or rule.
- B. Within 180 days after a government authority obtains access to the financial records of a customer pursuant to a search warrant or a judicial or administrative subpoena, it shall notify the customer of its action unless a delay of notice is obtained pursuant to [Minn. Stat. § 13A.03](#) (ex parte court order). The notice shall be sufficient to inform the customer of the name of the government authority or government authorities having had access to the records, the financial records to which access was obtained, and the purpose of the law enforcement inquiry. Notice may be given by providing the customer with a copy of the search warrant or subpoena.
- C. Financial records originally obtained under [Minn. Stat. § 13A.02](#) may be transferred to another government authority provided the transferred records are pertinent and necessary to the receiving authority in initiating, furthering, or completing a law enforcement inquiry. If the financial records are transferred to another government authority, the transferring authority shall include the name of the receiving authority and the financial records transferred in the notice as required above or, if the transfer occurs after the notice has been sent to the customer, the transferring authority shall, upon written request by the customer, inform the customer of the name of the government authority to which the financial records were transferred.
- D. All financial records obtained by a government authority pursuant to [Minn. Stat. § 13A.02](#) are subject to the provisions of [Minn. Stat. § 13.82, subd. 7](#).

#### **XII. MANAGING INFORMATION REQUESTS**

- A. The District/Section Commander is the designee for data management at their respective levels.
- B. Persons shall be permitted to inspect public government data without charge onsite, and if requested, shall be provided an explanation of the meaning of the data. Data inspection hours are 8:30 to 4:30 on normal

business days ([Minn. Stat. § 13.03, subd. 3](#)).

- C. All requests for copies/electronic transmission of data will be made in writing and answered as soon as possible, but no later than ten (10) days from receipt of request. Persons making a request for public data are not required to identify themselves. However, any private data that is dependent on identity requires proper identification.
- D. Prior to inspection or reproduction of any data, the requestor should fill out the [MSP General Data Request](#) form and/or the [MSP BWC Request](#) form. The agency designee must approve the request by determining that the data classification permits release before the data is provided.
- E. If the data classification prohibits release, the designee shall advise the requestor so and state the actual provision classifying the data. The advice shall be verbal at the time of the request. If disputed or requested, the reason and statute may be reduced to writing as soon as practicable.
- F. The classification of data maintained by the agency will change as required by judicial, statutory, or administrative rule action which supersedes prior classifications and department policy.
- G. Private data will not be disseminated unless the individual subject of the data has completed a signed [MSP General Data Request](#) form or presented proper identification. Body worn camera video will not be disseminated unless the individual subject of the data has provided a signed consent to release form which is contained in the [MSP BWC Request](#) form or presented proper identification. Rules set forth by the commissioner shall determine whether or not a data subject has given informed consent pursuant to [Minn. Stat. § 13.05 subd. 4\(d\)](#).
- H. MSP shall allow another governmental agency access to not public data only when authorized or required by statute or federal law. MSP may require the requesting agency to pay the actual cost of supplying the data. [Minn. Stat. § 13.05, subd. 9](#).
- I. Fees are authorized to recoup the cost of providing copies of data, but with certain restrictions:
  - 1. The agency cannot charge for separating public data from non-public data (redacting).
  - 2. Only one copy of each original document will be provided.
  - 3. For requests involving 100 black/white pages or less, a \$0.25 per sheet rate applies instead of the actual cost (no extra charge for search/retrieval/postage). [Minn. Stat. § 13.03, subd. 3\(c\)](#). Commercial users (those who request access to more than five incident reports a month in one location) may be charged a fee for that access not to exceed \$0.50 per report.
  - 4. For requests over 100 pages, actual costs for searching/retrieval/copying shall apply. If the person is the subject of the data, he or she is only charged for searching/retrieval. For these requests, the DPS Worksheet provided by DPS Fiscal and Administrative Services shall be used.
  - 5. Items such as Body Worn Camera videos, squad videos, audio statements, photographs and other digital mediums will be provided in a digital format (DVD/hyperlink) for a fee equal to the actual costs related to searching for and retrieving government data, including the cost of employee time, and for making, certifying, and electronically transmitting copies of data or the data. [Minn. Stat. § 13.03, subd. 3\(c\)](#).
  - 6. Payment is to be collected at the time copies are provided or prior to electronic transmittal. Checks/money orders shall be made payable to the Department of Public Safety. No cash shall be accepted.
- J. When data consists of several classifications, only the portion of the data eligible for release shall be released with the other portions redacted.
- K. When a request for information is received from the media, the Public Information Officer Lieutenant at Headquarters shall be notified.
- L. When a request for data relates to budget, expenditure or payroll records, the Public Information Officer Lieutenant at Headquarters shall be notified.
- M. Requests for department-wide data or any questions, complaints or problems concerning data practices shall be brought to the attention of the District/Section Commander and referred to the appropriate Major.

**Approved:**

**SIGNED 6/28/2022**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> July 1, 1996	<b>Number:</b> 96-10-026
	<b>Subject:</b> <b>CONDUCT—NON SWORN MEMBERS</b>	
	<b>Reference:</b> General Orders 10-003 and 10-027; CALEA 26 and 62	
	<b>Special Instructions:</b> Rescinds R 93-10-026	<b>Distribution:</b> G

## I. PURPOSE

To establish uniform rules of conduct for members of the State Patrol.

## II. CONDUCT

Members of the State Patrol shall conduct themselves in such manner, both on and off duty, that their behavior will not reflect adversely on the integrity of the organization. Members shall not conduct themselves in any manner which may be immoral, injurious to public welfare, or unbecoming of a member of the Minnesota State Patrol.

This conduct shall be further governed by the standards set forth herein:

- A. Members shall not knowingly violate any laws of the United States, any state, county, or municipality, or any state or departmental regulation.
- B. Members shall not convert to personal use, any equipment or services provided by the State for official use.
- C. Members shall not accept gifts or gratuities from individuals or concerns. In those instances where it is impractical or inappropriate to refuse a gift, it shall be turned over to the District/Section Commander for appropriate disposition.
- D. Members shall not consume any alcoholic beverage while in uniform or on assigned call duty status, nor shall they report for duty displaying any indications of alcohol consumption or with a measurable blood alcohol concentration (zero tolerance). **Note:** consumption of alcohol while on duty as a part of a scheduled training class requiring such consumption is authorized.
- E. Members shall not use their position to attempt to gain personal acclaim or special privileges which are not ordinarily granted to other individuals.
- F. Members shall not, while in uniform or during the performance of duty, solicit subscriptions, sell tickets, collect donations, circulate petitions, or engage in other similar activities without permission of the District/Section Commander.
- G. Members shall not furnish a testimonial or endorsement for any product or equipment used by the State Patrol, without written approval of the Chief.
- H. Members shall not testify before any federal, state, county or city governing body or committee regarding employment issues or the Minnesota State Patrol without permission from the chief, except in those cases where a subpoena is issued.
  1. Members shall inform the Chief in those instances where a subpoena is issued for the above.

- 2. Subpoenas issued to members to provide court testimony for criminal or civil proceedings shall be responded to punctually. The District/Section Commander shall be informed of all such subpoena response.
- I. Members of the State Patrol are not authorized to issue statements to the news media or others regarding the operational policies of the State Patrol without permission of the Chief.  

Members of the State Patrol may, upon inquiry from the news media, give the actual facts of an occurrence such as names, location, or injuries sustained in the case of accidents attended by the Patrol member. When possible, such information shall be withheld pending notification of the next of kin in fatal accidents.
- J. Members of the State Patrol, when involved in a misunderstanding or altercation with any person or group of persons which may affect the Patrol directly or indirectly, or when experiencing any difficulty, lack of cooperation or interference from another officer, sheriff, deputy, county attorney, judge, or other public official, shall immediately make a report of such incident in writing to the District/Section Commander.
- K. Members of the State Patrol shall not correspond with persons, companies, corporations, or any others regarding departmental business without permission from the Chief. When such correspondence is permitted, duplicate copies must be sent to the member's District/Section Office. The Commander will promptly forward the correspondence to the Chief.
- L. Members of the State Patrol shall not recommend or favor any place of business to persons contacted in the line of duty.
- M. Members shall not knowingly violate any legal restriction on the release or dissemination of information.
  - 1. Members shall not disclose any information that they know or reasonably should know is classified by the department as non-public information or is otherwise regarded by the department as confidential, unless required to by law to do so.
  - 2. Members shall not publicly disclose information relating to victims, witnesses or complainants that would tend to endanger or bring embarrassment or disrepute to such persons except as necessary in the performance of official duties or as required by law.

**III. PERFORMANCE OF DUTY**

Members of the State Patrol are expected to fulfill their obligations to the citizens of the State of Minnesota by performing their duties to the best of their ability. Members shall be courteous, fair, considerate, impartial and without prejudice or discrimination, but firm and resolute in their performance.

<b>Approved:</b>  <b>Signed 07/01/1996</b>  _____ <b>Colonel Mike Chabries, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>  _____ <b>Signature</b>
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# GENERAL ORDER



## FORCE; USE OF

Policy Number	10-027
Effective Date	8/28/2025
Last Review Date	8/28/2025
Distribution	A, B, C,

Related Policies: GOs 30-007; 30-018

Approved by: Colonel Christina Bogojevic

### I. PURPOSE

The purpose of this policy is to provide troopers with guidelines for the use of force and deadly force in accordance with the following Minnesota Statute sections: [609.06](#) (Authorized Use of Force); [609.065](#) (Justifiable Taking of Life); [609.066](#) (Authorized Use of Force by Peace Officers); [626.8452](#) (Deadly Force and

### II. GUIDING PRINCIPLES

Firearms Use; Policies and Instruction Required); [626.8475](#) (Duty to Intercede and Report).

- A. The use of force is only authorized when it is objectively reasonable and for a lawful purpose.
- B. The decision by troopers to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when troopers may be forced to make quick judgments about using such force.
- C. Every human life has inherent value (sanctity) and members shall treat people with respect and dignity and without prejudice.
- D. Every person has a right to be free from excessive use of force by law enforcement officers acting under the color of law.
- E. Troopers shall use deadly force only when necessary in defense of human life or to prevent great bodily harm.
- F. Troopers should exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the ability to understand or comply with commands.
- G. Troopers who use excessive or unauthorized force are subject to discipline, possible criminal prosecution, and/or civil liability.

### III. DEFINITIONS

**A. Levels of Resistance** are the amounts of force used by a subject to resist compliance with the lawful order or action of a trooper. These actions may include:

1. Non-Verbal and Verbal Non-Compliance

When a subject expresses his/her intentions not to comply with a trooper's directive through verbal and non-verbal means. Troopers may encounter statements ranging from pleading to physical threats. Such statements may also include physical gestures, stances, and subconscious mannerisms.

2. Passive Resistance

When a subject does not cooperate with a trooper's commands but does not take action to prevent being taken into custody. For example, a demonstrator who lies down on a roadway and must be carried away.

3. Active Resistance (defensive resistance)

When a subject makes physically evasive movements to interfere with a trooper's attempt to control that subject; including bracing, tensing, pulling away, actual or attempted flight, or pushing.

4. Active Aggression

Actions by a subject that are aggressive in nature with intent to injure or instill fear of injury or death to the member or another.

5. Deadly Force Assault

Any action which would cause a reasonable officer to believe it will result in death or great bodily harm to the member or another.

B. **Levels of Control** are the amounts of force used by troopers to gain control over a subject and include the following:

1. Verbal Commands

The use of advice, persuasion, warnings, and or clear directions prior to resorting to actual physical force. In an arrest situation, troopers shall, when reasonably feasible, give the arrestee simple directions with which the arrestee is encouraged to comply. Verbal commands are the most desirable method of dealing with an arrest situation.

2. Soft Hand Control

The use of physical strength and skill in defensive tactics to control arrestees who are reluctant to be taken into custody and offer some degree of physical resistance. Such techniques are not impact oriented and include pain compliance pressure points, takedowns, joint locks, and simply grabbing a subject. Touching or escort holds may be appropriate for use against levels of passive physical resistance.

3. Hard Hand Control (hard empty hand)

Impact oriented techniques that include knee strikes, elbow strikes, punches, and kicks. Control strikes are used to subdue a subject and may include strikes to pressure points such as: the common peroneal (side of the leg), radial nerve (top of the forearm), or brachial plexus origin (side of neck).

- Defensive strikes are used by troopers to protect themselves from attack and may include strikes to other areas of the body, including the abdomen or head. Techniques in this category include stunning or striking actions delivered to a subject's body with the hand, fist, forearm, legs, or feet. In extreme cases of self-defense, the trooper may need to strike more fragile areas of the body where the potential for injury is greater.

4. Contact Weapons

All objects and instruments used by troopers to apply force which includes striking another or defending a trooper or another from an active aggressive person. Contact weapons include, but are not limited to, MSP issued equipment such as the expandable baton, flashlight, and riot baton.

5. Deadly Force

All force actually used by trooper(s) against another which the trooper(s) know or reasonably should know, creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm in the direction of another person, or at a vehicle (including tires) in which another person is believed to be, constitutes deadly force. The use of a chokehold, as defined in this policy, constitutes deadly force.

C. **Exigent Circumstances**

Those circumstances that would cause a reasonable person to believe that a particular action is necessary to prevent physical harm to an individual, the destruction of relevant evidence, the escape of a suspect, or some other consequence improperly frustrating legitimate law enforcement efforts.

D. **Bodily Harm** means physical pain or injury.

E. **Chokehold**

A method by which a person applies sufficient pressure to a person to make breathing difficult or impossible and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Chokehold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries. Chokehold includes any type of neck restraint. Such actions are considered deadly force.

**F. Approved Weapon**

A device or instrument which troopers are authorized from the Minnesota State Patrol to carry and use in the discharge of their duties, and, for which the troopers have (1) obtained training in the technical, mechanical, and physical aspects of the device; and (2) has developed a knowledge and understanding of the law, rules, and regulations regarding the utilization of such weapons.

G. **OC Aerosol** is the Oleoresin Capsicum (OC) spray device classified as an inflammatory agent.

**H. Chemical Agents**

Devices containing Oleoresin Capsicum (OC) classified as an inflammatory agent and/or Chlorobenzylidene Malononitrile (CS) classified as an irritant agent.

**I. Distraction Device**

A device that produces a loud sound and/or light distraction, which creates a temporary physiological and/or psychological disorientation of an individual.

J. **Impact Munition** is a less lethal munition which functions by striking the intended target.

**K. De-Escalation**

Taking action or communicating verbally or non-verbally during a potential use of force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include, but is not limited to, the use of such techniques as command presence, warnings, verbal persuasion and tactical repositioning.

**L. Great Bodily Harm**

Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

**M. Less-Lethal Force**

All force actually used by troopers which does not have the purpose or likelihood of causing death or great bodily harm. This includes use of approved chemical agent, OC aerosol, impact munitions and distraction devices used to maintain civil order, prevent property damage, and protect life.

N. **Weapon** is any instrument used or designed to be used to apply force to the person of another.

**O. Objectively Reasonable**

In determining the necessity for force and the appropriate level of force, troopers shall evaluate each situation in light of the known circumstances, including, but not limited to, the seriousness of the crime, the level of threat or resistance presented, and the danger to the community. Although troopers have many options, he or she must exercise the application of force in a manner that is reasonable and necessary to arrest or detain a suspect. Many variables affect the level of force one can justify. These situations can be very fluid, dynamic, and unpredictable. Troopers must be ready to utilize force at any level.

## **IV. PROCEDURES**

**A. De-Escalation**

1. Troopers shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever reasonably possible and appropriate before resorting to force. The goal of de-escalation is to reduce and/or eliminate the need for force.
2. Whenever possible and when such delay will not compromise the safety of the trooper(s) or another and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, troopers shall allow an individual time and opportunity to submit to verbal commands before force is used.

**B. Use of Non-Deadly Force**

1. When de-escalation techniques are deemed not effective or appropriate, it shall be the policy of the Minnesota State Patrol, unless expressly negated elsewhere, to allow troopers to exercise discretion in the use of agency-approved, non-deadly force techniques and approved equipment to the extent permitted by Minn. Stat. §609.06:

- a. In effecting a lawful arrest; or
  - b. In the execution of legal process; or
  - c. In enforcing an order of the court; or
  - d. In executing any other duty imposed on the trooper by law, including when bringing an unlawful situation he/she is tasked with handling safely and effectively under control
  - e. In defense of self or another
2. In determining the degree of non-deadly force which is reasonable under the circumstances, troopers shall consider:
- a. The severity of the crime at issue;
  - b. Whether the suspect poses an immediate threat to the safety of trooper(s) or others; and
  - c. Whether the suspect is actively resisting arrest or attempting to evade arrest by flight.

C. Use of Deadly Force

It shall be the policy of the Minnesota State Patrol, unless expressly negated elsewhere, to allow troopers to exercise discretion in the use of deadly force to the extent permitted by Minn. Stat. §609.066, subd. 2, which authorizes peace officers acting in the line of duty to use deadly force only if an objectively reasonable officer would believe, based on the totality of circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary:

1. To protect the peace officer or another from death or great bodily harm, provided that the threat:
  - a. can be articulated with specificity;
  - b. is reasonably likely to occur absent action by the law enforcement officer; and
  - c. must be addressed through the use of deadly force without unreasonable delay; or
2. To effect the arrest or capture, or prevent the escape, of a person whom the trooper knows or has reasonable grounds to believe has committed or attempted to commit a felony and the trooper reasonably believes that the person will cause death or great bodily harm to another person under the threat criteria in IV.C.(1)a.-c. (above), unless immediately apprehended.
3. Where reasonably feasible, troopers shall identify themselves as a law enforcement officer and warn of his or her intent to use deadly force.
4. In cases where deadly force is authorized, less-than-lethal measures must be considered first by troopers.

## V. RULES GOVERNING USE OF FORCE AND WEAPONS

A. Use of Force

1. Troopers should, when practicable, announce their intention to use only that type and degree of force that is reasonably necessary under the circumstances. This provision shall not be construed to authorize or endorse the use of discourteous, abusive, or unprofessional language.
2. Troopers shall only use the type and degree of force that is objectively reasonable to bring an incident under control. Use of physical force should be discontinued when resistance ceases or when the incident is under control.
3. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent escape or imminent bodily harm or when noncompliant physically (including passive physical resistance such as refusing to stand, etc.). In these situations, only the amount of force necessary to control the situation shall be used.

B. Weapons – General

1. Troopers shall carry and use only Minnesota State Patrol approved weapons, unless circumstances exist which pose an imminent threat to the safety of the trooper(s) or the public requiring the immediate use of an improvised weapon to counter such a threat. This provision shall not be construed as authorizing troopers to use a non-approved weapon where, under the circumstances, it would be reasonably feasible to procure approval for use of the particular weapon prior to its use.
2. Troopers must be trained in the proper use of issued weapons prior to use.
3. On-duty members may carry a concealed utility knife (clip may be visible); however, the use of knives as weapons is not authorized except in those situations where deadly force may be used.

4. Troopers shall not modify, alter, or cause to be altered a Minnesota State Patrol approved weapon in His/her possession or control unless permission is granted according to General Order [30-007](#). The issued expandable baton, riot baton, OC aerosol device, 40 mm launcher, and Taser device are the only less lethal weapons authorized to be carried in a State Patrol unit and carried by troopers.
  - a. All issued less lethal chemical or impact munition equipment shall be carried in the member's patrol unit so that it is readily available.
  - b. If a Taser is carried, troopers must also carry either the baton or the OC aerosol device on their duty belt. Troopers exempted from carrying a Taser device must carry the baton on their duty belt.
5. Taser devices may only be carried and utilized in compliance with General Order [30-018](#).

C. Weapons – Contact Weapons

1. Contact weapons shall be used only where hard and soft empty hand control options have failed to bring the subject/situation under control or where it reasonably appears that such methods would be ineffective if attempted. Contact weapons may be used only in the following manner:
  - a. to defend trooper(s) from an actively aggressive suspect; or
  - b. to strike an actively aggressive suspect for the purpose of rendering that person temporarily incapacitated in order to bring the situation under control; or
  - c. to restrain persons; or
2. In appropriate crowd control situations the MSP-issued riot baton can be utilized to direct and control the movement of people or persons, or as a barricade. Troopers engaging another person with a contact weapon should attempt to strike, if possible, bodily areas likely to result only in incapacity. These areas include the arms, legs, torso, thighs, and calves.
3. If worn, the issued expandable baton is to be worn on the gun belt in the issued baton carrier.
4. The issued riot baton is to be used only when necessary for crowd control situations and shall be readily available along with other mobile field force equipment when responding to crowd control situations.
5. Intentionally striking the head or neck with any contact weapon is only justified in the use of deadly force.

D. Less Lethal Devices

1. OC Aerosol use is considered less-lethal force. Only approved Minnesota State Patrol-issued OC aerosol are authorized.
  - a. Hand-held OC Aerosol
    - i. Troopers shall exercise due care to ensure, as much as practicable, that only intended persons are sprayed or otherwise subject to the application of chemical agents and that the chemical agents are applied consistent with training. When feasible and tactically appropriate a verbal warning and/or dispersal order should be issued prior to the use.
    - ii. The OC aerosol device (MK2) must be in the possession of all uniformed troopers and may be carried on the person.
  - b. High volume OC delivery system, such as MK9, are designed for and may be used in civil disturbances against individuals and/or groups of individuals engaged in unlawful acts or endangering public safety and security.
2. Chemical Agents, Distraction Devices, Impact Munitions or the use of any combination thereof is considered less-lethal force. Only approved Minnesota State Patrol issued devices are authorized.
  - a. Troopers are only authorized to use these devices after receiving agency training within the last three years. The training consists of a written exam and practical proficiency qualification.
  - b. Devices must be non-expired and agency issued.
  - c. Troopers are authorized to deploy the devices in accordance with their training and manufacture specifications.

- d. When reasonably feasible and tactically appropriate, a verbal warning and/or dispersal order should be issued prior to the use.
  - e. In the event force is needed to move and/or disperse an assembly/crowd, troopers shall use the minimum amount of force reasonable determined as necessary to accomplish this goal.
  - f. Absent exigent circumstances, a supervisor must authorize less lethal force for purpose of moving and/ or dispersing a crowd and they must be used in a manner consistent with this provision.
  - g. An on-scene supervisor must authorize the deployment of impact munitions and these munitions must only be used against a specific individual engaging in conduct that poses an immediate threat to loss of life or bodily injury to themselves, officers or the general public; OR is creating an imminent risk to the lives safety of others through the destruction or property.
  - h. Except in exigent circumstances, impact munitions may never be fired indiscriminately into a crowd or group of person even if some members of the crowd or group are disruptive.
  - i. Troopers shall never intentionally aim or purposefully discharge impact munitions at a person's neck or head area/ armpits/spine/kidneys/groin unless deadly force is justified.
3. Any individual taken into custody who was exposed to OC Aerosol, Chemical Agents, Distraction Devices, Impact Munitions or any combination thereof the trooper should be aware of and utilize the following procedures:
    - a. A person exposed to chemical agents and/or OC aerosol should be moved to the recovery position as soon as possible after being handcuffed and restrained and the areas affected thoroughly flushed with water as soon as practicable.
    - b. If the chemical agent and/or OC aerosol has struck the subject's clothing and the subject is to be held in custody, the subject must be permitted to shower and change clothes.
    - c. Medical attention should be offered to those in custody who have been exposed to less lethal devices.
  4. Less-lethal devices shall not be used on any person for the purpose of punishment.
  5. A Taser may never be used to move/disperse a crowd.

#### E. Firearms

1. Firearms may be readied for use in situations where it is reasonably anticipated that they may be required.
2. The carry and use of firearms is covered in General Orders [30-005](#) and [30-007](#).
3. The use of a firearm is deadly force. If reasonably feasible and tactically appropriate, troopers should give a verbal warning before using or attempting to use deadly force. Warning shots are not authorized. Any use of deadly force other than authorized above, is unlawful.

#### F. Restraints

The following types of restraints shall not be used unless use of deadly force is authorized and other less than lethal measures were already considered:

1. Chokeholds (Neck restraints)
2. Securing all of a person's limbs together behind the person's back to render the person immobile.
3. Securing a person in any way that results in transporting the person face down in a vehicle.

### VI. MEDICAL TREATMENT

After any use of force situation, the subject of the force shall be asked about and inspected for injuries as soon as practicable. Medical attention must be offered by members consistent with their training to any individual who has visible injuries, complains of being injured, or requests medical attention. This may include providing first aid, requesting emergency medical services, and/or arranging for transportation to an emergency medical facility. If a person is offered and then refuses treatment, this refusal should be documented whenever possible.

### VII. DUTY TO INTERCEDE AND REPORT

- A. Any trooper(s) observing another peace officer using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, safely intercede to prevent the use of such excessive force.
- B. Troopers shall prepare reports for such incidents as required in section VIII. Troopers who

observe unreasonable force must notify a supervisor as soon as practicable and in all cases must report the observation in writing to the Chief within 24 hours of the incident.

- C. Retaliation against any member who intervenes against excessive use of force, reports misconduct, or cooperates in an internal investigation is prohibited.

## VIII. REPORTING REQUIREMENTS

- A. In all instances in which a trooper(s) uses force, the trooper(s) shall prepare a TraCS Use of Force Report in a manner consistent with his/her training in addition to all other reports concerning the incident, including a Field Report. All reports shall be validated and submitted for review and approval.
- B. Any trooper(s) who witnesses the use of force shall prepare a Field Report.

## IX. TRAINING

- A. Required members shall receive training, at least annually, on the agency's Use of Force policy and related legal updates.
- B. In addition, training shall be provided on a regular and periodic basis and designed to:
1. Provide techniques for the use of and reinforce the importance of de-escalation.
  2. Provide scenario-based training, including simulating actual shooting situations and conditions; and
  3. Enhance Member's discretion/judgment in using non-deadly and deadly force in accordance with this policy.
- C. The Chief, or designee, will maintain records of the agency's compliance with use of force training requirements.

## X. REVIEW

- A. District/Section Commander
1. Review, evaluate, and when appropriate, investigate all incidents involving the use of force with all troopers involved. Indicate on the Use of Force Report whether the trooper's actions complied with department policy.
  2. Submit the Use of Force Tracking Report to Headquarters once the reports are accepted in TraCS and no later than 14 days of the occurrence. Exemptions to the 14-day requirement must be approved by the Regional Major.
- B. Regional Major
1. Review and evaluate Use of Force Reports in TraCS for compliance with policy.
  2. The Training and Development Section shall review approved Use of Force Reports in TraCS.
  3. Ensure that the BCA is notified of information required to be documented in the National Use-of-Force Report database through the BCA Supplemental Reporting System, including the following:
    - The death of a person due to law enforcement use of force;
    - The serious bodily injury of a person due to law enforcement use of force;
    - The discharge of a firearm by law enforcement at or in the direction of a person that did not otherwise result in death or serious bodily injury.
  4. Ensure that the BCA is notified through the BCA Supplemental Reporting System within 30 days of the firearms discharge of information required to be documented in the Minnesota Firearms Discharge Report database, including:
    - When a peace officer discharges a firearm in the course of the duty, pursuant to Minnesota Statutes 626.553, subdivision 2. This does not include discharges for training purposes, nor the killing of an animal that is sick, injured, or dangerous;
    - Firearm accidental discharge (e.g. gun cleaning)
  5. By the 5<sup>th</sup> of each month, if there are no incidents to report to the BCA that meets the criteria of X. B. 3 and 4 above, this information must be reported to the BCA in the Supplemental Reporting System as "No incidents to report."
- C. Training and Development Section
1. Conduct a yearly review of agency use of force incidents, in aggregate. Examine and report on the following:
    - a. date and time of incidents;
    - b. types of encounters resulting in use of force;

- c. trends or patterns resulting in injury to any person including employees; and
- d. impact of findings on policies, practices, equipment, and training.

Present the report with Command Staff for review and learnings.

D. Command Staff

1. Conduct a yearly review of agency use of force incidents, in aggregate. Examine and report on the following:
  - a. date and time of incidents;
  - b. types of encounters resulting in use of force;
  - c. trends or patterns related to race, age and gender of subjects involved;
  - d. trends or patterns resulting in injury to any person including employees; and
  - e. impact of findings on policies, practices, equipment, and training.

# GENERAL ORDER

	<b>Effective:</b> December 14, 2012	<b>Number:</b> 12-10-028
	<b>Subject:</b> TORT CLAIMS, CRIMINAL OR CIVIL ACTIONS	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds GO 03-10-028	<b>Distribution:</b> G

## I. PURPOSE

To establish uniform rules of procedure to follow in event a State Patrol employee witnesses or is notified of an incident or accident which could result in the Minnesota State Patrol (MSP), State of Minnesota, its agencies, or the employee becoming a participant in a criminal or civil action or a tort claim.

## II. SCOPE

The "State of Minnesota" is not immune from civil/criminal actions or tort claims. For that reason, employees must follow specific guidelines in the event they are notified or become aware of a criminal/civil action or tort claim being brought against the employee, the State of Minnesota, or the MSP.

## III. PROCEDURE

### A. Criminal or Civil Actions

1. A criminal action is defined as conduct prohibited by statute for which the participant may be sentenced to imprisonment and/or a fine.
2. A civil action is defined as a suit for damages between individuals, firms, corporations, etc., heard before a court having jurisdiction.
3. Any employee of the MSP who learns they are/may become a defendant in any criminal or civil action shall, in writing, without delay, notify their district/section commander of the matter.

### B. Tort Claims

1. A State tort claim is defined as any request made for the state to pay compensation based on injury, loss of property, personal injury or death caused by an act or omission of an employee acting or having acted on behalf of the State of Minnesota, under circumstances where the state, if a private person, would be liable to the claimant.
2. If an employee of the MSP is involved in or witnesses an event that could reasonably result in a tort claim, a proactive approach shall be taken to thoroughly document the event. Any employee who learns they are the subject of, witnesses, or is notified of an incident or accident which is/could result in a tort claim filed against the State of Minnesota shall, without delay, notify their district/section commander of the matter and share any documents received in the matter.
3. The district/section commander shall immediately notify the MSP Risk Manager of the potential tort claim. The Risk Manager shall review the matter, and if appropriate, will notify the appropriate contact person at the Minnesota Attorney General's Office.

### C. Subpoenas

1. Any employee who receives a subpoena in any matter involving the employee's work for the agency will immediately notify the district/section commander. If the subpoena requests specific information, a determination shall be made whether the information being sought is public, private or confidential data.

## IV. OFFERING ADVICE OR ASSISTANCE

- A. No employee of the MSP shall assist, offer advice, or make casual comments that could result in initiation of a lawsuit or encourage any person to file a claim or suit against the MSP, State of Minnesota, or any of

its agencies. Employees of the MSP shall report the facts accurately, but in all instances shall refrain from providing opinions, criticizing our department or others.

- B. If a person requests information regarding filing a claim against the State, they should only be offered the advice to contact the specific department involved.
- C. If an employee is contacted by an attorney representing a party bringing any legal action against the agency or State of Minnesota, the employee will immediately notify his/her district/section commander and obtain approval from the Risk Manager before providing any statement or interview. (Example: MnDOT plow involved in a crash resulting in injury/death).

**Approved:**

**SIGNED 12/14/2012**

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**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> November 12, 2002	<b>Number:</b> 02-10-029
	<b>Subject:</b> <b>CONDUCT—SWORN MEMBERS</b>	
	<b>Reference:</b> M.S. <a href="#">299D</a> , POST Model Policy, General Orders 10-003, 10-026, 10-027, 10-057, CALEA 26. The Minnesota Board of Peace Officer Standards and Training mandates this General Order and the contents. Addendum 1	
	<b>Special Instructions:</b>	<b>Distribution:</b> A,B,C

## I. PURPOSE

This General Order establishes rules of conduct and defines conduct unbecoming a peace officer. This policy supplements the ethical standards contained in the Law Enforcement Code of Ethics, a copy of which has been attached as Addendum 1 for your reference.

## II. POLICY

The effectiveness of the State Patrol in serving the State depends largely upon the respect and confidence in which the Department and its individual members are held by the citizens of Minnesota. Conduct, which detracts from this trust and confidence, is detrimental to the public interest and is prohibited. It is the policy of the State Patrol to investigate circumstances or information suggesting a member has engaged in unbecoming conduct, and to impose appropriate disciplinary action when such conduct has been sustained.

## III. SCOPE

This policy applies to all sworn members of the State Patrol engaged in official duties, whether within or outside of the territorial jurisdiction of the State Patrol. Unless otherwise noted, this policy also applies to off duty conduct as well. Conduct not mentioned under a specific rule, but which violates a general principle, is prohibited.

## IV. CONDUCT

- A. Sworn members of the State Patrol shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority. Sworn members of the State Patrol conduct their duties pursuant to a grant of limited authority from the citizens of Minnesota. Therefore, sworn members must understand the laws defining the scope of their enforcement powers. Sworn members may only act in accordance with the powers granted them.
1. Sworn members shall not knowingly exceed their authority in the enforcement of the law.
  2. Sworn members shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants and preservation of evidence.
  3. Sworn members shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

4. Sworn members, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction in which the member is present, except where permitted in the performance of duty under proper authority.
- B. Sworn members of the State Patrol shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system. Public cooperation with the State Patrol is a product of its trust that members will act honestly and with impartiality. The State Patrol member, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.
1. Sworn members shall carry out their duties with integrity, fairness and impartiality.
  2. Sworn members shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under the law.
  3. Sworn members shall truthfully, completely and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.
  4. Sworn members shall record information on all reports, citations and forms truthfully, completely and impartially.
  5. Sworn members shall take no action knowing it will violate the constitutional rights of any person.
  6. Sworn members must obey lawful orders, but must refuse to obey any orders the member knows would require the member to commit an illegal act. If in doubt as to the clarity of an order, the member shall, if feasible, request the issuing officer to clarify the order. A member refusing to obey an order shall be required to justify their actions.
  7. Sworn members learning of conduct or observing conduct, which is in violation of any law or policy of this department, shall take necessary action and report the incident to the member's immediate supervisor, who shall forward the information to the Chief of the State Patrol. If the member's immediate supervisor commits the misconduct, the member shall report the incident to the immediate supervisor's supervisor.
  8. Sworn members of the State Patrol, when involved in an altercation or misunderstanding with any person or group of persons which may affect the Patrol directly or indirectly, or when experiencing any difficulty, lack of cooperation or interference from another officer, sheriff, deputy, county attorney, judge, or other public official, shall immediately make a report of such incident in writing to the District/Section Commander.
- C. Sworn members of the State Patrol shall perform their duties and apply the law impartially and without prejudice or discrimination. The State Patrol's effectiveness requires public trust and confidence. All members of the public must have faith in the fairness and impartiality of the State Patrol. Sworn members must refrain from fostering disharmony in the public based upon diversity and perform their duties without regard to race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.
1. Sworn members shall provide every person in our society with professional, effective and efficient law enforcement services.
  2. Sworn members shall not express, whether by act, omission or statement, prejudice concerning race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.
  3. Sworn members shall not allow their law enforcement decisions to be influenced by race, color, creed, religion, national origin, sex, marital status, status with regard to public assistance, disability, sexual orientation or age.
- D. Sworn members of the State Patrol shall not, whether on or off duty, exhibit any conduct which discredits themselves or the department or otherwise impairs their ability or that of other officers or their department to provide law enforcement services to the public. A peace officer's ability to perform their duties is dependent upon the respect and confidence the public has for the officer and law enforcement officers in

general. Sworn members of the State Patrol must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.

1. Sworn members shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in IV (D) 3.

**Note:** Consumption of alcohol while on duty as part of a scheduled training class requiring such consumption is authorized.

2. Sworn members shall not consume alcoholic beverages while on assigned call duty status, nor shall they report for duty displaying any indications of alcohol consumption or with a measurable blood alcohol concentration (zero tolerance).
3. Sworn members shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed. When medications are prescribed, the member shall inquire of the prescribing physician whether the medication will impair the member in the performance of the member's duties. The member shall immediately notify the member's supervisor if a prescribed medication is likely to impair the member's performance during the member's next scheduled shift.
4. Sworn members, while on duty, shall not commit any act which, as defined under Minnesota law, constitutes sexual harassment, including but not limited to, making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.
5. Sworn members, while off duty, shall not engage in any conduct which the member knows, or reasonably should know, constitutes an unwelcome sexual advance or request for sexual favor, or unwelcome sexually motivated physical contact or other unwelcome verbal or physical conduct or communication of a sexual nature.
6. Sworn members shall not commit any acts that, as defined under Minnesota law, constitute sexual assault or indecent exposure. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.
7. Sworn members shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the member from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the member from the petitioner's home or workplace.
8. Sworn members shall not, in the course of performing their duties, engage in any sexual contact or conduct constituting lewd behavior, including but not limited to, showering or receiving a massage in the nude, exposing themselves or otherwise making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the department.
9. Sworn members shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the member or department. This does not prohibit those associations that are necessary to the performance of official duties, or where such associations are unavoidable because of the member's personal or family relationships.

- E. Sworn members of the State Patrol shall treat all members of the public courteously and with respect. Peace officers are the most visible form of government. Therefore, sworn members must make a positive impression when interacting with the public and each other.

1. Sworn members shall exercise reasonable courtesy in their dealings with the public, fellow officers, superiors and subordinates.
2. No sworn member shall ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person to do anything reasonably calculated to incite a person into violence.
3. Sworn members shall promptly advise any citizen of the department's complaint procedure, and shall follow the established departmental policy for processing complaints.

- F. Sworn members of the State Patrol shall not compromise their integrity, nor that of their department or profession, by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments, or by using their status as a member of the State Patrol for personal, commercial, or political gain.

For the public to have faith in the State Patrol, sworn members must avoid conduct that does or could cast doubt upon the impartiality of the individual member or the department.

1. Sworn members shall not use their official position, identification cards or badges: (1) for personal or financial gain, for themselves or another person; (2) for obtaining privileges not otherwise available to them except in the performance of duty; and (3) for avoiding consequences of unlawful or prohibited actions.
2. Sworn members shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the Chief of the State Patrol.
3. Sworn members shall refuse favors or gratuities, which could be reasonably interpreted as capable of influencing official acts or judgments. In those instances where this system cannot be followed, the situation shall be brought to the attention of the District/Section Commander for appropriate disposition.
4. Unless required for the performance of official duties, sworn members shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment.
5. Sworn members shall:
  - a. not authorize the use of their names, photographs or titles in a manner that identifies the member as an employee of the State Patrol in connection with advertisements for any product, commodity or commercial enterprise;
  - b. maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;
  - c. not make endorsements of political candidates, while on duty, or while wearing the department's official uniform.

**Note:** This section does not prohibit sworn members from expressing their views on existing, proposed or pending criminal justice legislation in their official capacity.

This section does not prevent sworn members from engaging in the free expression of political speech in their capacities as private citizens, or the rights of police fraternal or labor organizations to endorse political candidates or express views on political issues or other matters of public concern.

- G. Sworn members of the State Patrol shall not compromise their integrity, or that of their department or profession, by taking or attempting to influence actions when a conflict of interest exists. For the public to maintain its faith in the integrity and impartiality of peace officers and their departments, sworn members must avoid taking or influencing official actions where the member's actions would or could conflict with the member's appropriate responsibilities.
1. Sworn members shall, unless required by law or policy, refrain from becoming involved in official matters, or influencing actions of other peace officers in official matters, impacting the member's immediate family, relatives, or persons with whom the member has or has had a significant personal relationship.
  2. Sworn members shall, unless required by law or policy, refrain from acting or influencing official actions of other peace officers in official matters impacting persons with whom the member has or has had a business or employment relationship.
  3. Sworn members shall not use the authority of their position as peace officers, or information available to them due to their status as peace officers, for any purpose of personal gain including, but not limited

to, initiating or furthering personal and/or intimate interactions of any kind with persons with whom the member has had contact while on duty.

4. Sworn members shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the member's ability to impartially perform the member's official duties.
5. Sworn members shall not convert to personal use, any equipment or services provided by the State for official use.

**H.** Sworn members of the State Patrol shall observe the confidentiality of information available to them due to their status as peace officers. Sworn members are entrusted with vast amounts of private and personal information, or access thereto. Members must maintain the confidentiality of such information to protect the privacy of the subjects of the information, and maintain public faith in the member's and department's commitment to preserving such confidences.

1. Sworn members shall not knowingly violate any legal restriction for the release or dissemination of information.
2. Sworn members shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.
3. Sworn members shall not divulge the identity of persons giving confidential information except as required by law or department policy.

## **I. APPLICATION**

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with Minnesota Statute [626.89](#), Peace Officer Discipline Procedures Act and the Department of Public Safety, State Patrol's, Citizens' Complaints and Internal Investigations policy (General Order 10-006).

## **J. PERFORMANCE OF DUTY**

Sworn members of the State Patrol are expected to fulfill their obligations to the citizens of the State of Minnesota by performing their duties to the best of their ability. Sworn members shall be courteous, fair, considerate, impartial and without prejudice or discrimination, but firm and resolute in their performance.

<b>Approved:</b>  <b>Signed 11/12/2002</b>  _____ <b>Colonel Anne L. Beers, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>  _____ <b>Signature</b>
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# MINNESOTA STATE PATROL

Addendum 1

Number: 02-10-029

## LAW ENFORCEMENT CODE OF ETHICS

AS A LAW ENFORCEMENT OFFICER, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all people to liberty, equality and justice.

I WILL keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both my personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I WILL never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I RECOGNIZE the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement.

# GENERAL ORDER

	<b>Effective:</b> September 17, 2019	<b>Number:</b> 19-10-030
	<b>Subject:</b> PUBLIC OFFICE AND POLITICAL ACTIVITY, CANDIDACY FOR	
	<b>Reference:</b> Work Agreements, Minn. Stat. Sec. <a href="#">43A.32</a> ; MMB Policy 1401 and DPS Policy 4066	
	<b>Special Instructions:</b> Rescinds GO 18-10-030	<b>Distribution:</b> G

## I. PURPOSE

To provide uniform guidelines for members of the State Patrol who desire to compete for elective public office. In addition to this policy, all members shall comply with MMB Policy 1401 (Political Activity and Voting Leave) and DPS Policy 4066 (Political Activities of Employees).

## II. CANDIDACY FOR FULL-TIME ELECTIVE OFFICE

- A. State Patrol members who desire to run for any elective public office shall notify the Chief of the State Patrol in writing prior to officially filing for public office or becoming a candidate. In addition to the written request, the employee shall complete the State of Minnesota Political Activity of State Employees MMB form located in MMB Policy 1401 or at: [https://mn.gov/mmb/assets/polactivity\\_tcm1059-360540.pdf](https://mn.gov/mmb/assets/polactivity_tcm1059-360540.pdf).
1. "Candidate" is an individual who seeks nomination or election to any statewide or legislative office for which reporting is not required under federal laws.
  2. "Candidate" shall include, but not be limited to, an individual who seeks nomination or election to the Supreme Court, district court, county court, probate court, county municipal court, or county sheriffs of the state.
  3. An individual shall be deemed to seek nomination or election if they have taken the action necessary under the law of the State of Minnesota to qualify for nomination or election or seeks and/or accepts a partisan endorsement.
  4. Members, upon request, may be granted a leave of absence upon becoming a candidate or during the course of candidacy.
- B. State Patrol members shall take a leave of absence upon assuming any public office covered by this General Order or, if elected to state legislative office, during the times that the legislature is in session.

## III. CANDIDACY FOR PART-TIME ELECTIVE OFFICE

- A. State Patrol personnel may, with the permission of the Chief, seek and hold part-time elective positions such as town board, city council, county board, mayor, or school board without taking a leave of absence.
- B. Members seeking election to such offices or contemplating appointment to such offices shall first submit through proper channels complete information to the Chief for review, including a completed State of Minnesota Political Activity of State Employees MMB form located in MMB Policy 1401 or at: [https://mn.gov/mmb/assets/polactivity\\_tcm1059-360540.pdf](https://mn.gov/mmb/assets/polactivity_tcm1059-360540.pdf).
- C. The information shall include the title and location of office, and estimated number of hours per month required to fulfill the duties of the office.
- D. The State Patrol uniform and any other equipment shall not be worn or used when discharging the duties of the elected office.

## IV. POLITICAL ACTIVITY

No member of the State Patrol shall engage in any political campaign while on a duty status. Any involvement in political campaigns shall not extend beyond that of exercising the privilege of individual citizenship.

Approved:

SIGNED 9/17/2019

\_\_\_\_\_  
Colonel Matthew Langer, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> January 29, 2015	<b>Number:</b> 15-10-032
	<b>Subject:</b> PERSONNEL FILES AND RECORDS	
	<b>Reference:</b> Work Agreements; General Orders 10-006 and 10-025	
	<b>Special Instructions:</b> Rescinds GO 13-10-032	<b>Distribution:</b> G

## I. PURPOSE

To prescribe a uniform system for maintenance and retention of personnel files and records.

## II. DEFINITIONS

- A. Official Human Resources Personnel File
1. This file contains only factual information and is maintained in the Department of Public Safety's Human Resources (HR) Division and is considered the only "official" employee file. Contents can be subpoenaed for lawsuits and EEOC complaints. Listed are the types of documents which are appropriate for retention in an employee's personnel file:
    - a. Change of name and/or address
    - b. Discipline letters and reports
    - c. DPS policy sign-off page
    - d. Employment application
    - e. Employment offer letter
    - f. Performance evaluations
    - g. Position descriptions
    - h. Service awards
    - i. Transaction requests
    - j. Official letters of commendationExamples:
    - i. Commendations from the Governor's Office, Commissioner's Office, Office of the Attorney General, or any federal law enforcement agencies.
    - ii. Official, internal commendations from the Chief of the Minnesota State Patrol, recognizing exceptional performance, outstanding or extraordinary acts (i.e. acts of heroism).
  2. Every district/section supervisor is responsible for ensuring that all relevant documents held at the district/section level are included in this file.
  3. Documents that have not been shared with the employee and the supervisor do not belong in this file.
- B. I-9 File: Contains I-9 forms (employment eligibility forms) required by the Department of Homeland Security to document eligibility of employee to work in the United States. I-9's are kept in a separate file in the HR office.
- C. Labor Relations File: Kept in Labor Manager's office and contain:
1. Reports of coaching/counseling sessions
  2. Progressive discipline documents
  3. Settlement agreements
  4. Grievances
- D. Medical File: This information is confidential and is retained in a separate and secure file located in HR's Designated Division Insurance Representative's office. Contains medical information about an employee such as:
1. Diagnostic records
  2. Drug screening records
  3. Emergency contact information
  4. Lab test records

5. Medical leave records
6. Physician's records of examination
- E. Background Investigation File: Located at the Training and Development Section (TDS) office and contains original background investigation data and worksheets to include:
  1. Arrest records
  2. Credit history
  3. Criminal conviction history
  4. Reference checks
- F. Safety/Worker's Compensation Files: Located in the Department of Public Safety's Safety Administrator's office and contains all documents related to Worker's Compensation cases including:
  1. Disability status reports
  2. First reports of Injury
  3. Worker's compensation case records
- G. Supervisory Files
  1. These are working files kept by supervisors on an individual employee to track work progress, conduct and performance-related information. This is a confidential file kept in a secure manner near the employee's immediate supervisor. This file is not considered part of the official personnel file kept at HR. Some of these documents may duplicate or augment records in an employee's official HR file. If any of the information in a supervisor's file is used as a basis for timely personnel action, it must be placed in the employee's official personnel file.
  2. This file may include the following documents:
    - a. Attendance records (requests for time off, leave slips, documentation of denied leave, etc.)
    - b. Position Description (PD) – a signed PD (original to HR) with any comments or revision notes;
    - c. Copy of any performance evaluation (original to HR) and any related note
    - d. Letters of expectations/supervisory conference letters (work clarification)
    - e. Commendations or letters of recognition (see III.C for examples)
    - f. Elective training, continuing education certificates, and/or records of coursework that have been accomplished to enhance employee's career
    - g. Letters of discipline
    - h. Oral reprimands (document details/date, etc. – not needed at HR)
    - i. Copies of all other disciplinary actions (originals to HR)
    - j. Work assignments (any specific work requirements/restrictions not documented elsewhere)
    - k. Pertinent correspondence
    - l. Miscellaneous documents needed to accomplish the annual performance evaluation
  3. Medical or FMLA information or pre-employment background information SHALL NOT be in this file.
  4. When an employee transfers, this file shall be transferred to the employee's new supervisor.
  5. Supervisors should retain the file for one year following the employee's separation date.
- H. Training and Development Section (TDS) Files: These are electronic and manual files maintained by the Continuing Education Coordinator at the TDS. These files contain proof of continuing education credit for Troopers as well as non-sworn professional training records. (See GO 50-003.)
- I. Case Management Files: relating to discipline cases handled by the Assistant Chief; located at Headquarters.

### III. PROCEDURE

The following procedure will be followed for the maintenance and retention of all personnel records for all State Patrol personnel:

- A. Each supervisor within the agency is responsible for maintaining his/her own supervisory files. Supervisory files shall be reviewed annually in conjunction with an employee's performance evaluation, and supervisors shall ensure that documents are separated by year within a file so that a previous year's information is not used for any future evaluation and any required official HR file documents are sent to HR. Supervisory files should be transferred in the event there is a change in the employee's supervisor

- B. The present policy on retention of all reports and records will remain in effect. Prior to disclosure of an individual personnel file, the district/section commander shall review the particular file to verify compliance with all retention procedures.
- C. Letters of appreciation or commendation shall remain a part of the district's record in the supervisory file until returned to the employee. Letters of appreciation received from individuals not associated with a civic group or other organization or association shall be removed every two years. The original copies of letters of commendation that are removed from the files shall be returned to the individual employee.  
Examples of items to include in supervisory files:
  - 1. Additional letters of recognition for exemplary employee performance noted, in addition to what is reflected in a performance appraisal.
  - 2. Letters from the public expressing gratitude for services performed in the line of duty.
  - 3. Employee contacts/statistical data such as DWI arrests, seat belt citations, or speed enforcement.
  - 4. Copies of training certificates, documentation of continuing education credits. Employees should be encouraged to maintain these in a home file as well.
- D. All documents (except for supervisor's personal notes) removed from the supervisory files by the district/section commander shall be returned to the employee.

#### **IV. ACCESS TO OFFICIAL PERSONNEL FILES**

- A. Employee
  - 1. Each employee or designated representative of the employee is entitled to review the entire contents of his/her personnel file. HR policy is to provide to each employee, upon request, a copy of the entire contents of his/her personnel file once (without cost) during an employee's career.
  - 2. No employee is allowed to remove any item appropriately stored in any personnel file.
  - 3. It is the responsibility of the employee to request the removal of any discipline documentation in accordance with the applicable employee agreement.
- B. Supervisors  
Personnel records may only be accessed by an employee's supervisor in the course of performing his/her official duties. Any supervisor in the "chain of command" may review an employee's file without a release of information (ROI).
- C. Outside Sources
  - 1. Public Requests
    - a. The public is entitled to obtain information in official personnel files that is not deemed private or confidential by law.
    - b. The MSP Public Information Officer may review trooper's files without a ROI in preparation of a public/media release.
  - 2. Employment background requests: Upon receiving a ROI (not more than one year old) signed by the employee, HR will allow the viewing of a personnel file by a perspective employer by appointment.
  - 3. Internal Affairs (IA) will be provided copies as requested after providing a ROI form signed by the director of IA.
  - 4. Employee union representative may review files after providing a signed ROI from the employee.
- D. Obtaining Copies of Files
  - 1. Copies may be obtained with a current ROI (may use electronic devices) and in accordance with Minn. Stat. secs. 13.03-04.
  - 2. Employees or their union representatives are eligible to receive copies as permitted in the applicable labor agreement.

#### IV. HIPAA AND HEALTH INFORMATION

HIPAA (Health Insurance Portability and Accountability Act) restricts the distribution and retention of all employees' protected health information. As stated above, employee's medical records are only retained at HR.

##### A. Employees' Responsibilities

1. Employees who are in possession or receive any records/documents that originated from a medical practitioner or facility must immediately submit this data to HR for retention.
2. Affected employees shall submit his/her medical documents directly to HR at Fax number 651-297-7334 or scan/email to the HR mailbox: [Patrol.Medical\\_WC\\_FMLA@state.mn.us](mailto:Patrol.Medical_WC_FMLA@state.mn.us). The employee's full name and date of injury must be included on all items submitted to HR in the HR mailbox.
3. In addition, affected employees shall notify a district supervisor that medical documents have been submitted to HR which contain information related to their work status.
4. Employees shall not share medical information without the explicit permission from the affected employee. Employees shall not distribute any specific medical information in any format, including verbally. Medical information regarding former employees shall only be presented in very general terms and preferably with the permission of the former employee.

##### B. Supervisor's Responsibilities

1. Although supervisors shall not maintain health information relating to the details of an injury or illness, they may still maintain timelines and status for supervisory tasks such as scheduling, payroll and evaluations. **First Reports of Injury** do not originate from a medical professional and can be maintained in the employee's working file. A **Return to Work**, whether supervisory mandated or employee controlled, which does not contain medical information can stay in the district with a copy sent to the HR mailbox. (Example: "Employee A is cleared to return to work on \_\_\_\_\_.") If medical information is contained, it must be forwarded immediately to HR.
2. A supervisor may rely on an affected employee's verbal information if a submission to HR cannot be immediately verified (such as a workability form), but the information should be verified as soon as possible.

Upon receipt of medical documentation, HR will determine the distribution of any restrictions or changes in an employee's workability status and distribute to the appropriate supervisor for follow up. This includes any documents/statements from a medical practitioner, medical releases, medical restrictions, report of workability, documents pertaining to workers compensation or FMLA. The information they forward will only contain data that is necessary to make employment decisions. HR understands the importance of forwarding this information to the appropriate MSP personnel in a timely manner.

Approved:  
SIGNED 1/29/2015

\_\_\_\_\_  
Colonel Matthew Langer, Chief  
Minnesota State Patrol

**Informed Consent**  
**Authorizing the Release of Information**

I \_\_\_\_\_ am providing my informed consent to \_\_\_\_\_, permitting you, to release and make available to \_\_\_\_\_, or its agents all information you have about me. The information covered by this authorization includes all data, regardless of form or how it was obtained, which in any way relates to my dealings with you. I also authorize the release of copies of documents containing such information.

This includes, but is not limited to, information pertaining to my employment and work performance, discipline, credit history, education, personal history, criminal history (obtained by means of computer or by submission of fingerprints), Predatory Offender Registration, driving record, photograph of myself (or photograph from my driver's license), background investigations, and internal affairs investigations, related to me and is known to you or is in your possession. I also permit the Department of Public Safety to verify with the Minnesota Department of Revenue my tax filing and payment status.

I hereby release you, your organization, its agents or representatives from any liability for any damage which may result from furnishing the information requested above.

This authorization shall be valid for a period of one year (from date signed), but I reserve the right to cancel the written authorization at any time prior to that expiration, by providing written notice the Minnesota Department of Public Safety.

Applicant's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name of Applicant: \_\_\_\_\_

# GENERAL ORDER



<b>Effective:</b>	March 15, 2013	<b>Number:</b>	13-10-033
<b>Subject:</b>	<b>TECHNICAL SERGEANT SELECTION</b>		
<b>Reference:</b>	MLEA Work Agreement		
<b>Special Instructions:</b>	Rescinds GO 97-10-033	<b>Distribution:</b>	A,B,C

## I. PURPOSE

To ensure that all eligible State Patrol Troopers are considered in the selection process for technical sergeant positions and to establish a procedure for evaluating the qualifications of State Patrol Troopers being considered for the position.

## II. PROCEDURE

- A. The Chief of the Minnesota State Patrol will authorize a district/section commander to fill a new or existing technical sergeant position.
- B. The district/section commander will prepare an updated position description for the position to be filled.
- C. The district/section commander will prepare and submit a draft announcement memo to the Chief's executive assistant advertising the position. This memo must contain the following:
  1. A description of the duties of the position.
  2. The minimum qualifications required for eligibility.
  3. The procedure for Troopers to become a candidate for the position.
  4. The residency requirements of the position.
  5. A statement explaining which Troopers are eligible for the position. Troopers may express an interest in those technical sergeants positions that occur within their assigned district or in District 2000 and District 4700. (For example, a 2400 Trooper would not be eligible for the 2500 district investigator position, but any Trooper would be eligible for any District 2000 or 4700 position.)
- D. Headquarters staff will ensure that all eligible Troopers are notified of the position announcement memorandum per the MLEA Contract.
- E. The district commander shall recommend selection board members to the appropriate major for approval. The selection board shall consist of supervisors who are familiar with the duties of the position being filled, and will interview all Troopers who have indicated a desire to be considered for the position.
- F. The selection board shall evaluate all candidates by considering the following:
  1. an oral interview
  2. resume review
  3. annual performance evaluations
  4. written or other practical product reviews
  5. other criteria the appropriate major deems necessary
- G. The selection board shall establish a ranked list of qualified eligible Troopers for the position and shall forward such list to the Chief of the State Patrol, who will make the final decision regarding the selection for the position. The selection board's ranked list for a specific position shall expire six (6) months from the date it is submitted to the Chief.

## III. RESIDENCY REQUIREMENTS

Troopers accepting technical sergeant positions will be required to comply with the residency requirements described in the memo advertising the open position.

Approved:

SIGNED 3/15/2013

Colonel Kevin P. Daly, Chief  
Minnesota State Patrol



# GENERAL ORDER

## RESIDENCE REQUIREMENTS AND CRITERIA

Policy Number: 10-035

Effective Date: 2.24.2026

Date of Last Review: 2.23.2026

Distribution: C

Approved by: Colonel Christina Bogojevic

### I. PURPOSE

To establish uniform guidelines and criteria for the residence requirements of Minnesota State Patrol troopers and supervisors.

### II. DEFINITIONS

#### A. Assigned Station

1. Troopers assigned regular patrol duties  
Their designated station.
2. Public information troopers and district investigators  
As designated by the vacancy memo.
3. District or section supervisors  
Their district or section headquarters. With the approval of the Chief, the district or section commander shall designate the residence criteria for field lieutenants.
4. Troopers and supervisors with special duty or staff assignments in the metro area  
As designated by the vacancy memo.
5. Troopers and supervisors with special duty and staff assignments outside the metro area  
As designated by the vacancy memo.
6. Troopers and supervisors assigned to the Flight Section  
Within a 20-mile radius of the airport office to which they have been assigned.

#### B. Duty Time

The time spent working on or relative to the state trunk highway system within a patrol station (or at a work site if a special or staff duty is involved).

#### C. Mile(s)

Mile(s) is defined as statute miles, with a unit length of 5,280 feet or 1,760 yards. [This](#)

[website](#) can assist with mileage calculations.

D. Permanent Residence

That place, pursuant to this General Order, which has been selected by members for their permanent mailing address, cellular and/or landline telephone service, and a fixed location for the parking of the State Patrol unit, along with a fixed place of habitation for the member during that portion of the work week the member is scheduled for duty, call duty, or stand-by-duty.

E. Supervisors

For the purpose of this General Order, supervisor is limited to sworn personnel who serve as supervisors.

F. Temporary Residence

That place, pursuant to this General Order, which has been selected by members for temporary habitation during those days the member is scheduled for duty, call duty, or stand-by duty.

### III. **RULE**

The following rules are for establishing and maintaining a residence by State Patrol troopers and State Patrol supervisors.

- A. New members, during their probationary period, shall establish a temporary residence within their assigned station or within ten miles of the station but within the district to which they have been assigned for permanent duty. They shall live in and occupy such living quarters during that portion of the work week they are scheduled for patrol duty, call duty, or stand-by duty.
- B. Within 120 days of a transfer or permanent assignment, members must establish residence either within their assigned station or within ten miles of that station, provided the residence is located within their assigned district.
  - 1. Personnel assigned to metropolitan-area freeway stations may reside up to ten miles outside their assigned district boundary.
    - a. Troopers assigned to Station 4550 are authorized a fifteen-mile residency radius within District 2500. If the radius extends beyond the district boundary, it is limited to ten miles.
    - b. Troopers assigned to Station 4460 are authorized a fifteen-mile residency radius within District 2400. If the radius extends beyond the district boundary, it is limited to ten miles.

### IV. **RESIDENCE CRITERIA**

Whenever in this General Order it is required that members establish their residence in a district, station, or specified area, it means that the member shall comply with each of the following conditions within the time limits stated:

- A. Such residence shall be situated within the boundaries of the assigned district and station or within the mileage in section II.B. where applicable.

- B. The member will be accountable for and agree to the following criteria for each permanent assignment:
  - 1. The residence shall have reliable cellular and/or landline telephone service.
  - 2. The residence shall be accessible by improved roadway from the state trunk highway system.
  - 3. In no event may such place of residence be situated outside the State of Minnesota.

**V. AUTHORITY TO DESIGNATE PLACE OF RESIDENCE**

- A. The chief may administratively determine the place of residence of supervisory personnel having district and statewide responsibilities.
- B. It has been and shall be the policy of the State Patrol that the member shall establish a residence that meets station and district residency requirements. Some conditions of employment for State Patrol troopers, and the reasons for this requirement, are as follows:
  - 1. Troopers are employed with the understanding that they may be called in times of emergency, disaster, or whenever the health or safety of the public is endangered.
  - 2. Troopers whose residence meets assigned state and district residency requirements would usually be available for emergency call-outs 24 hours a day.
  - 3. Response time to any emergency, regardless of duty time or paid on-call status, would be held to a minimum by:
    - a. ensuring Troopers live and work in or near their assigned patrol station, and
    - b. providing a state unit to employees to minimize response time in those assigned patrol stations.
- C. In cases where a hardship is imposed by the requirements, the member may make a request to the chief. The chief may authorize a deviation as long as the residence authorized meets the conditions of IV, B.
- D. District or section commanders may request a temporary variance from the above residency criteria if the involved member agrees to domicile the State Patrol unit at a safe location, designated by the district or section commander, within the member's assigned work station and shall travel to and from the State Patrol unit location in the member's personal vehicle on the member's own time.
  - 1. District or section commanders must submit a memo to the chief outlining the reason, duration, and justification for the variance, and receive approval from the chief prior to enacting any temporary variance.
  - 2. District or section commanders must keep the justification memos and agreements in a permanent file for future reference.

**VI. REPORTING CHANGE OF ADDRESS/TELEPHONE**

- A. Members of the State Patrol shall secure approval from their district or section commander for residency changes prior to entering into a purchase or lease/rental agreement. District or section commanders are responsible for ensuring compliance with the requirements above, and shall note approval for residency changes in the member's district supervisory file.

- B. After the pre-approved residency change is affected, members of the State Patrol shall report, in writing, the change in residence and/or telephone number, even if temporary, within 24 hours after such change. Such report shall be written to the district or section commander.
- C. Members of the State Patrol are required to provide a viable telephone number to the State Patrol.
- D. Members of the State Patrol are required to make appropriate changes to self-service time entry, to ensure current information is entered.

**VII. EXCEPTIONS**

Any exceptions to the provisions of this rule shall be at the specific direction of the chief of the State Patrol.

# GENERAL ORDER

	<b>Effective:</b> November 9, 2012	<b>Number:</b> 12-10-037
	<b>Subject:</b> WORK SCHEDULES, OFF-DUTY HOLIDAY	
	<b>Reference:</b> MLEA Contract	
	<b>Special Instructions:</b> Rescinds GO 00-10-037, Memo 03S-022	<b>Distribution:</b> A,B,C

## I. PURPOSE

To provide a systematic procedure for developing Trooper work schedules and to clarify off-duty holiday pay.

## II. PROCEDURE

Development and posting of Trooper work schedules will be governed by the needs of the State Patrol and in accordance with MLEA contract.

## III. SCHEDULE REQUIREMENTS

- A. Summer work schedules will commence with the first FLSA period on or after April 15<sup>th</sup> each year.
- B. Winter work schedules will commence with the first FLSA period on or after October 15<sup>th</sup> each year.
- C. All proposed work schedules will be completed by the Station Sergeant and submitted to the District Commander. District Commanders will:
  1. Review the schedule and, if required, modify to comply with district requirements and guidelines.
  2. Post the approved schedule in the district office and, if available, online, prior to 21 days before the effective date.
  3. A copy of each such schedule will be forwarded to the Regional Major.
- D. All schedules will include a drop shift schedule pursuant to MLEA contract.
  1. Drop shift schedules will cover work assignments when circumstances arise that result in a void in the posted schedule.
  2. Circumstances that necessitate usage of the drop shift concept are, but not limited to, the following: vacation, sick leave, emergencies (e.g., riots, natural disasters, leave of absence, etc.).

## IV. OFF-DUTY HOLIDAY, VARYING SHIFT LENGTHS

For Troopers who are not normally scheduled Monday through Friday and who are to be off-duty on a paid holiday:

MLEA contract provides for holiday compensation in cash for a "normal day's pay." When a Trooper works a schedule with varying shift lengths, "normal day's pay" shall be determined by the shift length for the majority of shifts in the applicable pay period. For example: a Trooper who works four 10-hour shifts and five 8-hour shifts in the holiday pay period would receive 8 hours of pay on the off-duty holiday. A Trooper working five 10-hour shifts and three 8-hour shifts would receive 10 hours of pay for the off-duty holiday.

**Approved:**

SIGNED 11/9/2012

\_\_\_\_\_  
Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> January 6, 2012	<b>Number:</b> 12-10-038
	<b>Subject:</b> LIMITED DUTY STATUS	
	<b>Reference:</b> General Orders 10-010 and 10-011	
	<b>Special Instructions:</b> Rescinds 96-10-038	<b>Distribution:</b> A,B,C

## I. PURPOSE

To establish a uniform policy to be used in determining when State Patrol troopers will be permitted to serve in a limited duty status. Limited duty status is not authorized in those cases where a medical determination has been made that the employee has a permanent disability which prevents the employee of performing all of the duties of a State Patrol Trooper.

It is the intent of the Minnesota State Patrol that any Trooper who sustains a temporary disability be allowed to remain on or return to duty in a limited-duty status. Limited-duty assignments are authorized so that Troopers who have sustained disabilities may be afforded the opportunity to remain in a work status.

## II. LIMITED DUTY

Limited duty is normally a different duty assignment that is given to a Trooper who is temporarily unable to perform all of the duties of a State Patrol Trooper. All duties performed by a Trooper who is in a limited-duty status must be approved by a medical doctor.

Accommodation of an employee in a limited-duty assignment is contingent upon the circumstances in each case and whether or not there is appropriate limited-duty work available within a reasonable distance from the employee's normal work assignment. Limited duty assignments will not exceed six (6) months without the specific approval of the Chief State Patrol Trooper.

## III. PROCEDURE

### A. Duties for Limited-Duty Employees

The District/Section Commander will be responsible for developing specific duties and responsibilities that may be assigned to persons who are in a limited duty status.

### B. Trooper Contacts

The District/Section Commander will be responsible for contacting any Trooper assigned to their command who is off-duty for an extended period of time due to a temporary disability. The Trooper is to be advised of the possibility of returning to duty in a limited duty status, and that such return to duty is contingent upon whether or not there is specific duties that the Trooper can perform and whether or not the Trooper can obtain a medical statement authorizing them to perform those duties.

### C. Medical Statement

The Trooper is responsible for obtaining a statement from a medical doctor stating that the Trooper is authorized to return to limited duty. Such statement must spell out what duties that the Trooper can perform. The Trooper must deliver or cause to be delivered the medical statement to their District/Section Commander.

### D. Limited-Duty Authorization

The District/Section commander, upon receipt of the medical statement, shall prepare an order authorizing the Trooper to return to duty and the order shall specify the limitations that apply. A copy of the limited- duty authorization will be forwarded to the Chief of the State Patrol.

## IV. LIMITATIONS

### A. Work-Related Illnesses or Injuries

The following shall apply when the employee has sustained a work-related disability (work-related disabilities are those where the employee is eligible to receive Worker's Compensation.):

1. All travel time between the Trooper's residence and the limited duty work location will be considered non-duty time and will not be subject to compensation.
2. Without the express authorization of the Chief, Troopers will not be allowed to wear the uniform or drive a marked patrol car during the period of illness/ injury. District/Section Commanders are to provide an unmarked (administrative) patrol unit for use by the Trooper, whenever possible.
3. Troopers who are in a limited-duty status are not authorized to take any enforcement action without specific authorization from their District/Section Commander.

### B. Non-Work Related Illnesses or Injuries

1. All travel time between the Trooper's residence and the limited duty work location will be considered non-duty time and will not be subject to compensation. No state owned transportation will be provided. Exceptions may be authorized by the Chief of the State Patrol.
2. The Trooper will be responsible for all meal, lodging, and transportation costs incurred during the period of limited-duty. Exceptions may be authorized by the Chief of the State Patrol in special instances, such as: In-service training, court appearances, etc. All such approval must be obtained in advance of the day when the expenses are incurred.
3. Troopers in a limited duty assignment are not authorized to wear a uniform or operate a marked State Patrol unit during the period of illness/injury.
4. Troopers in a limited duty assignment are not authorized to take any enforcement action during the period of illness/injury without specific authorization from their District/Section Commander.

## V. RETURN TO FULL DUTY

Upon a Trooper's request to return to full duty status, the Trooper shall provide a physician's authorization stating that the Trooper is able to perform all of the duties listed in GO 10-058.

Approved:

SIGNED 1/6/2012

Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> March 24, 2015	<b>Number:</b> 15-10-039
	<b>Subject:</b> Exposure Control Plan	
	<b>Reference:</b> 29 CFR 1910.1030, General Order 30-024 (Personal Protection Equipment)	
	<b>Special Instructions:</b> Rescinds General Order 10-10-1039	<b>Distribution:</b> A,B,C, F, N

## I. POLICY

It is the policy of the Minnesota State Patrol to establish uniform guidelines and procedures that will limit occupational exposure to blood and other potentially infectious materials since any exposure could result in the transmission of bloodborne pathogens, which could lead to disease or death.

## II. DEFINITIONS

### A. Blood

Human blood, human blood components, and products made from human blood.

### B. Other Potentially Infectious Materials (OPIM)

The following human body fluids are to be considered potentially infectious: semen, vaginal secretions, cerebrospinal fluid, synovial (joints) fluid, peritoneal (abdominal) fluid, amniotic (pregnancy) fluid, saliva in dental procedures, any body fluid that is visibly contaminated with blood, and all body fluids in situations where it is difficult or impossible to differentiate between body fluids. They also include any unfixed tissue or organ other than intact skin from a human (living or dead).

### C. Bloodborne Pathogens

Pathogenic microorganisms present in human blood and body fluids that can cause disease in humans. These pathogens include, but are not limited to, Hepatitis B virus (HBV), Hepatitis C, Human Immunodeficiency Virus (HIV), malaria, syphilis, and tuberculosis.

### D. Personal Protective Equipment (PPE) and Supplies

Specialized clothing or equipment worn by an employee for protection against a hazard. Examples are medical gloves, CPR pocket mask with one way valve, and eye protection.

### E. Contaminated

The presence or reasonably anticipated presence of blood or other potentially infectious human body fluids on an item or surface.

### F. Decontamination

The use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on surface the items to the point where they are no longer capable of transmitting infectious particles, and the surface or item is rendered safe for handling, use or disposal.

### G. Parenteral

Piercing mucous membranes or the skin barriers through events such as needle sticks, human bites, cuts, and abrasions.

#### **H. Universal Precautions**

An approach to infection control where all human blood and all body fluids are treated as if known to be infectious for HIV, HBV, and other bloodborne pathogens.

#### **I. Exposure Incident**

A specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious materials that result from the performance of an employee's duties. An exposure incident includes a human bite.

#### **J. Occupational Exposure**

Reasonably anticipated skin, eye, mucous membranes, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties.

#### **K. Regulated Waste**

Liquid or semi-liquid or other potentially infectious materials; contaminated items that would release blood or other potentially infectious materials in a liquid or semi-liquid state if compressed; items that are caked with dried blood or other potentially infectious material and are capable of releasing these materials during handling; contaminated sharps; and pathological and microbiological wastes containing blood or other potentially infectious material.

#### **L. Biohazard Bag**

A leak-proof bag that contains a biohazard warning. The biohazard warning consists of an orange or orange-red label/tag containing the biohazard symbol. Red bags or containers maybe used instead of labeling.

#### **M. Healthcare Professional**

A person whose legally permitted scope of practice allows them to independently perform the activities required in a Hepatitis B vaccination and post-exposure evaluation and follow-up.

### **III. SCOPE**

Troopers, Commercial Vehicle Inspectors (CVIs), Evidence Custodians, and Capitol Security Guards are employees of the Minnesota State Patrol who come in contact with bloodborne pathogens in the performance of official duties as determined by job classification. Duties where these employees may reasonably anticipate coming in contact with human blood and other potentially infectious material include but are not limited to: arrests; civil disobedience protests, rallies, or riots; relays of blood, other potentially infectious materials (OPIM), and human tissue; crash scenes; medical emergencies; handling deceased persons or assisting in body removal; attending autopsies; blood or urine testing including the handling of samples; searches of persons, vehicles, homes and other property; post-crash inspections; job injuries; evidence handling; assaults and combative behavior; and weapons violations.

### **IV. PROCEDURES**

#### **A. General**

1. Employees shall take universal precautions when performing official duties where it may reasonably be anticipated that they may come in contact with human blood and OPIM. This includes the use of appropriate personal protective equipment (PPE) to minimize or eliminate exposure. The exception to this rule is when the employee can show that the temporary and brief decline to use PPE was under rare and extraordinary circumstances. [It must be in the employee's professional judgment

that in the specific instance its use would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the employee or other officers].

2. Employees shall ensure that they have all issued PPE readily accessible to them at all times while on duty.
  - a. Issued PPE shall include but are not limited to: disposable type gloves; eye-nose-mouth protection (items included in the issued personal protection kit); CPR pocket mask with one-way valve; rain gear; plastic bags, biohazardous tags, antiseptic hand wipes and/or EPA rated germicide, paper/cloth towels, disposable blankets, and an old uniform for change of clothes.
3. Employees shall use caution when exposed to sharps (e.g., IV needles, EMS needles) while working with EMS on crash scenes and medical emergencies, and in law enforcement situations.

## **B. Vaccinations**

1. The MSP provides voluntary Hepatitis B vaccinations at no expense to all Troopers, CVIs, Capitol Security guards, and Evidence Custodians. Vaccinations of newly hired employees will be provided within 10 working days of initial assignment.
2. Employees offered the vaccinations must sign a Declination Form (PS-18006, C) if they choose not to be vaccinated, but may later opt to receive the vaccine at no cost. Should booster doses later be recommended by the United States Public Health Service, they will be provided.

## **C. Work Practices**

1. Precautions should be taken by employees to protect any open breaks in the skin on the hands including cuts, and abrasions with an appropriate bandage or protective covering. These preventive measures should be attended to prior to reporting for duty.
2. If a garment(s) is penetrated by blood or other potentially infectious materials, the garment(s) shall be removed as soon as feasible.
3. Gloves shall be worn when it can be reasonably anticipated that the employee may have hand contact with blood, other potentially infectious materials, mucous membranes, and non-intact skin, and when handling or touching contaminated items or surfaces.
4. Eye/nose/mouth protection shall be worn whenever splashes, spray, spatter, or droplets of blood or other potential infectious materials may be generated and eye, nose, or mouth contamination can be reasonably anticipated.
5. Rain gear and plastic covering or rubber overshoes can be used to protect clothing and footwear against contamination when appropriate. Disposal blankets may also be used to assist in protecting against contamination.
6. A CPR pocket mask with a one-way valve and airways are required when performing mouth-to-mouth resuscitation.
7. Extraordinary care should be taken to avoid accidental wounds from sharp objects or instruments including broken glass, needles, razors, nails, etc. since these objects may be contaminated with blood or OPIM.
8. The following precautionary measures will assist in reducing the risk of infection during searches:
  - a. Troopers should use great caution in searching the clothing of suspects. Avoid blind sweep searches with the hands. Searches should be slow and deliberate.
  - b. A flashlight should be used even during daylight hours to search hidden areas. Whenever possible, objects and flashlights should be used to assist in searching limited view areas such as under car seats.

- c. In searching purses, carefully empty contents directly from purse by turning it upside down over a table or flat surface.
- d. Broken glass and other sharp items that may be contaminated shall not be picked up directly with hands.

#### **D. Biohazard Communication**

1. Employees shall affix a biohazard warning tag or label (orange or orange-red biohazard symbol) to containers of regulated waste and other containers used to transport blood or OPIM. Biohazard bags may be used instead of labeling.
2. When equipment is contaminated, a biohazard label shall be attached to the equipment stating which portions remain contaminated.

## **VI. DECONTAMINATION**

### **A. Personal**

1. Employees shall ensure that they wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment. Employees shall ensure that they wash hands and any other skin with soap and warm water, or flush mucous membranes with water immediately or as soon as feasible following contact on body areas with blood or OPIM.
2. If soap and warm water are not available, an antiseptic towelette containing 70% isopropyl (rubbing) alcohol or an EPA registered germicide can be used to disinfect the wound. When antiseptic hand cleansers or towelettes are used, hands shall be washed with soap and warm running water as soon as feasible.

### **B. Equipment, PPE, and Clothing**

1. The Minnesota State Patrol will clean, launder, dispose of, and/or replace required PPE at no cost to the employee.
2. Consideration should be given to reducing the contamination of other items, surfaces, or clothing in an employee's home, unit, etc.
3. When contaminated PPE is removed, care should be given to avoiding skin contact and shall be placed in a biohazard bag or container for storage, washing, decontamination, or disposal.
4. Contaminated clothing shall be removed as soon and discretely as possible after contamination minimizing skin contact. The laundry shall be placed using gloves in a biohazard bag for decontamination or disposal. Care shall be given not to contaminate the outside of the bag.
5. If outside contamination of a primary container is present, the primary container shall be placed in a secondary container to prevent leakage during handling, storage, transportation, or shipping. If the specimen could puncture the primary container, the primary container shall be placed within a secondary container that is puncture-resistant.
6. Contaminated clothing shall be dry cleaned as soon as practical. When using a commercial dry cleaning facility, advise the proprietor of the presence of blood and/or OPIM. The clothing shall be delivered to the dry cleaner in a biohazard bag. The cleaning cost will be paid with a Field Purchase Order. Under no circumstances shall contaminated clothing be laundered at home.
7. Equipment, work surfaces, and other surfaces that have become contaminated with blood or OPIM shall be decontaminated as soon as feasible. Equipment and surfaces shall be decontaminated using gloves and hot soapy water and disinfected using a solution of bleach in water or an EPA registered germicide. The recommended ratio is one-quarter cup of bleach to a gallon of water (1:100 solution).

- a. This procedure is to be used for color safe items. If splashing of clothes, skin, face or shoes are anticipated, additional PPE will be required. Prior to starting, visible material should first be removed with disposable towels.
8. Disposable single-use gloves shall be replaced as soon as practical when contaminated or as soon as feasible if they are torn, punctured, or when their ability to function as a barrier is compromised. Disposable gloves shall not be washed or decontaminated for re-use. Utility gloves are not required, however, when used should be worn over disposable gloves for added protection. Utility gloves may be decontaminated for re-use if the integrity of the glove is not compromised.
9. The disposal of regulated waste must be through an authorized disposal site. The District/Section Commander shall ensure that arrangements are made through an appropriate facility able to dispose of regulated waste items, i.e. local hospitals. The District/Section Commander must authorize expenditures as per policy guidelines.

## VIII. POST-EXPOSURE EVALUATION AND FOLLOW-UP

### A. Employee Responsibilities

1. Notify a supervisor as soon as feasible after an exposure incident.
2. If possible, assist the supervisor with completing an Injury, Illness, Incident Data Form (IDF) and the Post-Exposure Information and Medical Opinion form within 12 hours of the incident.
3. When appropriate PPE was not used, include in the report the extenuating circumstances.
4. Complete a Post-Exposure and Follow-Up Examination Declination (PS-18008) when refusing post-exposure evaluation and follow-up. When a vaccine is recommended by the healthcare professional and refused by the employee, the employee shall sign a Declination Form C found on PS-18006.

### B. District/Section Commander Responsibilities

1. Notify DPS Safety Officer as soon as feasible after an exposure incident.
2. Send the Injury, Illness, Incident Data Form (see General Order 10-064) and the Post Exposure Information and Medical Opinion form (PS-18007) within 12 hours of the incident to Headquarters and the DPS Safety Officer.
3. Coordinate the post-exposure medical evaluation. Medical evaluation, necessary related follow-ups, and counseling are provided at no cost to the employee. Payments shall be made by the District/Section Commander via Department Purchase Order (DPO).
4. Following a report and in no event later than 12 hours of an exposure incident, a supervisor shall make immediately available to the exposed employee a confidential medical evaluation with a physician and necessary follow-ups including at least the following elements:
  - a. Documentation of the route(s) of exposure, and the circumstances under which the exposure incident occurred;
  - b. Identification and documentation of the source individual unless the supervisor can establish that identification is infeasible or prohibited by state law.
  - c. The source individual's blood shall be tested as soon as feasible after consent is obtained in order to determine HBV and HIV infectivity. If consent is not obtained, the supervisor shall establish that the legally required consent is not forthcoming. When the source individual refuses testing, the supervisor should consult with the healthcare professional as to the necessity for a source blood test and inquire if timeliness is a factor. If in the supervisor's opinion, a timely source blood test is necessary, then consideration should be given to obtaining a search warrant in a criminal case. In a noncriminal manner, other civil procedures should be explored. In no case

- should the source individual be unduly detained without the advice of the county or city attorney's office.
- d. When the source individual is already known to be infected with HBV or HIV, testing for the source individual's known HBV or HIV status need not be repeated.
  - e. Results of the source individual's testing shall be made available to the exposed employee and the employer shall not disclose the identity and infectious status of the source individual.
5. Collection and testing of the employee's blood for HBV and HIV serological status:
- a. The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.
  - b. If the employee consents to baseline blood collection, but does not give consent at the time of HIV serologic testing, a supervisor shall have the healthcare professional preserve the sample for at least 90 days. If within 90 days of the exposure incident, the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.
6. Ensure that the healthcare professional responsible for the employee's Hepatitis B vaccination is provided:
- a. copy of [29 CFR Part 1910.1030](#)
  - b. a description of the exposed employee's duties as they related to the exposure incident
  - c. documentation of the route(s) of exposure and circumstances under which exposure occurred
  - d. results of the source individual's blood testing, if available, and
  - e. all medical records relevant to the appropriate treatment of the employee including vaccination status.
7. Obtain and provide the employee with a copy of the evaluating healthcare professional's written opinion within 15 days of the completion of the evaluation.
- a. The healthcare professional's written opinion for Hepatitis B vaccination shall be limited to whether Hepatitis B vaccination is indicated for the employee and if the employee has received such vaccination. When a Hepatitis B vaccination is recommended and the employee refuses, the supervisor shall have the employee sign a Declination Form (PS-18006). (Note: After signing the Declination Form, an employee may exercise their right to receive the vaccine at any time thereafter.)
  - b. The healthcare professional's written opinion for post-exposure evaluation and follow-up shall be limited to the following information:
    - i. That the employee has been informed of the results of the evaluation and;
    - ii. That the employee has been told about any medical conditions resulting from exposure to blood or OPIM which require future evaluation or treatment.
  - c. All other findings or diagnosis shall remain confidential and shall not be included in the written report.

## **IX. INFORMATION AND TRAINING**

### **A. Frequency of Training**

Training on 29 CFR Part 1910.1030 must be conducted upon initial assignment and annually.

1. New employee Bloodborne Pathogens initial assignment training will be provided to State Patrol Cadets at the Trooper Candidate School.
2. Annual Bloodborne Pathogens Refresher Training will be provided each year for all impacted employees.

3. Alternative forms of training are acceptable if approved by the DPS Safety Officer and the State Patrol Training Director.

**B. Records**

Training records must include the employee's signature and must be retained per each division's Records Retention Schedule (General Order 10-063) .The State Patrol Training Center and DPS Human Resources will retain both initial assignment and annual training records.

## **X. RECORDKEEPING**

**A. General**

OSHA has a legal right to review and copy any and all records that are required to be maintained according to 29 CFR Part 1910.1030.

**B. Training Records**

1. Trooper and Evidence Custodian training records will be maintained at the Training Center and at the Department of Public Safety Human Resources Division.
2. CVI training records will be maintained at the District 4700 Office and at the Department of Public Safety Human Resources Division.
3. Capitol Security training records will be maintained within Capitol Security and the Department of Public Safety Human Resources Division
4. Training records must include dates, contents of the training program or a summary, trainer's name and qualifications, original signature, and names and job titles of all employees who attended the training sessions. See General Order 10-063 for MSP retention information.

**C. Department of Public Safety Human Resources Division**

1. Retain the originals of all required reports and related documents including but not limited to: records of exposure incidents, post exposure follow-up, Hepatitis B vaccinations, Non-Use of PPE, etc. DPS Human Resources will file the required records and related documentation in confidential separate files.
2. Medical Records
  - a. Must include name and social security number; Hepatitis B vaccination status including dates and any medical records relative to the employee's ability to receive vaccinations as required, results of any examinations, medical testing and follow- up procedures as required, a copy of the healthcare professional's written opinion, and a copy of information provided to the healthcare professional. (See Post Exposure Information and Medical Opinion Form, PS-18007)
  - b. All medical records shall be treated as private data and are not to be disclosed without the employee's written consent as required by law. Medical and Training records must be made available to the subject employee upon request.
  - c. Medical records on occupational exposure are to be maintained for the duration of the employee's employment plus 30 years.

## **D. SUPERVISOR EVALUATION AND REEVALUATION**

**A. District/Section Supervisor**

1. Ensure that as much as practical, employees use appropriate personal protective equipment as required in this policy.

2. OSHA regulations mandate that supervisors shall investigate and document violations as outlined in this Exposure Control Plan. Supervisors shall use Non-Use of Personal Protection Equipment form (PS-18009) to report their investigation. Disciplinary action shall also be noted.

**16-Operations Major**

1. Ensure that all required PPE is readily available
2. Follow-up on reports of incident exposures to ensure all forms have been completed and submitted.
3. Act as a liaison with the DPS Safety Officer to investigate exposure incidents.

**17-DPS Safety Officer**

1. Assist the Patrol in updating the Exposure Control Plan on an annual or more often if necessary to accommodate workplace changes.
2. Investigate and review all exposure incidents.

**18-Safety and Equipment Committee**

Review personal protection equipment and make recommendations to Command Staff and the DPS Safety Officer as needed.

**Approved:**

**SIGNED 3/24/2015**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> November 6, 2015	<b>No:</b> 15-10-040 HRLFNDT
	<b>Subject:</b> PEACE OFFICER INTERVENTION – OFF DUTY	
	<b>Reference:</b> Minn. Stat. secs. <a href="#">299D.03</a> , <a href="#">609.066</a>	
	<b>Special Instructions:</b> Rescinds GO 03-10-040	<b>Distribution:</b> A,B,C

## I. PURPOSE

To establish a policy regarding procedures and standards regarding enforcement authority for off-duty State Patrol troopers.

## II. DEFINITION

For purposes of this General Order, a trooper is considered to be "off-duty" when not working an assigned work shift for the Minnesota State Patrol (MSP).

## III. POLICY

The MSP recognizes that troopers' off-duty peace officer authority extends 24 hours per day, statewide, as granted by Minnesota State Statutes. It is the policy of MSP that these official powers may be used by an off-duty trooper only under the following circumstances:

- A. When confronted with circumstances that would permit the use of "deadly force" pursuant to Minn. Stat. sec. [609.066](#).
- B. When a felony or gross misdemeanor has or is being committed in the presence of an off-duty trooper, and immediate action is required when no on-duty officer is immediately available to effect an arrest and it is reasonable to assume an arrest may not be possible at a later time.
- C. When intervention is required to prevent bodily harm to the off-duty member or to another officer and/or individual.
- D. When providing emergency first aid assistance to another.
- E. When not officially engaged in any other paid organized activity such as outside employment, self-employment or any type of law enforcement activity regardless of whether paid or not.

## IV. TROOPERS' RESPONSIBILITIES

- A. Troopers in an off-duty status must produce clear identification as a state trooper prior to or when exercising their statutory authority as a peace officer while off-duty and not in uniform. Such identification shall be "prima facia" evidence that any actions taken are intended to be taken as a peace officer in an official capacity.
- B. Cases must be turned over to the appropriate law enforcement agency with jurisdiction as required under Minn. Stat. sec. [299D.03](#).
- C. Any member that exercises their peace officer authority while off duty must report the incident to their supervisor as soon as possible. Additionally, the member must file a completed field report fully describing their involvement.
- D. Anytime a firearm is used when a trooper is exercising statutory authority while in an official off-duty status, the trooper shall report the incident to the trooper's supervisor as soon as possible. A written report shall be submitted by the trooper involved as soon as possible.

#### **V. SUPERVISORS' RESPONSIBILITIES**

- A. The State Patrol supervisor shall contact the on-call Major as soon as possible after receiving notification of a trooper's involvement in a peace officer-related incident while off-duty.
- B. The on-call Major shall review the incident and advise the Chief of the Minnesota State Patrol as soon as possible after receiving notification.

**Approved:**

**SIGNED 11/6/2015**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> October 18, 2012	<b>Number:</b> 12-10-041
	<b>Subject:</b> REGIONAL PUBLIC INFORMATION OFFICER	
	<b>Reference:</b> MLEA Contract; GO 10-033	
	<b>Special Instructions:</b> Rescinds GO 05-10-041	<b>Distribution:</b> A,B,C

## I. PURPOSE

To provide a description of responsibilities and duties, and a procedure for application and the selection of regional Public Information Officers (PIOs).

## II. RESPONSIBILITIES

The regional PIOs shall be under the direct authority of the PIO lieutenant, and be responsible for performing all functions and duties as do other members of the State Patrol as needs require. In addition, the regional PIO shall be responsible for media relations for other districts assigned by the PIO lieutenant.

## III. DUTIES

The duties of a regional PIO shall include, but are not limited to, the following:

- A. Media contact/liaison for State Patrol districts as assigned by the PIO lieutenant.
  - a. Compose and edit news releases and advisories as requested or directed by district commanders or the PIO lieutenant.
  - b. Establish and maintain working relationships with print, broadcast and internet-based media outlets.
  - c. Prepare articles about current traffic safety issues and distribute them to media outlets within the districts assigned.
  - d. Facilitate the release of public information consistent with GO 10-025 in response to media inquiries.
  - e. Coordinate requests for or personally conduct interviews regarding incidents involving or being investigated by the State Patrol.
- B. Serve as a traffic safety resource within the districts assigned.
- C. Possess the ability to operate audio-visual equipment.
- D. Represent the State Patrol in a professional, respectful manner by way of verbal and written communication, as well as personal appearance.
- E. Serve as the representative to State Patrol publications for districts assigned.
- F. Serve as a resource for media and public relations to assigned district commanders.
- G. Coordinate requests for State Patrol participation at public events such as fairs, shows, school career days, etc., as needed/available for assigned districts.
- H. Instruct Minnesota School Safety Patrol procedures at the Legionville School Safety Patrol Training Camp and schools, and install/inspect school safety patrol members.
- I. Cooperate with the PIO lieutenant and other regional PIOs.

## IV. APPLICATION FOR AND SELECTION OF PUBLIC INFORMATION TROOPERS

Refer to General Order 10-033 and MLEA contract language related to Technical Sergeant selection.

Approved:

SIGNED 10/18/2012

Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> November 1, 1996	<b>Number:</b> 96-10-043
	<b>Subject:</b>	<b>VOLUNTEER FIRE FIGHTER AND OTHER VOLUNTEER STATUS</b>
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds R 81-10-043	<b>Distribution:</b> G

## I. PURPOSE

To establish a uniform procedure for all voluntary jobs, including a volunteer fire-fighter's job, when a conflict in performance of duty as a State Trooper may occur.

## II. SCOPE

A Trooper who is a volunteer fire fighter or holds any other volunteer position shall not allow the volunteer duties of that position to conflict with their duties and responsibilities as a State Trooper. State Patrol duties and responsibilities will have the highest priority in all cases.

## III. POLICY

- A. Troopers, when on-duty, shall not respond to a call as a volunteer.
- B. A Trooper, when off duty, who has responded to a volunteer call must be excused from that call in time to report for their regular scheduled State Patrol shift.

<b>Approved:</b>  <b>Signed 11/01/1996</b>  _____ <b>Colonel Mike Chabries, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>  _____ <b>Signature</b>
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# GENERAL ORDER

	<b>Effective:</b> July 29, 2014	<b>Number:</b> 14-10-044
	<b>Subject:</b> Promotions (Lieutenant and Captain)	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds GO 12-10-044	<b>Distribution:</b> A,B,C

## I. PURPOSE

To ensure that all State Patrol Troopers are systematically considered for promotion to the supervisory ranks of Lieutenant and Captain, and to establish a procedure for evaluating the qualifications of members to be considered for promotion.

## II. EXAMINATION FREQUENCY

The Chief of the Minnesota State Patrol shall determine the effective period of State Patrol promotional eligibility lists. This period shall not be less than one year nor more than three years, except in the event of exigent circumstances.

## III. PROMOTIONAL PROCESS

### Lieutenant's Position

- The promotional process for State Patrol Lieutenant is open to Troopers who:
  - have completed five years of State Patrol service prior to the effective date of a new eligibility list;
  - have not been suspended without pay within the previous 36 months from the date of the test; and
  - have not received an "unacceptable" overall rating on an annual performance review within the previous 36 months from the date of the test.
- The process utilized in the Lieutenant promotional process will include two written tests to measure the following:
  - Critical Thinking, numerical, and abstract reasoning (55 points);
  - Lieutenant position job knowledge (55 points)
- In addition to the written tests, each candidate will receive a maximum of five points for seniority. These points will be applied as follows (years of service will be computed using the effective date of the new list):
  - Completion of the 8<sup>th</sup> year of service (3 points)
  - Completion of the 9<sup>th</sup> year of service (4 points)
  - Completion of the 10<sup>th</sup> year of service (5 points)
- In addition to the written tests and seniority points, each candidate will receive a maximum of five points for education received from an accredited college or university. These points will be applied as follows, (degree must be awarded prior to the effective date of the new list):
  - Bachelor's degree (3 points)
  - Master's degree (5 points)
- All points will be added for a maximum of 120 points. Scoring 70% or greater (84 points) will allow candidates to move forward in the promotional process and be placed on an eligibility list in rank order.
- Vacant or new Lieutenant's positions designated by the Chief shall be filled in the following manner:
  - Current Lieutenants will be notified of the vacancy and be allowed a reasonable time to express interest in a lateral transfer. Lateral transfers will be filled at the discretion of the Chief.
  - The Chief's office shall notify all Troopers on the eligibility list of any Lieutenant's position not filled by lateral transfer.
  - Troopers interested in promoting into the vacancy shall indicate interest to the appropriate Regional Major and District/Section Commander.

- d. The District/Section Commander shall interview the seven highest scoring Troopers (or more in the event of a tie) who have expressed an interest in the position.
7. The oral interview for promotion to the rank of Lieutenant shall follow these guidelines:
  - a. Prior to the interview, the applicant shall submit three identical packets to the District/Section Commander consisting of the following information. Other materials may be required, with permission from the Chief or Assistant Chief.
    - i. Cover letter articulating why the applicant is interested in the vacant position and what value he/she would bring to that position.
    - ii. Current resume.
    - iii. Last three performance evaluations.
  - b. The oral interview panel should consist of the following, to be approved by the Assistant Chief.
    - i. Regional Major
    - ii. District/Section Commander
    - iii. Allied agency member in supervisory rank, or other person approved by the Assistant Chief.
  - c. If one of the applicants in the process is a member of a protected class, at least one of the members of the oral board must also be a member of a protected class.
  - d. The oral interview will include seven questions, covering all seven of the DPS Core Competencies. The questions will be selected by the Regional Major, with input from the District/Section Commander.
    - i. Candidates will be provided with the questions 20 minutes prior to his/her interview time.
      - a. The questions and all notes shall be turned in to the panel and destroyed at the conclusion of the interview to maintain the integrity of the process.
      - ii. Responses will be scored on a scale of one to five (one being lowest and five being highest)
      - iii. All scores from oral board members will be added together in cumulative fashion without any use of averaging.
      - iv. An overall interview performance score will be included (five points), in addition to the seven questions.
8. At the conclusion of the oral interviews, the District/Section Commander or Regional Major will make a promotional recommendation to the State Patrol Chief, who makes the final decision. The recommendation will be based upon the highest oral interview score. The Chief reserves the right to interview the top two candidates if necessary.
9. The Chief reserves the right to fill any position at his/her discretion.

### **Captain's Position**

Vacant or new Captain's positions designated by the State Patrol Chief shall be filled in the following manner:

1. Current Captains will be notified of the vacancy and be allowed a reasonable time to express interest in a lateral transfer. Lateral transfers will be filled at the discretion of the Chief.
2. The Regional Major shall notify all Lieutenants of any Captain position not filled by lateral transfer.
3. Lieutenants interested in promoting into the vacancy shall indicate interest to the appropriate Regional Major, and participate in an oral interview.
4. The oral interview for promotion to the rank of Captain shall follow these guidelines:
  - a. Prior to the interview, the applicant shall submit three identical packets to the appropriate Regional Major consisting of the following information. Other materials may be required, with permission from the Chief or Assistant Chief.

- i. Cover letter articulating why the applicant is interested in the vacant position and what value he/she would bring to that position.
    - ii. Current resume.
    - iii. Last three performance evaluations.
  - b. The oral interview panel should consist of the following, to be approved by the Assistant Chief.
    - i. Assistant Chief
    - ii. Regional Major
    - iii. Allied agency member in supervisory rank, or other person approved by the Assistant Chief.
  - c. If one of the applicants in the process is a member of a protected class, at least one of the members of the oral board must also be a member of a protected class.
  - d. The oral interview will consist of seven questions, covering all seven of the DPS Core Competencies. The questions will be selected by the Assistant Chief, with input from the Regional Major.
    - i. Candidates will be provided with the questions 20 minutes prior to his/her interview time.
      - a. The questions and all notes shall be turned in to the panel and destroyed at the conclusion of the interview to maintain the integrity of the process.
    - ii. Responses will be scored on a scale of one to five (one being lowest and five being highest)
    - iii. All scores from oral board members will be added together in cumulative fashion without any use of averaging.
    - iv. An overall interview performance score will be included (five points), in addition to the seven questions.
5. At the conclusion of the oral interviews, the Regional Major will make a promotional recommendation to the State Patrol Chief, who makes the final decision. The recommendation will be based upon the highest oral interview score. The Chief reserves the right to interview the top two candidates if necessary.
6. The Chief reserves the right to fill any position at his/her discretion.

#### **IV. COMPENSATION BANK**

It shall be the policy of the State Patrol to liquidate, in cash, the compensatory time bank balances for those Minnesota Law Enforcement Association employees promoted to a supervisory rank who become members of the Commissioner's Plan. It shall also be the policy of the State Patrol to liquidate, in cash, the compensatory time bank balances for Lieutenants who are promoted to a higher rank within the Commissioner's or Manager's Plans.

**Approved:**

**SIGNED 7/29/2014**

**Lt. Col. Matthew Langer, Acting Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> May 26, 2023	<b>Number:</b> 23-10-045
	<b>Subject:</b> CRITICAL INCIDENTS: REPORTING, FOLLOW-UP, REVIEW BOARD	
	<b>Reference:</b> Minn. Stat. §§ 609.02, subd. 7a-8, 609.66; GOs 10-017, 10-020	
	<b>Special Instructions:</b> Rescinds General Order 18-10-045	<b>Distribution:</b> G

## I. POLICY

The policy of the Minnesota State Patrol is to ensure a full and impartial investigation occurs, along with an internal review, while assisting and supporting employees in the aftermath of all critical incidents. This includes:

- accountability for critical decisions involving the use of force or any matter involving serious injury or death to another;
- determining compliance with statutes and department policies;
- identifying performance deficiencies;
- identifying training needs; and
- providing follow-up care to employees and their families to minimize the personal impact of critical incidents.

## II. DEFINITIONS

### A. Critical Incident

1. Any incident in which deadly force (Minn. Statutes § 609.066) is used by or against a member of the State Patrol.
2. Any incident involving a member of the State Patrol resulting in death, great bodily harm, or substantial bodily harm (Minn. Statutes § 609.02, subd. 7a-8) to a member of the State Patrol or to the public.
3. Any incident in which a member uses deadly force in an off-duty situation.
4. Any other incident deemed serious enough by the circumstances to warrant investigation and review. These may include, but are not limited to: pursuits or state unit crashes resulting in injuries less severe than those described in II, A, 2 above, hostage situations, sudden death or serious injury to a child, a difficult rescue effort, a victim and/or family known by a responder, a victim with overwhelming traumatic injuries, natural disasters, mass casualty incidents, suicides, several difficult incidences within a short period of time, or incidents that receive a heightened level

**Note:** For the purposes of this General Order, recording incidents does not include any of the above situations arising out of other employment which is not related to the State Patrol.

### B. Agency-Generated Recordings includes any audio and/or video recording generated by a member's equipment, including but not limited to in-squad cameras, body cameras, and cell phones.

## III. PROCEDURES – CRITICAL INCIDENTS

### A. On-Site Supervisor or Member Responsibilities

1. Report all critical incidents immediately to the District/Section Commander.
2. Secure the scene of the critical incident, gather the contact information for all witnesses (both civilian and law enforcement), preserve all physical evidence, secure weapons (if used and with approval from investigating peace officer), and take photographs and video of the scene (if not being investigated by an outside agency).
3. Determine the jurisdiction of the incident.
4. Consult with the appropriate investigative entities as listed in III, C, 2 below.
5. Allow the member to contact an association delegate or union steward. Any call-out will be compensated according to the terms of the applicable work agreement.
6. Arrange for the response to the scene of a peer support counselor, if practicable. If one is not available to come to the scene, arrange for a peer support counselor to contact the involved trooper(s) as soon as possible.

7. Gather information sufficient to provide a public safety statement. Information may include, but is not limited to, the following:
  - a. Whether all injured parties are accounted for;
  - b. Firearm use and number/direction of rounds fired;
  - c. Whether involved member was fired at and their location at the time;
  - d. Awareness of any other witnesses and their location;
  - e. Description of any individuals yet to be apprehended and mode/direction of travel;
  - f. Additional locations that need to be processed for evidence.
8. Follow the instructions in General Order 10-020 for notification of the involved member's family, when applicable.
9. Consider moving all involved members to a secure location, provided doing so does not hinder any investigation and is approved by the investigating peace officer.
10. If a member is wounded or injured, consider sending another member in the ambulance with them. If this is not possible, send a member to the hospital.
11. Arrange for an on-scene replacement weapon, when applicable.
12. The post-event responsibilities of the on-site supervisor shall include, but are not limited to:
  - a. Scene clean-up;
  - b. Collection of reports from all involved;
  - c. Determine station/district coverage needs/issues; and
  - d. Maintain on-going contact with the investigating entity.
  - e. Complete a TracS report that provides a general account of the event if the involved member elects not to complete a report immediately following.
- 13. District/Section Commander Responsibilities**
  1. Notify the appropriate regional Major or on-call Major of the critical incident in accordance with General Order 10-017.
  2. Place members that used deadly force or had deadly force used against them on administrative leave for the remainder of the shift and the following day.
  3. Prepare and submit a complete written report of the incident, to include as part of the departmental report, before the end of the work shift. The District Commander may allow a designee to prepare and submit the report.
  4. Comply with the critical incident follow-up procedures outlined in Section V.
  5. Consider whether a security risk exists regarding the involved member's family and/or residence and plan accordingly.
- 14. District Operations Major or On-Call Major Responsibilities**
  1. The appropriate regional Major or on-call Major will consult with the on-site supervisor, District Commander, and, if necessary, other members of MSP executive staff to determine the appropriate investigating authority. In determining the appropriate investigating authority, the following things should be considered:
    - a. The need to avoid any appearance of a conflict of interest;
    - b. The type and magnitude of the incident to be investigated;
    - c. The expertise required for the investigation; and
    - d. The required resources to conduct a proper investigation.
  2. The investigating authority called upon to investigate the critical incident may be, but is not limited to, one or more of the following entities:
    - a. A State Patrol district
    - b. Metro Crash Reconstruction Team
    - c. Bureau of Criminal Apprehension
    - d. The sheriff or police department where the incident occurred
    - e. DPS Division of Internal Affairs (to lead/assist with an internal review/investigation)
  3. Consult with the Director of Internal Affairs to determine if an IAD investigation is warranted.

4. Communicate administrative leave requests to the Chief or Assistant Chief for approval.

#### **IV. PROCEDURES – WORKING WITH INVESTIGATING AGENCY**

- A. MSP shall follow these guidelines to facilitate a full and complete investigation:**
1. The on-site supervisor will be available to meet with the investigative team upon their arrival to provide an overview of the incident.
  2. The on-site supervisor will provide full names and contact information for all members involved in the incident.
  3. The on-site supervisor will encourage all involved troopers to meet with the investigating peace officer(s) to be briefed as to how the investigation will proceed. There will be no questioning of involved parties in this meeting. MSP supervisors and MSPTA representatives are encouraged to attend the meeting.
  4. At the conclusion of the meeting, the involved member(s) may confer with their attorney prior to deciding whether or not a statement or report will be provided.
  5. Once known, the attorney contact information will be communicated to the investigating peace officer.
  6. Members desiring to view any video evidence maintained by the State Patrol prior to providing a statement or report must request permission through the chain of command to the Colonel. The Colonel has final approval and may consult with the investigating agency or other authorities before making the decision.
  7. The on-site supervisor will secure the scene and maintain the integrity of the evidence in coordination with the investigating agency.
  8. If issues or concerns arise during the course of the investigation, MSP personnel will contact their immediate supervisor(s) in an effort to resolve the situation.

#### **V. PROCEDURES – CRITICAL INCIDENT FOLLOW-UP**

**A. Administrative Leave**

1. Members that use deadly force or have deadly force used against them shall be placed on administrative leave for the remainder of the shift and the following day. This leave shall be without loss of pay or benefits and shall not be interpreted to imply or indicate that the member has acted improperly. Prior to returning to normal duties, all members directly involved in these incidents shall be required to meet with a professional counselor as determined and governed by conditions of the appropriate work agreement.
2. Members may be assigned to administrative leave or a limited duty assignment following any critical incident for a period of time, as deemed appropriate by the Chief and within the scope of the appropriate work agreement.

**B. Critical Incident Stress Debriefing**

1. Critical Incident Stress Debriefings are group discussions designed to reduce stress and enhance recovery from stress for emergency response personnel involved in a particular critical incident.
2. All such debriefings shall occur within 72 hours after incident, if possible.
3. Employees attending the Critical Incident Stress Debriefing shall be compensated for the time as per the employee's appropriate work agreement.
4. The debriefing should be offered, with optional attendance, to all personnel, including communications personnel, who were involved with and potentially impacted by a critical incident.

**C. Professional Counseling**

1. Members involved in the use of deadly force during police incidents shall meet with a professional counselor of their choice as governed by the conditions of the appropriate work agreement. They are also encouraged to seek an on-duty follow-up counseling appointment both six months and one year after the incident. If requested, the cost of these follow-up visits will be paid by the employer. Requests shall be made with sufficient notice to the employee's district or section commander. The district or section commander must submit a completed Department of Administration Request For Emergency Authorization (Professional/Technical Services) form to their appropriate Major as soon as possible for processing.
2. Aside from deadly force incidents, there may be other extraordinary critical incidents deemed eligible

for professional counseling as soon as possible after the incident and to have on-duty six-month and one-year follow up visits. Eligibility is granted by the Chief or Assistant Chief on a case-by-case basis. Members in such incidents are not required, but strongly encouraged to seek professional counseling. If requested, the cost of these visits may be paid by the employer. Requests shall be made with sufficient notice to the employee's district or section commander. The district or section commander must submit a completed Department of Administration Request For Emergency Authorization (Professional/Technical Services) form to their appropriate Major as soon as possible for processing.

3. Sick leave is authorized for any additional counseling beyond that described above.
4. Professional counseling is strictly confidential.

#### **D. Employee Assistance Program (EAP)**

1. The state Employee Assistance Program is a statewide resource administered through Minnesota Management and Budget and is staffed by professionals who are trained in the areas of counseling, psychology, social work, organizational development, chemical dependency, in addition to marriage and family therapy. This program is available either by phone or at an office location.
2. EAP is offered at no cost to state employees and their families, is completely voluntary, and is strictly confidential.
3. EAP can be accessed anonymously over the phone.
4. Additional information is at <http://mn.gov/mmb/segip/health-solutions/employees/eap/index.jsp>.

#### **DI. Member Responsibilities**

1. Shall be placed on administrative leave for the remainder of the shift and the following day if the member uses deadly force or has deadly force used against them.
2. Shall meet with a professional counselor as governed by the conditions of their work agreement if the member uses deadly force or has deadly force used against them.
3. Should consider meeting with a professional counselor if indirectly involved in a deadly force incident, or if involved in any other critical incident.
4. Should consider follow-up counseling both six months and one year after the incident for their well-being.
5. Prepare and submit a field report or give a formal statement of the incident, only if in accordance with section IV. Members directly involved in the incident may submit a formal statement in lieu of the required field report with approval from their District/Section Commander. Involved members must complete applicable pursuit or use of force reports regardless of the decisions made for written reports and statements.
6. Remain available at all times for official department interviews and statements regarding the incident, if placed on administrative-leave.

#### **DII. District/Section Commander Responsibilities**

1. Consult with the appropriate regional Major or on-call Major to ensure that members that use deadly force or have deadly force used against them are placed on administrative leave.
2. Ensure that members that use deadly force or have deadly force used against them comply with the requirement to see a professional counselor.
3. Complete/submit a Department of Administration Request for Emergency Authorization form, if applicable.
4. Encourage members indirectly involved in a deadly force incident, or who are involved in any other critical incident, to seek professional counseling.
5. Encourage and support follow-up counseling both six months and one year after the incident. Refer payment requests to Central Headquarters for processing.
6. Maintain regular contact with the member(s) involved in a critical incident.
7. Ensure that a Critical Incident Stress Debriefing is made available for all affected employees to attend.
8. In consultation with the appropriate regional Major or on-call Major, place members involved in the use of deadly force on administrative leave pursuant to the appropriate work agreement.
9. Provide employees involved in a critical incident with information regarding the Employee Assistance, Peer Support, and Chaplaincy Programs.

## **VI. PROCEDURES – CRITICAL INCIDENT REVIEW BOARD**

### **A. Review**

1. The completed investigation report of the critical incident will be forwarded to the designated Major who will review all critical incidents.
2. Critical incidents may be adjudicated by the designated Major provided that the Major and the Director of Internal Affairs agree that the incident does not warrant the attention of a full review board.

### **B. Critical Incident Review Board Procedures**

1. All critical incidents not adjudicated as described in VI,A,2 above shall be reviewed by a Critical Incident Review Board. The board shall be convened as soon as possible following completion of the investigation. The make-up of the board shall be governed as follows:
  - a. Incidents involving the rank of captain and below:
    - 1) The designated Major, who will chair the board
    - 2) The Director of Internal Affairs
    - 3) One additional State Patrol Major
    - 4) An appropriate member of the Training Unit
    - 5) One delegate or representative from the appropriate bargaining unit
  - b. Incidents involving majors will be reviewed by the Chief, Assistant Chief, and a representative of the Supervisor's Association.
  - c. Incidents involving the Chief or Assistant Chief will be reviewed by the Commissioner's Office.
  - d. The chair may invite other members/guests to serve as advisors to the board.
2. The chair may call the involved member(s), the investigators, and witnesses to appear at the review.
3. The primary purpose of the Critical Incident Review Board is to determine the following and report the finding(s) to the Chief on a case-by-case basis:
  - a. Whether the response to resistance used by the member was reasonable
  - b. Performance deficiencies
  - c. Training needs
  - d. Whether the member was in compliance with applicable state and federal laws, Minnesota State Patrol policies, and training
  - e. Other recommendations that may include positive feedback, recognition, etc.
4. In its assessment, the board shall consider the following factors:
  - a. Degree of perceived hazards
  - b. Degree of the member's control
  - c. Timeframe
  - d. Type of opponent
  - e. Assignment
  - f. Presence of other officers or witnesses
  - g. Space and light conditions
  - h. Applicable General Orders and memos
  - i. Applicable federal/state law and local ordinances
5. After the review has been completed, the chair shall complete a written summary of the board's findings, and submit the investigative report to the Chief of the State Patrol.
6. The chair may, when criminal violations are apparent, forward the investigative report to the appropriate prosecuting attorney with a recommendation for criminal charges. If the prosecutor draws complaint, the chair shall be the signatory. The chair shall forward a copy of the board's findings to the affected member's District/Section Commander.
7. The involved member(s) will be notified of the board's findings at the conclusion of the review process.

### **C. Recordkeeping**

All investigative and documents related to the critical incident review will be maintained by the chair, The chair will also be responsible for all critical incidents and providing the Chief with a monthly status report

of pending and adjudicated critical incidents.

## **VII. NEWS MEDIA**

News media inquiries regarding critical incidents are to be directed to the Chief or a public information officer.

**Approved:**

**SIGNED 5/26/2023**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER



<b>Effective:</b>	May 13, 2020	<b>Number:</b>	20-10-046
<b>Subject:</b>	<b>AWARDS AND RECOGNITION PROGRAM</b>		
<b>Reference:</b>	General Orders 30-008, 30-011		
<b>Special Instructions:</b>	Rescinds GO 19-10-046	<b>Distribution:</b>	G

## I. POLICY

The policy of the Minnesota State Patrol is to officially recognize, with appropriate awards, exceptional deeds and services performed by State Patrol employees, as well as individuals outside the State Patrol.

## II. AWARD RECOGNITION PROGRAM AWARDS

The official awards of the State Patrol are listed in sections A through K below. Sections A through G have ongoing eligibility. Sections H through K are annual awards, the nominations for which are only accepted as described in section III of this policy.

### A. **Valor Award** (solid maroon service bar with gold lettering, plaque and certificate)

1. The Valor Award is bestowed upon an employee for a conspicuous act of heroism calling for an outstanding degree of dedication and devotion above and beyond professional duty that involved an imminent and undisputable risk of loss of life to the member. This award is given for an act or series of acts committed with outstanding courage in a situation that, because of its extraordinary circumstance, placed the employee and/or others in actual physical jeopardy. While exposed to danger the employee must have acted with deliberate intent, and while acting must have exercised judgment and performed competent action sufficient to reflect credit and admiration upon the member and the Minnesota State Patrol.
2. This award may be presented posthumously to the next-of-kin of the employee/enforcement officer who would have otherwise merited the award.

### B. **Meritorious Service Award** (maroon and gold service bar and/or certificate)

To qualify for this award, the incident must involve great personal risk posing hazards that could lead to serious injury or loss of life to the employee. The act could include, but is not limited to, any of the following:

1. Apprehension of a dangerous felon.
2. Rescue and life-saving efforts.
3. Rescue of a peace officer or hostage whose life is threatened or in danger.
4. Eliminating life threatening hazards, such as downed power lines, leaking propane or other toxic gases, and other similar hazardous situations.

### C. **Life Saving Award** (blue and white service bar and/or certificate)

This recognition will be awarded to employees who perform life-saving acts through physical contact with the victim(s) under conditions wherein no unusual hazard exists to the employee involved. This would include, but is not limited to, saving a life by mouth-to-mouth resuscitation and/or cardiopulmonary resuscitation, stoppage of serious bleeding or preventing a death by drowning or fire. The simple application or offering of an AED, opioid antagonist or epinephrine is insufficient criteria. This award is limited to incidents in which the death of the person involved was imminent if not for the actions of the employee.

### D. **Purple Heart** (purple service bar and/or certificate)

This recognition may be awarded to employees of the State Patrol seriously injured or killed from acts of aggression or assaults upon them while performing job-related duties. The employee's injuries must involve a substantial risk of death, permanent disfigurement or protracted loss or impairment of the function of any part or organ of the body. This award may be presented posthumously to the next-of-kin of the employee who would have otherwise merited the award.

**E. Meritorious Citizenship Award** (certificate)

This recognition may be presented to individuals, other than State Patrol employees, and outside organizations that have assisted the State Patrol in providing a significant service to the public. An organization may be eligible when the organization as a group qualified for the award.

**F. Minnesota State Patrol Commendation** (certificate)

This award is presented to a member(s) of another law enforcement or emergency service agency who has assisted the State Patrol in providing a significant service. The award would include, but not be limited to, life-saving actions, involvement in a high risk arrest, or any life threatening situation while assisting a member of the State Patrol.

**G. Exceptional Service Award** (certificate)

This award is presented to members who have provided extraordinary service in one or more instances. Nominations for this award should describe actions by an employee that far exceed those which would be normally expected and are not eligible for other awards described in this policy.

**H. Chief's Commendation Award** (certificate, awarded annually)

This award (certificate) may be presented to employees who achieve a superior level of proficiency in law enforcement. The considerations for the award in each category are as follows:

**1. DWI Enforcement**

- a. The member performs significantly above agency expectations in the area of DWI enforcement.
- b. The member meets part a. and is a district leader in the in the area of DWI enforcement.
- c. This award may also be presented to a non-sworn employee, i.e., radio communications operator, who makes a strong contribution to supporting DWI enforcement efforts.

**2. Traffic Enforcement**

- a. The member performs significantly above agency expectations in the area of traffic enforcement.
- b. The member meets part a. and leads the district in enforcement of traffic laws.

**3. Drug Interdiction**

- a. The member performs significantly above agency expectations in the area of drug interdiction.
- b. The member is a district leader in the apprehension of drug couriers.
- c. The member is a district leader in the legal seizure of narcotics and/or drug-related property or currency.
- d. From a single traffic stop, the member interdicts a significantly large amount of controlled substances (assists not eligible).

**4. Communications/911**

- a. The member provides vital life-saving services that lead to the rescue of a person.
- b. The member or team of radio communications operators provides outstanding performance during a special event.
- c. The member provides a consistent, sustained high level of customer service.

**5. Seat Belt Enforcement**

- a. The member performs significantly above agency expectations in the area of seatbelt enforcement.
- b. The member meets part a. and is a district leader in seat belt enforcement.

**6. Criminal Patrol**

- a. The member detects criminal activity and takes immediate action that, on its own and in compliance with MSS 299D, directly prevents a violent crime or the continuation of a property crime spree and results in the arrest of the suspect(s).
- b. Arrests made for warrants, BOLO's, ATL's or similar are not eligible without exceptional circumstances.

**7. Traffic Safety Education**

- a. The member performs significantly above agency expectations in the volume of traffic safety presentations.
- b. The member's traffic safety education work leads to a demonstrable improvement in traffic safety or a demonstrable impact to an organization other than the Department of Public Safety.
- c. Members whose permanent or temporary but lengthy assignment is traffic safety education are not eligible.

8. Commercial Vehicle Safety

- a. The member performs significantly above agency expectations in the volume of commercial motor vehicle enforcement activities or safety presentations
- b. The member's commercial vehicle activity leads to a demonstrable improvement in carrier safety or traffic safety in relation to commercial vehicles.

**I. Trooper of the Year** (certificate)

All sworn members of the State Patrol are eligible to be nominated for the Minnesota State Patrol Trooper of the Year Award. The criteria for the selection should include, but not be limited to, the following:

1. The candidate must display the following job-related attributes:
  - a. Outstanding work performance
  - b. Initiative
  - c. Leadership
  - d. Effective interpersonal relations
2. Candidates must also display a positive image of the State Patrol, both on and off the job.
3. Additional achievements or factors which may be taken into consideration shall include:
  - a. Membership and extensive participation in civic organizations.
  - b. Community involvement/volunteerism.
  - c. A suggestion or idea submitted by the employee that resulted in a significant improvement in State Patrol operations.

**J. Civilian Employee of the Year** (certificate)

All non-sworn employees of the State Patrol are eligible to be nominated for the Minnesota State Patrol Civilian Employee of the Year Award. The criteria for the selection of the award should include, but not be limited to, the following:

1. The candidate must display the following job-related attributes:
  - a. Outstanding work performance
  - b. Initiative
  - c. Leadership
  - d. Effective interpersonal relations
2. Candidates must also display a positive image of the State Patrol both on and off the job.
3. Additional achievements or factors which should also be taken into consideration shall include:
  - a. Membership and extensive participation in civic organizations.
  - b. Motivation for and devotion to enhancing community life.
  - c. A suggestion or idea submitted by the employee that resulted in a significant improvement in State Patrol operations.
  - d. Heroic actions.

**K. Leadership Award** (certificate)

This award is available to any employee to recognize a person who consistently exhibits outstanding leadership and excellence in public safety through their personal actions, guidance, direction and professional involvement. This award is intended for those individuals who display the highest quality of leadership and excellence over a sustained period of time. This is an individual that consistently displays the characteristics of integrity, courage, initiative and dedication to the mission of the State Patrol.

### III. NOMINATION PROCEDURE

- A. All State Patrol employees are encouraged to submit nominations for the above described awards. Nominations may be submitted at any time to the District/Section Commander of the employee being nominated or the area in which the nominee/organization resides.
- B. Nominations shall be made on the Award Nomination Form. Supporting documents for the nomination will be attached to the nomination form so that the nomination is one file. Videos may be sent as separate files with the nomination.
- C. The District/Section Commander shall submit the nominations they support for the awards listed in section II-A through II-G, with imbedded supporting documentation, to the Awards folder on the common drive. The awards committee chair will be notified of the nomination by email.

- D. Nominations supported by the District/Section Commander for awards in sections II-H through II-K are due to designated support staff and the awards committee chair, in single document format, between October 1<sup>st</sup> and November 1<sup>st</sup> each year. The supporting data and performance observed should be drawn from the October of the previous year through the current October.

#### **IV. AWARDS COMMITTEE**

- A. The Chief shall appoint a committee consisting of a major, captain, lieutenant, trooper, clerical employee, commercial vehicle inspector, capitol security member, and radio communications operator or supervisor. A State Patrol major will be the committee chairperson. The committee members shall serve a three-year term.
- B. The awards committee shall meet at the call of the chair to review the nominations.
- C. The awards committee will consider the merits of each nominee using the criteria established in this General Order.
- D. The awards committee shall submit the review results and their recommendations to the State Patrol Chief no later than the end of each calendar year. If the committee recommends the nominee(s) for an award, recognition shall be made to the nominee(s) at a date, time and place, and under circumstances designated by the State Patrol Chief.

#### **V. AWARD SERVICE BAR – UNIFORMED MEMBERS**

When a service bar is awarded, it shall be worn by recipients on the uniform as indicated in General Order 30-008 and 30-011.

- A. The service bar for the Valor Award shall be solid maroon with gold lettering, with the bar attached horizontally to the uniform. The Valor service bar shall be worn centered ½ inch above the right breast pocket of the uniform shirt, blouse, or jacket. If the service bar for the Valor Award has been granted to a member who has received other State Patrol service bar(s), the Valor service bar shall be worn above the other service bar(s).
- B. The service bar for the Meritorious Service Award shall be maroon and gold in color, colors being separated vertically in the center, with the bar attached horizontally to the uniform. The maroon side of the service bar shall be on the outward side of the uniform shirt, blouse, or jacket.
- C. The service bar for the Life Saving Award shall be blue and white in color, colors being separated vertically in the center, with the bar attached horizontally to the uniform. The blue side of the service bar shall be on the outward side of the uniform shirt, blouse, or jacket.
- D. The service bar for the Purple Heart Award shall be purple in color, with the service bar attached horizontally to the uniform. The Purple Heart Award service bar shall be worn centered ½ inch above the right breast pocket of the uniform shirt, blouse, or jacket. If the service bar for the Purple Heart Award has been granted to a member who has received other State Patrol award service bar(s), the Purple Heart Award service bar shall be worn below the other service bar(s).
- E. A gold star will be added to the service bar for the second through seventh subsequent awards. For the eighth subsequent award, the six gold stars will be replaced with silver stars. No further awards will be noted on the service bar; however, members are still eligible for the award and certificate.
- F. If a service bar has been granted to a uniformed member for both Meritorious Service and Life Saving Awards, the bars shall be attached in such a position that they adjoin on one horizontal line, with the Meritorious Service bar on the inward side of the uniform shirt, blouse, or jacket.

#### **VI. AWARD SERVICE CERTIFICATE—NON-UNIFORMED EMPLOYEES**

A framed certificate shall be presented to all non-uniform State Patrol employees who have been approved for the State Patrol awards described in this General Order.

#### **VII. OTHER EMPLOYEE AWARDS**

State Patrol employees may be recognized through other award programs.

##### **A. Department of Public Safety (DPS)**

Employees may be nominated by email through the chain of command. The email must include why the person nominated should be formally recognized by the Commissioner. The chain of command will vet the nominees with the goal of three to four members being forwarded each quarter.

##### **B. Years of Service Awards**

1. All State Patrol employees will be issued service awards in accordance with the Department of Public Safety policy, which states that awards will be given for 10, 20, 25, 30, 35, and 40 years of service.

2. When an employee has attained a specified length of continuous service, they will receive a notification letter from DPS Human Resources along with information on how to select an award. The order form must be returned as indicated by included instructions and by the date indicated on the form.

### C. Retirement watches

1. The Minnesota State Patrol recognizes longevity of service by awarding retirees a watch for 20 years of service or more. The chief's assistant will coordinate the ordering of these watches.

2. District/Section Commanders

When an award in section B, or watch in section C for an employee is received, submit the packing slip to the designated purchaser at Headquarters. If no packing slip was included, notify the purchaser that the award or watch has arrived and the name of the employee being recognized.

### D. External Awards

All nominations of State Patrol members for external awards shall first be approved by the awards committee chair before being submitted for consideration. Employees may be nominated for external awards that may include, but not be limited to, IACP, Minnesota Chiefs of Police Association, MPPOA, MADD and Minnesota Association of Women Police.

## VIII. SAVED BY THE BELT/HELMET AWARDS

This award recognizes members of the public who have escaped serious injury/death as a result of using seatbelts, child restraint devices, or helmets when involved in a traffic crash.

### A. Nominations

1. The Trooper who investigates a crash may nominate a person or persons when they feel that the following criteria have been met:
  - a. the person must have been wearing a seat belt, using a child restraint device, or wearing a helmet at the time of the crash and as a direct result of its use escaped serious injury or death;
  - b. the person in no way contributed to the cause of the crash;
  - c. the person was not under the influence of alcohol and/or drugs; and
  - d. if a driver, the person had a valid driver's license at the time of the crash.

### B. Responsibilities

#### 1. Investigating Trooper

- a. Complete a Traffic Crash Survivor Nomination form, attach relevant reports and photographs to support the nomination, and submit to the District/Section Office.
- b. Attend the awards ceremony for the nominee if requested by the District/Section Commander.

#### 2. District/Section Commander

- a. Compile the nomination form, copies of supporting documents, including a narrative and/or crash report written by the nominating Trooper and photographs if available, and forward the awards committee chair.
- b. Arrange for a ceremony in the home area of the nominee. The nominating Trooper may be requested to attend the ceremony.

#### 3. Awards Committee Chair

Review the nominations to determine if they qualify for the award.

#### 4. Awards support staff designee

- a. Provide completed awards to the Chief for signature.
- b. Mail the awards to the respective District/Section Commander.

Approved:

SIGNED 5/13/2020

Colonel Matthew Langer  
Chief, Minnesota State Patrol

# GENERAL ORDER

	<b>Effective:</b> November 6, 2023	<b>Number:</b> 23-10-048
	<b>Subject:</b> <b>DRESS AND PERSONAL GROOMING STANDARDS: NON-UNIFORMED EMPLOYEES AND DISPATCHERS</b>	
	<b>Reference:</b> DPS Policy 4063	
	<b>Special Instructions:</b> Rescinds GO 09-10-048	<b>Distribution:</b> G

## I. POLICY

The dress and appearance of all personnel is a direct reflection of the professionalism of our services and the image we project to our customers, both external and internal. In addition, our appearance and dress have a definite impact on the way we are perceived by others and the confidence that customers have in our ability to provide quality services.

## II. RESPONSIBILITIES

### A. Employees

1. General
  - a. It is the employee's responsibility to present themselves appropriately in the workplace. Wearing attire that does not conform to this policy may result in discipline and/or the employee being sent home to change clothes while utilizing appropriate leave time.
  - b. Anything not identified in this General Order that detracts from the professionalism of the organization will be addressed on a case-by-case basis.
2. Clothing and Accessories
  - a. All articles of clothing will fit properly, be clean and free of rips, tears, holes, frayed edges, missing buttons and faded colors. Dirty garments and those in disrepair shall not be worn.
  - b. No shorts, tank tops, muscle shirts, sleeveless sports attire, or underwear shirts that are visible, are to be worn while on duty. Shirts or other clothing with offensive language or offensive graphics are not to be worn.
  - c. Pants must be professional in their appearance without rips, tears, holes, and patches. Shorts are not allowed.
  - d. Shoes/boots must be clean and free of rips, tears, holes or heavy stains. Sandals are permitted, however flip-flop and athletic style sandals are not allowed.
  - e. No hats, caps, or stocking caps shall be worn on duty unless working outside in inclement weather.
  - f. No piercing jewelry is allowed if it interferes with clear communications.
  - g. Anything which is racially offensive, sexually offensive, or otherwise objectionable is prohibited. Attire or any accessories (including workplace accessories) which imply a political or social agenda are prohibited.
3. Personal Grooming
  - a. Appropriate standards for hygiene, health, and safety are to be maintained by all employees. This includes maintaining a clean and groomed appearance that is free of excessive fragrances and odors.
  - b. Hair is to be clean and neatly groomed. The appearance of the hair should not be excessive, ragged or unkempt. The bulk and length of the hair may not interfere with the normal duties of the employee. Ornaments, ribbons, or barrettes worn in the hair must be professional in nature.
  - c. Fingernails will be clean. If nail polish is worn, it should be appropriate for a professional environment.
  - d. Where a mustache or beard is worn, it is to be kept neatly trimmed, not presenting an unkempt or extreme appearance.

**B. Communications Section Members and Capitol Security Dispatchers**

In addition to Section A. above, the following provisions are applicable to Radio Communications Operators in the Communications Section and Capitol Security Dispatchers.

1. Radio Communications Operators and Capitol Security Dispatchers who are approved to participate in public facing events will be issued one long sleeve button-up uniform shirt and one short sleeve polo shirt bearing the MSP Communications logo embroidered on the left side of the shirt.
2. The uniform shirt shall be worn at public events.
3. Issued uniform shirts shall be maintained in a presentable condition at all times and cleaned according to label instructions.
4. If the member works public events, the annual replacement requisition of one uniform shirt will be completed during the employee's annual performance evaluation and submitted to their immediate supervisor.
5. Alterations to uniform shirts shall be made only upon permission by the Statewide Communications Director/designee.
6. Any additional lettering, insignias, or pins added to uniform shirts must be approved by the Statewide Communications Director/designee.
7. Any issued uniform shirt deemed unserviceable by a supervisor will be replaced by the agency.

In addition to Section A and applicable elements of Section B. above, the following provision is applicable to Radio Communications Supervisors in the Communications Section.

1. A uniform shirt is required while working in the restricted access Public Service Answering Point (PSAP) center.
2. Each Radio Communications Supervisor will initially be issued five uniform shirts to include a combination of short or long sleeve polo shirts, or a long sleeve button-up shirt bearing the MSP Communications logo embroidered on the left side of the shirt.
3. The purpose of the uniform is to designate on-duty supervisory staff.

**C. Supervisors**

1. Enforce policy provisions for employees under their supervision.
2. Contact the appropriate Major if clarification is needed on the appropriateness of particular items of clothing or personal grooming issues not addressed by this policy. The Chief will make final determination on any question related to attire, personal accessory, or workplace accessory.

**Approved:**

**SIGNED 11/6/2023**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> April 27, 2018	<b>Number:</b> 18-10-051
	<b>Subject:</b> EMPLOYEE PERFORMANCE EVALUATIONS	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds 17-10-051	<b>Distribution:</b> G

## I. PURPOSE

This General Order is to establish uniform procedures and guidelines governing the preparation and delivery of employee performance evaluations. The performance evaluation is a tool to establish a record of work performance, achievements, agency contributions, training needs, and goals. State Patrol supervisors are responsible for ensuring that all employees are making an acceptable contribution to the mission of the agency. All employees will be evaluated on an annual basis.

## II. PROCEDURE

### A. Performance Evaluation Form and Addendum

1. All performance evaluations shall be completed on the approved DPS Human Resources form, located on the DPS Insider Intranet site and in Power DMS.
  - a. Addendums for certain employees are found in Power DMS and are required as follows:
    - i. Trooper and Technical Sergeant (non-4700)
    - ii. Technical Sergeant (4700)
    - iii. Commercial Vehicle Inspector
  - b. Addendums are not accepted for any other employees.
  - c. Instructions for filling out the DPS performance evaluation template, including definitions of behaviors, can be found on the DPS Insider Intranet.
  - d. Instructions and definitions for data collected on the three addendums can be found below.

### B. Evaluation Due Dates

1. All sworn personnel will be evaluated annually. Evaluations should be researched, completed, delivered to the employee and then submitted to DPS Human Resources (HR) between January 15<sup>th</sup> and March 15<sup>th</sup> of each calendar year. There is no grace period after the March 15<sup>th</sup> deadline. The reporting period is from January 1<sup>st</sup> to December 31<sup>st</sup> each year.
2. All non-sworn employees, with the exception of clerical support staff, will be evaluated annually. Evaluations should be researched, completed, delivered to the employee and then submitted to DPS HR by March 1<sup>st</sup> of each year (no grace period). For clerical staff, the DPS HR "Performance Tracking" application located on the DPS Insider (Intranet) shall be used to determine evaluation due dates.

## C. RESPONSIBILITIES

### D. Employee Responsibilities

Participate in performance evaluation discussion, including goal setting, and sign performance evaluation completed by supervisor.

### E. First Line Supervisor Responsibilities

1. Prepare annual performance evaluations of Troopers under their supervision.
2. When an employee performs additional duties outside of their normal work area (such as background investigator, DRE, K-9 handler, FLIR operator), the supervisor must obtain feedback from the person with oversight of that area for inclusion into the employee's performance evaluation.
3. Employees receiving an overall rating of "needs improvement" or "unacceptable," shall be provided with an improvement plan. The improvement plan can be articulated as a goal with specific tasks in the employee's performance evaluation, or a separate more detailed plan. The Major responsible for that

district/section must approve the plan prior to its commencement.

4. Once the supervisor has completed the performance evaluation, the supervisor will sign and date the document and provide to the district/section commander for the commander’s review and signature.
5. Schedule meeting with employee to conduct annual performance review.
6. Meet with employee, deliver the evaluation, and provide a signed copy.
7. Submit completed and signed evaluations via email to Patrol.MSP-Evaluations@state.mn.us.

**C. District/Section Commander Responsibilities**

1. District/section commanders shall develop a formal sworn personnel evaluation plan and schedule focusing on the timely submission of information by all district supervisors.
2. The Commander shall review all performance evaluations for content, consistency and continuity within their district.
3. The Commander shall review, approve and sign off on the performance evaluation prior to the performance evaluation meeting between the supervisor and employee.
4. The Commander, in consultation with the supervisor and responsible Major for their district/section, shall create or review improvement plans as indicated in III.B.(3), above.
5. The district commander shall insure consistency in performance evaluations in between supervisory changes, retirements, etc.

**Cl. Major Responsibilities**

1. The reviewing Major is responsible to ensure each performance evaluation is in conformance with this General Order and DPS policy.
2. Reviewed performance evaluations shall be provided back to the Headquarters designee for delivery to DPS Human Resources.

**CII. ADDENDUMS**

**A. Trooper and Technical Sergeant (non-4700)**

The following table articulates the data sources for statistical information required on the addendum for this group of employees.

Data	Data Source
CAD Hours	CAD
Training hours (student)	CAD
Training hours (instructor)	CAD
Traffic stops	CAD
Traffic Safety/Recruitment presentations	Self-report to district office, with district coders using code 6001-Number of Presentations
Total Enforcement Contacts	SPAIS
Speed (citations and warnings)	Violations coded 1004 in SPAIS
Seat Belt Citations	All citations written on regular duty, coded 1103 or 1109, collected from SPAIS
Seat Belt Warnings	All warnings written on regular duty, coded 1103 or 1109, collected from SPAIS
Distracted driving (citations and warnings)	Total sum of violations coded 1114, 1112, 1050, 1115, 1391, 1214, and 1009, collected from SPAIS
Impaired driving arrests	All violations coded 1008, 1060, 1061, 1062, 1063, 1064, 1070, and 1071 in SPAIS
Other moving violations (citations and warnings)	Violations in the 1000 series codes in SPAIS other than those listed for speed, impaired or distracted driving in SPAIS
Other equipment violations (citations and warnings)	Violations in 1100 series codes in SPAIS other than those listed for seatbelt and distracted driving
Crashes Investigated	MNCrash reports

Public Assists	CAD event types: STALL, STALLB, VOR, MED, MA, TOWA, DP, DEBRIS, ANIMAL, JACKKNIFE, LPROP, RELAY, TOWA
Assist Other Agency	CAD event type AOA, including all subtypes
"Regular Time" indicates on regular duty time. "OT" indicates overtime when a project code is indicated or when attached to a federal project	

**B. Technical Sergeant (4700)**

In addition to the standard addendum for Troopers and Technical Sergeants, the following statistical information is required for this group of employees.

Data	Data Source (4700 Tech Sergeant)
CMV Inspections/Investigations	Federal Database (SafetyNet)
Post-Crash Inspections/Investigations	Federal Database (SafetyNet)
Size and Weight Violations	Total sum of violations coded 1315, 1316, 1322, 1323, 1324, 1328, 1330, 1331, 1332, and 1333 collected from SPAIS
Trucks weighed mobile	Total sum of violations in the Federal Database (SafetyNet) and coded 5002 in SPAIS
Trucks weighed other	Total sum of violations in the Federal Database (SafetyNet) and coded 5003, and 5017 in SPAIS
Civil weight (cases filed)	4700 Records
Red-dyed fuel checks	Federal Database (SafetyNet)

**C. Commercial Vehicle Inspector**

Data	Data Source (Commercial Vehicle Inspector)
CAD hours	CAD
Training hours (student)	CAD
Training hours (instructor)	CAD
Traffic safety/Recruitment presentations	Self-report to district office, with district coders using code 6001-Number of Presentations
Total Enforcement Contacts	SPAIS
Seat Belt Citations	All citations written on regular duty, coded 1103 or 1109, collected from SPAIS
Seat Belt Warnings	All warnings written on regular duty, coded 1103 or 1109, collected from SPAIS
Distracted driving (citations and warnings)	Total sum of violations coded 1114, 1112, 1050, 1115, 1391, 1213, and 1009, collected from SPAIS
CMV Inspections/Investigations	Federal Database (SafetyNet)
Post-Crash Inspections/Investigations	Federal Database (SafetyNet)
Size and Weight Violations	Total sum of violations coded 1315, 1316, 1322, 1323, 1324, 1328, 1330, 1331, 1332, and 1333 collected from SPAIS
Civil weight (cases filed)	4700 Records
Red dyed fuel checks	Federal Database (SafetyNet)
Public Assists	CAD event types: STALL, STALLB, VOR, MED, MA, TOWA, DP, DEBRIS, ANIMAL, JACKKNIFE, LPROP, RELAY, TOWA
Assist Other Agency	CAD event type: AOA, including all sub-types

Regular time" indicates on regular duty time. "OT" indicates overtime when a project code is indicated or when attached to a federal project.

## **V. APPEAL PROCEDURE**

A Trooper may appeal their final performance evaluation within 30 calendar days of receiving the evaluation. Prior to making use of this appeal process, the Trooper is encouraged to discuss any issue(s) with regard to their performance rating with their district/section supervisor(s). If this informal process does not settle the issue(s), the performance evaluation may be appealed as follows:

1. Within 30 calendar days from the date of the performance evaluation being delivered, the Trooper may appeal the evaluation to the Major responsible for their district/section by submitting a written letter containing the justification for the appeal and requested modifications, if any. A copy of this written appeal must also be sent to the Department of Public Safety Office of Human Resources.
2. The Major will review the appeal and meet with the Trooper to discuss the Trooper's concerns. A union representative, at the request of the Trooper, may also be present at this meeting.
3. Changes made to the Trooper's performance evaluation resulting from the appeal process must be placed in the employee's personnel file.
4. The decision of the Major is final.

**Approved:**

**SIGNED 4/27/2018**

**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER



<b>Effective:</b>	October 18, 2012	<b>Number:</b>	12-10-052
<b>Subject:</b>	<b>CRIME VICTIMS RIGHTS AND REPARATIONS</b>		
<b>Reference:</b>	Minn. Stat. secs. <a href="#">518B.01</a> , <a href="#">611A.01–611A.67</a> , <a href="#">609.02</a> , <a href="#">609.221–609.224</a> ; GO 10-003		
<b>Special Instructions:</b>	Rescinds GO 97-10-052	<b>Distribution:</b>	A,B,C,D

## I. PURPOSE

To establish uniform rules for providing assistance to crime victims as required by Minnesota state statute.

## II. DEFINITIONS

- A. "Victim" is a natural person who incurs loss or harm as a direct result of a crime.
1. The term includes a person who made a good faith effort to prevent a crime.
  3. The term includes a corporation or government entity that incurs loss or harm.
  4. The term also includes family members, guardian, or a custodian of a minor, incompetent, incapacitated, or deceased person. See Minn. Stat. sec. [611A.01, subd.b.](#)
- B. "Domestic abuse" means the following, if committed against a family or household member by a family or household member (Minn. Stat. sec. [518B.01, subd. 2.\(a\)](#)):
1. Physical harm, bodily injury, or assault.
  2. The infliction of fear of imminent physical harm, bodily injury, or assault.
  3. Terroristic threats, within the meaning of Minn. Stat. sec. [609.713, subd. 1](#), or criminal sexual conduct, within the meaning of [609.342](#), [609.343](#), [609.344](#), or [609.345](#) or [609.3451](#).
  4. Interference with an emergency call within the meaning of Minn. Stat. sec. [609.78, subd. 2](#).
- C. "Family or household members" is defined in Minn. Stat. sec. [518B.02, subd. 2\(b\)](#) as:
1. Spouses and former spouses;
  2. parents and children;
  3. persons related by blood;
  4. persons who are presently residing together or who have resided together in the past;
  5. persons who have a child in common regardless of whether they have been married or have lived together at any time;
  6. a man and a woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and
  7. persons involved in a significant romantic or sexual relationship.
- D. Probable cause arrests (Minn. Stat. sec. [629.341, subd. 1](#)) include probable cause to believe that the person has committed domestic abuse within the last 24 hours. There is no in-presence requirement.
- E. Crime—Rights
1. Conduct that is prohibited by local ordinance and results in bodily harm to an individual; or
  2. Conduct that is included within the definition of "crime" in Minn. Stat. sec. [609.02, subd.1](#) (i.e. misdemeanor, gross misdemeanor, or felony) or would have been included but for the fact that the person engaging in the conduct lacked capacity to commit the crime under the laws of this state, or the act was alleged or found to have been committed by a juvenile.
- F. Crime—Reparations (Minn. Stat. sec. [611A.52, subd. 6](#))
- Conduct that poses a substantial threat of personal injury or death and is included within the definition of crime (Minn. Stat. sec. [609.02, subd. 1](#)) (or would be but for the fact the person lacked the competency or was a juvenile) and occurs or is attempted anywhere within the state including Indian reservations and other trust lands. This does not include conduct arising out of the use of a motor vehicle, air/water craft

unless:

1. Injury or death was intentionally inflicted through the use of a motor vehicle, aircraft, or water craft;
  2. Injury or death was caused by a driver in violation of Minn. Stat. sec. [169.09, subd. 1](#), or Minn. Stat. secs. [169A.20](#) or [609.21](#); and
  3. Injury or death was caused by a driver or motor vehicle in the immediate act of fleeing the scene of a crime in which the driver knowingly and willingly participated.
- G. "Formal Statement" is a signed written statement (i.e. PS-01809) or tape-recorded statement from the victim of a crime as defined in II. A. above where it is likely that the offender will be prosecuted.

### III. APPLICATION

Minn. Stat. sec. [611A.02, subd. 2\(b\)](#), requires all law enforcement officers, at the time of initial contact, to provide the initial notice of the rights of crime victims to each victim (Minn. Stat. secs. [611A.01–611A.02](#)). The required victim rights information is included on the Minnesota State Patrol Crime Victim Information card. This information must also be provided to victims in those cases where a crime has been committed and the offender (fatal accident victim) will not be prosecuted.

### IV. PROCEDURE

#### A. Notice of Rights Requirement

The MSP Crime Victim Information card shall be distributed by a Trooper, at the time of the initial contact, to each victim or possible victim of a crime as defined in II. E. above.

**Example:** A chargeable accident where the Trooper takes a formal statement from a possible victim - the Trooper would be required to provide that possible victim with the MSP Crime Victim Information card.

#### B. Notice of Reparations Requirement

The MSP Crime Victim Information card shall be distributed by Troopers to each victim or possible victim of a crime, as defined in II. F. above, when the Trooper is the investigating officer.

**Example:** The investigating Trooper of a possible criminal vehicular operation would be required to provide each possible victim with the MSP Crime Victim Information card regardless of whether or not a formal statement is taken. Possible victims would include dependents of injured or killed persons.

- C. When the victim, because of injuries, age, etc., would not obviously be able to understand their legal rights and requirements in making claims for reparations, the MSP Crime Victim Information card should be given to a responsible family member or person. In difficult situations, a Trooper may want to consider asking for assistance from a local advocate. Information on the nearest advocate is available by calling 1-800-247-0390 (Greater Minnesota) or 651-201-7310 (Metro.)

#### D. Domestic Abuse

1. A Trooper responding to an incident of alleged domestic abuse, whether or not an arrest is made, shall complete and submit an investigation report to their supervisor (Minn. Stat. sec. [629.341, subd. 4](#)). The above investigation report is to be used by the State Patrol when the Trooper is the investigating officer.
2. In addition to providing the initial notice of rights of crime victims, a Trooper responding to an incident of alleged domestic abuse shall:
  - a. tell the victim whether a shelter or other services are available;
  - b. provide the victim with a MSP Crime Victim Information card;
  - c. give the victim immediate notice of legal rights and remedies available; and
  - d. give the victim the name and telephone number of the nearest area battered victim's shelter (Minn. Stat. sec. [629.341, subd. 3](#)). District Commanders shall be responsible for determining location of appropriate local shelters.
3. The initial notice must include furnishing the victim with a copy of the following statements:
 

"If you are the victim of domestic violence, you can ask the city or county attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an order for

protection from domestic abuse. The order could include the following:

- a. an order restraining the abuser from further acts of abuse;
- b. an order directing the abuser to leave your household;
- c. an order preventing the abuser from entering your residence, school, business, or place of employment;
- d. an order awarding you or the other parent custody of or visitation with your minor child or children; or
- e. an order directing the abuser to pay support to you and the minor children if the abuser has legal obligation to do so.”

#### **V. GENERAL REQUIREMENTS**

- A. Prior to providing any victim with a MSP Crime Victim Information card, the Trooper shall insure that the contact telephone number on the form is correct.
- B. Requests for reports from the Crime Victim Reparation Board or the Office of the Crime Victim’s Ombudsman shall be forwarded to the District Commander. The District Commander shall then be responsible for furnishing the Board or Ombudsman with the requested reports within ten days of the date the district or Trooper first received the request (Minn. Stat. sec. [611A.66](#)).
- C. The district office will be responsible for maintaining a supply of appropriate forms, including any local or regional related information.

#### **VI. BIAS OFFENSE REPORT**

Troopers must report to the District Commander every violation of Chapter 609 if the Trooper has reason to believe that the offender was motivated to commit the act by the victim’s race, religion, national origin, sex, age, disability, or characteristics identified by sexual orientation. This report will be made on the form prescribed by the Superintendent of the BCA (Minn. Stat. sec. [626.5531, subd. 1](#)).

**Approved:**

**SIGNED 10/18/2012**

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**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> August 2, 2010	<b>Number:</b> 10-10-053
	<b>Subject:</b> <b>MEDIA – REQUESTS AND INFORMATION</b>	
	<b>Reference:</b> General Orders <a href="#">10-025</a> , <a href="#">10-026</a> and <a href="#">10-029</a> , DPS Policy 1001	
	<b>Special Instructions:</b> Rescinds General Order 96-10-053	<b>Distribution:</b> G

## I. POLICY

It is the policy of the Minnesota State Patrol to assist representatives of the media to gather information pertaining to the activities of the State Patrol. It is in the best interest of this agency and the public to maintain a cooperative working relationship with the news media, as they can be extremely helpful in disseminating information that the public should know in order to meet our highway safety goals.

## II. PROCEDURE

### A. Data Practices

Any release of information must comply with the requirements of Minnesota law regarding data practices (Minn. Stat. Chapter 13, Minn. Stat. §§[169.09](#) and [260.161 subd. 3](#)). See General Order [10-025](#) for further information.

### B. Proactive Media Contacts

1. Department of Public Safety press releases will be prepared and distributed by the Department's Office of Communications. This office will arrange news conferences for MSP personnel assigned to the event. They are also available to assist in preparing public service announcements.
2. District/Section Commanders, with the assistance of regional Public Information Officer (PIO) Troopers, should regularly contact radio and television stations and newspapers located in the district so that lines of communication are open.
3. Prior to all major holidays the news media sources should be notified with press releases or other information disseminated by regional PIOs and/or DPS Communications. District/Section Commanders should also keep the media apprised of special programs occurring in the district.

### C. Media Initiated Contacts

1. Inquiries from the media into the following are to be referred to Headquarters, specifically the PIO Lieutenant:
  - a. Questions of department policy
  - b. Financial and/or budget questions
  - c. The department's position on legislative matters
  - d. Questions relating to internal affairs investigations and disciplinary matters
  - e. Issues involving or likely to involve civil litigation against the state
  - f. Other issues beyond the scope of district operations
2. Inquiries regarding day-to-day operations may be responded to by anyone knowledgeable in the subject keeping in mind the restrictions outlined in II, A, above.

3. Inquiries regarding incidents in which the State Patrol assists another agency having primary jurisdiction should be directed to that agency.
4. When media representatives attend the scene of an incident they should be treated courteously, but not allowed to interfere with the handling of the incident.

**D. Headquarters – PIO Supervisors**

1. Coordinate media efforts with districts and the DPS Office of Communications as needed to comply with DPS Policy 1001.
2. Ensure the DPS Office of Communications is updated during circumstances of ongoing events, investigations, or other periods of limited public access.

**Approved:**

**Signed 08/02/2010**

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**Colonel Mark A. Dunaski, Chief  
Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> May 23, 2019	<b>Number:</b> 19-10-054
	<b>Subject:</b> RESERVATION LAND - LAW ENFORCEMENT POWERS	
	<b>Reference:</b> <a href="#">25 USC 2804</a> ; General Order 20-012	
	<b>Special Instructions:</b> Rescinds General Order 16-10-054	<b>Distribution:</b> A,B,C,D,E,F

## I. POLICY

It is the policy of the Minnesota State Patrol to respect the sovereignty of tribal lands within the state. Because the tribes have a unique legal position attributable to their sovereign status with inherent powers of self-government, the authority of Troopers on reservation lands is limited herein.

## II. ENFORCEMENT

### A. Scope

The following policy applies on all Native American Reservations in the state, except for on the Red Lake and Bois Fort (Nett Lake) Reservations (see Sections III and IV).

1. While on reservation land, Troopers may not issue that's reservation's band members state citations for civil regulatory (minor traffic) offenses such as failure to provide motor vehicle insurance, no proof of insurance, driving with an expired driver's license, speeding, and no seatbelt. Troopers have jurisdiction over band members who commit criminal traffic offenses, such as DWI, careless and reckless driving, and criminal vehicular operation resulting in bodily injury and/or death.
  - a. All state statutes apply to non-band members while on reservation land and enforcement of violations are governed by applicable Minnesota State Patrol policies and practices.
2. On reservations where a written agreement is in effect between the band and the state that authorizes Troopers to issue tribal citations, Troopers may issue tribal citations to band members of that reservation for civil regulatory offenses.
3. Troopers have the same powers over Native American people as any other citizen when an offense occurs on non-tribal land.
4. Requests for mutual aid or assistance will be reviewed on an individual basis by the District Supervisor.
5. Troopers assigned to areas where special agreements exist shall be provided with a copy of the agreement and be familiar with the contents.

### B. District/Section Commanders

With the approval of the Chief, District Commanders may enter into negotiations with local tribes to issue tribal citations for violations of tribal law. All agreements must be reviewed by the Attorney General's Office and approved and signed by the Chief.

1. Any agreements or working arrangements must be properly documented and reviewed by the Attorney General's Office and signed-off by the Chief before being implemented. The original agreement must be sent to Headquarters for retention.
2. Ensure any local agreements or working arrangements with local reservations not addressed herein are documented in District Memos and distributed to district/section members and the policy manager at MSP.
3. At least annually, District Commanders should formally meet with the tribal chief of police to review the impact of the local agreement and determine if any revisions are necessary.

## III. RED LAKE RESERVATION

### A. General

1. [25 USC 2804](#) allows the U.S. Department of Interior, upon the recommendation of the Native American tribe, to enter into written agreements with federal, state, and local authorities which extends law enforcement authority to those agencies. No agreements are in place, so Troopers in relevant districts

should be aware of current practices regarding Red Lake tribal lands.

2. State Patrol personnel may not respond to any call for assistance on the Red Lake Reservation.
3. This policy applies to any request for assistance on the reservation, including a call from the Beltrami County Sheriff's Department. It would also apply to non-emergency requests such as crash investigation/reconstruction.
4. Only the Assistant Chief, Chief of the State Patrol, or Commissioner of Public Safety may make exceptions to this policy. This may be communicated by the on-call Major.

B. Pursuits

Troopers engaged in pursuits leading to the reservation should request the tribal police be notified and attempt to use approved intervention strategies to end the pursuit in advance of reaching the border (General Order 20-012, Pursuits). If not able to terminate the pursuit prior to reaching the border, Troopers shall discontinue the pursuit.

**IV. BOISE FORTE RESERVATION (NETT LAKE/VERMILLIONS)**

A. Authority

1. Troopers have no authority over tribal members on reservation land in the area of the Bois Forte Reservation (Nett Lake/Vermillion).
2. Troopers have the same powers over non-Native Americans on the Bois Forte lands as elsewhere in the state; however, because it is impossible to tell if an individual is a tribal member until action has been taken, Troopers should not routinely patrol reservation land and should only respond if requested by the Bureau of Indian Affairs (B.I.A.)/Nett Lake Police Department (referred to as the B.I.A. Police/Police Department throughout this policy) or the FBI.

B. Crash Investigation

When requested by the B.I.A. Police, Troopers may respond to crashes to assist or investigate. Enforcement action will only be taken against those who are determined to be non-members. Other cases must be referred to the B.I.A. Police for possible action.

C. Pursuits

Troopers engaged in pursuits leading to the reservation should request the tribal police be notified and attempt to use approved intervention strategies to end the pursuit in advance of reaching the border (General Order 20-012, Pursuits). If not able to terminate the pursuit prior to reaching the border, Troopers shall discontinue the pursuit.

D. Requests for Assistance

All requests for assistance on the Bois Forte reservation, other than crash assistance and investigation, must be approved by a District Supervisor before any response is made.

E. Vehicle Registration

Minnesota has entered into a reciprocity agreement with the Bois Forte Band regarding enforcement of vehicle registration. As long as the vehicle is properly registered with either the state or the Band, reciprocity is recognized. This does not exempt any vehicle from weight or dimension laws of either jurisdiction, nor does it exempt for-hire vehicles from compliance with the laws and regulations of either jurisdiction.

F. Other Agreements

[25 USC 2804](#) allows the U.S. Department of Interior, upon the recommendation of the tribe, to enter into agreements with federal, state, and local authorities which extends law enforcement authority to those agencies. No agreements, other than vehicle registration reciprocity, have been entered into with the Bois Forte Band. As such, Troopers in relevant districts should be aware of current issues regarding these tribal lands.

**Approved:**

**SIGNED 5/23/2019**

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**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

## GENERAL ORDER



### Impartial/Unbiased Policing (Avoiding Racial Profiling)

Policy Number	10-057
Effective Date	8/2/24
Last Review Date	8/2/24
Distribution	G

Related Policies

N/A

### I. PURPOSE

This policy is intended to reaffirm the State Patrol's commitment to impartial/unbiased policing and to reinforce procedures that serve to assure the public that we are providing service and enforcing laws in a fair and equitable manner to all.

All members of the Minnesota State Patrol are expressly prohibited from engaging in racial profiling. The race, national origin and/or ethnicity of an individual shall not be the single factor in determining the existence of a reasonable suspicion that an offense has been or is in the process of being committed in order to substantiate a traffic stop, or probable cause to place an individual in custody or under arrest.

### II. DEFINITIONS

- A. **Racial profiling** is defined in Minn. Stat. sec. 626.8471, subd. 2, as any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:
1. The behavior of that individual, or
  2. Information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.
- Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.
- B. **Probable cause** is a reasonable ground in fact and circumstance for a belief in the existence of certain circumstances (that an offense has been or is being committed; that a person is guilty of an offense; that a particular search will uncover contraband; that an item to be seized is in a particular place; or, that a specific fact or cause of action exists).
- C. **Reasonable suspicion** is an objectively justifiable suspicion that is based on specific facts or circumstances and that justifies stopping and sometimes searching (as by frisking) a person thought to be involved in criminal activity at the time. A reasonable suspicion is more than a hunch.
- D. **Stop or seizure** is a temporary, limited detention of a person for the purpose of inquiry or investigation based on reasonable suspicion of criminal activity.
- E. **Detention** is to hold or restrain from proceeding.

### III. POLICY

It is the policy of the Minnesota State Patrol that its members will not effect a stop, detention, or search of any individual when the motivation of the stop, detention or search is based exclusively on race, ethnicity or national origin as such action would constitute a violation of that person's civil rights. Members of the Minnesota State Patrol are expressly prohibited from engaging in any activities that are indicative of a practice of racial, ethnic or national origin profiling.

#### A. Policing Impartially

1. Investigative detentions, pedestrian seizures and vehicle stops, arrests, searches and property seizures by Troopers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and Article 1, Section 10, of the Minnesota Constitution. Troopers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian seizures and vehicle stops, arrests, nonconsensual searches and property seizures.

2. Except as provided in III.A.3 below, troopers shall not consider race, ethnicity, national origin, gender, sexual orientation or religion in establishing either reasonable suspicion or probable cause.
3. Troopers may take into account the descriptors in III.A.2 above of a specific suspect(s) based on information that links specific, suspected unlawful or suspicious activity to a particular individual or group of individuals. This information may be used in the same manner Troopers use specific information regarding age, height, weight, etc., about specific suspects.

#### **B. Preventing Perceptions of Biased Policing—Procedural Guidelines**

In an effort to prevent the perception of biased law enforcement, Troopers shall utilize the following guidelines:

1. Be respectful and professional.
2. Introduce and identify yourself to the citizen and state the reason for the contact as soon as possible unless it would compromise officer or public safety to do so. Troopers shall not ask the operator of a vehicle during a traffic stop if they know the reason for the stop.
3. When not in full duty uniform on duty, or if intervening in an event off-duty, provide department issued badge or photo ID card to identify yourself as a Trooper.
4. Ensure that the detention is no longer than necessary to take appropriate action for the known or suspected offense.
5. Ask the driver for his/her driver's license and proof of insurance.
6. Advise the driver of your decision, e.g., warning, ticket or arrest.
7. Attempt to answer any relevant questions the driver may have regarding the driver/Trooper contact, including relevant referrals to other agencies when appropriate.
8. Provide your name and badge number when requested, preferably in writing or on a business card.
9. Provide an appropriate explanation to the driver if you determine that the reasonable suspicion was unfounded, e.g., after an investigatory stop.
10. When interacting by telephone, identify yourself by agency/rank/name and state the reason for the phone call.

#### **IV. TRAINING**

Troopers shall receive initial and annual refresher training focused on biased issues and legal aspects to ensure that they are in compliance with this General Order.

#### **V. SUPERVISION AND ACCOUNTABILITY**

Supervisors shall ensure that all personnel in their command are familiar with the content of and are in compliance with this policy.

#### **VI. DUTY TO REPORT**

Every member of this agency shall perform their duties in a fair and objective manner and are responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

#### **VII. VIOLATIONS**

The agency will document and review any alleged violations of this policy. Violations will be reported to the POST Board in accordance with the reporting requirements in Minn. Stat. sec. 626.8457.

## RELATED RESOURCE OR FORM

RESOURCE	TITLE
Minn. Stat. sec. 626.8471	Avoiding Racial Profiling; Policies and Learning Objectives Required
Minn. Stat. sec. 626.8457	Professional Conduct of Police Officers
POST Model Policy	Avoiding Racial Profiling Model Policy
CALEA Law Enforcement Standard 1.2.9	Unlawful or Improper Bias in Public Safety
CALEA Law Enforcement Standard 22.1.8	Employee Identification

## APPROVAL

NAME	Colonel Christina Bogojevic
TITLE	Chief, Minnesota State Patrol
DATE	August 2, 2024

# GENERAL ORDER

	<b>Effective:</b> May 1, 2003	<b>Number:</b> 03-10-058
	<b>Subject:</b>	<b>STANDARDS FOR FULL DUTY STATUS OF STATE PATROL TROOPERS</b>
	<b>Reference:</b>	The Essential Functions of a MN State Trooper; State Patrol Trooper Physical Task Areas; Functions Performed by State Troopers Requiring Physical Ability; Physical Activities Documentation; Occupational Group: State Patrol Trooper; MN State Patrol Trooper; Essential Job Functions; MSPTA Contract
	<b>Special Instructions:</b>	<b>Distribution:</b> A,B,C

## I. PURPOSE

To provide a guide outlining the standards for full duty status of a Minnesota State Patrol Trooper.

## II. POLICY

State Patrol members must meet certain physical requirements to safely perform their job duties.

## III. PHYSICAL REQUIREMENTS

A MN State Trooper must have the ability to be physically active for long periods each day, including, but not limited to, driving, standing, walking, running, jumping, crawling, stooping, kneeling, crouching and getting in and out of a vehicle several times each day. A Trooper must also be able to stand on a hard surface for prolonged periods of time (i.e. over four (4) hours.) If a trooper is required to direct traffic, it may be necessary to stand on hard surfaces for indefinite periods of time.

The following is a list of physical requirements associated with performing the job tasks of a Minnesota State Trooper:

### A. Strength:

1. Lift wheel out of trunk and onto lug bolts.
2. Lift and carry fire extinguisher.
3. Without assistance lift, carry, drag or pull an injured, invalid or unconscious person.
4. Without assistance, lift and lower to the ground or stretcher, an injured, invalid or unconscious person.
5. With assistance of another officer, carry an injured, invalid or unconscious person up or down an embankment or flight of stairs.
6. Without assistance, drag or roll objects weighing 150 lbs. (i.e., roadway obstructions, dead animals, tree limbs.)
7. Carry emergency equipment.
8. Place and remove traffic control devices (i.e., barricades, signs, barrels, cones.)
9. Possess the finger strength to pull the trigger of the department-issued semi-automatic pistol 12 consecutive times.

- B. Physically Subdue/Restrain:
  - 1. Subdue/disarm a resisting person.
  - 2. Restrain and control resisting person.
  - 3. Defend self and others against physical attack.
  - 4. Defend self against person attempting to disarm trooper.
  - 5. Apply defensive tactics to uncooperative suspects.
- C. Run/Climb:
  - 1. Run to chase fleeing suspect on foot over rough terrain (i.e., snow banks, ditches, fences.)
  - 2. Climb and traverse freeway and chain link fences, guardrails, embankments and drainage ditches.
  - 3. Climb into and on top of passenger vehicles and commercial vehicles.
- D. Push:
  - 1. Push stalled automobile.
  - 2. Push through doors.
  - 3. Push your way through a large group of people.
- E. Agility/Coordination/Reaction Time:
  - 1. Enter and exit patrol vehicle multiple times during shift.
  - 2. Ability to run (i.e., pursue a fleeing subject, respond to emergency scenes.)
  - 3. Demonstrate Standardized Field Sobriety Tests (SFSTs).
  - 4. Rapidly duck, dive, bend and stoop to avoid vehicles and thrown objects.
- F. Flexibility:
  - 1. Perform CPR.
  - 2. Get in and out of car repeatedly.
  - 3. Stoop to inspect vehicles.
  - 4. Crawl on back under vehicles.
- G. Balance/Equilibrium: Walk or run on slippery surfaces (i.e., rain, snow, ice.)
- H. Apprehend, Control, Search:
  - 1. Physically break up and separate combatants in a fight.
  - 2. Subdue resisting subject after foot pursuit.
  - 3. Wrestle with a person offering physical resistance to make an arrest.
  - 4. Force resisting subject to the ground by means of tackling, wrestling, throwing or tripping.
  - 5. Immobilize subject against wall or patrol car.
  - 6. Apply holds (wrist lock, hammer-lock, etc.) to resisting subject to maintain control.
  - 7. Strike subject with fist, arm or elbow.
  - 8. Strike subject with foot or knee.
  - 9. Pry subject's hands or arms away from your throat or other areas of the body (break restraining or choke holds upon the officer.)
  - 10. Strike subject with baton.
  - 11. Use force to retain control of weapons (including firearms, batons, long guns.)
  - 12. Apply handcuffs to standing, resisting subject.
  - 13. Hold resisting subject on ground and apply handcuffs.
  - 14. Assist handcuffed subject to their feet after a prone handcuffing technique.
  - 15. Use force to remove resisting subject from vehicle, squad car and cell.
  - 16. Protect assigned dignitaries during executive protection services (i.e., body guard details.)
  - 17. Crawl into confined spaces of wrecked vehicles to locate victims and perform first-aid.

**IV. MENTAL REQUIREMENTS**

The trooper must possess sufficient mental capacity to perform all of the duties and requirements set forth in the trooper's job description.

**V. MEDICAL REQUIREMENT**

The District/Section Commander or injured member, when the member is in a limited or off-duty status, shall provide a copy of this general order to the treating physician for review and consideration to determine when the member can return to full-duty status.

<b>Approved:</b>  <b>Signed 05/01/2003</b>  _____ <b>Colonel Anne L. Beers, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>   _____ <b>Signature</b>
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# GENERAL ORDER

	<b>Effective:</b> March 3, 2008	<b>Number:</b> 08-10-059
	<b>Subject:</b> OFF-DUTY/SECONDARY EMPLOYMENT	
	<b>Reference:</b> Collective Bargaining Agreements, General Order 10-051, Department of Public Safety Policy 3510, Minn. Statutes <a href="#">§43A.38</a> , Addenda	
	<b>Special Instructions:</b> Rescinds General Order 07-10-059	<b>Distribution:</b> G

## I. POLICY

It is the policy of the Minnesota State Patrol (MSP) to allow its employees to participate in off-duty/secondary employment provided the employment does not:

1. Conflict with primary job assignments or obligations to the MSP.
2. Conflict with the goals of the MSP.
3. Bring discredit to the employee, the position, the MSP, or to the state of Minnesota.
4. Diminish public confidence in law enforcement or the MSP's commitment to integrity.
5. Constitute a conflict of interest in violation of state law or Department of Public Safety (DPS) policy.

## II. REGULATIONS

### A. General

1. Employees may engage in a part-time job or hold an outside business if this relationship does not interfere in any way with the employee's regular assignment or create a conflict of interest in violation of DPS policy or state statute.
2. Unless expressly authorized, employees are prohibited from using state facilities, supplies, or equipment for off-duty/secondary employment. This includes, but is not limited to, uniforms, weapons, computers, pagers, and cell phones.
3. Employees are prohibited from conducting any off-duty/secondary employment activities while on-duty with the MSP. This includes, but is not limited to, court appearances, subpoena requests, training, follow-up phone calls, and attending meetings.
4. Employees shall cease all outside activity if the activity is later deemed to be in conflict with the General Order, the employee's contract, state law, DPS policy, or other directives.
5. The notification of outside employment form is not required for those individuals in the military reserve or National Guard units.
6. Employees shall comply with the notification requirements set forth in Section III of this General Order.
7. Work hours for all off-duty/secondary employment must be scheduled in a manner that does not conflict or interfere with the employee's performance of duty.
8. In the event of an emergency, the needs and requests of the MSP will supersede any need or request of the employee's off-duty/secondary employment.

## **B. Limitations - Sworn Members**

Prohibited off-duty/secondary employment includes, but is not limited to, the following:

1. Any work that creates potential conflicts of interest with the state of Minnesota and the MSP
2. Bartending
3. Gambling manager
4. Dance hall and/or tavern security (during operating hours)
5. Driving wreckers
6. Selling automobile insurance
7. Investigating, adjusting or settling automobile crash claims (Note: This does not apply to approved crash reconstruction work if it complies with limitations set by the MSP in General Order 60-007)
8. Photography in connection with vehicle crashes

## **C. Review**

1. Once approved by the Chief, all off-duty/secondary employment approvals will remain in effect until rescinded by the employee or by the Chief. Off-duty/secondary employment notifications shall be reviewed with the employee during the employee's annual performance review for compliance with this General Order and to update the information.
2. Responsibility for timely submission of requests for off-duty/secondary employment and revisions to off-duty/secondary employment information rests entirely with the employee.

## **D. RESPONSIBILITIES**

### **A. Sworn Members**

1. Prior to starting any off-duty/secondary employment, including starting a private business, sworn members must complete the Sworn Member's Notification of Off-Duty/Secondary Employment form (Addendum A) and submit the completed form to their District/Section Commander.

### **B. Non-Sworn Employees**

1. Prior to starting any off-duty/secondary employment, including starting a private business, non-sworn employees must complete the Non-Sworn Employee's Notification of Off-Duty/Secondary Employment form (Addendum B) and submit the completed form to their District/Section Commander.

### **C. District/Section Commanders**

1. Review all Notification of Off-Duty/Secondary Employment forms to determine if the request meets the guidelines established in this General Order, state statute, DPS policy, as well as the employees' contract.
2. Make reasonable inquiries of the employee to ensure that the off-duty/secondary employment does not constitute a conflict of interest or interfere with the employee's primary duties.
3. Provide a recommendation and forward the Notification of Off-Duty/Secondary Employment form to the appropriate major for review.
4. Maintain a copy of the form received with the Chief's approval in the employee's district/section personnel file.
5. Review approved Off-Duty/Secondary Employment Notification forms with employees during their annual performance review.

**D. Major(s)**

1. Review Off-Duty/Secondary Employment forms submitted by the District/Section Commanders for all employees within their chain-of-command for compliance with this General Order, DPS policy, applicable contracts, and state statute on conflicts of interest.
2. Make a recommendation and forward the form to the Chief for final determination.
3. Submit personal Off-Duty/Secondary Employment forms to the Assistant Chief for review.

**E. Assistant Chief**

1. Review Off-Duty/Secondary Employment forms submitted by any Majors.
2. Provide a recommendation and forward the Notification of Off-Duty/Secondary Employment form to the Chief for review.

**F. Chief**

1. Review all off-duty/secondary employment requests and approve or disapprove the request.
2. Notify the employee of the determination by returning a signed copy of the notification form to the employee and their District/Section Commander.
3. Provide the original signed Notification of Off-Duty/Secondary Employment form to DPS Human Resources for inclusion in the employee's personnel file.

**IV. APPEAL**

Disputes concerning off-duty/secondary employment shall follow the employee's collective bargaining agreement, state statute, or DPS policy as appropriate.

<b>Approved:</b>  <b>Signed 03/03/2008</b>  _____ <b>Colonel Mark A. Dunaski, Chief</b> <b>Minnesota State Patrol</b>	<b>I have read and understand this General Order.</b>  _____ <b>Signature</b>
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**MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
MINNESOTA STATE PATROL  
SWORN MEMBER'S NOTIFICATION OF OFF-DUTY/SECONDARY EMPLOYMENT**

**Employee's name:**  
**Employee's district:**

**Date:**

**Prospective Employment Information**

**Name of company:**

**Business address:**

**Business phone number:**

**Phone number where you can be reached at work:**

**Type of business and duties to be performed:**

**Expected work days and times:**

**Type of employment:**

- |                                    |                                       |  |
|------------------------------------|---------------------------------------|--|
| <input type="checkbox"/> Permanent | <input type="checkbox"/> Seasonal     | <input type="checkbox"/> Self-Employed |
| <input type="checkbox"/> Temporary | <input type="checkbox"/> Intermittent |  |

**Employee's Certification of Understanding**

Have you advised this employer that you are subject to recall to duty (emergency call-back) and that in the event of an emergency the needs and request of the State Patrol supersede any requests by an off-duty/secondary employer?

- Yes  No

Provide the approximate time required for you to report for duty (in uniform) from the off-duty job in the event of recall.

\_\_\_\_\_.

Does this employer have a service contract or provide material/services to the Patrol?

- Yes  No

I understand that I am prohibited from utilizing any state-issued equipment (including, but not limited to uniforms, weapons, computers, pagers, cell phones) in the course of any off-duty employment.

- Yes  No

I understand that I am prohibited from conducting any off-duty/secondary employment activities while on-duty with the State Patrol, including, but not limited to court appearances, subpoena requests, training, follow-up phone calls, and attending meetings.

- Yes  No

I agree to comply with the provisions articulated in General Order 10-059, the applicable collective bargaining agreement, DPS policy, and state statutes.

I certify that the information provided on this form is true and correct to the best of my knowledge.

Employee's Signature

Date

**District/Section Commander's Certification and Recommendation**

I have discussed the proposed off-duty/secondary employment with the employee and have discovered no conflict of interest or potential conflict of interest.

I recommend that this request be:

- Approved
- Approved with the following conditions and/or restrictions:
  
- Not approved (state specific reason(s))

---

District/Section Commander's Signature

Date

**Major's Certification and Recommendation**

I have reviewed this notification and have discovered no conflict of interest or potential conflict of interest.

I recommend that this request be:

- Approved
- Approved with the following conditions and/or restrictions:
  
- Not approved (state specific reason(s))

---

Major's Signature

Date

**Chief of the State Patrol Action**

This request is:

- Approved
- Not approved for the following reason(s):

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Chief's Signature

Date

**This notification must be received by the Chief's office prior to starting any off-duty employment.**

**MINNESOTA DEPARTMENT OF PUBLIC SAFETY  
MINNESOTA STATE PATROL  
NON-SWORN EMPLOYEE'S NOTIFICATION OF OFF-DUTY/SECONDARY EMPLOYMENT**

**Employee's name:**

**Employee's district:**

**Date:**

**Prospective Employment Information**

**Name of company:**

**Business address:**

**Business phone number:**

**Phone number where you can be reached at work:**

**Type of business and duties to be performed:**

**Expected work days and times:**

**Type of employment:**

**Permanent**

**Seasonal**

**Self-Employed**

**Temporary**

**Intermittent**

**Employee's Certification of Understanding**

Does this employer have a service contract or provide material/services to the Patrol?

Yes

No

I understand that I am prohibited from utilizing any state-issued equipment (including, but not limited to, weapons, computers, pagers, cell phones) in the course of any off-duty employment.

Yes

No

I understand that I am prohibited from conducting any off-duty/secondary employment activities while on-duty with the State Patrol.

Yes

No

I agree to comply with the provisions articulated in General Order 10-059, the applicable collective bargaining agreement, DPS policy, and state statutes. I certify that the information provided on this form is true and correct to the best of my knowledge.

\_\_\_\_\_  
Employee's Signature

\_\_\_\_\_  
Date

**District/Section Commander's Certification and Recommendation**

I have discussed the proposed off-duty/secondary employment with the employee and have discovered no conflict of interest or potential conflict of interest.

I recommend that this request be:

- Approved
- Approved with the following conditions and/or restrictions:
  
- Not approved (state specific reason(s))

---

District/Section Commander's Signature

Date

**Major's Certification and Recommendation**

I have reviewed this notification and have discovered no conflict of interest or potential conflict of interest.

I recommend that this request be:

- Approved
- Approved with the following conditions and/or restrictions:
  
- Not approved (state specific reason(s))

---

Major's Signature

Date

**Chief of the State Patrol Action**

This request is:

- Approved
- Not approved for the following reason(s):

---

Chief's Signature

Date

**This notification must be received by the Chief's office prior to starting any off-duty employment.**

# GENERAL ORDER

	<b>Effective:</b> November 6, 2015	<b>Number:</b> 15-10-060
	<b>Subject:</b>	<b>WORK PLACE ACCIDENT AND INJURY REDUCTION PROGRAM (AWAIR)</b>
	<b>Reference:</b>	General Orders 30-024, 10-039, Minn. Stat. sec. <a href="#">182.653, subd. 8</a> (OSHA), Minn. Stat. Chap. <a href="#">176</a> (Workers Comp); MLEA Contract - Article 7; MAPE Contract - Article 22; AFSCME Contract - Article 11; MMA Contract - Article 23; Commissioner's Plan - Chapter 18
	<b>Special Instructions:</b> Rescinds GO 04-10-060	<b>Distribution:</b> G

## I. DEFINITION

The Minnesota State Patrol's AWAIR program is a comprehensive safety program that combines hazard recognition and avoidance, personal protective equipment and the Employee Right to Know into one document. The program is intended to make safety and health measures inseparable from job performance assessments.

## II. POLICY

It is the policy of the Minnesota State Patrol (MSP) to strive for the highest safety standards for its employees. The MSP considers no phase of its operation more important than safety and health. The MSP will provide and maintain safe and healthful working conditions, and will establish and insist on safe work methods and practices at all times. This safety program has been developed to assure compliance with all state and federal OSHA requirements.

## III. PURPOSE

The purpose of this program is to protect MSP human and financial resources by providing a work environment that limits all recognized safety and health hazards. An annual review of this program will be completed to clearly identify deficiencies in the preceding year. Managers and supervisors will be required to periodically discuss safety during scheduled meetings. In order to continually improve the program, the MSP will put forth substantial efforts to:

- Observe all state and federal safety and health regulations.
- Adhere to proper work practices and policies designed by MSP and DPS management to prevent illness or injury.
- Provide and require the use of appropriate personal protective equipment (PPE) where applicable.
- Establish and maintain employee education/training programs to ensure personal safety and health on the job for MSP employees.
- Identify, report and eliminate hazardous situations or conditions that may exist within the work environment.

## IV. EXISTING SAFETY TRAINING FOR EMPLOYEES

- A. New Employee Orientation
- B. Training for new State Patrol Cadets
- C. FTO Training Program
- D. Annual Training (Both Uniform and Civilian)
- E. POST Licensure Required Training
- F. OSHA-Required Annual Blood borne Pathogens training
- G. First Aid Training and refresher first responder or EMT level
- H. Other Specialized Training

- I. Other Training:
  1. General law enforcement training
  2. Minnesota State Patrol policies and procedures training

## V. RESPONSIBILITIES

- A. Management/Supervisors:
  1. Leadership through MSP policy enforcement.
  2. Ensure MSP safety equipment resources are available.
  3. Promote employee awareness, acceptance and participation in safety programs.
  4. Ensure an "open door" policy for employees to be able to express safety and health issues without fear of retaliation from management or peers.
  5. Respond to health, safety and security concerns of any MSP employee.
  6. Ensure expeditious response to corrective measures.
  7. Provide for the safety and security of all personnel at all MSP locations.
  8. Support the ongoing training and education efforts of Minnesota State Patrol.
  9. Conduct on-going safety and health training to create and maintain a safe workplace and assist in the training and education of all MSP employees.
  10. Provide required training in the use of limitations of personal protection equipment and enforce its use.
  11. Provide annual blood borne pathogens training for required employees.
  12. Promptly provide new hires with training in the AWAIR safety program. Document this training and submit a copy to be put in the employee's personnel file.
  13. Initiate training and/or disciplinary action for employees who do not follow safety and health policies or procedures.
  14. Conduct ongoing inspections to identify existing or potential hazards and to make recommendations for corrective action.
  15. Immediately report unsafe working conditions and employee safety concerns to management.
  16. Take appropriate immediate corrective action to reduce or eliminate unsafe conditions and practices.
  17. Conduct an annual evaluation of the AWAIR, Right to Know and personal protection equipment program.
  18. Issue updates to MSP Right to Know program that alert and educate MSP on hazardous substances and harmful physical agents they are likely to encounter in the field.
  19. When receiving notice of an injury or illness, immediately complete First Report of Injury and Accident Investigation Report and submit to management and DPS Safety Director.
  20. During periodic meetings communicate safety and health information and issues to all affected MSP employees.
  21. Provide all MSP employees with access to a copy of the MSP AWAIR safety program.
  22. Assure MSP employees have access to Material Safety Data Sheets (MSDS) and other written materials.
- B. Employees' responsibilities:
  1. Comply with all MSP safety and health policies and procedures as stated in position descriptions and union contracts.
  2. Participate in mandated safety and health training, as designated by management and supervisors.
  3. Immediately inform a supervisor of any unsafe equipment.
  4. Immediately inform a supervisor of any job-related exposures that may require medical follow-up.
  5. Immediately report to the supervisor all accidents.
  6. Discuss safety and health concerns/questions with a supervisor and/or management.
  7. Utilize proper work procedures that may include the proper use of personal protection equipment.
  8. All employees are empowered to take corrective action steps if they observe a situation where they may be able to reduce or eliminate an exposure without endangering themselves, or they can notify a supervisor to undertake appropriate action.
  9. Remain current on information relative to the hazardous substances, harmful physical agents and infectious agents commonly encountered during job performance.

## **VI. IDENTIFICATION, ANALYSIS AND CONTROL OF THE HAZARDS IDENTIFIED**

Most of the injuries in our workplace, as in many others, occur in only a few job classes. The Minnesota State Patrol has tried to identify the jobs that contain the potential for injury. To control these injuries several actions must be coordinated, including:

- A. In performing their normal duties, MSP employees may come into contact with hazards that may not have been anticipated. Therefore, employees will be provided specialized training in the identification of safety and health hazards and how to protect themselves from those hazards. This training will also include the proper use of personal protective equipment.
- B. After potential hazards are identified by managers, supervisors or employees, it will be necessary for managers or supervisors to document corrective actions. Copies of this documentation will be filed appropriately. Many identified hazards may be considered to be “quick fix” hazards in that the corrective action needed to eliminate them is easy, inexpensive and can be completed in a short period of time. On the other hand, extensive research and consultation may be required in order to address other issues.

## **VII. COMMUNICATIONS**

Ongoing safety and health issues will be communicated through e-mail, fax, U.S. mail, special training sessions or presented during periodic meetings and the Minnesota State Patrol Safety Committee meeting minutes.

## **VII. ACCIDENT INVESTIGATION**

- A. AWAIR requires that workplace accidents be investigated and corrective action implemented.
- B. Management will complete the “Agency Claims Investigations” form following all workplace accidents and injuries and submit it to the DPS Safety Director.
- C. Management/supervisors will be required to investigate all Workers Compensation First Report of Injury and submit to Headquarters and the DPS Safety Director.

In planning an accident investigation program, it is necessary to define accident. For the purpose of this program, accident is defined as “an unplanned event which may or may not have caused an injury”.

- 1. All injuries, no matter how slight, should be investigated.
- 2. Investigations should be made as soon as possible after an accident, following:
  - a. Render of first aid or medical care to injured employees.
  - b. Secure the accident site to prevent any further injuries occurring as a result of the hazard.
  - c. Review AWAIR program to determine adequacy.

Management will be responsible for monitoring the abatement of recognized hazards and the completion of accident investigations. Management will assure that appropriate corrective action is taken to prevent the accident or illness from recurring. First Report of Injury & Supervisors Report of Injury Investigation forms are to be completed by the responsible supervisor.

## **IX. ACCIDENT INVESTIGATION FOLLOW-UP**

When a safety-related incident such as an accident occurs, the accident investigation report will be reviewed by the managers or supervisors per MSP policy. If deemed appropriate, the employee will be required to participate in a training program addressing the policy safety issue. Additionally, if a violation of this policy occurred, the employee’s supervisor may take prompt and appropriate action according with the terms and condition of the respective union contracts.

**Approved:**

**SIGNED 11/6/2015**

\_\_\_\_\_  
**Colonel Matthew Langer, Chief  
Minnesota State Patrol**

# GENERAL ORDER



<b>Effective:</b>	July 27, 2018	<b>Number:</b> 18-10-061
<b>Subject:</b>	<b>HONOR/COLOR GUARD</b>	
<b>Reference:</b>	GO 20-010	
<b>Special Instructions:</b>	Rescinds GO 12-10-061	<b>Distribution:</b> A,B,C

## I. POLICY

The policy of the Minnesota State Patrol is to develop, train, equip, and maintain a statewide team of troopers to serve as Honor Guard Members under the coordination of the Honor Guard Director and the authority of the Assistant Chief of the State Patrol.

## II. PURPOSE

The purpose of this General Order is to define the composition and selection of the Honor Guard, the authorities and responsibilities of the Director(s) and members, and to establish criteria for Honor Guard events.

## III. DEFINITIONS

### A. Honor Guard

The Honor Guard is a group of members trained and equipped for participation in honorary ceremonies. For the purpose of this General Order, Honor Guard is synonymous with Color Guard.

### B. Major Details

Major details are ceremonies or events at which 50 or more uniformed troopers are expected to attend.

### C. Minor Details

Minor details are ceremonies or events at which less than 50 uniformed troopers are expected to attend.

## IV. COMPOSITION

### A. Personnel

1. An Honor Guard Director will be selected by the Assistant Chief of the State Patrol.
2. The Honor Guard will consist of a minimum of twenty members.
3. The Honor Guard Director may select up to two Assistant Honor Guard Directors.

### B. Teams

1. Based on team staffing, members may be selected and deployed when practicable:
  - a. Two flag fold teams
  - b. Rifle detail of 7 members, plus a detail lead if trained and equipped.
2. Geographical location of the member should be taken into consideration for event deployment.

### C. Equipment

1. Each team will be equipped for independent deployment with flags, flag stands, and other necessary items. Equipment will be housed at designated district offices in each region and/or buildings on the Capitol Complex.
2. Honor Guard members will be provided with special uniform articles (e.g., gloves, trouser striping) for use during ceremonies only.

## V. SELECTION AND TRAINING

### A. Vacancies

1. Vacancies in Honor Guard positions will be posted in a MSP Chief's Memo.
2. Troopers responding to the Chief's Memo will be selected by the Honor Guard Director and/or the Assistant Honor Guard Director(s) and recommend to the Chief for final approval.

### B. Criteria

1. Honor Guard members will be selected with consideration to the following:
  - a. Demonstrated interest in participation
  - b. Experience with drill and ceremony
  - c. Military experience
  - d. Availability for participation in training and deployment (current obligations considered)

- e. Appearance in uniform
- f. Physical ability to perform drill movements
- g. An overall performance rating of “satisfactory” or “exemplary” on their last evaluation.
- h. Approval of their District/Section Commander
- i. Geographical location

2. Honor Guard members may be removed from the assignment at any time for cause.

**C. Training**

- 1. Honor Guard members will attend an initial course of instruction under the direction of the Honor Guard Director or Assistant Director.
- 2. Honor Guard members shall participate in training sessions at the direction of the Director or Assistant Director.
- 3. The Honor Guard Director and Assistant Director should attend the Law Enforcement Memorial Association (LEMA) Honor/Color Guard Camp training.
- 4. Honor Guard members should attend the LEMA Honor/Color Guard camp.

**VI. RESPONSIBILITIES**

**A. Assistant Chief of the State Patrol**

The Assistant Chief of the State Patrol has overall authority of the Honor Guard and will make final determinations if requests for the Honor Guard are approved or denied.

**B. Honor Guard Director**

- 1. Oversee the selection, training, equipment, and deployment of the Honor Guard.
- 2. Evaluate Honor Guard detail requests to determine if the request fits established criteria, and consider what resources would need to be expended (e.g., number of attendees anticipated, proximity of members to the event, staffing levels at work stations).
- 3. Contact the appropriate District/Section Commanders for personnel requests.
- 4. Appoint Honor Guard members to serve as Detail Coordinators.
- 5. Develop and maintain a drill and ceremony protocol for the State Patrol.
- 6. Provide overall direction of the agency’s involvement and liaison with LEMA, as well as other agencies and entities.
- 7. May appoint an Assistant Honor Guard Director and delegate responsibilities accordingly.

**C. Detail Coordinator(s)/Commanders**

Direct the movements and participation of the State Patrol Honor Guard, motorcade movements, staging, foot movements, formations, and other details as directed. Multiple Detail Coordinators may be selected for an event based on whether it is classified as a major or minor detail.

**VII. ADDITIONAL ROLES**

**A. Recruit and Incumbent Training**

The Honor Guard will serve as the keeper of the agency’s drill and ceremony protocols. As such, members can be assigned to assist the Training and Development Section in instruction of drill at trooper candidate schools and incumbent training.

**B. Support**

The Honor Guard can be used as a resource to districts for ceremony planning, support, or direction for intra-district events. This can take the form of direct involvement, on-site support, or remote consultation with district supervisor.

<p><b>Approved:</b></p> <p><b>SIGNED 7/27/2018</b></p>
<p><b>Colonel Matthew Langer, Chief Minnesota State Patrol</b></p>

# GENERAL ORDER

	<b>Effective:</b> February 24, 2012	<b>Number:</b> 12-10-062
	<b>Subject:</b> TRANSFERS (SWORN)	
	<b>Reference:</b> Work Agreement, General Orders 10-002 (Computers and Electronic Communications), 10-044 (Promotions), 10-035 (Residence Requirements and Criteria), Addenda	
	<b>Special Instructions:</b> Rescinds 08-10-062	<b>Distribution:</b> A,B,C

## I. POLICY

It shall be the policy of the Minnesota State Patrol to follow appropriate work agreement or contractual language regarding lateral transfers.

## II. PROCEDURE

### A. General

1. The renewal period will start on July 1st for the following year and expires at the close of business on July 31st.
2. When a permanent vacancy is filled, the most senior employee of those requesting the work location during the most recent annual renewal period will be first considered for such vacancy.
  - a. If no employee applied for that work location during the most recent July renewal period, the most senior employee applying prior to the day the vacancy occurs will be given first consideration.
  - b. In the event that the most senior employee is not selected in the above instances, he/she, upon request, shall be given a written statement listing the reasons why he/she was not selected.
  - c. Upon written request of the employee, the Minnesota State Patrol Trooper's Association shall be furnished a copy of such reasons.
3. Upon acceptance of a transfer due to a bid, the employee will not be contacted for transfers for six months except for specific locations, vacancies or assignments as requested by the employee at the time of the transfer.
4. No relocation expense reimbursement will be provided for voluntary, lateral transfers.
5. Upon transfer members shall comply with the residency requirements in General Order 10-035.
6. Assignments to the Executive Protection Detail are exempt from A. 1-3, 5 of this Section.

### B. Supervisor Lateral Transfers

1. The Chief reserves the right to fill any position at his/her discretion.
2. Current Lieutenants will be notified of new or vacant Lieutenant positions and will be allowed a reasonable time to express interest in a lateral transfer.
3. Current Captains will be notified of new or vacant Captain positions and will be allowed a reasonable time to express interest in a lateral transfer.
4. No relocation expense reimbursement will be provided for voluntary, lateral transfers.
5. Upon transfer members shall comply with the residency requirements in General Order 10-035.

**C. Equipment**

1. A Transfer Inventory Form shall be completed for all transfers (see addendum) and retained in the supervisor's working file for the member in the district. This addendum shall also be emailed to the following address: #DPS\_\*Patrol Asset Management.
2. The Fleet Office will determine what equipment transfers with a member on a case-by-case basis with recommendations from the impacted District/Section Commanders.
3. Members transferring to another District Office shall turn in their office access card to their current fleet lieutenant for reassignment prior to transferring.

**CI. RESPONSIBILITIES**

**A. Troopers**

1. Any permanent employee desiring to bid to another work location, either in his/her present district or another district, shall file a Transfer Request Form with his/her District/Section Commander. If it is a work location in another district, the member must also send a copy to the District/Section Commander of that district. Such requests must be received on an annual basis if the transfer is still desired.
2. Sign and return the Transfer Agreement form to the new District/Section Commander within five days of receipt.

**B. District/Section Commander**

1. Utilize the Transfer List template located on the Common Drive (L://FORMS-E memo-LT-Fax) to compile transfer requests. Submit the Transfer List to Headquarters no later than August 15 of each year.
2. Post the Seniority List distributed as a memo in District and Station Offices.
3. Contact members based on the order of the Transfer Spreadsheet for all vacancies or new positions.
4. Prepare the Checklist for Employee Changes for all transfers *into* your District/Section and submit to the appropriate District/Section Major at Headquarters.
5. Prepare or update the information sheet concerning data on each Patrol member per General Order10-020 (Notification of Member's Family of Tragic Incident).
6. Ensure Lieutenants are made aware of any lateral transfer opportunities.
7. Complete an inventory of all equipment for the transferee into the District/Section and email it to the following address: #DPS\_\*Patrol Asset Management.

**C. Headquarters**

1. Maintain a master list of all transfer requests from the spreadsheets submitted by the District/Section Commanders.
2. Forward the Checklist for Employee Changes to the Communications Office and Information Services.

**Approved:**

**SIGNED 2/24/2012**

**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**





# Checklist for Employee Changes

Use this form for any new hires, retirees, transfers, or changes of assignments for all employees in your district. Fill in all applicable fields below and email the form to Headquarters at: Patrol.Transactions@state.mn.us. It will then be forwarded to the Information Services and Communications Sections.

New Hire       Retiring       Transfer       Change in Assignment/Position

Employee (Full Name):

Employee I.D:

Badge #:

Effective Date of Change:

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## District/Station Change

Moving from District/Section:      to      District/Section  
Previous Station      New Station

## Rank/Position Change

Previous Position:      New Position:

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CJDN Certification Testing Date:

Group Affiliations for CAD & Email Groups (DRE, K9, MSPARS, SRT, PIO, Multi-Lingual, etc.):

## Product Access:

CAD       I-Mobile       Netviewer       Other (list) \_\_\_\_\_

New Office Phone Number:

6 Digit Long Distance Authorization Code:

MNET Credit Card Number (do not include pin #):

Unit ID:

Vehicle ID:

Cellular Phone Number:

Pager Number:

# GENERAL ORDER

	<b>Effective:</b> March 23, 2012	<b>Number:</b> 12-10-063
	<b>Subject:</b> RECORDS RETENTION	
	<b>Reference:</b> Minnesota Statute sec. <a href="#">138.17</a> and DPS Policy 4060	
	<b>Special Instructions:</b> Rescinds General Order 08-10-063	<b>Distribution:</b> G

The policy of the Minnesota State Patrol is to retain and/or destroy records in accordance with a Records Retention Schedule approved by the state Records Disposition Panel. The records function is important to the effective delivery of public safety services, and to meet the management, operational, and information needs of the department.

## II. PROCEDURES

### A. General

1. All records shall be maintained according to the Records Retention Schedule.
2. Unless listed in Section II, B (below), records may be kept at the District/Section Office or sent to the DPS Warehouse for storage.
3. The timeframe on the retention schedule notes when the files can be destroyed or archived if listed as such.
4. All destruction of records needs to be documented.
  - a. The DPS Warehouse will prepare the proper reports for files they destroy.
  - b. Any District/Section Office disposing of their own records shall destroy the records in a secure manner (e.g., shredding). A record of files destroyed shall be created (Records Disposal Form), and retained at the District/Section Office.
5. The linked retention schedule supersedes any other retention timeframes listed in General Orders approved prior to this General Order.

### B. Procedures for Certain Records

1. Background Investigations
  - a. All background investigations for hired and not-hired (sworn) applicants are retained at the Training and Development Section (TDS) in Shoreview for 2 years. After 2 years, they shall be forwarded to the DPS Warehouse.
  - b. All background investigations for hired or not-hired (non-sworn) applicants shall be retained at DPS Human Resources.
  - c. No background investigation information is to be duplicated or retained on District/Section Office computers, servers, CD's, portable HD or MDCs once the information has been sent to the State Patrol TDS and receipt confirmed. Under no circumstances shall an investigator retain any copies on or off-site.
  - d. Access to the background investigations retained at the State Patrol TDS shall be restricted and a log shall be maintained of who accesses the files and for what purpose.
2. Training Records

Training records for all State Patrol employees shall be retained on the DPS Training Record System. Copies of training records will also be retained at the State Patrol TDS.

3. Supervisor File

- a. The Supervisor File which contains information about individual employees should be sent to the new District/Section Office when an employee transfers or is reassigned.
- b. Upon an employee's separation, supervisors shall ensure that all formal documentation (performance reviews, letter of expectations, etc.) is contained in the employee's DPS Human Resources personnel file.

4. Pre-Employment Exams

- a. The only pre-employment exams retained by the State Patrol TDS are oral board interviews for hired and not-hired sworn applicants.
- b. All pre-employment exams for non-sworn shall be retained at the district/section office.
- c. Access to pre-employment exams shall be restricted and a log maintained of who accesses the files and for what purpose.
- d. The Patrol should not have possession of medical records other than a recommended/not recommended or similar status list.

5. Recruitment and Selection Materials

Sworn Employees – All recruitment and selection materials shall be retained by the State Patrol TDS in Shoreview. Access to these materials shall be restricted and a log maintained of who accesses the files and for what purpose. Any résumés collected from hired sworn applicants shall be sent to DPS Human Resources.

**C. DPS Warehouse Storage**

- 1. In order to send items to the DPS Warehouse, they must be identified using two forms, a Records Identification Label (PS 7021) and a Storage Control Form (PS 7020). Example of these forms and labels are included at the end of this General Order.
- 2. Records Identification Label (PS 7021)
  - a. Complete the fields listed.
  - b. Storage Control Number is the red number on the Storage Control Form (PS 7020).
  - c. Place this label on the outside of *each* box.
- 3. Public Safety Records Center Storage Control Form (PS 7020)
  - a. Complete the fields listed, except for the shaded boxes (to be filled out by the DPS Warehouse).
  - b. Customer # is as follows:

2100	613	3100	619
2200	614	3200	620
2300	615	4600	961
2400	610	4700	641
2500	611	Flight	631
2600	612	ISS	625
2700	616	MetroComm	695
2800	617	Headquarters	691
2900	618	Training Center	699
  - c. See the Records Retention Schedule to identify the Records Item #. Records with different item numbers may not be commingled in the same box.
  - d. Period covered is the timeframe that the records were collected.
  - e. Retain the pink copy as a temporary receipt.

- f. Place the card (PS 7020) inside the box or in the first box of a series.
  - g. When the records are received at the DPS Warehouse, a location is assigned to the box(s) and a permanent copy will be sent back to the District/Section Office for use as reference when requesting a record look up.
4. Contact the DPS Warehouse for a pick-up of boxes in the metro area; all other boxes should be dropped off at the Warehouse: 102-A Water St. W., St. Paul, MN 55107.
  5. The DPS Warehouse will not maintain records longer than the timeframe listed on the retention schedule.

**D. District/Section Commander**

1. Maintain records in accordance with this General Order.
2. Notify the Policy Manager if any revisions are needed to the retention schedule.
3. Secure records as appropriate.

**E. Policy Manager**

Review the retention schedule on an annual basis to determine the need for revisions.

**Approved:**

**SIGNED 3/23/2012**

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**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

The following are examples of the forms required under Section II, C of this General Order. Additional forms are stocked by the DPS Warehouse.

1. TYPE OR PRESS HARD  
2. DO NOT COMPLETE SHADED AREAS  
3. SEND BOTH WHITE COPIES  
4. RETAIN PINK COPY

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PS 7020-09 **PUBLIC SAFETY RECORDS CENTER** STORAGE CONTROL # **30275**  
 102 WATER ST. WEST  
 ST. PAUL, MN 55107  
 (651) 296-6275  
**RECORDS STORAGE CARD**

CUSTOMER # \_\_\_\_\_

SUBMITTER'S NAME / TITLE (PLEASE PRINT)		PHONE NUMBER ( )	DATE
DIVISION / UNIT		ADDRESS	ROOM / SUITE #
DISPOSAL DATE (M/D/YR)	RETENTION SCHEDULE NUMBER	LOCATION	

RETENTION SCHED. ITEM #	# OF BOXES	DESCRIPTION OF RECORDS	PERIOD COVERED
		DESTROYED <input type="checkbox"/> ARCHIVES <input type="checkbox"/> DATE _____ ENTERED <input type="checkbox"/>	

**PUBLIC SAFETY WAREHOUSE  
RECORDS IDENTIFICATION LABEL**

PS 7021-04

DIVISION	UNIT
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DESCRIPTION OF RECORDS: ( Give title, sub-title, year, and any other significant information which serves to identify the records).



**BOX INFORMATION**

STORAGE CARD CONTROL # _____	<b>CHECK ONE</b> SINGLE BOX <input type="checkbox"/> MULTIPLE BOXES <input type="checkbox"/>	<b>BOX QUANTITY DETAIL</b> Box _____ of _____ Total Boxes _____
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# GENERAL ORDER



<b>Effective:</b>	March 23, 2022	<b>Number:</b> 22-10-064
<b>Subject:</b>	<b>WORKERS' COMPENSATION AND INJURED ON DUTY PAY</b>	
<b>Reference:</b>	Minn. Stat. Chap. 176; Collective Bargaining Agreements	
<b>Special Instructions:</b>	Rescinds General Order 19-10-064	<b>Distribution:</b> G

## I. POLICY

It is the policy of the Minnesota State Patrol to:

1. Ensure that employees receive prompt, adequate medical treatment when they are injured on the job.
2. Provide assistance and support to injured employees as they are recuperating.
3. Evaluate and modify jobs in order to accommodate the early return to work of injured employees.

## II. DEFINITIONS

### A. Workers' Compensation

Any employee sustaining a work-related illness or injury that may be compensable under the provisions of the Minnesota Workers' Compensation Statutes shall be paid for the remainder of the work shift and then placed in an appropriate leave status. The purpose of workers' compensation is to continue salary and/or other compensation to employees who suffer an occupational injury or illness. This compensation includes payment of all reasonable medical and rehabilitation costs and partial replacement of lost wages.

### B. Injured on Duty (IOD) Pay

#### 1. Sworn Employees

Injured on Duty compensation is a contractual provision that may be provided *in addition* to workers' compensation benefits. An IOD bank may only be established on claims that have been approved and accepted by the Department of Administration's Risk Management Workers' Compensation Division. Per collective bargaining agreement provisions, Troopers who incur a disabling injury while in the performance of assigned duties involving law enforcement, investigation or assistance, or unique law enforcement training exercises, may be eligible for IOD compensation. In order to be eligible, an employee must have been acting in a reasonable and prudent manner and in compliance with established rules and procedures of the appointing authority. Sworn employees should refer to their contract for specific IOD compensation information as it pertains to each disabling injury.

#### 2. CVIs and Capitol Security (AFSCME)

Injured on Duty compensation is a contractual provision that may be provided *in addition* to workers' compensation benefits. An IOD bank may only be established on claims that have been approved and accepted by the Department of Administration's Risk Management Workers' Compensation Division. Per the AFSCME contract, employees who incur a disabling injury that stems from the aggressive and/or intentional and overt act of a person, or which is incurred while attempting to apprehend or take into custody such person, may be eligible for IOD compensation. In order to be eligible, an employee must have been acting in a reasonable and prudent manner and in compliance with established rules and procedures of the appointing authority. CVIs and Capitol Security Officers should refer to their contract for specific IOD compensation information as it pertains to each disabling injury.

#### 3. Other Employees

All other bargaining units should refer to the appropriate contract for further information.

### III. PROCEDURES

#### A. Employee

1. Immediately inform the District/Section Commander or their designee if injured on the job.
2. Notify the Corvel 24 hour/7 days a week nurse phone line at (844)235-2055. **This call is mandatory unless it is an emergency.** The nurse phone line advises on level of care and will direct the injured employee to a Corvel network medical provider for medical treatment. Initial treatment for a work related injury must be obtained through a Corvel network medical provider.
3. Assist the District/Section Commander or their designee with the completion of the Injury, Illness, Incident Data Form. This form is also available online on the self-time entry page.
4. Provide a Report of Work Ability and any other requested medical documents to the District/Section Commander and the DPS Safety Officer immediately after first doctor visit, when medical restrictions change, when released to return to work at either light duty or full duty and when requested by the DPS Safety Officer. The Report of Work Ability must be received by the DPS Safety Officer before Injured on Duty compensation can be paid.
5. Advise the District/Section Commander or their designee of any lost time due to being disabled from work by a physician or any lost time due to medical treatment during the schedule work day or work shift.
6. Return to light-duty or full-duty unrestricted work as soon as possible.
7. Notify the District/Section Commander or their designee of any name or address changes. Employees will not receive workers' compensation checks if their name or address is incorrect.
8. Submit medical bills related to the work injury to the managed care provider for payment:  
Med Check – Corvel  
Suite 600  
3001 NE Broadway Street Minneapolis, MN 55413-2658

#### B. District/Section Commander or Designee

1. Upon Notification of Injury
  - a. When death or serious injury occurs to an employee while on the job, immediately notify the DPS Safety Officer, the Department of Administration, Risk Management Division, and the Occupational Safety and Health Agency (OSHA) by telephone:

Admin	651-201-3000
DPS Safety Officer	651-201-7380
OSHA	651-284-5050 (or after business hours at 800-321-6742)
  - b. If the injury may result in lost work time, confer with the appropriate Major to jointly determine if the injury occurred within the limitations of Injured on Duty contract provisions.
    - i. The request and approval of IOD compensation shall be formalized in writing using the Injured on Duty Request Form located on the MSP network.
    - ii. Retain a copy of the Injured on Duty Request Form in the employee's supervisor's working (personnel) file, the DPS Human Resources personnel file, and an IOD file kept by the timekeeper and the MSP Headquarters Payroll Coordinator.
    - iii. The Assistant Chief, in consultation with the DPS Safety Officer, will review any dispute regarding the application of IOD compensation.
  - c. Complete the Minnesota State Patrol Post Exposure Information and Medical Opinion Form for injuries involving bloodborne pathogens (General Order 10-039).
  - d. If the employee is unable to do so, contact the Corvel 24-hour nurse phone line at (844)235-2055. The nurse phone line advises on level of care and will direct the injured employee to a Corvel network medical provider for medical treatment.

2. Injury, Illness, Incident Data Form
  - a. Prior to collecting the information for the Injury, Illness, Incident Data Form, provide the employee with a Workers' Compensation Information and Privacy Statement.
  - b. Complete as much information as possible on the Injury, Illness, Incident Data Form and submit it to the DPS Safety Officer within 72 hours after the injury. Advise the DPS Safety Officer if the form is being submitted as "Report Only", a "Medical Only", or a "Lost Time" workers' compensation claim.
  - c. Send a copy of the Injury, Illness, Incident Data Form to the DPS Safety Officer as soon as possible.
3. Agency Claims Investigation Report
  - a. Complete the Agency Claims Investigation Report and submit it to the DPS Safety Officer.
  - b. Include a copy of the Minnesota Motor Vehicle Accident Report for all injuries involving any type of motor vehicle crash. Include the injured member's Field Report if applicable.
  - c. The DPS Safety Officer may require the District/Section Commander to initiate a corrective action, repair, employee training, or referral of accident investigation information to the Safety Committee.
4. Family and Medical Leave (FML)
  - a. If the injury results in lost work time, confer with a DPS Human Resources representative to determine if the leave qualifies for Family and Medical Leave. In order to be properly coded as Family and Medical Leave, it must be designated as soon as possible.
  - b. Keep the DPS Human Resources representative informed of the employee's work status, i.e., dates of absence, dates of return to work, etc.
  - c. Complete and submit all applicable paperwork to DPS Human Resources.
5. Lost Time Report

If the employee loses any time from work due to the work injury, document the workers' compensation leave on the time sheet and submit it to the timekeeper. Scan and email a Lost Time Report to the Department of Administration's Risk Management/Workers' Compensation Division, DPS Payroll, and DPS Human Resources (addresses available on the form) immediately following the injury *and* at the end of each pay period when lost time continues.
6. Follow-Up for Lost Work Time Situations
  - a. Contact the injured employee frequently to check on the employee's status, request additional medical information as needed, and to offer assistance.
  - b. Obtain a Report of Work Ability (RWA) form from the employee's physician. Instruct the injured employee to have the physician complete the RWA form at the first medical visit for the injury.
    - i. Discuss the physician's recommendations with the employee
    - ii. Forward a copy of the RWA to the DPS Safety Officer
  - c. Keep the DPS Safety Officer and timekeeper advised of the employee's condition and work status.
  - d. Work with the DPS Safety Officer, the Department of Administration Risk Management/Workers' Compensation Division, and Corvel to design and implement modified work assignments (i.e., light duty).
  - e. Immediately notify the timekeeper, DPS Payroll, and the DPS Safety Officer when the employee returns to work and in what type of assignment they are placed. (Without this notification the employee could be overpaid on his/her workers' compensation benefits and readjustment of their check could be an inconvenience or hardship for them.)

7. Timekeeper

- a. Immediately notify DPS Human Resources and the MSP Headquarters Payroll Coordinator if an employee is going to be placed on leave for a work related injury or illness.
- b. Complete a Lost Time Report immediately following a work related injury and at the end of each pay period when lost time continues and send a copy to the MSP Headquarters PayrollCoordinator.
- c. For those employees who have been authorized Injured on Duty pay, enter the payroll code IOD on the timesheet when the employee is absent from work due to the workers' compensation injury or illness, including time used for medical appointments. Include the correct agency cost code indicator based on number of IOD claims for the employee: 1<sup>st</sup> injury is 50001, 2<sup>nd</sup> injury is 50002, 3<sup>rd</sup> injury is 50003. Injured on Duty leave balances are not tracked in the payroll system similar to other paid leave. The timekeeper and the MSP Headquarters Payroll Coordinator internally track IOD usage each pay period and notify employees when they are approaching the maximum hours per injury.
- d. DPS Human Resources will notify the timekeeper of the effective date of FML coverage if the injury qualifies. Once an employee has been authorized both Injured On Duty and Family and Medical Leave, Injured on Duty leave is coded on the timesheet as FMI (family and medical injured on duty). Both FMI and IOD count toward the maximum hours. FMI also counts toward the maximum hours per fiscal year of Family and Medical Leave.

C. **Regional Major**

Forward Injured on Duty Request Forms (both approved and denied requests) to the DPS Safety Officer.

**Approved:**

**SIGNED 3/23/2022**

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**Colonel Matthew Langer**  
**Chief, Minnesota State Patrol**

# GENERAL ORDER

	<b>Effective:</b> March 15, 2012	<b>Number:</b> 12-10-065
	<b>Subject:</b> 14 HOUR LIMITATION ON SCHEDULED DUTY TIME	
	<b>Reference:</b>	
	<b>Special Instructions:</b> Rescinds Trooper Memo 08-017	<b>Distribution:</b> G

## I. PURPOSE

The 14 hour restriction exists to minimize risk and liability to our employees and agency by limiting scheduled duty time. It is important that we self-regulate the hours of our personnel to help ensure that the State Patrol members not perform their duties or report for duty when fatigued.

## II. POLICY

MSP personnel should not be scheduled for more than 14 hours without at least a six (6) hour rest period.

1. MSP supervisors will schedule assignments and shifts in compliance with this rule. The 14 hour limitation does not apply to emergency situations.
2. All on-duty time shall be included in the 14 hour calculation.
  - a) The total of a regular shift plus an overtime shift extension.
  - b) Uncompensated travel time shall be included in the 14 hour calculation. For example, if a trooper travels in a squad car for one hour before actual compensation begins (oversize escort), that hour is to be included in the total hours.
  - c) A minimum six (6) hour rest break must be fulfilled before a new 14 hour work period calculation may begin.
3. Employees shall not accept overtime details that will predictably violate the 14 hour limit.
  - a) It is not the responsibility of the support staff scheduling the oversize moves to ensure compliance.
  - b) Although the length of some contracted service details are unpredictable, most have a predictable duration. The time required to handle oversize escorts, particularly those movements that occur with regular frequency (i.e., wind blades, generators), are reasonably predictable.
4. Employees violating the 14 hour rule will be temporarily prohibited from accepting future overtime details. This consequence does not apply in those cases where unpredictable delays beyond the control of the trooper(s) create the extension beyond the 14 hour limit.
5. Long distance escorts that will predictably cause a trooper to exceed the 14 hour rule should be divided, with the subsequent leg of the move assigned to personnel from the district of destination.

6. District commanders are responsible for auditing overtime assignments and schedules to monitor compliance and take action for non-compliance.

**Approved:**

**SIGNED 3/15/2012**

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**Colonel Kevin P. Daly, Chief  
Minnesota State Patrol**

## GENERAL ORDER

 <p><b>Additional Hours (Overtime) worked by State Patrol Supervisors</b></p>	Policy Number	<b>10-066</b>
	Effective Date	
	Date of Last Review	<b>7.2.25</b>
	Distribution	<b>A, B</b>
Referenced Documents	<b>Collective Bargaining Agreement(s)</b>	
CALEA Standards	<b>Law Enforcement 22.1, 22.2, 22.3, 42.1.1</b> <b>Training Academy 4.2, 4.3</b> <b>Communications 3.2, 3.3</b>	
Approved By	<b>Colonel Christina Bogojevic, Chief</b>	

### I. PURPOSE

To provide guidance regarding the approval process for overtime requests from Minnesota State Patrol supervisors.

### II. PROCEDURE

- A. All additional hours worked by majors, captains and lieutenants must be approved by their direct supervisor **in advance**.
- B. Upon receiving a request, the supervisor will consider the following factors before approving, denying or modifying it:
  - the type of detail to be worked;
  - the length of the detail;
  - adherence to the 14-hour rule;
  - whether the requesting supervisor is filling a vacant/open shift or they have “bid” within their district seniority and are not being assigned an inequitable share;
  - year-to-date total hours of additional hours worked;
  - comparison of total additional time worked year-to-date by other supervisors; and
  - performance at regular assignment.
- C. The requester must keep and provide a year-to-date total of additional hours worked with each request.

## GENERAL ORDER

	<b>Effective:</b> April 6, 2012	<b>Number:</b> 12-10-067
	<b>Subject:</b> POSTAGE	
	<b>Reference:</b> DPS Policy 3523	
	<b>Special Instructions:</b> Rescinds 89S-058	<b>Distribution:</b> G

### I. PURPOSE

The purpose of this policy is to ensure that adequate internal controls are in place regarding postage acquisition, use and reconciliation. Adopting the Department of Public Safety's applicable postage policy provides uniformity and facilitates understanding and compliance.

### II. POLICY

The Minnesota State Patrol fully adopts the Minnesota Department of Public Safety's Policy 3523 (Postage) and applicable forms (10-067Fa and 10-067Fb), and any revisions that are applicable department-wide.

Approved:

SIGNED 4/6/2012

Colonel Kevin P. Daly, Chief  
Minnesota State Patrol

# Minnesota Department of Public Safety

<b>Policy:</b>	Postage
<b>Number:</b>	3523
<b>Applicability:</b>	Department - wide
<b>Maintained by:</b>	Fiscal and Administrative Services
<b>Originated:</b>	12/30/99
<b>Effective:</b>	1/11/10

## Definition

Postage is United States Postage Stamps.

## Purpose

The purpose of this policy is to instruct the Department of Public Safety on the proper way to request, purchase, monitor, reconcile, and use U.S. Postage Stamps and to ensure that an adequate system of internal controls is maintained.

## POSTAGE

### Policy Statements

- Failure to comply with this policy will result in disciplinary action up to, and including termination
- Any use of postage funds and/or U.S. Postage Stamps other than those authorized in this policy, is considered a misappropriation of funds and/or is a violation of the Code of Ethics for Employees in the Executive Branch
- Postage metering machines in department authorized locations, or the Department of Administration's Central Mailing Service will be used when sending items through the U.S. Mail
- Divisions will not purchase or use U.S. Postage Stamps including pre-stamped envelopes and post cards with state funds, if other means of mailing items are available (e.g. use of a postage permit number, postage meters, Central Mail slips, etc.)
- Selling stamps to employees is prohibited

# Minnesota Department of Public Safety

## RESPONSIBILITIES OF DIVISION

- Determine if there is a business need to purchase and use U.S. Postage Stamps
- Comply with this policy by ensuring that employees who request, purchase, reconcile, or use postage stamps understand all requirements of this policy
- Understand and comply with the required internal controls of this policy
- Establish additional internal controls within the division if necessary or desired to ensure that adequate safeguards exist within the division to protect U.S. Postage stamps and/or postage meters, from theft or misuse
- Document and forward additional division internal controls to Fiscal and Administrative Services (FAS)
- Submit appropriate requests, reconciliations, tracking logs, and employee expense requests to FAS
- Report any misuse, inappropriate use, theft, burglary, or violations of the department policy on postage stamps to FAS as soon as possible. Divisions should work with FAS and HR to determine if the incident warrants police intervention. If a police report is filed, submit a copy to FAS as soon as it is available.

## RESPONSIBILITIES OF FISCAL AND ADMINISTRATIVE SERVICES DIVISION

- Maintain a log of requests for postage stamps. The log must include:
  - Number of stamps requested
  - State warrant number or US Bank Purchase Order Number, or Employee name on expense report
  - Dollar amount
  - Name of payee
  - Date of warrant
  - Name of the person in the division or staff office receiving the state warrant
  - Date paid
  - Receipt of Reconciliation form
- Review and maintain the internal controls procedures established by divisions or offices
- Process pull-warrant requests made payable to the U.S. Postmasters upon receipt of the *Postage Request* and *Postage Reconciliation* forms
- Process expense reports
- Maintain and monitor postage request logs

# Minnesota Department of Public Safety

## RESPONSIBILITIES OF EMPLOYEE / POSTAGE PURCHASER

- Comply with all provisions of this policy
- Request postage stamps by completing the *Postage Request* form and submitting it to FAS
- Submit a copy of the most recent *Postage Reconciliation Form* to FAS with each request for postage
- Report any theft, burglary, or policy violations to division leadership immediately

## INTERNAL CONTROLS

The following minimal internal controls are required by all divisions. Additional internal controls may be established by division directors if necessary or desired. Additional internal control must be documented and submitted to Fiscal and Administrative Services (FAS) for approval.

### Separation Of Duties

Internal control procedures must limit the number of employees, whenever possible, who have access to postage stamps or postage meters. Separation of duties is an important part of the control processes.

Best practice:

- One employee should be responsible for requesting stamps using the *Postage Request Form*
- A second employee should be the recipient of the warrant and be responsible for purchasing the stamps from the Post Office
- A third employee should be responsible for distribution of the stamps and maintenance of a postage stamp log
- Finally, a fourth person should reconcile the amount of stamps to the log, on the *Postage Reconciliation Form*

Minimum required: One person can do steps 1-3, with a Second person doing physical inventory and reconciliation

### Reconciliation

Each division stocking postage stamps will conduct a yearly reconciliation on the *Postage Reconciliation Form* and the *Tracking Log*, to include the amount of overage and shortage of stamps, and must submit the report to FAS with a written explanation of the reason for any shortages. For divisions with stamp inventory lasting more than a fiscal year, submit a reconciliation form and log at the end of each fiscal year.

# Minnesota Department of Public Safety

Tracking Log shall include:

- The state warrant number or US Bank Purchase Order Number, or the use of Employee Expense Report
- Dollar amount
- Date of warrant
- Signature of employee receipting the postage stamps
- Number of stamps received and denominations (unit price)
- Date received
- Number of stamps distributed
- Names of employees receiving stamps
- Date stamps are distributed

## PROCEDURES

### Requests For Postage Stamps

Initial requests for postage stamps must be submitted to Fiscal and Administrative Services (FAS) by completing a *Postage Request Form* and a written justification for the need to purchase individual postage stamps.

The initial and any subsequent *Postage Request Forms* must include:

- the division/office name and address
- the quantity, description, unit price, and total price of the stamps needed
- date and number of stamps on the previous request
- the signature of the person in the division or office who is authorized to request a pull warrant and date signed
- a copy of the most recent *Postage Reconciliation Form*

### Acceptable Method Of Payments For Postage

- Purchase Order
- State Purchasing Card
- Employee Expense Report

Employees may use their own personal postage stamps if state inventory is not readily available and the situation warrants urgency due to time sensitivity or expectations associated with the document or items being mailed. These situations should be rare occasions and must be justified by the employee. The employee must submit an *Employee Expense Report* and a *Postage Tracking Log* to FAS; the report must include the reason for personal postage use.

# Minnesota Department of Public Safety

Other applicable policies, authority, or resources

- Department 3523-01 Postage Request Form
- Department 3523-02 Postage Reconciliation Form
- Department 3523-03 Postage Tracking Log
- SEMA 4 Employee Expense Report

Date this policy was last revised:	
Approved for implementation and distribution:	<p data-bbox="574 869 1317 989"><i>Michael Casper</i> -11-2010</p> <p data-bbox="602 1003 935 1037">Commissioner's Signature</p> <p data-bbox="1300 1003 1360 1037">Date</p>

# GENERAL ORDER



<b>Effective:</b>	May 23, 2014	<b>Number:</b>	14-10-068
<b>Subject:</b>	<b>TIME ENTRY, SELF-SERVICE</b>		
<b>Reference:</b>	DPS Policy 3003 and Procedure 303, General Orders 10-037, 10-065		
<b>Special Instructions:</b>			<b>Distribution:</b> G

## I. POLICY

It is the policy of the Minnesota State Patrol to accurately account for and audit time entry and payroll. These activities will be completed according to applicable bargaining agreements and compensation plans.

## II. PROCEDURE

The Minnesota State Patrol (MSP) fully adopts the Minnesota Department of Public Safety's Self Service Time Entry Policy 3003 and Procedure 303 and any revisions that are applicable department-wide. Given the unique organizational structure of MSP, however, the supervisors that shall approve timesheets and their backups have been identified as follows:

<u>POSITION</u>	<u>ASSIGNMENT</u>	<u>PRIMARY</u>	<u>BACK-UP</u>
<b>Trooper</b>	Field District	Captain	Lieutenant
	4600 Executive Protection	Captain	Lieutenant
	4600 Capitol	Lieutenant	Captain
	4700	Lieutenant	Captain
	TDS	TDS Lieutenant	Captain
	ISS	ISS Lieutenant	Major
	Flight	Chief Pilot	Major
	District PIO	PIO Lieutenant	Colonel
<b>Lieutenant</b>	Admin & Field	Captain	Major
	ISS	Major	Lieutenant Colonel
	Fleet	Major	Lieutenant Colonel
	Flight	Major	Lieutenant Colonel
	PIO	Colonel	Assistant Commissioner
<b>Captain</b>		Major	Lieutenant Colonel
<b>Major</b>		Lieutenant Colonel	Colonel
<b>Lt. Colonel</b>		Colonel	Assistant Commissioner
<b>Colonel</b>		Commissioner's Office	
<b>Non-Sworn</b>		Assigned supervisor	Primary's supervisor in the chain of command

**Approved:**

**SIGNED 5/23/2014**

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**Lt. Colonel Matthew Langer, Acting Chief  
 Minnesota State Patrol**

# GENERAL ORDER



<b>Effective:</b>	January 20, 2016	<b>Number:</b>	16-10-069
<b>Subject:</b>	<b>COURT CANCELLATION</b>		
<b>Reference:</b>	MLEA Contract Article 23, Section 1		
<b>Special Instructions:</b>			<b>Distribution:</b> A,B,C,I,L

## I. SCOPE

This General Order applies only to troopers covered by the MLEA contract and shall not be construed to alter the terms and conditions set forth in collective bargaining agreements.

## II. DEFINITIONS

- A. "Criminal Proceeding" includes any hearing that is date and time specific and involves the resolution of a citation or criminal charges issued against a subject and shall include implied consent hearings for purposes of this General Order. NOTE: Troopers are not bound to honor a multi-day court standby unless the trooper is specifically placed on standby pursuant to Article 23, Section 2 (Standby – State Patrol) of the MLEA contract.
- B. "Notification/Notify/Notifies" means that, upon receiving a cancellation for a scheduled court appearance, the district office must make one (1) attempt to contact the trooper via the telephone number of record. This attempt constitutes notification if properly recorded by the district office staff on the form provided, even if there is no answer or the trooper does not receive the message. Notification may also occur in person if the trooper is in the district office and should be properly noted on the form provided. District office staff may notify troopers of cancellation by other methods, including email and MDC (if on-duty), but only in addition to making one phone call to the phone number of record.

## III. POLICY

Any trooper who is required to appear in court in regard to a criminal proceeding during his or her scheduled off-duty time, and such proceeding is canceled after 4:00 pm of the day prior to the court appearance, shall be paid for two (2) hours at the overtime rate of time and one half (1 ½) of the employee's current base rate of pay. Scheduled court appearances must be date certain and time specific.

## IV. ELIGIBILITY

- A. Court cancellation **is** eligible for compensation when:
  - 1. The district office receives notification of cancellation after 4:00 p.m. on the day prior to the scheduled appearance; or
  - 2. The district office receives notice of the cancellation at any time but does not attempt to notify the trooper until after 4:00 p.m. on the day prior to the scheduled appearance.
- B. Court cancellation **is NOT** eligible for compensation when:
  - 1. The district office properly notifies the trooper of a court appearance cancellation prior to 4:00 p.m. on the day before the scheduled court appearance, but the trooper:
    - a. Does not receive the message until after 4:00 p.m.; or

- b. Does not receive the message given to another person at the phone number of record or there are no means of leaving a message at the phone number of record.

## V. RESPONSIBILITIES

- A. District Commanders
  - 1. Shall provide court administrators and prosecutors within their jurisdiction a contact list with the name and phone number of district office staff who have the responsibility of disseminating court cancellation information. District commanders shall ensure sufficient back-up coverage is in place to guarantee that court cancellations are promptly communicated.
- B. Troopers
  - 1. Shall verify that their correct phone number of record is on file with the district office.
  - 2. Shall submit a copy of their court trial notice within the applicable pay period to the appropriate district office staff person for each court cancellation.
  - 3. If a trooper receives a personal call from the court administrator or prosecutor cancelling the scheduled court appearance after the 4 p.m. deadline, the trooper shall request that the court administrator or prosecutor contact the district office to ensure that the cancellation is properly recorded in order to qualify for compensation.
  - 4. Troopers shall code their claimed court cancellation overtime using the speed chart code "COURT CANCEL."
- C. Support Staff
  - 1. The district office shall attempt to notify troopers of the cancellation by calling the trooper's phone number of record. The district office shall completely and properly record the notification or notification attempt and all other relevant information on the court cancellation log provided.
  - 2. Immediately forward supporting documentation from B.2. above to the trooper's immediate supervisor within the affected pay period.
  - 3. A copy of the cancellation log shall be provided to the commander on a monthly basis with the original retained per the retention schedule set forth in GO 10-063 (Record Retention).
- D. District Timekeeper
  - Shall verify that all trooper court cancellation entries (53120 Court Activity – Cancellation) also appear on the district court cancellation log.

Approved:

SIGNED 1/20/2016

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Colonel Matthew Langer, Chief  
Minnesota State Patrol

# GENERAL ORDER



## MSP POST-RETIREMENT REEMPLOYMENT FOR SWORN MEMBERS

Policy Number	24-10-070
Effective Date	11/19/2024
Last Review Date	11/19/2024
Distribution	C

Related Policies	None
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### I. POLICY

It is the Minnesota State Patrol's (MSP) policy to offer post-retirement re-employment to current troopers of retirement age in accordance with Minn. Stat. sec. 352B.115.

### II. PURPOSE

This program allows troopers who retire at ages 55 to 59 to be re-employed as troopers: after one day of separation from the agency for troopers who have MSRS retirement benefits only, or, after 30 days and receiving their first payout from PERA if vested. Only one day of separation is allowed for MSRS-only employees. Re-employment must be approved by the Appointing Authority.

### III. PROCEDURE

- A. Eligible troopers who are MSRS-only and wish to participate must include their desire to participate in their notification of retirement through the chain-of-command. Those vested in PERA must notify their district commander of their desire to be re-employed the day after they retire; no agreements can be made prior to receipt of the first PERA benefit check. All participants must complete the [re-employment application](#) and submit it to their captain within the timelines of this section.
- B. Troopers who apply for the program and are approved will continue to receive their base pay at retirement and will continue to contribute to the retirement fund during re-employment. Their retirement contributions will be returned to them at the end of their time in the program. Medical and dental insurance will continue during their participation. Troopers in this program are covered by the MLEA work agreement.
- C. Troopers in the program will follow the standard retirement procedures, including reduction and payout of standing leave balances, and loss of pre-retirement seniority.
- D. Work assignments and location during the program are at the discretion of the agency, and no expenses for relocation authorized.
- E. Questions regarding details not covered in this memo should be directed to:  
 For general re-employment: Marcia Reding in DPS HR ([marcia.reding@state.mn.us](mailto:marcia.reding@state.mn.us))  
 For insurance: Shannon Tupper at MMB ([Shannon.tupper@state.mn.us](mailto:Shannon.tupper@state.mn.us))  
 Minnesota State Retirement system: [info@msrs.us](mailto:info@msrs.us) / 651-296-2761  
 Or delegates of the Minnesota State Patrol Troopers Association.

### RELATED RESOURCE OR FORM

RESOURCE	TITLE
Minn. Stat. sec. 352B.115	Reemployment

## **APPROVAL**

<b>NAME</b>	<b>Colonel Christina Bogojevic</b>
<b>TITLE</b>	<b>Chief, Minnesota State Patrol</b>
<b>DATE</b>	<b>November 19, 2024</b>

# GENERAL ORDER



## EARLY INTERVENTION SYSTEM

Policy Number	25-10-071
Effective Date	05/20/2025
Last Review Date	05/20/2025
Distribution	A, B, C

Related Policies	N/A
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### I. POLICY

The Minnesota State Patrol is committed to providing a positive approach to identifying and assisting troopers whose work performance suggests they may be experiencing job-stress or other job-related problems. The Early Identification System is designed to detect patterns of behavior that may warrant a timely intervention, focused on troopers' wellness and work readiness.

### II. PURPOSE

This policy describes the State Patrol's Early Identification System and applicable procedures.

### IV. PROCEDURE

The purpose of the Early Identification System is to create methods to care for the well-being of troopers and resolve performance and/or behavioral issues at the earliest stage.

Regarding trooper well-being, the Early Identification System is designed to be implemented as helpful or necessary any time one of the following occurs:

- Exposure to a traumatic event such as response to a fatal crash, suicide, difficult response involving children or active shooter
- Exposure to severe injury or death of law enforcement personnel
- Exposure to death notification
- Exposure to critical incident or mass protest or demonstration

Regarding trooper performance and/or behavioral issues, the Early Identification System is designed to be implemented any time one of the following occurs:

- A pattern of leave or excessive sick leave and/or tardiness
- Any incidence of significant unexplained or unusual behavior that may be indicative of misconduct, psychological dysfunction, or substance abuse

In addition, the Early Identification System is designed to be implemented any time one of the following occurs:

- One out of policy use of force incidents within 12 months
- One out of policy motor vehicle pursuits within 12 months
- One preventable state unit damage incidents within 12 months
- One corrective and/or disciplinary actions within 12 months

The workflow for implementation regarding use of force, motor vehicle pursuits, preventable state unit damage, and corrective and/or disciplinary actions is as follows:

- Field Lieutenant reviews incident and makes recommendation to Captain.
- District/Section Commander reviews incident and make recommendation to Major.
- Major reviews and affirms path with District/Section Commander, involving others as necessary.
- District/Section Commander communicates feedback and provides early identification with Field Lieutenant to trooper.

District/Section Commanders will administer the Early Identification System for their District/Section. Once identified, a number of approaches are available to assist in correcting behavior. Some resources include:

- The trooper’s supervisor and/or District Commander
- Supervised observation periods in the field by peers or the supervisor
- Peer counseling
- Chaplaincy program
- Wellness resources
- Supplemental training
- Psychological services
- Substance abuse resources
- EAP Application
- Temporary assignment change

The Early Identification System is not intended to produce conclusions regarding a trooper’s job performance. It is a tool to support troopers and identify problems at an early stage and ensure that reasonable assistance, tailored to the trooper, can be provided.

When the Early Identification System is implemented, the District/Section Commander or designee will personally discuss the information with the trooper. A collaborative approach will be taken in which the trooper assists in resolving the problem.

Following the meeting, the District/Section Commander will communicate to the appropriate Regional Major the results of the discussion and any recommended action.

The Early Identification System will be evaluated through the Executive Accreditation Report process annually to ensure it is properly being used and District/Section Commanders are complying with related departmental policies regarding intervention. Majors will verify compliance for their regions.

### RELATED RESOURCE OR FORM

RESOURCE	TITLE

### APPROVAL

NAME	Colonel Christina Bogojevic
TITLE	Chief, Minnesota State Patrol
DATE	May 20, 2025



# GENERAL ORDER

## SOCIAL MEDIA USE

**Policy Number: 10-072**

**Effective Date: 1.5.2026**

**Date of Last Review: 12.29.2025**

**Distribution: G**

**Approved by: Colonel Christina Bogojevic**

### I. PURPOSE

The Minnesota State Patrol respects all members' First Amendment rights, while limiting expressions on social media, electronic platforms or other internet-based sources when it seems reasonable or likely they can be identified as an employee of the agency. Because public employees occupy a trusted position in the community, their statements have the potential to contravene the policies and performance of the agency. This applies whether on-duty or off-duty and to sworn or non-sworn employee.

### II. DEFINITIONS

- A. Matter of Public Concern: A current issue that "relates to any matter of political, social, or other concern to the community." *Connick v. Myers*, 461 U.S. 138 (1983)
- B. Personal Gain: A benefit or advantage that relates to a particular person rather than a business group or organization. It encompasses various forms of benefits including financial, legal, social or other intangible advantages.
- C. Social Media: Any electronic or internet-based form of group communication or direct message that allows users to express or convey a personal opinion, share information or ideas, messages, photographs, videos, email, file transfer services and sites, instant messaging, blogs, forums, wikis and other content. This includes use of all applications and internet services, including the World Wide Web. Examples of social media include but are not limited to: Facebook, Messenger, X (Twitter), LinkedIn, YouTube, Snapchat, Instagram, Pinterest, Threads, Reddit, Bluesky, Substack, WordPress, Wix, Medium, Squarespace, Blogger and TikTok.
- D. Speech: Expression or communication of thoughts or opinions through spoken words, in writing, expressive conduct, symbolism, photographs, video or related communication.

### III. POLICY

- A. Members maintain the right to express themselves as private individuals speaking on matters

of public concern on social media. Members shall follow [General Orders 10-026](#) and [10-029](#) governing conduct at all times, even when using social media for personal reasons. Specifically, members may not engage in speech that:

1. interferes with agency operations and planning,
  2. impairs the working relations of the agency that are based on impartiality, confidentiality, professionalism and agency core values,
  3. obstructs performance of official duties, and
  4. amounts to an abuse of authority.
- B. Speech made by members pursuant to their official duties is not protected and may form the basis for discipline.
- C. With the exception of public information officers, members may not make statements, speeches, appearances, endorsements or public materials that could reasonably be considered to represent the views or positions of the agency without express authorization through approval from their district/section commander.
- D. Members may not use agency logos, uniforms, equipment, or similar identifying items on social media for personal gain. Any use of agency logos must be approved as provided in [General Order 30-003 \(Equipment, Use and Care\)](#).
- E. Members are able to share State Patrol social media posts providing it does not violate this or any other General Order.
- F. Members shall understand social media content can form the basis for undermining or impeaching an individual's testimony in criminal proceedings.
- G. Members are not responsible for incidents when they are recorded by another during the scope of their duties and another posts the content on social media or another electronic platform.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected or privileged under law.

The chief may authorize special exceptions to this policy to any member in writing.

#### **IV. RESPONSIBILITIES**

- A. Members of the State Patrol have the following responsibilities:
1. Members who have questions about sharing data on social media should inquire through the chain of command prior to posting or sharing any data.
  2. Members who are directed by a supervisor to remove a post or communications or other data that violates the policy shall do so as soon as practicable and without reasonable delay.
- B. Supervisors of the State Patrol have the following responsibilities:
1. Supervisors who become aware of inappropriate posts or sharing by any member of the State Patrol shall report the conduct through their chain of command.