



President LeDoux called the April 6th, 2021 meeting to order at 0805 hours.

Present were: President LeDoux, Vice President Beasley, South Delegate Theel, Secretary Harjes, Treasurer Orpen, 2000 Phillips (remote), 2100 Zynda, 2200 Dellwo, 2300 Larsen (Alternate), 2400 Cederstrom, 2500 Hanson, 2600 McClure, 2700 Carlson, 2800 Weinrich, 2900 Hanson, 3100 Thostenson (Alternate), 3200 Danielson, Business Manager Baker.

Absent – North Braaten, North Delegate Braaten resigned from his position as North Delegate. The seat is vacant.

Motion to accept the January minutes: *Motion by Delegate Carlson, Seconded by Delegate Zynda: **CARRIED***

Chief's time:

0830: Colonel Langer and Lt Col. Schrofer attended remotely via Microsoft Teams.

Operation Safety Net preparation – We have a great plan in place, and we're going to be OK. We're going to have to be flexible. The goal is to get people in the metro the day before the deployment to get situated and adjusted. If something happens and we need to deploy earlier – we will.

Line 3 work continues and there is currently a lull in construction due to springtime road restrictions. Line 3 is about 50% completed. The challenge this summer will be the horizontal drilling under the waterways.

The academy still currently has 26 cadets. The YMCA physical fitness program has been going well and is very intense.

The traditional process has closed for this summer with around 170 applicants. On an interesting note, around a dozen reapplied that failed the previous background process.

The contract negotiation is currently stalled. Many are waiting to see what is happening legislative first. There is nothing else I'd like more than to get the contract settled, get the backpay out there and move on.

On the legislative front we have many things that benefit the state patrol. There is a ton of support for our agency. The current proposals include 8.4% salary language for supervisors and other MLEA locals. Another important item is for body worn cameras for Troopers, CVIs and Capitol Security Officers. Civil unrest money is currently not present in any language. There are proposals for 21 more Troopers and 13 additional officers for the Capitol and additional 42 new Trooper positions for placement across the state (road patrol, PIO/safety education, regional crash reconstruction & two supervisors), for a total increase of 63 Troopers. We would scale back if reconciliation between the House and Senate versions drops the number. There is also good energy to give prosecutors the ability to obtain copies of crash reports and eliminate the citizen white copy of crash reports. There is also school bus inspection clean up language in both versions.



With everything going on in the world relating to law enforcement, it's an important time to focus on your mental health and take care of yourselves. There is a lot of amazing work going on in our agency and we have amazing levels of support.

All in the 1a priority group have received their vaccinations for COVID. The 1b group is still in process.

Telework for support staff will have a phased in return-to-work approach starting in July through Labor Day. That transition back to work should be fairly easy.

Statewide preventable crashes are down and at a minimum over the last 6-8 months. Thank you for that.

Questions for the Chief

3200: No questions

3100: No questions

2900: In regard to the email to have both the long sleeve shirt and tie for the deployment, I'm just looking for some information to know what went into that decision or why we need to bring multiple sets of uniforms?

CHQ: The reasoning was if you're standing out there and it is 17 degrees, we just want to have the option to have long sleeves on if needed. Have one on hand in your squad car and if it stays like today, we won't need it.

2400 follow-up: Could you clarify that scenario?

CHQ follow up: If it's freezing and 17 degrees outside and we're going to be standing outside the Capitol for six hours we just wanted to have Troopers be prepared to perhaps go long sleeve if the weather dictates it. The logic is if we all have a long sleeve shirt, which doesn't seem like it's too big of an ask, and we want to wear them or need to wear them, we can all go to the long sleeve shirt but I hope we don't have to.

President follow-up: Regarding the extra uniform, could we maybe just have the issued jackets on hand because I think most people wouldn't have a problem putting on a jacket rather than carrying an extra uniform shirt & tie.

2800: When we are called down to the Metro are there any plans for any form of transportation when we're not working? Last time our squad cars were parked elsewhere, and we were at the hotel with no ability to go anywhere.

CHQ: It's a good question. I'll bring up the question with Captain Wedin, who is in charge of logistics. Let me bring it up so we can see what we can do. The squad cars will be parked at a secure location.

CHQ follow-up during the meeting: We will be able to stage a few admin cars at the hotels for off duty transportation to use.

2800 follow-up: On that note, would we be allowed to drive our personal vehicles down there instead of the squad car?

CHQ: No, you need to respond in the state vehicle.



2800: Are you still doing exit interviews? Recently a Trooper left in Brainerd and he never was given the opportunity to have an exit interview.

CHQ: I have not been able to catch up with that Trooper. I have caught up with the recent Troopers that left but not him. Let me reach out to him and I'll take care of that.

2700: Could you speak to if you've been asked or if you've asked for more involvement in testifying for the myriad of different bills?

CHQ: I always testify on bills that are relevant to the state patrol especially if they are bills that the executive branch supports and so if the Governor supports a bill or opposes a bill that's the easy insertion for me to testify. I was told I couldn't testify on the 8.4% salary bill. With DNR Colonel Smith testifying recently on their pay, the dynamics changed with the Troopers getting the 8.4% and no one else, so the playing field had changed for the other agencies. I was asked to testify on the Senate transportation omnibus bill this week and I'll be there. I generally stay out of the public safety committees in either body, since our funding doesn't come from them.

2600: A Saint Paul PD officer was working off duty at a homeless shelter and was sued as a result of an incident. The Supreme Court ruled that the city was not required to cover him because the contracted service was not being paid by the municipality. The situation is very similar to our contracted services when we only get 1/2-hour drive time. Would the Supreme Court similarly look at that as we're volunteering for the company and not being paid by the state, if that contract is 2 hours away, since we only get paid that half hour instead of the full two hours?

CHQ: The read that we had from our attorney is that it doesn't apply. I think it is going to change a lot about off duty jobs for other agencies, but the actual issue is that that off duty cop was not performing police work when he missed the knife and so the issue was more that he was contracted to do a job other than be a peace officer in that moment. I don't believe that there was a nexus to how he was paid or who he was paid by but was that he wasn't performing the functions of a police officer at the time. The contracted services work that we do as an agency is always related to your duties as a state trooper and so I haven't had anybody tell me that ruling will have an impact to the state patrol.

2500: With all the potential new Troopers, how will those positions be filled?

CHQ: If that bill comes together, we will follow the contract and would open up for lateral transfers in those new positions first. If there happens to be 21 vacancies at the Capitol, I don't think there would be 21 Troopers interested in transferring to the Capitol so we might have brand new Troopers assigned to the Capitol.

2500: Where do you stand with the qualified immunity if that were to ever happen here?

CHQ: I think qualified immunity is a good thing. There is a lot of misunderstanding on qualified immunity. People are focused on qualified immunity and the use of force. I'm watching it and I have the same vested interest as a road trooper as I'm named in every lawsuit against the agency. I have the same anxieties about it as well and I am not in any position to control it. I hope the right conversations with the right people lead to good decisions and not just reactions to what is happening in the media.

2500: With the change in the use of force statutes and obviously the change in culture, is headquarters looking to fire a Trooper before any investigation is done after a high-profile use of force incident? Is there



any word on what the process would be at this point?

CHQ: I never had any conversations yet about deviating from our current practice. I'm super proud of the way that the State Patrol does use force. The minimal times where Troopers are using force, they're doing it exceptionally well with great professionalism. Our best protection in the future is to train the best we can, have the best policies in place and then to put those things in practice with our core values. My desire is to let the internal process do its thing and run its course before making decisions because oftentimes there's more information that comes to light. I think that there's value in due process and there is value in the investigation yielding the results.

2400: Is there any discussion about possibility of rifle armor? I guess there's been some rumors of people on roofs down in the area of Chicago and 38th area.

CHQ: We've tracked it. There have been people spotted on the top of Cup Foods. We've done some surveillance and Minneapolis and Hennepin County as well. When it comes to 38th and Chicago there's a whole different level of planning that is occurring that quite honestly is a tactical SWAT plan not a mobile field force plan. With SWAT or SRT comes additional equipment, additional training and a different way of doing business so I have been very adamant because the last thing I want to do is knowingly put any Troopers in a tough position at 38th and Chicago without the right equipment to be successful.

2400: Any update on the soft uniform?

CHQ: We are just waiting for everything to show up. It's on the way but takes a while.

2400: Has there been any discussion of possibly allowing a little more latitude with the usage of stop sticks? Also, with the explanation that we don't prosecute, but we don't lessen our DWI enforcement, speed or seat belt enforcement, it seems like that's kind of what's happening with pursuits. Ramsey County is way more aggressive than we are with pursuits and is it something that we might change in the future?

CHQ: I'm very comfortable with our policy and I think we need to hold ourselves accountable to our policy to make sure that we avoid some of the challenges that we faced that led to the policy work that we did. I can tell you nationally there's big movement by the pursuit workgroup and they're pretty convinced that a no pursuit is the way to go. What we're trying to do is balance the many agencies that go to a no pursuit policy, with some of the tragedies we've experienced, with doing our jobs in traffic safety and so that's a super tough balance. I don't know if we will ever get it perfect. Right now, I would much rather err on the side of keeping our Troopers safe and not getting sued than getting more aggressive with our current policy.

2300: With the push for these protesters or demonstrators to look up officer's personal information, Troopers are wondering if the State Patrol has ever considered or would consider contracting with a private company that remove law enforcement officer's personal information from internet searches?

CHQ: We haven't contemplated that and I'm not saying let's wait for there to be a problem, but we haven't had that problem happen yet. I will tell you I did it this year with LEO Web Protect. I paid around \$100 for it. The state didn't pay for it. I don't know if it's done anything for me or not. I think it would be a tough ask for a bunch of reasons, but it could be something to bring up in contract negotiations.

2200: There are continued concerns about qualified immunity if that were to go away in our state. Also, it sounds like the funding is in the governor's budget for body cams. Assuming everything passes, is there any timeline for a rollout?



CHQ: There hasn't been one serious conversation about any qualified immunity change in Minnesota. I could be wrong, but I haven't seen a bill that has traction in the legislature. That doesn't mean that it's never going to come to Minnesota but right now, I don't feel like there's traction or energy to change qualified immunity in Minnesota. With the body worn cameras, if we get the money, that money will show up July 1st and we will go as fast as we can. It would probably be about a year-long rollout, maybe less. We're talking about body worn, plus squad camera, including training on policy and equipment with around 800 members of the agency. We've already talked about how we will do that, and we'll get there as fast as we can, with some districts seeing the rollout as soon as late summer.

3100 follow-up: Are we doing both squad and body cams? What will the policy changes look like such as releasing video, etc.?

CHQ: Yes, both will be replaced so they work well together. We have a draft policy we're getting around to Captains and above right now. In terms of data practices, we will follow the law.

2100: No questions

2000: With the recent Use of Force training that had Trooper DuPaul's video in it, many are asking if we will have additional less lethal options available to the road Trooper to use, to help end those situations sooner.

CHQ: We have looked at it and it's a good question. Trooper DuPaul did an awesome job in that case as Troopers do all the time. I think that when we get our use of force sergeant hired and in place, there's a lot of things to contemplate. Less lethal munitions continue to be incredibly controversial and with litigation, so it is tricky, but I'm willing to talk about it. We've made some changes with MRT to have those munitions in their squad cars versus in the trailer, so we have made some incremental moves but I'm certainly open to learning more and listening to recommendations from the experts.

2000: Would CHQ reconsider changing our tattoo policy to have some form of approval process to allow tasteful tattoos?

CHQ: The short answer is no, not right now.

North: Absent

South: I get a lot of questions on why you never testify at hearings for our pay, and you've always said that you get denied when you want to, and Troopers are just kind of wondering how come you're not more vocal with getting us more money.

CHQ: You have to separate the two years from this year. Nothing happened the previous two years and I couldn't go testify regarding the salary issue. I could have gone to do it, but potentially lose my job. The past year has changed things with the Trooper's getting a pay raise. I've always wanted to testify on the salary issue, the problem is it has never been a part of the Governor's budget and I've been told not to do it. If I were to go testify on body worn cameras, that's easy, it's in the Governor's budget and there would be no problem with me doing that. Colonel Smith (DNR) was able to do it due to it the dynamics changing on the pay with the Troopers and it being an issue for them and other state agencies now. He and the assistant commissioner were given very watered-down talking points about how everyone else needs to get what the Trooper's received and to have parity within MLEA. On those bills, it wouldn't make sense for me to testify on behalf of the other agencies. No one sees what I do behind behind the scenes on the various issues including salary. For instance, the 42 Troopers proposed positions, that happened behind the scenes from a cultivation of relationships in the



Governor's office and the legislature. There are people in state government that are still extremely upset about the 8.4% increase. I would be shocked if you see anyone from management in any agency to ask or testify for anything above the 8.4% increase. Salary is a component of recruitment and retention, but with that being said, some that have left recently have taken pay cuts.

South: I'd like to bring up working the State Fair, in the trooper uniform, for helping out with recruitment again. I know in the past we've talked about this and you've been against it.

CHQ: I did get a call from the State Fair PD this year. They are probably in the tough spot with officers that quit but I don't feel compelled to have us fill that void.

South: We'd like secured rifles positioned around the Capitol. The Sergeant of Arms in both the House and Senate agree they would like to see that. We'd like to see less than lethal options and get some people trained up on those options.

CHQ: Part of that equation is the additional staffing at the Capitol. I've said we need to do things different. The world has changed on us and regardless of people's politics or their views of what happened in DC that changed how we view the State Capitol. I mean I've told people Republicans and Democrats I think you've got a false sense of security at the Capitol while it is closed due to COVID. I've said every event that's been on the front lawn would have been in the rotunda if the building was open. I've tried to get people thinking again about what that's going to feel like once it's open. Regardless of politics, opposing groups are going to be there on whatever issue. We need to have that place function and have the security and the resources necessary to do the job well. That's one of the issues we need to work on legislatively, the House has it fully funded the Senate doesn't have any money in there for Capitol security, so we've got some work to do on that. The advisory committees been helpful and supportive, so we'll keep working on it.

Secretary: We're concerned with the Academy Coordinator vacancy next year and the process for filling that spot. We traditionally haven't done a good job of filling unique positions in the agency. It's a critical spot in the agency and the hope is we can post sooner rather than later, to make sure that person that takes over that responsibility has the proper training to work with the existing Academy Coordinator to succeed.

CHQ: I appreciate the feedback.

Treasurer: I'm a backgrounder and I've taken some calls from several backgrounders who are concerned with the shortening of the background process. The previous background process lasted only six weeks earlier this year and now it's slated for five weeks for the 63rd Academy. I just don't think that's enough time to do our due diligence which we're statutorily mandated to do. We are concerned that backgrounders are going to miss something. What does the background process look like going forward?

CHQ: I don't want to keep tightening the belt on this, but part of the recruitment challenges we are facing are trying to get candidates in as fast as we can to meet the set timelines, but I think it's a fair point. Rather than any backgrounder presenting a packet that they believe is inferior, I would much rather have you go to your Lieutenant a week ahead of time and let them know the situation and handle it as a one-off situation. I don't know that we can tighten it anymore unless each backgrounder only has one or two to background in that 5-week process.

Vice-President follow-up: The shortened background time is very concerning to me as well. I was able to do



backgrounds for the first time in my career in December and I know how important that is and I think sometimes you might not even realize what you're missing until it's too late.

Vice-President: If it does end up where something happens at the Federal level with qualified immunity what possibilities may come out of CHQ to compensate or help fix that scenario? I have looked into that a little bit personally and it is hard to find personal liability insurance for all law enforcement.

CHQ: You can't. We've done some pricing on that related to some fiscal notes for different bills that require cops to have a liability policy and the word we get from the Department of Administration is that there is no such product out there to procure.

Vice-President follow-up: I've heard Wright or Travelers may have a product that may offer that type of insurance but haven't looked into it yet.

Vice-President: I wanted to discuss our covid family leave policy and I believe we were supposed to have a side bar conversation aside from this group to discuss that issue.

CHQ: I've intentionally actually put that on the back burner as I've watched a bill which we previously wrote a fiscal on before that is currently making its way through the legislature. We're waiting to see what happens with that, but I believe in the house omnibus there is funding for the State Patrol for the fiscal note that we wrote for that bill, so we'll see what happens.

Vice-president follow-up: The issue was the numerous troopers who just had no choice but to take care of their kids that were in quarantine.

CHQ follow-up: HF41 addresses that issue to a degree.

President follow-up: I am familiar with the bill. The last time I checked it didn't have a Republican senator sponsoring it, has that changed?

CHQ: Not to my knowledge.

President: I did watch your presentation to the Transportation committee, and you did an excellent job. I hope we can forget the Segal study and move forward with the OLA study that will guide us for the next decade. We catch up and fall behind with pay. The purpose of our legislation wasn't only to provide pay, but to prevent this from happening in the future. The legislature kind of addressed it with the verbiage in the bill. We need to at least shoot for the median wage of that comparison group in the OLA study. I think there's never been more interest in our group with what's going on in regards to both to our profession and pay but also making sure that the men and women that represent us in St. Paul are making decisions without knee jerk reactions.

CHQ: I certainly did talk pretty freely about the 8.4% as it relates to getting the tails and I think if you hear my testimony you'll hear me talk about how the legislature saw fit to solve a problem that other people didn't view as a problem. I used some strategic language to offer my support, but you have to be looking for all of that testimony not just on day when a salary bill is coming up again in the committee. The other thing I'd offer, is that the legislative auditor gives the agency an opportunity to respond with a letter to the report. If you look at the back of the OLA study, you'll see one letter in there from DPS showing the appreciation for the comprehensive and objective study. I wrote it on behalf of the Commissioner. That is another example of the work I'm doing that isn't public to support our agency. My opinion of why we're a successful agency is that we're doing good with great service in the smallest interactions we do as an agency, it makes the entire agency



successful. I'm happy to say that we're a different agency, and now is a really good time to be different and proud of the work we do.

President's Time

MN political contribution refund program – Once per year you can donate up to \$50 as an individual or \$100 as a couple to a registered legislative member's campaign (one that has signed up for the program) and receive that \$50 or \$100 back as a refund. Support the candidates that support the Trooper's Association legislative initiatives such as increasing pay, improving benefits or stopping anti-cop legislation.

- To check if your representatives have signed up for the program visit this website. <https://cfb.mn.gov/reports/#/public-subsidy-agreement/17027/>
- Additional information and refund form can be found at <https://www.revenue.state.mn.us/political-contribution-refund>

As a reminder, the state will match up to \$400 to your deferred compensation (before tax or after-tax Roth contributions). Contact your delegate if you need assistance in getting this setup or changing contributions to after tax (Roth). Over a 30-year career, this amounts to \$12,000 (not including interest earned on that money) that is contributed to your deferred compensation account.

MPPOA

Board elections are taking place at the summer convention (June 12-14). Troopers have a seat on a board that needs to be filled.

We have 11 voting seats at the summer conference. Supervisors have 2 seats.

11 board members expressed interest in going to the summer conference.

Charitable Donations / Upcoming Events

Motion to still donate \$2500 to Backing the Blue Line despite the fact they are not holding their annual ball. *Motion by Delegate Hanson, seconded by Delegate McClure: **CARRIED***

Grievance

- Freeway pay issue with the 8.4% increase and grids not being adjusted yet. Still in process.
- Martin Luther King Day MRT pay issue still being worked on.

Treasurer's report: Treasurer Orpen presented the budget report. Motion to approve budget report. *Motion by Delegate Hanson (2900), seconded by Delegate Weinrich: **CARRIED***

Magazine: May 1st is the next article deadline.



Internal Affairs: Be cautious on social media! Avoid posting or interacting via social media applications. People seek out Law Enforcement Officers personal information on social media apps.

Pension/Retirement: Market has been doing well.

Equipment Committee:

- Cold weather gear has all been distributed.
- Lots of hand and foot warmers
- Tactical uniform shirts arriving in June
- Neck gaiter quality issues being looked into
- North Memorial didn't recommend nasal airways for us
- Jump packs still facing hurdles
- Windshield wipers from the warehouse – have there been issues?
- Moving forward with encryption on radios
- No Chevrolet Tahoe order for 2021 due to paint color minimum order requirements
- Dodge Durango order placed
- Window marker complaints
- Testing a new ordering system to order equipment and increase order accuracy
- Throw ropes were brought up again
- New giant state emblem (target) on turtle suit brought up again
- Guardian Angel light discussion
- Rifle Plate discussion

Legislative Committee:

Work continues down at the Capitol to get verbiage into law to tie our pay with the OLA study to fix the pay disparity issues long term.

Negotiations Committee:

Contract negotiations are currently at a standstill right now waiting for the legislature to pass the 8.4% pay increase for all other state law enforcement officers that didn't receive that wage adjustment in October. The MLEA BYLAWS require agreement from locals 1 (MSPTA), 2 (DNR), and 3 (BCA) before a contract can be sent out to the entire membership for ratification. We are hoping to return to mediation in May, but that is looking more likely to be a date in June.

Home Association:

Mobile app is running into difficulties with IRS/Tax paperwork needing updating from the recent Treasurer transition. The Apple App store uses a third party to verify legitimate businesses, and the information isn't corrected yet. It's a waiting game right now until all relevant information is up to date, then we can setup our developer account.



Discussion on filling the vacated North Delegate seat.

New Business:

3200: None

3100: None

2900: CVIs would like our support if a bill ever moved forward to reclassify them into 299D to allow them to stop trucks, etc. Nothing has been introduced this session.

2800: None

2700: None

2600: None

2500: None

2400: None

2300: None

2200: Temporary transfer into a station outside of seniority. The state can determine temporary work locations or direct employees where to work.

2100: None

2000: None

North: None

South: None

V.P.: None

Secretary: None

Treasurer: None

President: None

Motion to adjourn at 1440 hours. *Motion by Delegate Hanson (2900), seconded by Delegate Carlson: **CARRIED***



Upcoming Dates:

- Wishes & More – May 22nd, 2021 (rescheduled from April 10th) – Minneapolis, MN
 - *Beasley, Orpen, Phillips, Pearson & Harjes will be attending*
- National Troopers Coalition Conference – April 25th-28th, 2021 – Branson, MO
 - *President LeDoux will be attending.*
- Backing the Blue Line Ball – ~~May 22nd, 2021~~ – Event Canceled for 2021
- Equipment Committee Meeting – May 27th - Virtual
- Summer MPPOA Convention – June 12th-14th, 2021 – Alexandria, MN
 - *Harjes, Phillips, Carlson, Orpen, Theel, LeDoux, Beasley, Danielson, Cederstrom, Weinrich, Hanson will be attending.*
- Summer Executive Council Meeting – July 13th, 2021 – Tower, MN
- MSPTA Golf Tournament – July 14th-15th, 2021 – Tower, MN
- Retired Troopers Day – August 3rd, 2021 – St. Cloud, MN
- Fall Executive Council Meeting – October 5th, 2021 – St. Cloud, MN