

Senator moves to amend the delete-everything amendment (SCS5337A-1) to S.F. No. 5337 as follows:

Page 10, after line 14, insert:

"Sec. 4. [626.9522] COLLECTION AND ANALYSIS OF STOP STATISTICS; REPORT REQUIRED.

Subdivision 1. Definitions. (a) For purposes of this section, the following terms have the meanings given.

(b) "Stop" means any vehicular encounter between a peace officer and a member of the public, whether initiated by the office or conducted in response to a call for service, that:

(1) constitutes a nonconsensual stop, which includes a stop that, based on a totality of the circumstances, would make a reasonable person feel they are not free to leave or otherwise terminate the encounter; or

(2) culminates in a consensual or nonconsensual frisk, search, seizure of property, or arrest of a person, including an arrest pursuant to an outstanding warrant.

A detention or search of a vehicle at a roadblock or checkpoint, which is conducted based on a neutral formula that does not include any personal characteristics or attributes, does not constitute a stop.

Subd. 2. Duty of peace officers to record information. (a) A law enforcement officer who conducts a traffic stop shall record and forward the following data to the chief law enforcement officer of the officer's agency:

(1) the date, time, duration, and location of the stop, including an address, block number, and street name; closest intersection; highway and closest highway exit; latitude and longitude; or global positioning system location, provided that if the encounter occurs at or near a specific residential address, the officers should include either the nearest cross street or block number in order to avoid revealing the identity of the person stopped;

(2) the name and badge number of the peace officer making the stop;

(3) the officer's perception of the race or ethnicity, age, and gender of the person stopped based solely on the observation or perception of the peace officer making the stop. For vehicle stops, this information need only be provided for the driver, unless a passenger is searched, cited, arrested, or has physical force used against them;

(4) the officer's perception of whether the person stopped is in a state of mental or behavioral crisis based solely on the observation and perception of the peace officer making

the stop. For vehicle stops, this information need only be provided for the driver, unless a passenger is searched, cited, arrested, or has physical force used against them;

(5) the alleged traffic violation or reason that led to the stop and an explanation of the reason for the stop consistent with the standards set forth in paragraph (b), as well as the reason for the stop the reporting officer communicated to the person stopped;

(6) actions taken by the peace officer during the stop including orders given; field sobriety tests conducted; if a canine was used for detection of contraband and, if so, whether the canine detected contraband; whether a patrol vehicle detention was imposed; whether and which de-escalation techniques were used; and whether a foot or vehicle pursuit was involved;

(7) whether and what use of force was used including firearm point or discharge, canine bite or pursuit, use of any of the officer's weapons or tools, and any other physical contact;

(8) whether a search was conducted of the driver, passengers, or vehicle and, if so, the type of search, the legal authority and factual basis for the search, and the outcome of the search;

(9) the authority for a search, including consent, probable cause, or outstanding warrant. If the authority for the search is consent, the officer must also record whether the officer requested consent to search, if and what type of consent was provided, and how the consent was provided;

(10) whether any contraband or unlawful weapons were discovered or seized in the course of the stop and the nature of the contraband or unlawful weapons;

(11) the outcome of the stop including whether the person was released; issued a warning, repair order, or citation; or taken into custodial arrest; and

(12) the officer's unique identification number, years of experience, and the type of assignment that the officer was detailed to perform when the officer made the stop.

(b) If the primary reason for the stop is a traffic violation, the peace officer must provide a statutory citation for the particular traffic infraction. If the primary reason for the stop is reasonable suspicion that the person was engaged in criminal activity, the peace officer must describe the circumstances that gave rise to the officer's reasonable suspicion and identify the statutory citation for the suspected violation of law that formed the basis for the stop.

(c) A peace officer conducting a stop must not request the information identified in paragraph (a), clauses (3) and (4), from the individual stopped.

3.1 Subd. 3. **Agency reports.** (a) Beginning in 2025, each law enforcement agency must
3.2 compile the data described in subdivision 1 annually and submit the data to the Minnesota
3.3 Department of Public Safety by February 1 of each year.

3.4 (b) Each law enforcement agency subject to the requirements of this section that does
3.5 not submit the data described in subdivision 1 is ineligible to receive any public safety
3.6 related grants issued or administered by the state until the required information is provided,
3.7 or the commissioner of public safety grants an extension to file the data or a waiver from
3.8 the requirement.

3.9 (c) Agencies required to report data under this section shall not report or make publicly
3.10 available the name, address, social security number, or other unique personal identifying
3.11 information of the persons stopped, searched, or subjected to a property seizure. Law
3.12 enforcement agencies are solely responsible for ensuring that such personally identifying
3.13 information of the individual stopped is not transmitted to the state reporting agency or
3.14 otherwise released to the public.

3.15 Subd. 4. **Office of Traffic Safety.** No later than July 1, 2025, the Office of Traffic Safety
3.16 must begin analyzing agency reports and developing statewide reports aimed at eliminating
3.17 racial disparities in traffic stops. The duties of the office shall include, but not be limited
3.18 to, the examination and evaluation of state and local law enforcement policies and practices
3.19 that contribute to disparities within different geographic regions of Minnesota. The office
3.20 shall annually publish its findings and submit its inaugural report on or before January 1,
3.21 2027.

3.22 Subd. 5. **Auditing.** Each law enforcement agency covered by this section shall develop
3.23 and make publicly available a policy governing review and auditing of stop data collected
3.24 to ensure officer compliance with the requirements of this section."

3.25 Renumber the sections in sequence and correct the internal references

