

Dear Council Member Benson,

At our most recent meeting, the Civilian Review Board passed a resolution opposing companion bills in the legislature: HF 1661 and S 1727. The twin measures each make it a crime to falsely report police misconduct.

It bears noting that before the CRA investigates an allegation of police misconduct, the individual must sign a formal complaint under penalty of perjury. Similarly, when an investigator interviews a police officer, the latter's statement is also signed as true under penalty of perjury. To my knowledge, and to the knowledge of the City Attorney assigned to our office, on no occasion has a perjury prosecution been taken up against either a complainant or a police officer that derived from a CRA complaint.

The proposed bills only create a potential crime against one party, the complainant. They appear designed to discourage an aggrieved party from going forward with a complaint. Minneapolis residents need to know that if they witness or feel victimized by an incident that seems to them police misconduct, they will not be slapped with a criminal charge if they are mistaken. Good relations between the police and the community are dependant on some kind of process for the citizens to raise their concerns without the fear of consequences for doing so. One is not criminalized for filing suit against a Minneapolis police officer and losing in court; there is no rational basis for potentially criminalizing those who take the lesser step of beginning a disciplinary complaint.

There are other arguments that could be made, but the Board didn't authorize a specific basis for opposing the bills. Undoubtedly, members of the Council will advance their own reasons. We urge the IGR Committee to bring to the full council a resolution opposing these bills, and that you will then take the city's opposition to the state level.

Please feel free to call if you request more information.

Sincerely,

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Michael Friedman
Chair, Minneapolis Civilian Review Board
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