

# POLICE ACCOUNTABILITY

Public safety and police accountability are intrinsically linked, not mutually exclusive. Minnesotans must feel safe both in their communities and in their interactions with law enforcement. To achieve these objectives, the ACLU-MN is focused on increasing police accountability and oversight.

## Reform Qualified Immunity

### What is Qualified Immunity?

Qualified immunity operates as a shield against holding government agents, including police officers, accountable for violating a person's rights. Even if a police officer's conduct causes serious harm, courts are blocked from finding liability if that conduct did not violate a "clearly established" right. That means that if the exact situation or conduct wasn't part of a previous case, qualified immunity usually stops the case from going anywhere.

### Why is Qualified Immunity a Problem?

Lack of accountability perpetuates misconduct and harm. It creates an environment where government agents, including police, may feel empowered to violate people's rights because they face few consequences. This erodes relationships with the community and the system's credibility.

### What is the Solution?

Qualified immunity reform creates a means of accountability through state courts, rather than federal courts, by creating a path via state law for people to sue for violations of their rights. It does not end qualified immunity, but instead creates a way to hold government agents such as police accountable if they violate Minnesotans' rights.

## Strengthen Civilian Oversight

### What is Civilian Oversight?

Civilian oversight refers to an independent body of residents who are not police and who review things such as police procedures and conduct. Civilian oversight review boards or commissions can take many different forms at the city level.

### What is the Problem?

Currently under Minnesota state law, civilian oversight boards cannot make findings of fact relating to a complaint against a police officer, impose disciplinary sanctions or make binding recommendations. This makes it difficult to hold police accountable.

### What is the Solution?

**HF 905** would repeal the law that prevents civilian oversight boards from having these powers and would allow local governments to create empowered civilian oversight boards. Removing this barrier at the local level is a first step toward independent, community-informed oversight of policing and public safety.