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CITY OF SAINT PAUL CITY COUNCIL

Ord 26-7 – Law Enforcement Operations with Face Covering Prohibited

Presented by Tim Greenfield, Chief Policy Officer



Overview of Ord 26-7 - Summary

- Adds Ch. 268B to the Legislative Code – as a legislative ordinance
- **A Law Enforcement Officer shall not wear a Face Covering or Personal Disguise that conceals or obscures their facial identity in the performance of Law Enforcement Duties.**
- **Prohibited facial coverings and certain masks permitted under certain specified circumstances, while certain facial coverings not subject to requirement.**



Overview of Ord 26-7 - Definition of Face Covering and Personal Disguise

- **Three categories**
- Applicable Facial Coverings
 - *Prohibited unless an operational exception applies*
 - **Includes:** any opaque mask, garment, helmet, headgear, or other item that conceals or obscures the facial identity, including a balaclava, tactical mask, ski mask, gator mask, and any similar type of facial covering or face-shielding item to obscure effect of an individual's facial features.
 - Personal Disguise – any mask, clothing, wig, or item worn with specific intent to alter person's appearance
- Non-Applicable Facial Coverings
 - *Not subject to prohibition*
 - **Includes:** an N95 medical mask, surgical mask, or transparent face shield designed to protect against transmission of disease or any other mask, helmet, or device, including air-purifying respirators, full or half masks, or a self-contained breathing apparatus, necessary to protect against any toxin, gas, smoke, inclement weather, or any other hazardous or harmful environmental condition



Overview of Ord 26-7 - Additional Definitions

- Other terms defined –
 - **“Law Enforcement Agency”** – any governmental department, agency, office, or division with authority to detect and apprehend persons for violating federal, state, or local laws. Includes any federal law enforcement agency, any law enforcement agency of the State of Minnesota, any law enforcement agency of a city or any other local unit of government, and any law enforcement agency of another state.
 - **“Law Enforcement Officer”** – Any person elected, appointed, or employed by a Law Enforcement Agency empowered with the power to detect and apprehend people violating local, state, or federal laws.
 - **“Law Enforcement Duties”** – law enforcement operations involving
 - Proactive patrols on foot or on or in a vehicle
 - Detention or arrest of an individual
 - Deployment for crowd control purposes



Overview of Ord 26-7: Exceptions to Requirement

- The requirement to conduct Law Enforcement Duties without a facial covering or personal disguise does not apply when the officer is:
 - **Conducting active undercover operations or investigative activities**
 - **Conducting tactical operations where protective gear is necessary for physical safety**
 - **Utilizing eye protection with a face covering from the use of retinal weapons**
 - **Assigned to SWAT team units, or agency equivalent, while actively performing their SWAT responsibilities.**



Overview of Ord 26-7: Criminal Penalty

- Any Law Enforcement Officer who willfully and knowingly violates the ordinance is guilty of a misdemeanor, and may be punished by fine, imprisonment, or both, as provided by **section 1.05 of the City Legislative Code**.
- Each violation of this chapter by a LEO on a given day is considered a separate violation.
- Effective 30 days after passage, signature by the Mayor, and publication in the City's newspaper.



Questions?