

EMERGENCY ORDINANCE NO. XX-XX

CITY OF MANKATO

**AN EMERGENCY ORDINANCE CONTINUING TO CLARIFY
REQUIREMENTS FOR LAW ENFORCEMENT AGENCIES AND OFFICERS
WITHIN THE CITY**

SECTION 1. PREAMBLE.

WHEREAS, the City of Mankato (“City”) values the safety, dignity, equal protection, equal treatment, and human rights of all its residents, regardless of race, religion, immigration status, or national origin; and

WHEREAS, the City is home to persons of diverse racial, ethnic, and national backgrounds, including a significant immigrant and refugee population; and

WHEREAS, the City believes it is a safer, healthier, and more vibrant community when the City is able to maintain a relationship of trust, respect, and cooperation with its residents, all of whom are valued and integral members of the City’s social, cultural, and economic fabric; and

WHEREAS, recent immigration enforcement actions by the federal government increased fear of all law enforcement within the community, and created barriers to residents’ accessing essential City services; and

WHEREAS, as a result, the City enacted emergency ordinance O-2026-0223-5, on February 23, 2026, to clarify the requirements for law enforcement personnel within the city and to address the public safety concerns created by enforcement actions arising out of Operation Metro Surge; and

WHEREAS, although the City recently has seen a reduction of federal immigration officers in the City, the City notes that federal immigration enforcement action persists within the City; and

WHEREAS, while still recognizing the federal government’s legal authority to enforce federal immigration laws in the United States, in Minnesota, and in the City, the City sees value in continuing to have, in place, expectations for all law enforcement officers and agencies engaging in law enforcement actions within the City in order to maintain the public faith and trust in law enforcement; and

WHEREAS, because some of the criteria in emergency ordinance O-2026-0223-5 has created the potential for inadvertent conflict between City law enforcement and other jurisdictions, the City desires to make minor revisions to the ordinance language; and

WHEREAS, for the above stated reasons, the City Council desires to reenact the emergency ordinance for an additional thirty (60) days to further public safety and help gather

necessary data about continued enforcement activities for consideration of a non-emergency ordinance; and

WHEREAS, the City Council has the authority to reenact an emergency ordinance under Section 2.15 of the Mankato City Charter to address a public emergency affecting life, health, property or public peace, which it deems does still exist.

NOW THEREFORE BE IT ORDAINED, by the City Council for the City of Mankato, that a public safety emergency still exists affecting life, health, property and peace, and the following emergency ordinance be enacted:

SECTION 2. IDENTIFICATION OF LAW ENFORCEMENT

2.01 Definitions.

(a) *Definitions.* The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

- (1) “Facial covering” means any opaque mask, garment, helmet, headgear or other item that conceals or obscures the facial identity of an individual, including, but not limited to a balaclava, tactical mask, gaiter, ski mask, and any similar type of facial covering or face-shielding item. “Facial covering” does not include a translucent face shield or clear mask that does not conceal the wearer’s facial identity; a N95 medical mask or surgical mask to protect against the transmission of disease or particulates or any other mask, helmet, or device, including but not limited to, air-purifying respirators, full or half masks, or self-contained breathing apparatus necessary to protect against exposure to any toxin, gas, smoke, inclement weather, or any other hazardous or harmful environmental condition; a helmet when worn by law enforcement agency personnel utilizing a motorcycle, bicycle, or other vehicle that requires a helmet for safe operation while in the performance of their duties; or eyewear necessary to protect from the use of retinal weapons, including, but not limited to, lasers.
- (2) “Law enforcement agency” has the meaning provided in Minn. Stat. §626.84, subd. 1(f) and additionally includes:
 - Any entity of a city, county, or other local jurisdiction or agency that employs peace officer as defined in Minn. Stat. § 626.84, subd. 1(c).
 - Any law enforcement agency of the State of Minnesota.
 - Any law enforcement agency of another state.
 - Any United States law enforcement agency.
- (3) “Law enforcement officer” means a peace officer as defined in Minn. Stat. §626.84, subd. 1(c) and any officer or agent with the authority to make arrests as a law

enforcement agency of the State of Minnesota, the United States government, or any other state.

- (4) “Law enforcement action” means any effort by state, federal or local law enforcement agencies, as defined herein, to enforce local, state or federal laws, including, stops, detentions, seizures, executions of warrants, executions of searches or arrests.
- (5) “Portable recording system” means a device worn by a law enforcement officer that is capable of both video and audio recording of the officer's activities and interactions with others or collecting digital multimedia evidence as part of an investigation.

2.02 Notification of Law Enforcement Presence. Any law enforcement agency intending to engage in law enforcement actions within the jurisdictional bounds of the City shall make good faith efforts to notify the City Department of Public Safety of its intended presence before operating in the City. In those instances when doing so would impede the law enforcement agency’s lawful undercover action, then the law enforcement agency will notify the City Department of Public Safety as soon as practically possible after arriving within the City’s jurisdiction. The purpose of this notification is to avoid inadvertent interference or conflict with, or emergency response to an operation of another law enforcement agency.

2.03 Portable Recording Device. Any law enforcement agency which utilizes portable recording devices in their own jurisdiction shall require its personnel to wear and use a portable recording system while actively engaging in law enforcement actions within the City. The wear and use of such portable recording system by a law enforcement agency and law enforcement officers shall substantially comport with the requirements of Mankato Department of Public Safety Policy 424 “Portable Audio/Video Recorders” or any updated City policy addressing similar subject matter, or other similar policy compliant with Minn. Stat. §626.8473.

2.03 Facial Covering Prohibition. Except for when allowed pursuant to Minn. Stat. §609.735, a law enforcement officer shall not wear a facial covering that conceals or obscures the officer’s facial identity in the course of performing law enforcement actions while within the City. This section does not apply to protective gear used by special weapons and tactics team officers or officers of a similar organization, where such gear is necessary to protect the officers’ faces from harm while performing their special weapons and tactics team responsibilities.

2.04 Identification upon Request. A law enforcement officer engaging in law enforcement actions within the City shall provide identifying information, including but not limited to the officer's last name and badge number or a similar identifier. The provision of providing such identifying information shall, where reasonably possible, be made in writing or by a business card and enable the requestor to discuss the interaction and any seizure of personal property with the law enforcement agency which employs the law enforcement officer. This section does not apply when a law enforcement officer is not actively engaging in law enforcement actions, is working undercover or when giving identifying information would compromise the officer's covert status or materially delay an active pursuit in process.

2.05 Scope. Nothing in this ordinance shall be construed to violate federal law. The City and its departments and employees will comply with federal law including 8 U.S.C. §§1373. This ordinance is not intended to and shall not be construed to interfere with the City's compliance with the terms of any contract or grant in effect as of the effective date of this ordinance to which the City is a party. This ordinance does not apply to property owned by the federal government. Nothing herein shall be construed as restricting or interfering with the execution of court orders or lawful judicial warrants, or the enforcement of criminal law, nor as limiting the rights of any person or entity under state or federal law.

SECTION 3. Effective Date. This Ordinance recognizes the automatic repeal of O-2026-0223-5, and shall, in accordance with the provisions of Section 2.15 of the Mankato City Charter, serve to reenact the substance of that ordinance by becoming effective on April 24, 2026. Further, this Ordinance shall be published and printed as prescribed for other adopted ordinances. This Ordinance shall stand repealed as of the 61st day following the effective date, unless another reenactment is adopted by the City Council or, in the alternative, the City Council repeals sooner.

SECTION 4. Severability. The provisions of this ordinance are severable. If any provision of this ordinance or its application is held invalid, that invalidity shall not affect other provisions or applications that can be given effect without the invalid provision or application.

Passed and adopted by the City Council of the City of Mankato this ____ day of _____, 2026.

By: _____
Najwa Massad, Mayor

Attest: _____
Renae Kopischke, City Clerk