



Legal Protections for Public Health Officials: Threats and Interfering with Government Operations

Minnesota Fact Sheet

50-State Survey Summary

Nationwide, state and local public health officials working to protect the public from COVID-19 are on the receiving end of threatening and harassing conduct for simply fulfilling their duty to protect the public health. In response, the Network conducted research to examine whether the states and Washington, D.C. have criminal statutes punishing individuals who impede public health officials' duties with such behavior. Our research is presented in this [chart](#). Many states have adopted statutes to protect public officials generally; included here are those with broad enough language to include public health officials. States with laws that cover other public officials, but not public health officials, were not included in this chart. While 35 states and Washington, D.C., have such a statute, the remaining 15 states either do not have a statute protecting government officials in these circumstances or do not have one protecting public health officials. Of the 35 states and Washington, D.C., all but 2, Louisiana and Oklahoma, include protections for state **and** local officials.

Below is more information on Minnesota relevant law.

Threats of Violence

Minnesota Statutes, § 609.713, Threats of Violence

Subdivision 1. **Threaten violence; intent to terrorize.**

Whoever threatens, directly or indirectly, to commit any crime of violence with purpose to terrorize another or to cause evacuation of a building, place of assembly, vehicle or facility of public transportation or otherwise to cause serious public inconvenience, or in a reckless disregard of the risk of causing such terror or inconvenience may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. As used in this subdivision, "crime of violence" has the meaning given "violent crime" in section [609.1095, subdivision 1](#), paragraph (d).

Subd. 2. **Communicates to terrorize.**

Whoever communicates to another with purpose to terrorize another or in reckless disregard of the risk of causing such terror, that explosives or an explosive device or any incendiary device is present at a named place or location, whether or not the same is in fact present, may be sentenced to imprisonment for not more than three years or to payment of a fine of not more than \$3,000, or both.

Subd. 3. **Display replica of firearm.**



(a) Whoever displays, exhibits, brandishes, or otherwise employs a replica firearm or a BB gun in a threatening manner, may be sentenced to imprisonment for not more than one year and one day or to payment of a fine of not more than \$3,000, or both, if, in doing so, the person either:

- (1) causes or attempts to cause terror in another person; or
- (2) acts in reckless disregard of the risk of causing terror in another person.

(b) For purposes of this subdivision:

- (1) "BB gun" means a device that fires or ejects a shot measuring .18 of an inch or less in diameter; and
- (2) "replica firearm" means a device or object that is not defined as a dangerous weapon, and that is a facsimile or toy version of, and reasonably appears to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm. The term replica firearm includes, but is not limited to, devices or objects that are designed to fire only blanks.

Penalties

Minnesota Statutes, § 609.713

Up to five years imprisonment and/or up to a \$10,000 fine

Summary

A person may be guilty of threats of violence if they place a threat with the purpose of terrorizing another or cause evacuation at a building. If convicted, a person faces five years imprisonment and/or a fine up to \$10,000.

Template Response to Violators

Below is a sample template for notifying perpetrators regarding their conduct relative to the code.

Minnesota Statutes, §609.713 criminalizes making threats of violence. [insert here a description of the conduct with a date—for example: On August 28, 2021, you sent an email to the Commissioner of the Minnesota Department of Health, threatening her life as well as the lives of all employees at the health department.] *This may constitute a violation of §609.713. If convicted, you face up to five years imprisonment and/or a fine of up to \$10,000.*

- If the conduct is extreme, add: *We have notified the [insert proper law enforcement agency] of this conduct.*
- If the conduct does not rise to the level of reporting, add: *Should you continue with this conduct, we may report the matter to [insert law enforcement agency].*