
POLICE CONDUCT OVERSIGHT COMMISSION

Case Summary Data #1

December, 2016

OVERVIEW OF THE COMPLAINT

Complainant contends that a bar bouncer assaulted a bar patron, causing him to be knocked unconscious. Complainant states that when the bar patron struck the floor, he began to bleed from his mouth and head. When Complainant's friend—a registered nurse— attempted to assist the bar patron, he contends that Officer 1 told her to get her “F***ing hands off him”. After telling the officer that she was a nurse, Complainant asserts that Officer 1 told her “I don't give a f@#\$.”

ALLEGED VIOLATIONS

1. OPCR Ord. § 172.20(2) - INNAPROPRIATE LANGUAGE OR ATTITUDE
2. OPCR Ord. § 172.20(8) - VIOLATION OF THE P&P MANUAL
3. MPD P&P § 5-106 (2) – ON-DUTY CODE OF CONDUCT - Officers shall provide emergency medical care when necessary. The care provided shall be consistent with their EMS training. The protocols found in the handbook "Effective First Response" provided by the Hennepin County Medical Center should be used as general guidelines for administering emergency medical care.
4. MPD 5-105 (A) (5) – PROFESSIONAL CODE OF CONDUCT - Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department.
5. MPD P&P § 5-104.01: PROFESSIONAL POLICING: Officers shall use the following practices when contacting any citizen, regardless of the reason for the contact: Be courteous, respectful, polite and professional.

COMPLAINT PROCESSING

The complaint was received by the Office of Police Conduct Review via the online system. Upon receipt of the complaint, an intake investigation was conducted and the matter was subsequently brought before the Joint Supervisors for intake review. Upon review of the complaint, the Joint Supervisors dismissed the matter for “no basis”.

EVIDENCE

1. Complaint
2. VisiNet
3. CAPRS

SUMMARY OF EVIDENCE

Complaint: Complainant contends that he was at a bar when he witnessed, “bouncer[s] assault 2 bar patrons[,] knocking one completely unconscious. [One] patron fell and his skull made contact with the pavement[,] causing him to bleed from mouth and head.” After witnessing the alleged assault, Complainant claims that his girlfriend, a registered nurse, attempted to assist the injured patron by checking his pulse and asking for others to call 911. However, Complainant alleges that an officer began to yell obscenities to the girlfriend, in particular telling her to, “F***! Get your hands off!”

Complainant asserts that his girlfriend attempted to explain to the officer that she is a nurse. Nonetheless, Complainant contends that the officer then retorted that he "...doesn't give a f**k!"

Complainant—who was a visitor to Minneapolis—claims that the incident was unprofessional and irresponsible. He further states that he was “embarrassed, insulted, and offended”.

VisiNet: Shows that the accused officer was at the scene. The following is also noted: “[Badge number] Medical C3 1 DOWN UNCON...Problem changed from On Site...to...Fight.”

CAPRS: The public data section in the report states the following: “Officers responded to a fight call at the above location. One male/V1 was transported to [a local hospital] for treatment of injuries. No suspect information available.”

Supplement 1: Officer 1 states that he was working with his partner when he received a fight call. After arriving, Officer 1 asserts that he saw a large crowd gathered around a person on the floor who appeared to be unconscious and bleeding from the back of his head. At the scene, Officer 1 contends that he helped to keep the crowd away. Eventually, Officer 1 states that the victim regained consciousness and was transported to the hospital.

Supplement 2: Officer 2 states that the officer was assigned to investigate the case and had begun evidence gathering.

Supplement 3: Officer 2 asserts that a witness, a friend of the victim, told the officer that the victim left the bar as a friend was leaving (either from being kicked or having his/her hair pulled). The witness further stated that the victim was trying to calm down the thrown-out friend but then was “blindsided” (struck) by another. Officer 2 asserts that the witness could not identify who hit the victim.

Supplement 4: Officer 2 asserts that Witness 2—the friend who was thrown out of the establishment—told the officer that he was asked to leave the area and, while doing so, was “struck/grabbed” by his hair by a bouncer. Also, Witness 2 told the officer that another person, not the victim, was knocked unconscious by a bouncer – it was not until the next day that Witness 2 heard of the victim being struck.

Supplement 5: Officer 2 relates that video of the incident shows a person getting knocked out by another in dark clothing.

Supplement 6: Officer 2 asserts that witnesses and the victim gave conflicting stories and that the video shows the assault but that the assailant is as of yet unidentified.

Supplement 7: Officer 2 asserts that the officer property inventoried an incident report that, “details an incident inside the bar that may have involved V1 and the witness.”

DISMISSAL

The Joint supervisors determined that, even if the allegations were true, the officer was within his right to prevent persons from touching the injured victim and also to otherwise secure an area in which a crowd had gathered.