
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #10
February 2018

OVERVIEW OF THE COMPLAINT

Complainant alleges that: he was placed into custody though he had done "nothing illegal"; items were searched; was placed in an ambulance; and was administered a "neuroleptic" without his consent. He also claims that law enforcement and other agencies have used his "private health information" to harass him and trespass him from properties.

ALLEGED VIOLATIONS

1. MPD P&P § 5-105 (A)(4) – PROFESSIONAL CODE OF CONDUCT: Employees shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.

COMPLAINT PROCESSING

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. CAPRS Report
3. VisiNet Report
4. Video

SUMMARY OF EVIDENCE

Complaint: Complainant asserts that security guards/officers put him in handcuffs, searched him, placed him in the back of a squad car but not placed under arrest. He claims that he was not doing anything illegal and was told that he could not leave until an ambulance arrived. Complainant claims that an officer threw his things to the floor of the officer's patrol car. He also claims that he was given a "neuroleptic" without his consent and that the paramedic stated that he is "Catholic." Lastly, Complainant asserts that he was mistreated at the hospital.

VisiNet Report: Problem section is listed as "Emotionally Disturb Person" and the caller as "LONNIE/EMPLOYEE." The report shows that the call was completed within 30 minutes of the officers being assigned. Comments sections states the following:

INSIDE STORE REQ EMS FOR A PANIC ATTACK...WM 25YO WRG GRY HOODIE AND BLK SHOES WITH BLK BACKPACK...CLR LCB—MALE LEFT WALKING TWDS THE BUS STATION—THINK POSS MORE OF A MENTAL HEALTH ISSUE—CLR CB TO ADV EDP IS BACK INSIDE THE STORE AND HAS TAKEN HIS SHIRT OFF...SEEMS DELUSIONSAL

Caprs Report: Public Data section states that Complainant was acting "erratically" and had admitted to "methamphetamine use and was worried about dying." There are no supplements for this case.

Video: Focus Officer can be seen walking into a convenience store. He next walks into the bathroom whereupon Complainant can be seen standing in front of a sink, holding his sweater and jacket in his arms. Upon seeing the officer, Complainant asks the officer “Do I look OK to you”? Focus Officer tells Complainant that he does not look injured and Complainant asks him if there are any injuries on his face. Complainant also mentions that he just went into the store to buy a pack of cigarettes. Focus Officer tells him that he just wants to make sure that Complainant is OK, and Complainant responds that he has blurred vision. After this, Focus Officer tells Complainant that he is going to call an ambulance to “look [Complainant] over,” to which Complainant states that he doesn’t need an ambulance. Complainant mentions that he needs to speak to a lawyer and he also asks for Focus Officer’s name and badge number. Focus Officer calmly gives Complainant his name and badge number. Again, Focus Officer tells Complainant calmly that he wants Complainant to be checked medically due to Complainant’s statements about potential injury.

Focus Officer again tells Complainant that an ambulance has been called to check on him. Soon after this, Focus Officer notices a bracelet on Complainant’s wrist and asks him if he has just been recently released from the hospital. Complainant replies that his medical information is “private” and refuses to answer the question; Complainant then asks the officer if he “is dead.” Complainant tells the officers that he might get shot because he has a black backpack, and the officers assure him that he won’t get shot.

Complainant mentions that he “is going to die.” He also tells the officers that he is not from Minneapolis and that he bused to the area.

Next, Complainant asks the officers if he can smoke a cigarette and they oblige. Complainant next walks outside without his sweater and jacket on; he struggles to put on his sweater, almost putting it on backwards. Complainant then asks officers if he can buy a pack of cigarettes. Complainant states that he went into the store to buy a pack of cigarettes and felt something hit him in the chest. Complainant asks the officers to tell his mom that he loves her and also that he has never been on “psych meds.” Focus Officer tells Complainant calmly that he can tell his mother when he sees her again.

The ambulance arrives and Complainant is told to go inside it; he is also told by Focus Officer that an emergency hold is being placed on him. Complainant asks for the “card” of Focus Officer and Focus Officer tells him that he will give it to him later. Complainant tells officers that he does not want anybody to touch him and Focus Officer says he won’t but that he still has to go inside the ambulance. After going into the ambulance, Complainant asks if there is a “hole in [his] face” or if he has been shot.

Eventually, Complainant is identified after officers find papers with his name on them in his jacket and placed on a cot, whereby Complainant states, “F**k, I don’t want to die.” Prior to this, Complainant states, “Please, help me out.”

Lastly, EMS personnel tell officers that the situation is under control and say goodbye. Importantly, the video does not capture the administering of any shot to Complainant in the officers presence.

DISMISSAL

Upon reviewing the case file, the Joint Supervisors dismissed for “no basis” as Complainant appeared to be having a mental health crisis and, based on his statements of fictive or imagined injury, was likely a danger to himself and possibly others. Thus, the officers had a right to place Complainant on a mental health hold. Lastly, the Joint Supervisors also determined that the officers—especially Focus Officer—were professional in their interactions with Complainant.