
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #3
May 2018

OVERVIEW OF THE COMPLAINT

Complainant contends that he was behind another vehicle at an intersection when the vehicle failed to go during a green light, instead stopping at the intersection. Complainant contends that other vehicles on other lanes proceeded through the light, prompting Complainant to honk at the driver of the vehicle in front of him. According to Complainant, when a lane opened up, he turned into it and bypassed the vehicle. Upon doing so, Complainant alleges that the driver of the vehicle told him, "you got a problem [,] a**h**e," and proceeded to pull out a badge, which Complainant believed to be a Minneapolis Police Department badge but wasn't sure. After this, Complainant contends that he asked the driver for his badge number but the driver instead drove away.

ALLEGED VIOLATIONS

1. MPD P&P § 7-401 – NORMAL VEHICLE OPERATION: Under normal conditions, personnel will operate police vehicles in the same manner as required for the public. Violations of motor vehicle laws when not authorized, or careless and abusive use of police vehicular equipment may result in disciplinary action.
2. MPD P&P § 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.

COMPLAINT PROCESSING

After receipt of the complaint, an intake investigation was conducted and the matter was brought before the joint supervisors, who sent the matter to an investigator as a complaint inquiry in order to gather more evidence and ascertain the identity of the officer(s). Upon completion of the inquiry, the matter was again brought before the joint supervisors, who then sent the matter to coaching.

EVIDENCE

1. Complaint
2. Complaint inquiry report
3. CAPRS
4. Body cam of Officers 1 and 2:

SUMMARY OF EVIDENCE

Complaint: Complainant contends that he was behind another vehicle at an intersection when the vehicle failed to go during a green light, instead stopping at the intersection. Complainant contends that other vehicles on other lanes proceeded through the light, prompting Complainant to honk at the driver of the vehicle in front of him. According to Complainant, when a lane opened up, he turned into it and bypassed the vehicle. Upon doing so, Complainant alleges that the driver of the vehicle told him, "you got a problem [,] a**h**e," and proceeded to pull out a badge, which Complainant believed to be a Minneapolis Police Department badge but wasn't sure. After this, Complainant contends that he asked the driver for his badge number but the driver instead drove away.

Complaint inquiry report: According to the investigator, he spoke to Complainant to verify if his complaint was complete, to which he agreed it was. Next, he contacted an MPD officer with knowledge of the vehicles belonging to MPD and he confirmed that the vehicle plate listed in the complaint matched that of an unmarked vehicle in inventory. Further, the investigator checked for any Milestone cameras (City cameras) in the vicinity of the incident but was unable to locate any.

In addition, the investigator claimed that he had seen the vehicle listed close to City Hall and occasionally saw Focus Officer driving the vehicle. According to the investigator, Focus Officer's supervisor verified that the vehicle is assigned to Focus Officer. Lastly, the investigator claims that he requested fuel transactions for the vehicle and uncovered that Focus Officer had fueled the vehicle on the date in question.

COACHING

According to the supervisor, Focus Officer did not recall "any such incident" nor if he was working with another officer on that date. The supervisor also claims that he spoke with Focus Officer's partner and he, too, did not recall any such incident. As such, the supervisor recommended that Focus Officer not be coached as there "is no corroborating evidence to corroborate the allegations."