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**POLICE CONDUCT OVERSIGHT COMMISSION**  
Case Summary Data #5  
June 2018

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**OVERVIEW OF THE COMPLAINT**

It is alleged that the officer has committed a criminal act.

**ALLEGED VIOLATIONS**

1. MPD P&P § 5-102.01 MINNESOTA LAW ENFORCEMENT CODE OF ETHICS: "As a Minnesota Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both by personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

**COMPLAINT PROCESSING**

A supervisor with the City of Minneapolis—not the alleged victim—notified numerous parties within the Minneapolis Police Department (MPD) of an alleged domestic assault by one of their officers. After receipt of the notification, MPD referred the matter to the Office of Police Conduct Review and an intake investigation was. At intake review, the joint supervisors assigned the case to an administrative investigation. However, early into the investigation the alleged victim withdrew the matter, claiming that it was a misunderstanding.

**EVIDENCE**

1. Notification
2. VisiNet
3. Phone call from investigator
4. Body cam video
5. Email from alleged victim to an MPD supervisor
6. Email to investigator—withdrawal

## SUMMARY OF EVIDENCE

Notification: According to the email, the alleged victim's supervisor contacted MPD and informed them that one of his employees was feeling "frightened and distraught by the calls she was receiving from her [boyfriend]—a Minneapolis Police Officer—who "demand[ed] that she return home." Further, the supervisor believed that the alleged victim may have suffered previous incidents of domestic abuse.

After the supervisor contacted MPD, the email specifies that a squad was sent out to the boyfriend's location to advise him of the matter and to inspect if anything was occurring. While with the boyfriend, the email asserts that the boyfriend called the alleged victim and she "spoke in a manner which seemed that as though she was intoxicated." After the call, the email claims that the officer who was dispatched to the boyfriend's house advised him against contacting the alleged victim further.

VisiNet: The Problem is listed as "Miscellaneous." According the report, two units responded to the boyfriend's residence. The comments state that the call was a "follow up" and was later determined to be okay.

Body camera video: An officer responds to the boyfriend's home. The boyfriend is sitting in a vehicle outside of his home. Upon approaching, the officer informs the boyfriend that the alleged victim has been calling people in the City of Minneapolis about threats he made to her. The boyfriend asserts that he has not threatened her. The officer also tells the boyfriend that it would be "wise" if he left his home, which he shares with the alleged victim. The officer also gave the boyfriend the employee assistance number and also informs him that he can gather his things before he leaves. The officer accompanies the boyfriend to the house. As the officer partly enters the home, he calls out the alleged victim's name to see if she is home—no one responds. Video ends shortly after.

Phone call from investigator: the investigator assigned to the case called the alleged victim and asked if she would like to come in for an interview. The alleged victim repeatedly states that she wishes to do the interview by phone, but after constantly being asked eventually relents to conducting the interview in person. A date soon after is established by both parties.

Email from alleged victim to an MPD supervisor: the email states the following:

I am the girlfriend of [Focus Officer]. My boss gave me your contact info and ask that I speak with you. I'm writing because of events that occurred this past weekend involving [Focus Officer]. I would like to speak to you about them. But first of all I want to tell you that he's never hit, kicked or choked [sic] me. Yesterday [,] when the police were called to speak with him at our place [,] that was a miscommunication on my part.

Email to investigator—withdrawal: In the email, the alleged victim asserts that there has never been a "domestic incident" involving her boyfriend and herself. She further contends that she never contacted MPD or otherwise filed a complaint. Instead, the alleged victim claims that she went out with a group of "[c]op [h]aters and they "coaxed" her while she was in an intoxicated state into "saying things that weren't true." Also, she claims that calls were made in order to get her boyfriend in trouble. She also claims that she was dissuaded from contacting her boyfriend.

Lastly, the alleged victim states that she is embarrassed about what has occurred and that she would be declining to come in to give an interview—she also expressly stated "DON'T CONTACT ME AGAIN" in the email.

## WITHDRAWN

Due to the alleged victim's pleas to withdraw the complaint and the lack of any corroborating evidence, the joint supervisors dismissed the case as withdrawn.