
POLICE CONDUCT OVERSIGHT COMMISSION
Case Summary Data #3
August 2018

OVERVIEW OF THE COMPLAINT

It is alleged that a desk officer was "intimidating, aggressive and hostile" toward a complainant who was attempting to file a report.

ALLEGED VIOLATIONS

1. 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. Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons. Ensure that the length of any detention is no longer than necessary to take appropriate action for the known or suspected offense. Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other city or county agencies when appropriate. Provide name and badge number when requested, preferably in writing or on a business card. Explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop). If asked, provide the procedures for filing a complaint about police services or conduct.

2. MPD P&P § 2-103 – COMPLAINTS - EXTERNAL REPORTING: Persons not employed by the MPD may make a complaint alleging employee misconduct by letter, phone, or in person to any employee in any area of the MPD. Complaints shall be processed according to procedures outlined in the MPD Complaint Process Manual. MPD employees shall never attempt to dissuade a citizen from lodging a complaint. If asked, all employees shall provide citizens with a Police Conduct Incident Report (PCIR) form without question. PCIR forms are available at the precincts, at Internal Affairs Room 112 City Hall and at the Office of Police Conduct Review (OPCR), Room 239 city Hall. The PCIR form is also available online at: <http://www.minneapolis.gov/police/opcr-complaint>.

If it is not feasible to provide the form to the citizen, the MPD employee shall provide the internet website address where the PCIR form may be located online. At no time shall any employee, including supervisors, handle a complaint about themselves. Should this occur the complainant shall be immediately referred to the employee's supervisor. An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint. (09/19/08)

COMPLAINT PROCESSING

The Office of Police of Conduct Review was referred the matter from the Minneapolis Police Department; shortly after, an intake investigation was conducted and the matter presented to the joint supervisors, who assigned the matter to coaching.

EVIDENCE

1. Memo
2. VisiNet
3. CAPRS

SUMMARY OF EVIDENCE

1. Memo: the memo is from a fellow officer who asserts that he was in the process of handling another matter when he was contacted by a government official. The officer also claims that he is from a different precinct. The officer claims that the government official told him that a citizen told him/her that she had been trying to report a violation of the Safe at Home law but was refused by an officer at the desk. After speaking to the Focus officer, the officer claims that he had put on a hold on other matters he was handling and attended to the citizen. According to the officer, the citizen told him that the Focus Officer was “intimidating, aggressive and hostile” towards her, and that he has done so in the past, treating her like a “criminal.” As the officer had to leave to tend to other matters, he claims that he told another officer from the precinct to help the citizen while she waited for a squad to assist.
2. VisiNet: The report lists the problem as miscellaneous and merely comments that an officer—not the Focus Officer—is assisting the citizen with a report.
3. CAPRS: According to the assisting officer, Complainant believes that her bank informed a repossession company of her address in violation of state statute (Safe at Home law).

COACHING

The officer retired prior to the completion of the coaching, thus the supervisor was unable to complete the investigation.