

**OFFICE OF POLICE CONDUCT REVIEW**

**CLOSED CASE SUMMARY**

**OPCR-21-07**



PUBLISH DATE: February 8, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-07

**ALLEGATIONS**

|                     | <b>Policy Implicated</b> | <b>MPD Policy Manual Range</b> | <b>OPCR Outcome</b>          | <b>PCRP Finding</b> | <b>MPD Outcome</b> |
|---------------------|--------------------------|--------------------------------|------------------------------|---------------------|--------------------|
| <b>Allegation 1</b> | 9-200 Search and Seizure | A-D                            | Closed – Dismissed, No Basis | N/A                 | N/A                |

**REPORTED DEMOGRAPHICS**

**Race:** African

**Gender:** Male

**Police Precinct:** 3<sup>rd</sup>

**SUMMARY OF COMPLAINT**

Complaint alleges that officers pulled over the complainant and after reviewing their driver’s license and insurance information, the complainant was handcuffed and detained in a squad car. It is alleged that the officers then searched the complainant’s car without any reason given. Following a search of the vehicle, the complainant was released without further information provided to them.

**SUMMARY OF INVESTIGATION**

*1) INTAKE INVESTIGATION*

a) VisiNet report

i) The “Problem” is listed as “Traffic Law Enforcement”. The call log indicates two additional squads responded to the incident location to assist.

b) Other

i) N/A

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2) *VIDEO ANALYST REVIEW*

a) Body Worn Camera (BWC) Review

- i) Body worn camera footage shows that officers from the primary squad make a traffic stop on the complainant's vehicle. Officer 1, the driver, walks to the passenger side of the vehicle and Officer 2, the passenger in the squad, walks towards the driver side of the vehicle. It is shown through BWC that the complainant is the sole occupant of the vehicle.

Complainant provides their driver's license and proof of insurance upon request from Officer 2. The complainant asks why they have been stopped and Officer 2 responds that they will address it after verifying their information. Officer 1 walks back to the squad and enters the complainant's information in CAD. Officer 1 walks towards the squad and mentions that the vehicle smelled like weed and officers agree to search the vehicle. During this time, more officers arrive at the scene.

Officer 2 goes back to the complainant and tells them to exit the vehicle and a search will be conducted. The complainant asks why this is happening and Officer 1 mentions that the vehicle was observed driving between lanes. The complainant is handcuffed and patted down before being placed in the backseat. The complainant asks again if something is wrong and Officer 2 responds that they will talk about it at a different time. While in the squad, the complainant confirms that their sibling is the registered owner.

An assisting officer relays that the vehicle search did not yield anything of evidentiary value. Officers 1 and 2 agree that they will advise the complainant regarding his driving conduct and let the complainant go without a citation.

The complainant is taken out of the squad and uncuffed. Officer 2 reminds the complainant why he was pulled over and further advises that one of the taillights needs to be fixed. While uncuffing the complainant, Officer 2 asks again if they had been smoking weed and they say they had not. Complainant and officers walk to their respective vehicles. BWC is then deactivated. In full, the duration of the incident was approximately 14 minutes.

3) *CASE REVIEW & JOINT SUPERVISOR ROUTING*

- a) After reviewing the relevant and available evidence collected during intake, the Joint Supervisors dismissed the case for, "no basis."

4) *ADMIN/PRELIM INVESTIGATION*

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- a) An administrative investigation was not conducted for this complaint.

**CASE OUTCOME**

5) *Office of Police Conduct Review*

- a) The case was closed and dismissed.

6) *POLICE CONDUCT REVIEW PANEL*

- a) The complaint was not reviewed by panel.

7) *MINNEAPOLIS POLICE DEPARTMENT*

- a) Complaint was not reviewed by MPD because the case was dismissed for “no basis.”