

OFFICE OF POLICE CONDUCT REVIEW

CLOSED CASE SUMMARY

OPCR-21-18



PUBLISH DATE: April 12, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-18

ALLEGATIONS

	Policy Implicated	MPD Policy Manual Range	OPCR Outcome	PCRP Finding	MPD Outcome
Allegation 1	5-303 Use of Force	A-D	Sent to Review Panel	No Merit	Exonerated

REPORTED DEMOGRAPHICS

Race: N/A

Gender: N/A

Police Precinct: 5th PCT

SUMMARY OF COMPLAINT

Complainant alleges that the officer was “aggressive” and put a “knee on [their] neck and trying to pin [their] face on ground after being cuffed to much force after being cuffed.”

SUMMARY OF INVESTIGATION

1) INTAKE INVESTIGATION

a) VisiNet report

i) The “Problem” was originally listed as, “On Site (P).” The call type was then updated to a “Suspicious Person(P)” and then reclassified as an “Officer Needs Help (P).” The call log indicates Officer 1 arrived at the call at 7:51 pm and responded alone. A second squad was on route to assist but was cancelled around 7:52 pm. At 7:54 pm a call to assist was requested and additional squads arrived at the scene moments after.

b) Police Report

i) The public section of the report states that an officer was flagged down by a security officer working at liquor store and requested that an individual be trespassed. The

report states that the individual would not cooperate with the trespass notice process and became uncooperative with the officer. The individual was placed under arrest and booked at Hennepin County Jail for obstruction.

- c) Other
 - i) Initial complainant statements

2) *VIDEO ANALYST REVIEW*

a) Body Worn Camera (BWC) Review

- i) BWC footage exists for this incident. The BWC from the responding officer captures the interaction with the complainant. The Officer appears to arrive on scene alone and walks to the entrance of the liquor store where the complainant is standing-- outside of the store-- talking to a third-party security person. The security person says that they would like to trespass the complainant and that he "needs to go." The officer grabs the complainant's arm and begins trying to cuff the complainant. The officer does not issue any commands, nor state why he is attempting to detain/arrest the complainant. A struggle ensues, and the complainant is taken to the ground by the officer and the third-party security person. The complainant begins to yell that he cannot breathe, and the officer can be seen moving their knee from the complainant's head/neck to between the complainant's shoulders. The complainant is cuffed, and the officer briefly removes their knee to use the radio, then replaces it. The complainant states he cannot breathe several more times, and bystanders begin to record.

The officer turns the complainant onto his side, with their knee still on the complainant's back. During the struggle, the complainant's elbow is bleeding. Other officers arrive, and the complainant is moved in the direction of the squad. The complainant states that he did not do anything and asks why the officer was so aggressive. The complainant is then secured in the squad.

b) Squad Video Review

- i) Squad video does not exist for this complaint.

3) *CASE REVIEW & JOINT SUPERVISOR ROUTING*

- a) After reviewing the relevant and available evidence collected during intake, the Joint Supervisors agreed the complaint warranted an administrative investigation.
- b) The case was assigned to a sworn investigator.

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4) ADMIN/PRELIM INVESTIGATION

Summary of the following:

- a) Complainant Statement
- b) Focus Officer(s) Statement
- c) Additional Evidence (BWC, PIMS report etc..)

CASE OUTCOME

5) OFFICE OF POLICE CONDUCT REVIEW

- a) An administrative investigation was completed and forwarded to panel.

6) POLICE CONDUCT REVIEW PANEL

- a) Review panel found no merit on Allegation 1: 5-303 Use of Force

7) MINNEAPOLIS POLICE DEPARTMENT

- a) The Chief of Police agreed with the decision from the review panel and the focus officer was exonerated.