

OFFICE OF POLICE CONDUCT REVIEW

CLOSED CASE SUMMARY

OPCR-21-20



PUBLISH DATE: April 12, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-20

ALLEGATIONS

	Policy Implicated	MPD Policy Manual Range	OPCR Outcome	PCRP Finding	MPD Outcome
Allegation 1	5-103 Use of Discretion	A-D	Sent to Review Panel	No Merit	No Discipline
Allegation 2	5-104.01 Professional Policing	A-D	Sent to Review Panel	No Merit	No Discipline
Allegation 3	5-105 (A)(4) Professional Code of Conduct	A-D	Sent to Review Panel	No Merit	No Discipline
Allegation 4	2-103 Complaints-External Reporting	A-D	Sent to Review Panel	No Merit	No Discipline
Allegation 5	4-223 Body Worn Cameras	B	Sent to Review Panel	Merit	Letter of Reprimand

REPORTED DEMOGRAPHICS

Race: N/A

Gender: N/A

Police Precinct: 3rd PCT

SUMMARY OF COMPLAINT

It is alleged that an officer was working in Third precinct as a patrol supervisor when the officer drove their squad alongside the complainant's vehicle. The two had a conversation and then ended the contact by driving away. About an hour later, the complainant went to the precinct to speak with the officer's supervisor. The officer was at the precinct at that time and was notified that the

complainant was at the precinct. The officer notified the complainant that their supervisor was unavailable until the following day.

The officer and complainant engaged in additional conversation before the officer asked the complainant to leave the building. The complainant questioned why they needed to leave the building and was hesitant about leaving. The officer informed the complainant that they needed to leave or be charged with trespass. The complainant then said, "Go ahead. Charge me." The officer obtained the complainant's ID and issued the complainant a citation.

SUMMARY OF INVESTIGATION

1) INTAKE INVESTIGATION

a) VisiNet report

- i) The "Problem" was listed from "On Site (P) to "Unwanted Person (P)."

b) Police Report

- i) The public section of the report states that the complainant drove through an alley illegally. It also states that the complainant started to cause a scene, so the officer drove away. Later that day the complainant arrived at the precinct to speak with their supervisor. The complainant was asked to leave, and they refused. The complainant was then cited for Trespassing.

c) Other

- i) Initial complainant statements
- ii) Any other documents used to properly identify the officer

2) VIDEO ANALYST REVIEW

a) Body Worn Camera (BWC) Review

- i) No BWC video footage was found to document the initial contact between the officer and the complainant. The officer reported that they initiated contact with the complainant to discuss two issues; driving a motor vehicle through an alley and stopping to have contact with a possible prostitute. These kinds of contacts require the activation of the BWC prior to making contact with the person(s) involved.
- ii) A review of the BWC during the interaction at the precinct show an accurate description of events described in the complaint.

b) Squad Video Review

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- i) Squad video does not exist for this complaint. The officer's squad was not equipped with MVR.

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 a civilian investigator.

4) ADMIN/PRELIM INVESTIGATION

Summary of the following:

- a) Complainant Statement
- b) Focus Officer(s) Statement

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: 5-104.01 Professional Policing
- b) Review panel found no merit on Allegation 2: 5-105 (A)(4) Professional Code of Conduct and 2-103 Complaint-External Reporting.
- c) Review panel found no merit on Allegation 3: 5-103 Use of Discretion
- d) Review panel found merit on Allegation 4: 4-223 Body Worn Cameras

7) MINNEAPOLIS POLICE DEPARTMENT

- a) The Chief of Police issued a Letter or Reprimand for the 4-223 Body Worn Camera policy violation.