

OFFICE OF POLICE CONDUCT REVIEW

CLOSED CASE SUMMARY

OPCR-21-32



PUBLISH DATE: July 15, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-32

ALLEGATIONS

| | Policy Implicated | MPD Policy Manual Range | OPCR Outcome | PCRP Finding | MPD Outcome |
|-------------------------------|---|--------------------------------|----------------------|---------------------|--------------------|
| Officer 1 Allegation 1 | 5-303 Crowd Control and Civilian Disturbances | A-D | Sent to Review Panel | Split | Not Sustained |
| Officer 1 Allegation 2 | 4-604 Officer's Statements | A-D | Sent to Review Panel | Split | Not Sustained |
| Officer 2 Allegation 1 | 5-303 Crowd Control and Civilian Disturbances | A-D | Sent to Review Panel | No Merit | Exonerated |
| Officer 2 Allegation 2 | 5-301 Use of Force | A-D | Sent to Review Panel | No Merit | Exonerated |

REPORTED DEMOGRAPHICS

Race: N/A

Gender: N/A

Police Precinct: 5th

SUMMARY OF COMPLAINT

Complaint alleges that Officers did not follow the guidelines set in place by a Temporary Restraining Order (TRO) entered by the City of Minneapolis and the Minnesota Department of Human Rights (MDHR).

SUMMARY OF INVESTIGATION

1) INTAKE INVESTIGATION

- a) VisiNet report(s): 2 Reports

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i) The “Problem” is listed as “Police Events” in both reports. Report A lists 27 officers and Report B lists 50 officers. Report A indicates a group of 300+ protestors and provides updated movement of the group. Report B indicates group of 75 civilians and provides updates on their movement through the day. Both reports indicate that groups of people were blocking intersections and preventing drivers to get through. Both reports continue discussing connecting with other law enforcement agencies as groups move through the city.

b) Police Report(s): 2 Reports

i) Police Report A says officers were assigned to detail for an unlawful assembly. The assembly is reported as been given several warnings to disperse. Officers arrested persons who refused to leave area and BWC was activated.

ii) Police Report B has no public narrative available. In short, the report discusses a large-scale protest that officers were responding to.

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) BWC video exists for this incident. As stated above, there were 70 officers that have varying levels of activation for this police incident. BWC was reviewed for officers that captured the specific violations being addressed. Officers included members of SWAT, beat officers, and command staff of various levels.

b) Civilian Video

i) An alternate media source was found online which corresponded with the date/location of the demonstration. The video captures the incident described in the complaint.

c) Squad Video Review

i) Officers were on foot and walking around the incident location at the time of the incident.

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

- a) Complaint Documentation
- b) Complaint Attachments
- c) Officer Statements
- d) Defense Technology Data

CASE OUTCOME

5) OFFICE OF POLICE CONDUCT REVIEW

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

6) POLICE CONDUCT REVIEW PANEL

Officer 1

- a) Review panel found split decision on Allegation 1: Crowd Control and Civilian Disturbances: 2 Merit, 2 No-Merit.
- b) Review panel found split decision on Allegation 2: Officer's Statements: 2 Merit, 2 No-Merit.

Officer 2

- a) Review panel found no-merit on Allegation 3: Crowd Control and Civilian Disturbances
- b) Review panel found no-merit on Allegation 4: Use of Force

7) MINNEAPOLIS POLICE DEPARTMENT

- a) The Chief of Police determined there was no merit with allegations 1 and 2 for Officer 1. Chief provides an explanation that they take full responsibility for setting expectations for their team. The Chief states in this case they did not clearly articulate a new expectation for documentation required during civil disturbance event and the result in delay of documentation was a result of unclear expectations from the Chief. The Chief again states they take full responsibility.