

**OFFICE OF POLICE CONDUCT REVIEW**

**CLOSED CASE SUMMARY**

**OPCR-21-42**



PUBLISH DATE: July 15, 2022

FROM: Office of Police Conduct Review

CASE SUMMARY NUMBER: OPCR-21-42

**ALLEGATIONS**

|                               | <b>Policy Implicated</b>                     | <b>MPD Policy Manual Range</b> | <b>OPCR Outcome</b> | <b>PCRP Finding</b> | <b>MPD Outcome</b> |
|-------------------------------|--|--------------------------------|---------------------|---------------------|--------------------|
| <b>Officer 1 Allegation 1</b> | 5-105 (B)(4)<br>Professional Code of Conduct | A                              | Sent for Coaching   | NA                  | Coaching Complete  |
| <b>Officer 2 Allegation 2</b> | 5-105 (B)(4)<br>Professional Code of Conduct | A                              | Sent for Coaching   | NA                  | Coaching Complete  |

**REPORTED DEMOGRAPHICS**

**Race:** N/A

**Gender:** N/A

**Police Precinct:** 2<sup>nd</sup>

**SUMMARY OF COMPLAINT**

Complaint alleges that after reviewing officers report, they did not have probable cause in making an arrest and lacked proper judgment when arresting the suspect.

**SUMMARY OF INVESTIGATION**

*1) INTAKE INVESTIGATION*

a) VisiNet report

i) The “Problem” is listed as “Unknown Trouble.” The call log indicated that Officers were partners in the same squad and the only ones responding to incident. It indicated that officers were responding to a caller who heard concerning sounds, but was not able to see anything, inside a home. Officers arrived on scene and engaged with a couple in the rear of the address.

b) Police Report

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i) Public Section of the report stated that officers arrested an individual for disorderly conduct.

c) Other

- i) Initial complainant statements
- ii) Witness letter
- iii) Images
- iv) Internal Affairs memo
- v) Any other documents used to properly identify the officer

### 2) VIDEO ANALYST REVIEW

a) Body Worn Camera (BWC) Review

i) BWC footage exists for this complaint. Video analysts reviewed both officers' BWCs. Officers are observed approaching the residents and when they hear someone speaking loudly from the rear of the home. Officers get to the rear of the home where they encounter a male and female who indicate they are having a discussion and asked officers to leave. At the time, there were concerns that the male had a knife even though both parties insisted there wasn't. Officers requested that both parties remain outside and not go into the home. Officers asked the male what his issue was as the male appeared to be agitated.

The male is then seen reaching into his pocket and telling a third individual sitting on a swing to record the interaction. As the male is reaching into his pocket, officers approach the male and detain him. The male indicates that it is their backyard, and they can have a conversation. Officers can be heard indicating the male is intoxicated. The male asks for a breathalyzer and states he does not drink.

Officers decide to place the male in the squad. Officer 1 speaks with the female and states if they were going to argue and yell to take it inside. He is then observed obtaining the female's information. Officer 1 indicates they will speak with the male and then release him. Officers speak with male. When they get ready to release the male, they ask him to put his hands on the car when they take the cuffs off. Male indicates he is not going to do that as the car is hot. Officer 1 puts his hands on the squad showing it was not hot and asks if the male is stupid. Male responds if Officer 1 is stupid and Officers state they are taking male into custody for disorderly conduct and drive him to jail. Male confirms he was being detained for disorderly conduct for not putting his hands on the hood and officers stated yes. Officers are heard arguing with male about the decision as they drive to jail.

b) Squad Video Review

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i) Squad video was not active 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 coaching.

*4) ADMIN/PRELIM INVESTIGATION*

N/A

**CASE OUTCOME**

*5) OFFICE OF POLICE CONDUCT REVIEW*

a) The case was sent to the precinct for coaching.

*6) POLICE CONDUCT REVIEW PANEL*

N/A

*7) MINNEAPOLIS POLICE DEPARTMENT*

a) Coaching was completed for both officers involved.