

STATE OF MINNESOTA

DISTRICT COURT

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

Case Type: Other Civil

MINNESOTA COALITION ON
GOVERNMENT INFORMATION,

Court File No.:

Judge:

Plaintiff,

v.

CITY OF MINNEAPOLIS; CASEY J.
CARL, in his official capacity as City
Clerk for the City of Minneapolis;
PATIENCE FERGUSON, in her official
capacity as Chief Officer of the Human
Resources Department for the City of
Minneapolis; and MEDARIA
ARRADONDO, in his official capacity as
Chief of Police for the Minneapolis Police
Department.

COMPLAINT

Defendants.

“There is a compelling need [] for public accountability, particularly with law enforcement.”

—*Demers v. City of Minneapolis*,
468 N.W.2d 71, 74 (Minn. 1991)

“The image of integrity and trust is essential to the performance of a police officer’s duties.”

—*City of Minneapolis v. Moe*,
450 N.W.2d 367, 370 (Minn. Ct. App. 1990).

INTRODUCTION

For more than a year, the eyes of the world have been on the State of Minnesota, and in particular the Minneapolis community. The murder of George Floyd on May 25, 2020, by former Minneapolis Police Department (“MPD”) officer Derek Chauvin, once again laid bare the broken relationship between police in Minnesota and the communities they are meant to serve, especially communities of color. A culture of secrecy in the MPD and lack of transparency by the City of Minneapolis (“the City”) and its police department has deepened the chasm between police and the community by reinforcing the fear that police will not be held accountable for their misconduct—unless, as in the case of Derek Chauvin, that misconduct happens to be witnessed and recorded by civilians *and* happens to be so brutal that it cannot be ignored.

As Minnesota Attorney General Keith Ellison stated after a jury convicted Chauvin of murder: “This verdict reminds us that we must make enduring, systemic, societal change. . . . We need to use this verdict as an inflection point. What if we just prevented

the problem, instead of having to try these cases?”¹ Some may say legislative action is needed. But this lawsuit takes aim at lower-hanging fruit. Substantial progress toward “prevent[ing] the problem” of police misconduct is possible by simply requiring the MPD and the City (collectively, “the City Defendants”) to comply with *existing* law—namely, their obligations under the Minnesota Government Data Practices Act (“MGDPA”) to release public disciplinary data upon request.

Under the MGDPA, personnel data including “the final disposition of any *disciplinary* action” is public government data. Minn. Stat. § 13.43, subd. 2(a)(5) (emphasis added). According to the City Defendants, however, so-called “coaching”—the most common consequence when an MPD employee is found to have engaged in misconduct—is not discipline. In reliance on this self-serving nomenclature—and citing a quirk of the MGDPA that makes complaints against government employees public not when an allegation is substantiated, but only when discipline is imposed—the City Defendants refuse to release hundreds of records where MPD found misconduct, imposed coaching, completed a Coaching Documentation form, and stored that form in an employee’s personnel file, potentially to be used against the employee in later disciplinary actions.

To put it in context, since 2013, city officials recommended 741 complaints against MPD employees be considered for coaching, and 226 of those actually resulted in

¹ NowThis News, *Minnesota AG Keith Ellison Speaks After Derek Chauvin’s Guilty Verdicts*, YOUTUBE (Apr. 20, 2021), <https://www.youtube.com/watch?v=eEtxYzRzrUo> (quoting from 13:17 to 13:56).

coaching. During this same period, the Chief of Police ordered coaching in at least another 48 instances where city officials had initially determined the infraction was not eligible to be referred directly to coaching. This means that, at minimum, 274 Coaching Documentation forms should be public as documenting the imposition of a consequence—*i.e.*, discipline—for the misconduct. To make matters worse, thanks to the City Defendants’ doublespeak, the outcome of these sustained complaints where coaching was imposed is misleadingly listed in public records as “Closed – No Discipline.”²

This lack of transparency is deliberate. Velma Korbel, former director of the City’s Department of Civil Rights, has admitted that “the [C]ity has been very intentional in designating coaching as a nondisciplinary corrective action.”³ On information and belief, another senior official in that department divulged that the Chief of Police for the Minneapolis Police Department, Defendant Medaria Arradondo, knowingly imposes coaching in cases in which he does not want the underlying facts to become public. That is, coaching is the City Defendants’ discipline of choice to *hide* this data from public disclosure under the MGDPA.

Community members have raised concerns about the MPD’s strategic use of coaching—specifically, that within the MPD there exists a culture of secrecy and impunity

² Minneapolis Dept. of Civil Rights Complaint Response Document at 3 (attached hereto as Ex. 1).

³ Andy Mannix, *Proposal to unseal hundreds of misconduct allegations against Minneapolis police officers moves forward*, STARTRIBUNE (Aug. 25, 2020), <https://www.startribune.com/mpls-official-s-proposal-to-unseal-claims-of-police-misconduct-moves-forward/572217352/> (City spokesperson, Casper Hill, calls coaching “a valuable tool” to “swiftly address” low-level behavioral problems).

for misconduct, and that both the lack of accountability and transparency erode the public’s trust in the City Defendants.⁴ In response, the City Defendants state that coaching is used only to discipline the lowest category of infractions (known as “A-level violations”).⁵ But that is false. Public records of the City’s own Police Conduct Oversight Commission (“PCOC”),⁶ show that MPD liberally imposes “coaching” even after finding serious violations of MPD policy—those classified as B-, C-, and D-level violations. This is despite the City Defendants’ public statements that such violations are ineligible for coaching, and despite the MPD’s own Discipline Matrix prescribing various forms of *discipline*—not coaching—as the baseline consequence for such violations.⁷

Plaintiff Minnesota Coalition on Government Information now brings this action against the City Defendants, asking the Court to require the City Defendants to comply with the Minn. Stat. § 13.43, subd. 2(a)(5). The City Defendants are willfully subverting the MGDPA mandate to release public data upon request when they withhold public

⁴ Andrew Gordon, Community Letter to PCOC on Coaching, at 2 (attached hereto as Ex. 2).

⁵ At a meeting of the Police Conduct Oversight Commission on May 11, 2021, MPD Deputy Chief Amelia Huffman and Assistant City Attorney Trina Chernos both claimed that only A-level violations are eligible for coaching. City of Minneapolis, *May 11, 2021 Police Conduct Oversight Commission*, YOUTUBE (May 14, 2021), https://www.youtube.com/watch?v=OxvCq_aGles; *see also* Mannix, *supra* n.3 (City spokesperson, Casper Hill, calls coaching “a valuable tool” to “swiftly address” low-level behavioral problems); Jennifer Bjorhus & Liz Sawyer, *Minneapolis police officers disciplined in fraction of cases*, STARTRIBUNE (June 9, 2020), <https://www.startribune.com/minneapolis-police-officers-disciplined-in-fraction-of-cases/571120852/?refresh=true> (according to Director of the Office of Police Conduct Review, Imani Jafaar, “[o]nly A-level violations . . . are eligible for coaching”).

⁶ *See infra* ¶¶ 50-51 & Ex. 11.

⁷ Minneapolis Police Department Discipline Matrix (attached hereto as Ex. 3).

personnel data regarding disciplinary action imposed for sustained B-, C-, and D-level violations. The City Defendants should not be permitted to avoid their obligations under the MGDPA through linguistic gymnastics—they should be required to disclose public data that goes to the very heart of whether MPD officers can be trusted to serve and protect the people of Minneapolis.

PARTIES

1. The Minnesota Coalition on Government Information (“MNCOGI”) is an organization incorporated under the laws of the State of Minnesota. Its purpose is to “advocate for government transparency” so that “individuals have access to the government information they need in order to hold their government accountable.”⁸ MNCOGI is a “person,” as defined by Minn. Stat. § 13.02, subd. 10.

2. Defendant City of Minneapolis (“the City”) is a municipal corporation, organized under the laws of the State of Minnesota and located in Hennepin County, Minnesota. It operates and is the entity legally responsible for the Minneapolis Police Department.⁹ The City is a “political subdivision” and a “government entity,” as defined by Minn. Stat. § 13.02, subds. 7a, 11.

3. Defendant Casey J. Carl is the City Clerk for Defendant City of Minneapolis. It is the duty of the City Clerk to “keep . . . all municipal papers and records.”¹⁰ Defendant Carl is, therefore, the “responsible authority” for “the collection, use and dissemination of

⁸ *Home: Principles*, MNCOGI, <https://mncogi.org/> (last visited May 19, 2021); *Policy*, MNCOGI, <https://mncogi.org/policy/> (last visited May 19, 2021).

⁹ Minneapolis City Charter, Art. VII, § 7.3.

¹⁰ Minneapolis City Charter, Art. IV, § 4.2(e)(2)(A).

any . . . government data” for the City and its departments. Minn. Stat. § 13.02, subd. 16(b). He is sued only in his official capacity.

4. Defendant Patience Ferguson is Chief Human Resources Officer for Defendant City of Minneapolis. Pursuant to the Labor Agreement Between the City of Minneapolis and the Police Officers’ Federation of Minneapolis (“Police Union Contract”) § 12.03,¹¹ Defendant Ferguson is also a “‘responsible authority’ with regard to all ‘personnel data’ gathered or maintained by the City with regard to” employees of the Minneapolis Police Department. She is sued only in her official capacity.

5. Defendant Medaria Arradondo is the Chief of Police for the Minneapolis Police Department (“MPD”), which is a department of Defendant City of Minneapolis¹² and a “criminal justice agency,” as defined by Minn. Stat. § 13.02, subd. 3a. Defendant Arradondo is the appointed official responsible “for the management, direction, and control of the administration of the Minneapolis Police Department.”¹³ He is the final policymaker on all issues related to MPD policies, customs, and practices,¹⁴ including the Department’s

¹¹ Available at <https://www2.minneapolismn.gov/media/content-assets/www2-documents/departments/wcmisp-200131.pdf> (governing between Jan. 1, 2017, and Dec. 31, 2019, but remaining in effect until successor agreement reached).

¹² Minneapolis City Charter, Art. VII, § 7.2(11).

¹³ Minneapolis Police Department Policy & Procedure Manual (“Policy Manual”) § 1-302 (last updated Apr. 4, 2021), available at <https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf> (attached hereto as Ex. 4); Minneapolis City Charter, Art. VII, § 7.3(a)(1)(A); Minneapolis Code of Ordinances (“M.C.O.”) § 171.20.

¹⁴ Ex. 4 (Policy Manual) § 1-103.1.

Code of Conduct.¹⁵ Defendant Arradondo is also the ultimate decisionmaker on “determination[s] regarding discipline” of MPD employees.¹⁶ Pursuant to the Police Union Contract § 12.03, Defendant Arradondo is a “‘responsible authority’ with regard to all ‘personnel data’ gathered or maintained by the City with regard to” MPD employees.¹⁷ He is sued only in his official capacity.

6. Collectively, the defendants will herein be referred to as “the City Defendants.”

JURISDICTION AND VENUE

7. The District Courts of Minnesota are courts of general jurisdiction, having original jurisdiction over “all civil actions within their respective districts.” Minn. Stat. § 484.01, subd. 1(1).

8. This action arises under the laws of the State of Minnesota. Plaintiff MNCOGI brings its claims pursuant to the Minnesota Government Data Practices Act (“MGDPA”), Minn. Stat. § 13.01 *et seq.*, and the Uniform Declaratory Judgment Act (“UDJA”), Minn. Stat. § 555.01 *et seq.* Specifically, the MGDPA creates multiple civil causes of action through which “a person . . . who suffers any damage as a result of [a] violation” of the MGDPA may seek redress “against the responsible authority or government entity,” Minn. Stat. § 13.08, subs. 1, 2, 4, and the UDJA confers upon the

¹⁵ *Id.* § 5-101.

¹⁶ *Id.* § 2-122(C); M.C.O § 172.70.

¹⁷ *See supra* n.11.

Court the “power to declare rights” in the form of declaratory judgment, Minn. Stat. § 555.01.

9. This Court has personal jurisdiction over the City Defendants because they are located within Hennepin County. Minn. Stat. § 484.01.

10. Venue in this Court is proper pursuant to Minn. Stat. § 13.08, subd. 3, because Defendants City of Minneapolis and Minneapolis Police Department are political subdivisions located in Hennepin County, Minnesota. *See* Minn. Stat. § 542.09.

STATEMENT OF FACTS

MINNESOTA GOVERNMENT DATA PRACTICES ACT

11. The Minnesota Government Data Practices Act (“MGDPA”), “establishe[d] a presumption that government data are public and are accessible by the public.” Minn. Stat. § 13.01, subd. 3; *see* Minn. Stat. § 13.03, subd. 1 (“All government data . . . *shall* be public.” (emphasis added)). The MGDPA is “part of a fundamental commitment to making the operations of our public institutions open to the public.” *Prairie Island Indian Cmty. v. Minn. Dep’t of Pub. Safety*, 658 N.W.2d 876, 884 (Minn. Ct. App. 2003); *see Westrom v. Minn. Dep’t of Labor & Indus.*, 667 N.W.2d 148, 150 (Minn. Ct. App. 2003) (The public has a right “to know what the government is doing within a context of effective government operation.” (internal marks omitted)). All government entities—including the City Defendants—are subject to the MGDPA. Minn. Stat. § 13.01, subd. 1.

12. Certain “personnel data”¹⁸ is presumptively public. Minn. Stat. § 13.43, subd.2. Relevant here, “the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action” is public personnel data. Minn. Stat. § 13.43, subd. 2(a)(5).¹⁹

13. The MGDPA requires the City Defendants to “keep records containing government data . . . easily accessible for convenient use,” Minn. Stat. § 13.03, subd. 1, and that a person seeking access thereto shall be permitted to inspect and copy public government data “[u]pon request,” *id.*, subd. 3.

14. Where the public’s access to public government data is at stake, the MGDPA mandates expeditious and public resolution of the matter. Minn. Stat. § 13.08, subd. 4.

THE CITY DEFENDANTS’ POLICIES & PROCEDURES

Minneapolis Police Department Policy & Procedure Manual (“Policy Manual”)

15. “The conduct of police officers is governed by the MPD Policy and Procedure Manual and applicable State and Federal law.” Ex. 4 (Policy Manual) § 5-101.

16. Until recently, the Policy Manual stated that “[a]ny member of the Department who violates the code of conduct is subject to discipline.” Ex. 5 (relevant excerpts of prior Policy Manual) § 5-101.02. The imposition of discipline for a sustained

¹⁸ “Personnel data” means “government data on individuals maintained because the individual is or was an employee of . . . a government entity.” Minn. Stat. § 13.43, subd. 1.

¹⁹ “[A] final disposition occurs when the government entity makes its final decision about the disciplinary action, regardless of the possibility of any later proceedings or court proceedings.” Minn. Stat. § 13.43, subd. 2(b).

violation of the MPD Code of Conduct was mandatory. *Id.* (“Discipline *shall* be imposed following a sustained violation.” (emphasis added)). The MPD Code of Conduct did not delineate between the grades of violation severity (A through D) in issuing this mandate.

17. Effective December 31, 2020, the City Defendants²⁰ removed Section 5-101.02 of the Policy Manual. Ex. 4.

18. The City Defendants also removed Section 1-102.01, titled, “Disciplinary System Used in the Policy and Procedure Manual.” Section 1-102.01 provided “a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.” *Compare* Ex. 4, *with* Ex. 5. The removed section delineated disciplinary categories, ranging in severity from “A,” the least serious, to “D,” the most severe. *Id.*

19. The City Defendants replaced Sections 5-101.02 and 1-102.01 with Section 2-112, “Complaint, Coaching, and Disciplinary System.” Ex. 4, § 2-112. Under this new section, the Chief of Police is no longer required to discipline officers who violate the code of conduct, and “coaching” is defined as “non-disciplinary.”

20. Specifically, Section 2-112(C), “Discipline,” states that “[w]hen investigations [into complaints of misconduct] have concluded and when allegations have been sustained, the determination regarding discipline, *if any*, is made by the Chief of Police or the Chief’s designee.” *Id.* (emphasis added).

²⁰ See Ex. 6 (emails between MPD and city officials produced in response to MNCOGI data request regarding MPD Policy Manual changes).

21. The newly-added Section 2-112(D), “Coaching,” asserts, conclusorily, that “[c]oaching is not discipline.” *Id.*, § 2-112(D)(2); *see also id.*, § 2-112(D)(1) (“[Coaching] should be used as a non-disciplinary management tool.”).

22. Prior to December 31, 2020, the Policy Manual did not mention coaching.

Police Union Contract

23. The City Defendants have entered into a collective bargaining agreement with the Police Officers’ Federation of Minneapolis (“the Police Union Contract”).²¹

24. The Police Union Contract does not mention coaching.²²

25. Article 12 of the Police Union Contract governs discipline.²³ Consistent with the MGDPA, Minn. Stat. § 13.43, subd. 2(a)(5), Section 12.01 prohibits the following: “Investigations into an employee’s conduct which do not result in the imposition of discipline shall not be entered into the employee’s official personnel file maintained in the Police Department and/or the City’s Human Resources Department.”²⁴

*Minneapolis Civil Service Commission Rules*²⁵

26. The Minneapolis Civil Service Commission Rules (“CSC Rules”) are intended “to ensure a fair and effective system of human resource management.” CSC Rules § 1.01.

²¹ *See generally* Police Union Contract.

²² *Id.*

²³ *Id.*, Art. 12.

²⁴ *Id.*, § 12.01.

²⁵ MPD employees are subject to the Civil Service Commission Rules. *See* Policy Manual, § 5-101 (“All disciplinary actions taken will be in accordance with Civil Service rules and provisions.”); CSC Rules, § 1.05.

27. Rule 11 governs the City Defendants’ “disciplinary rules and procedures.” *Id.* § 11.01.

28. Pursuant to Rule 11, the “two primary causes of disciplinary action are substandard [job] performance or misconduct.” *Id.* § 11.03.

29. Rule 11 also establishes five “levels of discipline.” *Id.* § 11.04. Those levels are: warning, written reprimand, suspension, demotion, and discharge. *Id.* The levels of discipline are “normally [] administered progressively, in the [above] order.” *Id.*

30. The Civil Service Rules define a “warning” as “a verbal discussion between the employee and supervisor covering the details of the problem, plans for correcting the problem and a written memo to document the event.” *Id.* § 11.04(A).

31. The Civil Service Rules do not mention coaching.

MPD’s “Coaching” Process

32. The Minneapolis Police Department has used a coaching process since at least the beginning of 2013, long before the Policy Manual was revised to categorize it as something other than discipline.²⁶

33. The “coaching” process used by MPD is identical to a “warning,” *supra* ¶ 30, which is a form of discipline under the Civil Service Commission Rules: both involve a

²⁶ OPCR Portal, “Coaching, https://tableau.minneapolismn.gov/views/OPCRRevisedDataPortal/Coaching?%3Aembed=y&%3AshowVizHome=no&%3Ahost_url=https%3A%2F%2Ftableau.minneapolismn.gov%2F&%3Aembed_code_version=3&%3Atabs=yes&%3Atoolbar=yes&%3Adisplay_spinner=no&%3ALoadOrderID=0 (last visited May 19, 2021).

verbal discussion between the employee and supervisor covering the details of the problem, plans for correcting the problem and a written memo to document the event.

34. The MPD's written memo documenting the coaching process is a form labeled "Coaching Documentation." Ex. 7. Under the form's "Details of Coaching Session" section, the supervisor is required to input the details of the verbal discussion which took place with the employee. *Id.* In the same section, the supervisor inputs the recommendation or plan for correcting the problem. *Id.* Under the form's "Action Taken" section, the supervisor indicates whether a policy violation occurred.

35. Notably, if the problem is not corrected or if the officer continues to violate the Code of Conduct, multiple A-level violations can result in an enhancement in corrective action for future violations.²⁷

MNCOGI'S DATA REQUEST

36. On February 20, 2021, Plaintiff MNCOGI submitted a data request to the City Defendants for public personnel data pursuant to the MGDPA. Ex. 8. The request sought access to various forms of "data, including but not limited to 'coaching documentation' forms . . . , related to coaching" of MPD officers. *Id.*

²⁷ According to the City Defendants, "repeated policy violations at the A level are eligible for enhancement" to discipline. *May 11, 2021 Police Conduct Oversight Commission, supra* n.5 ("Two As in a one year [] period that are same or similar violations, or three [A] violations in any period of a year then become a B-level violation, which is disciplinary."). Pursuant to Minn. Stat. § 13.43, subd. 2(a)(5), the underlying coaching data from the A-level violations that are enhanced, resulting in discipline, is also public government data as the "data documenting the basis of the [disciplinary] action."

37. Specifically, MNCOGI requested (1) “[a]ll data . . . related to coaching of Derek Chauvin;” (2) “[a]ll data . . . related to coaching of any officer as a result of his/her involvement in any one of the 44 incidents referenced in” a media report;²⁸ (3) “[a]ll data . . . related to coaching of any officer resulting from a sustained complaint where the original complaint alleged a B-, C-, or D-Level Violation where coaching was the only corrective action taken;” and (4) “[a]ll data, dating from January 1, 2011, to present, in which coaching is described as a form of discipline or acknowledged by a supervisor or the Chief of Police to constitute a form of discipline.” Ex. 8.

38. On March 26, 2021, the City Defendants denied MNCOGI’s data request. Ex. 9. Specifically, Katherine Knudsen, a City employee, responded as follows: “Coaching is not discipline and has never been discipline. The data you are requesting is private under MN statute 13.43; MPD has no responsive data. Your request is now closed.” *Id.*

39. Ms. Knudsen did not deny that “coaching” is imposed for B-, C-, or D-level violations that are substantiated. Nor did Ms. Knudsen suggest that no data responsive to Request No. 3 exists. Thus, on information and belief, MPD addresses even sustained B-, C-, and D-level violations through coaching, yet then takes the position that, because the City does not define coaching as discipline, information about those violations is exempt from disclosure under the MGDPA.

²⁸ Emily R. Siegel *et al.*, *Minneapolis police rendered 44 people unconscious with neck restraints in five years*, NBC News (June 1, 2020), <https://www.nbcnews.com/news/us-news/minneapolis-police-rendered-44-people-unconscious-neck-restraints-five-years-n1220416>.

40. Ms. Knudsen subsequently closed MNCOGI's OpenCity Portal request. The City Defendants provided no other basis for denying MNCOGI's data request. Ex. 9. The City Defendants provided no data responsive to Request No. 4, even though that request clearly does not seek private personnel data but rather data showing that, despite how the City Defendants try to characterize it publicly, among themselves they acknowledge coaching as a form of discipline.

IMPORTANCE OF THE WITHHELD DATA

41. The City Defendants are intentionally withholding government data that is public under the MGDPA, which requires release of personnel data of a final disposition when discipline is imposed. Minn. Stat. § 13.43, subd. 2(a)(5).

42. From the beginning of 2013 to the end of the first quarter of 2021, the Office of Police Conduct Review ("OPCR")²⁹ received approximately 2,538 complaints against MPD employees.³⁰ Of those, 741 complaints were directly recommended for "coaching."³¹

²⁹ The Office of Police Conduct Review ("OPCR") is an agency of the Minneapolis Department of Civil Rights charged with investigating allegations of police misconduct by MPD employees. *See* Office of Police Conduct Review, <https://www2.minneapolismn.gov/government/departments/civil-rights/opcr/>. OPCR has a civilian unit that reports to the OPCR Director and an internal affairs unit that reports to the Chief of Police for the MPD. M.C.O. § 172.20. The Police Conduct Oversight Commission ("PCOC") is an independent body, distinct from the OPCR, comprised of Minneapolis residents. M.C.O. § 172.80(b).

³⁰ Office of Police Conduct Review Data Portal ("OPCR Portal"), "Complaints Filed," available at https://tableau.minneapolismn.gov/views/OPCRRevisedDataPortal/ComplaintsFiled?%3Aembed=y&%3AshowVizHome=no&%3Ahost_url=https%3A%2F%2Ftableau.minneapolismn.gov%2F&%3Aembed_code_version=3&%3Atabs=yes&%3Atoolbar=yes&%3Adisplay_spinner=no&%3AloadOrderID=0 (last visited May 19, 2021). These are only the complaints which OPCR determined fell within its jurisdiction.

³¹ OPCR Portal, "Coaching," <https://tableau.minneapolismn.gov/views/OPCRRevisedD>

Two hundred twenty-six of these complaints actually resulted in an officer being “coached.”³² In addition, after investigation, the Joint Supervisors recommended to the Chief of Police that discipline be imposed in another 136 complaints against MPD employees.³³ Of those, the Chief sent 48 of the cases to coaching—meaning that the City Defendants are now taking the position that they need not disclose the details of those violations because, despite the Joint Supervisors’ recommendation, they were not disciplined. In the remaining 88 instances, the Chief ordered the imposition of some other corrective action—*e.g.*, letter of reprimand, demotion, suspension, or termination. *Id.*

43. In other words, the MPD has about a 14.26% discipline rate when coaching is properly considered discipline (taking $(226+136)/2,538$). Yet, because the City has intentionally classified coaching as non-disciplinary, MPD appears to have a disciplinary

ataPortal/Coaching?%3Aembed=y&%3AshowVizHome=no&%3Ahost_url=https%3A%2F%2Ftableau.minneapolismn.gov%2F&%3Aembed_code_version=3&%3Atabs=yes&%3Atoolbar=yes&%3Adisplay_spinner=no&%3AloadOrderID=0 (last visited May 19, 2021).

³² *Id.*

³³ OPCR Portal, “Chief Decision Issued,” https://tableau.minneapolismn.gov/views/OPCRRevisedDataPortal/ChiefDecisionIssued?%3Aembed=y&%3AshowVizHome=no&%3Ahost_url=https%3A%2F%2Ftableau.minneapolismn.gov%2F&%3Aembed_code_version=3&%3Atabs=yes&%3Atoolbar=yes&%3Adisplay_spinner=no&%3AloadOrderID=0 (last visited May 19, 2021).

rate of 3.5%,³⁴ (taking 88/2,538) falling below estimated national averages which range between 7% and 15%.³⁵

44. The Minnesota Supreme Court has stressed the need for public access to the complaint data of police officers. Without such data, it explained, “there is virtually no way in which citizens, scholars, and the news media can examine whether law enforcement agencies are adequately policing themselves.” *Demers*, 468 N.W.2d at 74.

45. This principle from *Demers* of transparency as the mechanism of accountability—and the strong public policy considerations in its favor—is empirically grounded.³⁶ A seven-year study (the “Stinson Study”) analyzing more than 6,000 cases in which sworn law enforcement officers were arrested for on- and off-duty crimes determined that “police [officers] arrested for a criminal offense are problem officers that

³⁴ Other sources estimate this number to be even lower. *See, e.g.*, Max Nesterak & Tony Webster, *The Bad Cops: How Minneapolis protects its worst police officers until it’s too late*, MINNESOTA REFORMER (Dec. 15, 2020), <https://minnesotareformer.com/2020/12/15/the-bad-cops-how-minneapolis-protects-its-worst-police-officers-until-its-too-late/> (estimating just 2.7% of police misconduct results in public disciplinary data); Brandon Stahl *et al.*, *Kare11 Investigates: Discipline against MPD officers exceedingly rare*, KARE11 (June 2, 2020), <https://www.kare11.com/article/news/investigations/kare-11-investigates-discipline-against-mpd-officers-exceedingly-rare/89-3a19bffe-163c-4430-a018-521f82758f60> (estimating just 2% of misconduct results in discipline that is public data).

³⁵ Christopher Ingraham, *Police unions and police misconduct: What the research says about the connection*, Washington Post (June 10, 2020), <https://www.washingtonpost.com/business/2020/06/10/police-unions-violence-research-george-floyd/>.

³⁶ Rob Arthur, *We Now Have Algorithms To Predict Police Misconduct*, FiveThirtyEight (Mar. 9, 2016), <https://fivethirtyeight.com/features/we-now-have-algorithms-to-predict-police-misconduct/>.

exhibit shortcomings in other aspects of the job” before escalating to the criminal conduct of their arrest.³⁷

46. Minneapolis had a front-row seat this past year to how low-level violations, if not adequately addressed, can foreshadow criminal conduct resulting in tragedy: During his more than 19 years on the force, Derek Chauvin was the subject of at least 22 complaints or internal investigations.³⁸ Further, in advance of trial, the State of Minnesota filed motions *in limine* to admit as *Spreigl*³⁹ evidence eight incidents in which Chauvin used excessive force during his tenure as a MPD officer.⁴⁰ Yet, according to Chauvin’s MPD Internal Affairs Public Summary, all complaints against him were “Closed with No Discipline” except one,⁴¹ and nothing on the face of the public police reports for the eight incidents focused on by the State indicate that unreasonable or excessive force was used. It is entirely possible that each of the twenty-one complaints against Chauvin that were “Closed with No Discipline” resulted in “coaching.” Due to the City Defendants’ self-

³⁷ Philip M. Stinson, Sr. *et al.*, *Police Integrity Lost: A Study of Law Enforcement Officers Arrested*, 63 CRIM. JUST. FAC. PUBL’NS. 1, 192 (2016), available at https://scholarworks.bgsu.edu/cgi/viewcontent.cgi?article=1062&context=crim_just_pub.

³⁸ Jamiles Lartey & Abbie Vansickle, “*That Could Have Been Me*”: *The People Derek Chauvin Choked Before George Floyd*, THE MARSHALL PROJECT (Feb. 2, 2021), <https://www.themarshallproject.org/2021/02/02/that-could-have-been-me-the-people-derek-chauvin-choked-before-george-floyd>.

³⁹ *State v. Spreigl*, 139 N.W.2d 167 (Minn. 1965).

⁴⁰ State’s Notice of Intent to Offer Other Evidence (“Chauvin Notice”), *State v. Chauvin*, 27-CR-20-12646 (Sept. 10, 2020), available at https://mncourts.gov/mncourtsgov/media/High-Profile-Cases/27-CR-20-12646/27-CR-20-12646_States-Notice-of-Intent-to-Officer-Other-Evidence.pdf.

⁴¹ MPD Internal Affairs Public Summary for Derek Chauvin (attached hereto as Ex. 10).

serving labels and refusal to comply with the MGDPA, however, the public has no means to find out—even today, as Chauvin awaits sentencing for the second-degree murder of George Floyd.

47. Because of the State of Minnesota’s public filings, the public also now knows that Tou Thao’s arrest for aiding and abetting the murder of Floyd could likely have been predicted, and perhaps even prevented, if his personnel record had been available to the public. Before his arrest, Thao was an MPD officer for 9 years. In his first year alone, Thao was written up by his field training officer eight times for conduct involving dishonesty and/or taking shortcuts to avoid work.⁴² In its motions *in limine*, the State moved to admit as *Spreigl* evidence these eight incidents, as well as a ninth, which the State claimed was the subject of an OPCR complaint.⁴³ According to the State, Thao’s personnel record showed a pattern of “expediency, a desire to avoid scrutiny, and work-avoidance.”⁴⁴ At the time of his firing, Thao had been the subject of at least six complaints, five of which were closed without discipline and one which was still open.⁴⁵ Again, as with Chauvin,

⁴² State’s Notice of Intent to Offer Other Evidence (“Thao Notice”), *State v. Thao*, 27-CR-20-12949 (Sept. 10, 2020), available at https://mncourts.gov/mncourtsgov/media/High-Profile-Cases/27-CR-20-12949-TT/27-CR-20-12949_States-Notice-of-Intent-to-Offer-Other-Evidence.pdf.

⁴³ Thao Notice at 2.

⁴⁴ Thao Notice at 3.

⁴⁵ David Chanen, *Trouble signs showed up early in the career of fired Minneapolis police officer Tou Thao*, STARTRIBUNE (Sept. 26, 2020), <https://www.startribune.com/trouble-signs-showed-up-early-in-the-career-of-fired-minneapolis-police-officer-tou-thao/572551651/?refresh=true>.

the public has no way of knowing whether coaching was imposed on the five complaints “closed without discipline.”

48. It is, thus, no comfort to the community when spokespeople for the City Defendants, such as MPD Deputy Chief Amelia Huffman, OPCR Director Imani Jafaar, and Assistant City Attorney Trina Chernos, claim that “coaching”—the label for discipline which puts these records beyond public reach—is reserved only for the lowest-level policy violations.⁴⁶ Nor are those claims accurate.

49. For example, despite former officer Thao having been written up eight times in his first year for dishonesty and/or taking shortcuts to avoid work—presumably D-level offenses under the MPD’s Discipline Matrix⁴⁷—the City Defendants produced no disciplinary records for Thao (or any other officers) in response to MNCOGI’s public records requests.

50. Similarly, data the City Defendants provide to the PCOC for review—published online for public access—definitively contradicts the City Defendants’ assertion that coaching is reserved only for the lowest-level policy violations. For example, in the following three instances, where a policy violation was found and the MPD Discipline

⁴⁶ *May 11, 2021 Police Conduct Oversight Commission, supra* n.5 (according to Deputy Chief Huffman, “Only the most low level policy violations would become eligible for coaching referral.”); Mannix, *supra* n.3 (City spokesperson, Casper Hill, calls coaching “a valuable tool” to “swiftly address” low-level behavioral problems.); Bjorhus & Sawyer, *supra* n.5 (according to Director of the OPCR, Imani Jafaar, “[o]nly A-level violations . . . are eligible for coaching”).

⁴⁷ According to the MPD’s Discipline Matrix, violation of the “Truthfulness” policy, § 5-101.01, is a D-level offense, the baseline discipline for which is termination. Ex. 3 at 2.

Matrix establishes the offense as a B- or C-level infraction requiring suspension, the City Defendants imposed coaching:

PCOC Meeting Date	Incident Description	Violation Level	Baseline Discipline
January 2017	When Complainant was pulled over for driving after revocation, he did not receive his wallet back from the officer; MPD P&P § 10-401 (“Responsibility for Inventory of Property and Evidence”) violation sustained	C	40 Hour Suspension
May 2018	An officer failed to attend mandatory in-service training; MPD P&P § 2-500 (“MPD In-Service Training”) violation sustained	B	10 Hour Suspension
March 2020	Officers forced Complainant to fill out forms, and she felt threatened by their comments; MPD P&P § 5-105(C)(1) (“Professional Code of Conduct”) violation sustained	B	10 Hour Suspension

See Ex. 11 (Table), Lines 2, 6, 15.

51. The PCOC data also establishes that, even when the Joint Supervisors recommend discipline, the Chief of Police routinely either downgrades sustained policy violations to the A level so that coaching can be imposed or he approves coaching for more egregious infractions despite the prohibition on coaching for B-, C-, and D-level violations of the Policy Manual. Either way, the data remains non-public pursuant to the City’s designation that coaching is non-disciplinary:

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PCOC Meeting Date	Incident Description	Violation Level	Baseline Discipline
June 2019	Over 15-20 minutes, officers permitted an individual to strike Complainant's apartment door, to the point where the damage to the property resulted in Complainant being evicted; the case was investigated and the Review Panel recommended the Chief sustain the violation; the Chief sustained the offense at the A level and sent the case to coaching	A-D	N/A
March 2020	Officer failed to keep sirens on for a continuous manner during a code 3 response; the case was investigated, and the Review Panel recommended the Chief sustain the violation; the Chief referred the case to coaching	B	10 Hour Suspension

Id., Lines 10, 14.

52. According to MPD Deputy Chief Huffman, where anything worse than an A-level violation is substantiated, coaching is unavailable as a consequence. In other words, even as they stand by their right to secretly “coach” certain violations, the City Defendants freely admit that consequences for B, C, and D-level violations are disciplinary in nature.⁴⁸ Yet, Ms. Knudsen denied MNCOGI’s request for coaching data for B-, C-, and D-level violations, *supra* ¶¶ 38-39, claiming that the data MNCOGI requested is private because “[c]oaching is not discipline.” As is clear from the PCOC data, however, MPD is imposing coaching for sustained violations above the A level.⁴⁹

⁴⁸ *May 11, 2021 Police Conduct Oversight Commission, supra* n.5 (“[W]hile A violations are not considered disciplinary, . . . a B-level violation . . . *is* disciplinary.” (emphasis added)).

⁴⁹ *See supra* ¶ 50.

53. Meanwhile, the violations for which Chief Arradondo *does* impose discipline are telling. For example, after the murder of George Floyd, GQ Magazine published online an article in which an anonymous MPD officer criticized her own department for its toxic culture and lack of discipline imposed for officer misconduct.⁵⁰ This officer's identity was later discovered, and in December 2020, Chief Arradondo issued a written reprimand against her.⁵¹ In the now-public disciplinary decision, the Chief found a B-level violation of MPD Policy § 6-202, "Responsibility of MPD Employees," for this officer's decision to speak to the press without permission.⁵²

54. "There must be public confidence in law enforcement, and to ignore [misconduct meritorious of discipline] could only serve to undermine public confidence in that office." *Moe*, 450 N.W.2d at 370. Public confidence in the City Defendants, in particular the Minneapolis Police Department, is down, with just 25% of Minneapolis residents holding a favorable opinion of the department.⁵³ Now, more than ever, is the time

⁵⁰ Laura Bassett, *A Minneapolis Police Officer Opens Up About the Toxic Culture Inside the Department*, GQ (June 10, 2020), <https://www.gq.com/story/minneapolis-police-officer-interview>.

⁵¹ Colleen Ryan – Chief Discipline Memorandum at 1, *available at* <https://www.minneapolismn.gov/media/-www-content-assets/documents/Colleen-Ryan.pdf> (attached hereto as Ex. 12).

⁵² *Id.* The Policy Manual indicates that a § 6-202 violation can range from an A-level violation through a D-level violation, *see* Ex. 4, Policy Manual.

⁵³ Jon Collins, *Poll: Only a quarter of Mpls. Residents favor city's Police Department*, MPR News (Aug. 16, 2020), <https://www.mprnews.org/story/2020/08/16/poll-only-a-quarter-of-mpls-residents-favor-citys-police-department>.

for open and transparent government and a government committed to their obligations under the law.

55. This is particularly true in light of Derek Chauvin’s convictions for the murder of George Floyd and the settlement agreement reached in the civil lawsuit brought by the Floyd family against the City Defendants. Had the City Defendants, as the Attorney General said, simply “prevented the problem,” the City Defendants may not have cost Minneapolis taxpayers \$27 million, just two years after the City Defendants agreed to a \$20 million settlement for the 2017 murder of Justine Ruszczyk Damond by another MPD officer.⁵⁴

56. These deaths, and the record-setting settlements that resulted, *were* preventable. As the Stinson Study, *supra* ¶ 45 & n.37, explains, low-level misconduct is predictive of officers’ potential to escalate to criminal, even deadly, conduct in the future.

57. Thus, one mechanism by which to prevent police murders is identifying problem officers before their misconduct can escalate. Yet the City Defendants have proven that not only will they remain willfully blind to the misconduct of problem officers, but that they will bury these officers’ disciplinary data away from the public by calling it “coaching.” This data belongs to the public, especially when the City Defendants have abdicated their accountability function. The public is ready to take up this accountability mantle if only the City Defendants complied with their obligations under the MGDPA rather than subvert its purpose by playing semantic games.

⁵⁴ The City of Minneapolis is self-insured. As such, its taxpayers contribute to the City’s self-insurance fund from which it pays out settlements.

58. Unfortunately, the City Defendants have made it clear that they do not intend to comply with their statutory obligations without the Court's intervention. Upon information and belief, a senior city official in the Department of Civil Rights acknowledged that the MPD Chief of Police, Defendant Arradondo, deliberately imposes coaching to avoid the City Defendants' obligations under the MGDPA. Further, late last year, the City Defendants, in concert, amended the MPD Policy & Procedure Manual to perpetuate the fiction that, by calling the discipline imposed for a sustained policy violation "coaching," it means it is no longer discipline; the City Defendants did so by deleting the mandate that discipline "shall" be imposed for a sustained policy violation and inserting the "coaching" provision.⁵⁵

59. Accordingly, MNCOGI now brings this action pursuant to the MGDPA in an effort to increase government transparency, accountability, and reform. The City Defendants should not be permitted to skirt a law that requires disclosure of disciplinary data of MPD employees simply by creatively naming the corrective action taken "coaching" as opposed to "discipline" or a "warning." MNCOGI respectfully requests that the Court order the City Defendants to comply with their statutory obligations.

60. Until the community is given some measure of transparency and accountability, the relationship between the police, the City, and the community cannot begin to be repaired.

⁵⁵ See *supra* n.20 & Ex. 6.

CAUSES OF ACTION

COUNT I

Action to Compel Compliance

Minn. Stat. § 13.08, subd. 4

61. Plaintiff realleges and incorporates the allegations of the preceding paragraphs as if fully set forth herein.

62. On February 20, 2021, MNCOGI requested from the City Defendants various data related to the coaching of MPD officers, a request properly made under the MGDPA. Ex. 8. The data responsive to MNCOGI's request is either not personnel data at all, in the case of Request No. 4, or is *public* personnel data—"the final disposition of any disciplinary action"—pursuant to Minn. Stat. § 13.43, subd. 2(a)(5).

63. On March 26, 2021, the City Defendants denied MNCOGI's request, for the sole reason that, in their opinion, "[c]oaching is not discipline." Ex. 9. The City Defendants' denial of access to public data violated the MGDPA, and the violation was willful.

64. MNCOGI was and continues to be harmed by the City Defendants' willful violation of the MGDPA.

65. Pursuant to Minn. Stat. § 13.08, subd. 4, MNCOGI is therefore entitled to an order compelling the City Defendants' compliance with the MGDPA—specifically, that the requested public data be swiftly produced for no more than cost.

66. The City Defendants' violation of the MGDPA also entitles MNCOGI to an award of costs and disbursements, including reasonable attorneys' fees, and justifies assessment of a civil penalty against the City Defendants. Minn. Stat. § 13.08, subd. 4.

COUNT II
Action for Damages
Minn. Stat. § 13.08, subd. 1

67. Plaintiff realleges and incorporates the allegations of the preceding paragraphs as if fully set forth herein.

68. MNCOGI has suffered and continues to suffer damage, in an amount to be proven at trial, as a result of the City Defendants' violation of the MGDPA.

69. MNCOGI's damages include those accrued through the wrongful denial of its right to access public government data, and the time, costs, and reasonable attorneys' fees incurred to challenge the City Defendants' unlawful conduct.

70. The City Defendants' violation of the MGDPA was willful.

71. Because the City Defendants' violation of the MGDPA was willful, the City Defendants are liable for exemplary damages of not less than \$1,000, nor more than \$15,000 for each violation. Minn. Stat. § 13.08, subd. 1.

COUNT III
Action for Mandatory Injunctive Relief
Minn. Stat. § 13.08, subd. 2

72. Plaintiff realleges and incorporates the allegations of the preceding paragraphs as if fully set forth herein.

73. The City Defendants have violated and propose to continue violating the MGDPA. Accordingly, MNCOGI seeks that the Court enjoin the City Defendants pursuant to Minn. Stat. § 13.08, subd. 2.

74. MNCOGI requests that the Court “make any order or judgment as may be necessary to prevent the use or employment by any person of any practices which violate” the MGDPA, Minn. Stat. § 13.08, subd. 2, including, but not limited to,

- a. Requiring the City Defendants to establish internal compliance procedures that comport with the Court’s determination that coaching for B-, C-, or D-level violations, or multiple A-level violations which have resulted in an enhancement in corrective action, is a form of discipline, and as such, it is public government data under the MGDPA;
- b. Requiring the City Defendants to automatically load the data for all sustained violations which satisfy subparagraph (a), *supra*, on a publicly accessible database, such as the OPCR public data portal;
- c. Requiring the City Defendants to reinstate the provisions of the Policy Manual which mandated the imposition of discipline for a sustained violation and to remove Section 2-112; and
- d. Any such other injunctive relief the Court deems necessary to ensure the City Defendants’ compliance with the MGDPA.

COUNT IV
Declaratory Judgment
Minn. Stat. § 555.01 *et seq.*

75. Plaintiff realleges and incorporates the allegations of the preceding paragraphs as if fully set forth herein.

76. Under Minn. Stat. § 555.01, Plaintiff is entitled to declaratory judgment interpreting the MGDPA and the parties’ respective rights and obligations thereunder.

77. MNCOGI is seeks judgment declaring that “coaching,” when imposed for a sustained B-, C-, D-level violation, or multiple A-level violations that have been enhanced, is discipline.

78. MNCOGI seeks judgment declaring that such data is, therefore, public pursuant to Minn. Stat. § 13.43, subd. 2(a)(5).

79. MNCOGI seeks judgment declaring that the City Defendants’ failure to produce this public data to MNCOGI upon request constitutes a violation of the MGDPA.

80. MNCOGI seeks judgment declaring that the City Defendants’ violation of the MGDPA was willful. Minn. Stat. § 13.08, subd. 1.

81. MNCOGI seeks judgment declaring that the City Defendants have an obligation under the MGDPA to provide the requested data to MNCOGI in a suitable electronic medium for no more than cost.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for the following relief:

- A. declaratory relief, pursuant to Minn. Stat. § 555.01, as described herein;
- B. injunctive relief, pursuant to Minn. Stat. § 13.08, subd. 2, as described herein;
- C. an order compelling the City Defendants’ compliance with the MDGPA, pursuant to Minn. Stat. § 13.08, subd. 4, including providing to MNCOGI electronic copies of the requested data for no more than cost;
- D. an award of compensatory damages in an amount to be determined at trial;
- E. an award of exemplary damages, pursuant to Minn. Stat. § 13.08, subd. 1, for the City Defendants’ willful violation of the MGDPA;

F. an assessment of a civil penalty against the City Defendants, pursuant to Minn. Stat. § 13.08, subd. 4;

G. fees, costs, and disbursements, including reasonable attorneys' fees, pursuant to Minn. Stat. § 13.08, subds. 1, 4, and other applicable law; and

H. all such other relief as the Court may deem necessary and just.

Dated: June 3, 2021

**AMERICAN CIVIL LIBERTIES UNION OF
MINNESOTA**

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ACKNOWLEDGMENT

The undersigned hereby acknowledge that, pursuant to Minn. Stat. § 549.211, subd. 3, sanctions may be imposed if, after notice and a reasonable opportunity to respond, the Court determines that the undersigned have violated Minn. Stat. § 549.211, subd. 2.

Dated: June 3, 2021

AMERICAN CIVIL LIBERTIES UNION OF MINNESOTA

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Attorneys for Plaintiff

Exhibit 1



Department of Civil Rights
350 S. Fifth St. - Room 239
Minneapolis, MN 55415
TEL 612.673.3000
www.minneapolismn.gov

1. Question on Inquires as a portion of overall Complaints

- Under Minnesota state law, inquires legally cannot be classified as complaints. An inquiry would be the starting point of conversation where the requirements to move to a formal complaint had not yet been met. The requirements to classify something as a formal police complaint are outlined by the following state statute:

626.89 PEACE OFFICER DISCIPLINE PROCEDURES ACT - Subd. 5.Complaint

“An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint.”

2. Question on steps of investigation

- In 2016, OPCR issued a 24-page overview of the complaint filing process available on their website (link below).

<http://www2.minneapolismn.gov/www/groups/public/@civilrights/documents/webcontent/wcmsp-195180.pdf>

3. Question on contacting people who call or email OPCR

- The term ‘complaint’ is a designation governed by state law. An inquiry is generally a record of contact that an individual had with our office that is not a signed complaint. Inquiries do not meet the state law definition of a "complaint" and as such, OPCR is prohibited from taking an officer's statement regarding the matter, which prevents OPCR from pursuing an investigation.

Typically, inquiries are followed up with two phone calls and a letter or email. If we don't receive a response, we cannot proceed. Phone calls are not complaints because they have no signature and OPCR staff clearly communicates to members of the community who call the office that they will need to file an actual complaint for it to be processed by the office. Complaints can be filed in person with or without assistance from staff, by mail, or on-line. The inquiry status is primarily to capture work completed on the many phone calls our office receives and to allow a mechanism for a record if the individual does eventually file an actual complaint.

4. Question on standard efforts to reach individuals who contact OPCR

- Currently, the expectation for staff is two phone calls and a letter or e-mail. Additional attempts would be at the discretion on the intake investigator. In 2018 and 2019 we averaged 600 formal complaints not including inquiries. In 2018 we had a single intake investigator, in 2019 we had 1 intake investigator and 1 intake/case investigator. We are

currently at 1 intake investigator due to departure of staff right before a hiring freeze due to COVID-19.

5. Question on trauma training and treatment of callers

- OPCR has staff with social work backgrounds and experience working with victims who experienced trauma through domestic violence or other situations. OPCR staff has been trained by the National Association of Civilian Oversight for Law Enforcement training on a trauma centered approach to serving the community as well as special training on how to serve people with trauma and mental illness who come to file complaints with the office.

Additionally, if an individual calling expresses fear of retaliation or a hesitation to file a complaint for any reason, OPCR provides the complaint process but does not force or push individuals to file with our office. OPCR believes that the complaint process should be voluntary and that community members who enter this process should be comfortable and willing participants. Our investigative staff is sensitive to complainant needs and was hired for this specific skill.

6. Question on percentage of discipline

- When attempting to calculate the percentage of cases disciplined, it is critical to understand what cases were eligible for discipline to begin with. Cities across the nation have very different definitions of discipline from one another. In Minneapolis, if a case is reviewed and found to be non-jurisdictional, it is dismissed and would never have been eligible for discipline since our oversight only pertains to the Minneapolis Police Department (MPD). Further, violations classified as "Category A" are lower level violations as defined by the MPD's discipline matrix. Civilian oversight in Minnesota cannot legally decide discipline, the discipline levels, or any decisions related to discipline on cases other than whether a case has merit per 626.89 (Peace officer discipline procedures). "Category A" violations are considered by the MPD discipline matrix to be enhanceable within a 1-year reckoning period from the date of the incident. Also, the MPD discipline matrix states that remedies for "Category A" violations, including coaching, training, and mediation, are not considered to be discipline. If a second violation is committed within that reckoning period, the category can be enhanced based on previous violations. Obviously, more severe violations would never be eligible for a "Category A" classification. The reason this context is important is because a majority of the complaints we receive annually are considered "Category A" violations and therefore, are not eligible for discipline as defined by the MPD discipline matrix. For example, our office receives several complaints about officers driving too fast in residential neighborhoods. This is the type of case that is a "Category A" and after investigators verify the speed using GPS logs, the employee would sit with a supervisor to discuss safe driving protocols and review the incident. The supervisor would document the session and that would be in the employee's permanent employment file.

Additionally, due to MN Data Practices Act (13.43 Personnel Data), OPCR is limited regarding what information on police misconduct is publicly available. All state civilian oversight agencies can only release the following information on cases: case closed with discipline, case closed with no discipline, and whether a case is open. For this reason, a "Category A"

violation that went to mediation or training would be listed publicly as “Closed – No Discipline” because the remedies to “Category A” violations as defined by the MPD discipline matrix are not considered discipline. However, there still would have been corrective action taken as a result of the investigation, recommendations, and decisions made on the case.

The reason all this background is important comes back to the fact that the general term “discipline” and the MPD discipline matrix term “discipline” are not one in the same. If the goal is to measure cases where a corrective-action was taken, the numbers you provided are undercounting that total and making it appear that a much higher volume of cases are simply being dismissed without any action. It also is using an incorrect initial population from which to measure the total percentage disciplined, since a large amount of that population was never eligible for the MPD discipline matrix definition of “discipline” to begin with (non-jurisdictional / Category A).

I am providing the 2013 – 2019 dataset with a breakdown for context

Data Set 2013 through 2019: Total Jurisdictional Complaints and Corrective Action

- 3,090 Total Complaints (1,077 Outside of OPCR Jurisdiction)
 - 2,013: Complaints against MPD Officers
 - 39 Discipline and 334 Coaching Decisions (Per the MPD Discipline Matrix, Coaching is not considered “Discipline”
 - Additionally, there are 53 cases which have been disciplined but a number are still in the grievance process on the MPD side and an additional 46 cases from this period are pending Chief discipline decision. This accounts for 60 additional cases which could be added to the numbers since most Category A cases would have been referred to coaching prior to this point and not awaiting decision.
 - 373: Total Corrective Actions (Discipline and Coaching)
 - 18.5%: 2013 through 2019 Percentage of Actionable Complaints Ending in a Corrective Action
- A number of jurisdictions are able to classify oral and written reprimands as discipline, but OPCR is limited by multiple state regulations and do not have control over the classification of corrective actions for Category A violations.

To provide an example of the impact state laws can have on data, I will use data from Seattle, which we have heard frequently as a comparison. If I impose the same legal restrictions that govern OPCR and what can be classified as discipline on Seattle (who is allowed to include oral and written reprimand as discipline), we get the following:

- 2018: 1,172 Complaints (2,294 Allegations) made against SPD Officers
 - 24 cases resulting in MN/MPD classification of “discipline” – 16 suspensions, 5 terminations, 3 other
 - Application of MN restrictions would not count the following as discipline: 46 - Oral Reprimand, 40 - Written Reprimand, 9 - Retired/Resigned Prior to Discipline.
 - Total: 2.0% of total complaints ending in “discipline”

- 2019: 868 Complaints (1,191 Allegations) made against SPD Officers
 - 22 cases resulting in MN/MPD classification of “discipline” – 18 suspensions, 4 terminations
 - Application of MN restrictions would not count the following as discipline: 15 - Written Reprimand, 10 - Oral Reprimand, 10 - Resigned/Retired Prior to Discipline, 9 - Action Pending.
 - Total: 2.5% of total complaints ending in “discipline”

None of this is meant to criticize this specific oversight body. It is only to highlight that without knowing the other structures of corrective active, possible legal or policy limitations on discipline, and taking creative liberties with definitions that may not be accurate, you can come to a very similar conclusion in this example.

7. Question on number of civilian staff in OPCR

- At the end of Q1 2019 we were able to hire an additional intake investigator but in Feb 2020 lost an intake investigator to relocation and were back to 1. The City is now in a hiring freeze.
- Including the intake investigator position that is frozen through 2020, these numbers are correct.

8. Question on signature requirement

- The signed complaint requirement is set by state statute 626.89. However, electronic signatures legally meet this requirement so submission of the complaint form electronically or via e-mail can suffice. It is mentioned on our website and directing people to our website to submit their complaint (which would also qualify as electronic signature) would be something discussed by an intake investigator during a conversation.

I did confirm with our staff that if a complainant insists on filing over the phone, and physically signing the complaint at a later date, we have done these multiple times in the past and would continue to do so. Once the complaint form became available to complete online, staff began directing people to the website since it would eliminate the need to travel to City Hall to sign a document.

Website language on signature:

“A complaint becomes official once the complainant signs it and it's received by the Office of Police Conduct Review. All online complaints will be considered and can be signed at a later date.”

- State Statute Requirement for Signature

626.89 PEACE OFFICER DISCIPLINE PROCEDURES ACT
Subd. 5.Complaint.

An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint.

- [Electronic signatures are a matter of state law](#), and the state statute is very clear:

325L.07 LEGAL RECOGNITION OF ELECTRONIC RECORDS, ELECTRONIC SIGNATURES, AND ELECTRONIC CONTRACTS.

(a) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.

(b) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.

(c) If a law requires a record to be in writing, an electronic record satisfies the law.

(d) If a law requires a signature, an electronic signature satisfies the law.

325L.02 DEFINITIONS.

In this chapter:

...

(h) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

In short, city ordinance or any internal city policy coming out of the clerk's office cannot, legally, supersede a state statute that makes "electronic signatures" (which are very broadly defined) legally effective for our purposes.

9. Question on investigations in the absence of a signature

- Much of this would be dependent on any additional available material and decisions are made on a case by case basis. With the increase in body-worn camera footage, investigators are more easily able to locate and review footage of an alleged incident. If they are able to identify potential issues, the case could be moved to the joint supervisors who are able to sign the complaint in the absence of a complainant.

OPCR believes it is important to allow anonymous complaints, so as long as we have enough information in an inquiry to proceed, the joint supervisors (which includes a member of the law enforcement agency) file it on the complainant's behalf. However, without enough details, it is challenging to open anonymous complaints as the joint supervisors won't have sufficient knowledge of the incident to do so.

Exhibit 2

Legal Rights Center, Inc.

A LAW FIRM OF AND FOR THE PEOPLE
1611 Park Avenue South, Minneapolis, Minnesota 55404-1683
agordon@legalrightscenter.org

Phone: (612) 677-2137

Fax: (612) 337-0797

September 2, 2020

Afsheen Foroozan
Chair, Minneapolis Police Conduct and Oversight Commission
Department of Civil Rights
350 S. 5th St., Room 239
Minneapolis, MN 55415

Dear Commissioner Foroozan,

My name is Andrew Gordon. I am the Deputy Director of Community Legal Services at the Legal Rights Center—a non-profit public defender corporation that works alongside communities to represent indigent individuals charged with crimes in Hennepin County. Our clients—predominantly from communities of color and other marginalized communities—are routinely subject to over-policing and continue to suffer from the brunt of police officer misconduct. Though the general public is slowly catching on to the historic frustrations of our communities, we remain deeply angered by the role the city of Minneapolis plays in the lack of accountability for police officer misconduct.

On August 25, 2020 the Star Tribune published an article on the Minneapolis Police Department’s use of “coaching” as a form of private discipline.¹ The article noted that the City’s position is that “coaching” is not discipline, and that information related to the underlying complaint that necessitated the “coaching” is thus private data. Ms. Velma Korbek, the director of the Minneapolis Department of Civil Rights, describes the designation of such information as private as an intentional act.² Not only does the City’s position fly in the face of its own rules,³ but the intentional decision to hide otherwise

¹ Andy Mannix, *Proposal to unseal hundreds of misconduct allegations against Minneapolis police officers moves forward*, Star Tribune (August 25, 2020), <https://www.startribune.com/mps-official-s-proposal-to-unseal-claims-of-police-misconduct-moves-forward/572217352/> (last accessed Sept. 2, 2020)

² *Id.* (Korbek said the city has been “very intentional in designating coaching as a nondisciplinary corrective action. . .”)

³ Discipline for the officers of the Minneapolis Police Department is governed by the police department’s policy and procedure manual. MPD Policy Manual §101-1. In the event that the policies outlined in the MPD Manual differ from those of another division of the City, the MPD Manual controls. *Id.*

public information will only continue to erode what little trust the residents of Minneapolis have in their public servants.

“Coaching” is discipline that amounts to an oral reprimand—or ‘oral correction’ as it’s called in the Minneapolis Police Department Policy and Procedure Manual (‘MPD Manual’)—imposed “if the officer is found to have committed the [A-level] violation”.⁴ The City has, by its own defense, intentionally chosen to ignore the clear direction of the MPD Manual and instead has designated that these violations that result in coaching are not considered discipline. Even after the complaint has been investigated, sustained, and the involved officer disciplined, the City closes the case out as ‘Closed - No Discipline’.⁵ That resolution means that the information regarding the complaint, the investigation, and the discipline is kept private. This is problematic because the majority of complaints received by the City about its officers are resolved as A-level complaints. Between 2013 and 2019, the City received 2013 complaints about its police officers.⁶ Those complaints resulted in 373 disciplinary actions.⁷ Of those, 334 were resolved by coaching.⁸ In other words, between 2013 and 2019, the city of Minneapolis publicly reported only about 10% of all disciplinary decisions against its police officers. In that same time frame it hid approximately 90% of its disciplinary decisions.

Community organizations like Communities United Against Police Brutality (‘CUAPB’) have warned this Commission before that it fears that coaching referrals are being made for police misconduct that goes beyond an A-level complaint.⁹ In one documented instance an on-duty officer exhibited unprofessional conduct by using indecorous language.¹⁰ The Minneapolis Police Department Discipline Matrix notes that this is a

⁴ MPD Manual §1-102.01, http://www2.minneapolismn.gov/police/policy/mpdpolicy_1-100_1-100 (A-level violations of the MPD Manual require disciplinary action in the form of training, counseling, and/or documented oral correction.) (last accessed Sept. 2, 2020) *and see* MPD Complaint Process Manual §XI at pg. 15, <http://www2.minneapolismn.gov/www/groups/public/@civilrights/documents/webcontent/wcmsp-195180.pdf> (The Complaint Process Manual also describes the disciplinary process as involving a “coaching investigation” as “[a]n investigation of an A-level complaint conducted by the focus officer’s supervisor that may lead to an oral reprimand (coaching session), policy violation, or additional training.”) (last accessed Sept. 2, 2020)

⁵ *Minneapolis Dept. of Civil Rights - Responsive Date to KARE11* at pg. 2 (attached)

⁶ *Id.* at 3.

⁷ *Id.*

⁸ *Id.*

⁹ *Cases from the OPCR: Lessons on how to avoid disciplining police misconduct*, Director of Civil Rights Public Comments (April 25, 2018), <https://lms.minneapolismn.gov/Download/File/1030/Civil%20Rights%20Director%20Public%20Comments%20-%20Received%20at%20Meeting%20Combined%201.pdf> (last accessed Sept. 8, 2020).

¹⁰ *Id.* at pg. 5 (. . . Officer 1 stated in his interview with the OPCR investigators that he did “start the confrontation” and that he referred to the children as “little pukes.” Officer 1 was given coaching as discipline.)

B-level offense and that any discipline should be public.¹¹ Instead, the officer in that case was disciplined using coaching, and the record of that discipline hidden from the public. Nothing the Office of Police Conduct Review or this Commission has done since these concerns were first raised has addressed this community's concerns that police misconduct is being hidden from the public.

For attorneys like myself, disciplinary decisions made against police officers are subject to disclosure in criminal matters. When prosecutors withhold evidence they are duty-bound to turn over, they undermine the Constitution, the Supreme Court's case law, and the premise of justice. When the City aids in that failure to disclose by hiding these disciplinary decisions it undeniably contributes to the perversion of our criminal legal system. How many individuals charged with crimes pled or were found guilty because it was their word against that of a Minneapolis police officer: an officer who may very well have a number of sustained complaints that resulted in discipline hidden from the public? For our community members and residents, hiding disciplinary records is further evidence of the indifference with which the city and its servants treat their lives. The city is evidently more interested in protecting its police officers (92% of whom live outside of Minneapolis¹²) than its residents, and has deliberately ignored its own policies in order to do just that.

Just a quarter of Minneapolis residents hold a favorable opinion of the Minneapolis Police Department¹³ and the City's actions undoubtedly contribute to a police culture that prioritizes protecting officers by shielding them from accountability for their misconduct. The Police Conduct and Oversight Commission has the power to recommend that the City stop this practice. You should exercise this power and begin the process of requiring the City to follow the plain meaning of the MPD Manual and to publicly disclose disciplinary information regarding sustained A-level violations by its police officers.

¹¹ Minneapolis Police Department Discipline Matrix, <http://www2.minneapolismn.gov/www/groups/public/@civilrights/documents/webcontent/wcms1p-152148.pdf> (Code of Conduct violations under 5-105.10 are B-level offenses) (last accessed Sept. 8, 2020).

¹² Pat Kessler, *With Only 8% Of Minneapolis Police Officers Living In City, Residency Requirement Push Gaining Traction*, WCCO CBS Minnesota (June 17, 2020), <https://minnesota.cbslocal.com/2020/06/17/with-only-8-of-minneapolis-police-officers-living-in-city-residency-requirement-gaining-traction/>

¹³ Jon Collins, *Poll: Only a quarter of Mpls. residents favor city's Police Department*, MPR News (August 16, 2020), <https://www.mprnews.org/story/2020/08/16/poll-only-a-quarter-of-mpls-residents-favor-citys-police-department> (last accessed Sept. 2, 2020).

Sincerely,



Andrew S. Gordon
Deputy Director of Community Legal Services
The Legal Rights Center

And joined by the following concerned individuals and organizations:

/s/ Angela Myers

Angela Myers
Second Vice-President
NAACP-Minneapolis

/s/Kevin Reese

Kevin Reese
Director of Criminal Justice
Voices for Racial Justice

/s/Michelle Gross

Michelle Gross, President
Communities United Against Police
Brutality

/s/Jordan Kushner

Jordan Kushner
National Lawyers Guild -- Minnesota
Chapter

/s/Marecca Vertin

Marecca Vertin
National Lawyers Guild -- Minnesota
Chapter

Exhibit 3

Minneapolis Police Department Discipline Matrix

Policy #	Policy Title	Subject	Example/Result	Clause	Range/ Category	Baseline Discipline	Mitigating	Baseline	Aggravating
1-403	Compliance with Lawful Orders	Lawful orders	Routine or administrative situations	Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
1-403	Compliance with Lawful Orders	Lawful orders	Critical orders	Paragraph 1	D	Termination		Termination	
1-405	Responsibility of Supervisors	Failure to supervise	Supervisor does not enforce MPD rules, regulations or orders	3	C	40 hours	20 Hours	40 Hours	60+ Hours
2-101	Internal Affairs Call-Out Notification	IAU Notification	Supervisor failure to make notification to IAU of employee situation requiring immediate notification (as laid out in [B])	A-2	C	40 hours	20 Hours	40 Hours	60+ Hours
2-101	Internal Affairs Call-Out Notification	Supervisor notification	Failure to directly notify supervisor of situation requiring immediate notification	A-1	D	Termination	Up to 720 Hours	Termination	
2-106	Complaint Investigations- Garrity Decision	Garrity statements	Failure to give a statement	Paragraph 1	D	Termination		Termination	
2-106	Complaint Investigations- Garrity Decision	Truthfulness	Answer questions untruthfully or fail to fully render material and relevant statements when compelled by a representative of the Employer.	Paragraph 2	D	Termination		Termination	
2-109	Office of Police Conduct Review (OPCR)	Garrity statements	Failure to respond to an investigator and arrange for an interview	III-B	B	10 Hours	WR	10 Hours	20+ Hours
2-501	Training	Training	Failure to attend and participate in In-Service Training, as assigned	III-E-2	B	10 Hours	WR	10 Hours	20+ Hours
2-502	POST Licensing Requirements	Job Qualifications	Sworn employee failure to maintain a valid and active POST license	II	D	Termination		Termination	
3-201	Authorized Equipment and Weapons	Equipment	Carrying (but not using) unauthorized equipment or weapons (excluding firearms)	II-Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
3-203	Required Equipment	Equipment	Failure to carry required equipment		B	10 Hours	WR	10 Hours	20+ Hours
3-204	Duty Handguns	Equipment	Carrying an unauthorized handgun		C	40 hours	20 Hours	40 Hours	60+ Hours
3-707	Standby Court Time	Court	Failure to be available, return call or appear when on standby	Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
3-712	Employees Late or Failing to Appear For Court	Court	Unexcused tardiness or absence from court resulting in dismissal of a case or generating a written complaint	Paragraph 2	B	10 Hours	WR	10 Hours	20+ Hours
3-801	Off-Duty Employment	Off-Duty Employment	Working off-duty before applying for and receiving approval (excludes failure to renew prior approvals)	III-A-1	B	10 Hours	WR	10 Hours	20+ Hours
3-801	Off-Duty Employment	Off-Duty Employment	Working off-duty for another law enforcement agency in a law enforcement capacity, before applying for and receiving approval or entering into required agreement between outside agency and City of Minneapolis	III-B-4	C	40 hours	20 Hours	40 Hours	60+ Hours
3-801	Off-Duty Employment	Off-Duty Employment	Working off-duty at a prohibited site, or after approval was denied	III-A-1	C	40 hours	20 Hours	40 Hours	60+ Hours
3-801	Off-Duty Employment	Off-Duty Employment	Working off-duty while on limited duty, sick leave, IOD status, or a medical leave of absence for self	III-D-3	C	40 hours	20 Hours	40 Hours	60+ Hours
3-801	Off-Duty Employment	Off-Duty Employment	Working off-duty in a law enforcement capacity when not authorized to carry a firearm on-duty or while on suspension or administrative leave	III-D-3-c	D	Termination		Termination	
3-801	Off-Duty Employment	Off-Duty Employment	Knowingly submit time documents to the City or an off-duty employer that result in being paid by more than one employer for the same time period.	IV-D-7	D	Termination		Termination	
4-218	Mobile and Video Recording (MVR) Policy	MVR	Failure to perform startup check	IV-A-3	B	10 Hours	WR	10 Hours	20+ Hours
4-218	Mobile and Video Recording (MVR) Policy	MVR	Failure to wear or turn on microphone	IV-A-4	B	10 Hours	WR	10 Hours	20+ Hours
4-218	Mobile and Video Recording (MVR) Policy	MVR	Failure to record a vehicle stop, transport or a domestic abuse interview inside the squad	IV-A-6	C	40 hours	20 Hours	40 Hours	60+ Hours
4-218	Mobile and Video Recording (MVR) Policy	MVR	Disabling MVR equipment or altering or destroying MVR recordings	IV-A-17	D	Termination	Up to 720 Hours	Termination	

Minneapolis Police Department Discipline Matrix

Policy #	Policy Title	Subject	Example/Result	Clause	Range/ Category	Baseline Discipline	Mitigating	Baseline	Aggravating
4-220	Computer Use and Electronic Communication	Communication	Failure to comply with City of Minneapolis Electronic Communications Policy; unprofessional electronic communication	Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
4-220	Computer Use and Electronic Communication	Communication	Failure to comply with City of Minneapolis Electronic Communications Policy; offensive electronic communication related to a protected class status	Paragraph 1	D	40 Hours	Up to 720 Hours	Termination	
4-223	Body Worn Cameras	BWC	Failure to document deactivations occurring prior to the conclusion of an event	IV-F	A-C				
4-223	Body Worn Cameras	BWC	Failure to activate when required, in other situations	IV-E	A-D				
4-223	Body Worn Cameras	BWC	Other deactivations in violation of policy	IV-F	A-D				
4-223	Body Worn Cameras	BWC	Failure to document deactivations occurring prior to the conclusion of an event, in situations involving reportable use of force, pursuits involving injuries or significant property damage	IV-F	B-C	10 Hours	WR	10 Hours	40+ Hours
4-223	Body Worn Cameras	BWC	Failure to activate when required, in situations involving reportable use of force, pursuits involving injuries or significant property damage	IV-E	C-D	40+ Hours		40+ Hours	Termination
4-223	Body Worn Cameras	BWC	Deactivation in violation of policy, in situations involving reportable use of force, pursuits involving injuries or significant property damage	IV-F	C-D	40+ Hours		40+ Hours	Termination
4-501	Confidential Department Records, Reports and Information	Records	Access confidential records or information outside of official duties	Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
4-501	Confidential Department Records, Reports and Information	Records	Access confidential records or information outside of official duties; for personal gain or personal reasons.	Paragraph 1	D	Termination	Up to 720 Hours	Termination	
4-601	Report Responsibility	Failure to supervise	Supervisor fails to review reports for completeness and accuracy	Paragraph 3	B	10 Hours	WR	10 Hours	20+ Hours
5-101.01	Truthfulness	Truthfulness	Knowingly omitting pertinent information related to duty as an officer	Paragraph 1	D	Termination		Termination	
5-101.01	Truthfulness	Truthfulness	Willfully or knowingly make an untruthful statement in presence of any supervisor, intended for the information of any supervisor, or before any court or hearing.	Paragraph 1	D	Termination		Termination	
5-102	Code of Ethics	Ethics	Identify self as officer or MPD employee with intent to gain special consideration.	Paragraph 1	B-D				
5-102	Code of Ethics	Ethics	Criminal conduct: Other gross misdemeanor or misdemeanor	Paragraph 1	C	40 Hours	20 Hours	40 Hours	60+ Hours
5-102	Code of Ethics	Ethics	Criminal conduct: Any felony crime, domestic assault, sex crimes, narcotics, steroids, interfering with 911 call, theft, discharge weapon or repeat DWI.	Paragraph 1	D	Termination	Up to 720 Hours	Termination	
5-104	Impartial Policing	Policing	Singling out or treating differently as a consequence of protected class status	B, C	D	Termination		Termination	
5-105	Professional Code of Conduct	Language	Derogatory, indecent, profane or unnecessarily harsh language; about an individual or group	C-1	B	10 Hours	WR	10 Hours	20+ Hours
5-105	Professional Code of Conduct	Associations	Regular or continuous associations with known criminals	A-2	C	40 hours	20 Hours	40 Hours	60+ Hours
5-105	Professional Code of Conduct	Alcohol and firearms	Carry firearm or ammunition while under the influence of alcohol or controlled substance- no criminal action as a result	B-2	C	40 hours	20 Hours	40 Hours	60+ Hours
5-105	Professional Code of Conduct	IAU notification	Failure to notify IAU and direct chain of command that employee was charged, arrested or cited for DUI or non-traffic violation, or is being investigated for a criminal offense	A-9	D	Termination	Up to 720 Hours	Termination	
5-105	Professional Code of Conduct	IAU notification	Failure to notify IAU that employee was notified of an Order for Protection, Restraining Order or Harrassment Order filed against employee	A-10	D	Termination	Up to 720 Hours	Termination	
5-105	Professional Code of Conduct	Language	Using discriminatory, derogatory or biased terms regarding protected classes	C-2	D	Termination		Termination	
5-105	Professional Code of Conduct	Display of materials	Display material that may be considered discriminatory, derogatory or biased in or on City property	A-6	D	Termination		Termination	
5-107	Procedural Code of Conduct	Ethics	Make arrest or perform search without authorization under U.S laws	1	C	40 Hours	20 Hours	40 Hours	60+ Hours

Minneapolis Police Department Discipline Matrix

Policy #	Policy Title	Subject	Example/Result	Clause	Range/ Category	Baseline Discipline	Mitigating	Baseline	Aggravating
5-107	Procedural Code of Conduct	Records	Removing or destroying report, document or record without authorization	6	D	Termination	Up to 720 Hours	Termination	
5-107	Procedural Code of Conduct	Records	Willfully misrepresent any matter, sign any false statement or report, or commit perjury before any court, grand jury or hearing.	5	D	Termination		Termination	
5-107	Procedural Code of Conduct	Ethics	Falsely arrest or direct malicious prosecution against a person	2	D	Termination	Up to 720 Hours	Termination	
5-301.01	Policy (Use of Force)	Use of Force	Force used that is objectively unreasonable or does not comply with training		C	40 hours		20 Hours	40 Hours
5-303.01	Duty to Intervene	Use of Force	Failure to stop or attempt to stop force applied inappropriately or no longer required	B	C	40 hours	20 Hours	40 Hours	60+ Hours
5-303.01	Duty to Intervene	Use of Force	Failure to stop or attempt to stop deadly force from being applied inappropriately	B	D	Termination		Termination	
5-305	Authorized Use of Deadly Force	Use of Force	Using deadly force that does not comply with policy, statute or other legal requirements		D	Termination		Termination	
5-305	Authorized Use of Deadly Force	Use of Force	Officer's actions that unnecessarily place themselves, suspects or the public at risk; resulting in the use of deadly force	F	D	Termination		Termination	
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to report use of force in PIMS according to policy	Section 4, 5	B	10 Hours	WR	10 Hours	20+ Hours
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to notify a supervisor of use of force according to policy	Section 4, 5	B	10 Hours	WR	10 Hours	20+ Hours
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to report use of force in PIMS, where force subject claims injuries or has visible injuries, of substantial bodily harm or greater, or force subject loses consciousness	Section 4, 5	C-D	40 Hours	40 Hours	60+ Hours	Termination
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to notify a supervisor of use of force, where force subject claims injuries or has visible injuries, of substantial bodily harm or greater, or force subject loses consciousness	Section 4, 5	C-D	40 Hours	40 Hours	60+ Hours	Termination
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to report use of force in PIMS, where deadly force was used	Section 4, 5	D	Termination		Termination	
5-306	Use of Force- Reporting and Post Incident Requirements	Use of Force	Failure to notify a supervisor of use of force, where deadly force was used	Section 4, 5	D	Termination		Termination	
5-307	Supervisor Force Review	Use of Force	Failure of supervisor to complete Use of Force Review and Summary according to policy	4	B	10 Hours	WR	10 Hours	20+ Hours
5-307	Supervisor Force Review	Use of Force	Failure of supervisor to complete Use of Force Review and Summary, where force subject claims injuries or has visible injuries, of substantial bodily harm or greater, or force subject loses consciousness	4	C-D	40 Hours	40 Hours	60+ Hours	Termination
5-307	Supervisor Force Review	Use of Force	Failure of supervisor to complete Use of Force Review and Summary, where deadly force was used	4	D	Termination		Termination	
5-411.02	Failure to Attend Firearms Training	Training	Failure to attend required firearms training	Paragraph 4	B	10 Hours	WR	10 Hours	20+ Hours
6-202	Responsibility of Employees (Relations with the Media)	Media	Making media contact without going through PIO		B	10 Hours	WR	10 Hours	20+ Hours
6-202	Responsibility of Employees (Relations with the Media)	Media	Releasing information on any case that could jeopardize investigation		D	Termination		Termination	
7-400	Vehicle Operation	Vehicle accidents	Preventable accident; negligent driving resulting in damage or injury of less than substantial bodily harm		B	10 Hours	WR	10 Hours	20+ Hours
7-400	Vehicle Operation	Vehicle accidents	Preventable accident; negligent driving resulting in injury of substantial bodily harm		C	40 hours	20 Hours	40 Hours	60+ Hours

Minneapolis Police Department Discipline Matrix

Policy #	Policy Title	Subject	Example/Result	Clause	Range/Category	Baseline Discipline	Mitigating	Baseline	Aggravating
7-400	Vehicle Operation	Vehicle accidents	Preventable accident; negligent driving resulting in injury of great bodily harm or death		D	Termination	Up to 720 Hours	Termination	
7-402	Emergency Driving and Vehicular Pursuit Definitions	Pursuit	More than two secondary marked squads involved in a pursuit without authorization	Secondary Squads	B	10 Hours	WR	10 Hours	20+ Hours
7-403	Vehicles- Emergency Response	Vehicle operation	Siren or lights use violation	Paragraph 1	B	10 Hours	WR	10 Hours	20+ Hours
7-405	Initiating or Continuing a Pursuit	Pursuit	Failure to terminate pursuit when required to or when ordered to by a supervisor; not resulting in property damage or injury	Paragraph 4	C	40 hours	20 Hours	40 Hours	60+ Hours
7-405	Initiating or Continuing a Pursuit	Pursuit	Failure to terminate pursuit when required to or when ordered to by a supervisor; resulting in property damage or injury	Paragraph 4	D	Termination		Termination	
7-406.01	Role of Officers in the Primary Pursuit Vehicle	Pursuit	Failure to notify dispatcher by radio of the reason for the pursuit and speed of the squad	3	B	10 Hours	WR	10 Hours	20+ Hours
7-406.04	Role of the Pursuit Supervisor	Pursuit	Failure to acknowledge responsibility for the pursuit over the radio	1	B	10 Hours	WR	10 Hours	20+ Hours
7-406.04	Role of the Pursuit Supervisor	Pursuit	Failure to exercise judgement and terminate a pursuit posing an unreasonable risk to the public or involved officers; not resulting in property damage or injury	4	B	10 Hours	WR	10 Hours	20+ Hours
7-406.04	Role of the Pursuit Supervisor	Pursuit	Failure to exercise judgement and terminate a pursuit posing an unreasonable risk to the public or involved officers; resulting in property damage or injury	4	C	40 hours	20 Hours	40 Hours	60+ Hours
9-115	Police Authority in Immigration Matters	Immigration	Undertaking law enforcement action for the purpose of detecting the presence of undocumented persons, or to verify immigration status, including but not limited to questioning any person about their immigration status.	C	C	40 hours	20 Hours	40 Hours	60+ Hours
10-401	Responsibility for Inventory of Property and Evidence	Property and Evidence	Failure to inventory evidence acquired in criminal case	Paragraph 2	C	40 hours	20 Hours	40 Hours	60+ Hours
			<p style="text-align: center;">Special Notes on Matrix:</p> <p style="text-align: center;">These are general guidelines. Chief of Police makes all final determinations on discipline. A- Level violations are not listed in matrix and are considered coaching, not discipline. Repeat violations may result in enhanced discipline up to and including termination. Examples of ranges can be found to the right. These may be modified by the circumstances of the violation(s). D- Level violations may include suspension, demotion or termination and may have varying baselines.</p> <p style="text-align: center;">The matrix is not an all inclusive list of policy violations.</p>		B	10 Hours	WR	10 Hours	20+ Hours
					C	40 Hours	20 Hours	40 Hours	60+ Hours
					D	Termination	Up to 720 Hours	Termination	

Minneapolis Police Department

Discipline Matrix

Rev: March 2018

Minneapolis Police Department

Discipline Matrix

Rev: March 2018

Minneapolis Police Department

Discipline Matrix

Rev: March 2018

Minneapolis Police Department

Discipline Matrix

Rev: March 2018

Exhibit 4

The Minneapolis Police Department Policy and Procedure Manual

Last updated:

04 April 2021





Minneapolis Police Department Policy and Procedure Manual

Date:
25 February 2019

Preface

Minneapolis Police Department Policy and Procedure Manual

Discrimination and Harassment

The City of Minneapolis and the Minneapolis Police Department prohibits discrimination and harassment of citizens and employees on the basis of race, color, creed, age, religion, ancestry, national origin, affectional preference, disability, marital status, familial status, status with regard to public assistance, or Vietnam era veteran status.

Americans With Disabilities Act (ADA)

The City of Minneapolis and the Minneapolis Police Department recognize the authority of the Americans with Disabilities Act (ADA)

Preface

(11/08/16)

Minneapolis Police Officers are not separate from the citizens of Minneapolis. We draw our authority from the will and consent of the people. The police are the instrument of the people to achieve and maintain order. Our efforts are founded on the principles of public service and ultimate responsibility to the public.

The specific goals and priorities which we establish within the limits of our legislatively granted authority are determined to a large extent by community desires. These desires are transmitted to us through the community and the governing body of the City of Minneapolis. We conscientiously strive to be responsive to these desires, knowing full well that we exist not to serve ourselves but to serve and protect others.

Police officers are accountable to the people for their decisions and the subsequent consequences. A substantial percentage of police work is done in direct response to citizen complaints. This underscores the frequently unrecognized fact that members of the public are an integral part of the criminal justice system. Though many factors play a role in the success of the system, citizen participation is preeminent. Public confidence in the criminal justice system depends primarily on the trust that the people have in their police.

The fundamental purpose and role of the police in a free society is the protection of constitutional guarantees, maintenance of public order, crime prevention and suppression, and dutiful response to the needs of the community.

The role of the Minneapolis Police Department, as stated above, is the guiding principle for the development of the Department Vision Statement and accompanying critical issues; the Policy

**MINNEAPOLIS POLICE DEPARTMENT
POLICY AND PROCEDURE MANUAL**

Preface

PAGE 2 OF 2

and Procedural Manual; the goals, objectives, and policies of all organizational components; and the priorities of the Minneapolis Police Department.

Vision, Mission, Values and Goals

(12/21/01) (09/19/08) (03/29/17) (02/25/19)

Adopted by the Minneapolis Police Department on 09/09/17:

Vision:

We will endeavor to build Trust with our communities, seek to ensure Accountability to those we serve, and strive to deliver the highest Professional Service. We will lead by example in both our words and our actions.

Mission:

We, the members of the Minneapolis Police Department, are committed to doing all we can to protect and serve in a way that minimizes harm and risk to our community and to ourselves. Sanctity of Life is the most precious of all our duties. We must serve all our communities without bias or favor.

Public safety is not just the absence of crime, it is the presence of justice. Every aspect of our professional service must demonstrate our commitment to procedural justice. We will act by giving others Voice and Respect, being Neutral and building Trust in our interactions.

Values:


- Trust
- Accountability
- Professional Service

Goals:

- Public Safety
- Justice
- Employee Wellness

Pillars of Procedural Justice:

- Voice
- Neutrality
- Respect
- Trustworthiness

	Minneapolis Police Department Policy and Procedure Manual	Number: 1-100
		Date: 31 December 2020
Volume One - Departmental Management		
Written Directives System		

1-101 MPD Policy and Procedure Manual Established

(Completely revised 12/5/01)

(A-C)

This manual, referred to as the MPD Policy and Procedure Manual, is general in scope and is meant to inform and guide all employees on matters of department-wide concern. Any division that maintains rules to govern its internal operations shall keep such rules current. Such rules shall not conflict with this manual. All employees of the MPD shall comply with the policies, procedures and rules contained herein. All previous manuals and orders that are in conflict with the contents of this policy and procedure manual are rescinded.

If any section, subsection, item, clause or phrase contained in the Policy and Procedure Manual is found to be illegal, such finding shall not affect the validity of the remaining sections, subsections, items, clauses or phrases of the Policy and Procedure Manual.

1-102 Numbering System Used in the Policy and Procedure Manual and Revisions

(12/05/01)

A decimal system is used to number each volume, chapter, section, and subsection of the Policy and Procedure Manual in order to provide reference to all material.

A typical reference under this system would be "3-249.06."

- The "3" indicates the material is contained in the third volume (3-249.06).
- The "2" indicates the material is contained in Chapter 2 (3-249.06);
- The "49" indicates the material is contained in Section 49 (3-249.06);
- The ".06" indicates the material is contained in Subsection .06 (3-249.06).

Revisions in the manual shall be indicated in the following manner:

- When revisions are made within a paragraph, the revision date will follow the paragraph.
- For any new sections added, or when a section is completely revised, the revision date will follow the title line.
- When a section has been added, removed, or renumbered, subsequent sections shall be renumbered as necessary.

The revision date shall be the date when a Special Order becomes effective.

1-103 How to Access the Policy and Procedure Manual: Employee Responsibility
(12/05/01)

All MPD employees shall be provided instructions on how to access the on-line Policy and Procedure Manual. Employees shall be held accountable for knowing how and where to access the manual and for knowing the contents of the manual. Employees shall sign a receipt, acknowledging responsibility for knowing the contents of the manual and that they have received instructions on how and where to access the manual. Receipts shall be filed in the employee's Personnel File. Manual revisions are prepared by the Operations Development Unit

1-103.01 Requests for Amendments
(12/05/01)

Requests for revisions, additions, or deletions to the MPD Policy and Procedure Manual shall be forwarded to the Operations Development Unit supervisor. A final decision regarding any policy changes will be made by the Chief or his/her designee.

1-104 Knowledge of Orders
(12/05/01)


(A-C)

Employees shall be held accountable for knowing the contents of all orders and Administrative Announcements issued, including those that have been disseminated during their absence from work. The written and online publications shall be made available to all MPD employees for reference purposes.

1-105 Personnel Orders
(12/05/01)

Personnel Orders are issued only by the Chief of Police or a designated Bureau Head. They may be distributed to all or just specific precincts, units or divisions. Personnel Orders are issued to announce the following:

- The appointment of new employees
- The assignment or transfer of employees from one unit to another
- The promotion or demotion of employees from one rank to another
- Special Duty assignments
- Training assignments
- Career development
- Details
- Dismissal or reinstatement of an employee
- Resignation, retirement or death of an employee

	Minneapolis Police Department Policy and Procedure Manual	Number: 1-300
		Date: 04 October 2019
Volume One – Departmental Management		
General Administration		

1-301 Police Department – Executive Power

(12/21/01)

"The Mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control, and supervision of its police force, subject to the limitations herein contained and the provisions of the Civil Service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the Police Department of the city. The Executive Committee shall, by and with the consent of a majority of all of the members of the City Council, appoint for a term of three years commencing January 2, 1980, some suitable person as Chief of Police, subject to removal upon the recommendation of the Executive Committee by a vote of a majority of all the members of the City Council. Such a position shall be in the unclassified service." City Charter reference-Chapter 6, Section 1.

1-302 General Duties of the Chief

(12/21/01)

"The Chief of Police, under the direction of the Mayor, shall divide the subordinate police into proper watches, assign them their places of duty, ascertain by personal daily inspection whether the police are faithfully discharging their duties, and report to the Mayor any negligence or refusal to discharge the same, and also shall perform the other ordinary duties of a police officer. The Chief of Police shall have precedence over the police officers whenever engaged in the same service, and they shall at all times when on duty be subject to the Chief's command and control." Minneapolis Code of Ordinances-Title 9, Chapter 171.20. (09/18/08)

The Chief of Police has the authority and responsibility for the management, direction and control of the administration of the Minneapolis Police Department. The Assistant Chief will assume command in the Chief's absence. If the Chief and Assistant Chief are temporarily absent, a Deputy Chief will be designated to command. If the Chief and Assistant Chief are incapacitated, the most senior Deputy Chief, based on length of service in that rank, shall assume command. In the event the Chief, Assistant Chief and the Deputy Chiefs, are incapacitated or unavailable, the most senior sworn police Inspector, based on length of service in that rank, shall assume command of the Department. (09/19/08)

1-303 Department Budgeting Process

(12/21/01)

(B-C)

established by the Human Resources Department and the City of Minneapolis Respect in the Workplace Policy. Those procedures provide for a response from Human Resources to the complainant at the conclusion of the investigation. The subject of the investigation will be informed of the outcome by either Human Resources or the Minneapolis Police Department.

All correspondence on harassment complaints is to be kept confidential with only the involved parties and those determined to have a need to know being notified.

Commanders, supervisors and all employees shall immediately refer any threats, complaints of a criminal nature, or attempts at retaliation for reporting harassment to Human Resources and the Internal Affairs Unit. If the Human Resources supervisor or an Internal Affairs investigator is not available, the Watch Commander shall be notified. Watch Commanders shall take immediate action (i.e. separate parties) if the situation warrants. The Watch Commander will document the incident and their response, and forward it to Human Resources and the Internal Affairs Unit before the end of their shift.

2-112 Complaint, Coaching and Disciplinary System (12/31/20)

A. Investigation

Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. Minor or lower-level allegations


Allegations which only describe minor or lower-level infractions by sworn employees may be referred directly by the Director of the Office of Police Conduct Review and the Internal Affairs Commander to the employee's supervisor for coaching or may be referred to a program of mandatory mediation instituted by the office of police conduct review. Such complaints may also be referred for formal investigation.

C. Discipline

When investigations have concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police or the Chief's designee (such as the Assistant Chief).

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guidelines and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.
3. Coaching can occur in addition to discipline imposed by the Chief.

	Minneapolis Police Department Policy and Procedure Manual	Number: 5-100
		Date: 31 December 2020
Volume Five – Code of Conduct and Use of Force		
Code of Conduct		

5-101 Code of Conduct Defined

The code of conduct of the Minneapolis Police Department is promulgated by the Chief of Police by authority of the City Charter, Chapter 6, Section 1, as amended. This code is established to promote efficiency, discipline, and good public relations in setting forth policy governing the conduct of all Department employees.

The conduct of police officers is governed by the MPD Policy and Procedure Manual and applicable State and Federal law. All employees of the Minneapolis Police Department are required to maintain a working knowledge of and to obey the code of conduct, civil service rules, Departmental rules, policies, procedures and orders, ordinances of the City of Minneapolis, the laws of the State of Minnesota and the United States. The failure of an MPD employee to comply with the standards of conduct set forth in the Manual and in law will subject the employee to discipline and/or legal action. All disciplinary actions taken will be in accordance with Civil Service rules and provisions. (10/20/88) (12/01/08)

5-101.01 Truthfulness (01/26/05) (11/15/13)

The integrity of police service is based on truthfulness. Officers shall not willfully or knowingly make an untruthful statement, verbally or written, or knowingly omit pertinent information pertaining to his/her official duty as a Minneapolis Police Officer.

MPD employees shall not willfully or knowingly make an untruthful statement or knowingly omit pertinent information in the presence of any supervisor, intended for the information of any supervisor, or before any court or hearing. Officers shall not make any false statements to justify a criminal or traffic charge or seek to unlawfully influence the outcome of any investigation. (12/14/07)

These requirements apply to any report, whether verbal or written, concerning official MPD business including, but not limited to, written reports, transmissions to MECC and officers via radio, telephone, pager, e-mail or MDC.

MPD employees are obligated under this policy to respond fully and truthfully to questions about any action taken that relates to the employee's employment or position regardless of whether such information is requested during a formal investigation or during the daily course of business. (12/14/07)

5-102 Code of Ethics
(08/01/91)

(A-D)

All sworn and civilian members of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the department. Employees shall abide by the City's Ethics in Government Policy, Chapter 15. (05/23/07)

5-102.01 Minnesota Law Enforcement Code of Ethics
(08/01/91)

(A-D)

Minnesota Law Enforcement Code of Ethics:

"As a Minnesota Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.


I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both by personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

5-103 Use of Discretion
(A-D)

The police profession is one that requires officers to use considerable judgment and discretion in the performance of their daily duties. Officers have a large body of knowledge from Department policies and procedures, training, their own professional police experience and the experiences of their fellow officers to guide them in exercising proper judgment and discretion in situations not specifically addressed by Department rules and regulations. In addition, officers must always adhere to the following principles in the course of their employment with the Minneapolis Police Department:

	Minneapolis Police Department Policy and Procedure Manual	Number: 6-200
		Date: 19 May 2008
Volume Six – Relations With Other Agencies		
Relations With the Media		

6-201 Media Information and Media Releases

(02/07/03) (02/24/06)

The policy of the MPD is to establish a cooperative relationship with the news media in supplying information on matters of public interest. Only Information that violates the constitutional rights of the victim or the accused, interferes with an on-going investigation, or is legally privileged may be withheld from the public.

6-201.01 Public Information Officer

(05/19/08)

The MPD may designate at its discretion, sworn or non-sworn personnel to serve as Public Information Officer(s) for the MPD. The PIO will work closely with Police Department personnel, MPD Command Staff and the City Communications Director or his/her designee. For chain of command purposes, the PIO will report directly to the Chief or his/her designee.

The PIO may occasionally receive calls and requests during off duty hours to assist in resolving issues. A PIO who does not respond or is unable to respond during off duty time will not be subject to discipline, unless the PIO has been placed on standby in accordance with Section 10.4 of the Labor Agreement. The MPD may, in accordance with Section 3 of the Labor Agreement, change, amend or delete the duties and/or responsibilities of the PIO at any time.

6-202 Responsibility of MPD Employees

(02/07/03) (02/24/06)

(A-D)

All inquiries, including requests for interviews, will be directed to the Public Information Officer (PIO). Inquiries regarding “on-scene” incidents shall be referred to the ranking officer (or designee) in charge at the scene. Only factual public information related to that incident shall be released. Updates to that incident may be obtained by contacting the PIO during normal business hours.

- No MPD employee should initiate a media contact without going through the PIO.
- Inquiries regarding current investigations shall be referred to the PIO.
- MPD employees shall not release information on any case where the progress of an investigation may be jeopardized by premature media coverage.
- MPD employees shall not represent opinion as fact.

6-203 Release of Information (News Media Release Form)

(02/24/06)

(A-D)

Completing a News Media Release Form (MPD 8877) will be the responsibility of the Public Information Officer (PIO). All written media releases and/or press conferences must be approved by the Chief of Police, a designated member of the Police Administration, or the PIO. Such information will be distributed to all news media outlets which regularly cover department activities.

6-204 Major Incidents

(02/24/06)

(A-D)

When major incidents such as homicides, officer involved shootings, natural disasters, etc. occur; the Public Information Officer (PIO) will proactively contact media organizations which regularly cover department activities. When possible, the on-scene supervisor or PIO will direct media to a staging area. Media briefings and updates will be held at these designated areas.

6-205 News Release on Vehicular Accidents

(02/24/06)

(A-B)

MPD employees should only give the name, address, age and a short description of how an accident occurred. This also includes any juvenile, unless the juvenile will be cited, arrested, incarcerated or otherwise substantially deprived of liberty. Under these circumstances, age and sex may only identify a juvenile.

6-206 Site Access for News Media

(02/24/06)

(A-B)

MPD employees shall not unnecessarily obstruct news media personnel from performing their duties at emergency scenes. However, news media will not be allowed to cross police lines, which are set up to protect a crime scene. Members of the media must follow all municipal, state, and federal statutes. Media can be restricted from an area where their presence can jeopardize police operations. Only the ranking on-scene officer may grant news media representatives access to any area closed because of investigation or health and safety hazards.

Exhibit 5

Preface

MINNEAPOLIS POLICE DEPARTMENT POLICY AND PROCEDURE MANUAL

DISCRIMINATION AND HARASSMENT

The City of Minneapolis and the Minneapolis Police Department prohibits discrimination and harassment of citizens and employees on the basis of race, color, creed, age, religion, ancestry, national origin, affectional preference, disability, marital status, familial status, status with regard to public assistance, or Vietnam era veteran status.

AMERICANS WITH DISABILITIES ACT (ADA)

The City of Minneapolis and the Minneapolis Police Department recognize the authority of the Americans with Disabilities Act (ADA)

PREFACE (11/08/16)

Minneapolis Police Officers are not separate from the citizens of Minneapolis. We draw our authority from the will and consent of the people. The police are the instrument of the people to achieve and maintain order. Our efforts are founded on the principles of public service and ultimate responsibility to the public.

The specific goals and priorities which we establish within the limits of our legislatively granted authority are determined to a large extent by community desires. These desires are transmitted to us through the community and the governing body of the City of Minneapolis. We conscientiously strive to be responsive to these desires, knowing full well that we exist not to serve ourselves but to serve and protect others.

Police officers are accountable to the people for their decisions and the subsequent consequences. A substantial percentage of police work is done in direct response to citizen complaints. This underscores the frequently unrecognized fact that members of the public are an integral part of the criminal justice system. Though many factors play a role in the success of the system, citizen participation is preeminent. Public confidence in the criminal justice system depends primarily on the trust that the people have in their police.

The fundamental purpose and role of the police in a free society is the protection of constitutional guarantees, maintenance of public order, crime prevention and suppression, and dutiful response to the needs of the community.

The role of the Minneapolis Police Department, as stated above, is the guiding principle for the development of the Department Vision Statement and accompanying critical issues; the Policy and Procedural Manual; the goals, objectives, and policies of all organizational components; and the priorities of the Minneapolis Police Department.

VISION, MISSION, VALUES AND GOALS (12/21/01) (09/19/08) (03/29/17) (02/25/19)

Adopted by the Minneapolis Police Department on 09/09/17:

VISION:

We will endeavor to build Trust with our communities, seek to ensure Accountability to those we serve, and strive to deliver the highest Professional Service. We will lead by example in both our words and our actions.

MISSION:

We, the members of the Minneapolis Police Department, are committed to doing all we can to protect and serve in a way that minimizes harm and risk to our community and to ourselves. Sanctity of Life is the most precious of all our duties. We must serve all our communities without bias or favor.

Public safety is not just the absence of crime, it is the presence of justice. Every aspect of our professional service must demonstrate our commitment to procedural justice. We will act by giving others Voice and Respect, being Neutral and building Trust in our interactions.

VALUES:

- Trust
- Accountability
- Professional Service

GOALS:

- Public Safety
- Justice
- Employee Wellness

PILLARS OF PROCEDURAL JUSTICE:

- Voice
- Neutrality
- Respect
- Trustworthiness

Last updated Feb 25, 2019

1-100 Written Directives System

1-101 MPD POLICY AND PROCEDURE MANUAL ESTABLISHED (Completely revised 12/5/01)

(A-C)

This manual, referred to as the MPD Policy and Procedure Manual, is general in scope and is meant to inform and guide all employees on matters of department-wide concern. Any division that maintains rules to govern its internal operations shall keep such rules current. Such rules shall not conflict with this manual. All employees of the MPD shall comply with the policies, procedures and rules contained herein. All previous manuals and orders that are in conflict with the contents of this policy and procedure manual are rescinded.

If any section, subsection, item, clause or phrase contained in the Policy and Procedure Manual is found to be illegal, such finding shall not affect the validity of the remaining sections, subsections, items, clauses or phrases of the Policy and Procedure Manual.

1-102 NUMBERING SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL AND REVISIONS (12/05/01)

A decimal system is used to number each volume, chapter, section, and subsection of the Policy and Procedure Manual in order to provide reference to all material.

A typical reference under this system would be "3-249.06."

- The "3" indicates the material is contained in the third volume (3-249.06).
- The "2" indicates the material is contained in Chapter 2 (3-249.06);
- The "49" indicates the material is contained in Section 49 (3-249.06);
- The ".06" indicates the material is contained in Subsection .06 (3-249.06).

Revisions in the manual shall be indicated in the following manner:

- When revisions are made within a paragraph, the revision date will follow the paragraph.
- For any new sections added, or when a section is completely revised, the revision date will follow the title line.
- When a section has been added, removed, or renumbered, subsequent sections shall be renumbered as necessary.

The revision date shall be the date when a Special Order becomes effective.

1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)

A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.

Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.

While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).

Disciplinary categories are listed below for violations of MPD policy and procedure:

Category "A": Training, counseling, documented oral correction.

Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.

Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.

Category "D": Up to 720 hours suspension, demotion, termination.

An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED

(A-C)

1-103 HOW TO ACCESS THE POLICY AND PROCEDURE MANUAL: EMPLOYEE RESPONSIBILITY (12/05/01)

All MPD employees shall be provided instructions on how to access the online Policy and Procedure Manual. Employees shall be held accountable for knowing how and where to access the manual and for knowing the contents of the manual. Employees shall sign a receipt, acknowledging responsibility for knowing the contents of the manual and that they have received instructions on how and where to access the manual. Receipts shall be filed in the employee's Personnel File. Manual revisions are prepared by the Operations Development Unit

1-103.01 REQUESTS FOR AMENDMENTS (12/05/01)

Requests for revisions, additions, or deletions to the MPD Policy and Procedure Manual shall be forwarded to the Operations Development Unit supervisor. A final decision regarding any policy changes will be made by the Chief or his/her designee.

1-104 KNOWLEDGE OF ORDERS (12/05/01)

(A-C)

Employees shall be held accountable for knowing the contents of all orders and Administrative Announcements issued, including those that have been disseminated during their absence from work. The written and online publications shall be made available to all MPD employees for reference purposes.

1-105 PERSONNEL ORDERS (12/05/01)

Personnel Orders are issued only by the Chief of Police or a designated Bureau Head. They may be distributed to all or just specific precincts, units or divisions. Personnel Orders are issued to announce the following:

- The appointment of new employees
- The assignment or transfer of employees from one unit to another
- The promotion or demotion of employees from one rank to another
- Special Duty assignments
- Training assignments
- Career development
- Details
- Dismissal or reinstatement of an employee
- Resignation, retirement or death of an employee

The Commander of the Administrative Services Division or his/her designee may exercise limited authority to approve Special Duty Personnel Orders. This authority is limited to short-term Special Duty assignments that have been budgeted and approved by the employee's Commander. All out-of-town travel must be approved by the appropriate Bureau Head.

All Personnel Orders shall be color coded white and bear a serial number beginning with the letter "P," followed by a two-digit year, a hyphen, and a two-digit number of the order for that year. Example: P01-102 (Personnel Order 102 of 2001). To issue a Personnel Order, a serial number must be obtained from Training Unit staff, who maintains a log of Personnel Orders for tracking purposes. Maintenance of original Personnel Orders is the responsibility of MPD Human Resources. (04/01/93)

1-106 SPECIAL ORDERS (12/05/01)

Special Orders are issued only by Research/Policy Development and are pre-approved by the Chief of Police, Assistant Chief or a designated Bureau Head. Special Orders are issued to announce new, revised, or deleted policies and procedures. (7/19/07)

Special Orders are sent to all precincts, units and divisions and are incorporated into the online Policy & Procedure manual. Special Orders are also sent via e-mail department-wide and employees shall be accountable for knowing the content of Special Orders.

The Commander of the Administrative Services Division or his/her designee may exercise limited authority to approve minor Special Orders when a Bureau Head is not available.

All Special Orders shall be color coded green and bear a serial number beginning with the letter "S," followed by a two-digit year, a hyphen, and a three-digit number of the order for that year.

Example: S01-005 (Special Order 5 of 2001). The Special Order log shall be maintained by the Research/Policy Development Unit. Maintenance of original Special Orders is the responsibility of the Research/Policy Development Unit. (7/19/07)

1-107 DISTRIBUTION AND READING OF ORDERS (12/05/01)

(A)

Orders are issued to all affected precincts, units and divisions. They shall be read at each roll call the appropriate number of times so that all employees are notified and then placed in the precinct, unit or division loose-leaf binder. They shall be maintained for one year. Distribution will be noted on each document as follows:

- Distribution A: All precincts, units and divisions.
- Distribution B: Specified precincts, units and divisions.

1-108 ADMINISTRATIVE ANNOUNCEMENTS (12/05/01)

(A)

Administrative Announcements are issued to announce general information. While not an order or policy change, directives in the Administrative Announcement shall be followed. The Chief of Police, Bureau Heads and precinct, unit or division commanders issue Administrative Announcements. Supervisors may issue an Administrative Announcement with their commander's permission.

To issue an Administrative Announcement, an AA number must be obtained from Police Administration staff, who maintains a log of Administrative Announcements for tracking purposes. Administrative Announcements must contain an AA number and approval signature prior to distribution. Individual units are responsible for distribution.

Administrative Announcements are sent to all precincts, units and divisions. Administrative Announcements shall be read at roll call the appropriate number of times so that all employees are notified and then placed in the precinct/unit or division loose-leaf binder or posted on a bulletin board/clipboard. They shall be maintained for one year or until the retention date has expired.

All Administrative Announcements shall be color coded yellow and bear a serial number beginning with the letter "A", followed by a two-digit year, a hyphen, and a three-digit number of the announcement for that year. Example: A01-012, refers to Administrative Announcement 12 of 2001. The distribution list is located on the MPD intranet website under "MPD Documents."

1-109 JOB ANNOUNCEMENTS (12/05/01)

Administrative Job Announcements shall be forwarded to the Manager of the Administrative Services Division for approval, a Job Announcement (JA) log number and the addition of any required Human Resources language prior to issuance. All Administrative Job Announcements shall be posted on a bulletin board/clipboard until the position closes. The Operations Development Unit maintains a log of all Administrative Job Announcements and is responsible for distribution.

Job Announcements shall be colored coded salmon and bear a serial number beginning with the letters "JA," followed by a two-digit year, a hyphen, and a three-digit number of the job announcement for that year. Example: JA01-014 refers to Job Announcement 14 of 2001.

1-110 TRAINING ANNOUNCEMENTS (12/05/01)

Training Announcements are issued to announce training information and are issued by the Training Unit. Training Announcements shall be read at each roll call the appropriate number of times so that all employees are notified and then placed in the precinct/unit/division loose-leaf binder or posted on a bulletin board/clipboard. They shall be maintained for one year or until the retention date has expired. Training Unit staff shall maintain a log of Training Announcements and are responsible for distribution. Training Announcements are issued to all precincts, units and divisions. All Training Announcements are approved by the Commander of the Training Unit.

All Training Announcements shall be colored coded blue and bear a serial number beginning with the letter "TA," followed by a two-digit year, a hyphen and a three-digit number of the training announcement for that year. Example: TA01-005, refers to Training Announcement 5 of 2001.

1-111 INTEROFFICE COMMUNICATION (12/05/01)

Inter-office communication is an informal way of communicating specific information within an organizational component. It may not change policy or procedure. This can only be done through a Special Order or at the direction of the Chief of Police.

1-112 PROCEDURE MANUALS (12/05/01)

(A)

Supervisors who maintain specialized procedure manuals for their unit shall ensure that their procedure manuals are updated as unit procedures change. Procedure manuals shall be current and a copy shall be provided to the Operations Development Unit, as they may be used for discovery purposes. Each manual shall contain basic operational procedures for the unit. Examples of specific units that maintain such manuals are:

- Property & Evidence Unit
- Chemical Testing Unit
- MECC
- Recruit Academy
- Identification Division (Chemical Health & Hygiene)
- Watch Commanders' Office (Watch Commanders' Manual)
- Internal Affairs (Complaint Process Manual)
- Emergency Response Unit (ERU)

Last updated May 14, 2013

1-200 Definitions Used In The Manual

1-201 DEFINITIONS OF TERMS USED IN THE DEPARTMENT MANUAL (12/12/01) (07/01/13)

The following words and terms shall have the meanings assigned unless it is apparent from the context that they have a different meaning.

AUTHORITY: Legal or rightful command or power.

BOOKING: The processing of arrested persons.

BUREAU: A major organizational component of the MPD comprised of precincts, units and divisions.

BUREAU HEAD: A Deputy Chief.

CHAIN OF COMMAND: The continuous line of authority to and from the Chief of Police.

CIVILIAN: A non sworn civil service employee.

COMMAND: A specific area within the MPD organizational structure or an event over which a presiding officer has authority and is responsible for managing.

DEPARTMENT: The Minneapolis Police Department.

DETAIL: Personnel assigned to a specific mission.

DISTRICT: A geographical area within a sector usually determined by the precinct Inspector.

DIVISION: A major component of a bureau.

EMPLOYEE: All sworn and civilian employees of the MPD.

FUNCTION: A major organizational component of a bureau, division or unit.

INCIDENT COMMANDER: An officer, who by rank, seniority or designation is in charge at an emergency scene, investigation or planned special event.

LAWFUL ORDER: Any written or oral directive issued by a supervisor or a proper authority in the course of work that is in compliance with MPD rules and regulations.

LENGTH OF SERVICE: As defined by Civil Service Rules and Regulations or Labor Contract. Length of time employed by the City of Minneapolis.

MECC: The Minneapolis Emergency Communications Center.

MPD: The Minneapolis Police Department.

PRECINCT: A division of the Patrol Bureau representing a geographical area of the city.

PROMOTION: A position change to a higher classification.

RANK: Classification held by a sworn employee.

RANKING OFFICER: Officer of the highest rank. Officers of the same rank are ranked according to appointment date within their rank.

SENIORITY: See Civil Service Rules and Regulations or labor contract.

SHIFT: A group of employees assigned common hours.

SICK LEAVE: See Civil Service Rules and Regulations or labor contract.

SQUAD: An MPD police vehicle.

SUPERVISOR: An employee who is officially assigned to supervise other employees.

TIME: All references will be to the 24-hour clock system. Example: 12:30 A.M. is 0030 hours/ 4:00 P.M. is 1600.

UNIT: An organizational component within a bureau, division or precinct usually supervised by a lieutenant or civilian equivalent.

WATCH: An assigned duty/work period.

WORK DAY AND WEEK: A work day begins and ends at 2400 hours. The work week for the MPD begins on Sunday and ends on Saturday.

1-202 MANDATORY AND PERMISSIVE VERBS (12/12/01)

The following rules of grammar shall apply throughout the Policy and Procedure Manual:

The use of the verb "shall" or "will" means that the specified course of action is mandatory.

The use of the verb "may" means that the specified action is permitted.

The verb "should" means that the specified action is advised.

Last updated Jun 26, 2013

4/3/2021

The Wayback Machine - <http://web.archive.org/web/20210117210923/http://www2.minneapolismn.gov/police/po...>
[Minneapolismn.gov](http://www2.minneapolismn.gov/police/po...)

1-300 General Administration

1-301 POLICE DEPARTMENT - EXECUTIVE POWER (12/21/01)

"The Mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control, and supervision of its police force, subject to the limitations herein contained and the provisions of the Civil Service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the Police Department of the city. The Executive Committee shall, by and with the consent of a majority of all of the members of the City Council, appoint for a term of three years commencing January 2, 1980, some suitable person as Chief of Police, subject to removal upon the recommendation of the Executive Committee by a vote of a majority of all the members of the City Council. Such a position shall be in the unclassified service." City Charter reference-Chapter 6, Section 1.

1-302 GENERAL DUTIES OF THE CHIEF (12/21/01)

"The Chief of Police, under the direction of the Mayor, shall divide the subordinate police into proper watches, assign them their places of duty, ascertain by personal daily inspection whether the police are faithfully discharging their duties, and report to the Mayor any negligence or refusal to discharge the same, and also shall perform the other ordinary duties of a police officer. The Chief of Police shall have precedence over the police officers whenever engaged in the same service, and they shall at all times when on duty be subject to the Chief's command and control." Minneapolis Code of Ordinances-Title 9, Chapter 171.20. (09/18/08)

The Chief of Police has the authority and responsibility for the management, direction and control of the administration of the Minneapolis Police Department. The Assistant Chief will assume command in the Chief's absence. If the Chief and Assistant Chief are temporarily absent, a Deputy Chief will be designated to command. If the Chief and Assistant Chief are incapacitated, the most senior Deputy Chief, based on length of service in that rank, shall assume command. In the event the Chief, Assistant Chief and the Deputy Chiefs, are incapacitated or unavailable, the most senior sworn police Inspector, based on length of service in that rank, shall assume command of the Department. (09/19/08)

1-303 DEPARTMENT BUDGETING PROCESS (12/21/01)

(B-C)

The budget process is required by City Charter and is an essential planning tool. The Administration has the ultimate responsibility for the development and implementation of the budget, which must be approved by the City Council. No expenditure shall be made in the name of the MPD unless authorized by the Chief of Police, Assistant Chief, MPD's Director of Financial Operations, or their designee. (09/19/08)

The department budget represents an evaluation of the MPD's needs and is based on goals and objectives, with performance indicators from each organizational precinct, unit and division. It is a continuous process that demands that Commanders and Managers communicate their needs for the upcoming fiscal year. Each year, Commanders and Managers shall encourage each department employee to contribute ideas and improvements for developing and accomplishing stated division, precinct, and unit goals and objectives.

Commanders and Managers may be asked to assist in preparing the annual department budget as directed by the Administration. Budget instructions and the necessary forms will be issued to all affected personnel by Administration. (09/19/08)

1-304 GRANT FUND APPLICATION AND AWARD ACCEPTANCE PROCESS (12/21/01) (09/19/08)

(A-D)

All grant applications and requests made for funding from public agencies or private organizations must adhere to City of Minneapolis, Minneapolis Police Department and granting agency guidelines and procedures. Any funds awarded which have not followed the appropriate guidelines and procedures will not be accepted. The

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MPD has established a Grant Review Committee and grant administration process to facilitate grant requests made on behalf of the MPD.

Grant applications may be prepared by the Division or Unit proposing a program funding request. All grant applications must include a designated Project Manager who will be responsible for:

- Presenting the initial grant proposal to the Grant Review Committee;
- Completing the application with consultation and assistance as necessary from the Grant Coordinator;
- Providing the completed grant application to the Grant Coordinator in order to obtain signatures and final approval by the Grant Review Committee and the Chief of Police (or designee);
- Executing the program activities as stated within the grant award;
- Performing the operational administration of the grant project;
- Notifying the Grant Coordinator of all changes to grant program and/or grant award;
- Completing non-financial progress reports as required by the grant award agreement and shall provide a copy of all reports to the Grant Coordinator for audit purposes;
- Notifying the Grant Coordinator when there is a change of Project Manager.

In considering grant program approval, the Grant Review Committee will consider the value of the proposed program or project, the impact on other departmental operations, and financial or personnel obligations related to the program. The Committee will expect inclusion of administrative costs where allowed by the grantor.

All grant applications submitted and awards received will be approved by the Chief of Police, or his/her designee and the Grant Review Committee. Some grant applications may also need to be approved by the City Council. The acceptance of all grant funds must be approved by the City Council. The Grant Review Committee will inform the grant applicant of required follow-up components and reporting procedures.

Oversight of the compliance and administration of all grants within the MPD is provided by the Grant Coordinator.

1-304.01 GRANT FUND APPLICATIONS/PROJECT - REPORTS AND FILES (12/21/01)

(A)

Each Precinct, Unit, Division, or MPD committee shall keep a complete file on the grant or funding they are applying for or are in the process of using. Each Precinct, Unit, Division or department committee is responsible for compiling the required financial and statistical data, and submitting their reports in a timely manner to the funding agency.

Copies of all correspondence, including the completed grant/funding application, letters of acceptance, funding requirements, quarterly reports, etc., shall be maintained by the Precinct, Unit, Division or MPD committee according to the City's record retention guidelines. Grant or funding guidelines must also be adhered to for file retention(s).

1-305 CONTRIBUTIONS FROM OUTSIDE SOURCES (12/21/01) (09/19/08)

(A-D)

Prior to the acceptance of any contribution (monetary or otherwise) by the Minneapolis Police Department, the MPD Director of Financial Operations must be informed. The potential contribution will be evaluated for possible conflicts of interest. Contributions from outside the MPD that are intended to benefit a Department activity may require authorization from the City Council before acceptance.

Refer to City of Minneapolis [Gifts to the City Policy](#).

If necessary, the Director of Financial Operations will submit a letter to the appropriate City Council committee requesting permission to accept the contribution, approval for the specified use of such funds or other items, and/or an increase to the MPD's current budget appropriation.

At the time such funds are received, they shall immediately be sent to the MPD Finance Manager. The MPD Finance Manager shall then adjust the accounts in accordance with the City Council action. No such funds shall ever be retained by any precinct, unit, division or individual employee. For contributions other than money, the supervisor of the area receiving the contribution shall send a memo describing the item(s) to the MPD Finance Manager. Included in this memo shall be the estimated dollar value of the item(s).

Solicitation of charitable gambling proceeds is prohibited.

1-306 TRADEMARK (12/21/01) (09/19/08) (10/04/19)

(C)

I. PURPOSE

A logo identifies an enterprise in its simplest form via the use of a wordmark or icon. The MPD trademarked items are to the MPD what a handwritten signature is to a person. They represent the Department and must be used consistently and neutrally.

II. POLICY

The MPD owns the trademarks for the department badge, shield, motto, uniform patch and the name Minneapolis Police Department.

III. PROCEDURES/REGULATIONS

A. Use of the MPD Trademarks

1. MPD employees are authorized to use the department name, badge, shield, motto and uniform patch for official MPD business.
 - a. The trademarks may not be used to promote non-Department activities or imply the Department's endorsement except where the Department has formalized a partnership (as defined by the Chief of Police).
 - b. Authorized use of the uniform is limited to working on-duty as an MPD officer, working off-duty in an MPD uniform (in accordance with P&P 3-800), and at Department-sanctioned events.
 - c. Employees shall not wear the MPD uniform while representing the Police Federation or while on Police Federation business.
2. The MPD authorizes limited use of the name and badge on merchandise and limited use of the trademarks for commercial purposes, as permitted by the Chief of Police.

B. Trademark Adulteration

1. No person shall make or allow any adulteration of the department name, badge, shield, motto or uniform patch, without advance written permission from the Chief of Police. This includes the addition or deletion of words and symbols.
2. Any suggested changes in the normal design (wording or symbols) of the department name, badge, shield, motto or uniform patch shall be assessed by the Chief of Police.

C. Political Appearances in MPD Uniform or with the Trademark(s)

1. No employee shall make appearances in political advertisements while wearing the MPD uniform, or cause MPD trademarks to appear in political advertisements.
2. No employee shall cause MPD trademarks to be used in any other way that could lead a reasonable person to believe the MPD is endorsing a political party, candidate or campaign. This does not prevent authorized use of the MPD uniform while providing public safety services, as defined by an authorized MPD operational plan, at events which are attended by elected officials or candidates running for an elected position.
3. Employees must also comply with the City's Ethics Code, 15.110 – Political Activity and P&P 5-102.
4. In accordance with P&P 3-100, the authorized uniform shall not be altered (including with campaign items or attachments).

D. Media Appearances in MPD Uniform or with the Trademark(s)

Employees shall not make media appearances in the MPD uniform or with MPD trademark(s), except in accordance with P&P 6-200 Relations with the Media.

1-307 EMPLOYEE-OWNED VENDING/GAMING MACHINES (09/23/02)

(A-B)

Some vending/gaming machines placed on police premises must be licensed by the City of Minneapolis, Department of Licenses and Consumer Services, and must bear an emblem or tag securely fastened to the front surface of the machine in a conspicuous place, bearing the expiration date of the license and the registration number assigned to such licensee. Permission must be obtained from the appropriate Precinct or Division Commander (no designees) to place a vending/gaming machine on police premises before a license can be

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applied for or before a machine can be placed on police premises. The Precinct or Division Commander shall approve the location where the vending machine is to be placed; this may be a public access or non-public location. (09/19/08)

Vending machines that require licenses are those that dispense any type of liquid into a container or dispense food items such as chips, candy bars, etc. Machines not requiring a license are those that dispense liquids already sealed in bottles or cans and gaming machines (unless there are three or more machines). If there are any questions regarding licensing, contact the Department of License and Consumer Services.

Employees are prohibited from placing an employee-owned vending/gaming machine on police premises for personal profit. If permission and the proper license are obtained, an employee may place a vending/gaming machine on police premises if the profits from sales are placed into a charitable fund bank account, i.e., Fourth Precinct Employees' Flower Fund. At least two authorized signatories must be named on the bank account for deposits and withdrawals. The Precinct/Division Commander shall be informed as to whom the authorized signatories are at all times. Generally accepted accounting practices shall be adhered to and quarterly reports submitted to the Precinct/Unit/Division Commander. (09/19/08)

Any damage to police premises caused by a vending/gaming machine is the owner's responsibility.

Violations of this policy may be cause for disciplinary action and/or the removal of an employee-owned vending/gaming machine.

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1-500 Department Organization and Functions

1-501 DEPARTMENT ORGANIZATIONAL STRUCTURE (03/25/08)

The Department is organized by function into bureaus. Each bureau is divided into divisions, precincts, units, sections and/or programs. A division or precinct may contain several units or functions. Each organizational component of the Department shall be under the direct command of only one supervisor. The MPD Organization Chart shall be updated as determined by the Chief of Police.

1-501.01 AMENDING THE ORGANIZATIONAL STRUCTURE (03/25/08)

Amendments to the Department's organizational structure (i.e., creating a new unit or division, eliminating or combining a unit or division) must be approved by the Chief of Police through a Special Order. The organizational change shall be reviewed as follows:

- The Deputy Chiefs and Commanders affected by the change shall review any proposed changes.
- The City Finance/Payroll must make the appropriate code changes for budgeting and financial reporting purposes. Also, the payroll records must be changed so that personnel are charged to the appropriate area.
- MPD Administrative Services is responsible for updating employee personnel records with any assignment changes.
- The Research and Policy Development Unit is responsible for updating the MPD Policy and Procedure Manual and Organizational Chart. Research and Policy Development develops and issues Special Orders authorizing policy changes.

1-502 ADMINISTRATION (01/07/96) (03/25/08)

The Police Administration is comprised of the following positions: Chief of Police, Assistant Chief of Police, Deputy Chief of Patrol, Deputy Chief of Investigations and Deputy Chief of Professional Standards.

The Director of Financial Operations and Public Information Officers report to the Assistant Chief of Police.

All Minneapolis Police Department operations are located within three Bureaus.

- Patrol Bureau
- Investigations Bureau
- Professional Standards Bureau

1-502.01 MPD SUPPORT BY OTHER CITY DEPARTMENTS (03/25/08)

The City of Minneapolis supports its various departments and divisions through the cross-over assignment of support staff to assist individual departments. In the MPD, support departments include the following:

- City Attorney – reports to the Chief of Police
- Communications – reports to the Assistant Chief of Police
- Finance – reports to Director of Financial Operations
- Human Resources – reports to Deputy Chief, Professional Standards Bureau

1-503 ORGANIZATION AND FUNCTIONS OF THE PATROL BUREAU (01/07/96) (03/25/08)

The Patrol Bureau provides effective and efficient response to calls for service and enforces laws with specific emphasis on community policing, street crime and traffic safety. The Patrol Bureau is comprised of five Police Precincts, the Special Operations Division and CCP/SAFE Central.

1-503.01 PRECINCTS (03/25/08)

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calls for service, directed patrols, apprehending offenders, preventing and deterring crime, initially investigating and gathering evidence at crime scenes, and maintaining order within the community.

The Patrol Sector may utilize a variety of options to enhance the effectiveness of motor patrol and 911 responses including directed patrol, canine, walking, bicycle, and motorized beats; coordinating business and community needs with other areas of the Department and participating in community meetings and directed assignments.

CRIME PREVENTION SPECIALISTS (CPS): Crime Prevention Specialists report to Precinct Sector Lieutenants. They work on developing relationships with the community and assist residents in reducing the opportunity for crime and in solving problems in the community. They provide educational materials and programs. (09/19/08)

COMMUNITY RESPONSE UNIT: The functions of the Community Response Units are designated by each precinct Inspector.

COMMUNITY RESPONSE TEAM: The Community Response Team is a mobile flexible force that is available for assignment in uniform or plain clothes on a priority basis. Assignments may include, but are not limited to: drug suppression, vice control, surveillance, crowd control, high crime or crime specific patrol. They serve as a primary responder to events and demonstrations that have the potential for civil disorder. (Note: Precincts may coordinate with other teams as situations dictate.)

PRECINCT INVESTIGATIONS UNITS: Precinct Investigations Unit functions include gathering evidence, identifying and apprehending offenders and preparing cases for prosecution on all burglary, theft and damage to property cases and auto-related crimes. They are responsible for following up on adult missing persons reports. (09/19/08)

1-503.02 LICENSE INVESTIGATIONS UNIT (03/25/08)

License Investigations Unit: The License Investigations Unit reports to the First Precinct Inspector. The unit, in cooperation with other City departments and State agencies, investigates applicants for various business licenses and permits issued by the City of Minneapolis, such as those governing the sale of alcoholic beverages, pawn shops and second-hand stores, charitable gaming activities, and permits to purchase handguns. The unit also helps monitor and regulate the operation of businesses holding these licenses and permits. (Note: Permits to carry a handgun are issued through Hennepin County.)

The License Investigations Unit also maintains a cost accounting system for Federal and State grants and non-grant projects and a tracking system for Federal, State, DWI & MPD forfeitures.

1-503.03 SPECIAL OPERATIONS DIVISION (03/25/08)

The Special Operations Division (SOD) supports strategic, tactical and unique operational needs to coordinate emergency response demands of the police department. SOD is comprised of the following areas:

Metro Gang Strike Force: The Metro Gang Strike Force (MGSF) is a joint powers entity comprised of multiple counties and cities, reporting to the Minnesota Gang Strike Force. The MGSF coordinates efforts to prevent gang activity and investigate, apprehend, and prosecute those engaged in gang-related crimes.

Homeland Security Unit: The Homeland Security Unit focuses on the identification of potential risks to both local and public safety. The Homeland Security Unit partners with local, state and federal agencies to facilitate emergency preparedness, effective public safety emergency response and risk mitigation measures.

The Homeland Security Unit is comprised of the following functions: Special Events, Police Reserves, Traffic Control Unit and Intelligence Sharing and Analysis Center (ISAC).

Special Events function: The Special Events function coordinates Police and Police Reserve details for large scale activities throughout the city. Special Events coordinates efforts with all City departments, other

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separate function, supporting the Department by providing traffic control, disaster and large public event assistance, observational patrols and other non-enforcement assignments. The Police Reserve has its own internal command structure, procedure manual and uniforms.

Traffic Control: The Traffic Control Unit provides traffic control during rush hours in the Minneapolis downtown district as well as for special events at the Hubert H. Humphrey Metrodome, the Minneapolis Convention Center and the Target Center. Traffic Control Agents also monitor all parking meters in the city as well as provide enforcement support during street cleaning and snow emergencies.

Traffic Control Agents also coordinate the following services:

- Tagging and towing illegally parked vehicles
- Removal of abandoned vehicles
- Information and explanation of city parking regulations

ISAC (Intelligence Sharing and Information Center): ISAC provides analysis of crime statistics and serves as the focal point for intelligence information gathering, assessment and disbursement. They coordinate CODEFOR (Computer Optimized Deployment Focused on Results) information. The information gathered assists investigative, administrative and patrol functions of the Department.

Emergency Services Unit (ESU): The Emergency Services Unit provides immediate response to potentially hazardous or volatile situations. They provide additional police presence as required. The Emergency Services Unit is comprised of the following functions: Bomb/Arson, Patrol, Canine and SWAT.

Bomb/Arson Function: The Bomb/Arson Unit investigates cases involving fires of suspicious origins, suspected explosive devices, actual explosives and bomb threats. The unit recovers and safely disposes of military ordnance, illegal fireworks and explosive chemicals as well as responds to suspected hazards. The Bomb/Arson function also serves as initial investigative consultants for environmental crimes.

ESU Patrol Function: The ESU [Patrol](#) Function develops specialized details and provides additional police presence as needed for a specific area, suspect or as requested by the precincts. Officers may be assigned to work in uniform or plainclothes.

Canine Function: The Canine (K9) Unit partners an officer with a trained canine (dog). The Canine Function supports law enforcement actions of the MPD by assisting with suspect and missing person tracking; building, area and vehicle searches; as well as drug and explosive detection.

Special Weapons and Tactics: The Special Weapons and Tactics Function provides tactical and operational response for situations involving barricaded suspects, snipers, hostages or potentially volatile situations. SWAT serves high-risk arrest search warrants. SWAT is available as a resource to assist with or assume control of large civil disturbances and other events at the direction of the Chief of Police or his/her designee. SWAT trains and equips Rifle, Chemical Munitions, Entry, Technical Support, Logistics, Crisis Negotiations and Medical Support Teams.

Swat Commander: Overall command of SWAT is the responsibility of the department appointed SWAT Commander (normally the ESU Lieutenant). The SWAT Commander has the ongoing authority to organize the unit's structure and personnel assignments according to current department needs. The Commander also has responsibility for setting SWAT performance standards and for recommending SWAT personnel selection and termination from SWAT.

Swat Coordinator: The SWAT Coordinator reports to the SWAT Commander. The SWAT coordinator is in charge of SWAT equipment, training, schedules, programs and other duties as assigned by the SWAT Commander.






Special Operations Unit (SOU): The Special Operations Unit provides specialized support to patrol functions and the community. The SOU is comprised of the following functions: Traffic Enforcement, Accident Investigation, Police Athletic League (PAL), Public Housing and Facility Operations.

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Accident Investigation Function: The (Traffic) Accident Investigation Unit investigates serious injury and fatal accidents, Hit-and-Run Accidents with Injuries, Pursuits and Squad Accidents. The Accident Investigation Function also investigates Auto Insurance Fraud cases. They map accident scenes and provide assistance to Crime Lab, Homicide and other units with measuring and recording serious crime scenes.

Police Activities League: The Police Activities League (PAL) is an organization created to facilitate and develop positive relationships between Minneapolis youth and Minneapolis Police. PAL offers various sporting, educational, social and community events at which MPD employees may participate on a voluntary basis.

Public Housing: The Public Housing Unit contracts with the Minneapolis Public Housing Authority (MPHA) to provide enhanced police services for the City's public housing residents. Special emphasis is placed on crime interdiction and creating safe conditions for residents in public housing. 911 emergency response is primarily provided by the precincts.

Facility Operations: Management of the Special Operations Division's Facility is coordinated by the Commander of the Special Operations Unit.

1-503.04 CCP/SAFE CENTRAL (03/25/08)

Community Crime Prevention/SAFE Central is responsible for coordinating citywide crime prevention programs such as National Night Out, Rental Property Owner Workshops, McGruff House and Operation Identification. CCP/SAFE Central also supports various precinct-based crime prevention/problem solving programs by overseeing the nuisance conduct on premise enforcement process, maintaining crime prevention volunteer databases, creating crime alerts, designing and printing crime prevention materials, updating and maintaining crime prevention Web pages, fulfilling requests for Calls for Service reports and coordinating installation of Watch Force signs. The unit also is responsible for aggregated shoplifting enforcement, offering security expertise to businesses citywide and advising City officials on crime prevention issues.

1-504 ORGANIZATION AND FUNCTIONS OF THE INVESTIGATIONS BUREAU (03/25/08)

The Investigations Bureau is comprised of the Crime Lab, Criminal Investigations Division and Support Services Division.

1-504.01 CRIME LAB UNIT (03/25/08)

The Crime Lab Unit oversees crime scene processing and evidence collection and analysis. The unit is comprised of the following functions:

Computer Forensics: The Computer Forensics Section processes and analyzes data on computers, cellular phones, and removable digital media.

Field Operations: The Field Operations Section conducts crime scene processing and examination.

Firearms and Tool Marks: The Firearms and Tool Mark Section conducts firearm and tool mark examinations and comparisons, firearm proximity and function testing, obliterated serial number restoration and gunshot residue testing.

Forensic Garage: The Forensic Garage Section processes vehicles used in crimes and suspected stolen vehicles.

Forensic Video/Audio Analysis: The Forensic Video/Audio Analysis Section performs scientific examination, comparison and/or evaluation of video and audio evidence.

Midwest Automated Fingerprint Identification Network (MAFIN): The MAFIN Section examines and makes identifications on latent prints using access to various fingerprint databases. This section also maintains fingerprint files for all Minneapolis City entities.

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Robbery Camera: The Robbery Camera Section works with local businesses providing robbery/burglary suppression systems and portable alarms. (Note: New systems are no longer available. Businesses with current contracts will be serviced until the expiration of their contract.)

1-504.02 CRIMINAL INVESTIGATIONS DIVISION (03/25/08)

The Criminal Investigations Division's units investigate suspected criminal activity, arrest suspects, gather and evaluate evidence, take statements from victims, suspects and witnesses; prepare cases for prosecution, presents cases to the Hennepin County Attorney's Office and other authorities for prosecution, and provides expert testimony in criminal cases.

The Criminal Investigations Division is comprised of the following units:

Assault Unit: The Assault Unit investigates cases involving Third Degree Assault (significant bodily harm) or greater.

Family Violence Unit: The Family Violence Unit consists of three sections; Domestic Assault, Child Abuse and Vulnerable Adults.

- The Domestic Assault section investigates cases involving adult suspects and adult victims for the crimes of domestic assault.
- The Child Abuse Section investigates cases involving adult or juvenile suspects for crimes of child abuse, physical or sexual abuse, child endangerment, neglect, deprivation of parental rights and parental kidnapping.
- The Vulnerable Adult Section investigates cases involving adult or juvenile suspects for crimes committed against vulnerable adults as described by statute. These crimes include forgery/fraud, financial exploitation, assault, neglect and endangerment.

Forgery/Fraud Unit: The Forgery/Fraud Unit investigates financial crimes consisting of forgery, financial transaction card fraud (unauthorized use of credit, check, debit and EBT/Electronic Benefits Transfer cards or account numbers), theft by swindle (scams, con games and misrepresentation), identity theft, and embezzlement.

Homicide Unit: The Homicide Unit investigates cases involving adult and juvenile suspects for the crime of murder. The unit also investigates non-parental kidnappings, and works with Traffic Accident Investigations on fatal hit-and-run vehicle accidents. They review deaths reported to the police including: suicides and attempted suicides, non-vehicular accidents and drug overdoses. The Homicide Unit investigates MPD employee involved critical incidents.

Juvenile Unit: The Juvenile Unit investigates Robbery, Assault (including domestic assault), and missing person cases in which the offender is under 18 years of age. It provides processing services and short-term detention for arrested juveniles. The unit maintains all runaway and missing juvenile files and serves as the central repository for juvenile criminal history records.

Coordinated through the Juvenile Unit are:






- Juvenile Diversion – offers diversion/options for first time juvenile offenders;
- Juvenile Criminal Apprehension Team (JCAT) – focuses on apprehending wanted juveniles;
- Child Development Policing Program (CDPP) – makes available clinical services to youth who have witnessed acts of violence.

Narcotics Unit: The Narcotics Unit investigates cases involving adult suspects for the illegal selling, buying and possession of dangerous drugs or narcotics for mid and upper level drug distribution enforcement. The unit assigns officers to work with the local Drug Enforcement Administration's (DEA) Task Force investigating federal narcotics cases in the metropolitan area. The unit also liaisons with other State and Federal agencies for narcotics investigations.

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Sex Crimes Unit: The Sex Crimes Unit investigates cases involving adult and most juvenile suspects for the crimes of sexual assault, non-familial child molestation, indecent exposure, luring and stalking cases other than domestic related. The unit also handles Predatory Offender registrations and coordinates Level III Sex Offender community notification meetings.

Organized Crime Unit: The Organized Crime Unit (OCU) investigates cases involving organized crime, human trafficking and other criminal enterprises. The OCU is comprised of the following functions:

Auto Theft Prevention (ATP): The ATP Function coordinates 'bait vehicles' for use in deterring vehicle thefts.

Joint Terrorism Task Force: The MPD assigns officers to serve on the (Federal) Joint Terrorism Task Force (JTTF). The Task Force coordinates information that may involve potential terroristic activity and threats to national security.

Violent Criminal Apprehension Team (VCAT) Function: The primary role of VCAT is to support the Criminal Investigations Division with locating and apprehending violent criminal suspects. VCAT also assists other law enforcement agencies with violent criminal apprehensions.

Violent Offender Task Force (VOTF) Function: The VOTF Function supports investigations by coordinating suspect information with a focus on arresting recidivist or violent criminal suspects.

Weapons Function: The Weapons Function supports investigations in criminal cases involving firearms. They provide analyses and compile statistics on firearms incidents.

1-504.03 SUPPORT SERVICES DIVISION (03/25/08)

The Support Services Division provides criminal history, property and evidence intake and transcription (data) services for the Department. The Division is comprised of the following: Criminal History Unit, Property and Evidence Unit and Transcription Unit.

Criminal History/Records Unit: The Criminal History/Records Unit maintains a central filing system of all Offense, Arrest, and Traffic Accident Reports. The unit receives and responds to subpoenas, court ordered expungements and other legal documents and also maintains files on arrested persons and operates the CJIS/NCIC Computer System.

Property and Evidence Unit: The Property and Evidence Unit handles the inventory, documentation, storage and release/disposal of all recovered property and items held as evidence.

Transcription Unit: The Transcription Unit enters Offense, Arrest and Supplement Reports into the CAPRS system. The Unit also issues numbers to and distributes copies of Arrest Bulletins (pick ups). Transcription is in charge of Department mail distribution.

1-505 ORGANIZATION AND FUNCTIONS OF THE PROFESSIONAL STANDARDS BUREAU (03/25/08)

The Professional Standards Bureau supports the Chief's Administrative Detail, Patrol Bureau, and Investigations Bureau through management of personnel, training, vehicles/equipment, information and technology.

1-505.01 ADMINISTRATIVE SERVICES DIVISION (03/25/08)

The Administrative Services Division supports the Department through providing internal administrative processes including the following functions: Business Technology, Court Liaison, Employee Assistance Program, Fleet Management, Health and Wellness, Indian Crime Awareness Research and Evaluation (I-CARE), In-Service training and Pre-Service training, Police Stores and Research and Policy Development. The Division also maintains administrative records for employees assigned to the Minneapolis Police Officers Federation. (09/19/08)

BUSINESS TECHNOLOGY UNIT (BTU) : The Business Technology Unit acts as a liaison between the MPD and Business Information Systems (BIS) and provides the following services:

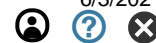
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- Coordination of system maintenance, contracted users and instruction of the Automated Pawn System (APS) which electronically tracks pawned items.
- TRACKER: The TRACKER System (Terminal Resources Available for Criminal Key Element Recognition) enables the Department to monitor various criminal justice computer systems and check for background information.

COURT LIASON: The Court Liaison liaisons with the County Attorney's office to ensure timely information and subpoenas are tracked and forwarded to Department employees. They coordinate the scheduling of officers for court and the issuance of court related overtime.

EMPLOYEE ASSISTANCE PROGRAM (EAP): The Employee Assistance Program provides assistance to employees, their families and significant others.

FLEET MANAGEMENT: The Police Equipment Specialist (Fleet Manager) oversees the management and assignment of all vehicles (marked and unmarked) in the MPD fleet. The Specialist serves as the liaison to the Public Works Department on fleet issues.

HEALTH & WELLNESS: The Health and Wellness Function serves as liaison to employees, city doctors, outside medical facilities and other agencies for work-related employee health information. This function also coordinates activities for employees (such as health screenings, etc.).

INDIAN CRIME AWARENESS RESEARCH AND EVALUATION (I-CARE):

I-CARE is a grant funded program, focusing on Minnesota and Wisconsin Indian tribal communal intelligence needs. (09/19/08)

POLICE STORES: The Police Stores facilitate the procurement, inventory and disbursement of all (non-vehicular) equipment and supplies for the Department (including police radios and cell phones).

RESEARCH AND POLICY DEVELOPMENT (R&D): The Research and Policy Development function develops and implements new policies and provides on-going maintenance and updates for current policies. R&D performs research and analysis of various functions within the MPD at the direction of the Administration. R&D also writes and monitors MPD grants and contracts as well as oversees the part-time/off-duty approval process.

PRE-SERVICE TRAINING

BACKGROUNDS: The Background function provides background investigation services for all potential sworn and civilian employees for the Police, Fire and MECC Departments.

RECRUITMENT: The recruitment function identifies and recruits candidates to become Minneapolis police officers. They also provide recruitment efforts for civilian employees as directed.

COMMUNITY SERVICE OFFICERS (CSO): CSOs are civilian employees who are in the process of becoming recruit officers. During the CSO tenure, they work in various non-enforcement positions while completing their academic and other law enforcement requirements.

ACADEMY: The MPD Academy provides training for new recruit officers.






FIELD TRAINING: The Field Training function partners a recruit officer with an officer who trains and evaluates them in the field after they have completed the recruit academy.

IN-SERVICE TRAINING

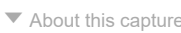
IN-SERVICE TRAINING: In-Service Training provides ongoing various training courses to sworn personnel. Training includes the annual mandatory in-service. The In-Service Training Supervisor is also responsible for the following programs and training: Use of Force Program, CEDs (Conducted Energy Devices), CIT (Crisis Intervention Team) and other programs as assigned.

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The Internal Affairs Unit records and investigates complaints from citizens, Department employees or outside agencies concerning the conduct and actions of Minneapolis Police Department employees. The unit liaisons with the Civilian Review Authority.

The Internal Affairs Unit provides investigative support to all critical incidents and may also be assigned investigations into employee misconduct or other areas by the Administration. The Internal Affairs Unit is also responsible for maintaining the confidentiality of internal affairs investigations and records.

1-505.03 MEDIATION COMPLIANCE UNIT (03/25/08)

The Mediation Compliance Unit coordinates the Federal Mediation Agreement between the MPD and the community. The unit staffs meetings and provides updates to elected officials.

1-506 MINNEAPOLIS EMERGENCY COMMUNICATIONS CENTER (03/25/08) (09/19/08)

Minneapolis Emergency Communications (MECC) is responsible for receiving all 9-1-1 calls for police, fire and emergency medical assistance. MECC coordinates the deployment of police officers and vehicles, and provides communication assistance to officers in the field. MECC reports to the MECC User Board, consisting of the City Coordinator, Chief of Police, Chief of Fire and a Hennepin County representative.

1-506.01 MINNEAPOLIS 311 OPERATIONS (03/25/08)

The Minneapolis 311 Operations Center fields informational calls for all City departments. They forward case work and citizen requests to various areas of the Department, including the Precincts, Internal Affairs, Police Administration, and ISAC (Intelligence Sharing and Analysis Center). Minneapolis 311 Operations report to the Director of Emergency Communications (MECC).

1-507 MPD COMMUNITY CHAPLAIN PROGRAM (03/25/08) (07/21/16)

The community clergy of the MPD Community Chaplain Program contract with the MPD to provide spiritual care and support services to MPD employees and to the citizens of Minneapolis.

1-508 COMMITTEES AND BOARDS (03/25/08)

The Chief of Police may organize and staff committees and boards to perform special tasks for the Department. The composition of the committee or board depends upon the issues or circumstances to be reviewed.

1-509 CIVILIAN POLICE REVIEW AUTHORITY (03/25/08)

The Minneapolis Civilian Review Authority (CRA) is an independent function established by the City of Minneapolis to receive, review and inquire into external complaints concerning the conduct of Minneapolis Police Officers.

Last updated Oct 5, 2018

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2-100 Internal Affairs Process

2-101 INTERNAL AFFAIRS CALL-OUT NOTIFICATION (12/21/04) (04/05/16) (A-B)

A. Notifying the Internal Affairs Unit (06/14/16)

Internal Affairs Unit (IAU) personnel shall be notified of allegations of serious employee misconduct 24 hours per day. (07/11/07) (01/15/08)

1. If an employee is involved in a situation requiring notification, the involved employee shall make direct contact with their supervisor or an on-duty supervisor in their assigned precinct or division if their immediate supervisor is unavailable. Notification shall consist of personal telephone communication (no voicemail messages) or in-person contact.
2. The advised/ notified supervisor is responsible for making the notification to IAU. Notification to IAU shall consist of personal telephone communication (no voicemail messages) or in-person contact.
3. The supervisor shall also notify the Watch Commander if outside of normal business hours, and if the event occurred in Minneapolis.

B. Situations Requiring Immediate Notification

1. The following situations require that the Internal Affairs Unit be immediately notified: (07/11/07)
 - An employee is involved in a critical incident as defined by MPD Policy (see Section 7-800). (08/17/05)
 - An employee is arrested, whether the event occurs in Minneapolis or another jurisdiction. (07/11/07)
 - An employee is alleged to have committed serious misconduct or believed to be a suspect in a criminal offense. (07/11/07) (04/30/15)
 - An employee is alleged to have used force resulting in great or substantial bodily harm. (07/11/07) (12/30/10)
 - An employee's actions results in a person being hospitalized. (08/17/05) (07/11/07) (07/13/07) (12/30/10)
 - A suspect in police custody is admitted to the hospital. (07/11/07)
 - An employee is alleged to have committed misconduct in a high profile incident. (07/11/07)
 - An employee is involved in any other event or circumstance that immediately affects his/her fitness for duty.
2. Firearms Discharges (04/05/16)
 - a. Firearms discharges in the following situations shall *not* require notification **unless** they result in injury to a person:
 - During training, testing or legal recreation purposes.
 - When discharging a firearm with the intention of dispatching an animal.
 - Breaching rounds, specialty impact and chemical munitions discharges by SWAT during the course of duty. (06/14/16)
 - b. All other firearms discharges by MPD employees, whether on or off duty, shall require notification to IAU.

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IAU Commander, or his/her designee, through MECC. The on-duty supervisor shall notify the Watch Commander of the incident. (01/15/08) (04/05/16)

2. The IAU Commander shall assess the situation and determine whether an IAU call-out is warranted. If a call-out is initiated, the IAU Commander will determine whether the response will be immediate or delayed.
3. If an immediate response is necessary, the on-duty supervisor shall coordinate with IAU to protect any evidence until an IAU investigator arrives. If a delayed response is warranted, the on-duty supervisor shall fully document the details of the incident including his/her actions to manage the incident. (01/15/08) (04/05/16)
4. All documentation shall be forwarded to IAU via e-mail, as an attachment. The subject of the email should be labeled "Investigative Data". The following language should be noted in the body of the email: (01/15/08)

“Non-public and /or Privileged and/or Confidential and/or Private Information:

This electronic message may contain investigative data which is non-public pursuant to Minnesota Statutes section 13.82 subdivision 7, or personnel data which is non-public pursuant to Minnesota Statutes section 13.43 subdivision 4.

If you are not the intended recipient of this e-mail: (1) do not read the content of the message; (2) immediately notify the sender that you incorrectly received the message; and (3) do not disseminate, distribute, or copy this e-mail.”

5. Once IAU personnel arrive at the scene of any call-out response, IAU shall be in charge of the event as it relates to the Internal Affairs investigation. All MPD employees shall fully cooperate with IAU staff.

2-102 MPD COMPLAINT PROCESS MANUAL (01/15/08)

The MPD Complaint Process Manual outlines procedures for taking/receiving complaints made against an employee or the Department, and how complaints are processed. The Complaint Process Manual is available to all MPD employees on the MPD Intranet. It is located under "Administrative Resources/ Manuals/Complaint Process Manual."

2-103 COMPLAINTS - EXTERNAL REPORTING (01/07/02) (01/15/08)

(A)

Persons not employed by the MPD may make a complaint alleging employee misconduct by letter, phone, or in person to any employee in any area of the MPD. Complaints shall be processed according to procedures outlined in the MPD Complaint Process Manual.

MPD employees shall never attempt to dissuade a citizen from lodging a complaint. If asked, all employees shall provide citizens with a Police Conduct Incident Report (PCIR) form without question.

PCIR forms are available at the precincts, at Internal Affairs Room 112 City Hall and at the Office of Police Conduct Review (OPCR), Room 239 city Hall. (01/15/08) (11/08/13)

The PCIR form is also available online at:






<http://www.minneapolismn.gov/police/opcr-complaint>

If it is not feasible to provide the form to the citizen, the MPD employee shall provide the internet website address where the PCIR form may be located online. At no time shall any employee, including supervisors, handle a

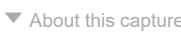
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written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint. (09/19/08)

2-104 COMPLAINTS - INTERNAL REPORTING (01/07/02) (01/15/08)

(A-D)

It is the duty of all MPD employees to report any perceived violation of MPD regulations, rules, procedures, orders, Civil Service rules, City policies, City ordinances or state or federal laws committed by another MPD employee. An MPD employee who initiates a complaint of alleged misconduct regarding another MPD employee should refer to the Complaint Process Manual for appropriate procedures. If the accused employee is the IAU supervisor, an IAU investigator, or MPD administrative command staff, the Chief of Police or his/her designee shall determine how the complaint is investigated.

All complaints, including complaint investigation and documentation, are to be kept confidential. Only the involved parties and persons with a need to know, i.e., IAU complaint review panel, should be informed of the situation.

The Chief of Police may require that a complaint be investigated by the Internal Affairs Unit or other command staff that he/she deems appropriate. Complaints shall be processed according to procedures outlined in the MPD Complaint Process Manual. (01/15/08)

An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint. (09/19/08)

2-105 COMPLAINTS - EMPLOYEES AS CRIMINAL SUSPECTS (01/07/02)

If any MPD employee is a suspect in a criminal case or the development of a case leads to an MPD employee being a suspect within the jurisdiction of the MPD, the Internal Affairs Unit will investigate the criminal case unless another entity is designated by the Commander of the Internal Affairs Unit or Chief of Police. The MPD's Internal Affairs Unit will also investigate all potential policy and procedure violations relative to the criminal case. (01/15/08) (09/19/08)

If the criminal case is outside the jurisdiction of the MPD, the Internal Affairs Unit will monitor the criminal case and handle the administrative case, unless the Chief of Police designates otherwise. Officer-involved shootings will be handled in accordance with the critical incident protocol developed between the MPD and the POFM. (01/15/08) (09/19/08)

2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION (01/07/02)

(D) (01/15/08)




MPD employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court). (01/15/08)

All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals. (09/19/08)



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involving alleged policy and procedure violations may proceed independent of the criminal case.

2-107 INTERNAL AFFAIRS UNIT RECORDS (01/07/02) (01/15/08)

(B)

All complaint records, case files, and hearing records shall be maintained according to the Complaint Process Manual. IAU cases may be accessed by IAU personnel or others on a need-to-know basis by permission of the Chief or his/her designee. Confidentiality of IAU records and files is governed by the Minnesota Government Data Practices Act (MGDPA), as amended from time to time.

2-108 MINNESOTA GOVERNMENT DATA PRACTICES ACT (01/07/02)

(B) (01/15/08)

The Minnesota Government Data Practices Act (MGDPA) governs the information concerning investigations of alleged misconduct by MPD employees. The specifics of an investigation and the basis or nature of discipline are confidential, non-public data and shall not be disclosed while the investigation is active and during any appeals process.

A Final disposition occurs when all the appeal processes afforded an employee have been concluded. This includes a Grievance Procedure, Binding Arbitration, and a Civil Service Commission Hearing Process.

MPD employees shall refer all inquiries concerning internal investigations to MPD Administration or the Internal Affairs Unit. MPD Administration and/or IAU personnel will provide only the information authorized by the MGDPA on cases involving MPD employees.

2-109 OFFICE OF POLICE CONDUCT REVIEW (OPCR) (12/14/07) (01/15/08) (05/03/13) (09/13/18)

I. PURPOSE

To establish policy regarding responding to requests from Office of Police Conduct Review (OPCR). (05/03/13)

II. POLICY

OPCR Investigative Authority: Minneapolis Code of Ordinances, Title 9, Chapter 172, Sections 172.10 and 172.20 provides the OPCR authority to investigate complaints of misconduct on the part of officers of the Minneapolis Police Department and make recommendations regarding the merits of such complaints to the chief of police. (05/03/13) (09/13/18)

III. PROCEDURES / RULES / REGULATIONS

- A. In accordance with the Minneapolis Code of Ordinances, Title 9, Chapter 172 Section 172.90, Office of police conduct review staff shall have full, free and unrestricted access, to the extent authorized by law, to the records of the Minneapolis Police Department in order to conduct investigations of police misconduct; facilitate research and study projects for the police conduct oversight commission; and conduct special reviews and programmatic reviews at the request of the mayor, city council, internal auditor, city departments, or boards and commissions. (05/03/13) (09/13/18)
- B. The failure by any official or employee of the Minneapolis Police Department to comply with such lawful requests for information, participation, or access shall be deemed an act of misconduct. (09/13/18)
- C. Sworn employees receiving notice from the OPCR to arrange for an interview or mandatory mediation shall comply with such requests in a timely and professional manner. (See related 3-709 Overtime Policy for OPCR.) (05/03/13)

2-110 HARASSMENT (01/07/02) (01/15/08) (09/19/08)

(A-D)

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Protected class status - an individual's race, color, creed, religion, ethnic/national origin, gender, age, disability (including pregnancy), or characteristics identified as sexual orientation, affectional preference, marital status, familial status, status with regard to public assistance and veterans status.

Sexual harassment - any sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when:

- Submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- Submission to or rejection of such conduct by an individual is used as basis for employment decisions affecting such individual; or
- Such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Note: Courts have recognized acts of harassment directed at an individual because of gender, to be sexual harassment even though no behavior of a sexual nature occurred.

The City of Minneapolis and the MPD are committed to providing employees a work environment free of sexual and other forms of harassment. Harassment in the workplace is unacceptable and will not be condoned or tolerated. Every employee has a responsibility to comply with the City of Minneapolis [Respect in the Workplace Policy](#).

All harassment is a violation of Federal and State laws as well as the Minneapolis Civil Rights ordinance, and may expose not only the City, but also individuals, to significant liability under the law.

Supervisors are held to a higher standard of conduct and shall be subject to a higher level of discipline for engaging in any form of harassment or for failing to enforce the City's Respect in the Workplace Policy.

2-111 HARASSMENT REPORTING (09/19/08)

(A-D)

It is the policy of the City of Minneapolis to encourage employees who feel they have been subjected to harassment, or who have knowledge of, or believe that harassment has occurred, or is occurring within City government, to report these concerns to the Human Resources Department. The Human Resources Department is the first contact for all harassment complaints.

Supervisors who become aware of harassment or receive a complaint of harassment shall take immediate action. In all cases supervisors shall document the information on the harassment incident and forward it to Human Resources, with a copy to the Internal Affairs Unit (IAU). All documentation shall include, but not be limited to: the complaint activity, time, place, persons involved, witnesses, and supervisor's response. All City mandated procedures and MPD policies shall be followed.

A supervisor may attempt to resolve a minor complaint, but before final resolution the complaint and recommended solution shall be sent to Human Resources for review, and the Internal Affairs Unit will be copied. The matter will be officially resolved if all parties are satisfied with the proposed resolution and Human Resources concurs with the resolution.

The Human Resources Department is the main investigative authority for all City employee Respect in the Workplace and Harassment complaints, and is obligated to promptly and thoroughly investigate all such claims of harassment. The MPD Internal Affairs Unit may investigate the complaint as requested by, in concurrence with, or separately from the City's Human Resource Department. The Commander of IAU or his/her designee shall serve as the MPD's liaison to Human Resources for harassment complaints which are based on an alleged violation of the City's Respect in the Workplace Policy. Other employees may assist Human Resources as requested by Human Resources or as determined by the Chief of Police.

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investigation will be informed of the outcome by either Human Resources or the Minneapolis Police Department.

All correspondence on harassment complaints is to be kept confidential with only the involved parties and those determined to have a need to know being notified.

Commanders, supervisors and all employees shall immediately refer any threats, complaints of a criminal nature, or attempts at retaliation for reporting harassment to Human Resources and the Internal Affairs Unit. If the Human Resources supervisor or an Internal Affairs investigator is not available, the Watch Commander shall be notified. Watch Commanders shall take immediate action (i.e. separate parties) if the situation warrants. The Watch Commander will document the incident and their response, and forward it to Human Resources and the Internal Affairs Unit before the end of their shift.

Last updated Sep 13, 2018

The Wayback Machine - <http://web.archive.org/web/20200928090845/http://www2.minneapolismn.gov/police/po...>
[Minneapolismn.gov](http://www2.minneapolismn.gov/police/po...)

5-100 Code of Conduct

5-101 CODE OF CONDUCT DEFINED

The code of conduct of the Minneapolis Police Department is promulgated by the Chief of Police by authority of the City Charter, Chapter 6, Section 1, as amended. This code is established to promote efficiency, discipline, and good public relations in setting forth policy governing the conduct of all Department employees.

The conduct of police officers is governed by the MPD Policy and Procedure Manual and applicable State and Federal law. All employees of the Minneapolis Police Department are required to maintain a working knowledge of and to obey the code of conduct, civil service rules, Departmental rules, policies, procedures and orders, ordinances of the City of Minneapolis, the laws of the State of Minnesota and the United States. The failure of an MPD employee to comply with the standards of conduct set forth in the Manual and in law will subject the employee to discipline and/or legal action. All disciplinary actions taken will be in accordance with Civil Service rules and provisions. (10/20/88) (12/01/08)

5-101.01 TRUTHFULNESS (01/26/05) (11/15/13)

The integrity of police service is based on truthfulness. Officers shall not willfully or knowingly make an untruthful statement, verbally or written, or knowingly omit pertinent information pertaining to his/her official duty as a Minneapolis Police Officer.

MPD employees shall not willfully or knowingly make an untruthful statement or knowingly omit pertinent information in the presence of any supervisor, intended for the information of any supervisor, or before any court or hearing. Officers shall not make any false statements to justify a criminal or traffic charge or seek to unlawfully influence the outcome of any investigation. (12/14/07)

These requirements apply to any report, whether verbal or written, concerning official MPD business including, but not limited to, written reports, transmissions to MECC and officers via radio, telephone, pager, e-mail or MDC.

MPD employees are obligated under this policy to respond fully and truthfully to questions about any action taken that relates to the employee's employment or position regardless of whether such information is requested during a formal investigation or during the daily course of business. (12/14/07)

5-101.02 VIOLATIONS OF THE CODE OF CONDUCT (03/13/07) (11/15/13)

Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from a written reprimand to termination. Discipline shall be imposed following a sustained violation. Refer to Civil Service Rule 11.03 regarding discipline. (11/16/94) (03/08/95) (03/13/07) (11/15/13)

The Chief of Police may relieve a departmental employee with pay pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Administrative leave is not discipline. (03/08/95) (03/13/07)

Probationary employees may be dismissed from service for failing to meet minimum performance standards or probationary training standards for violations of the code of conduct or for any other legal reason. There is no right of appeal for probationary employees unless the probationary employee is a veteran as provided by Civil Service Rules 11.06 and 11.07. (03/13/07)

Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, for a period of 90 days or more due to a criminal conviction, court ordered restriction, driver's license restriction, POST license restriction or other adverse legal action due to criminal behavior are subject to termination from employment. (03/13/07)

5-102 CODE OF ETHICS (08/01/91)

(A-D)

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All sworn and civilian members of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the department. Employees shall abide by the City's Ethics in Government Policy, Chapter 15. (05/23/07)

5-102.01 MINNESOTA LAW ENFORCEMENT CODE OF ETHICS (08/01/91)

(A-D)

MINNESOTA LAW ENFORCEMENT CODE OF ETHICS:

"As a Minnesota Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both by personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

5-103 USE OF DISCRETION

(A-D)

The police profession is one that requires officers to use considerable judgment and discretion in the performance of their daily duties. Officers have a large body of knowledge from Department policies and procedures, training, their own professional police experience and the experiences of their fellow officers to guide them in exercising proper judgment and discretion in situations not specifically addressed by Department rules and regulations. In addition, officers must always adhere to the following principles in the course of their employment with the Minneapolis Police Department:

- **POLICE ACTION - LEGALLY JUSTIFIED:** Officers must act within the limits of their authority as defined by law and judicial interpretation, thereby ensuring that the constitutional rights of individuals and the public are protected. All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause. (11/17/15)
- **EQUALITY OF ENFORCEMENT:** Officers shall provide fair and impartial law enforcement to all citizens.
- **LOYALTY:** Officers shall be faithful to their oath of office, strive to uphold the principles of professional police service, and advance the mission of the Department.

5-104 IMPARTIAL POLICING (06/27/01) (11/17/15)

(A-D)

- A.** The MPD is committed to unbiased policing and to reinforcing procedures that ensure that police service and law enforcement is provided in a fair and equitable manner to all.
- B.** No person shall be singled out or treated differently as a consequence of his/her race, ethnicity, national origin, gender, sexual orientation or religion.

- C.** Except as provided below, officers shall not consider race, ethnicity, national origin, gender, sexual orientation or religion in establishing either reasonable suspicion or probable cause:

Officers may take into account the reported race, ethnicity, gender or national origin of a specific suspect or suspects on credible, reliable, recent, locally-based information that links specific suspected unlawful or suspicious activity to a particular individual or group of individuals of a particular race, ethnicity, gender or nationality. This information may be used in the same way officers use specific information regarding age, height, weight, etc. about specific suspects. (12/24/01)

5-104.01 PROFESSIONAL POLICING (12/24/01) (12/01/08)

Officers shall use the following practices when contacting any citizen, regardless of the reason for the contact: (07/24/15)

- Be courteous, respectful, polite and professional.
- Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons.
- Ensure that the length of any detention is no longer than necessary to take appropriate action for the known or suspected offense. (07/24/15)
- Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other city or county agencies when appropriate.
- Provide name and badge number when requested, preferably in writing or on a business card.
- Explain and/or apologize if you determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop).
- If asked, provide the procedures for filing a complaint about police services or conduct.

5-105 PROFESSIONAL CODE OF CONDUCT (10/20/88) (05/05/89) (10/18/92) (02/28/93) (04/01/93) (10/28/94) (01/10/97) (03/21/97) (03/12/99) (01/05/00) (04/01/05) (05/03/05) (05/23/07) (04/23/10) (01/05/16) (07/28/16) (06/16/20)

(A-D)

A. Duty to Report

1. Report violations
Employees shall immediately report any violation of rules, regulations, or laws that come to their attention to the Internal Affairs unit, regardless of the violator's assignment or rank within the Department.
2. Misconduct at the scene of an incident
 - a. Non-force related misconduct at the scene
All employees, regardless of rank or tenure, must immediately, or as soon as reasonably possible (but prior to leaving the scene), report any misconduct at the scene of an incident to their supervisor or the supervisor at the scene, as well as to the Internal Affairs unit.
 - b. Force-related misconduct at the scene
Regardless of tenure or rank, any employee who observes another employee use any prohibited use of force, or inappropriate or unreasonable force (including applying force when it is no longer required), has an affirmative duty to immediately report the incident while still on scene to an on-scene supervisor and by phone or radio to their Inspector or Commander or to their Inspector or Commander's superiors. The employee must also notify Internal Affairs.

B. General

1. Sworn employees shall give their name and badge number to any person upon request.

Civilian employees shall give their name and employee number to any person upon request.

2. Employees shall conduct themselves in the buildings and offices of the Department in a manner which would not discredit the Department.
3. Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.
4. Employees shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions.
5. Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department.
6. Employees shall not display material that may be considered discriminatory, derogatory, or biased in or on City property. Specifically, discriminatory, derogatory or biased materials regarding race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, age, marital status, public assistance, or familial housing are prohibited. Such materials include, but are not limited to, calendars, cartoons, and posters.
7. Employees who are required to drive a department vehicle as part of their official duties shall maintain a valid driver's license that is accepted by the State of Minnesota at all times as a condition of employment, and shall immediately report loss or limitation of driving privileges to their supervisor and to the Internal Affairs unit.
8. Any employee charged, arrested, or cited for Driving Under the Influence (DUI) or a non-traffic violation, or notified they are being investigated for a criminal offense, shall immediately notify their chain of command and Internal Affairs or an on-duty supervisor, who will notify the Internal Affairs unit. Notification shall consist of personal telephone communication (no voicemail messages) or written contact. Required information is the formal charge or allegation, date, time, and jurisdiction of alleged occurrence, and any special or relevant factors. Employees will also notify the Internal Affairs unit of the disposition at the time the charge or case is disposed.
9. When an employee is notified that an Order for Protection (OFP), Restraining Order (RA), or a Harassment Order (HA) has been filed against him or her, the employee shall immediately notify Internal Affairs and provide a copy of the OFP, RA, or HA, and the date scheduled for hearing the allegations made in support of the request for the order. The information is required for department compliance with Federal Law 18 U.S.C. Sec. 922 (g)(8).
10. Employees shall not publicly criticize or ridicule the Department, its policies or other employees as to the performance of their duties in a manner which is defamatory, obscene, unlawful, or in any other manner which impairs the effective operation of the Department or in a manner which displays a reckless or knowing disregard for the truth. This regulation shall not be construed so as to impair the exercise of free speech by employees on matters of public concern.
11. Employees shall avoid regular or continuous associations or dealings with persons whom they know, or should know, are under criminal investigation or indictment or who have a reputation in the community or Department for present involvement in criminal behavior, except as necessary in the performance of official duties, or when unavoidable because of family ties to the employee.
12. Employees shall not engage or participate in any form of illegal gambling at any time except in the performance of duty under specific orders of a superior officer.

C. Drugs and Alcohol

1. Employees shall not bring to or keep any alcohol or non-prescribed controlled substance on departmental premises except for evidentiary purposes.

2. Off-duty employees shall not carry any firearm or ammunition while under the influence of alcohol or any controlled substance.
3. Employees shall not consume alcoholic beverages while on duty or in uniform unless it's necessary in the performance of a non-uniformed officer's undercover work.
4. No employee shall be under the influence of alcohol or any controlled substance while on duty.
 - a. All over-the-counter and prescription drug use shall be in accordance with the Employee Health and Wellness policy (P&P Section 3-500).
 - b. All drug and alcohol testing shall be conducted in accordance with the conditions and procedures in P&P 3-1000.
5. A reading of .02 blood/alcohol concentration is considered under the influence of alcohol.

D. Language

These provisions apply to all forms of communication, including but not limited to electronic communication and social networking. These provisions are in addition to the conditions in the Computer Use and Electronic Communication policy (P&P 4-220) and the Social Networking policy (P&P 7-119).

1. (A-D) Employees shall not use derogatory, indecent, profane or unnecessarily harsh language in the performance of official duties or while representing the MPD.
2. (C-D) Employees shall not use any discriminatory, derogatory or biased terms regarding race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability, age, marital status, public assistance, or familial housing.

E. Cases and Investigations

1. Employees shall not interfere with any criminal investigation being conducted by this department or any other law enforcement agency.
2. Employees shall not knowingly communicate in any manner, either directly or indirectly, any information that may assist persons suspected or accused of criminal acts to escape arrest or punishment or which may enable them to dispose of evidence.
3. Employees shall not recommend a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before a grand jury except by written approval of their division commander. A copy of the approval will be kept in the case file.
4. Employees shall not interfere with the attendance of witnesses or their testimony through coercion, bribery or other means.
5. Employees shall not attempt to have any traffic citation reduced, voided, or stricken from the calendar for personal or monetary consideration. (See Dismissal of Traffic/Parking Charges and Citations)

F. Sworn Employees

1. All officers are required to take appropriate police action toward aiding a fellow officer exposed to danger or in a situation where danger may be impending.
2. On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.
3. Uniformed officers shall render a military salute to the National Anthem, United States Flag or ceremonies at appropriate times. Officers in civilian dress shall render proper civilian honors to the United States Flag and National Anthem at appropriate times.

Uniformed officers at parades need salute only the massed national colors at the head of the parade. When the flag is six paces from the officer, the flag shall be faced and a hand salute rendered until the flag is six paces beyond the officer. Other United States Flags may be saluted if the officer's immediate attention to duty is not necessary.

G. Gifts, Money and Property

1. Any money other than that received from unclaimed properties paid or sent to any employee as a result of on-duty police action shall be promptly forwarded to MPD Finance.
2. All property received as a result of on-duty police action shall be forwarded to the Property and Evidence unit. The Property and Evidence unit shall dispose of unclaimed property according to their policy and procedure manual. The property shall be disposed of by being sent to the City Store or to the Minneapolis Police Relief Association in accordance with state law.
3. Employees shall not act as an intermediary in the payment of a reward for the return of stolen property without written authorization by the Chief of Police or his/her designee.
4. Employees shall not purchase, or have purchased for them, any auto/property sold at a city auction. Employees are also prohibited from owning any such auto/property purchased at a city auction for one year after the date that the auto/property is sold at the city auction.
5. Employees shall pay all debts when due and shall not undertake any financial obligations which they know or should know they will be unable to meet. An isolated instance of financial irresponsibility will not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline provided that a good faith effort to settle all accounts is being undertaken.
6. Soliciting or accepting personal gifts:
 - a. Employees shall not solicit or accept any gift from an interested person, lobbyist or principal who has a direct financial interest in a decision that that the employee is authorized to make.
 - b. Exceptions. The prohibitions in this section do not apply if the gift is:
 - i. A campaign contribution as defined in MN Statute section 10A.01, Subd 11;
 - ii. A service to assist an official in the performance of official duties, including, but not limited to providing advice, consultation, information and communication in connection with legislation, or services to constituents;
 - iii. A service of insignificant monetary value;
 - iv. A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
 - v. A trinket or memento of insignificant value;
 - vi. Informational material of unexceptional value;
 - vii. Food or a beverage given at a reception, meal or meeting away from the recipient's place of work by an organization before who the recipient appears to make a speech or answer questions as part of the program;
 - viii. Given because of the recipient's membership in a group, and an equivalent gift is given to the other members of the group; or
 - ix. Given by an interested person, lobbyist, or principal who is a related person to the recipient, unless the gift is given on behalf of someone who is not a related person.
 - c. An employee who receives any gift prohibited by this section shall return, dispose of, or request that the city council accept the gift on behalf of the city.

**5-105.01 PROFESSIONAL CODE OF CONDUCT – DEPARTMENT-SANCTIONED SOCIAL EVENTS
(02/22/05)**

(A-D)

4/3/2021

In an effort to remain professional at all times, including department-sanctioned social events, the following guidelines shall be followed:

- Officers are not allowed to solicit door prizes while on-duty or in the name of the Minneapolis Police Department for an event.
- Attendance at off-duty events is optional.
- Awarding alcoholic beverages as door prizes is prohibited.
- Complimentary alcoholic beverages are prohibited.
- If the event is not held on police department property, advertising at a public establishment connecting the gathering to the MPD is prohibited.
- Officers drinking alcoholic beverages at any department-sanctioned event are prohibited from carrying any firearms.
- Supervisors, while in attendance at said events, are reminded that they are responsible for the actions of officers under their command at an event.
- Inappropriate behavior at an event should immediately be reported to a supervisor.

If security is needed for an event, arrangements should be made by the organizer.

5-106 ON-DUTY CODE OF CONDUCT (06/18/18)

(A-D)

- A.** Officers shall respond without delay to calls for police service unless otherwise directed by proper authority.
 1. Emergency calls for service shall take precedence. However, all dispatched calls shall be answered as soon as possible consistent with departmental procedures.
 2. If officers need to temporarily go out-of-service on a detail or otherwise be unavailable for calls, they shall notify their immediate supervisor and request permission for such details. (03/25/08)
- B.** Employees shall remain alert, observant, and occupied with police business during their tour of duty.
 1. When on duty, employees shall devote their entire attention to the business of the Department.
 2. It is a violation of this order for employees to conduct personal or private business while on duty or for officers to engage in policing for private interests while on duty.
- C.** Employees shall not make referrals to any attorney or other business from on-duty contacts.
- D.** Employees shall not allow anyone not employed by the Department to enter a police facility without permission of a supervisor.
 1. Employees shall not permit any person to enter a police facility to sell goods, offer them for sale, or to canvas or solicit for any purpose without authorization from the facility's acting commander.
- E.** Officers working uniformed patrol or in a marked squad who wish to go out of service for a meal break shall request OTL status from the MECC dispatcher. The request must include the requested OTL location. The dispatcher may grant or deny OTL status based on call load and staffing levels. (9/7/05)
 1. Employees shall not take excessive time for meals and officers working two-officer squads must take OTL at the same time. (9/7/05)
 2. No more than three marked or unmarked squads may be OTL at the same public location unless officers are also participating in a community event. (9/7/05)

5-107 PROCEDURAL CODE OF CONDUCT

(A-D)

1. No officer shall arrest any person or search any premises except with a warrant or where such arrest or search is authorized without warrant under the laws of the United States.
2. No officer shall falsely arrest, or direct any malicious prosecution against any person.
3. No employee shall willfully mistreat or give inhumane treatment to any person held in custody.

4/3/2021

4. Officers shall not render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell an existing disturbance. Officers may inform any citizen of the steps necessary to institute a civil suit or advise citizens on protecting their rights.
5. Employees shall not willfully misrepresent any matter, sign any false statement or report, or commit perjury before any court, grand jury or judicial hearing.
6. Employees shall not knowingly remove or destroy, or cause such action, to any report, document, or record without authorization.
7. Employees shall not give any lawyer, bondsman, agent of either, or any other person unauthorized or confidential information regarding prisoners in confinement, suspects in a case, property held, or records of the Department.
8. Employees shall not make known any information concerning the progress or future actions to be taken on an open investigation to any person not authorized to receive such information by the case investigator or the commanding officer of the investigating unit.

Last updated Jun 16, 2020

Exhibit 6

From: "Bachun, Caroline M." <Caroline.Bachun@minneapolismn.gov>

To: "Olson, Kristen L." <Kristen.Olson@minneapolismn.gov>

Subject: FW: [EXTERNAL] OpenCity data request DR21_016514 - COLLECT: Please provide responsive data assigned to you

Date: Fri, 26 Feb 2021 14:21:12 +0000

Importance: Normal

Embedded: Policy_Update:_SO20-029_1-
102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual;
Policy_Update:_SO20-028_2-112_Complaint,_Coaching_and_Disciplinary_System

Inline-Images: image001.png

Kristen,

Resending these two public documents per your request.

Carol

From: Bachun, Caroline M.

Sent: Wednesday, February 24, 2021 1:59 PM

To: Open City <Open.City@minneapolismn.gov>

Subject: RE: [EXTERNAL] OpenCity data request DR21_016514 - COLLECT: Please provide responsive data assigned to you

Kristen,

Please find attached two responsive emails that are **public**. I will be providing you with not public data in a separate email. Please note that I may get additional data from another attorney in my office, but it looks like the two attached documents will likely be the only public data.

Thanks,

Carol

From: Open City <OpenCity@minneapolismn.gov>

Sent: Tuesday, February 23, 2021 5:52 PM

To: Bachun, Caroline M. <Caroline.Bachun@minneapolismn.gov>

Subject: [EXTERNAL] OpenCity data request DR21_016514 - COLLECT: Please provide responsive data assigned to you

Hi, Caroline Bachun

Good Evening Carol,

We received a request for communication about amending the MPD P&P in regards to coaching. It was suggested we check with Trina Chernos, Sarah McLaren, and Rebecca Krystosek in the CAO. As the liaison for that department can you work with the identified attorneys to determine if they have data responsive to the request and send to me?

Let me know if you have any questions.

Thank you,

[Kristen L. Olson](#) | Data Practices Compliance Official | City of Minneapolis – City Clerk’s Office | Office: 612-673-3245 | kristen.olson@minneapolismn.gov

Please review the data request received below. If your department has responsive data please reply to this email and provide it as an attachment.

Complete by: 2021-03-09

Thank you,

Kristen Olson

Reference number: DR21_016514

Data Requested:

What data are you requesting?

Any data consisting of emails, written notes, instant messaging or other electronic or social media communications or other documents between and/or among law enforcement officials, city employees and/or elected officials relative to the amendment to the MPD Policy and Procedure Manual in December 2020 adding language to Section 2-1112 and adding language stating “coaching is not discipline but may be referred to in performance reviews.”

When was data created?

Start Date: 2020-08-01

End Date: 2021-01-15

Submitted:

2021-02-17 16:32:00

Requestor Information: Paul Ostrow

Requestor Email: paulostrow@hotmail.com

[Unsubscribe](#)



[Unsubscribe](#) | [Notification Preferences](#)

Ref:MSG3382040

[EXTERNAL] This email originated from outside of the City of Minneapolis. Please exercise caution when opening links or attachments.

From: "Arradondo, Medaria" <Medaria.Arradondo@minneapolismn.gov>

To: "McLaren, Sarah C. - Attorney" <Sarah.McLaren@minneapolismn.gov>, "Krystosek, Rebecca" <rebecca.krystosek@minneapolismn.gov>, "All MPD (Public Info Only)" <AllMPD@minneapolismn.gov>, "Chernos, Trina R." <Trina.Chernos@minneapolismn.gov>, "Darling, Valerie" <valerie.darling@minneapolismn.gov>, "Fernandez, Curt L." <Curt.Fernandez@minneapolismn.gov>, "Frey, Jacob" <Jacob.Frey@minneapolismn.gov>, "Fussy, Tracey N." <Tracey.Fussy@minneapolismn.gov>, "Heng, Mary Ellen" <MaryEllen.Heng@minneapolismn.gov>, "Itie Memene, Ebi" <Ebi.ItieMemene@minneapolismn.gov>, "Jaafar, Imani S." <Imani.Jaafar@minneapolismn.gov>, Jim Michels <jmichels@ricemichels.com>, "Kim Michels" <kim.michelslaw@outlook.com>, "Kroll, Bob (Federation)" <bkroll@mpdfederation.com>, "Mykleby, Sandra K" <Sandra.Mykleby@minneapolismn.gov>, "Osborne, Burt T." <Burt.Osborne@minneapolismn.gov>, "Patrick, Ryan P" <Ryan.Patrick@minneapolismn.gov>, "Ritchie, Heidi" <heidi.ritchie@minneapolismn.gov>

Subject: Policy Update: SO20-029 1-102.01 Disciplinary System Used in the Policy and Procedure Manual

Date: Mon, 28 Dec 2020 20:43:55 +0000

Importance: Normal

Attachments: SO20-029_1-102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual.docx

Inline-Images: image001.png

This section (P&P 1-102.01) was removed and replaced by a revision to 2-100 to consolidate and clarify the procedures.

The related special order that consolidated the language is SO20-028 2-112 Complaint, Coaching, and Disciplinary System.

The revision is effective **December 31, 2020**.

My best

Rondo

Medaria Arradondo

Chief

Minneapolis Police Department

[350 South 5th Street-130 I Minneapolis, MN 55415](#)

Ph: [612.673.3550](tel:612.673.3550) I Fax: [612.673.2613](tel:612.673.2613)



From: "Arradondo, Medaria" <Medaria.Arradondo@minneapolisnmn.gov>

To: "McLaren, Sarah C. - Attorney" <Sarah.McLaren@minneapolisnmn.gov>, "Krystosek, Rebecca" <rebecca.krystosek@minneapolisnmn.gov>, "All MPD (Public Info Only)" <AllMPD@minneapolisnmn.gov>, "Chernos, Trina R." <Trina.Chernos@minneapolisnmn.gov>, "Darling, Valerie" <valerie.darling@minneapolisnmn.gov>, "Fernandez, Curt L." <Curt.Fernandez@minneapolisnmn.gov>, "Frey, Jacob" <Jacob.Frey@minneapolisnmn.gov>, "Fussy, Tracey N." <Tracey.Fussy@minneapolisnmn.gov>, "Heng, Mary Ellen" <MaryEllen.Heng@minneapolisnmn.gov>, "Itie Memene, Ebi" <Ebi.ItieMemene@minneapolisnmn.gov>, "Jaafar, Imani S." <Imani.Jaafar@minneapolisnmn.gov>, Jim Michels <jmichels@ricemichels.com>, "Kim Michels" <kim.michelslaw@outlook.com>, "Kroll, Bob (Federation)" <bkroll@mpdfederation.com>, "Mykleby, Sandra K" <Sandra.Mykleby@minneapolisnmn.gov>, "Osborne, Burt T." <Burt.Osborne@minneapolisnmn.gov>, "Patrick, Ryan P" <Ryan.Patrick@minneapolisnmn.gov>, "Ritchie, Heidi" <heidi.ritchie@minneapolisnmn.gov>

Subject: Policy Update: SO20-028 2-112 Complaint, Coaching and Disciplinary System

Date: Mon, 28 Dec 2020 20:42:49 +0000

Importance: Normal

Attachments: SO20-028_2-112_Complaint,_Coaching_and_Disciplinary_System.docx

Inline-Images: image001.png

This section (P&P 2-112) was added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Related special orders removed the sections that were consolidated:

SO20-029 1-102.01 Disciplinary System Used in the Policy and Procedure Manual

SO20-030 5-101.02 Violations of the Code of Conduct

This revision is effective **December 31, 2020**.

My best

Rondo

Medaria Arradondo

Chief

Minneapolis Police Department

[350 South 5th Street-130 I Minneapolis, MN 55415](#)

Ph: [612.673.3550](tel:612.673.3550) I Fax: [612.673.2613](tel:612.673.2613)





MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: December 28, 2020	DATE EFFECTIVE: December 31, 2020	NUMBER: SO20-029	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 1-102.01 Disciplinary System Used in the Policy and Procedure Manual			APPROVED BY: <i>Chief Arradondo</i>

MP-8806

Introduction: This section is being removed and replaced by a revision to 2-100 to consolidate and clarify the procedures.

Effective with the issuance of this Special Order, Section 1-102.01 of the MPD Policy and Procedure Manual shall be deleted as follows:

~~1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)~~

~~A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.~~

~~Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.~~

~~While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).~~

~~Disciplinary categories are listed below for violations of MPD policy and procedure:~~

~~Category "A": Training, counseling, documented oral correction.~~

~~Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.~~

~~Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.~~

Category “D”: Up to 720 hours suspension, demotion, termination.

— An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

— ~~1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED~~
— ~~(A-C)~~



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: December 28, 2020	DATE EFFECTIVE: December 31, 2020	NUMBER: SO20-028	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY: <i>Chief Arradondo</i>

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM **(12/28/20)**

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. Minor or lower-level allegations

Allegations which only describe minor or lower-level infractions by sworn employees may be referred directly by the Director of the Office of Police Conduct Review and the Internal Affairs Commander to the employee's supervisor for coaching or may be referred to a program of mandatory mediation instituted by the office of police conduct review. Such complaints may also be referred for formal investigation.

C. Discipline

When investigations have concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police or the Chief's designee (such as the Assistant Chief).

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guidelines and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.
3. Coaching can occur in addition to discipline imposed by the Chief.

From: "Arradondo, Medaria" <Medaria.Arradondo@minneapolismn.gov>

To: "McLaren, Sarah C. - Attorney" <Sarah.McLaren@minneapolismn.gov>, "Krystosek, Rebecca" <rebecca.krystosek@minneapolismn.gov>, "All MPD (Public Info Only)" <AllMPD@minneapolismn.gov>, "Chernos, Trina R." <Trina.Chernos@minneapolismn.gov>, "Darling, Valerie" <valerie.darling@minneapolismn.gov>, "Fernandez, Curt L." <Curt.Fernandez@minneapolismn.gov>, "Frey, Jacob" <Jacob.Frey@minneapolismn.gov>, "Fussy, Tracey N." <Tracey.Fussy@minneapolismn.gov>, "Heng, Mary Ellen" <MaryEllen.Heng@minneapolismn.gov>, "Itie Memene, Ebi" <Ebi.ItieMemene@minneapolismn.gov>, "Jaafar, Imani S." <Imani.Jaafar@minneapolismn.gov>, Jim Michels <jmichels@ricemichels.com>, Kim Michels <kim.michelslaw@outlook.com>, "Kroll, Bob (Federation)" <bkroll@mpdfederation.com>, "Mykleby, Sandra K" <Sandra.Mykleby@minneapolismn.gov>, "Osborne, Burt T." <Burt.Osborne@minneapolismn.gov>, "Patrick, Ryan P" <Ryan.Patrick@minneapolismn.gov>, "Ritchie, Heidi" <heidi.ritchie@minneapolismn.gov>

Subject: Policy Update: SO20-028 2-112 Complaint, Coaching and Disciplinary System

Date: Mon, 28 Dec 2020 20:42:49 +0000

Attachments: SO20-028_2-112_Complaint,_Coaching_and_Disciplinary_System.docx

Inline-Images: image001.png

This section (P&P 2-112) was added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Related special orders removed the sections that were consolidated:

SO20-029 1-102.01 Disciplinary System Used in the Policy and Procedure Manual

SO20-030 5-101.02 Violations of the Code of Conduct

This revision is effective **December 31, 2020**.

My best
Rondo

Medaria Arradondo

Chief

Minneapolis Police Department

350 South 5th Street-130 I Minneapolis, MN 55415

Ph: [612.673.3550](tel:612.673.3550) | Fax: [612.673.2613](tel:612.673.2613)





MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: December 28, 2020	DATE EFFECTIVE: December 31, 2020	NUMBER: SO20-028	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY: <i>Chief Arradondo</i>

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM
(12/28/20)

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. Minor or lower-level allegations

Allegations which only describe minor or lower-level infractions by sworn employees may be referred directly by the Director of the Office of Police Conduct Review and the Internal Affairs Commander to the employee's supervisor for coaching or may be referred to a program of mandatory mediation instituted by the office of police conduct review. Such complaints may also be referred for formal investigation.

C. Discipline

When investigations have concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police or the Chief's designee (such as the Assistant Chief).

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guidelines and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.
3. Coaching can occur in addition to discipline imposed by the Chief.

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Draft of 2-112 - final review

Date: Thu, 25 Feb 2021 14:54:31 +0000

Importance: Normal

Inline-Images: image001.jpg; image002.png

Here is another e-mail with a string of other e-mails regarding 2-112 draft review.

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

Henry.Halvorson@minneapolismn.gov



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From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Sent: Monday, December 28, 2020 12:36 PM
To: Kjos, Michael <Michael.Kjos@minneapolismn.gov>; Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>
Cc: Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: RE: Draft of 2-112 - final review

Copy, thank you very much.

-Dan

From: Kjos, Michael <Michael.Kjos@minneapolismn.gov>
Sent: Monday, December 28, 2020 12:35 PM
To: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>; Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>
Cc: Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: RE: Draft of 2-112 - final review

I will rely on DC Halvorson's recommendations. I have only breezed over this document, I'm sure he has done a more thorough review.

Thanks.

Assistant Chief Mike Kjos

Minneapolis Police Department

Office: 612-673-2868



Trust - Accountability - Professional Service

1315268

From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Sent: Monday, December 28, 2020 12:27 PM
To: Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>
Cc: Kjos, Michael <Michael.Kjos@minneapolismn.gov>; Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: RE: Draft of 2-112 - final review

Thank you, sir!

I've got them prepared and ready for Tasha to send this mid to late afternoon.

-Dan

From: Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>
Sent: Monday, December 28, 2020 11:54 AM
To: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Cc: Kjos, Michael <Michael.Kjos@minneapolismn.gov>; Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: Re: Draft of 2-112 - final review

Good morning Dan,

13.43 - Personnel Data

I just reviewed and it looks good to me to move forward unless the AC and DC have any feedback.

Thanks Dan

Rondo

On Dec 28, 2020, at 11:01 AM, Boody, Daniel <Daniel.Boody@minneapolismn.gov> wrote:

Chief, Assistant Chief and Deputy Chief,

I am just checking in on this one to see if we can prepare it for publishing, or if you have additional feedback.

Thank you,

Dan

From: Boody, Daniel
Sent: Monday, December 21, 2020 1:48 PM
To: Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>; Kjos, Michael <Michael.Kjos@minneapolismn.gov>; Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: Draft of 2-112 - final review

Chief, Assistant Chief and Deputy Chief,

This policy has gone through concurrence, had extensive review and discussion with the City Attorney's Office, and been reviewed and discussed by Commander Wheeler and Director Jaafar.

I am checking with you to see if any of you have additional feedback or changes before we prepare it for publishing (which would include correcting dates, months, etc.). It doesn't really change existing policy, it is more of a process explanation. But important for clearing up some old issues in two other policies (that will be removed).

Thank you,

Dan

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief’s Special Projects

350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov

<SO21-0xx 2-112 Complaint, Coaching and Disciplinary System 20-12-09.docx>

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Draft of 2-112 Complaint, Coaching and Disciplinary System

Date: Thu, 25 Feb 2021 14:55:45 +0000

Importance: Normal

Attachments: SO20-0xx_2-112_Complaint,_Coaching_and_Disciplinary_System_20-11-16.docx;
SO20-0xx_1-
102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual.docx; SO20-
0xx_5-101.02_Violations_of_the_Code_of_Conduct.docx

Inline-Images: image001.png

Another e-mail

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

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From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Sent: Friday, November 20, 2020 3:53 PM
To: Ritchie, Heidi <heidi.ritchie@minneapolismn.gov>
Cc: Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>; Chernos, Trina R. <Trina.Chernos@minneapolismn.gov>
Subject: Draft of 2-112 Complaint, Coaching and Disciplinary System

Heidi,

This is one that we worked with the City Attorney's Office on, and it is out for feedback now. It will see further changes to clarify a few things, but I wanted to let you know it is in the works. (The other two policies are being removed to consolidate and clarify things).

-Dan

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief's Special Projects

350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY:

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM **(11/xx/20)**

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. "A" level allegations

Allegations which rise only to a potential "A" level in the MPD's Discipline Matrix may be referred directly to the employee's supervisor for coaching (for sworn or civilian employees) or may be referred to a program of mandatory mediation instituted by the office of police conduct review (for sworn employees). Such complaints may also be referred for formal investigation.

C. Discipline

When investigation has concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police.

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guideline and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 1-102.01 Disciplinary System Used in the Policy and Procedure Manual			APPROVED BY:

MP-8806

Introduction: This section is being removed and replaced by a revision to 2-100 to consolidate and clarify the procedures.

Effective with the issuance of this Special Order, Section 1-102.01 of the MPD Policy and Procedure Manual shall be amended as follows:

~~1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)~~

~~A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.~~

~~Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.~~

~~While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).~~

~~Disciplinary categories are listed below for violations of MPD policy and procedure:~~

~~Category "A": Training, counseling, documented oral correction.~~

~~Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.~~

~~Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.~~

Category “D”: Up to 720 hours suspension, demotion, termination.

— An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

— ~~1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED~~
— ~~(A-C)~~

DRAFT



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 1
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 5-101.02 Violations of the Code of Conduct			APPROVED BY:

MP-8806

Introduction: This section is being replaced by a revision to 2-100 to consolidate and clarify procedures.

Effective with the issuance of this Special Order, Section 5-101.02 of the MPD Policy and Procedure Manual shall be deleted as follows:

~~5-101.02 VIOLATIONS OF THE CODE OF CONDUCT (03/13/07) (11/15/13)~~

~~Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from a written reprimand to termination. Discipline shall be imposed following a sustained violation. Refer to Civil Service Rule 11.03 regarding discipline. (11/16/94) (03/08/95) (03/13/07) (11/15/13)~~

~~The Chief of Police may relieve a departmental employee with pay pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Administrative leave is not discipline. (03/08/95) (03/13/07)~~

~~Probationary employees may be dismissed from service for failing to meet minimum performance standards or probationary training standards for violations of the code of conduct or for any other legal reason. There is no right of appeal for probationary employees unless the probationary employee is a veteran as provided by Civil Service Rules 11.06 and 11.07. (03/13/07)~~

~~Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, for a period of 90 days or more due to a criminal conviction, court ordered restriction, driver's license restriction, POST license restriction or other adverse legal action due to criminal behavior are subject to termination from employment. (03/13/07)~~

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Draft of 2-112

Date: Thu, 25 Feb 2021 14:55:05 +0000

Importance: Normal

Attachments: SO20-0xx_2-112_Complaint,_Coaching_and_Disciplinary_System_20-11-23.docx

Inline-Images: image001.png

Another e-mail.

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

Henry.Halvorson@minneapolismn.gov



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From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Sent: Monday, November 30, 2020 10:36 AM
To: Moryc, Anne <Anne.Moryc@minneapolismn.gov>; Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>
Subject: Draft of 2-112

Lieutenant,

13.393 - Attorney

Please see the attached draft and let me know if you have other feedback or changes.

Thanks!

-Dan

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief's Special Projects

350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY:

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM **(11/xx/20)**

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. Minor or lower-level allegations

Allegations which only describe minor or lower-level infractions may be referred directly to the employee's supervisor for coaching (for sworn or civilian employees) or may be referred to a program of mandatory mediation instituted by the office of police conduct review (for sworn employees). Such complaints may also be referred for formal investigation.

C. Discipline

When investigations have concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police or the Chief's designee (such as the Assistant Chief).

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guidelines and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Policy Feedback Sheet- 2-112 Complaint, Coaching, and Disciplinary System, Requested 11-17-20

Date: Thu, 25 Feb 2021 14:56:50 +0000

Importance: Normal

Attachments: Policy_Feedback_Sheet-_2-112_Requested_11-17-20.docx; SO20-0xx_2-112_Complaint,_Coaching_and_Disciplinary_System_20-11-16.docx; SO20-0xx_1-102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual.docx; SO20-0xx_5-101.02_Violations_of_the_Code_of_Conduct.docx

Inline-Images: image001.png

Another e-mail

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

Henry.Halvorson@minneapolismn.gov



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have received this electronic transmission in error, please immediately notify the sender by return email and then promptly delete this message from your computer system.

From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>

Sent: Tuesday, November 17, 2020 3:56 PM

To: Kroll, Bob (Federation) <bkroll@mpdfederation.com>; sschmidt@mpdfederation.com

Cc: Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>

Subject: Policy Feedback Sheet- 2-112 Complaint, Coaching, and Disciplinary System, Requested 11-17-20

The Policy Feedback Sheet for the attached draft is respectfully requested back by 11/24/20.

SO20-0xx 2-112 Complaint, Coaching and Disciplinary System

The related special order drafts for 1-102.01 and 5-102.02 are also attached.

Thank you.

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief's Special Projects


350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov

 1POL ICY FEE DBA CK SHE ET		DATE:
		November 17, 2020
MINNEAPOLIS POLICE DEPARTMENT MPD 1026		
TO:	FROM:	
Police Federation	The Chief of Police	
SUBJECT:		
Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>		
DISTRIBUTION:		
Federation President Kroll, Federation Vice President Schmidt		

Please complete and return to sender on or before: **November 24, 2020.**

COMMENTS:			
<p>If you think the revisions in the attached draft are not clear, please type language that you would believe would make it clearer. Thank you.</p>			
SIGNATURE:	EMPL NO.	TITLE/ASSIGNMENT	DATE:



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY:

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM **(11/xx/20)**

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. "A" level allegations

Allegations which rise only to a potential "A" level in the MPD's Discipline Matrix may be referred directly to the employee's supervisor for coaching (for sworn or civilian employees) or may be referred to a program of mandatory mediation instituted by the office of police conduct review (for sworn employees). Such complaints may also be referred for formal investigation.

C. Discipline

When investigation has concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police.

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guideline and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 1-102.01 Disciplinary System Used in the Policy and Procedure Manual			APPROVED BY:

MP-8806

Introduction: This section is being removed and replaced by a revision to 2-100 to consolidate and clarify the procedures.

Effective with the issuance of this Special Order, Section 1-102.01 of the MPD Policy and Procedure Manual shall be amended as follows:

~~1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)~~

~~A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.~~

~~Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.~~

~~While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).~~

~~Disciplinary categories are listed below for violations of MPD policy and procedure:~~

~~Category "A": Training, counseling, documented oral correction.~~

~~Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.~~

~~Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.~~

Category “D”: Up to 720 hours suspension, demotion, termination.

— An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

— ~~1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED~~
— ~~(A-C)~~

DRAFT



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 1
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 5-101.02 Violations of the Code of Conduct			APPROVED BY:

MP-8806

Introduction: This section is being replaced by a revision to 2-100 to consolidate and clarify procedures.

Effective with the issuance of this Special Order, Section 5-101.02 of the MPD Policy and Procedure Manual shall be deleted as follows:

~~5-101.02 VIOLATIONS OF THE CODE OF CONDUCT (03/13/07) (11/15/13)~~

~~Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from a written reprimand to termination. Discipline shall be imposed following a sustained violation. Refer to Civil Service Rule 11.03 regarding discipline. (11/16/94) (03/08/95) (03/13/07) (11/15/13)~~

~~The Chief of Police may relieve a departmental employee with pay pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Administrative leave is not discipline. (03/08/95) (03/13/07)~~

~~Probationary employees may be dismissed from service for failing to meet minimum performance standards or probationary training standards for violations of the code of conduct or for any other legal reason. There is no right of appeal for probationary employees unless the probationary employee is a veteran as provided by Civil Service Rules 11.06 and 11.07. (03/13/07)~~

~~Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, for a period of 90 days or more due to a criminal conviction, court ordered restriction, driver's license restriction, POST license restriction or other adverse legal action due to criminal behavior are subject to termination from employment. (03/13/07)~~

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Policy Concurrence: 2-112 Complaint, Coaching, and Disciplinary System-requested 11-17-20

Date: Thu, 25 Feb 2021 14:56:36 +0000

Importance: Normal

Attachments: CONCUR_2-112_Requested_11-17-20.docx; SO20-0xx_2-112_Complaint,_Coaching_and_Disciplinary_System_20-11-16.docx; SO20-0xx_1-102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual.docx; SO20-0xx_5-101.02_Violations_of_the_Code_of_Conduct.docx

Inline-Images: image001.png

Another e-mail

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

Henry.Halvorson@minneapolismn.gov



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have received this electronic transmission in error, please immediately notify the sender by return email and then promptly delete this message from your computer system.

From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>

Sent: Tuesday, November 17, 2020 4:03 PM

To: Kjos, Michael <Michael.Kjos@minneapolismn.gov>; Fors, Erick <Erick.Fors@minneapolismn.gov>; Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>; Waite, Kathy <Kathy.Waite@minneapolismn.gov>; Huffman, Amelia <Amelia.Huffman@minneapolismn.gov>; Loining, Todd <Todd.Loining@minneapolismn.gov>; McGinty, Sean <Sean.McGinty@minneapolismn.gov>; Peterson, Billy <Billy.Peterson@minneapolismn.gov>; Pulphus, Kelvin <Kelvin.Pulphus@minneapolismn.gov>; Adams, Charlie F. <Charlie.Adams@minneapolismn.gov>; Blackwell, Katie M. <Katie.Blackwell@minneapolismn.gov>; Case, Jason <Jason.Case@minneapolismn.gov>; Gerlicher, Scott <Scott.Gerlicher@minneapolismn.gov>; Glampe, Travis <Travis.Glampe@minneapolismn.gov>; Granger, Christopher <Christopher.Granger@minneapolismn.gov>; Veliz, Giovanni <Giovanni.Veliz@minneapolismn.gov>; Wheeler, Thomas <Thomas.Wheeler@minneapolismn.gov>; Moryc, Anne <Anne.Moryc@minneapolismn.gov>

Cc: Arradondo, Medaria <Medaria.Arradondo@minneapolismn.gov>; Chernos, Trina R. <Trina.Chernos@minneapolismn.gov>

Subject: Policy Concurrence: 2-112 Complaint, Coaching, and Disciplinary System- requested 11-17-20

This concurrence request is regarding adding P&P 2-112 to consolidate and clarify the complaint, coaching and disciplinary systems and procedures. The related special order drafts for 1-102.01 and 5-101.02 are also attached.

Your response is respectfully requested by **Tuesday, November 24th**.

Thank you,

Dan

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief's Special Projects


350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov

 1 CON CUR REN CE SHE ET		DATE:
		November 17, 2020
MINNEAPOLIS POLICE DEPARTMENT MPD 1026		
TO:	FROM:	
Admin, Insp., Cmdr.	The Chief of Police	
SUBJECT:		
Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>		
DISTRIBUTION:		
A/C Kjos, D/C Fors, D/C Halvorson, D/C Waite, Insp. Huffman, Insp. Loining, Insp. McGinty, Insp. Peterson, Insp. Pulpfus, Cmdr. Adams, Cmdr. Blackwell, Cmdr. Case, Cmdr. Gerlicher, Cmdr. Glampe, Cmdr. Granger, Cmdr. Veliz, Cmdr. Wheeler		

Please complete and return to sender on or before: **November 24, 2020.**

I concur and have no comments.

I basically concur, but have commented below and/or on the draft.

I do not concur for the reasons given below and/or on the draft.

Other:

COMMENTS:			
Please review and return concurrence form with any comments, suggestions, etc. by the above date.			
SIGNATURE:	EMPL NO.	TITLE/ASSIGNMENT	DATE:



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Complaint, Coaching and Disciplinary System</u>			APPROVED BY:

MP-8806

Introduction: This section is being added to consolidate and clarify the complaint, coaching and disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 COMPLAINT, COACHING AND DISCIPLINARY SYSTEM **(11/xx/20)**

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. "A" level allegations

Allegations which rise only to a potential "A" level in the MPD's Discipline Matrix may be referred directly to the employee's supervisor for coaching (for sworn or civilian employees) or may be referred to a program of mandatory mediation instituted by the office of police conduct review (for sworn employees). Such complaints may also be referred for formal investigation.

C. Discipline

When investigation has concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police.

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guideline and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews. Coaching is not discipline.



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 1-102.01 Disciplinary System Used in the Policy and Procedure Manual			APPROVED BY:

MP-8806

Introduction: This section is being removed and replaced by a revision to 2-100 to consolidate and clarify the procedures.

Effective with the issuance of this Special Order, Section 1-102.01 of the MPD Policy and Procedure Manual shall be amended as follows:

~~1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)~~

~~A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.~~

~~Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.~~

~~While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).~~

~~Disciplinary categories are listed below for violations of MPD policy and procedure:~~

~~Category "A": Training, counseling, documented oral correction.~~

~~Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.~~

~~Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.~~

Category “D”: Up to 720 hours suspension, demotion, termination.

— An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

— ~~1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED~~
— ~~(A-C)~~

DRAFT



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 1
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 5-101.02 Violations of the Code of Conduct			APPROVED BY:

MP-8806

Introduction: This section is being replaced by a revision to 2-100 to consolidate and clarify procedures.

Effective with the issuance of this Special Order, Section 5-101.02 of the MPD Policy and Procedure Manual shall be deleted as follows:

~~5-101.02 VIOLATIONS OF THE CODE OF CONDUCT (03/13/07) (11/15/13)~~

~~Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from a written reprimand to termination. Discipline shall be imposed following a sustained violation. Refer to Civil Service Rule 11.03 regarding discipline. (11/16/94) (03/08/95) (03/13/07) (11/15/13)~~

~~The Chief of Police may relieve a departmental employee with pay pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Administrative leave is not discipline. (03/08/95) (03/13/07)~~

~~Probationary employees may be dismissed from service for failing to meet minimum performance standards or probationary training standards for violations of the code of conduct or for any other legal reason. There is no right of appeal for probationary employees unless the probationary employee is a veteran as provided by Civil Service Rules 11.06 and 11.07. (03/13/07)~~

~~Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, for a period of 90 days or more due to a criminal conviction, court ordered restriction, driver's license restriction, POST license restriction or other adverse legal action due to criminal behavior are subject to termination from employment. (03/13/07)~~

From: "Halvorson, Henry" <Henry.Halvorson@minneapolismn.gov>

To: "Knudsen, Katherine T" <katherine.knudsen@minneapolismn.gov>

Subject: FW: Disciplinary system related policies

Date: Thu, 25 Feb 2021 14:57:52 +0000

Importance: Normal

Attachments: SO20-0xx_2-112_Disciplinary_System_20-11-12.docx; SO20-0xx_1-102.01_Disciplinary_System_Used_in_the_Policy_and_Procedure_Manual.docx; SO20-0xx_5-101.02_Violations_of_the_Code_of_Conduct.docx

Inline-Images: image001.png

Another e-mail

Assistant Chief Henry Halvorson

Minneapolis Police Department

Professional Standards Bureau

350 South 5th Street -Room 130

Minneapolis, MN 55415

(612)-673-3634

Henry.Halvorson@minneapolismn.gov



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From: Boody, Daniel <Daniel.Boody@Minneapolismn.gov>
Sent: Thursday, November 12, 2020 10:05 AM
To: Halvorson, Henry <Henry.Halvorson@minneapolismn.gov>; Moryc, Anne <Anne.Moryc@minneapolismn.gov>
Cc: Chernos, Trina R. <Trina.Chernos@minneapolismn.gov>
Subject: Disciplinary system related policies

Deputy Chief and Lieutenant,

After previous discussions with Lieutenant Moryc about the Discipline Matrix **13.393 - Attorney** I developed the attached draft for P&P 2-112 **13.393 - Attorney**. It would clarify the procedures, and as a result, P&P 1-102.01 and 5-101.02 would be removed.

Please let me know if you would like me to set up a meeting to discuss, or if you have any other feedback.

Thank you,

Dan

Dan Boody

Project Coordinator

City of Minneapolis – Police

Chief's Special Projects

350 S. Fifth St. – Room #100

Minneapolis, MN 55415

Office: 612-673-2338

Fax: 612-673-2750

Daniel.Boody@minneapolismn.gov



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – <u>2-112 Disciplinary System</u>			APPROVED BY:

MP-8806

Introduction: This section is being added to clarify the disciplinary systems and procedures.

Effective with the issuance of this Special Order, Section 2-112 of the MPD Policy and Procedure Manual shall be added as follows:

2-112 DISCIPLINARY SYSTEM
(11/xx/20)

A. Investigation

1. Sworn Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. "A" level allegations

Allegations which rise only to a potential "A" level in the MPD's Discipline Matrix may be referred directly to the employee's supervisor for coaching (for sworn or civilian employees) or may be referred to a program of mandatory mediation instituted by the office of police conduct review (for sworn employees). Such complaints may also be referred for formal investigation.

C. Discipline

When investigation has concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police.

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.
 - a. Coaching is part of everyday work efforts.
 - b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.
 - i. The supervisor and the employee may develop a performance improvement plan, following the guideline and procedures developed by the Human Resources Department.
 - ii. The supervisor may schedule follow-up meetings as needed.
2. Coaching may be referenced in performance reviews but may not be used for progressive discipline, and coaching is not considered discipline.



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 2
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 1-102.01 Disciplinary System Used in the Policy and Procedure Manual			APPROVED BY:

MP-8806

Introduction: This section is being removed and replaced by a revision to 2-100 to clarify the procedures.

Effective with the issuance of this Special Order, Section 1-102.01 of the MPD Policy and Procedure Manual shall be amended as follows:

~~1-102.01 DISCIPLINARY SYSTEM USED IN THE POLICY AND PROCEDURE MANUAL (12/05/01)~~

~~A disciplinary system was implemented to provide a comprehensive, uniform discipline process to assist the Chief of Police in administering a final disposition of employee misconduct in an appropriate and timely manner.~~

~~Disciplinary categories or ranges are designated beneath the section numbers throughout the Policy and Procedure Manual. These disciplinary ranges denote the level or range of discipline for violation of the policy or procedure.~~

~~While the MPD Policy & Procedure Manual denotes the discipline category or range for a specific policy violation, disciplinary categories may be enhanced based upon previous sustained violations within the specified reckoning period (see Complaint Process Manual).~~

~~Disciplinary categories are listed below for violations of MPD policy and procedure:~~

~~Category "A": Training, counseling, documented oral correction.~~

~~Category "B": Written reprimand, documented oral reprimand, up to 40 hours suspension.~~

~~Category "C": Documented oral reprimand, written reprimand, up to 80 hours suspension, demotion.~~

Category “D”: Up to 720 hours suspension, demotion, termination.

— An *example* of the disciplinary range notation in the Policy and Procedure Manual is as follows:

— 1-101 POLICY AND PROCEDURE MANUAL ESTABLISHED
— (A-C)

DRAFT



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: November xx, 2020	DATE EFFECTIVE: November xx, 2020	NUMBER: SO20-0xx	PAGE: 1 of 1
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Manual Revision – 5-101.02 Violations of the Code of Conduct			APPROVED BY:

MP-8806

Introduction: This section is being replaced by 2-112 to clarify procedures.

Effective with the issuance of this Special Order, Section 5-101.02 of the MPD Policy and Procedure Manual shall be deleted as follows:

~~5-101.02 VIOLATIONS OF THE CODE OF CONDUCT (03/13/07) (11/15/13)~~

~~Any member of the Department who violates the code of conduct is subject to discipline. Discipline may range from a written reprimand to termination. Discipline shall be imposed following a sustained violation. Refer to Civil Service Rule 11.03 regarding discipline. (11/16/94) (03/08/95) (03/13/07) (11/15/13)~~

~~The Chief of Police may relieve a departmental employee with pay pending an investigation of an alleged violation of criminal law, or a violation of the code of conduct. Administrative leave is not discipline. (03/08/95) (03/13/07)~~

~~Probationary employees may be dismissed from service for failing to meet minimum performance standards or probationary training standards for violations of the code of conduct or for any other legal reason. There is no right of appeal for probationary employees unless the probationary employee is a veteran as provided by Civil Service Rules 11.06 and 11.07. (03/13/07)~~

~~Employees who no longer meet minimum job qualifications or who are no longer able to perform the essential functions of their job, for a period of 90 days or more due to a criminal conviction, court ordered restriction, driver's license restriction, POST license restriction or other adverse legal action due to criminal behavior are subject to termination from employment. (03/13/07)~~

Exhibit 7



COACHING DOCUMENTATION

Name of Complainant		Complaint Date	Coaching Number
Home Address		City	Zip
Date of Incident	Time	Location	Case Number
Name of Employee Involved		Employee Number	Assigned Shift

NATURE OF COMPLAINT

Complainant Description of Employee's Actions:

MPD Policy and Procedure Manual Number(s):

DETAILS OF INVESTIGATION

Supervisor that conducted investigation: Enter Supervisor Name

Spoke with complainant for full details **Date:** Click to enter date

Spoke with witnesses (civilian/officers) **Date:** Click to enter date

Reviewed CAPRS/PIMS Reviewed Squad MVR Reviewed BWC

Reviewed other evidence (describe): Enter description

DETAILS OF COACHING SESSION

Supervisor that met with employee: Enter Supervisor Name

Meeting Date: Click to enter date Time: Enter Time Location: Enter Location

EMPLOYEE'S RESPONSE:

Enter response

SUPERVISOR'S RECOMMENDATION:

Enter recommendation

ACTION TAKEN

<p>Policy and Procedure #1:</p> <p>Did policy violation occur?* <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was officer coached?** <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other (describe): <u>Enter description</u></p>	<p>Policy and Procedure #2:</p> <p>Did policy violation occur?* <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was officer coached?** <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other (describe): <u>Enter description</u></p>
<p>Policy and Procedure #3:</p> <p>Did policy violation occur?* <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was officer coached?** <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other (describe): <u>Enter description</u></p>	<p>Policy and Procedure #4:</p> <p>Did policy violation occur?* <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Was officer coached?** <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Other (describe): <u>Enter description</u></p>

*A determination of whether an MPD policy violation occurred must be made for each allegation.

** Supervisor may want to discuss options for handling similar situations in the future to prevent complaints.

Complainant contacted via: Telephone Email Other: Enter text

Reviewed and Approved by: Enter Shift/Unit Lieutenant Name **Date:** Click to enter date.
(Shift/Unit Lieutenant)

Received and Approved by: Enter Precinct/Division Commander Name **Date:** Click to enter date.
(Precinct or Division Commander)

ADDITIONAL INFORMATION

Enter additional information

Exhibit 8

February 15, 2021

Mr. Casey Carl
City Clerk and Chief Information Officer
350 South 4th Street
Minneapolis, Minnesota

Dear Mr. Carl:

Pursuant to Minnesota Statutes Section 13.03 Subd. 3(c) and Minnesota Statutes Section 13.43 Subd. 2 (a)(5) we are requesting copies of the following documents.

1. All data, including but not limited to completed "coaching documentation" forms (attached hereto), related to coaching of Derek Chauvin.
2. All data, including but not limited to completed "coaching documentation" forms (attached hereto), related to coaching of any officer as a result of his/her involvement in any one of the 44 incidents referenced in this news report <https://www.nbcnews.com/news/us-news/minneapolis-police-rendered-44-people-unconscious-neck-restraints-five-years-n1220416> in which an officer used a neck restraint or other method of restraint resulting in the partial or total obstruction of the breath or airways.
3. All data, included but not limited to completed "coaching documentation" forms (attached hereto), from January 1, 2020, to present, related to coaching of any officer resulting from a sustained complaint where the original complaint alleged a B-, C-, or D-Level Violation where coaching was the only corrective action taken.
4. All data, dating from January 1, 2011 to present, in which coaching is described as a form of discipline or acknowledged by a supervisor or the Chief of Police to constitute a form of discipline.

We have reviewed the recent City Attorney Opinion addressing the public nature of the requests in paragraphs 1-4 and respectfully disagree with that opinion. It is similarly our position that the amendment to the MPD Policy and Procedure Manual dated December 31, 2020 cannot alter the City's legal obligation to provide data otherwise defined as public under the MGDPA. Nonetheless if you are relying on these legal positions to deny access to these documents and if you have no intention of complying with this request we are asking you to advise us as soon as you are able in order that we seek timely redress.

The information requested is needed in a timely basis in order for the undersigned to fully inform policy makers on urgent issues of public policy. In light of the urgency we also request that you provide the information to us as it becomes available rather than waiting for your response to be complete prior to providing any of the data. We will assume that any data

not received within thirty days will not be forthcoming and in that event we will seek any and all remedies available to obtain the data.

This request is being made individually and on behalf of the Minnesota Coalition on Government Information as approved at its board meeting on February 15. MNCOGI will also be filing these requests on the City's public information request portal. Thank you for your attention to this request.

Sincerely,

Gary Hill
MNCOGI

Paul T. Ostrow
2239 Arthur Street NE
Minneapolis, Minnesota

Exhibit 9

Ticket Number: DR21_016701

Katherine Knudsen

🕒 about a month ago • Public Comments

Coaching is not discipline and has never been discipline. The data you are requesting is private under MN statute 13.43; MPD has no responsive data. Your request is now closed.

Full Name: Paul Ostrow

🕒 2mo ago

DR21_016701 Created

Start

This request will be available on the portal for 60 days after it is closed.

Attachments

There are no attachments

There are no attachments

Most Viewed Articles

Submitting Data Requests with 311
👁️ 158 Views

Tips for getting data faster
👁️ 91 Views

Who can see what I request?
👁️ 55 Views

Types of data request forms available
👁️ 46 Views

How do I craft a request?
👁️ 31 Views

Original Request Form: General Data Request

Step 1 - WHAT data are you requesting?

* Required

1. All data, including but not limited to completed "coaching documentation" forms related to coaching of Derek Chauvin.
2. All data, including but not limited to completed "coaching documentation" forms, related to coaching of any officer as a result of his/her involvement in any one of the 44 incidents referenced in this news report <https://www.nbcnews.com/news/us-news/minneapolis-police-rendered-44-people-unconscious-neck-restraints-five-years-n1220416> in which an officer used a neck restraint or other method of restraint resulting in the partial or total obstruction of the breath or airways.
3. All data, included but not limited to completed "coaching documentation" forms (attached hereto), from January 1, 2020, to present, related to coaching of

Step 2 - WHEN was data created?

5/3/2021

Enter a starting (from) and ending (to) date below. We will search for data within that date range. ✕

From Date

2011-01-01

To Date

2021-02-19

Step 3 - WHO may have the data? ?

We will determine where to search based on the type of data requested. If you believe specific people, roles, or departments may have the data, identify them here. ✕

Police administration including precinct commanders and supervisors, members of the Internal Affairs Unit and other administrative staff

Additional contact details ?

We will contact you using your registered email. If you prefer us to contact you by phone, please provide it here. If requesting on behalf of someone else please enter their contact information. ✕

Registered e-mail or cell phone at 612-239-8612.

NOTE: this request was previously filed as a request for public safety or personnel data by copying a link to a letter to the City Clerk. The request already has a file number and I assume no new file number is required. FILE NO./ticket

Data Practices Notice ?

The information you provide to the City is subject to the the Minnesota Government Data Practices Act and may be public. Learn more. ✕

City of Minneapolis Office
of City Clerk,
City Hall, 350 S. 5th Street,
Room 304,
Minneapolis, MN 55415
[Site Map](#) [Privacy Policy](#)
ResponsibleAuthority@minne

Accessibility:
For reasonable accommodations
or alternative formats, contact
311.
People who are deaf or hard of
hearing can use a relay service to
call 311 at 612-673-3000.
TTY users can call 612-673-2157
or 612-673-2626.

Para asistencia 612-673-2700,
Yog xav tau kev pab, hu 612-637-
2800,
Hadii aad Caawimaad u
baahantahay 612-673-3500.
City Clerk's Office ©1997-2018
City of Minneapolis, MN

[Image Credits](#)
[Courtesy of Meet](#)
[Minneapolis](#)

Exhibit 10

MPD Internal Affairs Public Summary**Chauvin, Derek (1087)**

PM MATTER #	Status	Allegation Type/Discipline Issued
15-12394	Closed with No Discipline	
14-23776	Closed with No Discipline	
15-04541	Closed with No Discipline	
14-14106	Closed with No Discipline	
13-32189	Closed with No Discipline	
13-09814	Closed with No Discipline	
12-3244	Closed with No Discipline	
13-10527	Closed with No Discipline	
P12-174	Closed with No Discipline	
A11-185	Closed with No Discipline	
P11-115	Closed with No Discipline	
A10-269	Closed with No Discipline	
IA10-172	Closed with No Discipline	
A10-140	Closed with No Discipline	
FR08-06	Closed with No Discipline	
IA07-39	Closed with Discipline	Discretion/Letter of Reprimand
	Closed with Discipline	MVR/Letter of Reprimand
IA06-76	Closed with No Discipline	

Exhibit 11

PCOC Meeting (Year-Month)	Outcome	PCOC Incident Identifier	PCOC Synopsis	Coaching Summary	Policy Manual Provision	Discipline Matrix Violation Level	Baseline Discipline in Matrix
17-Jan	Sent to investigation--sent for coaching: policy violation found, officer coached	MPD P&P § 10-401-- Responsibility for Inventory of Property and Evidence	Complainant alleges he was pulled over for driving after revocation and did not receive his wallet back from the officer	N/A	MPD P&P § 10-401	C	40 hours
17-Apr	Sent to investigation--sent for coaching: policy violation found, officer coached	MPD P&P § 5-105(A)(5)-- Professional Code of Conduct	Complainant, who was with her toddler, alleges that she witnessed a woman driver with children passengers struggling to park at a local high school. As this was occurring, Complainant alleges that an officer in a marked squad "sped up" to the woman and called her a "dumb a**h*ole" and "other curse words." Due to the incident, Complainant claims that the mother was "shook up" by the incident and pulled over.	<p>Prior to being sent to coaching, the investigator conducted an investigation and uncovered the likely responsible party and produced findings including: Complainant is a credible witness; Complainant could likely--due to her physical description of the officer--identify the officer; and the language used was offensive and done in the presence of children.</p> <p>Prior to the coaching, the supervisor asserted that he had been informed of the incident by a council member's office, and had spoken to the officer about the incident, telling him that such language would not be "tolerated." He also informed the officer that an investigation had been started regarding the matter.</p> <p>Upon receipt of the coaching documentation, the supervisor contends that he again sat down with the officer and told him that he would "sustain" the violation. During the interview, the precinct supervisor claims that the officer told him that he was on his way to a "domestic" call when he encountered the woman, who was blocking the road.</p> <p>According to the supervisor, the officer told him that the woman's blocking of the two lanes upset him. At the end of the interview, the supervisor asserts that he told the officer that he needs, "to treat everyone with dignity and respect and to explore other ways of dealing with times of frustration."</p>	MPD P&P § 5-105(C)(1)	B	10 hours
17-May	Sent to coaching: policy violation found, officer coached	MPD P&P § 7-406.01-- Role of Officers in the Primary Pursuit Vehicle	Officers were engaged in a pursuit after a vehicle fled detention. The matter was brought before the Pursuit Review Committee (PRC) who found that the lead pursuit driver failed to air his speed during the course of the pursuit. After PRC's review of the matter, it was then forwarded to the Joint Supervisors for their review, who decided to send the matter to coaching.	<p>The matter was sent to coaching due to the allegations of failing to follow appropriate vehicle pursuit procedure. The Inspector in charge of the appropriate precinct reviewed the CAPRS report and coached the Sergeant, who was the lead on the pursuit himself, and who also supervises the other officers involved.</p> <p>The Inspector noted that the Sergeant was apologetic for his actions and that of his supervisees. The Sergeant was very receptive to feedback and would continue to be a "great leader and mentor to his officers."</p>	MPD P&P § 7-406.01	B	10 hours
17-Jun	Sent to coaching: policy violation found, officer coached	MPD P&P § 5-105(C)(1)-- Language	Complainant contends that he was assaulted by a security guard for a property when officers arrived. At the scene, Complainant alleges that the officers "inflamed" the circumstances by acting prejudicially toward Complainant. Further, Complainant asserts that he was threatened by both the guard and officers, and also claims that they physically "mishandled" him to the point of "nerve damage." He also claims that he was ridiculed for his sexual orientation by the guard and officers present. Body camera recordings captured the incident.	<p>The matter was sent to coaching the appropriate precinct supervisor who stated in the coaching document that he reviewed relevant reports, videos, and spoke with Complainant regarding the incident.</p> <p>After reviewing such and speaking to the officer, the supervisor noted that Focus Officer had been coached and a policy violation was found. According to the supervisor, Focus Officer agreed with the supervisor that his use of language and tone was inappropriate. The supervisor also claims that Focus Officer claimed he would "reevaluat[e] how he deals with citizens" due to the disciplinary issues facing his former partners. Further, the supervisor contends that Focus Officer state he had "made a conscious effort to watch what he says and how he does it" in order to prevent becoming well known to the Office of Police Conduct Review and Internal Affairs. The supervisor further states that Focus Officer wishes to be a "good example" for other officers. Lastly, the supervisor contends that he stressed to Focus Officer to use deescalation techniques and avoid using harsh or derogatory language and to remain "professional in all situations."</p>	MPD P&P § 5-105(C)(1)	B	10 hours

PCOC Meeting (Year-Month)	Outcome	PCOC Incident Identifier	PCOC Synopsis	Coaching Summary	Policy Manual Provision	Discipline Matrix Violation Level	Baseline Discipline in Matrix
18-May	Sent to coaching: policy violation found, officer coached	MPD P&P § 2-500--MPD In-Service Training	It is alleged that the officer failed to attend mandatory training	N/A	MPD P&P § 2-501	B	10 hours
18-Nov	Sent to coaching: policy violation found, officer coached	MPD P&P § 5-105(C)(1)--Professional Code of Conduct	Complainant asserts that he was riding his bike in route to a park when he passed a SUV to discover that Officer 1 kneeling by a trash can was pointing a gun at it. Afterwards, Complainant alleges that Officer 2 "walked over to [him] and asked if [he] was "f*c#ng stupid,"" to which Complainant replied that he did not see the gun until after he passed Officer 1. Further, Complainant contends that he has disabilities and would like for the officer to apologize.	N/A	MPD P&P § 5-105(C)(1)	B	10 hours
18-Dec	Sent to coaching: policy violation found, officer coached	MPD P&P § 7-406.04(1)--Role of the Pursuit Supervisor	It is alleged that the supervisor cannot be heard acknowledging a pursuit	N/A	MPD P&P § 7-406.04(1)	B	10 hours
19-Apr	Sent to coaching: policy violation found, officer coached	MPD P&P § 7-401--Normal Vehicle Operation	It is alleged that the officer used unreasonable judgment when he hit a stationary object--a fire hydrant--while trying to move an unmarked squad	N/A	MPD P&P § 7-400/401	B	10 hours
19-Jun	Sent to investigation--sent for coaching: policy violation found, officers coached; Chief sustained violations at A level	MPD P&P § 5-103--Use of Discretion	Complainant alleges that he was sleeping when he heard knocking on his door. According to Complainant, he was asked who it was, the person behind answered "MPD" and asked if Complainant would come outside to speak with them. Complainant asserts that he asked if the person outside had a warrant, and that if they didn't, he couldn't let them in. The individual outside the door, Complainant claims, asked if he knew a certain individual and also that the individual claimed to have items in Complainant's home. Complainant contends that he told officers outside that he did not, insisting that he had instructed the individual to get her things, but she never did. When the individual didn't, Complainant claims that his girlfriend threw most of the items away except for some left hanging on the door knob. Next, Complainant contends that he heard loud booms and thought police were trying to knock down his door. Resultantly, Complainant claims that he called 911, told them that officers were trying to knock down his door, and asked the operator to tell them to stop doing so. Complainant claims that police said that they were not doing the kicking but that they were recording the individual doing so. Complainant asserts that the incident lasted for about 15-20 minutes. After this Complainant contends that he asked the operator if he could speak to a sergeant. Complainant contends that he told the sergeant that the individual did not live with him and that he had only let her stay over for a night. Next, Complainant contends that he heard a voice at the other side of the door, and that an officer responded who said Complainant's name. Complainant contends that his door was wrecked, leaving him to be evicted from his apartment. Further, he asserts that officers let the individual do this to his door because she is a "white woman" and he is a "black man."	N/A	MPD P&P § 5-103	Not listed	N/A
19-Aug	Sent to coaching: policy violation found, officer coached	MPD P&P § 7-401--Normal Vehicle Operation	Complaint alleges that Officer 1 was going to assist in a traffic stop close to his location when he struck, "a box to a skidsteer (metal bucket)," causing damage to the squad's front bumper. Further, the complaint alleges Officer 1 did not turn on his BWC until he was in route to the Garage. Incident was marked as preventable.	N/A	MPD P&P § 7-400/401	B	10 hours
19-Aug	Sent to coaching: policy violation found, officer coached	MPD P&P § 7-401--Normal Vehicle Operation	It is alleged that the officer was in a preventable accident	N/A	MPD P&P § 7-400/401	B	10 hours
19-Nov	Sent to coaching: policy violation found, officer coached	MPD P&P § 4-602--Report Writing	It is alleged that the officer failed to respond to a court mandated appearance. Also, it is alleged that the officer failed to provide a supplement upon request to do so by the City Attorney's Office	The supervisor discussed the complaint with the focus officer. The focus officer stated that he emailed the City Attorney explaining his attempts to contact her. Further, the focus officer commented that, after the attorney responded that she was able to speak to another officer who provided information needed to resolve the case, he did not respond with further information. The supervisor reminded the focus officer the importance of complying with requests and advised the officer he needs to respond to requests made by MCAO, including responding to subpoenas and supplement requests. The supervisor modified the original alleged violation and sustained a policy violation	MPD P&P § 3-707 MPD P&P § 4-602	B	10 hours

PCOC Meeting (Year-Month)	Outcome	PCOC Incident Identifier	PCOC Synopsis	Coaching Summary	Policy Manual Provision	Discipline Matrix Violation Level	Baseline Discipline in Matrix
20-Mar	Sent to investigation--panel found merit, Chief referred case to coaching	MPD P&P § 7-403--Vehicles-Emergency Response	Allegation that officer failed to keep sirens on for a continuous manner during a code 3 response.	N/A	MPD P&P § 7-403	B	10 hours
20-Mar	Sent to coaching: policy violations found, officer coached	MPD P&P § 5-104.01--Professional Policing	Complainant alleges that the officers who arrived at her home forced/ coerced her to fill out forms and felt threatened by the officer's comments.	The officer was coached, and policy violations were found for 5-104.01 Professional Policing, 5-105(A)(5) Professional Code of Conduct, and 5-105 (C)(1) Professional Code of Conduct.	MPD P&P § 5-104.01 MPD P&P § 5-105(A)(5) MPD P&P § 5-105(C)(1)	5-104.01, 5-105(A); A-D 5-105(C)(1):B	10 hours
21-Jan	Sent to coaching: policy violations found, officer coached	MPD P&P § 4-220--Computer Use and Electronic Communication	It is alleged that an officer created a post on social media that stated, "If you look at this picture, and you freak out due to the fact that you think these are scary 'assault weapons' then I accomplished my goal ;)"	N/A	MPD P&P § 4-220	B	10 hours
21-Jan	Sent to coaching: policy violations found, officer coached	MPD P&P § 7-405--Initiating or Continuing a Pursuit	It is alleged that officers were travelling through a green traffic light when a vehicle driving perpendicular to them ran a red light. Officers followed the vehicle in order to initiate a traffic stop. The vehicle did slow before fleeing from officers, resulting in a pursuit being initiated. The pursuit was quickly terminated.	N/A	MPD P&P § 7-405	C	40 hours
21-Mar	Sent to coaching: policy violations found, officer coached	MPD P&P § 10-401.1--Property and Evidence Acquired Or Temporarily Stored At Precincts MPD P&P § 5-105 (B)(4)--Professional Code of Conduct	It is alleged that an officer tossed the complainant's belongings in the trash after the complainant was arrested. It is also alleged that officers on the scene did not wear the necessary PPE required by MPD.	The officer was not coached and a policy violation was not found for 10-401.1 - Property and Evidence Acquired Or Temporarily Stored At Precincts. The supervisor found that the officer was professional and asked the individual over 5 times if the backpack belonged to the individual and did not have access to property and evidence during the shift. This was later amended, to find a policy violation and coaching.	MPD P&P § 10-401.1 MPD P&P § 5-105 (B)(4)	10-401: C	40 hours

Exhibit 12

From the desk of:
Medaria Arradondo
Chief of Police
Minneapolis Police Department
350 South 5th Street, Room 130
Minneapolis, MN 55415
(612) 673-3550



TO: Officer Colleen Ryan Badge #6226

CC: MPD Internal Affairs

DATE: December 2, 2020

RE: OPCR Administrative/Investigation Case #20-08326

CHIEF'S DECISION:

Discharge

Suspension Duration:

Written Reprimand

Permanent Demotion

Temporary Demotion Duration: _____

SUMMARY OF BASIS FOR DECISION

This memo summarizes my approach and reasoning for my decision as Chief of the Minneapolis Police Department that Officer Colleen Ryan receive a Written Reprimand. This memo accompanies the enclosed MPD Worksheet.

Policies Violated:

MPD 6-202 Responsibility of MPD Employees

Facts Supporting Decision (see also Investigation Summary):

On June 10, 2020, a magazine article, titled "A Minneapolis Police Officer Opens Up About the Toxic Culture Inside the Department"¹ was published in GQ Magazine. The author of the article, Laura Bassett, wrote she spoke to a Minneapolis Police Officer who agreed to be interviewed by phone on the condition her real name was withheld. [REDACTED] lodged a complaint with Office of Police Conduct Review regarding the article.

Also, an anonymous tip was entered into the Ethics Hot Line alleging Colleen Ryan was the Minneapolis Police Officer interviewed for the GQ article.

Upon the completion of this thorough investigation I reviewed the investigative case file materials and made my decision.

Facts of this Case:

- Officer Ryan initiated contact with Laura Bassett via Twitter.
- Officer Ryan was trying to gather information for a project for her Master's Degree.
- Officer Ryan continued the contact with Bassett via two telephone calls.
- Officer Ryan did not have permission from the Public Information Officer to contact or talk to anyone from the media.
- Officer Ryan knew Bassett was writing an article about the police.
- Officer Ryan agreed to speak with Bassett about the Minneapolis Police Department.
- Officer Ryan knew information she provided would be used in the article.
- Officer Ryan asked that her personal information be withheld from the article.
- Officer Ryan confirmed she is the person in the article who is referred to as Megan Jones.
- Office Ryan offered her opinion to Bassett throughout the conversation.
- Officer Ryan regretted the bad press the article generated for the Minneapolis Police Department.

As Chief of Police I am responsible for providing clear expectations on what is acceptable behavior in our workplaces as well as what will not be tolerated. Officer Ryan by our department policy should have contacted and sought permission from our MPD PIO prior to engaging in the interview with the journalist. Officer Ryan admitted that she did not seek this permission. Officer Ryan regretted the bad press the article generated for the Minneapolis Police Department. It is my decision that Officer Ryan receive a Written Reprimand for violating our department's Responsibility of MPD Employees.

Minneapolis Police Department Discipline Worksheet

Officer Colleen Ryan Badge #6226	06/10/2020	#20-08326
Employee's Name and ID Number	Date of Incident	Administrative Case Number

Complaint Form (attached)

Form signed by: Names and Title (if City employee)	Date
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Receipt of OPCR File in Chief's Office

Received by: MPD Employee Name	Date
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Referral to Internal Affairs for Further Investigation (if applicable)

Referral made by: MPD Employee Name and Title	Date
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MPD Discipline Panel Recommendation - MPD Policy Violations

6-202	Responsibility of MPD Employees



12-2-20

Deputy Chief of Professional Standards	Date
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Loudermill - MPD Policy Violations

6-202	Responsibility of MPD Employees

Loudermill conducted by:	Date
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Minneapolis Police Department Discipline Worksheet

Attendees at Loudermill: _____

Office of the Chief of Police

Policy Number	Policy Description	Category	Disposition
6-202	Responsibility of MPD Employees	"B"	Written Reprimand

Chief's Discipline Decision

See: Discharge, Suspension, Involuntary Demotion form and Chief's Memorandum (attached)

Melaine Carlala

Chief of Police

12/2/2020
Date

Final Disposition, If Different From Chief's Original Decision

[Grievance arbitration award, grievance settlement, Veterans Preference Hearing, resignation in lieu of discharge]

Final Disposition of Discipline

Date

Date of Publication on City's Website

Minneapolis Police Department Discipline Worksheet

Memorandum Forwarded to:

Date

MP-1408 (Revised 07/29)