Minneapolis

City of Lakes

CIVILIAN POLICE REVIEW AUTHORITY

THIRD QUARTER REPORT

2011

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Introduction

The Minneapolis Civilian Police Review Authority (CRA) is responsible for receiving, investigating, mediating, and adjudicating civilian complaints against Minneapolis Police Department (MPD) officers. This report will provide information about citizen complaints involving the actions of MPD officers. This report will present data from the first, second, and third quarters. It should be noted that the data contained in this report is a snapshot of the data at the end of the quarter. This report does not include data from the MPD Internal Affairs Unit or the lawsuits filed against MPD officers.

The report is divided into four sections. Section I will provide CRA data collected from January through September 2011. Section II will discuss select complaint data for closer examination. Section III will discuss the results of sustained allegations forwarded to the chief of police in the third quarter. Section IV will provide additional information related to the CRA operation.

Section I 2011 Statistics

The table below provides CRA data related to the number of civilian contacts, the demographics of the civilian contacts, and the allegations contained in complaints from the first through the third quarters of 2011.

Table 1 Complaint Data

Minneapolis Civilian Police Review Authority 2011			
	1Q	2Q	3Q
1. Number of initial complaints received	75	81	114
2. Number of complaints sent for signature	27	35	40
3. Number of signed complaints received	22	19	29
4. Number of complaints withdrawn	0	1	0
5. Percentage of complaints containing multiple allegations	59%	74%	72%
6. Total number of allegations by type			
• Inappropriate Conduct	20	22	29
• Inappropriate Language	18	7	18
• Harassment	1	1	11
• Excessive Force	34	16	19
• Failure to Provide Adequate or Timely Police Protection	3	2	3
• Discrimination	0	0	36
• Failure to Report Use of Force	0	2	0
• Retaliation	0	0	0
• Theft	0	4	4
7. Location of complaints by precinct (See map, Appendix A)			
• Precinct 1	11	8	10
• Precinct 2	1	3	2
• Precinct 3	3	4	5
• Precinct 4	3	2	9
• Precinct 5	4	2	3
• Outside City	0	0	0

Minneapolis Civilian Police Review Authority 2011			
	1Q	2Q	3Q
8. Location of complaint by ward (See map, Appendix A)			
• Ward 1	1	0	2
• Ward 2	1	2	1
• Ward 3	0	3	3
• Ward 4	0	0	1
• Ward 5	3	1	5
• Ward 6	1	1	2
• Ward 7	10	8	9
• Ward 8	2	0	1
• Ward 9	0	2	3
• Ward 10	3	0	0
• Ward 11	1	0	1
• Ward 12	0	1	1
• Ward 13	0	1	0
• Outside City	0	0	0
9. Race of Complainants (includes victims)[1]			
• Asian	3	0	1
• Black	18	16	21
• Latino	1	0	1
• American Indian	0	0	0
• Unknown	3	0	1
• White	4	7	7
10. Age of Complainants			
• Under 21	1	5	3
• 21 – 40	19	8	15
• Over 40	6	8	11
• Unknown	3	2	2
11. Gender of Complainants			
• Female	11	8	8
• Male	18	15	23
12. Race of Officer involved in complaint			
• Asian	1	1	3
• Black	4	3	1
• Latino	1	2	0
• American Indian	0	2	1
• White	25	21	28
13. Officers time on force (seniority of officer involved in complaint)			
• Less than 5 years	13	10	11
• 5 or more years	18	19	22

[1] Because the CRA ordinance allows any person with personal knowledge to file a complaint, the term "victim" is used to describe the individual who experienced the police action contained in the complaint.

Section II Complaint Data Discussion

Complaints

Staff closed 66% of the initial complaints received during intake in the third quarter, which is a decrease from the percentage closed during the second quarter (74%). The decreased percentage is explained by the increase initial complaints filed during the third quarter. The CRA has continued to benefit from the use of a part-time investigator handling the initial complaint processing. Through the work of a part-time investigator, focusing entirely on initial complaints, the CRA has been able to provide better service to complaining parties and the MPD through faster initial complaint processing. The part-time investigator has also allowed the full-time investigators to focus on ongoing complaint caseload.

Thirty-five percent of the initial complaints resulted in a complaint for signature. A complaint for signature is a complaint that (after initial screening by CRA staff) is sent for a complainant signature because the alleged actions by a police officer may have violated MPD policy and procedures.

The CRA received 29 signed complaints, which is consistent with the number of complaints received during the same period last year. Nine of the complaints received during the third quarter qualified for priority complaint processing. Priority complaint processing is a method used to identify those complaints that meet certain factors, such as the seriousness of the allegation, past history of the involved officer, or high sustainability factors. Complaints selected for priority investigation are placed on a 90-day investigation plan.

Allegations

Excessive force allegations against MPD officers accounted for 16 % of the complaint allegations filed during the third quarter of 2011. This is a decrease from 30%, which were received last quarter.

There was a significant increase in the number of recorded discrimination allegations during the third quarter. The increase was due largely in part to the CRA's effort to more accurately record all aspects of individuals' allegations, which affected the classification of allegations. More accurate recording of individuals' perceived reasons for police misconduct will aid the City and the CRA

board in assessing how the public believes the City and the CRA board are doing regarding the City's goal "Many People, One Minneapolis" as it relates to police action.

Location of Complaints

The majority of the third quarter complaints involved incidents that occurred in the First Precinct and Ward 7, which is consistent with previous quarters. Most of those complaints involved police conduct that occurred in the downtown business and entertainment district. Complaints from the downtown business district accounted for 31% of the complaints filed during the second quarter, which is a reduction from the 42% of complaints from the downtown area that were received last quarter.

Complainants

There has been no change in the distribution of "who" files the majority of complaints against Minneapolis police officers. During the third quarter, blacks filed 68 % of the complaints. This is consistent with the historical average of nearly 65% of all CRA police misconduct complaints involving blacks as the complainants or victims of police misconduct allegations.

During the spring of 2011, the CRA developed a new Results Minneapolis measure to track percentage of complaints filed by black males. It is the CRA's goal to help reduce the actions that cause black males to disproportionately file more complaints of police misconduct. Since 2000, black males have filed over 41% of the police misconduct complaints. During the first three quarters of 2011, black males filed 51% of the CRA police misconduct complaints. The CRA is beginning to gather additional data and discuss strategies to reduce this disparity.

Mediation

Three complaints were referred to mediation. One mediation was held, and the complaint was successfully mediated. The mediations for the remaining two complaints will be held during the fourth quarter.

Board Activity

The CRA board consists of 11 board members appointed by the Mayor and the City Council to four-year terms. Members must be residents of Minneapolis and cannot be current or former employees of the MPD. Board members are responsible for conducting hearings and determining the facts of complaints, making policy recommendations to the MPD, holding monthly public meetings, and participating in community outreach. Public meetings and community outreach are

essential to the board's ability to receive comments from the public concerning the relations between the public and the MPD and to explain the agency's role in addressing police misconduct. The board's authorization to determine the facts of a complaint provides the citizens of Minneapolis the opportunity to be intimately involved in police accountability. Moreover, the board members, through their hearing panel decisions, policy review and recommendations, review of the chief's actions related to the CRA complaints, and outreach are in a position to affect behavior changes in the community and the MPD.

Once CRA staff completes a complaint investigation, the complaint is sent to the CRA board to schedule a hearing. Board hearings are conducted to adjudicate the complaints. The board conducted hearings on 16 complaints during the third quarter of 2011, of which 12 reached a determination.

Table 2 Board Data – Disposition of Complaints

Disposition of Complaints	1 Q	2Q	3Q
• Number of complaints heard by panel	18	19	16
o Number of complaints fully sustained	3	2	1
o Number of complaints partially sustained	4	2	0
o Number of complaints not sustained	5	2	4
o Number of complaints dismissed[2]	6	5	8
o Number of complaints determination pending	2	8	4
• Number of allegations contained in complaints heard			
o Number of allegations sustained	24	22	2
o Number of allegations not sustained	26	11	19
o Number of allegations dismissed[2]	16	11	58
• Types of allegations sustained			
o Inappropriate conduct	7	4	1
o Inappropriate language	1	8	0
o Harassment	4	2	0
o Excessive force	5	8	0
o Failure to provide adequate or timely police protection	2	0	1
o Discrimination	0	0	0
o Failure to report use of force	0	0	0
o Retaliation	0	0	0

[2] Includes complaints dismissed by CRA manager 172.85.(b)

Section III Results of Sustained Allegations Forwarded to MPD

The CRA ordinance provides that the chief can make one of four decisions on a sustained complaint as determined by the CRA board:

(1) Impose discipline and notify the review authority in writing that discipline has been imposed; or
(2) Determine that no discipline will be imposed and notify the review authority in writing of such determination and the reasons for such determination; or
(3) Make a one time written request that the review authority reconsider the sustained finding; or
(4) Submit in writing to the review authority a request for an extension of time, not to exceed an additional thirty (30) days, to take one of the actions in subparagraphs (1) through (3) with a statement of the reason for the extension and a proposed date by which one of such actions will be taken.

Of the 25 sustained allegations sent from the CRA to the chief for action, the chief made the following decisions on those allegations during the third quarter:

1 allegation- discipline

23 allegations - no discipline

1 allegation – no discipline, coaching

1 allegation - requests for reconsideration (also included in no discipline count)

0 allegations - extension of time

Of the one complaint violation where discipline was imposed, the chief imposed the following disciplinary action:

- Letter of Reprimand

During the third quarter, an officer terminated for lying during a CRA investigation was returned to the MPD workforce by an arbitration award. The terminated officer received a two-month suspension.

Of the 7 complaints where no discipline was imposed, reasons given for no discipline were:

- Reckoning Period (meaning, the complaint is considered to be too old for corrective action)
- Difference in evaluation of officer's actions as determined by the CRA board
- Disagreement with facts as determined by the CRA board

Although there were no requests for an extension of time to make a disciplinary decision, the remaining MPD decisions pending at the end of the third quarter that were beyond the 30 days for the chief to make a disciplinary decision ranged from 78 days to 372 days past due. The chief made one reconsideration request during the third quarter.

Section IV Other Information

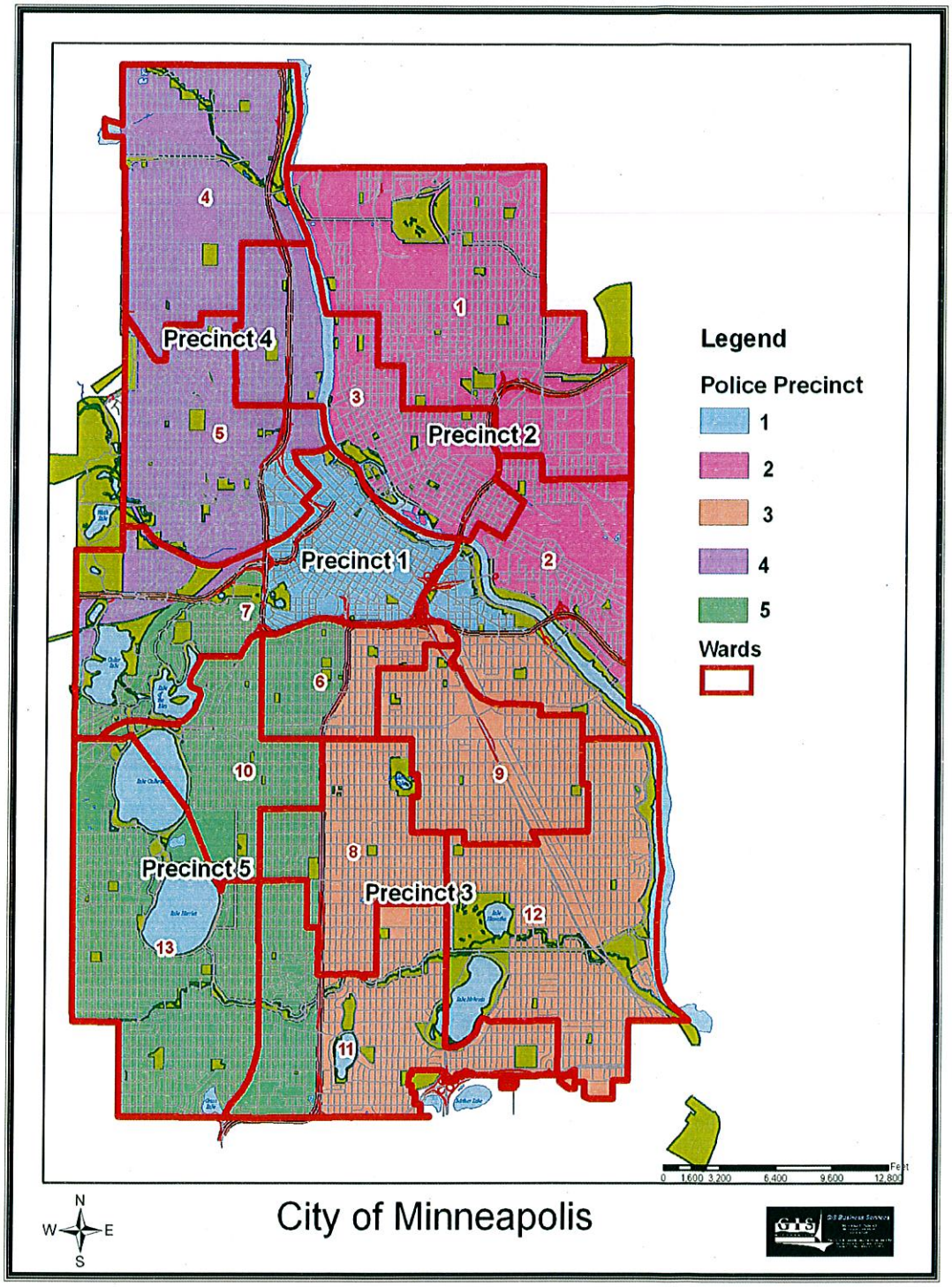
CRA Board Openings

During the third quarter, the CRA board began accepting applications for nine board member terms that are vacant or will expire December 31. CRA board members are critical to the CRA operation. The CRA relies on resident volunteers of Minneapolis to commit hours to aiding the MPD to be the most professional police force possible.

The City Attorney's office, MPD, and CRA staff conduct new board member training. The City Attorney's office provides training in police use of force, Minnesota Government Data Practices Act, Open Meeting law, Minnesota Public Employee Labor Relations Act, and Ethics training. The MPD provides the board members training in use of force and facilitates police ride-a-longs and MPD Citizen Academy training. CRA staff provides training and assistance with writing board determinations.

Social Media

The CRA can now be found on the Minneapolis Department of Civil Rights Facebook page and WordPress. See links below.

Facebook: http://www.facebook.com/pages/Minneapolis-Department-of-Civil-Rights/172295686153399?sk=wall
WordPress: http://civilrightsminneapolis.wordpress.com/

Appendix A: Ward and Precinct Map