

Amending Title 9, Chapter 172 of the Minneapolis Code of Ordinances relating to Fire and Police Protection: Civilian Police Review Authority.

The City Council of The City of Minneapolis do ordain as follows:

Section 1. That Chapter 172 of the Minneapolis Code of Ordinances be amended to read as follows:

172.20. Scope of authority. The review authority shall receive complaints that allege misconduct by an individual police officer or officers, including, but not limited to, the following:

- a. Use of excessive force.
- b. Inappropriate language or attitude.
- c. Harassment.
- d. Discrimination in the provision of police services or other discriminatory conduct on the basis of race, color, creed, religion, ancestry, national origin, sex, affectional preference, disability or age or sexual orientation.
- e. Theft.
- f. Failure to provide adequate or timely police protection.
- g. Retaliation for filing a complaint with the review authority. (90-Or-043, § 1, 1-26-90; 2003-Or-028, § 2, 3-21-03)
- h. Any violation of the MPD's Policy and Procedure Manual

Section 2. That Chapter 172 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 172.85 to read as follows:

172.85 Dismissal after the Preliminary Review. (a) If after the preliminary review, the Manager determines that further investigation is not warranted, the Manager may request a dismissal from the Chair of the Board. The dismissal request must state the basis for the dismissal. The Chair shall schedule a hearing for the dismissal.
(b) The Manager may administratively dismiss complaints against misidentified officers, officers out-of-jurisdiction, and officers no longer with the MPD. The Manager shall notify the CRA Board of the administrative dismissal.

Section 3. That Chapter 172 of the Minneapolis Code of Ordinances be amended to read as follows:

172.130 Disciplinary Decision. (a) Upon conclusion of the hearing and request for reconsideration process, the review authority shall forward the investigatory file, the findings of fact and the panel determination to the chief of police, who shall make a disciplinary decision based upon this information. A disciplinary decision is the issuance of a verbal warning, written warning, suspension, or termination. The chief's disciplinary decision shall be based on the adjudicated facts as determined by the CRA Board, and shall not include a de novo review of the facts by the MPD's Internal Affairs Unit or any

other police officer, unit, or division. Under this ordinance, a sustained CRA complaint shall be deemed just cause for disciplinary action by the chief of police or the mayor of Minneapolis.

In cases where the CRA Board has determined that specific facts constitute a violation of the MPD Policy and Procedure manual, under no circumstances should the MPD Internal Affairs Unit or any other police officer, unit, or division be allowed to alter, augment, or revise the designation.

In all cases where the review authority sustained the complaint, the chief of police shall provide the review authority and the mayor with a written explanation of the reason(s) for that disciplinary decision.

(b) The review authority shall provide notice to the complainant of the final disciplinary decision. (90-Or-043, §1, 1-26-90; 2003-Or-028, §§ 18, 19 3-21-03)

Section 4. That Chapter 172 of the Minneapolis Code of Ordinances be amended by adding thereto a new Section 172.185 to read as follows:

172.185 Notification of officer's reinstatement. In the event that a dismissed officer has been reinstated to the Minneapolis Police Department, the Chief of Police shall provide notification to the CRA of the officer's return to the department within 30 days of the officer's reinstatement.