

minneapolis police department

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internal affairs unit

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annual report 2008

to protect with courage | to serve with compassion

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# section one

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# introduction

## **FOREWORD**

The Internal Affairs Unit (IAU) assists the department with investigations of critical incidents, use of force, internal and external complaints, civil rights complaints, and special investigations. The IAU plays a crucial role in making the operations of the Minneapolis Police Department more transparent and accountable to the communities we serve. It is to this end that we produce this annual report.

Because of the improved oversight, we continue to see decreases in lawsuit payments,<sup>1</sup> overall use of force, and officer injury payouts. It is also notable that we have these decreases while adding many new high quality officers from diverse backgrounds<sup>2</sup> with each new class, and we have been successful in retaining officers.

In 2008, the Police Executive Research Forum (PERF) was contracted to conduct an audit of the IAU's complaint investigation procedures. PERF published a report of its findings in December 2008, including 29 recommendations. A workgroup was formed in early January 2009 to review and implement those recommendations. This latest audit comes on the heels of a 2007 audit of critical incident procedure by former U.S. Attorney Todd Jones, and a 2005 overhaul of IAU complaint investigation processes. It is our goal to continue to strive to have an Internal Affairs Unit that is progressive and on par with national best practices.

I would like to commend the Internal Affairs Unit for their continued good work in a difficult assignment. Their work ensures the integrity of the Minneapolis Police Department; our reputation depends on their professional and thorough investigations. They value what is right over what is easy or comfortable. I would also like to recognize Sgt. David Follano who received the department's Investigator of the Year award. He, along with his colleagues, continue to produce high-quality reports, which is further evidenced by the fact that no sustained case was overturned by an independent arbitrator in 2008.

The MPD strives to fulfill our commitment to protect with courage and serve with compassion, which is reflected by these statistics. We are proud to offer this report for your review.

**Timothy Dolan**  
Chief of Police, Minneapolis Police Department

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<sup>1</sup> 2008 payouts were approximately \$348,000; this is an 83 percent decrease over 2004.

<sup>2</sup> We increased diversity by averaging over thirty percent officers of color in each recruit class.

## OVERVIEW OF THIS REPORT

This report is a comprehensive overview of the work of the Internal Affairs Unit; including the workflow process and statistics resulting from complaints and dispositions of those complaints. Yet this report is not solely about the numbers. It is important to consider other factors when reviewing the statistics reported here. These factors include overarching patterns and trends in other measurables such as calls for service, arrests, and complaint reporting.

In 2008, there were 887 sworn officers (3.5 percent increase over 2007), plus another 245 civilian staff (14 percent increase over 2007). There were 202 cases opened in Internal Affairs, resulting in 1.7 cases per 10 employees. This is a slight decrease from 2007 (2 cases per 10 employees) and a larger departure from 2006, when there were 2.3 cases per 10 employees.

When considering the ratio of complaints compared to calls for service, the MPD has experienced a steady decline since 2006:

Year	Calls for Service	Total cases (Preliminary + IAU)	Ratio (per 10,000 calls for service)
2006	371,466	246	6.6
2007	422,659	222	5.3
2008	335,814	202	6.0

Overall, there has been a 9 percent decrease in the cases-to-calls for service ratio since 2006.

The numbers regarding complaints and use of force are even more positive. There has been almost a 47 percent decrease in the number of IA investigations regarding use of force complaints since 2005.

Year	Internal Force Review <sup>3</sup>	External Complainant <sup>4</sup>	Total Force Cases	Total IAU Cases & Force Reviews	Percent force cases of full IAU investigations
2005	17	13	30	79	38%
2006	15	6	21	85	25%
2007	10	11	21	78	27%
2008	11	5	16	87	18%

Although the almost all statistics recorded in this report show a slight increase over last year, overall, there is a downward trend in complaints and use of force.

The MPD strives to fulfill our commitment to protect with courage and serve with compassion by being transparent and accountable to the public. We are proud to offer this report for your review.

<sup>3</sup> Internal Force Reviews are IAU-initiated reviews of critical incidents.

<sup>4</sup> Full IAU cases that started with an external complaint regarding use of force

## **PURPOSE OF INTERNAL AFFAIRS**

Few professions in public service demand more trust from the communities they serve than law enforcement. Law enforcement agencies across the United States must continually work on building and maintaining this trust. To help accomplish this goal, it is the role of the Internal Affairs Unit to ensure that all employees of the Minneapolis Police Department comply with federal, state and local laws, as well as all departmental policies in the daily performance of their duties.

The Minneapolis Police Department (MPD) is committed to a fair and consistent discipline process and has therefore established the Internal Affairs Unit (IAU) to receive, investigate, and resolve complaints of employee misconduct. The goal of the IAU is to ensure that this mechanism upholds a system of internal accountability that maintains the integrity of the department using due process, fairness, and justice as guiding principles.

The IAU accepts and investigates all allegations of misconduct--any event or series of events where there is a question whether any MPD employee was acting outside of MPD policy and procedure. Cases investigated by the IAU originate with complaints filed by either the public (known as external complaints) or by MPD employees (known as internal complaints). In addition, some cases begin as a review of certain types of incidents, such as officer involved shootings; these reviews are mandated by departmental policy.

It is the responsibility of the IAU to conduct thorough, impartial, and timely investigations into allegations of misconduct or violations of the MPD Policy and Procedure Manual, City of Minneapolis Respect in the Workplace Policy, Civil Service rules, or any reported criminal conduct committed by a member of the department.

The IAU will investigate allegations of employee misconduct including acts that have occurred on- or off-duty, inside or outside Minneapolis city limits. The MPD strives to maintain a balance between the powers of the police to provide effective law enforcement and the rights of the public to be protected against the abuse of police powers.

## **MISSION STATEMENT OF THE MPD**

The City of Minneapolis is the safest place to live, work and visit. It is our mission to implement effective crime-prevention strategies and reduce crime by collaborating with the community and our criminal justice partners. We value:

- Serving and working with our community
- Employees as our greatest asset
- A workforce that reflects our community
- Protection of human rights
- Professional excellence
- Honesty and integrity

In support of MPD's mission, the Internal Affairs Unit has pledged:

- To encourage active participation by all parties in the complaint process
- To carefully examine each investigative file to ensure that all efforts have been made to resolve the complaint
- To review all complaints with complete objectivity and impartiality
- To engage in community outreach throughout Minneapolis
- To educate the general public concerning the IAU's purpose
- To report to the Office of the Chief of Police any patterns of misconduct that are uncovered as a result of the investigation and complaint review
- To report to the Deputy Chief of Professional Standards any and all relevant issues and policy matters that may arise
- To proactively identify trends that may need to be addressed by the Training Unit.

# section two

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# investigations

## **ABOUT THE INTERNAL AFFAIRS UNIT EXPERIENCE AND TRAINING**

In 2008, the IAU had a complement of six full-time sergeant investigators and one lieutenant in charge. They are all skilled investigators with a combined total of over 45 years of investigative experience among them. This experience consists of work in the homicide, sex crimes, robbery, property crimes, forgery/fraud, child abuse, domestic assault and juvenile units, as well as time as patrol supervisors.

Because conducting quality investigations takes a considerable amount of specialized training, internal affairs investigators have been trained in:

- Internal Affairs investigation
- Officer-involved shooting investigation
- Use of force investigation
- Ethics

## **THE COMPLAINT PROCESS**

Any member of the public who wishes to file a complaint has several options. The IAU receives complaints from a variety of sources including 311, the MPD website, and through calls and walk-ins to precincts and the Internal Affairs Unit's office in City Hall. The IAU accepts complaints about police department employees no matter how they are received.

If a complainant calls or stops into the Internal Affairs office, he or she may speak directly with an investigator. That investigator will listen to the complaint and then give the complainant a Police Conduct Incident Report (PCIR) form and an informational pamphlet about the process, with a postage-paid envelope. Once the completed form is received back in Internal Affairs, an investigator is assigned to the complaint and will contact the complainant within five business days. If the allegation is particularly egregious (such as demonstrable injury or implied criminal action), a statement may be taken immediately from the complainant and an investigation initiated at that time.

In addition to contacting the IAU directly, individuals can also file complaints with any supervisor in the police department. All police department employees are required by departmental policy to direct individuals with complaints to the IAU or the appropriate supervisor.

Complaints may also originate from employees within the police department either through observation of a fellow officer or supervisor or as mandated by policy. The MPD's code of conduct (5-105.6 of the Policy/Procedure Manual) requires officers to report misconduct, regardless of the accused officer's rank or assignment. The Manual also requires officers to contact the Internal Affairs Unit as soon as

practicable if they have been arrested or find themselves the subject of a criminal investigation (5-105.7 of the Manual). Violation of either of these policies could result in discipline.

Reviews of uses of force (including pursuits and critical incidents) are outlined in this report beginning on page 22.

The MPD's Policy and Procedure Manual is published online for the public:

<http://www.ci.minneapolis.mn.us/mpdpolicy/>

## **REPORTING COMPLAINTS**

There are multiple ways for members of the public to report complaints regarding officer conduct:

- **The Police Conduct Incident Report (PCIR) form** has been in use for over four years. The form is currently published in seven languages: English, Somali, Spanish, Hmong, Laotian, Oromo, and Vietnamese. The form is also available in alternative formats and lists a TTY number for people who communicate more easily using this service.

The PCIR forms are available at MPD police precinct stations, safety centers, the Barbara Schneider Foundation, African American Men and Women in Need, and Federal Mediation Now, and the Urban League. The form is also available on the Minneapolis Police Department's website:

<http://www.ci.minneapolis.mn.us/police/about/internal-affairs.asp>.

- **Online:** In March of 2009, the MPD, in conjunction with the Civilian Review Authority, developed and published a new online complaint form. The form is easy to complete and the complainant may choose to have the form routed to the Civilian Review Authority or IAU. In addition, there is also a form to compliment officers.

<http://www.ci.minneapolis.mn.us/forms/mpd-citizen-report/>

- **By phone:** Complaints may be called in directly to the IAU, CRA, precincts, or via 311.
- **In person:** Complainants are welcome to visit the IAU office in City Hall, the CRA office in the Grain Exchange building, or any police precinct to file a complaint.

## **INVESTIGATIVE PROCESS**

All complaints begin with a review called a preliminary investigation. Depending on what is found in this initial stage of the inquiry, the investigation may enter its second stage as an IAU case, be referred to the precinct or unit commander to investigate, be discontinued based on a lack of facts to indicate a policy violation, or become suspended pending further information.

An IAU investigation begins with the gathering of all available data pertaining to the allegation. This includes, but is not limited to, all police reports, complainant/witness statements, patrol logs, a scene canvass/search, video camera recordings, and medical records. The IAU will work with forensic pathologists, computer/media experts (to enhance video), shooting reconstruction experts, and any other experts needed to help clarify and interpret data.

The investigator's written conclusions are forwarded to a three-person disciplinary panel that may consist of any combination of deputy chiefs, precinct commanders, and lieutenants. The disciplinary panel will make its recommendation to the Chief or his designee, who determines the final outcome of the case and any disciplinary action. After the Chief (or his designee) has made this determination, the complainant is notified of the outcome.<sup>5</sup>

If the allegation is found to be of a criminal nature, the IAU will conduct a criminal investigation and, upon completion, will submit the case file to the appropriate prosecutor's office for consideration of charges.

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<sup>5</sup> This information appears in more detail in Appendix A: Investigation Process.

## **DEFINITIONS**

**Preliminary Case:** The initial investigation into the complaint.

**IAU Case:** The second stage of inquiry into the complaint. This stage is more thorough and formal and involves taking a statement from the involved officer.

**At Panel:** Used to indicate that the case is in the hands of the disciplinary panel or the Chief's Office.

**Force Review:** An administrative examination of an incident involving officer use of force for policy compliance, training issues or indications that a policy or procedure needs revision.

### **Dispositions:**

- **SUSTAINED:** Evidence shows that the complaint is true.
- **NOT SUSTAINED:** There is insufficient evidence to either prove or disprove the complaint.
- **EXCEPTIONALLY CLEAR:** A finding cannot be determined due to an exceptional circumstance such as employee resignation.
- **EXONERATED:** The incident did occur, but was lawful and proper.
- **POLICY FAILURE:** The complaint is true, but the employee's actions were not inconsistent with MPD policy.
- **UNFOUNDED:** Evidence shows that the complaint is false.
- **NO BASIS FOR COMPLAINT<sup>6</sup>:** There is no articulated policy violation within the facts presented.
- **CASE CONTINUED PENDING FURTHER INVESTIGATION<sup>7</sup>:** The investigation is suspended at this time until further information can be obtained.

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<sup>6</sup> Note: This disposition is used only for preliminary cases

<sup>7</sup> Note: This disposition is also used only for preliminary cases

## VIOLATION LEVELS

The levels of policy violations are ranked according to their level of severity, with A being the least serious, and D being the most grievous.

- **A violation:** As the lowest level violation, corrective action for A violations is not intended to be punitive. A violations typically result in coaching or re-training. A violations remain on file in Internal Affairs for one year from the date of the incident; multiple A violations within the year can result in enhanced consequences for continued violations. Examples of A violations include, but are not limited to, minor squad accidents and minor report writing violations.
- **B violation:** B violations are more serious than A's and may result in oral or written reprimands or short suspensions (under 40 hours) without pay. B violations may be used in future discipline for up to three years from the date of the incident. Examples may include using profane language or a first-time DWI with no aggravating circumstances.
- **C violation:** The third level of policy violation, C violations may result in reprimand, demotion, or up to 80 hours of suspension without pay. C violations may be used in future discipline for up to five years from the date of incident. Examples may include code of conduct or use of discretion violations.
- **D violation:** Due to the severe nature of D violations, a sustained "D" may be grounds for termination, demotion, and lengthy suspensions (up to 720 hours) without pay. D violations remain on the officer's record for as long as he/she is employed with the department plus seven years. Examples of D violations are serious ethics and code of conduct violations, some criminal convictions, and use of force abuses.

The level of violation is based on several factors. The Minneapolis Police Department's Policy and Procedure Manual indicates a violation level range for each policy listed. The investigator will use that to recommend a violation level to the disciplinary panel, who may then accept that recommendation or suggest a different level in its summary to the Chief of Police. The Chief makes the final determination of violation level based on the totality of the event and any mitigating or aggravating circumstances.

# section 2.1

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## preliminary case data

There were 127 preliminary investigation case numbers assigned in 2008. Of those, two complaints were withdrawn by the complainants in order to pursue a case through the Civilian Review Authority. This brings the total to 125 investigated preliminary cases, a 21 percent decrease from 2007. Of these, three cases became full IA investigations, compared with 12 in 2007 (see pages-20 17 for full detail on all 77 IAU cases).

### SUBJECTS OF PRELIMINARY CASES

	Captain	Lieutenant	Sergeant	Officer	Civilian	Unknown	Total
2006	1	7	18	173	0	13	212
2007	0	2	30	195	3	27	257
2008	0	2	24	151	0	21	198

More than one officer may be listed in a complaint, causing the number of subjects to be higher than the number of cases.

Internal complaints are those that come from a member of the police department (whether sworn or civilian). External complaints are those that come from people not employed by the Minneapolis Police Department.

	Internal	External	Unknown
2006	8	164	0
2007	12	146	1
2008	7	115	0

### INCIDENT LOCATION

	Precinct 1	Precinct 2	Precinct 3	Precinct 4	Precinct 5	Outside Mpls	Unknown location
2006	47	23	31	45	20	4	2
2007	58	18	22	48	5	7	1
2008	28	16	27	36	10	5	0

It should be noted that incidents listed as occurring in Precincts 1 and 4 includes those incidents involving officers who work in City Hall or the Special Operations Center, respectively.

### PRELIMINARY CASES: ALLEGATION TYPES & CASE DISPOSITIONS

	IAU Case	Coaching document <sup>8</sup>	No basis for complaint <sup>9</sup>	Continued pending further information	Under investigation	Total
Conduct		1	4	2		7
Discretion		2	20	7		29
Ethics	1		6	8	1	16
Force	2	2	26	35		65
Harassment/Bias Policing			4			4
Language		9	5	2		16
Procedure		9	11	8	2	30
Search		1	12	2		15
Professionalism		4	6	2		12
Squad Operation		5	2			7
Total	3	33	96	66	3	200

In 2008, there were 200 allegations spread over 125 preliminary cases (1.6 allegations per case), compared to 192 allegations spread over 159 cases in 2007 (1.2 allegations per case). 2008 saw only 4 allegations of biased policing, which is a 73 percent decrease from the previous year. Force allegations remained even at 65 over both years, while language complaints rose 23 percent in 2008. (data current as of 5/5/09)

<sup>8</sup> These are cases that are determined to be an "A" violation and sent to the precinct commander for investigation and any needed employee coaching.

<sup>9</sup> No basis for complaint means that there was no violation of MPD policy.

# section 2.2

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## internal affairs case data

## TOTAL POLICE SERVICE CALLS, ARRESTS, AND IAU CASES

	Calls for police service <sup>10</sup>	Arrests	IAU cases
2004	341,376	48,622	80
2005	362,379	45,747	76
2006	371,466	53,220	74
2007	422,659	55,645	63
2008	335,814	52,460	77
<b>AVERAGE</b>	366,739	51,139	74

This table shows a 6 percent decrease in force incidents in 2008 from 2007. Although the number of IAU cases increased in 2008, it is still below the 5-year average.

2008 saw a rate of 2.2 IAU cases for every 10,000 calls for service. Over the last five years, the average is 2.01 IAU cases per 10,000 calls for service.

## SUBJECTS OF IA CASES

It should be noted that an individual may be the subject of one or more investigations, causing the person to appear twice or more here.

	Captain	Lieutenant	Sergeant	Officer	Civilian	Unknown	Total
2005	2	1	20	67	2	3	94
2006	1	5	20	69	5	2	102
2007	0	3	23	47	4	1	78
2008	0	10	13	84	3	1	111

In 2008, 111 employees (9.7 percent of the MPD's workforce) were subject to IAU investigation across 77 cases.

## SOURCE OF IAU CASE COMPLAINTS

	Internal	External
2006	54	20
2007	40	23
2008	51	26

"External" refers to complaints received from the public.

## SUBJECTS WITH MULTIPLE IAU CASES

	Captain	Lieutenant	Sergeant	Officer
2 cases	0	2	1	8
3 cases	0	0	0	2

11 percent of investigated MPD employees were named in multiple IAU cases.

## DISCIPLINE IMPOSED IN SUSTAINED IA CASES<sup>11</sup>

	2007	2008
Termination	3	6
Demotion	0	0
Suspension	11	9
Letter of Reprimand	8	4
Oral Reprimand	4	0
Coaching	8	5

This data reflects discipline associated with an IA case initiated within the year listed, not the year discipline actually occurred. See page 19 for termination information for 2004, 2005, and 2006. As of May 5, 2009, 29 cases are still either at panel or under investigation.

Among the 9 suspensions in 2008, there was a total of **318 hours of time off without pay**, compared with 291 hours in 2007 (9 percent increase).

Data current as of 5/5/09.

<sup>10</sup> This term indicates that there was some form of police contact that generated a case number from Dispatch.

<sup>11</sup> This data reflects what discipline was meted out prior to any appeals. IAU is not involved in the appeals process.

## TERMINATIONS/SEPARATIONS

	Terminated	Resigned prior to termination or probationary release	Probationary or CSO release	TOTAL
2005	4	3	1	8
2006	1	2	1	4
2007	3	6	2	11
2008	5	4	2	11

This table shows those people who separated from the city in the years listed – this does not reflect the year of any IA case or year of incident. One employee, who had an IA case in 2008, wasn't terminated until early 2009.

Of the five terminations in 2008, the majority (4 of 5) involved off-duty and potentially criminal conduct:

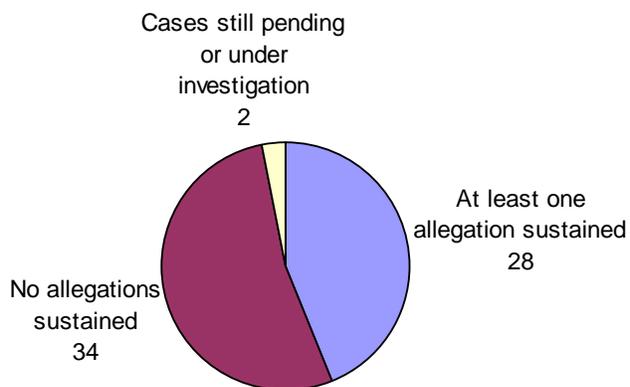
Rank	Source of Complaint	MPD Policy Violated	Incident details	Appeal filed?
Officer	Internal	Truthfulness	Officer falsified his patrol log and was insubordinate	Yes
Officer	Internal	Ethics	Multiple DWI arrests	No
Officer	Internal	Conduct, ethics	Officer indicted on federal corruption charges	Yes
Officer	Internal	Conduct, ethics	Officer was charged with recklessly discharging his firearm off-duty	No
Officer	Internal	Conduct, ethics	Officer was charged with recklessly discharging his firearm off-duty	No

Chief Dolan does not take terminating employees lightly; all of these cases involved lengthy Internal Affairs cases into officers with long employment histories. These officers represent a combined total of over 83 years of experience, and an average employment term of 16.5 years. However, officer misconduct cannot be tolerated, as it reflects poorly on the rest of the Department and the City as a whole.

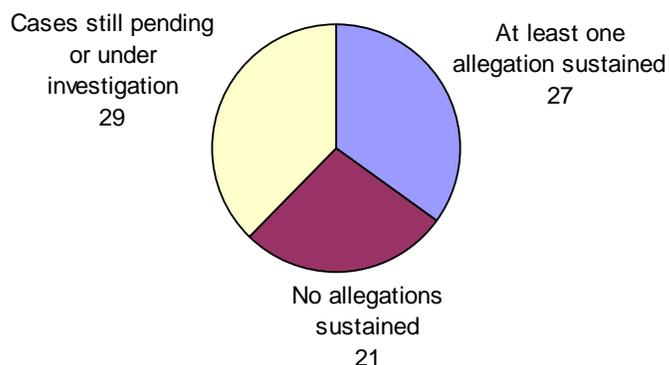
## 2008: ALLEGATION TYPE AND INCIDENT LOCATION

	PCT 1	PCT 2	PCT 3	PCT 4	PCT 5	OUTSIDE MINNEAPOLIS	TOTAL
Use of Force	6	4	-	1	-	-	11
Discretion	5	-	4	4	1	1	15
Procedure	4	-	8	11	-	-	23
Search/Seizure	3	3	5	4	1	-	16
Professionalism	7	3	6	3	-	-	19
Truthfulness	1	4	2	1	1	2	11
Biased Policing	-	-	1	-	-	-	1
Ethics	11	-	1	1	2	13	28
Conduct	2	5	1	5	3	4	20
Language	-	3	6	1	1	-	11
Vehicle Operation	9	1	4	2	-	-	16
<b>TOTAL</b>	<b>48</b>	<b>23</b>	<b>38</b>	<b>33</b>	<b>9</b>	<b>20</b>	<b>171</b>

**2007: Case Status Breakdown**



**2008: Case Status Breakdown**



Based on the information on case status above, it is reasonable to believe that 2008 will see an increase in the number of cases with at least one sustained allegation, even with 38 percent of cases still pending or under investigation.

The two outstanding cases from 2007 are both at panel and both involved internal complainants regarding the use of force policy.

**2007: BREAKDOWN OF ALLEGATIONS AND FINDINGS**

	Sustained	Not Sustained	Unfounded	Exonerated	Exceptionally Clear	Policy Failure	Pending	Total
Force	3	8	1		1		3	16
Biased Policing								0
Discretion	4	4		1	1			10
Procedure	7	2	6	4	1	1		21
Searches		1						1
Truthfulness	3	3	4	1	2			13
Ethics	7	5	4		3		1	20
Conduct	16	5	6	1	2		3	33
Language	5	5	3					13
Vehicle Operation	5	3		2				10
Professionalism	1	3		1		1		6
<b>Total</b>	<b>51</b>	<b>39</b>	<b>24</b>	<b>10</b>	<b>10</b>	<b>2</b>	<b>7</b>	<b>143</b>

**2008: BREAKDOWN OF ALLEGATIONS AND FINDINGS**

	Sustained	Not Sustained	Unfounded	Exonerated	Exceptionally Clear	Policy Failure	Pending	Total
Force		2	1	1	1		6	11
Biased Policing	1							1
Discretion	6	2					7	15
Procedure	9	4	1		1		8	23
Searches		7		1			8	16
Truthfulness	3	3	1		3		1	11
Ethics	13	4			3		8	28
Conduct	8	5	1	1	1		4	20
Language	2	4	1		1		3	11
Vehicle Operation	9	1		3	1		2	16
Professionalism	8	7		2			2	19
<b>Total</b>	<b>59</b>	<b>39</b>	<b>5</b>	<b>8</b>	<b>11</b>		<b>49</b>	<b>171</b>

The above two tables show all allegations that were brought against MPD employees in the course of IA cases. It's important to note that 49 allegations (28.6 percent) of allegations spread over 29 cases from 2008 are still either under investigation or at panel.

Officer-involved shootings are investigated separately from IA cases; see the use of force reporting section of this report.

Thirty-five percent of cases in 2008 have at least one sustained allegation.  
*(Data is current as of 4/29/09.)*

# section three

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# use of force

## **FORCE INVESTIGATION**

The Internal Affairs Unit reviews the following:

- All uses of force by MPD officers above the level of hard empty hand on the current force continuum
- All officer-involved shootings
- All incidents that result in injury to a subject
- Any hospitalization of officers or subjects that results from a use of force

The IAU identifies use of force trends within the MPD that may not be consistent with current laws, policy, training or best practices. When any such trends are identified, they are made known to the MPD Training Unit and the MPD administration.

## **IAU ROLE IN CRITICAL INCIDENTS**

A critical incident is defined by the MPD Policy and Procedure Manual as any situation involving any of the following circumstances:

- The use of deadly force by or against a Minneapolis Police Officer
- Death or great bodily harm to an officer
- Death or great bodily harm to a person who is in the custody or control of an officer
- Any action by an officer that causes death or great bodily harm

Policy also mandates that IAU is notified when any of the above situations occur. The IAU commander will assess the situation and call out other IAU investigators to respond to the scene as needed.

## **SUPERVISOR ROLE IN FORCE REVIEWS**

The MPD's policy on use of force indicates that police supervisors are required to conduct on-scene, preliminary investigations in all incidents where officers used hard-hand tactics or more. The following criteria mandate a supervisor's preliminary investigation:

- All strikes
- Use of all impact weapons
- Use of any stunning techniques
- Use of the lateral vascular neck restraint (LVNR)
- Any TASER use
- Any use of less-lethal weapons (bean-bag rounds, 40 MM sponge rounds)
- K9 (police dog) bite
- Squad car/vehicle used as weapon
- All firearms discharges
- Use of any improvised weapons
- All cases where force is used and there is an injury or alleged injury

Once any of the above types of force have been used, the officer is required to notify his/her supervisor immediately, who must respond to the scene. The officer will also document the force used in his/her offense report, and that force report must be reviewed by a supervisor. Once the supervisor has reviewed and signed off on the force report, the report is automatically routed to Internal Affairs for review. If serious injury is alleged to have occurred to either the subject or the officer, IAU investigators may be called to respond to the scene.

## **FORCE REVIEW PANEL**

The Force Review Panel reviews any force incident where the real or attempted result was great bodily harm or death or where a violation of policy is suspected. If the IAU investigator identifies any policy failures, the information is forwarded to the MPD's Operations Development Division to be evaluated for a possible policy revision. If a training issue exists, the investigator forwards the information to the Training Unit.

# section 3.1

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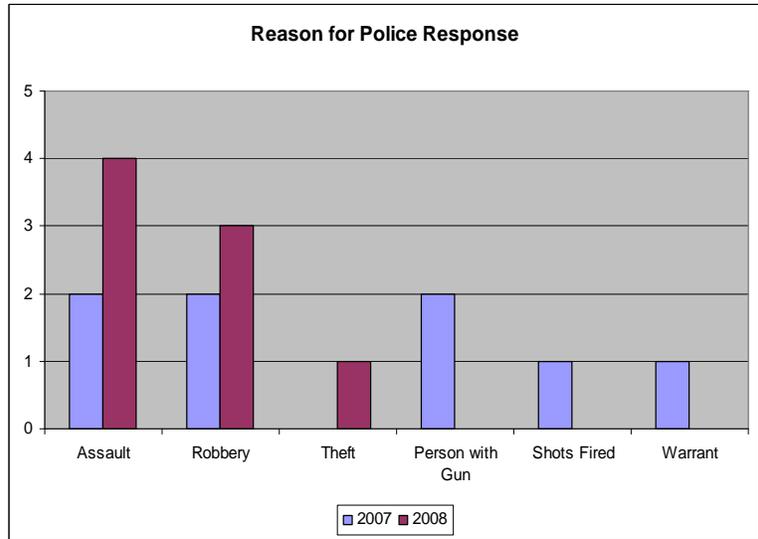
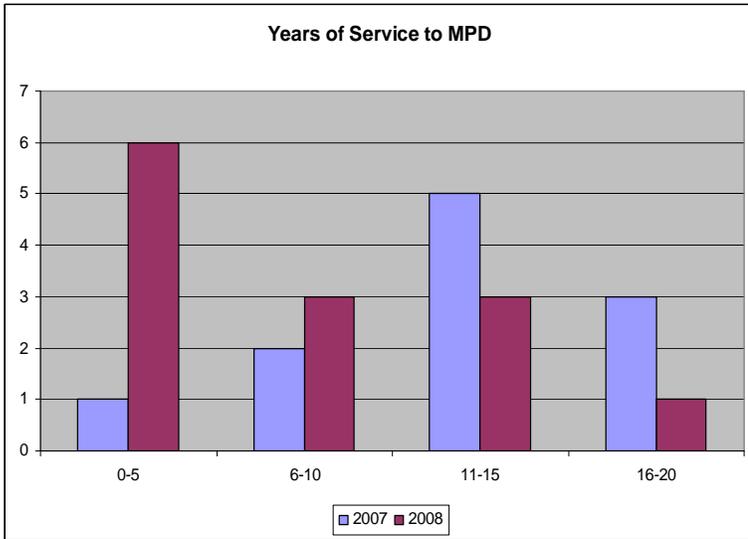
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## use of force data

## OFFICER-INVOLVED SHOOTINGS: 2008 DATA

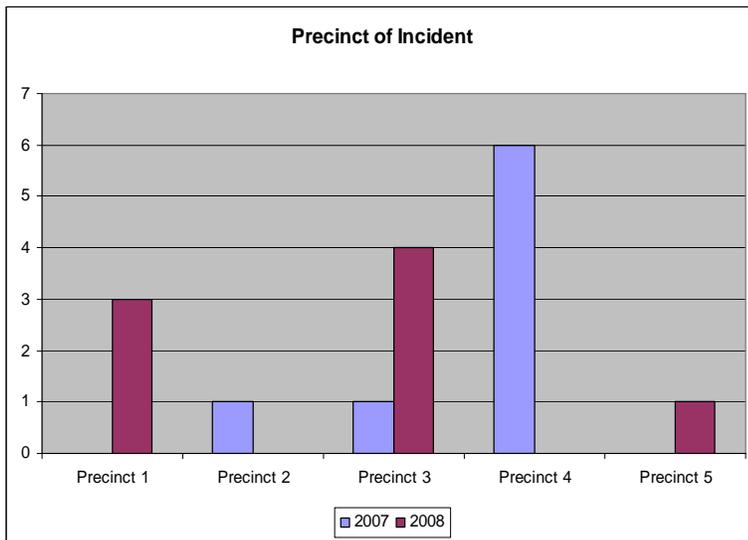
In 2008, there were 8 officer-involved shootings where the police fired their handgun at a suspect. As outlined in the table at right, none of these shootings were fatal.

	Person – fatal	Person – non fatal	Shot(s) fired – no injury	TOTAL
<b>2005</b>	2	1	4	7
<b>2006</b>	3	2	2	7
<b>2007</b>	0	4	4	8
<b>2008</b>	0	7	1	8



13 MPD officers were involved in shootings in 2008; 46 percent of those officers had been MPD officers for 5 years or less. The average officer has 14 years of service.

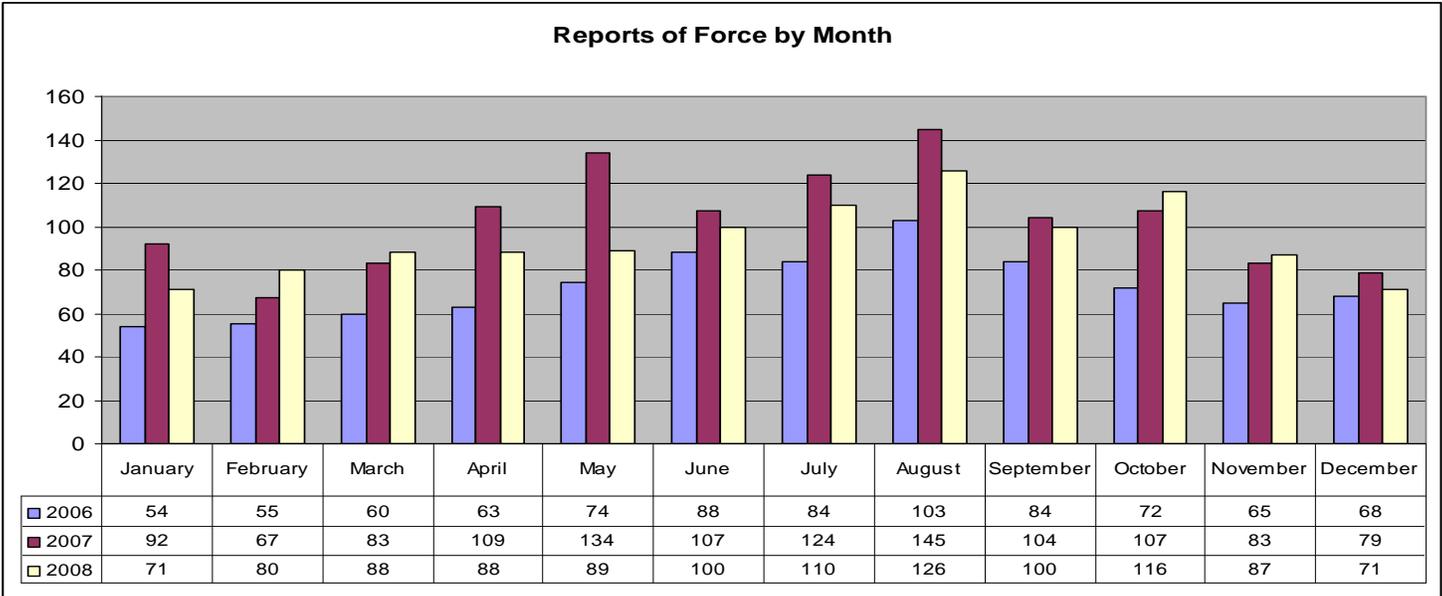
In 2008, 4 of the 8 officer-involved shootings (50 percent) involved incidents where the police were responding to a call of an assault (including domestics).



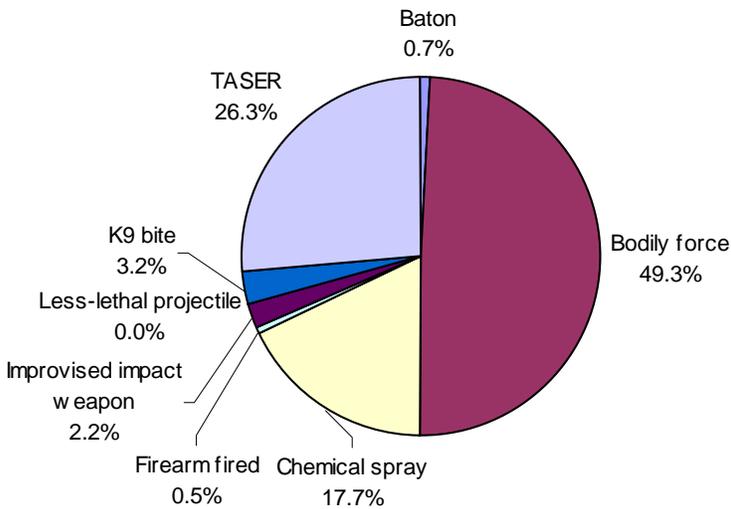
While the vast majority of 2007 officer-involved shootings occurred in the Fourth Precinct, there were zero incidents of this type in that area in 2008.

All of the officer-involved shootings in 2008 took place between 9:00 pm and 3:00 am, with 3 of the 8 incidents occurring on Friday or Saturday.

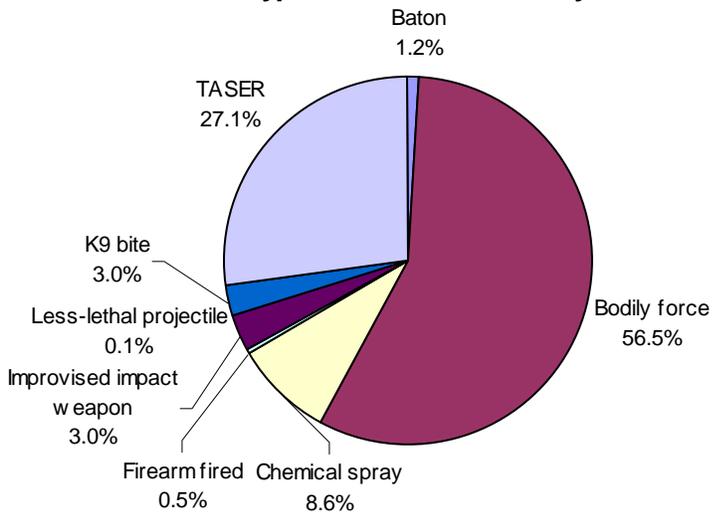
# USE OF FORCE DATA: CITYWIDE



**2007: Type of Force Used: Citywide**



**2008: Type of Force Used: Citywide**



The total number of uses of force has gone up from 872 reports in 2006 to 1157 reports in 2008. This increase is due in part to changes in **how** force is reported and **what** force is reported.

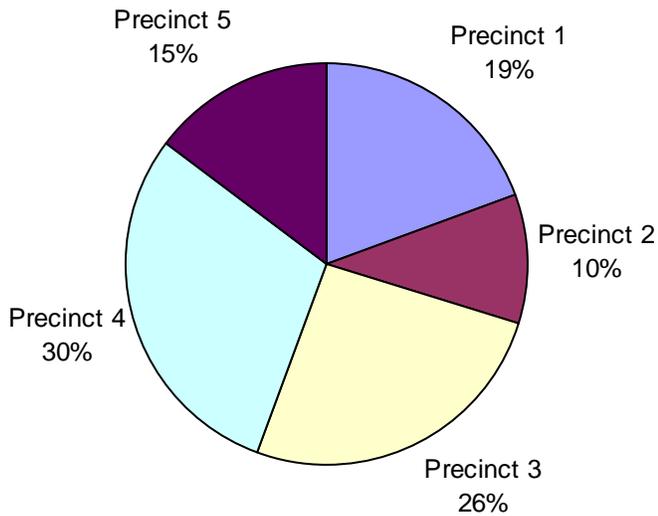
2007 saw the technology update of mandated force reporting using CAPRS (Computer Assisted Police Record System) where officers self-report their uses of force. Sergeants are still required to respond to the scene, and they must review and approve their officers' force reports in CAPRS. The force report is then routed to IAU, who reviews the force reports made by both officers and sergeants, and gives the final approval or opens a case if necessary.

In addition to self-reporting (which makes it easier for officers to report their force and therefore increases the numbers), officers are allowed by the system to report types of force that were previously unreported, such as joint manipulation and takedowns. These types of force fall into the "bodily force" category, increasing those numbers across all precincts.

It's worth noting that use of force was **down 6 percent** in 2008 compared to 2007—a valuable comparison because there were no changes in data collection or policy from 2007 to 2008.

	# of force incidents	# of injuries	Rate of injury per 10 force incidents
2005	543	213	3.92
2006	874	346	3.95
2007	1234	434	3.51
2008	1157	413	3.57

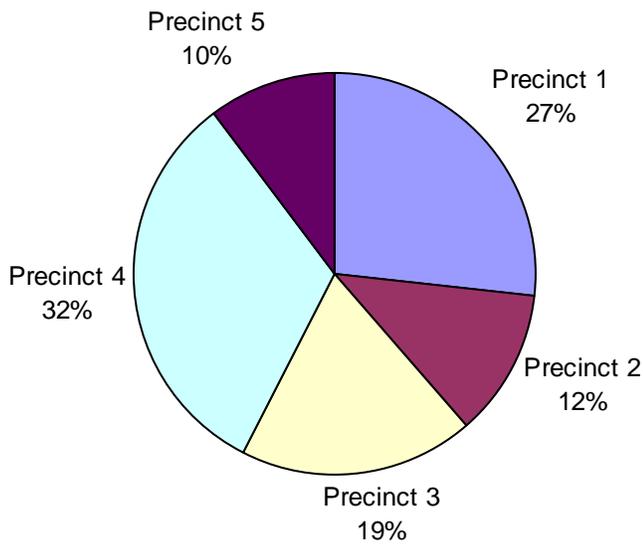
### Arrests per Precinct



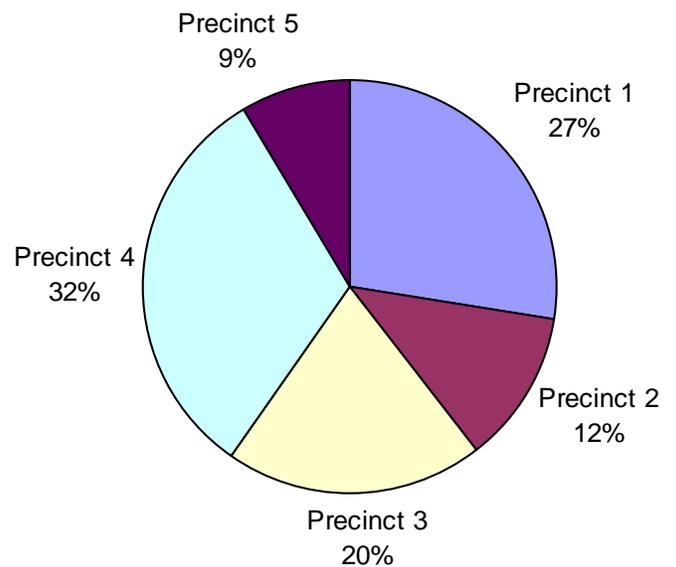
These charts illustrate that the number of arrests per precinct generally correlates to the number of force incidents, with the exception of Precinct 1. (Busy bar closings in the core downtown area lead to increase use of force to disperse fighting and unruly crowds.)

City-wide, 7 of every 1000 arrests result in injury to the suspect and/or officer.

### Total Injuries per Precinct



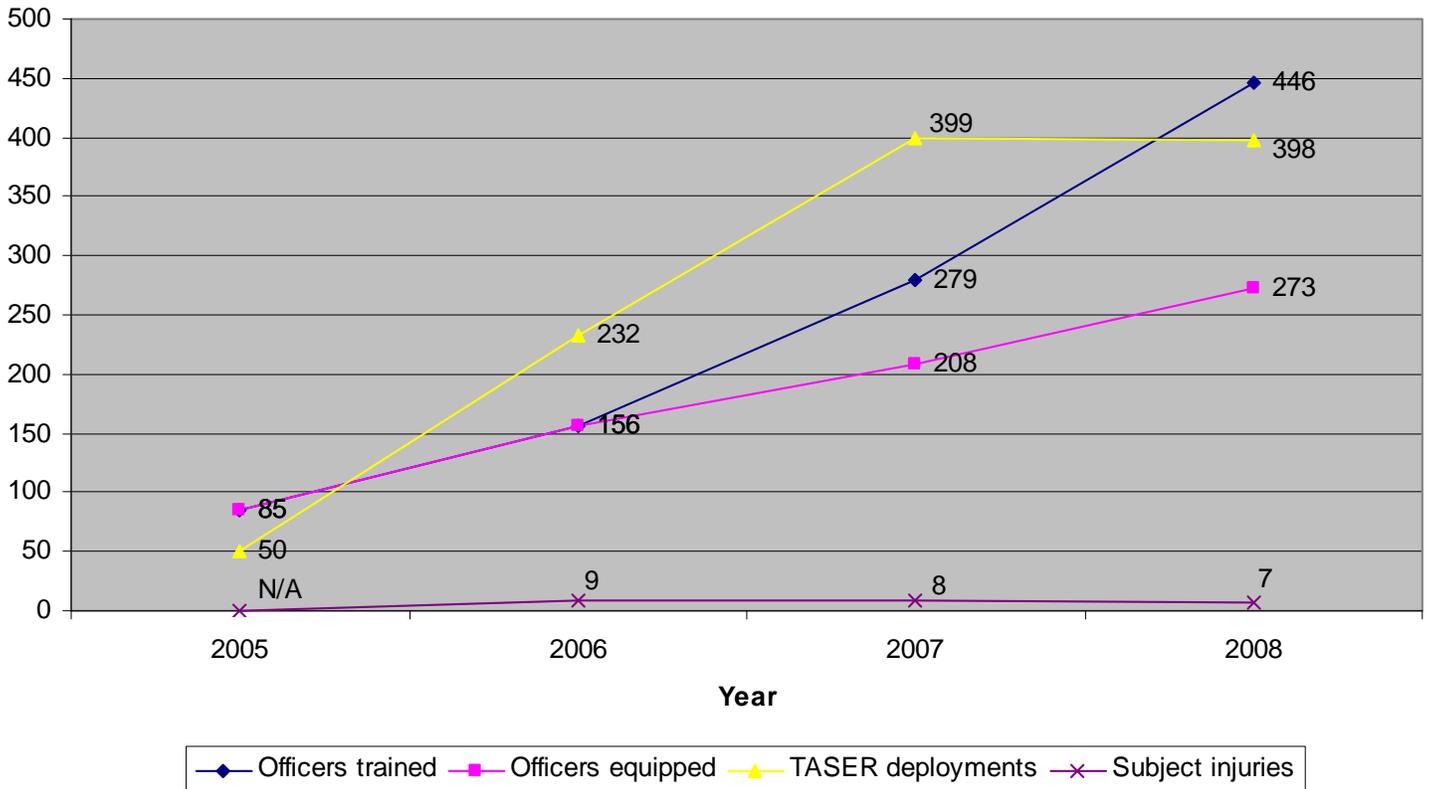
### Force Incidents per Precinct



## TASER USAGE

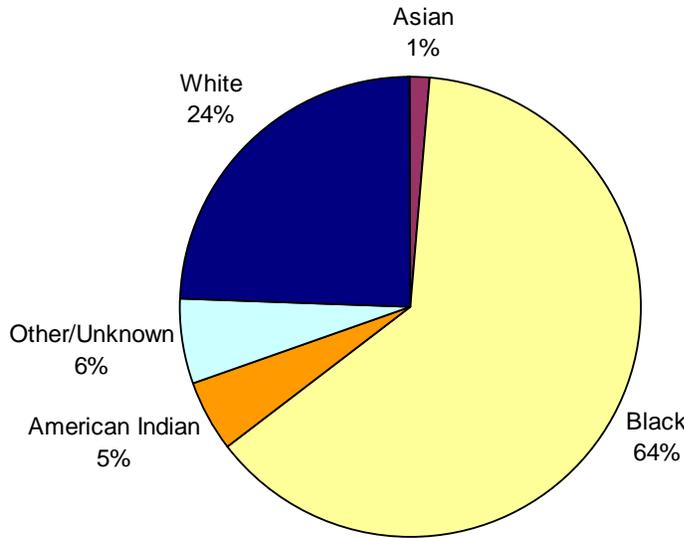
The graph below illustrates the number of TASER-trained officers in the MPD, the number of officers armed with a TASER, and the number of TASER deployments over the last four years. Serious subject injuries are also noted.

Although 2008 saw an almost 60 percent increase in the number of officers trained on TASERs and a 31 percent increase in the number of officers actually armed with TASERs, TASER use decreased slightly in 2008.



Of the 273 TASERs currently in use in the MPD, 77 of those are also equipped with cameras that can record video footage of the TASER event, whether or not the TASER was actually fired. This footage has been used in both IAU force reviews and investigations, as well as in court.

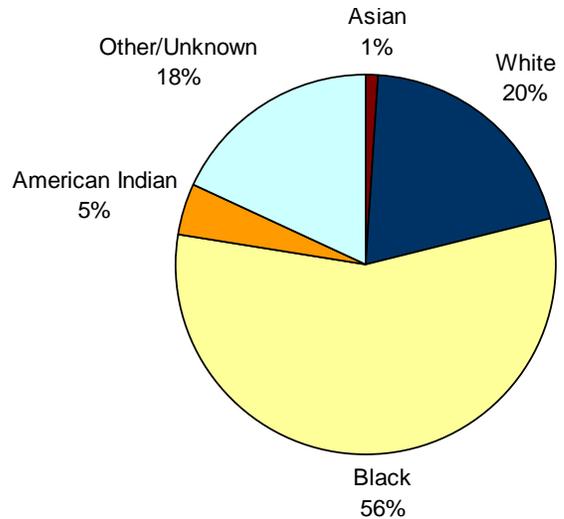
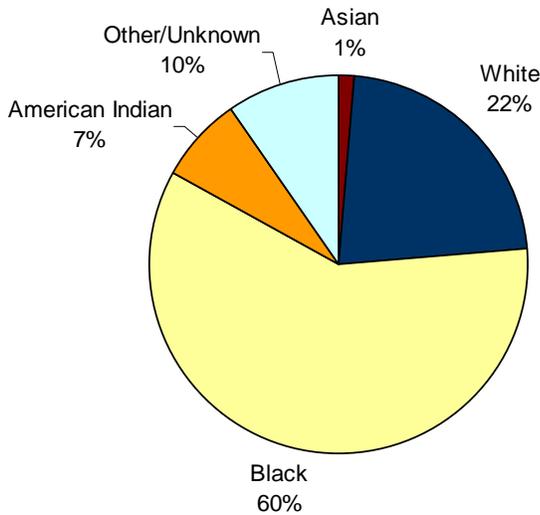
**SUBJECTS OF USE OF FORCE  
AS REPORTED BY THE INVOLVED OFFICER**



**ARRESTS BY RACE**  
(PART I AND PART II 2008 ARREST DATA)

**SUSPECTS BY RACE**  
(PART I AND PART II 2008 SUSPECT DATA)

*Information provided by Glenn Burt, MPD ISAC*



The totality of these three pie charts shows the correlation between use of force by race and arrests and suspects by race. While the use of force and arrest charts rely on data reported by the involved officer, the information on suspects is provided by victims of or witnesses to crime.

For the purpose of these reports, “Black” refers to either African-American or any African ethnicity. “Other” may include Hispanic or multiracial individuals.

The categories shown here reflect the data collection required by the FBI. At this time, we are unable to breakdown these categories further to show subcategories such as Hispanic or Somali. In addition, we are currently unable to query the use of force statistics by gender or adult/juvenile status. Changes are underway in our reporting system to bring out information on these and other groups.

Note: Some subjects of use of force are not listed in reports as either suspects or arrestees; a small portion are either mentally or emotionally disturbed subjects who are taken to a hospital for psychiatric evaluation.

# section four

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# conclusion

## **AFTERWORD**

The Minneapolis Police Department Internal Affairs Unit has a strong modern history of responding to community needs and providing excellent service. This past year was no different.

In 2008, the Internal Affairs Unit was audited by the Police Executive Research Forum, at the direction of the City Council. The audit results, published in January of 2009, showed that the unit's work is generally consistent with best practices around the nation. The auditor made a few recommendations for growth and as a result, a workgroup was formed to implement the recommendations, and several progress reports have already been made to City Council. Among the items recommended and already completed:

- Faster assignment of complaints to IAU investigators
- More frequent communication with the complainant throughout the investigation process
- Establishment of a Staff Inspections function of the unit (self-auditing)
- Online complaint and compliment form

The Unit is currently revising the department's discipline matrix to clearly outline and define acceptable ranges of discipline for a wide range of policy violations. This revised matrix will clearly define departmental standards of conduct and the consequences for violating them.

A committee of representatives from various units from outside the Internal Affairs Unit has been meeting to develop an Early Intervention System. It is our hope that this system will provide the necessary assistance to officers to alleviate problems before they lead to disciplinary issues.

We would like to thank all parties involved in the production, editing, and compilation of this report: Deputy Chief Scott Gerlicher, Caresa Meuwissen and the entire IAU staff, and Analyst Glenn Burt. Without them, this project would not have been possible.

This report is intended to serve as a full disclosure of IAU activities during the course of 2007. Any questions regarding the content can be directed to the Internal Affairs Unit at 612-673-3074.

Sincerely,

Lt. Susan Piontek  
Commander  
Internal Affairs Unit

*Report compiled by:*  
Leah Johnson  
Management Analyst  
Police Administration

## **ALTERNATIVE FORMAT & TRANSLATION INFORMATION**

If you need this material in an alternative format, please contact the Internal Affairs Unit at (612) 673-3074.

**Attention:** If you want help translating this information, call 612-673-3074

**Hmong** - Ceeb toom. Yog koj xav tau kev pab txhais cov xov no rau koj dawb, hu 612-673-2800

**Spanish** - Atención. Si desea recibir asistencia gratuita para traducir esta información, llama 612-673-2700

**Somali** - Ogow. Haddii aad dooneyso in lagaa kaalmeeyo tarjamadda macluumaadkani oo lacag la' aan wac 612-673-3500