

Amelia Huffman
Interim Chief of Police
Minneapolis Police Department
350 South 5th Street, Room 130
Minneapolis, MN 55415
(612) 673-3550
Amelia.Huffman@minneapolismn.gov



TO: Kimberly Bonilla, Badge 0624
CC: Office of Police Conduct Review
DATE: September 17, 2022
RE: Administrative Investigation Case #20-12979

CHIEF'S DECISION:

- Discharge
- Suspension Duration:
- Permanent Demotion
- Temporary Demotion, Duration: _____
- Written Reprimand
- No Merit

This memo summarizes my approach and reasoning for my decision as Chief of Police that the listed policy violations by Officer Bonilla are sustained. The memo accompanies the enclosed Notice of Discipline Form.

Allegations:

| <u>Policy Number</u> | <u>Sub-Section</u> | <u>Policy Description</u> | <u>Category</u> | <u>Disposition</u> |
|----------------------|--------------------|---------------------------|-----------------|--------------------|
| 7-402 | (III)(A) | Pursuit Policy | B | Sustained |
| 7-402 | (IV)(A)(3)(c) | Pursuit Policy | B | Sustained |
| ██████ | ██████ | ██████ | █ | ██████████ |

Summary of the Basis for Decision:

The facts noted in the case investigation support the conclusion that Officer Bonilla violated two Minneapolis Police Department Policies governing pursuits. In this decision, I concur with the recommendation from the Police Conduct Review Panel.

Allegation #1

- Officer Bonilla was the driver when she and her partner observed two vehicles racing and driving in a reckless manner.
- Officers attempted to stop the vehicle by activating their emergency lights and siren, but the vehicle did not stop.
- The vehicle continued to drive in what officers described as a flagrantly reckless manner, nearly causing multiple accidents.
- Both officers admitted to there being confusion about whether to pursue the vehicle or stop, but ultimately the pursuit continued until the fleeing vehicle crashed and the occupants fled on foot.
- The Police Conduct Review Panel (PCRP) recommended that there is merit to this investigation.
- I agree with the recommendation of the PCRP. The preponderance of the evidence shows that Officer Bonilla, though the passenger, continued this pursuit while the driving conduct of the fleeing vehicle posed a danger to the public. Officer Bonilla did not articulate specific facts to support the necessity of engaging in the pursuit despite the danger. This allegation is Sustained.

Allegation #2

- Officer Bonilla was the driver during this pursuit and had has the primary responsibility of determining whether the pursuit should continue.
- Her partner, Officer Alonzo Jr., aired that they were not pursuing, but Officer Bonilla continued the pursuit, saying to investigators that she had tunnel vision and may not have heard her partner.
- The Police Conduct Review Panel recommended that there is merit to this allegation.
- I agree with the recommendation of the PCRP, that there is a preponderance of the evidence to show that Officer Bonilla failed to discontinue this pursuit after her partner aired that they weren't pursuing. This allegation is **Sustained**.

[REDACTED]

- [REDACTED]
- [REDACTED]
- [REDACTED]

As the interim Chief of Police, I am responsible for providing clear expectations for what is acceptable behavior in our workplaces as well as what will not be tolerated. The Police Conduct Review panel

recommended a finding of merit for the listed policy violations in this case, and I concur with their recommendation.

I hold officers of the Minneapolis Police Department to a high standard. I expect them to live up to our oath of office, our professional code of ethics and our department's core values of trust, accountability, and professional service. Furthermore, I expect them to demonstrate a commitment to preserving safety and the sanctity of life. With this conduct, Officer Bonilla failed to meet MPD standards. She allowed a dangerous pursuit to continue absent specific, articulable facts which would necessitate the pursuit despite the danger. Additionally, she failed to comply with policy requirement that officers discontinue a pursuit for reckless driving when the pursuit increases the danger. Discontinuing the pursuit requires officers to turn off the pursuit route. Although her partner aired information that they were not pursuing, Officer Bonilla continued the pursuit and later acknowledged that she may not have heard her partner air that statement. The violations in this matter undermine public safety.

As interim Chief of Police with authority to discipline for violations of policy under Minn. Stat 626.89 Subd. 17, I am issuing a Letter of Reprimand to Officer Bonilla for her failure to follow the pursuit policy. Under normal circumstances, Officer Bonilla would have already been through a refresher training, but this had been cancelled in 2020 due to COVID restrictions. Officer Bonilla will be required to attend the next available Emergency Vehicle Operations Course training as a refresher for the pursuit policy and is currently signed up to attend on September 23, 2022.

DocuSigned by:
Amelia Huffman
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Amelia Huffman
Interim Chief of Police

CC: OPCR Case File
Inspector Gomez

Enclosure: Notice of Discipline Form