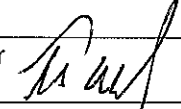



**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
19-07651			May 26, 2019	2045 hrs	
Location of Incident		City/State/Zip		Date of Complaint	
		Apple Valley/ MN		May 29, 2019	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
Joint Supervisors					
Home Address		City/State/Zip		Primary Telephone	
JURISDICTION			CATEGORY		
OPCR Ord. § 172.20() - Harassment					
BADGE/NAME			ALLEGED POLICY VIOLATIONS		
5786 ; Luis Porras			MPD P&P § 5-102.01 Minnesota Law Enforcement Code of Ethics		
ALLEGATION SUMMARY					
It is alleged that the officer was arrested off-duty in his personal vehicle for a DWI in Apple Valley.					
SUPERVISOR ASSESSMENT					
INQUIRY (INTAKE - COMPLAINT FILED) <input type="checkbox"/> MEDIATION <input type="checkbox"/> Refer to Mediation COACHING <input type="checkbox"/> Refer to Precinct INVESTIGATIONS <input type="checkbox"/> Preliminary Investigation <input type="checkbox"/> Civilian Investigator: _____ <input type="checkbox"/> Sworn Investigator: _____ X Admin Investigation: Investigator SGT Rowe 6179			3401 <input checked="" type="checkbox"/> Draft <input checked="" type="checkbox"/> Final approved DISMISS <input type="checkbox"/> Reckoning Period Expired <input type="checkbox"/> No Basis <input type="checkbox"/> Failure to State a Claim <input type="checkbox"/> Failure to Cooperate <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Lack of Jurisdiction <input type="checkbox"/> Withdrawn <input type="checkbox"/> Duplicate <input type="checkbox"/> Refer to Dispatch <input type="checkbox"/> Refer to EIS <input type="checkbox"/> Refer to: _____		
FINAL APPROVED INVESTIGATIVE REPORT <input checked="" type="checkbox"/> Refer to Panel					
IAU Supervisor 				Date 3-3-2020	
Director - Office of Police/Conduct Review 				Date 3/3/2020	

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 Luis Porras Badge #5786

CC: MPD Internal Affairs

DATE: December 10th, 2020

RE: IAU/Investigation Case #19-07651

CHIEF'S DECISION:

- Discharge
- Suspension Duration: Hours
- 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 Daniel Payne receive a Written Reprimand. This memo accompanies the enclosed MPD Worksheet.

Policies Violated:

MPD 5-102.01 Minnesota Law Enforcement Code of Ethics

Facts Supporting Decision (see also Investigation Summary):

On May 26, 2019, Sergeant Luis Porras was off-duty, driving his personal vehicle within the City of Apple Valley, MN. Porras was travelling on Granada Drive and turned into the American Legion parking lot at 2045 hours. Apple Valley Police Officer Sean Marben observed Porras as he drove without headlights on and failed to signal his turn into the parking lot. Officer Marben conducted a traffic stop.

Porras and his passenger exited the vehicle and approached Officer Marben. Through observations, field sobriety tests and a PBT, Officer Marben developed the probable cause to place Porras under arrest for 4th Degree DWI. Porras was read the Implied Consent Advisory and given a breath test. The result of the breath test was 0.13 BAC. Porras was booked and processed at the Apple Valley Police Station. He was issued a citation for 4th Degree DWI and released. Porras pled guilty to and was convicted of DWI-Alcohol Level at .08 or More, Minnesota State Statute 169A.20 1(15).

Upon the completion of this thorough investigation I reviewed the investigative case file materials and made my decision.

Facts of this Case:

- Porras drove his personal vehicle after he consumed four to five at an Apple Valley Sports Bar.
- Porras drove a short distance to the Apple Valley American Legion. Apple Valley Police Officer Marben conducted a traffic stop on Porras.
- Officer Marben established probable cause to arrest Porras for DWI.
- Porras gave a breath sample with a BAC of .13. He was cited and released.
- Porras pled to and was convicted of a misdemeanor DWI in Dakota County.
- Porras completed eight hours of DWI/Alcohol related education.
- Porras attended a MADD impact panel.
- Porras recognized the decision to drive under the influence as bad and acknowledged that it was 100% his fault.
- Porras looks back at the decision with remorse and embarrassment.
- Porras has learned from the decision to drive under the influence and made lifestyle changes.

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. Based on my review of the facts of this investigation and Sergeant Porras' statement of remorse and embarrassment I am suspending Sergeant Porras for 13.43 hours.



NOTICE OF DISCIPLINE (Grievance Settlement Agreement)

January 20, 2022

Sgt. Luis Porras
Homicide
Minneapolis Police Department

RE: OPCR #19-07651

Sgt. Luis Porras,

As a result of the Settlement Agreement following grievance #20-30, the final discipline for OPCR Case #19-07651 is as follows:

<u>Policy Number</u>	<u>Sub-Section</u>	<u>Policy Description</u>	<u>Category</u>	<u>Disposition</u>
5-102.01		MN Law Enforcement Code of Ethics	C	<u>Sustained</u>

Pursuant to the Grievance Settlement Agreement, the city shall impose a 30-hour suspension for a Category C level violation of the MPD’s Policy and Procedure Manual under Section 5-102.01, Minnesota Law Enforcement Code of Ethics.

This case will remain in OPCR files per the record retention guidelines mandated by State Law.

Be advised that any additional violations of Department Rules and Regulations may result in more severe disciplinary action up to and including discharge.

Sincerely,

Amelia Huffman
Interim Chief of Police
Minneapolis Police Department

CC: Personnel file
OPCR