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TO: Officer Alexander Walls
CC: Office of Police Conduct Review
DATE: May 12, 2022
RE: Administrative/Employment Investigation Case #19-10030

CHIEF'S DECISION:

- Discharge
- Suspension Duration: 90 hours
- Permanent Demotion
- Temporary Demotion, Duration: _____
- No Merit

This memo summarizes my approach and reasoning for my decision as Chief of Police that the allegations against Officer Alexander Walls are sustained. This memo accompanies the enclosed Notice of Discipline and Suspension Form.

Allegations:

Allegation 1: It is alleged that Officer Walls failed to exercise “*proper judgment and discretion*” when he detained, searched and arrested Mr. Jenkins. It is alleged that the officer failed to “*act within the limits of their authority*” to ensure that “*the constitutional rights of individuals and the public are protected.*” It is further alleged that he lacked probable cause to seize, arrest, and/or search him. [MPD P&P § 5-103 – USE OF DISCRETION]

Allegation 2: The Complainant alleged that Officer Walls [REDACTED] used unreasonable and unnecessary force against him when they detained him by grabbing his arms, twisting his arms and wrists behind his back, forcing him from where he was standing over to their squad car, and handcuffing him. It is alleged that, at the time the officers used force, the Complainant was being detained for a misdemeanor, he was not posing an immediate threat to the safety of the officers or others, and he was not actively resisting arrest or attempting to evade arrest by flight. [MPD P&P § 5-301.01]

Allegation 3: It is alleged that Officer Walls acted in an unprofessional manner while interacting with the Complainant, using “*derogatory, indecent, profane or unnecessarily harsh language in the performance*

of official duties” and telling Mr. Jenkins that he would be waiting for him after he gets out of jail if the Complainant wanted to fight him. It is also alleged that Officer Walls used *“derogatory, indecent, profane or unnecessarily harsh language”* toward bystanders. It is further alleged that Officer Walls failed to be *“decorous in [his] language and conduct”* and failed to *“refrain from actions or words that bring discredit to the Department.”* [MPD P&P § 5-105 – PROFESSIONAL CODE OF CONDUCT]

Allegation 4: It is alleged that Officer Walls immediately and without cause or justification searched Mr. Jenkins, personally removing Mr. Jenkins’ property from his pockets and placing said property on the hood of the squad car. [MPD P&P § 9-201 (II) (A) (B) – SEARCH AND SEIZURE]

Allegation 5: It is alleged that Officer Walls seized a small amount of a substance believed to be marijuana while searching Mr. Jenkins’ pockets. It is also alleged that Officer Walls failed to document in his report the seizure of said property and failed to *“place such property in the custody of the Property and Evidence Unit and complete the inventory prior to the end of [his] shift.”* [MPD P&P § 10-401 RESPONSIBILITY FOR INVENTORY OF PROPERTY AND EVIDENCE]

Policies Violated (see also Investigative Summary for Policy Language):

5-103 Use of Discretion

5-301.01 Use of Force (Unreasonable)

5-105(A)(5) Code of Conduct – Language

9-201(II)(A)(B) Search and Seizure

10-401 Inventory Property and Evidence

Relevant Facts Supporting the Decision:

On July 8, 2019, Officer Alexander Walls and his partner (now separated from the MPD) responded to a 911 call regarding individuals igniting fireworks in the area of 13th/Nicollet Av. Officers arrived and observed the complainant of this case, Willie Mr. Jenkins on a cell phone, and officers yelled at him to stop launching fireworks. Mr. Jenkins replied, “Oh, great. Fireworks.”

- Walls exited the squad and Mr. Jenkins stated, “Here we go,” to which Officer Walls replied, “Yeah, here we go.”
- Officer Walls ordered Mr. Jenkins to, “Get over towards my car,” and grabbed Mr. Jenkins by the left arm, and twisted his wrist while pulling his arm behind his back. Mr. Jenkins asked, “What probable cause you got to grab me?” Officer Walls stated, “You’re over here talking shit.”
- Mr. Jenkins was not informed that he was under arrest.
- During his statement, Officer Walls stated that Mr. Jenkins “was fitting the description of the person of the... one of the five people that were alleged to have firecrackers.” He also explained that he grabbed and handcuffed Mr. Jenkins upon arriving at the call location “Cause he matched the description of the person in the call inside the area, in a very specific location, and

holding. And the attitude he was giving me, in my past experience, is that he had... he could have something to do with it, which gives me legal justification to identify him.”

- Officer Walls handcuffed and fully searched Mr. Jenkins, to include reaching into his pockets and removing everything found inside. During his statement, Officer Walls stated that he intended to perform a pat search but made a mistake, going right into Mr. Jenkins’ pockets.
- While searching Mr. Jenkins, Officer Walls knocked Mr. Jenkins’ phone out of his hand, and left the phone on the ground. Officer Walls also placed the property of Mr. Jenkins on the squad, where money and other items either blew away or were never recovered before leaving the scene.
- A woman approached the squad and attempted to pick up Mr. Jenkins’ property but was pushed away by the officer. The female indicated that someone told her to come and get the property, but Officer Walls responded, “Get the fuck away from my car.” When the female told Officer Walls someone told her to get Mr. Jenkins’s property, Officer Walls replied, “I don’t give a fuck! Get out of the street!” During his statement, Officer Walls acknowledged using this language and reported that it works to make people understand that you aren’t messing around by using profanity.
- Officer Walls recovered a small amount of suspected marijuana from the pockets of Mr. Jenkins and later admitted that he didn’t inventory the narcotics.
- During the transport of Mr. Jenkins to Hennepin County Jail, Mr. Jenkins was verbally encouraging Officer Walls to fight with him by stating, “Be a man, throw some hands.” Officer Walls engaged in a back and forth with Mr. Jenkins, where Walls eventually said that when Mr. Jenkins gets out of jail, to give him his name and address and he’ll go there and be waiting for him. Eventually Mr. Jenkins says, “You must be a talkin’ bitch, let me smell your pussy,” to which Walls replied, “Yeah, it smells like your mom.”

Summary of the Basis for Decision:

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, I concur with the recommendations of the Police Conduct Review Panel that all allegations in this case have merit.

Officer Walls failed to use appropriate discretion when he physically took custody of Mr. Jenkins, handcuffing him before attempting to talk with him to investigate the misdemeanor fireworks complaint, and then completing a full search of Mr. Jenkins’ pockets, placing Mr. Jenkins in the squad car and booking Mr. Jenkins for obstructing. When Mr. Jenkins asked, “What probable cause you got to grab me?” Officer Walls replied, “You’re over here talking shit.” According to the investigation, Mr. Jenkins was one of several people who matched the clothing description of those involved in the fireworks incident. Officer Walls did not see any fireworks being used. The 911 caller did not identify Mr. Jenkins as one of the involved parties. Officer Walls [REDACTED] made no further effort to prove Mr. Jenkins’ involvement in setting off fireworks and declined when Mr.

Jenkins asked to have the accuser point him out. Instead, Mr. Mr. Jenkins went from being detained for the alleged fireworks violation on a slim of suspicion – wearing a white t-shirt in the area of the 911 call on a street where others were also wearing white t-shirts - to being searched and booked for obstructing. MPD policy requires that all investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution and statutory authority. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause.

Officer Walls initially approached Mr. Jenkins as Mr. Jenkins was standing on the sidewalk talking on the phone. At the point of initial contact, Officer Walls physically grabbed Mr. Jenkins by the arm, twisted it behind his back and walked him over to the squad car. Officer Walls [REDACTED] placed handcuffs on Mr. Jenkins and placed him over the hood of the squad car. Mr. Jenkins was speaking with someone on his cell phone at the time the officers approached and did not appear to pose any threat to the officers. He did not attempt to flee when the officers approached and immediately grabbed ahold of him. Under these circumstances, this use of force was not reasonable.

During this incident, Officer Walls used unprofessional language toward Mr. Jenkins and other members of the public. He directed profanity at Mr. Jenkins and others, suggested that he would fight Mr. Jenkins after Mr. Jenkins was released from jail and used insulting language toward Mr. Jenkins' mother as he traded insults with Mr. Jenkins. This was captured on Officer Walls' body worn camera video and he acknowledged in his interview that "I was just having a bad day and he got under my skin. There's really no excuse for it. He just got the best of me that day."

As soon as Mr. Jenkins had been handcuffed and walked over to the squad, Officer Walls [REDACTED] [REDACTED] began removing property from the pockets of the clothing Mr. Jenkins was wearing and placing the property on the hood of the squad car. Mr. Jenkins' phone was knocked from his hand. At the time they first arrived and saw Mr. Jenkins on the street corner wearing a white t-shirt, it could be argued they had a reasonable suspicion that Mr. Jenkins was involved in the discharge of fireworks; however, in that short period of time, they had not developed any probable cause for an arrest. There was also no basis articulated to suspect that Mr. Jenkins was armed and no supporting information for a full search of Mr. Jenkins is contained in the PIMS report. Officer Walls stated in his interview that he intended to conduct a pat search; however, he made the mistake of going straight into his pockets. This search of Mr. Jenkins' pockets violated MPD policy.

During the search of Mr. Jenkins' pockets, Officer Walls recovered suspected marijuana. The BWC video captured Officer Walls handling the suspected marijuana. No marijuana was inventoried. In his interview, Officer Walls stated that he threw the marijuana away rather than property inventorying it. Additionally, he failed to recover, return or inventory personal property of Mr. Jenkins that had been placed on the hood of the squad, or the phone that was knocked out of Mr. Jenkins hand.

This incident took place in 2019, well after Chief Arradondo shared his 2017 vision statement with every member of the Minneapolis Police Department. That vision statement set out clear expectations for MPD officers: "I expect you and our community members to go home safely at the end of each day. There are inherent dangers within this profession. However, the overwhelming majority of your interactions with our community don't require the use of force. Continue to strengthen your interpersonal communication and your de-escalation skills. ... If you experience disrespect, you are not to respond in kind. Do all you can to protect and serve in a way that minimizes harm and risk of personal injury to yourselves and to our community members." Officer Walls' conduct in this incident did not meet these expectations. His lack of discretion, unreasonable use of force, profane, insulting language, and carelessness toward the rights and property of Mr. Jenkins was unprofessional. His conduct undermined the Department's relationships with members of the public and demonstrated a lack of commitment to procedural justice. MPD officers are expected to demonstrate procedural justice in every aspect of professional service: giving others Voice and Respect, being Neutral and building Trust in our interactions with those we serve, as well as with other MPD employees. Officer Walls' actions destroyed rather than built trust and failed to demonstrate the Minneapolis Police Department's core values of trust, accountability, and professional service. As Chief of Police with authority to discipline for violations of policy under Minn. Stat. §626.89 Subd. 17, I am imposing a total suspension of 90 hours for these sustained violations.

DocuSigned by:

Amelia Huffman

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Amelia Huffman
Interim Chief of Police

5/12/2022