The Minneapolis Police Department Policy and Procedure Manual

Last update to part of the Manual:

31 July 2025

0-101 Preface

(10/29/96) (11/08/16) (07/31/25)

The Minneapolis Police Department (MPD) is a part of, and empowered by, the community. Our authority comes from the law, but our legitimacy is rooted in the will and consent of the people. We understand that effective policing goes beyond just enforcing laws; it involves building meaningful, trusting, and long-lasting relationships with those we serve.

Minneapolis is home to diverse and vibrant communities. We recognize Minneapolis is made up of people of diverse characteristics, with community members coming from all over the world with complex and diverse lived experiences to make Minneapolis home. MPD values and celebrates this diversity as a source of strength.

The MPD is committed to protecting and respecting all those we serve. We are dedicated to partnering with our community to foster strong, collaborative relationships that enhance public safety, uphold the law, and tackle the underlying causes of crime.

To achieve this, the MPD expects all Department members to uphold high standards of moral character and integrity, act in accordance with the law, with services provided without discrimination and bias, and to always maintain impeccable professional conduct.

0-102 Mission, Vision, Values and Goals

(09/01/93) (10/29/96) (12/21/01) (09/19/08) (03/29/17) (02/25/19) (06/01/22) (07/31/25)

Adopted by the Minneapolis Police Department on 07/31/25:

I. Mission

Protecting the safety and civil rights of every community member is the core mission of the MPD. To pursue that mission, we strive to work in partnership with the community to safeguard life, prevent crime, pursue justice, and foster trust with the communities we serve, through lawful and procedurally just policing. We commit to working in partnership with our varied and diverse communities to make Minneapolis safer for all.

II. Vision

We envision an MPD that sets the standard for public safety nationwide by delivering services that promote safe neighborhoods through strong, effective partnerships with the community. Our

approach will be rooted in transparency, accountability, trust, and an unwavering commitment to serving all people fairly.

III. Values

Our values are grounded in the foundational belief in the sanctity of life; the belief that all human life is inherently sacred, valuable and must be protected. The Department's mission, vision, values, goals, policies, and rules are all built upon and are intended to reflect the Department's belief in the sanctity of life.

Reflecting that fundamental belief, the MPD's values are as follows:

- **Preservation of human life.** We strive to protect and preserve human life in all situations.
- **Protection.** We strive to keep people safe from harm, including each other, the community, and community members that come into our care.
- **Respect for ourselves and others.** We respect the humanity, dignity, and civil rights of all people.
- **Employee health and wellness.** We protect and promote the health and wellness of our employees.
- **Integrity.** We are honest, ethical, and consistent with our actions in all we do.
- **Fairness and Impartiality.** We treat each person equitably and without prejudice.
- **Accountability.** We are accountable to the community, ourselves, and the profession.
- **Professional Service.** We deliver public safety services that are competent, compassionate, and courteous.

IV. Goals

- To deliver excellent service.
- To reduce crime and promote public safety.
- To build trust and legitimacy with all communities we serve.
- To provide a safe, healthy, and supportive working environment for all our employees, including potential recruits, who help advance the mission, vision, and values of this Department.

V. Motto

To protect with courage; to serve with compassion.

VI. Applicability

Our mission, vision, and values shall be at the core of our decision-making, and shall inform and guide all Department policies, procedures, and directives. Accordingly, all Department policies, procedures and directives shall be deemed to incorporate this policy by reference.

1-101 MPD Policy and Procedure Manual Established

(Completely revised 12/5/01)

(A-C)

This manual, referred to as the MPD Policy and Procedure Manual, is general in scope and is meant to inform and guide all employees on matters of department-wide concern. Any division that maintains rules to govern its internal operations shall keep such rules current. Such rules shall not conflict with this manual. All employees of the MPD shall comply with the policies, procedures and rules contained herein. All previous manuals and orders that are in conflict with the contents of this policy and procedure manual are rescinded.

If any section, subsection, item, clause or phrase contained in the Policy and Procedure Manual is found to be illegal, such finding shall not affect the validity of the remaining sections, subsections, items, clauses or phrases of the Policy and Procedure Manual.

1-102 Numbering System Used in the Policy and Procedure Manual and Revisions

(12/05/01)

A decimal system is used to number each volume, chapter, section, and subsection of the Policy and Procedure Manual in order to provide reference to all material.

A typical reference under this system would be "3-249.06."

- The “3” indicates the material is contained in the third volume (3-249.06).
- The “2” indicates the material is contained in Chapter 2 (3-249.06);
- The “49” indicates the material is contained in Section 49 (3-249.06);
- The “.06” indicates the material is contained in Subsection .06 (3-249.06).

Revisions in the manual shall be indicated in the following manner:

- When revisions are made within a paragraph, the revision date will follow the paragraph.
- For any new sections added, or when a section is completely revised, the revision date will follow the title line.
- When a section has been added, removed, or renumbered, subsequent sections shall be renumbered as necessary.

The revision date shall be the date when a Special Order becomes effective.

1-103 How to Access the Policy and Procedure Manual: Employee Responsibility

(12/05/01)

All MPD employees shall be provided instructions on how to access the on-line Policy and Procedure Manual. Employees shall be held accountable for knowing how and where to access the manual and for knowing the contents of the manual. Employees shall sign a receipt, acknowledging responsibility for knowing the contents of the manual and that they have received instructions on how and where to access the manual. Receipts shall be filed in the employee's Personnel File. Manual revisions are prepared by the Operations Development Unit

1-103.01 Requests for Amendments

(12/05/01)

Requests for revisions, additions, or deletions to the MPD Policy and Procedure Manual shall be forwarded to the Operations Development Unit supervisor. A final decision regarding any policy changes will be made by the Chief or his/her designee.

1-104 Knowledge of Orders

(12/05/01)

(A-C)

Employees shall be held accountable for knowing the contents of all orders and Administrative Announcements issued, including those that have been disseminated during their absence from work. The written and online publications shall be made available to all MPD employees for reference purposes.

1-105 Personnel Orders

(12/05/01)

Personnel Orders are issued only by the Chief of Police or a designated Bureau Head. They may be distributed to all or just specific precincts, units or divisions. Personnel Orders are issued to announce the following:

- The appointment of new employees
- The assignment or transfer of employees from one unit to another
- The promotion or demotion of employees from one rank to another
- Special Duty assignments
- Training assignments
- Career development
- Details
- Dismissal or reinstatement of an employee
- Resignation, retirement or death of an employee

The Commander of the Administrative Services Division or his/her designee may exercise limited authority to approve Special Duty Personnel Orders. This authority is limited to short-term Special Duty assignments that have been budgeted and approved by the employee's Commander. All out-of-town travel must be approved by the appropriate Bureau Head.

All Personnel Orders shall be color coded white and bear a serial number beginning with the letter "P," followed by a two-digit year, a hyphen, and a two-digit number of the order for that year. Example: P01-102 (Personnel Order 102 of 2001). To issue a Personnel Order, a serial number must be obtained from Training Unit staff, who maintains a log of Personnel Orders for tracking purposes. Maintenance of original Personnel Orders is the responsibility of MPD Human Resources. (04/01/93)

1-106 Special Orders

(12/05/01)

Special Orders are issued only by Research/Policy Development and are pre-approved by the Chief of Police, Assistant Chief, or a designated Bureau Head. Special Orders are issued to announce new, revised, or deleted policies and procedures. (07/19/07)

Special Orders are sent to all precincts, units and divisions and are incorporated into the online Policy & Procedure manual. Special Orders are also sent via e-mail department-wide and employees shall be accountable for knowing the content of Special Orders.

The Commander of the Administrative Services Division or his/her designee may exercise limited authority to approve minor Special Orders when a Bureau Head is not available.

All Special Orders shall be color coded green and bear a serial number beginning with the letter "S," followed by a two-digit year, a hyphen, and a three-digit number of the order for that year.

Example: S01-005 (Special Order 5 of 2001). The Special Order log shall be maintained by the Research/Policy Development Unit. Maintenance of original Special Orders is the responsibility of the Research/Policy Development Unit. (07/19/07)

1-107 Distribution and Reading of Orders

(12/05/01)

(A)

Orders are issued to all affected precincts, units and divisions. They shall be read at each roll call the appropriate number of times so that all employees are notified and then placed in the precinct, unit or division loose-leaf binder. They shall be maintained for one year. Distribution will be noted on each document as follows:

- Distribution A: All precincts, units and divisions.
- Distribution B: Specified precincts, units and divisions.

1-108 Administrative Announcements

(12/05/01)

(A)

Administrative Announcements are issued to announce general information. While not an order or policy change, directives in the Administrative Announcement shall be followed. The Chief of Police, Bureau Heads and precinct, unit or division commanders issue Administrative Announcements. Supervisors may issue an Administrative Announcement with their commander's permission.

To issue an Administrative Announcement, an AA number must be obtained from Police Administration staff, who maintains a log of Administrative Announcements for tracking purposes. Administrative Announcements must contain an AA number and approval signature prior to distribution. Individual units are responsible for distribution.

Administrative Announcements are sent to all precincts, units and divisions. Administrative Announcements shall be read at roll call the appropriate number of times so that all employees are notified and then placed in the precinct/unit or division loose-leaf binder or posted on a bulletin board/clipboard. They shall be maintained for one year or until the retention date has expired.

All Administrative Announcements shall be color coded yellow and bear a serial number beginning with the letter "A", followed by a two-digit year, a hyphen, and a three-digit number of the announcement for that year. Example: A01-012 refers to Administrative Announcement 12 of 2001. The distribution list is located on the MPD intranet website under “MPD Documents.”

1-109 Job Announcements

(12/05/01)

Administrative Job Announcements shall be forwarded to the Manager of the Administrative Services Division for approval, a Job Announcement (JA) log number and the addition of any required Human Resources language prior to issuance. All Administrative Job Announcements shall be posted on a bulletin board/clipboard until the position closes. The Operations Development Unit maintains a log of all Administrative Job Announcements and is responsible for distribution.

Job Announcements shall be colored coded salmon and bear a serial number beginning with the letters "JA," followed by a two-digit year, a hyphen, and a three-digit number of the job announcement for that year. Example: JA01-014 refers to Job Announcement 14 of 2001.

1-110 Training Announcements

(12/05/01)

Training Announcements are issued to announce training information and are issued by the Training Unit. Training Announcements shall be read at each roll call the appropriate number of times so that all employees are notified and then placed in the precinct/unit/division loose-leaf binder or posted on a bulletin board/clipboard. They shall be maintained for one year or until the retention date has

expired. Training Unit staff shall maintain a log of Training Announcements and are responsible for distribution. Training Announcements are issued to all precincts, units and divisions. All Training Announcements are approved by the Commander of the Training Unit.

All Training Announcements shall be colored coded blue and bear a serial number beginning with the letter "TA," followed by a two-digit year, a hyphen and a three-digit number of the training announcement for that year. Example: TA01-005 refers to Training Announcement 5 of 2001.

1-111 Interoffice Communication

(12/05/01)

Inter-office communication is an informal way of communicating specific information within an organizational component. It may not change policy or procedure. This can only be done through a Special Order or at the direction of the Chief of Police.

1-112 Procedure Manuals

(12/05/01)

(A)

Supervisors who maintain specialized procedure manuals for their unit shall ensure that their procedure manuals are updated as unit procedures change. Procedure manuals shall be current and a copy shall be provided to the Operations Development Unit, as they may be used for discovery purposes. Each manual shall contain basic operational procedures for the unit. Examples of specific units that maintain such manuals are:

- Property & Evidence Unit
- Chemical Testing Unit
- MECC
- Recruit Academy
- Identification Division (Chemical Health & Hygiene)
- Watch Commanders' Office (Watch Commanders' Manual)
- Internal Affairs (Complaint Process Manual)
- Emergency Response Unit (ERU)

1-113 Requirement to Check Email

(06/10/13) (06/07/22)

MPD employees shall check their assigned City e-mail account at least once per shift while on duty, during scheduled work hours, when there is reasonable access to a computer.

1-201 Definitions of Terms Used in the Department Manual

(12/12/01) (07/01/13) (12/30/24)

The following words and terms shall have the meanings assigned unless it is apparent from the context that they have a different meaning.

Authority: Legal or rightful command or power.

Booking: The processing of arrested persons.

Bureau: A major organizational component of the MPD comprised of precincts, units and divisions.

Bureau Head: A Deputy Chief.

Chain of Command: The continuous line of authority to and from the Chief of Police.

Civilian: A non-sworn civil service employee.

Command: A specific area within the MPD organizational structure or an event over which a presiding officer has authority and is responsible for managing.

Department: The Minneapolis Police Department.

Detail: Personnel assigned to a specific mission.

District: A geographical area within a sector usually determined by the precinct Inspector.

Division: A major component of a bureau.

Employee: All sworn and civilian employees of the MPD.

Function: A major organizational component of a bureau, division or unit.

Incident Commander: An officer, who by rank, seniority or designation is in charge at an emergency scene, investigation or planned special event.

Lawful Order: Any written or oral directive issued by a supervisor or a proper authority in the course of work that is in compliance with MPD rules and regulations.

Length of Service: As defined by Civil Service Rules and Regulations or Labor Contract. Length of time employed by the City of Minneapolis.

Member: Any sworn or non-sworn employee of the Minneapolis Police Department.

MECC: The Minneapolis Emergency Communications Center.

MPD: The Minneapolis Police Department.

Precinct: A division of the Patrol Bureau representing a geographical area of the city.

Promotion: A position change to a higher classification.

Rank: Classification held by a sworn employee.

Ranking Officer: Officer of the highest rank. Officers of the same rank are ranked according to appointment date within their rank.

Seniority: See Civil Service Rules and Regulations or labor contract.

Shift: A group of employees assigned common hours.

Sick Leave: See Civil Service Rules and Regulations or labor contract.

Squad: An MPD police vehicle.

Supervisor: An employee who is officially assigned to supervise other employees.

Time: All references will be to the 24-hour clock system. Example: 12:30 A.M. is 0030 hours/ 4:00 P.M. is 1600.

Unit: An organizational component within a bureau, division or precinct usually supervised by a lieutenant or civilian equivalent.

Watch: An assigned duty/work period.

Work Day and Week: A work day begins and ends at 2400 hours. The work week for the MPD begins on Sunday and ends on Saturday.

1-202 Mandatory and Permissive Verbs
(12/12/01)

The following rules of grammar shall apply throughout the Policy and Procedure Manual:

The use of the verb "shall" or "will" means that the specified course of action is Mandatory.

The use of the verb "may" means that the specified action is permitted.

The verb "should" means that the specified action is advised.

1-301 Police Department – Executive Power
(12/21/01)

"The Mayor shall be vested with all the powers of said city connected with and incident to the establishment, maintenance, appointment, removal, discipline, control, and supervision of its police force, subject to the limitations herein contained and the provisions of the Civil Service chapter of this Charter, and may make all needful rules and regulations for the efficiency and discipline, and promulgate and enforce general and special orders for the government of the same, and have the care and custody of all public property connected with the Police Department of the city. The Executive Committee shall, by and with the consent of a majority of all of the members of the City Council, appoint for a term of three years commencing January 2, 1980, some suitable person as Chief of Police, subject to removal upon the recommendation of the Executive Committee by a vote of a majority of all the members of the City Council. Such a position shall be in the unclassified service." City Charter reference-Chapter 6, Section 1.

1-302 General Duties of the Chief
(12/21/01)

"The Chief of Police, under the direction of the Mayor, shall divide the subordinate police into proper watches, assign them their places of duty, ascertain by personal daily inspection whether the police are faithfully discharging their duties, and report to the Mayor any negligence or refusal to discharge the same, and also shall perform the other ordinary duties of a police officer. The Chief of Police shall have precedence over the police officers whenever engaged in the same service, and they shall at all times when on duty be subject to the Chief's command and control." Minneapolis Code of Ordinances-Title 9, Chapter 171.20. (09/18/08)

The Chief of Police has the authority and responsibility for the management, direction and control of the administration of the Minneapolis Police Department. The Assistant Chief will assume command in the Chief's absence. If the Chief and Assistant Chief are temporarily absent, a Deputy Chief will be designated to command. If the Chief and Assistant Chief are incapacitated, the most senior Deputy Chief, based on length of service in that rank, shall assume command. In the event the Chief, Assistant Chief and the Deputy Chiefs, are incapacitated or unavailable, the most senior sworn police Inspector, based on length of service in that rank, shall assume command of the Department. (09/19/08)

1-303 Department Budgeting Process
(12/21/01)

The budget process is required by City Charter and is an essential planning tool. The Administration has the ultimate responsibility for the development and implementation of the budget, which must be approved by the City Council. No expenditure shall be made in the name of the MPD unless authorized by the Chief of Police, Assistant Chief, MPD's Director of Financial Operations, or their designee. (09/19/08)

The department budget represents an evaluation of the MPD's needs and is based on goals and objectives, with performance indicators from each organizational precinct, unit and division. It is a continuous process that demands that Commanders and Managers communicate their needs for the upcoming fiscal year. Each year, Commanders and Managers shall encourage each department employee to contribute ideas and improvements for developing and accomplishing stated division, precinct, and unit goals and objectives.

Commanders and Managers may be asked to assist in preparing the annual department budget as directed by the Administration. Budget instructions and the necessary forms will be issued to all affected personnel by Administration. (09/19/08)

1-304 Grant Fund Application and Award Acceptance Process

(12/21/01) (09/19/08)

(A-D)

All grant applications and requests made for funding from public agencies or private organizations must adhere to City of Minneapolis, Minneapolis Police Department and granting agency guidelines and procedures. Any funds awarded which have not followed the appropriate guidelines and procedures will not be accepted. The MPD has established a Grant Review Committee and grant administration process to facilitate grant requests made on behalf of the MPD.

Grant applications may be prepared by the Division or Unit proposing a program funding request. All grant applications must include a designated Project Manager who will be responsible for:

- Presenting the initial grant proposal to the Grant Review Committee;
- Completing the application with consultation and assistance as necessary from the Grant Coordinator;
- Providing the completed grant application to the Grant Coordinator in order to obtain signatures and final approval by the Grant Review Committee and the Chief of Police (or designee);
- Executing the program activities as stated within the grant award;
- Performing the operational administration of the grant project;
- Notifying the Grant Coordinator of all changes to grant program and/or grant award;
- Completing non-financial progress reports as required by the grant award agreement and shall provide a copy of all reports to the Grant Coordinator for audit purposes;
- Notifying the Grant Coordinator when there is a change of Project Manager.

In considering grant program approval, the Grant Review Committee will consider the value of the proposed program or project, the impact on other departmental operations, and financial or

personnel obligations related to the program. The Committee will expect inclusion of administrative costs where allowed by the grantor.

All grant applications submitted and awards received will be approved by the Chief of Police, or his/her designee and the Grant Review Committee. Some grant applications may also need to be approved by the City Council. The acceptance of all grant funds must be approved by the City Council. The Grant Review Committee will inform the grant applicant of required follow-up components and reporting procedures.

Oversight of the compliance and administration of all grants within the MPD is provided by the Grant Coordinator.

1-304.01 Grant Fund Applications/Project – Reports and Files

(12/21/01)

(A)

Each Precinct, Unit, Division, or MPD committee shall keep a complete file on the grant or funding they are applying for or are in the process of using. Each Precinct, Unit, Division or department committee is responsible for compiling the required financial and statistical data, and submitting their reports in a timely manner to the funding agency.

Copies of all correspondence, including the completed grant/funding application, letters of acceptance, funding requirements, quarterly reports, etc., shall be maintained by the Precinct, Unit, Division or MPD committee according to the City's record retention guidelines. Grant or funding guidelines must also be adhered to for file retention(s).

1-305 Contributions From Outside Sources

(12/21/01) (09/19/08)

(A-D)

Prior to the acceptance of any contribution (monetary or otherwise) by the Minneapolis Police Department, the MPD Director of Financial Operations must be informed. The potential contribution will be evaluated for possible conflicts of interest. Contributions from outside the MPD that are intended to benefit a Department activity may require authorization from the City Council before acceptance.

Refer to City of Minneapolis policy Gifts to the City.

If necessary, the Director of Financial Operations will submit a letter to the appropriate City Council committee requesting permission to accept the contribution, approval for the specified use of such funds or other items, and/or an increase to the MPD's current budget appropriation.

At the time such funds are received, they shall immediately be sent to the MPD Finance Manager. The MPD Finance Manager shall then adjust the accounts in accordance with the City Council action. No such funds shall ever be retained by any precinct, unit, division or individual employee. For contributions other than money, the supervisor of the area receiving the contribution shall send a

memo describing the item(s) to the MPD Finance Manager. Included in this memo shall be the estimated dollar value of the item(s).

Solicitation of charitable gambling proceeds is prohibited.

1-306 Trademark

(12/21/01) (09/19/08) (10/04/19)

(C)

I. Purpose

A logo identifies an enterprise in its simplest form via the use of a wordmark or icon. The MPD trademarked items are to the MPD what a handwritten signature is to a person. They represent the Department and must be used consistently and neutrally.

II. Policy

The MPD owns the trademarks for the department badge, shield, motto, uniform patch and the name Minneapolis Police Department.

III. Procedures/Regulations

A. Use of the MPD Trademarks

1. MPD employees are authorized to use the department name, badge, shield, motto and uniform patch for official MPD business.

    a. The trademarks may not be used to promote non-Department activities or imply the Department's endorsement except where the Department has formalized a partnership (as defined by the Chief of Police).

    b. Authorized use of the uniform is limited to working on-duty as an MPD officer, working off-duty in an MPD uniform (in accordance with P&P 3-800), and at Department-sanctioned events.

    c. Employees shall not wear the MPD uniform while representing the Police Federation or while on Police Federation business.

2. The MPD authorizes limited use of the name and badge on merchandise and limited use of the trademarks for commercial purposes, as permitted by the Chief of Police.

B. Trademark Adulteration

1. No person shall make or allow any adulteration of the department name, badge, shield, motto or uniform patch, without advance written permission from the Chief of Police. This includes the addition or deletion of words and symbols.

2. Any suggested changes in the normal design (wording or symbols) of the department name, badge, shield, motto or uniform patch shall be assessed by the Chief of Police.

C. Political Appearances in MPD Uniform or with the Trademark(s)

1. No employee shall make appearances in political advertisements while wearing the MPD uniform, or cause MPD trademarks to appear in political advertisements.

2. No employee shall cause MPD trademarks to be used in any other way that could lead a reasonable person to believe the MPD is endorsing a political party, candidate or campaign. This does not prevent authorized use of the MPD uniform while providing public safety services, as defined by an authorized MPD operational plan, at events which are attended by elected officials or candidates running for an elected position.

3. Employees must also comply with the City's Ethics Code, 15.110 – Political Activity and P&P 5-102.

4. In accordance with P&P 3-100, the authorized uniform shall not be altered (including with campaign items or attachments).

D. Media Appearances in MPD Uniform or with the Trademark(s)

Employees shall not make media appearances in the MPD uniform or with MPD trademark(s), except in accordance with P&P 6-200 Relations with the Media.

1-307 Employee-Owned Vending/Gaming Machines

(09/23/02)

(A-B)

Some vending/gaming machines placed on police premises must be licensed by the City of Minneapolis, Department of Licenses and Consumer Services, and must bear an emblem or tag securely fastened to the front surface of the machine in a conspicuous place, bearing the expiration date of the license and the registration number assigned to such licensee. Permission must be obtained from the appropriate Precinct or Division Commander (no designees) to place a vending/gaming machine on police premises before a license can be applied for or before a machine can be placed on police premises. The Precinct or Division Commander shall approve the location where the vending machine is to be placed; this may be a public access or non-public location. (09/19/08)

Vending machines that require licenses are those that dispense any type of liquid into a container or dispense food items such as chips, candy bars, etc. Machines not requiring a license are those that dispense liquids already sealed in bottles or cans and gaming machines (unless there are three or more machines). If there any questions regarding licensing, contact the Department of License and Consumer Services.

Employees are prohibited from placing an employee-owned vending/gaming machine on police premises for personal profit. If permission and the proper license are obtained, an employee may

place a vending/gaming machine on police premises if the profits from sales are placed into a charitable fund bank account, i.e., Fourth Precinct Employees' Flower Fund. At least two authorized signatories must be named on the bank account for deposits and withdrawals. The Precinct/Division Commander shall be informed as to whom the authorized signatories are at all times. Generally accepted accounting practices shall be adhered to and quarterly reports submitted to the Precinct/Unit/Division Commander. (09/19/08)

Any damage to police premises caused by a vending/gaming machine is the owner's responsibility.

Violations of this policy may be cause for disciplinary action and/or the removal of an employee-owned vending/gaming machine.

1-401 Sworn Rank Structure

(12/28/01) (10/06/06) (07/01/13)

Chief of Police: The Chief of Police is the highest-ranking sworn position within the MPD. In his/her absence, the Chief may appoint a designee to assume the duties of the Chief.

Assistant Chief: The Assistant Chief is appointed by and superseded in rank by the Chief of Police. In his/her absence, the Assistant Chief may appoint a designee to assume the duties of Assistant Chief. (10/06/06)

Deputy Chief: Deputy Chiefs are appointed by and superseded in rank by the Assistant Chief and Chief of Police. In his/her absence, a Deputy Chief may appoint a designee to assume the duties of Deputy Chief.

Inspector: Inspectors are appointed by the Chief of Police and are superseded in rank by the Assistant Chief, and Deputy Chiefs. In his/her absence, an Inspector may appoint a designee to assume the duties of Inspector. (10/06/06)

Commander: Commanders are appointed by the Chief of Police and are superseded in rank by Deputy Chiefs and Inspectors. In his/her absence, a Commander may appoint a designee to assume the duties of Commander. (07/01/13)

Lieutenant: Lieutenant rank is achieved by Civil Service promotion and is superseded in rank by Commander. (07/01/13)

Sergeant: Sergeant rank is achieved by Civil Service promotion and is superseded in rank by Lieutenant.

Police Officer: Police Officer rank is achieved through the Civil Service employment process and is superseded in rank by Sergeant. (10/06/06)

1-401.01 Civilian Structure

(12/28/01) (09/19/08) (07/01/13)

Director: Directors are appointed by the Chief of Police and are superseded in rank by the Chief, Assistant Chief, Deputy Chiefs and Inspectors. Directors are the highest-ranking civilian positions within the MPD and are the civilian equivalent of a Commander. In his/her absence, a Director may appoint a designee to assume the duties of Director. (07/01/13)

Manager: Manager is a position achieved through the Civil Service employment process and is the civilian equivalent of Lieutenant, depending on their Civil Service job classification or grade level. Managers are superseded in rank by Directors. (07/01/13)

Supervisor: Supervisors are positions achieved through the Civil Service employment process and are the civilian equivalent of a Lieutenant or Sergeant, depending on their Civil Service job classification or grade level. Supervisors are superseded in rank by managers.

Non-Supervisory Civilian Personnel: Job classifications, grades and promotional lines are determined by the Civil Service Commission. All Civilian personnel report directly to their immediate assigned supervisor. (03/01/91)

1-402 Chain of Command

(12/28/01)

All employees must be aware of their relative positions within the MPD. They should know whom they are accountable to and whom they are responsible for.

1-402.01 Employee Authority and Responsibility- Accountability

(12/28/01)

All MPD employees are accountable for their use or failure to use delegated authority.

1-403 Insubordination

(12/28/01) (09/15/23)

I. Purpose

The purpose of this policy is to provide guidelines for employees of this agency to follow concerning acts of insubordination.

II. Definitions

Insubordination: For the purposes of this policy, insubordination is any act of defiance, disobedience, dissension, indifference or resistance to authority.

III. Policy

The organizational rank structure of this Department lists the Chief of Police as the leading authority within the chain of command. This authority is delegated downward to the next level of authority and continues throughout the entire chain to the lowest level. It is mandatory that employees of this department understand the rank structure and carry out their duties and responsibilities as directed by their supervisors. Any form of insubordination, unless otherwise

justified, will not be tolerated and will be subject to disciplinary action up to and including termination.

IV. Procedures/Regulations

A. Obey Lawful Orders

Employees must always obey lawful orders, directives and corrective actions, given by supervisors or their designees, upon issuance (in accordance with P&P 5-102 [III-A]).

1. If compliance is not feasible because of the following reasons, the employee receiving the order shall respectfully request an opportunity to discuss the situation, in private, with the supervisor issuing the order:

    - The order would jeopardize the employee's health or safety,
    - The order would violate any federal, state, county, or municipal laws or involve the breach of any of the rules, regulations, policies or procedures of this Department,
    - The employee has information that may adversely affect the intent of the order.
    - The employee has received conflicting orders.

2. The employee shall explain to the supervisor the reason for their concern regarding a violation of the law, health or safety concern, etc.

3. In the event the discussion between the supervisor and the employee fails to resolve the conflict, the employee issued the order shall be allowed to make contact with a higher-ranking supervisor (next level of authority within the chain of command) for clarification purposes.

4. These procedures do not give subordinate officers the authority to challenge all orders issued by a superior officer. Any abuse of these provisions will be considered insubordination.

B. Acts of Insubordination

1. Acts of insubordination may result in:

    - Being relieved of duty (as approved by a Deputy Chief or higher)
    - Immediate suspension of off-duty employment privileges (P&P 3-801)
    - Discipline, up to and including termination

2. Violations of the Professional Conduct policy (P&P 5-102) directed toward a supervisor may be considered acts of insubordination.

C. Delegated Authority

All employees will be held accountable for their use of delegated authority.

1-404 Neglect of Duty
(09/15/23)

Employees shall not commit any act or omission that constitutes neglect of duty.

1. Employees shall not deliberately be indifferent, withhold, delay, deter, undermine, or otherwise usurp the timely performance of their assigned duties, actions or services rendered.

2. Employees shall not knowingly conduct themselves or participate in conduct in a way that would delay, deter, undermine, damage or compromise the proper execution of MPD processes, procedures and practices.

3. Employees shall not knowingly conduct themselves or participate in conduct in a way that would damage, undermine or compromise internal and external stakeholder relationships.

1-405 Responsibilities of Persons in Positions of Command
(12/28/01) (07/01/13) (09/15/23)

(B-D)

Persons in positions of command may refer to a person who holds the official rank of Commander as defined in section 1-400 Rank Structure and Supervision; may refer to someone who is commanding an event/incident; or may refer to a Watch Commander. (07/01/13)

Persons in position of command are responsible and accountable for every aspect of their commands. In order to achieve organizational objectives, they have the authority and responsibility to coordinate, direct, and allocate assigned personnel and resources within policy and legal restraints. (07/01/13)

Persons in position of command shall continuously evaluate all aspects of their command. Existing policies, procedures, programs and budget requests should be reviewed to ensure that necessary changes are made. Personnel, vehicles and equipment must be inspected per MPD policy. It is a Commander's responsibility to ensure that deficiencies or inadequacies are noted and corrected. (07/01/13)

Persons in position of command shall ensure that changes in command are as smooth and orderly as possible. Orientation of a new Commander shall include information on unique problems of the command and assistance in continuing community and professional contacts relative to the command. (07/01/13)

1-406 Responsibility of Supervisors
(12/28/01) (09/19/08) (09/15/23)

(A-D)

In general, supervisors have the authority to exercise control over subordinates to accomplish department directives. Supervisors are responsible for the behavior and actions of subordinates

within their immediate control. They are also responsible for the inspection, evaluation, and discipline of all assigned subordinates. Those responsibilities include, but are not limited to, the following:

1. To set an example for subordinates in the areas of appearance, work habits, skill and attitude.

2. Work assignments and objectives. (09/19/08)

3. To ensure that MPD rules, regulations and orders are followed and are not ridiculed by any MPD employee.

1-407 Duties of Supervisors

(12/28/01) (09/19/08) (09/15/23)

(A-D)

In addition to the duties of all MPD employees, supervisors have the following specific duties:

1. Investigation of all citizen or department-directed complaints alleging misconduct, incompetence, neglect of duty or any other department rule violation.

2. Appraisal and analysis of work accomplishments for subordinates.

3. Review and approval of reports completeness and accuracy. (Refer to sections 4-601 Report Responsibility and 4-602 Report Writing.) (09/18/08)

4. Duties may be delegated to another sworn employee with equivalent authority. However, the ultimate responsibility or accountability for the results may never be relinquished. (09/18/08)

1-408 Command Authority- Ranking or Senior Officers

(12/28/01) (09/18/08) (09/15/23)

(A-D)

The ranking on-duty sworn supervisor at the scene of any police incident shall be in charge and responsible for police activity. In the absence of a supervisor, the senior sworn employee of the first squad to arrive at the incident shall be responsible for police activity until relieved by a supervisor. The ranking investigating employee, upon arrival, shall coordinate the command of the crime scene with the sworn employees at the scene.

Any sworn employee shall assume command if instructed to do so by a supervisor or senior officer. The sworn employee in charge of a scene shall remain at the scene until the incident is under control, or until relieved by another supervisor.

In certain emergency situations such as Operation 100's, large civil disturbances, underwater recovery, incidents involving bombs or hazardous chemicals, or mental health incidents, the specialized unit trained for these emergencies shall be in command at the scene.

If the sworn employee in charge demonstrates an articulable inability to perform the necessary duties, the on-duty Watch Commander will be notified as soon as practical. The on-duty Watch Commander shall be responsible for assuming or assigning command of the incident and advising the Chief of Police and Deputy Chief of Patrol of that decision prior to the end of the shift.

1-409 Supervision of Special Shifts/Details

(12/28/01) (09/19/08) (09/15/23)

(A-D)

Sworn employees who are working special shift details and who will not be reporting to a regular roll call for change of shift, shall be under the direction of their immediate supervisor, or in the absence of an immediate supervisor, the senior officer assigned to the detail. If the immediate supervisor is not present during a special detail, the supervisor on duty in the affected precinct or command shall be responsible for such details.

Command for special details (i.e. parades, athletic contests, or similar assignments) and designation of times for roll call and end of shift shall be directed by the supervisor in charge of the detail.

1-501 Department Organization and Functions

(01/07/96) (03/25/08) (03/28/08) (09/19/08) (07/12/21)

I. The Minneapolis Police Department

A. Organizational Components

The Department is organized by function into bureaus. Each bureau is divided into divisions, precincts, units, sections and programs. A division or precinct may contain several units or functions. Each organizational component of the Department shall be under the direct command of only one supervisor. The MPD Organization Chart shall be updated as determined by the Chief of Police.

B. Other City Departments

1. MPD Support by Other City Departments

   The City of Minneapolis supports its various departments and divisions through the cross-over assignment of support staff to assist individual departments. In the MPD, support departments include the following:

   - City Attorney – reports to the Chief of Police
   - Communications – reports to the Assistant Chief of Police
   - Finance – reports to Director of Financial Operations
   - Human Resources – reports to Deputy Chief, Professional Standards Bureau

2. Office of Police Conduct Review (OPCR)

   The Office of Police Conduct Review (OPCR) is a neutral agency that investigates allegations of police misconduct made to the City of Minneapolis.

3. Minneapolis Emergency Communications Center

   Minneapolis Emergency Communications Center (MECC) is responsible for receiving all 9-1-1 calls for police, fire and emergency medical assistance. MECC coordinates the deployment of police officers and vehicles and provides communication assistance to officers in the field. MECC reports to the MECC User Board, consisting of the City Coordinator, Chief of Police, Chief of Fire and a Hennepin County representative.

4. Minneapolis 311 Operations

   The Minneapolis 311 Operations Center fields informational calls for all City departments. They forward case work and citizen requests to various areas of the Department, including the Precincts, Internal Affairs, Police Administration, and ISAC (Intelligence Sharing and Analysis Center). Minneapolis 311 Operations report to the City Coordinator.

II. Amending the Organizational Structure

A. Amendments to the Department's organizational structure (i.e., creating a new unit or division, eliminating or combining a unit or division) must be approved by the Chief of Police through an Organizational Change Order.

B. The organizational change shall be reviewed as follows:

1. The Deputy Chiefs, Inspectors and Commanders affected by the change shall review any proposed changes.

2. City Finance/Payroll must make the appropriate code changes for budgeting and financial reporting purposes. Also, the payroll records must be changed so that personnel are charged to the appropriate area.

3. MPD Administrative Services is responsible for updating employee personnel records with any assignment changes.

4. The Research & Policy Development unit is responsible for updating the MPD Policy and Procedure Manual and Organizational Chart.

III. Department Organizational Structure

A. Administration

1. The Police Administration is made up of the following positions: Chief of Police, Assistant Chief of Police, Deputy Chief of Staff, Deputy Chief of Patrol, Deputy Chief of Investigations and Deputy Chief of Professional Standards.

2. The Director of Financial Operations and Public Information Officers report to the Assistant Chief of Police.

3. Most Minneapolis Police Department operations are located within three Bureaus. The remaining specialized operations report directly to the Administration. The three Bureaus are as follows:

   - Patrol Bureau
   - Investigations Bureau
   - Professional Standards Bureau

4. The Chief of Police may organize and staff committees and boards to perform special tasks for the Department. The composition of the committee or board depends upon the issues or circumstances to be reviewed.

B. Administrative Sections Under Administration

1. Chief's Detail

   The Chief's Detail is comprised of professional staff who provide administrative and support services for the Chief's office.

2. Chaplain Program

   The community clergy of the Chaplain Program contract with the MPD to provide spiritual care and support services to MPD employees and to the citizens of Minneapolis. This program is overseen by the Assistant Chief.

3. Financial Operations

   Financial Operations supports all MPD operations including accounting, contract management, grant management, financial planning, budgeting, and reporting.

   a. Police Stores

      The Police Stores function facilitates the procurement, inventory and disbursement of all (non-vehicular) equipment and supplies for the Department (including police radios and cell phones).

4. Health & Wellness

   The Health and Wellness function serves as liaison to employees, city doctors, outside medical facilities and other agencies for work-related employee health information. This function also coordinates activities for employees (such as health screenings, etc.).

5. PIO

   This Public Information Office is responsible for providing information to the community. The team manages the MPD's social media accounts and coordinates data practices requests made by journalists. Public Information officers also respond to major incidents to provide information to the public.

C. Investigations Bureau

1. Organization and Functions of the Investigations Bureau

   The Investigations Bureau is made up of the Forensics Division, the Special Crimes Investigations Division and the Violent Crimes Investigations Division.

2. Forensics Division

The MPD Forensics Division (Crime Lab) management team and its members are committed to providing quality and professional forensic services for all requesting agencies and divisions in a timely and proficient manner. The Forensics Division conducts casework in the following areas:

- Computer Forensics
- Field Operations (Car 21 - crime scene processing, Friction Ridge Impressions, AFIS, and footwear)
- Firearms and Toolmarks
- Forensic Garage
- Video Forensics

The Forensics Division assists in the investigation of a wide range of crimes including, but not limited to burglaries, robberies, and homicides.

The Forensics Division Director is responsible for planning, coordinating, and managing the activities of the Forensics Division, including supervision, establishing policies, and procedures to ensure lab results meet established standards, and ensuring that lab resources are used efficiently. The Director reports to the Deputy Chief of the Investigations Bureau.

a. Forensics Management

The Forensics Management supervises, oversees, and assists Forensics Division members engaged in the investigation, examination and analysis of evidence in the AFIS, Field Operations and Forensic Garage sections.

i. Forensics AFIS

The Forensics AFIS section examines and makes identifications on latent prints using access to various fingerprint databases.

ii. Forensics Field Operations

The Forensics Field Operations section examines, documents, processes, and collects evidence at crime scenes and in the laboratory. Personnel also examine friction ridge impressions (FRI's). A sub-discipline of the Field Operations section is footwear impression examination.

iii. Forensics Garage

The Forensics Garage section processes vehicles used in crimes and suspected stolen vehicles.

b. Forensics Supervisor

The Forensics Supervisor/Sergeant supervises, oversees, and assists Forensics Division members engaged in the investigation, examination and analysis of evidence in the Computer Forensics, Firearms and Toolmarks, and Video Forensics Sections.

i. Forensics Computer

The Forensics Computer section performs forensic examinations on items, such as computers, thumb drives, and cellular phones. In addition to their forensic duties, examiners also conduct criminal investigations involving the distribution, manufacturing, and possession of child sexual assault material.

ii. Forensics Firearms

The Forensics Firearms and Tool Mark section performs examinations on firearm and toolmark evidence as well as manages the National Integrated Ballistics Information Network (NIBIN) program for the MPD.

iii. Forensics Video

The Forensics Video section personnel analyze video for evidentiary content, isolate and enhance still video images, perform analog to digital conversion, make video viewable on City network computers, perform audio analysis, recover video from DVRs, perform comparative analysis and prepare timelines.

c. Forensics Quality Assurance

The Quality Administrator oversees the ANSI National Accreditation Board (ANAB) accreditation of the lab and ensures compliance with all technical standards associated with the operation of the Forensics Division.

3. Special Crimes Investigations Division

These units in the Special Crimes Investigations Division work with community partners and social service agencies to ensure violators are found and prosecuted. The teams also focus on ensuring victims receive compassionate and thoughtful service.

a. Crimes Against Children

The Crimes Against Children unit investigates cases involving adult or juvenile suspects for crimes of child abuse, physical or sexual abuse, child endangerment, neglect, deprivation of parental rights and parental kidnapping.

b. Domestic Assault

The Domestic Assault unit investigates cases involving adult suspects and adult victims for the crimes of domestic assault.

c. Juvenile Investigations

The Juvenile Investigations unit investigates Robbery, Assault (including domestic assault) and missing person cases in which the offender is under 18 years of age. The unit provides processing services and short-term detention for arrested juveniles. The unit maintains all runaway and missing juvenile files and serves as the central repository for juvenile criminal history records. The unit also offers diversion options and tracking for first time juvenile offenders of low-level offenses.

i. Juvenile Missing and Absentee Investigations

This program works to identify runaway and other missing youth and to return them to a safe environment as well as the investigation of juvenile sex trafficking.

d. License Investigation

The License Investigation unit, in cooperation with other City departments and State agencies, investigates applicants for various business licenses and permits issued by the City of Minneapolis, such as those governing the sale of alcoholic beverages, pawn shops and second-hand stores, charitable gaming activities, and permits to purchase handguns. The unit also helps monitor and regulate the operation of businesses holding these licenses and permits. (Note: Permits to carry a handgun are issued through Hennepin County.)

The License Investigation unit also maintains a cost accounting system for Federal and State grants and non-grant projects and a tracking system for Federal, State, DWI & MPD forfeitures.

i. Auto Theft Prevention (ATP)

The ATP section coordinates ‘bait vehicles’ for use in deterring vehicle thefts.

ii. Financial Crimes Unit

The Financial Crimes unit investigates financial crimes consisting of forgery, financial transaction card fraud (unauthorized use of credit, check, debit and EBT/Electronic Benefits Transfer cards or account numbers), theft by swindle (scams, con games and misrepresentation), identity theft, and embezzlement.

iii. Narcotics Unit

The Narcotics unit investigates in-custody cases involving adult suspects for the illegal selling, buying and possession of dangerous drugs or narcotics. The Narcotics Unit is also responsible for the tracking of narcotic asset forfeitures.

iv. VOTF- DEA TF

The Violent Offender Task Force (VOTF) function supports investigations by coordinating suspect information with a focus on arresting recidivist or violent criminal suspects.

v. Vulnerable Adult section

The Vulnerable Adult section investigates cases involving adult or juvenile suspects for crimes committed against vulnerable adults as described by statute. These crimes include forgery, fraud and financial exploitation.

e. Sex Crimes

The Sex Crimes unit investigates cases involving adult suspects and most juvenile suspects for the crimes of sexual assault, non-familial child molestation, indecent exposure, luring and non-domestic related stalking cases.

i. BCA Human Trafficking Task Force

The BCA Human Trafficking Investigators Task Force employs innovative strategies to identify and rescue victims of organized sex trafficking, which may involve investigating cases, arresting and charging the perpetrators and participating in their prosecution.

ii. Predator Offender Registration Section

The Predator Offender Registration section handles Predatory Offender registrations and coordinates Level III Sex Offender community notification meetings.

f. Traffic Investigations

The Traffic Investigations unit investigates serious injury and fatal accidents, Hit-and-Run Accidents with Injuries, Pursuits and Squad Accidents. Traffic Investigations also investigates Auto Insurance Fraud cases, maps accident scenes, and provides assistance to the Forensics Division, Homicide and other units with measuring and recording serious crime scenes.

iii. Arson

The Arson unit reports to the Traffic Investigations lieutenant. The Arson unit investigates cases involving fires of suspicious origins and works closely with the Minneapolis Fire Department's Fire Examiners.

g. U-Visa

The U-Visa function manages, processes, and tracks all U-Visa applications. The unit also collaborates with intergovernmental agencies surrounding issues and concerns of the immigrant and refugee community.

4. Violent Crimes Investigations Division

The Violent Crimes Investigation Division consists of a Commander and an Analyst that work to find and bring to justice those who commit violent crimes. The units in this division work with members of the community to reduce violent crime in Minneapolis.

a. Assault

The Assault unit investigates cases involving Third Degree Assault (significant bodily harm) or greater.

i. Violent Crimes Investigation Team

The VCIT unit investigates cases involving shootings.

b. Criminal Investigation Adm

The office support personnel in this unit support police investigations.

c. Homicide

The Homicide unit investigates cases involving adult and juvenile suspects for the crime of murder. The unit also investigates non-parental kidnappings, and works with Traffic Accident Investigations on fatal hit-and-run vehicle accidents. They review deaths reported to the police including: suicides and attempted suicides, non-vehicular accidents and drug overdoses. The Homicide unit investigates MPD employee involved critical incidents.

i. FBI Cold Case Liaison

The Homicide unit is relentless in pursuing justice for friends and relatives of homicide victims, and that includes unsolved cases from many years ago. The MPD is always looking for new information on "cold cases," and the Liaison is part of a team where resources are collaboratively dedicated by the MPD, the Hennepin County Attorney's Office and the Federal Bureau of Investigation.

ii. Violent Criminal Apprehension Team (VCAT)

The primary role of VCAT is to support the Violent Crimes Investigations Division with locating and apprehending violent criminal suspects. VCAT also assists other law enforcement agencies with violent criminal apprehensions.

d. Robbery

The Robbery unit investigates robbery incidents involving adult suspects. The unit members participate in joint investigations of financial institution robberies with the FBI, Metro Robbery Task Forces and proactive robbery suspect projects.

D. Patrol Bureau

1. Organization and Functions of the Patrol Bureau

The Patrol Bureau provides effective and efficient response to calls for service and enforces laws with specific emphasis on community policing, street crime and traffic safety. The Patrol Bureau is made up of five Police Precincts, the Special Operations Division and CCP/SAFE Central.

2. Precincts

The five precincts provide police services for the people who live in, work in and visit the city of Minneapolis. Each precinct consists of the following functions:

a. Patrol Sector

Patrol Sector functions include primary response to emergency and non-emergency calls for service, directed patrols, apprehending offenders, preventing and deterring crime, initially investigating and gathering evidence at crime scenes, and maintaining order within the community.

The Patrol Sector may use a variety of options to enhance the effectiveness of motor patrol and 911 responses including directed patrol, canine, walking, bicycle and motorized beats; coordinating business and community needs with other areas of the Department and participating in community meetings and directed assignments.

i. Neighborhood Directed Patrol

The Directed Patrol function provides officer presence and response to areas requiring increased police services based upon crime patterns and community need.

b. Crime Analysts

The Crime Analysis team helps MPD respond to crime patterns and criminal activity throughout the city.

c. Community Response Unit

The functions of the Community Response Units are designated by each precinct Inspector.

d. Community Response Team

The Community Response Team is a mobile flexible force that is available for assignment in uniform or plain clothes on a priority basis. Assignments may include, but are not limited to: drug suppression, vice control, surveillance, crowd control, high crime or crime specific patrol. They serve as a primary responder to events and demonstrations that have the potential for civil disorder. (Note: Precincts may coordinate with other teams as situations dictate.)

e. Precinct Investigation Units

Precinct Investigations Unit functions include gathering evidence, identifying and apprehending offenders and preparing cases for prosecution on all burglary, theft and damage to property cases and auto-related crimes. They are responsible for following up on adult missing persons reports.

f. CCP/SAFE

Community Crime Prevention/SAFE Central is responsible for coordinating citywide crime prevention programs such as National Night Out and Rental Property Owner Workshops. CCP/SAFE Central also supports various precinct-based crime prevention and problem-solving programs by overseeing the nuisance conduct on premise enforcement process, maintaining crime prevention volunteer databases, creating crime alerts, designing and printing crime prevention materials, updating and maintaining crime prevention Web pages and fulfilling requests for Calls for Service reports.

g. BRRT

The Bicycle Rapid Response Team (BRRT) is a group of specifically trained bike patrol officers and supervisors that can effectively provide a community-based patrol presence on bicycles. These teams specialize in managing crowds, protests, demonstrations, special events, disasters, sporting events, search and rescue operations and reconnaissance missions. They provide security and protection for those who live in, work in or visit the city of Minneapolis.

h. Mounted Patrol

The Mounted Patrol unit works efficiently and effectively in crowd control situations utilizing the size and ability of the horses. The Mounted Patrol unit also connects with the community while on patrol and at many community events.

i. Call Center

Call Center utilizes employees to take city-wide police reports remotely by phone to help alleviate the calls for service to marked 911 units. Employees who are on light duty status or other non-full duty status may be utilized in this capacity.

3. Strategic Operations Division

The Strategic Operations Division is a Hybrid Division comprised of plainclothes investigators, uniformed patrol officers and civilian analysts. Investigations are conducted using data, sources of information and forensics to focus on those individuals or groups that are believed to be participating in gun related crimes within the city of Minneapolis or that have a nexus to the city of Minneapolis. Investigators will present criminal investigations to the most appropriate State or Federal prosecuting office.

a. Firearms Release Unit

The purpose of the Firearms Release program is to have a single source point of contact that will help to ensure all federal, state and local ordinances are being followed as required of law enforcement agencies that have seized or taken custody of a person's firearm. Day-to-day operation of this position requires daily contact with public as well as investigators, attorneys, and property and evidence management. Improper release of firearms has resulted in civil litigation and is an extremely important function. This is one of several reasons this position is staffed with a Lieutenant who has both authority and a higher level of understanding required to process complex laws and administrative requirements associated with the release of firearms.

b. Gun Investigations Unit

The Gun Investigations section is responsible for facilitating criminal investigations of those people who are in-custody for violating weapons offenses. Investigators assigned to this group also initiate proactive investigations designed to disrupt criminal activity associate with gun related crimes.

c. Strategic Analysis

The Strategic Analysis team helps MPD direct resources in response to crime patterns and criminal activity throughout the city.

E. Professional Standards Bureau

1. Organization and Functions of the Professional Standards Bureau

   The Professional Standards Bureau supports the Chief's Administrative Detail, Patrol Bureau and Investigations Bureau through management of personnel, training, vehicles, equipment, information and technology.

2. Administrative Services Division

   The Administrative Services Division supports the Department through providing internal administrative processes including Health and Wellness and Personnel Leaves. The division also maintains administrative records for employees assigned to the Minneapolis Police Officers Federation.

   a. Early Intervention System (EIS)

      The MPD's Early Intervention System (EIS) helps ensure each employee's performance is appropriate for their assignment, training, experience and factors that are unique to each person. EIS is meant to give employees notice that their performance isn't meeting MPD standard and to give them the opportunity and the resources necessary to bring their performance to a level that reflects the Department's professional service standards.

   b. Federation/PFOM

      The Federation/PFOM function includes union representatives assigned to the Federation on a full-time basis.

   c. Health and Safety

      The Health and Safety Coordinator manages the medical processes that support employees during periods of injury or illness that can impact them at work, while on leave or returning to work. The Coordinator also develops and manages safety and health related programs within the MPD and in collaboration with other City departments and external partners.

   d. Mayor's Detail

      The Mayor's Detail is the protection detail assigned to the Mayor of Minneapolis.

   e. Personnel Leaves

      The Personnel Leaves function is a record of employees on long-term leaves of absence.

f. Quality Assurance Unit

The Quality Assurance Unit is responsible for oversight, assuring compliance, and effective operations of all functions, policies and directives of the MPD.

g. Research & Policy Development

The Research and Policy Development (R&D) function develops and implements new policies and provides on-going maintenance and updates for current policies. R&D performs research and analysis of various functions within the MPD at the direction of the Administration. R&D also oversees the off-duty approval process, and handles personnel data requests.

3. Chief's Special Detail

The Chief's Special Detail section supports professional standards processes and handles special projects as needed.

4. Internal Affairs

The Internal Affairs unit records and investigates complaints from citizens, Department employees and outside agencies concerning the conduct and actions of Minneapolis Police Department employees.

The Internal Affairs unit provides investigative support to all critical incidents and may also be assigned investigations into employee misconduct or other areas by the Administration. The Internal Affairs unit is also responsible for maintaining the confidentiality of internal affairs investigations and records.

5. Special Projects

The Special Projects function develops and implements new policies and provides on-going maintenance and updates for current policies. Special Projects coordinates with other City partners on initiatives of the Chief.

6. Technology and Support Services Division

Technology and Support Services Division oversees and facilitates MPD's technology needs. This includes computers and software, cellphones, body cameras and fleet related technology. The division also oversees the Records Information unit, Property and Evidence unit, and Fleet Management.

a. Business Technology Unit

The Business Technology Unit acts as a liaison between the MPD and Business Information Systems (BIS) and provides the following services:

- Coordination, leadership and Information Technology (IT) knowledge in defining MPD IT projects.
- User support for network-based applications that are unique to the MPD, including: PIMS, MPD Workforce Director and the CityTalk Intranet site.
- Coordination of access to MPD applications for department users and external and agencies.

b. Support Services

The Support Services section provides records management, property and evidence intake and fleet management for the Department.

i. Fleet Services

The Police Equipment Specialist (Fleet Manager) oversees the management and assignment of all vehicles (marked and unmarked) in the MPD fleet. The Specialist serves as the liaison to the Public Works Department on fleet issues.

ii. Property & Evidence

The Property and Evidence unit handles the inventory, documentation, storage, release and disposal of all recovered property and items held as evidence.

iii. Records Support

The Records Support section includes the Records Information unit (RIU).

aa. Records Information

The Records Information unit (RIU) oversees the organization, retention and dissemination of all MPD records. RIU is the point of contact for all MPD public data requests.

7. Training Division

The Training Division focuses on the professional development of every employee at every level.

a. Procedural Justice Unit

The Procedural Justice Unit leads all MPD officers and non-sworn personnel in identifying strategic and tactical ways to improve public trust through every interaction with members of the community. The unit also actively engages communities in ways that reflect the four pillars of Procedural Justice.

i. Backgrounds

The Background function provides background investigation services for all potential sworn and civilian employees for the Police Department.

aa. Court Liaison

The Court Liaison communicates with the County Attorney's office to ensure timely information and subpoenas are tracked and forwarded to Department employees. They coordinate the scheduling of officers for court and the issuance of court related overtime.

ii. Community Engagement Team

The Community Engagement Team (CET) is designed to build and develop positive and ongoing relationships with members of the community. The community and the police department benefit as CET staff engages in positive contacts. Informational meetings to inform the public about department policy and procedures are a key component to the team's success.

aa. Police Athletic League (PAL)

The Police Athletic League (PAL) is an organization created to facilitate and develop positive relationships between Minneapolis youth and Minneapolis Police. PAL offers various sporting, educational, social and community events at which MPD employees may participate.

iii. CSO Program

CSOs are civilian employees who are in the process of becoming recruit officers. During the CSO tenure, they work in various non-enforcement positions while completing their academic and other law enforcement requirements.

iv. Homeless and Vulnerable Population Initiative

This initiative serves as a link between the homeless and social service agencies which connect the homeless to valuable resources.

v. Recruitment

The Recruitment unit focuses on MPD's commitment to recruiting highly qualified and diverse candidates.

b. Training Unit-Academy & FTO Program

The Academy and FTO Program area provides training for new recruit and cadet officers through the MPD Academy.

i. Academy

The MPD Academy provides training for new recruit officers.

ii. FTO Program

This FTO Program partners a recruit officer with an officer who trains and evaluates them in the field after they have completed the recruit academy.

c. Training Unit- Leadership Development & Specialty Programs

The Leadership Development and Specialty Programs section of the Training Division provides ongoing education and skill development for the MPD workforce.

i. Supervisor's Orientation

Newly promoted sergeants in both investigation and patrol go through an orientation period prior to a permanent assignment and are assigned to Supervisor's Orientation during this period.

d. Training Unit-Use of Force & Patrol Operations Programs

The Use of Force and Patrol Operations Programs section of the Training Division provides specialized instruction and skill development programs for defensive tactics, firearms and patrol response.

F. Special Operations & Intelligence Division

The Special Operations & Intelligence Division supports strategic, tactical and unique operational needs to coordinate emergency response demands of the police department.

1. Special Operations Unit

The Special Operations unit provides specialized support to patrol functions and the community.

a. Bomb

The Bomb squad is made up of full-time and collateral-duty FBI-certified bomb technicians who respond to all explosive related incidents throughout the city. The bomb squad maintains an on-call team to respond to calls twenty-four hours a day. The bomb squad also responds to calls for service outside of Minneapolis as requested by the State of Minnesota.

b. Canine

The Canine (K9) unit partners an officer with a trained canine (dog). The Canine unit supports law enforcement actions of the MPD by assisting with suspect and missing

person tracking; building, area and vehicle searches; as well as drug and explosive detection.

c. Crisis Negotiations

The Crisis Negotiations team is a voluntary team made up of collateral-duty officers from various assignments within the Department. Negotiators are available twenty-four hours a day and upon request will respond to Operation 100s, barricaded subjects threatening violence, hostage situations or other protracted crisis situations. The goal of negotiations is to achieve a peaceful resolution through effective negotiation techniques when possible and to support tactical strategies.

d. Emergency Preparedness Unit (EPU)

The Emergency Preparedness employee liaises with Homeland Security, manages special events, and works with the National Incident Management System.

i. Special Events Dignitary Protection Reserves

The Special Events function coordinates Police and Police Reserve details for large scale activities throughout the city. Special Events coordinates efforts with all City departments, other jurisdictions, private businesses and local, state and national officials. The Special Events function is responsible for coordinating Dignitary Protection requirements.

e. Mobile Field Force

The Mobile Field Force is a group of employees trained in large scale crowd management and civil unrest. This is a secondary designation for sworn personnel.

f. Strike Teams

The Strike Teams are highly mobile teams that work in concert with SWAT CART teams to provide flexible and mobile responses to civil unrest and other emergent incidents. This is a secondary designation for sworn personnel.

g. SWAT Unit

The voluntary SWAT Unit includes full time and collateral duty officers who receive advanced and specialized training. SWAT trains and equips Rifle, Chemical Munitions, Entry, Mobile Command/Technical Support, Logistics, Crisis Negotiations and Medical Support Teams.

i. Tactical

The SWAT Tactical function provides a tactical and operational response for situations that exceed the scope of patrol officers. These include barricaded suspects, snipers, hostage situations and other potentially volatile situations.

SWAT serves high-risk arrest search warrants. SWAT is available as a resource to assist with or assume control of large civil disturbances and other events at the direction of the Chief of Police or the Chief's designee.

ii. Mobile Command

The Mobile Command team fulfills a support function within SWAT and for the Department as a whole. Mobile Command's primary role is to establish and operate a field command post and provide technical support during events such as Operation 100s, disaster scenes, large scale police emergencies, and at pre-planned events.

iii. SWAT Medic

This unit covers sworn personnel with medical certification who are deployed with SWAT upon situational need and request.

2. Strategic Information Center (SIC)

SIC provides analysis of crime statistics and serves as the focal point for intelligence information gathering, assessment and disbursement. The information gathered assists investigative, administrative and patrol functions of the Department.

a. Joint Terrorism Task Force (JTTF)

The MPD assigns officers to serve on the (Federal) Joint Terrorism Task Force (JTTF). The Task Force coordinates information that may involve potential terroristic activity and threats to national security.

2-101 Duty to Report

(09/26/22)
Revisions to prior policies: (06/24/88) (12/21/04) (08/17/05) (07/11/07) (01/15/08) (12/30/10) (04/05/16) (06/14/16) (06/16/20)

I. Purpose

MPD employees have a moral, ethical, and in some cases legal duty to report actions or conduct by any employee that would violate law or policy. When any law enforcement officer exceeds their authority, it reflects on every law enforcement officer and it is the Department's collective responsibility to hold one another accountable.

II. Policy

A. Report violations

Employees shall report any violation of rules, regulations, or laws that come to their attention to their supervisor or to Internal Affairs (or other entity as required) per the requirements below, regardless of the violator's assignment or rank within the Department.

1. Situations requiring immediate notification

   a. Firearm discharges

      i. All firearms discharges by MPD employees, whether on or off duty, shall require notification to Internal Affairs, other than discharges listed in the exception below.

      ii. Firearms discharges in the following situations shall not require notification unless they result in injury to a person:

         - During training, testing or legal recreation purposes.
         - When discharging a firearm with the intention of dispatching an animal.
         - Breaching rounds, specialty impact and chemical munitions discharges by SWAT during the course of duty.

   b. Other situations

      The following situations require that Internal Affairs be immediately notified:

      i. An employee is involved in a critical incident as defined by P&P 7-810.

ii. An employee is arrested, whether the event occurs in Minneapolis or another jurisdiction.

iii. An employee is alleged to have committed serious misconduct or believed to be a suspect in a criminal offense.

iv. An employee is alleged to have engaged in bias-based policing (P&P 5-104).

v. An employee is alleged to have used force resulting in great or substantial bodily harm.

vi. An employee's actions result in a person being hospitalized.

vii. A suspect in police custody is admitted to the hospital.

viii. An employee is alleged to have committed misconduct in a high-profile incident.

ix. An employee is involved in any other event or circumstance that immediately affects their fitness for duty.

x. An employee who is required to drive a department vehicle as part of their official duties has a loss or limitation of their driving privileges.

xi. An employee is notified that an Order for Protection (OFP), Restraining Order (RA), or a Harassment Order (HA) has been filed against the employee.

aa. The employee shall immediately notify Internal Affairs and provide a copy of the OFP, RA, or HA, and the date scheduled for hearing the allegations made in support of the request for the order.

ab. The information is required for Department compliance with Federal Law 18 U.S.C. Sec. 922 (g)(8).

2. Notify supervisor

If an employee is involved in a situation requiring notification, the involved employee shall make direct contact with their supervisor or an on-duty supervisor in their assigned precinct or division if their immediate supervisor is unavailable. Notification shall consist of personal telephone communication (no voicemail messages) or in-person contact.

3. Notify Internal Affairs

a. Supervisor who was notified

i. The notified supervisor is responsible for making the notification to Internal Affairs. Notification to Internal Affairs shall consist of personal telephone communication (no voicemail messages) or in-person contact.

ii. The supervisor shall also notify the Watch Commander if outside of normal business hours, and if the event occurred in Minneapolis.

b. Employee notification to Internal Affairs

In situations not requiring immediate notification as stated above, employees shall notify Internal Affairs of the violation directly, at the start of the employee's next shift.

4. Violator is in Internal Affairs

If the violator is part of Internal Affairs, the employee shall report the violation to the Chief or the Chief's designee.

5. Violator is the Chief

If the violator is the Chief, the employee shall report the violation to the Mayor's Office.

B. Misconduct at the scene of an incident

1. Non-force related misconduct at the scene

All employees, regardless of rank or tenure, must immediately, or as soon as reasonably possible (but prior to leaving the scene), report any misconduct at the scene of an incident to their supervisor or the supervisor at the scene, as well as to Internal Affairs.

2. Force-related misconduct at the scene

Regardless of tenure or rank, any employee who observes another employee use any prohibited use of force, or inappropriate or unreasonable force (including applying force when it is no longer required), has an affirmative duty to immediately report the incident while still on scene to an on-scene supervisor and by phone or radio to their Inspector or Commander or to their Inspector or Commander's superiors. The employee must also notify Internal Affairs.

2-102 Duty to Intervene

(01/17/22) (09/26/22)

I. Purpose

MPD employees have a moral, ethical, and in some cases legal duty to intervene to prevent another employee from conduct that would unnecessarily harm others or would violate law or policy. When any law enforcement officer exceeds their authority, it reflects on every law enforcement officer and it is the Department's collective responsibility to hold one another accountable.

II. Policy

A. Intervention

In addition to the requirements set forth in the Duty to Intervene section in the P&P 5-301 Use of Force policy:

1. Employees shall intervene when they are witness to and have a reasonable opportunity to prevent or mitigate harm caused by policy or legal violations.

    a. This duty applies, regardless of rank, to any employee working in their capacity as an MPD police officer or civilian staff member.

    b. Employees should intervene in a manner that protects the safety of the community, their colleagues, and themselves to the greatest extent possible.

2. Employees are also encouraged to intervene to assist colleagues in addressing health and wellness concerns, even where those concerns are not currently resulting in policy or legal violations.

B. Failure to Intervene

The MPD will investigate all apparent instances of a failure to intervene when mandatory, whether discovered during the course of any use of force review, misconduct investigation, a community oversight review, or by any other means.

C. Reporting

This policy does not alter the reporting requirements for violations in P&P 5-100, P&P 2-100 and any other policy that requires employees to report misconduct. The requirements to intervene are in addition to requirements to report.

2-103 Complaint, Coaching and Disciplinary System

(12/31/20) (09/26/22)

A. Investigation

1. Sworn Employees

    Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by sworn employees are generally investigated by the Office of Police Conduct Review and by Internal Affairs (based on the nature of the complaint or allegation), in accordance with Minneapolis Ordinance Chapter 172.

2. Civilian Employees

   Complaints of misconduct and allegations of violations of the Policy and Procedure Manual by civilian employees are generally investigated by Internal Affairs.

3. Both Sworn and Civilian Employees

   Complaints of workplace harassment, discrimination or retaliation are generally investigated by Human Resources and Internal Affairs.

B. Minor or lower-level allegations

Allegations which only describe minor or lower-level infractions by sworn employees may be referred directly by the Director of the Office of Police Conduct Review and the Internal Affairs Commander to the employee's supervisor for coaching or may be referred to a program of mandatory mediation instituted by the Office of Police Conduct Review. Such complaints may also be referred for formal investigation.

C. Discipline

When investigations have concluded and when allegations have been sustained, the determination regarding discipline, if any, is made by the Chief of Police or the Chief's designee (such as the Assistant Chief).

D. Coaching

1. Coaching is an interactive process between an employee and their supervisor. It should be used as a non-disciplinary management tool to assist an employee to identify and use proper workplace processes and procedures to improve the employee's performance and to achieve the goals of the MPD and the City.

   a. Coaching is part of everyday work efforts.

   b. When coaching is needed to address work quality or quantity standards, the supervisor will schedule a private conversation between the supervisor and employee about performance expectations.

      i. The supervisor and the employee may develop a performance improvement plan, following the guidelines and procedures developed by the Human Resources Department.

      ii. The supervisor may schedule follow-up meetings as needed.

2. Coaching may be referenced in performance reviews. Coaching is not discipline.

3. Coaching can occur in addition to discipline imposed by the Chief.

2-104 MPD Complaint Reporting

(09/26/22) (01/30/23)
Revisions to prior policies: (01/07/02) (01/15/08) (09/19/08) (11/08/13)

I. Purpose

This policy describes complaint policies and procedures specific to the MPD.

II. Policy

A. Complaint Process Manual

1. The Complaint Process Manual outlines procedures for receiving complaints made against an employee or the Department, and for how complaints are processed. The Complaint Process Manual is available to all MPD employees on the MPD internal site, and on the OPCR's public site under Complaint Review Process.

2. Complaints shall be processed according to procedures outlined in the Complaint Process Manual.

B. Chief may Determine Investigation

1. The Chief of Police may require that a complaint be investigated by Internal Affairs or other command staff that the Chief deems appropriate, except complaints about the Chief.

2. Complaints about the Chief shall be referred to the Mayor's Office, who will determine which entity shall investigate the complaint.

C. Signed Complaints

An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations.

1. Complaints stating the signer's knowledge also may be filed by employees of the law enforcement agency.

2. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint.

D. External Complaint Reporting

1. Internal Affairs shall accept any and all citizen complaints of misconduct against any employee of the MPD, regardless of the manner in which the complaint is received (anonymous complaints, complaints via email, complaints reported by a third party, etc.).

a. Any person not employed by the MPD may make a complaint alleging employee misconduct by letter, email, phone, or online or in person to any employee in any area of the MPD.

b. If asked, all employees shall provide citizens with a Police Conduct Complaint Form without question.

i. The complaint forms are available at the precincts, at Internal Affairs Room 112 City Hall and at the Office of Police Conduct Review (OPCR), Room 239 City Hall.

ii. The complaint form is also available online at: https://www.minneapolismn.gov/report-an-issue/police-officer-complaint/

c. If it is not feasible to provide the form to the citizen, the MPD employee shall provide the internet website address where the complaint form may be located online.

2. MPD employees shall never attempt to dissuade a citizen from lodging a complaint and shall not retaliate against any citizen for filing a complaint or participating in a complaint investigation.

3. At no time shall any employee, including supervisors, handle a complaint about themselves. If someone wants to initiate a complaint about the employee to whom they are speaking, the complainant shall be immediately referred to the employee's supervisor.

4. All citizen complaints of misconduct by an MPD employee shall cause an investigation into the misconduct alleged.

a. The investigation shall continue to its logical conclusion, unless upon initial review by Internal Affairs there is undisputed evidence that the alleged complaint is unfounded and there is no indication of other misconduct in the incident that is unrelated to the original allegation. All cases that are dismissed after initial review shall be documented and filed for future reference.

b. At no time shall a citizen complaint of misconduct received by Internal Affairs result in an inquiry and not an investigation, unless an exception is made for cause by the Chief of Police.

E. Internal Complaint Reporting

1. An MPD employee who initiates a complaint of alleged misconduct regarding another MPD employee, per P&P 2-101, should refer to the Complaint Process Manual for appropriate procedures.

2. If the accused employee is the Internal Affairs supervisor, an Internal Affairs investigator, or MPD administrative command staff, the Chief of Police or the Chief's designee shall determine how the complaint is investigated.

3. Complaints about the Chief shall be referred to the Mayor's Office, who will determine which entity shall investigate the complaint.

F. Employees as Criminal Suspects

1. If any MPD employee is a suspect in a criminal case or the development of a case leads to an MPD employee being a suspect within the jurisdiction of the MPD, Internal Affairs will investigate the criminal case unless another entity is designated by the Commander of Internal Affairs or the Chief of Police. MPD's Internal Affairs will also investigate all potential policy and procedure violations relative to the criminal case.

2. If the criminal case is outside the jurisdiction of the MPD, Internal Affairs will monitor the criminal case and handle the administrative case, unless the Chief of Police designates otherwise.

3. Officer-involved shootings will be handled in accordance with P&P 7-810 and the applicable labor agreement.

G. Garrity Decisions in Complaint Investigations

1. MPD employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty.

   a. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court).

   b. All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.

2. All statements of involved police employees shall be signed and sworn. Any employee found to have intentionally given a false statement shall be subject to MPD disciplinary procedures, up to and including dismissal.

3. Criminal violations shall be referred to the appropriate prosecuting authority for review, in accordance with section [F] of this policy. The administrative case involving alleged policy and procedure violations may proceed independent of the criminal case.

H. Internal Affairs Records and Other Complaint Data

1. All complaint records, case files, and hearing records shall be maintained according to the Complaint Process Manual and the MN Government Data Practices Act (MGDPA).

2. The Minnesota Government Data Practices Act (MGDPA) governs the information concerning investigations of alleged misconduct by MPD employees.

   a. The specifics of an investigation are not public data and shall not be disclosed, except when authorized and required under the MGDPA or a court order.

   b. Information regarding disciplinary action, including the basis or nature of discipline, is not public unless and until it reaches final disposition, and the information shall not be disclosed except when authorized and required under the MGDPA or a court order.

   c. A Final disposition occurs when all the appeal processes afforded an employee have been concluded. This includes a Grievance Procedure, Binding Arbitration, and a Civil Service Commission Hearing Process.

3. All requests or inquiries for data shall be handled by Records Information and Internal Affairs.

2-105 Anti-Discrimination, Harassment, and Retaliation

(01/07/02) (01/15/08) (09/19/08) (01/17/22) (09/26/22)

I. Purpose

The City of Minneapolis and the MPD are committed to providing employees a work environment free from discrimination, sexual and other forms of harassment, and retaliation.

II. Definitions

Discrimination: Conduct that interferes with or alters the terms or conditions of a person's employment based on the employee's protected class status, unless otherwise permitted or required by applicable law.

Harassment: Any unwelcome communication or other activity that occurs based upon an individual's protected class status which unreasonably interferes with the person's ability to perform their job or creates a hostile, threatening, or intimidating work environment.

Protected class status: An individual's race, ethnicity, color, national origin, ancestry, immigration status, gender identity or expression, age, creed, religion, sexual orientation, marital status, parental status, disability (including pregnancy), genetic information, veteran's status, status with regard to public assistance, and any other protected class status under state, federal, and local laws.

Retaliation: The imposition of adverse job consequences on an individual because the employee initiated or participated in an investigation of a bona fide discrimination, harassment, or retaliation complaint.

Note: This definition covers ADH&R-related retaliation. P&P 2-106 covers retaliation that falls outside the scope of the City's ADH&R policy.

Sexual harassment: Any unwelcome sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment;
- submission to or rejection of such conduct by an individual is used as basis for employment decisions affecting such individual; or
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive work environment.

Note: MPD policy includes in its definition of sexual harassment conduct directed at an individual because of gender even though no behavior of a sexual nature occurred.

III. Policy

A. Discrimination, Harassment, and retaliation in the workplace are unacceptable and will not be condoned or tolerated. Every employee has a responsibility to comply with the City of Minneapolis' Anti-Discrimination, Harassment and Retaliation Policy ("ADH&R Policy").

B. In addition to violating the City's and MPD's policies, discrimination, harassment, and retaliation may be a violation of Federal and State laws as well as the Minneapolis Civil Rights ordinance, and may expose not only the City, but also individuals, to significant liability under the law.

C. Acts of discrimination, harassment, and retaliation are forms of serious misconduct and will result in investigation and may result in disciplinary action, up to and including termination.

D. Supervisors are held to a higher standard of conduct and shall be subject to a higher level of discipline for engaging in any form of discrimination, harassment, or retaliation, or for failing to enforce the Anti-Discrimination, Harassment and Retaliation Policy ("ADH&R Policy").

E. It is the policy of the City of Minneapolis to encourage employees who feel they have been subjected to discrimination, harassment, or retaliation, or who have knowledge of, or believe that discrimination, harassment, or retaliation has occurred, or is occurring within City government, to report these concerns to the Human Resources Department.

IV. Procedures/Regulations

A. Investigative Authority

1. The Human Resources Department is the main investigative authority for all complaints alleging a violation of the City's ADH&R Policy, and is obligated to promptly and thoroughly investigate all such claims of discrimination, harassment, and ADH&R-related retaliation.

2. MPD Internal Affairs may investigate the complaint involving MPD employees as requested by, in conjunction with, or separately from the City's Human Resource Department.

3. The Commander of Internal Affairs or the Commander's designee shall serve as the MPD's liaison to Human Resources for complaints which are based on an alleged violation of the City's ADH&R policy.

4. Other employees may assist Human Resources as requested by Human Resources or as determined by the Chief of Police.

B. Investigative Process

1. Each investigative body has the responsibility for documenting their own investigative process.

2. The Human Resources investigative process will comply with procedures established by the Human Resources Department and the City's ADH&R policy.

3. The complainant and subject of the investigation will be informed of the status by either Human Resources or the Minneapolis Police Department.

C. Complaint Reporting

1. The Human Resources Department is the first contact for all discrimination, harassment, and retaliation complaints.

2. Supervisors who become aware of discrimination, harassment, or retaliation, or who receive a complaint of discrimination, harassment, or retaliation shall take immediate action.

    a. In all cases supervisors shall document the information on the alleged incident and forward it to Human Resources, with a copy to Internal Affairs.

    b. All documentation shall include, but not be limited to: the complaint activity, time, place, persons involved, witnesses, and supervisor's response.

3. Managers, supervisors and all employees shall immediately refer any threats, complaints of a criminal nature, or other attempts at retaliation for reporting discrimination or harassment to Human Resources and Internal Affairs.

    a. If the Human Resources supervisor or an Internal Affairs investigator is not available, the Watch Commander shall be notified.

    b. Watch Commanders shall take immediate action (e.g. separate parties) if the situation warrants. The Watch Commander shall document the incident and their response, and shall forward the documentation to Human Resources and Internal Affairs prior to the end of their shift.

D. Correspondence to Be Kept Confidential

All correspondence on discrimination, harassment, and retaliation complaints is to be kept confidential with only the involved parties and those determined to have a need to know being notified.

2-106 Retaliation

(09/26/22)
Revisions to prior policies: (01/17/22)

The MPD will not tolerate retaliation against an employee for exercising their duty to report, intervene or cooperate in an investigation.

A. Scope

1. P&P 2-105 covers retaliation specifically related to the City's ADH&R policy.

2. Retaliation under this policy means: The imposition of adverse job consequences on an individual because the employee engaged in a good faith act of reporting violations of policy, a good faith act of intervention, or participated in an investigation regarding misconduct.

3. Good faith interventions and reporting are considered a protected activity. This commitment is part of MPD's commitment to providing a culture in which employees are free from harassment and retaliation of any kind.

B. Retaliation Prohibited

1. Employees who engage in a good faith act of intervention to promote employee health or wellness shall not be subject to retaliation.

2. Employees who engage in a good faith act of reporting violations shall not be subject to retaliation.

3. Acts of retaliation are forms of serious misconduct and will result in investigation and may result in disciplinary action, up to and including termination.

C. Reporting Retaliation

Managers, supervisors and all employees shall immediately refer any threats, complaints of a criminal nature, or other attempts at retaliation to Internal Affairs.

1. If an Internal Affairs investigator is not available, the Watch Commander shall be notified.

2. Watch Commanders shall take immediate action (e.g. separate parties) if the situation warrants. The Watch Commander shall document the incident and their response, and forward the documentation to Internal Affairs prior to the end of their shift.

2-107 Office of Police Conduct Review (OPCR)

(12/14/07) (01/15/08) (05/03/13) (09/13/18) (09/26/22)

I. Purpose

To establish policy regarding responding to requests from the Office of Police Conduct Review (OPCR).

II. Policy

OPCR Investigative Authority: Minneapolis Code of Ordinances, Title 9, Chapter 172, Sections 172.10 and 172.20 provides OPCR authority to investigate complaints of misconduct on the part of officers of the Minneapolis Police Department and make recommendations regarding the merits of such complaints to the chief of police.

III. Procedures / Rules / Regulations

A. In accordance with the Minneapolis Code of Ordinances, Title 9, Chapter 172 Section 172.90, Office of Police Conduct Review staff shall have full, free and unrestricted access, to the extent authorized by law, to the records of the Minneapolis Police Department in order to conduct investigations of police misconduct; facilitate research and study projects for the Police Conduct Oversight Commission; and conduct special reviews and programmatic reviews at the request of the mayor, city council, internal auditor, city departments, or boards and commissions.

B. The failure by any official or employee of the Minneapolis Police Department to comply with such lawful requests for information, participation, or access shall be deemed an act of misconduct.

C. Sworn employees receiving notice from OPCR to arrange for an interview or mandatory mediation shall comply with such requests in a timely and professional manner. (See P&P 3-709 Overtime Policy for OPCR.)

2-108 Internal Affairs Response and Call-Out

(12/21/04) (08/17/05) (07/11/07) (01/15/08) (12/30/10) (04/05/16) (06/14/16) (09/26/22)

A. Supervisor Duties at the Scene

1. The on-duty supervisor who was notified of a violation (P&P 2-101) shall gather all pertinent facts relevant to the allegation(s) and contact the Internal Affairs Commander, or the Commander's designee, through MECC.

2. The on-duty supervisor shall notify the Watch Commander of the incident.

3. If Internal Affairs determines an immediate response is necessary, the on-duty supervisor shall coordinate with Internal Affairs to protect any evidence until an Internal Affairs investigator arrives.

4. If Internal Affairs determines a delayed response is warranted, the on-duty supervisor shall fully document the details of the incident including the supervisor's actions to manage the incident.

5. All documentation shall be forwarded to Internal Affairs via e-mail, as an attachment. The subject of the email should be labeled "Investigative Data". The following language should be noted in the body of the email:

   "Non-public and /or Privileged and/or Confidential and/or Private Information: This electronic message may contain investigative data which is non-public pursuant to Minnesota Statutes section 13.82 subdivision 7, or personnel data which is non-public pursuant to Minnesota Statutes section 13.43 subdivision 4. If you are not the intended recipient of this e-mail: (1) do not read the content of the message; (2) immediately notify the sender that you incorrectly received the message; and (3) do not disseminate, distribute, or copy this e-mail."

B. Internal Affairs

1. The Commander of Internal Affairs shall assess the situation and determine whether an Internal Affairs call-out is warranted.

2. If a call-out is initiated, the Commander of Internal Affairs shall determine whether the response will be immediate or delayed.

3. Once Internal Affairs personnel arrive at the scene of any call-out response, Internal Affairs shall be in charge of the event as it relates to the Internal Affairs investigation. All MPD employees shall fully cooperate with Internal Affairs staff.

2-201 Employee Evaluation Required

(01/08/02)

(A)

Supervisors shall ensure that employees are evaluated at least once every year. A preliminary evaluation shall be conducted on each MPD employee by March 1st. The final evaluation shall be conducted by October 15th of each year. Employees may be evaluated more frequently if deemed necessary by a supervisor. MPD personnel will also be evaluated within ten days of any permanent assignment change by a supervisor from the previous assignment unless an evaluation has been done within the three months prior to the transfer. This evaluation is not required if the employee has received an evaluation within three months prior to the assignment change. (05/18/04)

Employees participating in a 90-day career enrichment program shall have a performance evaluation completed within ten days of finishing the program. The employee's 90-day career enrichment supervisor shall complete this evaluation.

If the supervisor of a unit or other area with only one supervisor leaves, the supervisor will evaluate the employees of that unit or area within ten days of the assignment change unless an evaluation has been done within three months prior to the transfer.

2-202 Evaluation Purpose and Procedure

(01/08/02) (04/14/05)

The purpose of a performance evaluation is to improve communication regarding performance expectations, develop and promote employee development process as well as to recognize the level of accomplishment in the performance of an employee's duties. Performance evaluations for all MPD personnel shall be completed on the Minneapolis Police Department Employee Appraisal form (MP 9001 for civilians and MP 9002 for sworn officers). Copies of the forms can be found on the MPD's Intranet site. (05/18/04)

The process is focused on a comparison of the employee's actual level of performance measured against performance standards that are developed by supervisors and employees through open and ongoing communication. The comparison of actual performance with department expectations and standards serves both as a basis for recognition of individual accomplishment as well as a method to plan improvement where deficiencies are found.

The supervisor completing the performance review must review it with the affected employee, including those evaluations done because of a permanent assignment change. Employees will acknowledge performance reviews with their signature on the evaluation form. A signature does not indicate agreement with the evaluation. Each supervisor shall forward all performance evaluations

to the Commander for final review. After the Commander has approved and signed the performance evaluation, it will be forwarded to MPD Human Resources. If requested, a supervisor shall provide an employee with a copy of their performance review.

An employee wishing to challenge a performance review may request an interview with their second level supervisor prior to the evaluation being forwarded to MPD Human Resources. The second level supervisor will notify the employee and their supervisor in writing of their decision, of the challenge, within ten days of the interview. Their written decisions will be included in the employee's performance review file.

Generally the employee may challenge their evaluations only to the second level of supervision. If the performance review is still in dispute, the employee may challenge to their Bureau Head. The request must be submitted through the Precinct/Unit/Division Commander. Bureau Heads may choose to review the documents or let the second level supervisor's decision stand. The Bureau Head will notify the employee, their supervisor and the commander, in writing, of their decision within ten days of the challenge. Bureau Head decisions will be final. Their written decisions will be included in the employee's performance review file.

Completed performance reviews with all attachments (employee input, challenges, etc.) must be returned to MPD Human Resources within ten days of the review or final challenge and maintained in the employee's personnel file for four years after the employee terminates employment with the City of Minneapolis.

2-301 Employee Awards – Procedures for Recommendations

(01/16/02)

Any MPD employee may initiate an award recommendation. A Recommendation for Award form (MP-1600) shall be completed and forwarded to the Commander of the person recommended. Commanders will forward only Life Saving, Medal of Honor, Medal of Valor, Medal of Commendation, Excellence in Investigation Award, Distinguished Service Award and Department Award of Merit requests within five (5) working days to the Chief's Administrative Assistant. The Administrative Assistant will assign an award log number and forward the award recommendation to the Awards Committee. The Committee will make a recommendation and return their recommendation and the Recommendation for Award Form to the Chief's Administrative Assistant. He/she will then forward the form to the appropriate Bureau Head and the Chief for final approval. (07/11/06) (06/09/15)

Nominations for Unit Citations will be requested annually by Police Administration. (07/11/06)

The Chief's Administrative Assistant will forward all award recommendations, approved or disapproved, to MPD Human Resources for inclusion in the employee's personnel file.

2-301.01 Medal of Honor

(01/16/02) (06/09/15) (07/01/22)

The Medal of Honor may be awarded to any MPD employee for an act of outstanding bravery or heroism. Demonstrated unselfishness, courage, and the immediate high risk of death or serious physical injury would characterize such an act. The award may also be given posthumously to an employee who has died while involved in action of demonstrated heroism.

The Medal of Honor sworn recipient shall receive a commemorative medal with a light blue ribbon, and a blue uniform bar. The Medal of Honor civilian recipient shall receive a plaque.

2-301.02 Medal of Valor

(01/16/02) (07/01/22)

The Medal of Valor may be awarded to any MPD employee for an act of bravery that demonstrates obvious self-sacrifice in the face of death or serious physical injury.

The Medal of Valor sworn recipient shall receive a commemorative medal with red ribbon, and a red uniform bar. The Medal of Valor civilian recipient shall receive a plaque.

2-301.03 Department Purple Heart Medal
(08/24/23)

The Chief may award the Department Purple Heart Medal for injuries suffered of a potentially incapacitating nature requiring immediate medical attention and sustained while in the performance of official duties:

- While reacting to the actions of an offender,
- While engaged in the apprehension of an offender, or
- While protecting the life of another.

In addition, this award may be conferred if an injury was averted by the wearing of body armor that may have otherwise met the criteria.

The Department Purple Heart Medal recipient shall receive a commemorative medal with a purple ribbon, and a purple and white uniform bar.

2-301.04 Medal of Commendation
(01/16/02) (07/11/06) (06/09/15) (07/01/22) (08/24/23)

The Medal of Commendation may be awarded to any MPD employee for an outstanding act that brings credit to the MPD and is highly recognized by other employees or citizens. This act is characterized by obvious self-sacrifice while facing personal danger. This award may also be granted to other law enforcement agencies, City of Minneapolis employees, or citizens.

The Medal of Commendation sworn recipient shall receive a commemorative medal with green ribbon, and a green uniform bar. The Medal of Commendation civilian recipient shall receive a plaque.

2-301.05 Excellence in Tactics and De-Escalation Award
(07/01/22) (08/24/23)

The Excellence in Tactics and De-escalation Award may be given to an MPD employee who utilizes sound judgement and exceptional tactical skills, verbal approaches, or other techniques to de-escalate a critical, volatile or dangerous situation to protect and preserve the life of another.

Sworn recipients of the award shall receive a blue and gold uniform bar. Civilian recipients shall receive a plaque.

2-301.06 Department Award of Merit
(01/16/02) (12/18/03) (07/01/22) (08/24/23)

The Department Award of Merit may be awarded to any MPD employee for an outstanding act or achievement that brings credit to the MPD. It involves performance above and beyond that required

by the employee's basic work assignment or exceptional professional skill and conduct during a coordinated action or call for service. The award may also be awarded to any MPD employee for exceptional investigative work that brings credit to the MPD.

The Department Award of Merit sworn recipient shall receive a silver uniform bar. The Department Award of Merit civilian recipient shall receive a plaque.

2-301.07 Life Saving Award

(01/16/02) (07/11/06) (03/01/11) (01/03/14) (06/09/15) (02/03/20) (07/01/22) (08/24/23)

The Life Saving Award may be awarded to any employee for a direct action in saving a human life that involved exceptional courage or performance, involved prolonged lifesaving efforts, or went beyond the call of duty and beyond standard or required training protocols. The Awards Committee may consider such things as the duration of lifesaving efforts such as CPR or negotiations, whether the officer was alone or assisted, whether the scene was chaotic or contained a significant biohazard, and the length of time before EMS or Fire arrived.

The Life Saving Award sworn recipient shall receive a white uniform bar. The Life Saving Award civilian recipient shall receive a plaque.

2-301.08 Unit Citation Award

(01/16/02) (06/09/15) (07/01/22) (08/24/23)

The Unit Citation Award may be awarded to a unit, precinct, or division, at the discretion of the Chief of Police for exemplary service or a specific action.

The award shall consist of a commemorative plaque to be displayed at the unit, precinct or division. An employee assigned for the entire time period considered or the specific action performed may receive this award. Officers will be awarded a black and gold uniform bar. MPD civilian personnel will receive a unit citation pin.

2-301.09 Chief's Award of Merit

(01/16/02) (07/11/06) (06/09/15) (07/01/22) (08/24/23)

The Chief's Award of Merit may be presented to any MPD employee for performance resulting in improved operations, outstanding community service, or substantial savings in organizational costs. This award may also be granted to other law enforcement agencies, City of Minneapolis employees, or citizens.

The Chief's Award of Merit sworn recipients shall receive a purple uniform bar. Civilian recipients shall receive a plaque.

The recommendation for this award shall be completed and forwarded to the appropriate Precinct or Division Commander for approval. The recommendation shall then be forwarded to the Chief, who

will make a final decision on the award. Recommendations shall then be sent to the Chief's Administrative Assistant who will order the plaque for approved awards.

2-301.10 Outstanding Employee Pin

(01/16/02) (07/11/06) (07/01/22) (08/24/23)

A Bureau Head, Precinct or Division Commander may award any MPD employee in their command an Outstanding Employee pin. Pins are given to recognize employees for exceptional activities that benefit the MPD. Anyone may write a letter to the appropriate Commander recommending a MPD employee for the Outstanding Employee pin.

2-301.11 Distinguished Service Award

(12/22/08) (06/09/15) (07/01/22) (08/24/23)

The Distinguished Service Award may be presented to any MPD employee or unit having demonstrated compassion to those in need by providing understanding, empathy and confidence, in addition to a solution. Recipient(s) of this award will have demonstrated altruism while attending to the needs of a specific community or individual above and beyond the call of duty. The distinguished service provided will have resulted in a positive impact upon the individual or community and the Department.

Nominations may be made by employees of the MPD, employees of any City department, or members of the public who have witnessed or been the recipient of distinguished service provided by an MPD employee.

The Distinguished Service Award sworn recipients shall receive a tan uniform bar. The Distinguished Service Award civilian recipients shall receive a plaque.

2-301.12 Excellence in Investigation Award

(04/16/12) (06/09/15) (07/01/22) (08/24/23)

The Excellence in Investigation Award may be presented to any MPD employee who conducts an investigation that demonstrates remarkable skill and determination to complete. This award may be given in cases where innovative or specialized investigative techniques are used, multiple jurisdictions are involved or the investigator demonstrates remarkable perseverance in the face of great challenges.

Sworn recipients of this award shall receive a maroon uniform bar. Civilian recipients shall receive a plaque.

2-301.13 2020 Distinguished Service Ribbon

(04/15/25)

I. Purpose

To establish and authorize the 2020 Distinguished Service Ribbon as a formal Department award recognizing honorable, professional, and resilient service by Minneapolis Police Department members during the historic and multifaceted challenges of the year 2020, including the COVID-19 pandemic, civil unrest, and sustained emergency response operations.

II. Policy

It is the policy of the Minneapolis Police Department to formally honor members who exemplified exceptional dedication to duty and upheld the Department's highest standards during the unprecedented conditions of 2020. The 2020 Distinguished Service Ribbon symbolizes resilience, integrity, and distinguished performance in the face of profound and overlapping crises. It acknowledges performance that exceeded the requirements of the employee's basic work assignment, exemplifying dedication, professionalism, and resilience.

A. Eligibility Criteria

The ribbon may be awarded to sworn and non-sworn members who meet all of the following criteria:

1. Performed active duty for a cumulative minimum of 30 days between May 25, 2020 and December 31, 2020, during which they either:

    a. Participated in field, supervisory, or support assignments in response to civil unrest, public health emergencies, or operational continuity needs within Minneapolis.

    or

    b. Provided essential administrative, public safety, or logistical support during the specified time frame.

2. Consistently demonstrated professional conduct, in alignment with the MPD code of ethics.

3. Were not subject to any sustained disciplinary findings related to misconduct during the qualifying period.

B. Award Ribbon Description

1. The 2020 Distinguished Service Ribbon consists of:

    a. A ribbon bar:

        i. Featuring a navy-blue field, symbolizing trust, dignity, confidence, and authority, qualities demonstrated through unwavering service in professional law enforcement.

ii. The ribbon's gold outline, 2020 insignia, and gold badge with a navy-blue center represent the noble profession of law enforcement and the enduring dedication of those who continued to serve. These elements serve as a lasting tribute to the strength, perseverance, and professionalism displayed by recipients during this pivotal period in MPD's history.

b. An official certificate signed by the Chief of Police.

2. The ribbon may be worn in accordance with MPD uniform standards (P&P 3-122).

C. Nomination and Approval Process

1. Nominations may be submitted by any supervisor.

2. When submitting the Recommendation using the Award form (MP-1600), the supervisor shall include in the comments a description of nominated member's role during the qualifying period and a brief justification for the nomination.

3. Nominations shall be routed through the chain of command to the Awards Committee, which will make recommendations to the Chief of Police (P&P 2-301).

4. Final award decisions rest solely with the Chief (P&P 2-301).

2-302 MPD Awards Committee

(01/16/02) (07/11/06) (12/01/08) (03/01/11)

The MPD Awards Committee reviews and recommends approval or disapprovals for commendations for Medals of Honor, Valor, Commendation, Department Award of Merit, Distinguished Service Award, and Life Saving Award. The Awards Committee will have not less than 11 persons but no more than 15 persons sitting on the committee and will meet monthly. The Awards Committee shall consist of: (06/09/15)

- Chair – Deputy Chief, Inspector or Commander – One year commitment
- Co-chair – Deputy Chief, Inspector or Commander – One year commitment
- Two (2) Lieutenants – Two year term
- Two - Four (2-4) Street Sergeants – Two year term
- One (1) Investigator – Two year term
- Two- Four (2-4) Officers – Two year term
- One (1) Park Police Sworn Representative– Two year term
- One (1) MPD Civilian Employee – Two year term

The Committee Chair does not vote unless breaking a tie vote. MPD employees may be recommended for commendation up to one year from the date of the incident/occurrence. Separate documentation must be submitted for each employee being recommended for an award. Final approval for all awards, except for Citizen Appreciation Certificates will be made by the Chief or his/her designee. (12/01/08)

2-303 Award Appeal Process

(01/16/02)

The appeals process for an MPD Awards Committee decision is as follows:

After the MPD Awards Committee makes a decision regarding an award request and it has been processed by the Chief's Administrative Assistant, an appeal can be initiated by the Commander who processed the award request. The appeal shall be submitted in the form of a letter to the Awards Committee Chairperson from the Commander. (06/09/15)

The Awards Committee Chairperson shall review the appeal with the Awards Committee. The committee will:

- Stand on their original award decision; or
- Concur with the appeal and change their award decision; or
- Request further detail from the Commander or his/her designee within ten days of a committee meeting, and review the decision based on the additional information. (07/11/06)

A modified awards decision will then be forwarded to the Chief's Office. Once this appeals process has been completed, there will be no further action taken by the Awards Committee.

2-304 Award Presentations

(01/16/02) (07/11/06)

All MPD awards will be presented to the employee by the Chief or the employee's Commander or their designee as soon as practical and reasonable. Certificates of Recognition will be presented at the annual MPD Employee Awards ceremony. (07/11/06) (06/09/15)

Civilian employees will receive all award items with the exception of uniform bars. A plaque, certificate and/or letter of recognition from the Chief will be included instead of the uniform bar. (06/09/15)

Supervisors or administrative personnel are also allowed and encouraged to write letters of appreciation or acknowledgment for their subordinates. A copy of the letter shall be sent to MPD Human Resources to be placed in the employee's personnel file. (07/11//06)

2-305 Annual Police Awards Ceremony

(01/16/02)

MPD Employee Award Recipients will be honored at the annual MPD Employee Awards Banquet. This event will be coordinated by the MPD Administration. (07/11/06)

2-306 Citizen Appreciation Award

(01/16/02) (07/11/06)

A Certificate of Appreciation may be presented to any citizen or community organization in recognition of outstanding service to the MPD or for assistance in law enforcement efforts. Any MPD employee may initiate a Citizen's Appreciation Award. Recommendations, including supporting documentation, shall be forwarded to their Precinct or Division Commander.

The Commander will review the recommendation.

If the award is approved, the Commander or his/her designee may print out the Citizen's Certificate of Appreciation (located on the MPD website), sign and date it, and present it to the citizen or community. (06/09/15)

Citizen Appreciation Awards are handled by the Precinct or Division. (06/09/15)

2-306.01 Citizen's Award of Valor

(01/16/02) (07/11/06)

The Citizen's Award of Valor may be awarded to citizens for exemplary and heroic acts that expose them to considerable danger.

Any MPD Employee may submit a recommendation for a citizen for the Citizen's Award of Valor to their Precinct or Division Commander. If the Commander approves the Citizen's Award of Valor, the recommendation shall be forwarded to Police Administration for review. If approved, they will order the award for the Chief to present. (06/09/15)

2-401 Assignment Objectives
(01/18/02)

Assignment policies are used to attain the following objectives:

- Encourage professional development by providing opportunities to increase skills and familiarize employees with various police operations.
- Promote personal growth and development.
- Provide supervisors with the opportunity to enhance leadership potential.
- Develop and maintain qualified and effective managers.
- Meet departmental needs.

2-401.01 Assignment Policy
(01/18/02)

The Chief of Police reserves the right to modify assignments to better allocate employee resources of the MPD as allowed per the employees' collective bargaining agreements. Seniority will be considered when conflicts arise, but will not be the controlling factor. Assignments shall not be made punitively, but to help the department and/or the employee.

2-402 Police Assistance Program
(01/18/02) (11/01/11)

The Police Assistance Program (PAP) offers 24 hours per day, seven days per week emergency counseling and in-office personal and group counseling for MPD employees and their family members or significant others. MPD employees trained to serve as peer counselors are available to other employees for crisis counseling. Employees may be referred to PAP by a supervisor, a peer counselor, or through self-referral. Employees needing program services should contact the Police Assistance Program staff at the phone number listed in the department directory.

2-403 Police Activities League (P.A.L.)
(04/14/05) (11/01/11)

(A-B)

The Minneapolis Police Activities League (P.A.L.) is a program sponsored by the MPD in which sworn and civilian employees of the MPD participate in sports and recreational activities directly benefiting the city's youth.

Participation in P.A.L activities is open to all personnel on a voluntary basis. Employees shall comply with all policies and procedures of the MPD while participating in P.A.L. activities. All P.A.L. volunteers shall read, sign, and agree to abide by the P.A.L. volunteer guidelines. P.A.L. volunteers are expected to act in a professional manner. (07/01/05)

Participation during regular work hours:

At their discretion, supervisors may release employees during normal work hours or allow employees flexible work hours to participate in P.A.L. Any combination of P.A.L. hours and work hours is considered a full workday as long as it meets the employee's shift requirement.

Employees who participate in a P.A.L. event consisting of 8 hours or more may submit a Special Duty request form, which must be completed and approved prior to the event. (07/01/05)

P.A.L. Participation while off duty:

Employees may volunteer for P.A.L. activities outside of their normal work hours. (07/01/05)

2-404 Internship Program

(07/16/02) (04/14/05) (12/30/10) (11/01/11)

I. Purpose

The purpose of this policy is to outline procedures for participation in the Minneapolis Police Department Internship Program.

The Internship Program will allow selected students from recognized colleges and universities who are interested in the field of Law Enforcement and/or Criminal Justice to experience and observe the day-to-day operations and functions of the Minneapolis Police Department.

II. Procedure

A. Eligibility

1. Internship candidates must currently be enrolled in a recognized college or university.

2. Internships with the Minneapolis Police Department will not exceed one year.

B. Application/Interview Process

1. MPD Human Resources manages the MPD Internship Program. MPD Human Resources will instruct internship candidates to submit a cover letter and resume which outlines their college program and interest in participating in the Internship Program.

2. MPD Human Resources will contact the appropriate MPD unit/division commander if a candidate indicates a desire for internship with a specified unit/division.

3. Interested commanders will contact candidates directly for further information and/or for interview purposes.

4. Commanders interested in utilizing the Internship Program should contact MPD Human Resources to review prospective candidates.

C. Background Investigation Requirements

1. Internship candidates are required to successfully pass a background investigation completed by the MPD Background Investigations Unit *prior* to the start of the internship.

   a. The Background Investigations Unit shall obtain a copy of the cover letter and resume from the unit/division commander who requested the intern. The cover letter and resume will remain in the candidate's background file.

   b. Background investigations may take up to two months.

   c. Upon the successful completion of the background investigation, MPD identification cards will be issued to the intern. The intern shall turn in his/her MPD identification card to his/her respective commander on the last day of internship.

D. The commander of the hiring unit/division will notify MPD Human Resources about the selected intern.

1. After hiring requirements are met the commander shall be responsible for the scheduling, supervision, and evaluation of the intern.

2. The intern may be released at any time at the discretion of the hiring commander.

3. The intern shall have a narrative evaluation completed by his/her designated supervisor prior to the conclusion of the internship. The evaluation must include a description of the projects completed by the intern.

4. A copy of the evaluation shall be forwarded to MPD Human Resources.

2-501 Training

(01/25/02) (04/14/05) (08/23/10) (04/22/19)

I. Purpose

The purpose of this policy is to outline training program components, rules, regulations and procedures for Pre-Service Training, In-Service Training, Special Duty requests, the maintenance of Peace Officer Standards and Training (POST) licenses, and training record management.

II. Definitions

Course ID: A pre-authorized number assigned by the In-Service Training Unit for identification of training courses or programs.

Community Policing (Training):

1. Instruction on the following matters:

   a. techniques for expanding the training of peace officers to include de-escalation and problem-solving;

   b. techniques for organizing community members so that they are involved and trained in community policing activities;

   c. techniques for relating to diverse communities;

   d. techniques for relating to individuals with physical or mental limitations; and

   e. training on child development issues to enable officers to respond appropriately to perceived child protection situations.

2. For materials and course offerings, contact the MPD's Training Unit. For examples of additional ways to engage in community policing, see P&P chapter 6-300.

Department Training: Denotes any training instructed or coordinated by the Minneapolis Police Department (e.g., in-service, pre-service training).

Human Resources Information System (HRIS): A computer information system that provides employee pay, benefit, and training management programs.

Minnesota Peace Officer Standards and Training (POST Board): Oversees law enforcement licensing and training requirements for law enforcement agencies and officers.

Outside Department Training: Denotes training provided to employees away from the department (e.g., college courses, seminars in another city, International Association of Chiefs of Police (IACP), FBI National Academy).

Tactical Training: Training on use of force and community policing/de-escalation techniques.

Training Liaison: The employee responsible for scheduling and organizing department training with instructors from inside and/or outside the MPD.

Training Records: Job-related training documentation received throughout an employee's career including, but not limited to, in-service training, firearms training, unit specific training, seminars/workshops, courses which are law enforcement related or for development of administrative, managerial or leadership skills taken at accredited colleges/universities.

Unit Specific Training: Training instructed by specialty units. This includes but is not limited to PowerPoint presentations, scenario-based training, practical exercises and videos.

Workforce Director (WFD): A computer information system that provides employee scheduling and timekeeping functions, personnel data management, training management, inventory management, Internal Affairs management, performance reviews, recruiting, and support for Field Training Officer programs.

III. Policy

A. On-going training is essential to providing a professional level of service in law enforcement. Training offered by the MPD Training Unit will be consistent with the MPD's mission, values, goals, and objectives.

B. The mission of the MPD Training Unit is to develop and present relevant and current Pre-Service and In-Service training programs, special courses and seminars to all employees that promote trust, accountability and professional service.

C. Minneapolis Police Department training will be provided in compliance with federal, state and city mandates, including use of force, legal update training and competency testing, and will be consistent with the MPD's mission, values, goals and objectives.

D. It is the responsibility of supervisors to ensure that subordinates are trained and able to carry out assigned tasks and responsibilities.

E. Records shall be maintained to document training of all Minneapolis Police Department employees.

IV. Procedures / Rules / Regulations

A. Recruit Officer and Field Training Programs

(01/25/02) (04/14/05) (08/23/10)
(A-D)

1. Training for new officers consists of a Police Academy and Field Training Officer (FTO) program.

2. The Recruit Officer must pass Police Academy requirements prior to being sworn in as a peace officer and being accepted into the FTO Program.

3. The Officer in field training will work one-on-one with an FTO during the Field Training period.

4. FTO Program requirements must be satisfactorily completed prior to the end of the Field Training period.

B. Recruit Officer Program – Uniform and Personal Appearance

(01/25/02) (08/23/10)

1. The Recruit Officer will wear the Recruit Officer uniform or other specified attire as directed by Training Unit personnel.

2. The Recruit Officer's personal appearance and uniform standards shall conform to the regulations specified in MPD Policy and Procedure Manual, Section 3-100 Personal Appearance and Uniforms.

C. Recruit Officer Program – Firearms

(01/25/02) (08/23/10)

1. The Recruit Officer shall successfully complete the MPD Range Qualification course.

2. The Recruit Officer is prohibited from carrying ammunition and/or a loaded firearm during academy training unless they are under the direct supervision of range personnel.

3. The Training Unit may authorize the Recruit Officer to carry their firearm while participating in academy training classes.

4. The Recruit Officer is not legally authorized to carry their firearm while off duty until they are sworn in as a peace officer.

D. Field Training Officer (FTO) Program

(01/25/02) (08/23/10)
(A-C)

1. Selection of Field Training Officers (FTO's)

   a. Precinct staffing supervisors, following FTO program guidelines, shall recommend officers who are eligible to be Field Training Officers.

   b. The Field Training Sergeant at each precinct shall be selected by a Sector Lieutenant.

   c. The Chief of Police reserves the right to reject a volunteer who the Chief determines is not appropriate to serve as an FTO.

   d. Field Training Officers and Field Training Sergeants will be trained by Training Unit personnel.

2. Field Training Officer Program Scheduling – FTO and Officer in field training

   a. The Officer in field training shall work the same schedule as their assigned FTO.

   b. A special request by an Officer in field training to deviate from their assigned FTO's schedule must be approved by the assigned FTO, Field Training Sergeant and the Training Unit.

3. Field Training Evaluation

   a. The progress of an Officer in field training will be evaluated by their assigned FTO and Field Training Sergeant.

   b. Evaluations for Officers in field training shall be reported to the Training Unit in the format prescribed by the Field Training Manual.

E. MPD In-Service Training
(01/25/02) (08/23/10)
(B)

1. MPD In-Service Training is provided each year to meet or exceed the requirements of the Minnesota Board of Peace Officer Standards and Training (POST), the MPD, and the City of Minneapolis.

2. All employees shall attend and participate in In-Service Training, as assigned, regardless of the number of POST Credits or Continuing Education Credits accumulated.

F. Special Duty, Schools and Seminars
(01/25/02) (08/23/10)
(A-B)

1. Employees applying for Special Duty time, department funds, or MPD sponsorship must forward a properly completed Special Duty Approval Form (MP-1002) to the Training Unit. Applications to attend or instruct at an outside department training shall be denied when the training conflicts with training provided by MPD (such as warrior-type or fear-

based training on use of force or de-escalation techniques as opposed to MPD's community policing training).

2. Training requests which involve funding beyond the endorsing Commander's training budget shall be reviewed and approved or denied by the Deputy Chief of Professional Standards.

3. Employees attending specialized schools or seminars authorized by the MPD will provide event information, names of the speakers and their qualifications, reports and a class syllabus to the Training Unit.

4. Employees may be selected to attend or instruct advanced training programs in which the MPD participates.

5. MPD employees may attend specialized training schools or seminars on their own time, except MPD sworn employees must obtain approval in advance from the Deputy Chief of Professional Standards or their designee before attending or instructing at a training on use of force or community policing/de-escalation techniques to ensure there is no conflict with such training provided by MPD (such as warrior-type or fear-based training on use of force or de-escalation techniques as opposed to MPD's community policing training), including through off-duty employment.

6. Probationary employee requests for special training shall be forwarded to the Deputy Chief of Professional Standards for review and final approval determination.

G. Professional Development Program
(01/25/02) (08/23/10)

1. The Professional Development Program, administered by the Training Unit promotes the professional growth of MPD employees. The program includes the following components:

   a. Career Enrichment Programs

   b. Career Paths

   c. Community Service

   d. Higher Education

   e. In-Service Training

   f. Leadership Development

   g. Mentoring Program

H. Unit Specific Training

1. To be considered verifiable Department Training the lesson plan, training material (e.g. PowerPoint presentation) and instructor qualifications/resume must be documented and forwarded to the Training Unit.

    a. Prior to conducting Unit Specific Training a Course ID number shall be obtained from the Training Unit.

    b. In the event that Unit Specific Training is required and prior notification of the Training Unit is not practical, the supervisor/commander will be responsible for documentation of the lesson plan and attendance roster.

2. Upon completion of Unit Specific Training the attendance roster shall be forwarded to the Training Unit.

I. Training Records Management

1. The Training Unit shall do the following:

    a. Assign a Course ID for all training that is to be documented.

    b. Perform data entry and editing of training records in Workforce Director. Items to be stored in WorkForce Director for each training: (05/03/13)

        i. Instructor biography/resume

        ii. Syllabus of the training

        iii. Handouts

        iv. Training materials (e.g. PowerPoint)

        v. Sign in sheet

        vi. Grades (if assigned)

    c. Respond to Data Practices requests for MPD training records.

    d. Maintain training records in accordance with data retention guidelines.

    e. Generate the Training Record Verification Report upon request.

2. Employees shall do the following:

    a. Employees shall sign an attendance roster at training sessions where one is provided and the employee is present for the entire training.

b. Employees shall periodically review their training records for completeness and accuracy and contact the Training Unit if changes are necessary.

c. Employees wishing to have Outside Department Training (e.g. command schools or City training) documented in their respective MPD training and personnel files shall provide:

i. To the Training Unit: Proof of course completion, handouts, agenda and certification (if applicable).

ii. To MPD Human Resources: Proof of course completion and/or certification.

d. Employees seeking POST certification credit for Outside Department Training shall contact the Training Unit upon receiving Special Duty approval, to ensure POST eligibility requirements are met.

3. Commanders shall do the following:

a. Commanders shall be responsible for reviewing subordinates training records to ensure compliance with required certifications and mandated Department Training.

b. The Training Record Verification Report is available from the Training Unit upon request.

2-502 POST Licensing Requirements

(01/25/02) (04/14/05) (08/23/10) (04/22/19)

(C-D)

I. Purpose

To reinforce that it is the responsibility of sworn employees to maintain a valid and active Peace Officer Standards and Training (POST) license.

II. Policy

All sworn employees shall maintain a valid and active Peace Officer Standards and Training (POST) license as a condition of employment. Failure to maintain a valid and active POST license will result in an employee being relieved of enforcement duty and discipline, up to and including termination.

III. Procedures / Rules / Regulations

A. Sworn employees shall report changes of name or address to the MN Post Board.

B. Sworn employees must pay the required fee and complete 48 hours of POST-approved training every three years, prior to June 30, for re-licensing.

C. The MPD is not obligated to provide this training; however, participation in annual In-Service Training may meet or exceed licensing requirements.

D. Upon request, the Training Unit will provide appropriate forms and assistance to officers seeking MN POST Board credit for any training received, provided the training received is consistent with community policing.

1. The MN POST Board requires law enforcement agencies to maintain and retain records of all POST-approved training for police officers in accordance with POST Board requirements.

2. The MN POST Board recommends officers maintain their own documentation to prove successful completion of their required credits.

E. Sworn employees who have instructed in MN POST Board approved training may apply for POST credit. The number of POST credits granted will be determined by POST guidelines. The Training Unit will provide officers with requirements and forms**.** For more information regarding POST, officers should visit the MN POST Board website.

F. Sworn employees who do not have a valid and active POST license **s**hall not represent themselves as a police officer, whether on duty or off duty, and shall not take enforcement action under the authority of being a police officer.

G. Sworn employees who do not have a valid and active POST license shall not carry any firearm while on duty, and shall not carry a firearm while off-duty unless they have an additional Permit to Carry as a private citizen issued by the jurisdiction in which they live.

H. Any formal action that is taken or pending against an employee's POST license shall be immediately reported by the employee to their Division Commander and the Internal Affairs Unit. Notification by the employee may be made through the chain-of-command.

I. Upon being notified that an employee's license is no longer valid or active, regardless of the reason, Division Commanders shall take action to ensure that the affected employee is not acting in a capacity that requires them to be a licensed police officer.

2-503 Prohibition on Excited Delirium Training

(06/02/24) (06/21/24)

"Excited delirium" means a description of a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. Excited delirium includes excited delirium syndrome, hyperactive delirium, agitated delirium, exhaustive mania, and similar terms.

A. Employees are prohibited from instructing, attending, or participating in training that offers or suggests "excited delirium" or similar terms as listed above as an explanation for a person's behavior, as well as training on the detection or use of excited delirium.

B. Employees are prohibited from using "excited delirium" or similar terms as listed above to describe a person or their behavior in any manner or context.

Volume Three – Work Rules and Benefits

Personal Appearance and Uniforms

3-101 Personal Appearance Policy

(02/08/02) (12/15/09)

(A-D)

The MPD has established a standard of uniform appearance for the safety of officers and to project a positive, professional image to the public.

Employees shall wear the appropriate clothing or uniform for their assignment, be well groomed and exhibit a professional appearance while performing their official duties. Clothing and grooming shall be appropriate for a business environment. (08/20/15)

Clothing, uniforms and equipment will be selected and authorized taking into consideration safety, versatility, durability, compatibility, appearance and tradition. Only authorized clothing, uniforms and equipment shall be worn.

3-101.01 Personal Appearance Policy – Supervisor Responsibility

(12/15/09)

(A-D)

It is the responsibility of all supervisors on a daily basis to ensure the grooming and dress standards are upheld. Supervisors shall be responsible for required monthly inspections of all uniforms. (08/20/15)

3-102 Official Changes to Uniform Policy

(12/15/09)

Only the Chief of Police may approve a uniform change or addition to employee uniform requirements without approval of the appropriate Uniform Committee.

3-103 Hairstyle, Facial Hair and Grooming Standards

(12/15/09) (06/27/14) (08/20/15) (01/01/20) (04/03/25)

A. Member hairstyle and grooming standards:

1. All members will keep their hair clean, neatly trimmed and well-groomed. Members' hair shall always present a professional image.

2. Dyed, tinted or bleached hair must be within a naturally occurring color range and must be professional in appearance. For purposes of this policy, naturally occurring color range does not include unique hair colors such as pink, blue, purple or green.

3. Hair shall be maintained so that when an authorized MPD hat is worn, the hair does not detract from a neat, professional appearance or interfere with any specialized equipment or member safety and effectiveness.

4. Wigs and hairpieces may be worn provided they comply with MPD regulations.

5. Members may be temporarily excused from these hair and grooming regulations while assigned to a special detail or assignment. However, such members will again comply with these regulations once the special detail or assignment is completed or whenever wearing the official uniform.

6. Human Resources may consider and approve accommodations to this standard for medical reasons on a case-by-case basis. In such instances, the member shall submit the request for accommodation to the HR Generalist for MPD.

B. Beards, sideburns and mustaches

1. Mustaches

   Mustaches shall be neatly trimmed and shall not extend below the corners of the mouth.

2. Sideburns

   Sideburns shall be neat, trimmed and extend in a clean-shaven horizontal line.

   a. Sideburns shall not extend beyond a point even with the bottom of the ear lobe.

   b. Sideburns shall not protrude forward more than one inch from the front of the ear.

3. Beards and goatees

   a. MPD members are generally permitted to have a neatly trimmed beard or goatee, subject to the following exceptions.

   b. The following members are prohibited from having a beard or goatee:

      - Sworn members who are members of the MPD Honor Guard, while participating in services or memorials through the Honor Guard.
      - Sworn members assigned to a uniform detail during special events designated by the Police Administration.
      - Community Service Officers, Cadets and Recruits.
      - SWAT tactical team members.

c. The Assistant Chief may notify Inspectors or Commanders if any additional members will be subject to a prohibition due to a special event or special circumstances.

4. Gas mask fit testing

Sworn members and other designated personnel must still be able to pass the gas mask fit testing, which may require adjusting or shaving facial hair.

3-104 Jewelry

(02/08/02) (12/15/09)

(A-D)

A. Employees may wear jewelry that is clean, neat and of a style that presents a professional appearance and that is consistent with the type of assignment and duty performed. Jewelry that represents a safety hazard or interferes with the performance of one's job is not allowed.

B. Standards for uniformed employees wearing jewelry:

1. One watch, two rings per hand and a medical alert bracelet are allowed.

2. If worn, neck jewelry shall not be visible.

3. One earring per ear is allowed. Earrings shall be no more than ¼ inch in diameter and are limited to "stud" or "post" type earrings. Earrings shall not extend below the bottom of the ear lobe or have loose or dangling parts.

4. Plugs (used to enlarge the piercing holes in the ear lobes) are prohibited.

5. No tongue studs or visible body piercing (other than as described in #3) shall be worn. (08/20/15)

6. Jewelry or personal ornaments shall not be affixed to any uniform or equipment.

7. No dental accessories (e.g. mouth grills or tooth jewelry) shall be worn unless deemed necessary by a medical or dental professional. (08/20/15)

C. Unit/Division Commanders or their designee may grant an exception to employees when deviation from this policy is appropriate for a specific assignment.

3-105 Hair Accessories – Uniformed Employess

(12/15/09)

(A-D)

Hair accessories may be worn by uniformed female employees.

A. Hair accessories shall be navy blue, brown, black gold, or silver colored.

B. No bows, headbands, beaded decorations or other decorative items may be worn.

3-106 Eyewear – Uniformed Employees

(12/15/09)

(A-D)

A. Fully-mirrored or iridescent eyeglasses, including sunglasses, are not allowed for uniformed personnel.

B. Eyeglass frames, cords and chains must be navy blue, black, brown, silver or gold.

3-107 Cosmetics

(12/15/09)

(A-D)

Cosmetics may be worn by female employees but shall not detract from a neat, professional appearance.

3-108 Court Attire

(12/15/09)

(A-D)

All employees representing the MPD in court shall be clean and neat in appearance.

A. Male employees shall wear their uniform, a business suit or a sport coat and tie.

B. Female employees shall wear their uniform, a business suit, dress, or slacks and shirt consistent with business attire.

3-109 Plainclothes Attire

(12/15/09)

(A-D)

Civilian employees and employees exempt from wearing the specified uniform for their job classification shall wear civilian clothing as directed by their unit/division/bureau commander or unit SOP.

3-110 Uniforms

(12/15/09) (08/19/23)

(A-D)

A. Uniform standards:

1. Uniforms shall be kept neat, clean and pressed.

2. Uniforms with holes, tears, or showing obvious signs of wear or repair shall not be worn. Uniforms shall not be patched.

3. The long-sleeve uniform shirt shall be worn with either the authorized uniform tie or authorized mock neck shirt.

4. If an undershirt is worn, it shall not be visible or must be a plain, white tee-shirt.

5. Leather and metal-wear shall be polished. Cracked, worn-out leather shall be replaced.

6. Authorized MPD uniforms shall not be altered in any way to change their general appearance or function.

7. The only attachments to be worn on the uniform shirt are:

   - Rank and service insignia
   - Badge
   - Name plate
   - Authorized MPD patch on each sleeve
   - Award bars
   - MPD-approved pins (e.g. American flag, SWAT pin)

8. The uniform may be worn to and from the employee's residence and for incidental errands en route.

9. No uniformed employee, while on-duty may carry an umbrella, cane or similar object.

10. Test-wear items approved by the Uniform Committee may be worn for testing purposes.

11. Employees shall be responsible for the maintenance, care and replacement of their respective uniforms.

12. Uniformed employees shall maintain a serviceable uniform regardless of their assignment.

B. Sworn employees assigned to patrol duties shall wear the appropriate authorized MPD uniform unless exempted in writing by the Chief of Police.

3-111 Uniform Classes for Sworn Employees

(12/15/09)

(A-D)

The MPD utilizes a Class 'A', Class 'B', Class 'C', Class 'D' uniform system to address the specific needs of the Department.

A. The Class 'A' uniform is the full dress uniform and shall only be worn in its entirety. It may be worn for specific events at the direction of the Chief or his/her designee.

B. The Class 'B' uniform is the alternative to the Class 'A' uniform. The Class 'B' uniform shall be worn for funerals.

C. The Class 'C' uniform is authorized to be worn as the uniform of the day year round, unless otherwise directed by the Chief of Police or his/her designee.

D. The Class 'D' uniform encompasses the category of utility and specialty unit apparel, to be determined by each unit's SOP and respective Unit/Division/Bureau Commanders.

3-112 Class 'A' Uniform

(12/15/09) (08/20/15) (05/13/22)

A. Coat

Authorized coats are as follows:

1. Men's

   - Fechheimer, 38800, 100% Dacron polyester, lined
   - Fechheimer, 38801, 100% Dacron polyester, unlined

2. Women's

   - Fechheimer, Women's, 38833, 100% Dacron polyester, lined
   - Women's unlined dress coat may be special ordered.

B. Shirt, Long-Sleeve Only

Authorized uniform shirts are as follows:

1. Men's and Women's

   - Flying Cross, Deluxe Tropical, 65% polyester 35% rayon, long-sleeve, medium blue in color, M-1108 matte finish buttons, flat sleeve/cuff (non-pleated)
   - Elbeco DutyMaxx, 586D/9586LCD, long-sleeve poly/rayon stretch shirt, medium blue, 80% polyester 20% rayon tropical weave 14% fiber stretch

2. Command Staff

   Command staff shall wear the Elbeco Brand, Paragon Plus, 65% polyester 35% cotton, white, long-sleeve shirt.

C. Trousers, Plain/Non-Cargo Only

Authorized uniform trousers are as follows:

1. Men's

   - Fechheimer, 38200, 100% Dacron polyester

2. Women's

   - Fechheimer, 38233, 100% Dacron polyester

D. Tie

Samuel Broome, poly/wool blend, tie, dark navy (color #61) clip-on/break-away design.

E. Socks

Socks shall be dark navy blue or black.

F. Shoes

Oxford style, black, leather or simulated leather, with black laces and plain, round toes. Highly polished.

G. Service Hat

Midway, 8-point hat, model# MCW 154, navy blue with:

1. A half-inch wide black band for Officers.
2. A half-inch wide gold band for Sergeant and above.
3. Gold bullion on visor for the rank of Commander and above.

H. Firearms

Department-qualified weapons shall be worn in a concealed manner.

3-113 Class 'B' Uniform (Funeral)

(12/15/09) (08/20/15) (05/13/22)

A. Shirt, Long-Sleeve Only

Authorized uniform shirts are as follows:

1. Men's and Women's

   - Flying Cross, Deluxe Tropical, 65% polyester 35% rayon, long-sleeve, medium blue in color, M-1108 matte finish buttons, flat sleeve/cuff (non-pleated)
   - Elbeco DutyMaxx, 586D/9586LCD, long-sleeve poly/rayon stretch shirt, medium blue, 80% polyester 20% rayon tropical weave 14% fiber stretch

2. Command Staff

   Command staff shall wear the Elbeco Brand, Paragon Plus, 65% polyester 35% cotton, white, long-sleeve shirt.

B. Trousers, Plain/Non-Cargo Only

Authorized uniform trousers are as follows:

Men's and Women's

- Blauer, 8560, 75% polyester 25% wool, dark navy

C. Tie

Samuel Broome, poly/wool blend, tie, dark navy (color #61) clip-on/break-away design.

D. Socks

1. Socks shall be dark navy blue or black unless boots are worn.
2. Socks worn with boots shall not show during normal wear.

E. Shoes and Boots

1. Shoes and boots shall be black, natural or artificial leather, with a smooth and round toe design.
2. Shoes and boots shall be clean, in good condition and polished to a high shine.
3. No athletic shoes shall be worn.

F. Service Hat

Midway, 8-point hat, model# MCW 154, navy blue with:

1. A half-inch wide black band for Officers.
2. A half-inch wide gold band for Sergeant and above.
3. Gold bullion on visor for the rank of Commander and above.

G. Uniform Duty Belt

Flashlights, portable radios, cell phones and pagers shall not be worn with the uniform duty belt. If worn, handcuffs and keys shall be securely fastened.

3-114 Class 'C' Uniform (Uniform of the Day)

(12/15/09) (08/20/15) (04/30/18) (01/27/20) (05/13/22)

A. Shirts

Authorized uniform shirts are as follows:

1. Long-Sleeve

   a. Men's and Women's

      - Flying Cross, Deluxe Tropical, 65% polyester 35% rayon, long-sleeve, medium blue in color, M-1108 matte finish buttons, flat sleeve/cuff (non-pleated)
      - Elbeco DutyMaxx, 586D/9586LCD, long-sleeve poly/rayon stretch shirt, medium blue, 80% polyester 20% rayon tropical weave 14% fiber stretch

   b. Command Staff

      Command Staff may also wear the Elbeco Brand, Paragon Plus, 65% polyester 35% cotton, long-sleeve white shirt, at their discretion.

2. Short-Sleeve

   a. Men's and Women's

      - Flying Cross, Deluxe Tropical, 65% polyester 35% rayon, short-sleeve, medium blue in color, M-1108 matte finish buttons, flat sleeve/cuff (non-pleated)
      - Elbeco DutyMaxx, 5586D/9786LCD, short-sleeve poly/rayon stretch shirt, medium blue, 80% polyester 20% rayon tropical weave 14% fiber stretch

   b. Command Staff

      Command Staff may also wear the Elbeco Brand, Paragon Plus, 65% polyester 35% cotton, short-sleeve white shirt, at their discretion.

3. Discretion to wear short-sleeve or long-sleeve

   Sworn employees may choose to wear either the authorized short-sleeve shirt or the authorized long-sleeve shirt at their discretion.

B. Trousers

Authorized uniform trousers are as follows:

1. Plain/Non-Cargo

   Men's and Women's

      - Blauer, 8560, 75% polyester 25% wool, dark navy

2. Cargo-Style

   Men's and Women's

   - Blauer, 8561-2, 75% polyester 25% wool, dark navy
   - Blauer, 8565T and 8656WT Side Pocket Cargo Uniform Pant, dark navy, 75% wool 25% polyester
   - 5.11 Tactical Stryke PDU Class B cargo pant, midnight navy, poly/cotton blend

C. Tie

Samuel Broome, poly/wool blend, tie, dark navy (color #61) clip-on/break-away design.

D. Socks

1. Socks shall be dark navy blue or black unless boots are worn.

2. Socks worn with boots shall not show during normal wear.

E. Shoes and Boots

1. Shoes and boots shall be black natural or artificial leather with a smooth and round toe design.

2. Shoes and boots shall be clean, in good condition and polished to a high shine.

3. No athletic shoes shall be worn.

F. Service Hat

1. Service Hats shall be worn when directed by the Chief of Police and:

   a. On all traffic control assignments, including those performed off-duty;

   b. When ordered by a supervisor.

2. The authorized Service Hat is the Midway, 8-point hat, model# MCW 154, navy blue color with:

   a. A half-inch wide black band for Officers.

   b. A half-inch wide gold band for Sergeant and above.

   c. Gold bullion on visor for the rank of Commander and above.

3-115 Class 'D' Uniform (Specialty Units)

(12/15/09)

The Class 'D' uniform shall be determined by each unit's SOP and respective Unit/Division/Bureau Commander.

3-116 Badges

(02/19/02) (12/30/10)

Uniformed MPD employees shall wear an authorized breast badge on the outermost garment, and it shall be clearly visible, shined and in good repair. Uniformed officers shall also wear an authorized hat badge on uniform hats that is clearly visible, shined and in good repair. Breast badges may be of either the post or pin type. (07/19/07)

MPD will provide one breast badge to officers upon hire and promotion. Sworn MPD employees are authorized to possess a maximum of three breast badges and one flat badge per rank. This number includes the badge issued by the MPD. Authorization from a Bureau Head is required to obtain any additional badges beyond the authorized four badges. Upon retirement, if a plaque if desired, the sworn employee must provide a badge for that purpose. (03/01/05) (07/19/07) (08/20/15)

Lost or stolen badges shall be documented in a CAPRS report. The application for badge replacement, with a copy of the CAPRS report attached, shall be submitted to MPD Administration. Lost or stolen badges are replaced at cost to the employee. MPD Administration maintains a database for tracking the number of badges issued per employee. (03/01/05) (07/19/07) (12/30/10) (08/20/15)

Badges in need of repair can be sent out for repair through MPD Administration. Officers are responsible for repair costs. (08/20/15)

3-117 Mourning Bands

(03/08/02) (12/30/10)

MPD employees may wear a "mourning band" when an officer has been killed in the line of duty. The mourning band is a black elastic band, ¾ inch wide. The band shall be placed on the outermost police badge above the badge number. Bands may not conceal any portion of the badge number. Plainclothes sworn employees may wear their badge on their outer garments with a mourning band while attending the funeral. Civilian employees may wear the mourning band on their MPD employee ID cards. Mourning bands are available from the MPD Stores Unit. (12/14/07)

For Minneapolis Police Department and Minneapolis Park Police officers who are killed in the line of duty, the mourning bands may be worn from the day the officer dies through 30 days after the funeral or as determined by the Chief of Police. For law enforcement officers from other agencies, the mourning bands may be worn from the day the officer dies through the day of the funeral or as determined by the Chief of Police. (03/01/05) (07/19/07) (12/14/07)

3-118 Uniform Sleeve Patches

(02/08/02) (11/03/06) (12/15/09) (12/30/10)

(A-D)

A. The authorized MPD shoulder patch shall be worn on both sleeves of all shirts, jackets, and sweaters of the authorized MPD duty uniform.

B. The MPD shoulder patch shall be centered on the epaulet and ¾ inch below the top of the shirt sleeve seam.

C. The Class 'A' Uniform's MPD shoulder patch shall be identical to normal duty shoulder patch except that the outside ribbing shall be gold thread.

3-119 Name Tags and Name Tag Attachments

(03/08/02) (12/30/10) (08/20/15)

A. Citizens are entitled to know the identity of sworn MPD employees (with very limited exceptions, i.e., in-progress undercover operations). To assist them in obtaining this public information, all employees shall wear a nametag.

B. Metal nametags shall be of engraved gold and the name shall be inked to assist in legibility and ease of reading. Nametags are lacquered upon delivery and need no additional polishing to maintain them. Nametags that show wear or no longer have the officer's name in ink shall be replaced. (07/19/07)

C. The nametag shall be affixed to the outermost garment and shall be in plain view.

D. The nametag shall have the employee's first name or initials and last name. (07/19/07)

E. The nametag shall be worn with the bottom of the nametag ¼" above the upper pocket seam, or on indicators, and centered over the right hand jacket or shirt pocket. In the case of a sweater, the nametag shall be worn on the name tag tab.

F. An employee may have one nametag attachment on the bottom of the nametag. The attachment represents either current unit assignment (precinct number, etc.) or qualified service specialty (SWAT, Canine, EMT, etc.) (07/19/07)

G. No MPD uniform garment shall have name tape affixed.

3-120 Leather and Accessories

(11/22/02) (12/30/10)

All MPD-authorized leather equipment shall be black and of a basket weave design. This includes all leather holders and keepers attached to the gun belt.

All authorized leather equipment shall have chrome or nickel snaps/buckles or Velcro fasteners.

Holsters will not be of the flap leather style. A security Level II or III holster is strongly recommended.

Cartridge holders for employees authorized to carry revolvers shall be of the speed loader style, which loads all cartridges simultaneously into an empty cylinder. Uniformed employees must have speed loaders and holder cases capable of carrying a minimum of twelve-.38 caliber cartridges. (07/19/07)

Service belts shall be leather or Velcro lined, 2-1/4 inches in width and worn directly over the trouser belt. Beltkeepers or Velcro may be worn, if needed.

Trouser belts shall be 1-3/4 inches wide with a nickel-plated buckle or without a buckle.

A Velcro belt may be worn with a Velcro gun belt.

All leather accessories on the gun belt shall conform to the leather specifications.

3-121 Optional Uniform Apparel – Sworn Employees

(12/15/09) (12/30/10)

(A-D)

Authorized optional uniform apparel may be worn by sworn employees. Optional uniform apparel shall conform to the listed standards.

3-121.01 Optional Uniform Apparel – Jackets

(12/15/09) (12/30/10) (08/20/15) (05/13/22)

Uniformed employees electing to wear a jacket shall adhere to the following standards and specifications.

A. Badge and Name

1. Leather jackets

   Leather jackets shall be worn with metal badge and name plate.

2. Non-leather jackets

   Non-leather jackets shall be worn with an embroidered badge and embroidered name.

B. Special Details

Uniform jackets worn specifically for special details (i.e., Horse Patrol, Bicycle Patrol, CRT raid jacket, Traffic) shall only be worn while engaged in those specific assignments.

C. Authorized jacket specifications

1. Leather

    - Taylor's Leatherwear, # 4450 - midnight navy blue

2. Non-Leather

    - Blauer, 9910Z, Crosstech, dark navy (Cruiser-Length)
    - Blauer, 9915Z**,** Crosstech**,** dark navy (Ike-Length)
    - Blauer, 9820, GORE-TEX, dark navy, outer piece for softshell 4660
    - Blauer, 4675, softshell hybrid, dark navy
    - Blauer, softshell 4660, color 04 dark navy, embroidered only, NO "police" panel on back

3-121.02 Optional Uniform Apparel – Raincoats

(12/15/09) (12/30/10)

The MPD-authorized raincoat shall be black, yellow, or fluorescent red-orange in color.

3-121.03 Optional Uniform Apparel – Sweaters

(12/15/09) (12/30/10)

Uniformed employees electing to wear a sweater shall adhere to the following standards and specifications.

A. The sweater shall be worn with a metal badge and metal name plates, and an MPD patch on each sleeve. (08/20/15)

B. Sworn employees with the rank of Lieutenant or above shall wear the large collar brass centered on the epaulet, one inch up from the shoulder seam of the sweater.

C. Authorized sweater specifications: (08/20/15)

- Blauer**,** 205, V-neck Commando-style, jersey knit, dark navy
- Blauer, 205XCR, V-neck Commando-style, dark navy (windstopper lining)

3-121.04 Optional Uniform Apparel – Scarves

(02/08/02) (12/15/09) (12/30/10)

Scarves worn with the uniform shall be dark navy blue or black. Scarves are considered inner garments and shall be worn under the jacket.

3-121.05 Optional Uniform Apparel – Winter Hats

(12/15/09) (12/30/10) (01/07/19)

Uniformed employees electing to wear a winter hat shall adhere to the following standards and specifications.

A. Winter hats shall only be worn in conjunction with an authorized long-sleeve shirt, sweater or jacket.

B. Authorized hat specifications:

1. Pile Hat

    - Navy blue in color
    - Navy blue pile ear-flaps
    - No rank insignia
    - Hat badge shall be centered on the front flap of the pile hat

2. Watch Cap

    a. Cuffed

        - Blauer, 125 (unlined) or 125 XCR (lined) Watch Cap
        - Dark navy
        - Fold-up cuff
        - "MPD" shall be embroidered in 20mm block letter font, Madeira brand thread color 1871 (light blue), centered on the cuff in front (05/11/05) (08/20/15)

    b. Cuff-less

        - Blauer, 160 Beanie
        - Dark navy
        - Cuff-less
        - "MPD" shall be embroidered in 20mm block letter font, Madeira brand thread color 1871 (light blue), centered in front (08/20/15)

C. Winter hats shall not bear any visible athletic or brand name logo.

3-121.06 Optional Uniform Apparel – Gloves and Mittens

(12/15/09) (12/30/10)

Gloves and mittens shall be black and professional in appearance.

3-121.07 Optional Uniform Apparel – C.E.D. Holder

(12/15/09) (12/30/10)

A sewn-in CED holder is permitted to be added to cargo-style trousers.

3-121.08 Optional Uniform Apparel – Body Armor External Vest Carrier

(12/15/09) (12/30/10) (01/07/19) (05/13/22)

Uniformed employees electing to wear a body armor external vest carrier shall adhere to the following standards and specifications:

A. Non-Load Bearing Vest Carriers

The Blauer Armorskin 8370 navy-blue carrier (not quilted) is authorized for wear with either the long-sleeve or short-sleeve Class 'C' uniform. It shall have an embroidered badge and embroidered employee name.

B. Load-Bearing Vest Carriers

1. Safariland Sacramento and Safariland Oregon City 2.0 Style carriers

   The Safariland Sacramento 2.0 and the Safariland Oregon City 2.0 Style navy-blue carriers are authorized for wear with either the long-sleeve or short-sleeve Class 'C' uniform. They shall have an embroidered badge and embroidered employee name, or a metal name plate and metal pin or post badge.

C. Requirements For All Vest Carriers

1. The embroidered employee name shall be 10mm block letter font, Madeira thread color 1791 (MPD Gold).

2. Any additional police markings worn on the back of external vest carriers or jackets shall be white or gold and only say "Police." No other additional markings, patches or other attachments shall be used or applied.

3-121.09 Optional Uniform Apparel – Mock Neck Shirt

(08/20/15)

A. The mock neck shirt may be worn in place of the uniform tie, underneath the long-sleeve uniform shirt (in accordance with the Class 'C' Uniform). The mock neck shall not be worn with the short-sleeve uniform shirt. (04/02/18)

B. Authorized mock neck shirts are as follows:

- Elbeco UFX
- Blauer Mock 8110x
- 5.11 Winter Mock 40125
- Under Armour 1244393

- Blauer Mock Dickey 8119x

C. The mock neck shirt shall be dark navy blue.

D. "MPD" shall be embroidered in block letters with 20mm Madeira brand polyneon thread, light blue, color #1871. "MPD" shall be off-centered, to the left of the collar.

3-122 Pins and Award Bars

(02/02/02) (05/02/08) (12/15/09) (12/30/10) (09/20/13) (08/20/15) (05/13/22)

(A-D)

A. Requirements for Pins and Award Bars

1. Wearing of pins and award bars is optional.

2. The employee must be authorized to wear the pins or award bars.

B. Pins

1. Pin authorization

   a. Only the pins authorized in this policy shall be worn with the uniform.

   b. New pins shall be approved by the Uniform Committee, who shall then bring them to MPD Administration for final approval.

   c. Unless otherwise stated, the additional pins described below may be worn in addition to the unit and team pin and in addition to each other.

2. Unit and team pins

   a. Current members only

      Unit and Team pins are authorized for current members only.

   b. Number of unit and team pins

      Only one unit and team pin shall be worn.

   c. Authorized unit and team pins

      i. Bomb pin

      ii. Canine pin

      iii. Honor Guard pin

      iv. Mounted Patrol Crossed Sabers pin

v. Negotiator pin

vi. Peer Support Team pin

vii. SWAT pin

d. Placement of unit and team pins

i. The pin shall be displayed on the outermost garment (jacket, shirt or external vest carrier).

ii. The pin shall be centered on the right-hand breast pocket, between the lower edge of the pocket flap and above the bottom pocket seam.

iii. When wearing an MPD authorized sweater, the pin shall be centered approximately 1 ½ inches below the name tag.

iv. Plainclothes officers may wear the pin as a lapel pin or tie tack.

3. American Flag pin

a. The American Flag pin shall be ¾" in size. It shall be centered one-half inch above the name plate or award ribbons, whichever is higher.

b. The American Flag pin may be worn on the uniform shirt, jacket or sweater.

c. The American Flag Pin may be worn in addition to the unit and team pin.

4. Issued Officer Memorial pin

a. Officer Memorial pins include 9/11, Katrina, and the 35w Bridge Collapse.

b. Officer Memorial pins are only authorized for officers who were a Police Department employee at the time of the event.

c. Only one Officer Memorial pin may be worn at a time. It may be worn in addition to the unit and team pin.

d. Memorial pins shall be worn in the lowest order of precedence on the award ribbon rack.

5. Serving Since pin (with the appropriate year)

a. The Serving Since pin shall be placed under the employee's name tag.

b. The Serving Since pin may be worn in addition to the unit and team pin.

6. FTO pin

   a. The FTO pin shall be placed on the right pocket flap.

   b. The FTO pin may be worn in addition to the unit and team pin.

   c. The FTO pin shall only be worn by current Field Training Officers (FTOs).

7. ABLE pin

   a. The pin shall be centered on the left-hand breast pocket, between the lower edge of the pocket flap and above the bottom pocket seam.

   b. The ABLE pin may be worn in addition to the unit and team pin.

   c. The ABLE pin shall only be worn by employees who have completed the ABLE training.

C. Award Bars

Placement of Commendations/Award Bars:

1. Bars shall be centered and placed one-half inch above the uniform name plate.

2. If more than one bar is worn, additional bars shall be placed on the uniform shirt in a horizontal row, with no more than two bars in a row.

3. The highest Department award earned shall always be worn closest to the center of the uniform.

4. In descending precedence, awards shall be worn highest to lowest and center to outward.

5. If three or five bars are worn, the highest award earned shall be worn centered over the top row.

6. If multiple uniform bars are attached to a holder, the holder must not be visible on the exterior of the uniform shirt.

7. Employees receiving more than one award in any category shall affix a small number in the center of the bar, indicating the number of awards received in that category.

3-123 Rank and Service Insignia

(02/08/02) (12/15/09) (12/30/10) (11/01/13)

(A-D)

A. Service Stars

(06/14/18)

1. Service Stars are authorized to be worn at the completion of five years of continuous service with the MPD. Each star designates a five-year increment of continuous service with the MPD. (08/20/15)

2. Service Stars are mandatory for the rank of sergeant and above, and may be optionally purchased by officers. (06/14/18)

3. Service Stars shall be worn as follows:

   a. Horizontal on the left sleeve of the jacket.

   b. Attached three inches up from the bottom of the sleeve cuff.

   c. Placed in a row of four across; starting 1 inch from the outside seam.

   d. The fifth and subsequent stars shall be centered above the row of four stars.

   e. Stars shall be ¾ inch in size with gold embroidery. Sewn on with a point up (facing the length on the arm).

B. Service Hash Marks
(11/01/13)

1. Service Hash Marks are authorized to be worn at the completion of five years of continuous service with the MPD. Each Hash Mark designates a five-year increment of continuous service with the MPD. (08/20/15)

2. Service Hash Marks are mandatory for the rank of sergeant and above, and may be optionally purchased by officers. (06/14/18)

3. Service Hash Marks shall be worn as follows:

   a. Vertical on the left sleeve of the long-sleeve shirt.

   b. The first Service Hash Mark shall be attached ¾" up from the top of the sleeve cuff and ¾" from the sleeve gauntlet. Subsequent Hash Marks shall extend vertically up towards the elbow.

   c. Two or more Service Hash Marks shall be one continuous strip (not added one by one).

   d. Service Hash Marks worn shall be manufactured by ITL, with royal stripe bordered with white on midnight navy twill.

   e. Service Hash Marks shall be available only through Police Administration. (08/20/15)

C. Sergeant Insignia
(11/01/13)

1. Sergeant chevrons and rockers are mandatory.

2. All sergeants shall have triple chevrons sewn on both sleeves of all uniform shirts, sweaters, and jackets, with the exception of the Class 'A' uniform.

3. Triple chevrons shall be worn as follows:

   a. The triple chevrons shall be centered ¼ inch below the bottom edge of the MPD patch. If short sleeves are not long enough to accommodate the above specifications, all patches may be moved upwards decreasing the required ¾ inch from the top of the sleeve to the top of the MPD patch.

   b. The required distance between the patches and chevrons must always be maintained.

4. Sergeant triple chevrons shall be the Hallmark Emblem 787-57; deluxe cloth material with white- bordered royal blue stripes on dark blue. Chevrons shall be 3½ inches wide and 3¾ inches in length.

5. The number of rockers worn shall be determined by time in rank according to the table below.

   - 0-5 years: Standard triple chevron
   - 6-10 years: Triple chevrons with a single rocker
   - 11-15 years: Triple chevron with two rockers
   - 16-20 years: Triple chevron with three rockers
   - Over 20 years: Triple chevron, three rockers and a star
   - The senior Sergeant on Department: Triple chevrons, three rockers and a star inside of a wreath. (05/12/05)

6. On the Class 'A' Uniform coat, the sergeant's rank insignia will be gold colored metal miniature military chevrons, with appropriate rockers, affixed to the epaulet and centered on the cross stitched section of the epaulet near the transition line from shoulder to sleeve. (10/18/07)

D. Lieutenant Insignia
(11/01/13)

1. Lieutenants shall have one gold-colored bar affixed to each collar of the uniform garments. The bar shall be worn in a vertical position and centered between the top and bottom edge of the collar. The front edge of the bar shall be ½ inch from, and parallel with, the front edge of the collar.

2. On the Class 'A' Uniform coat the bar shall be worn centered on the shoulder epaulet centered on the cross-stitched section of the epaulet near the transition line from the shoulder to sleeve. On the wrist of each sleeve there shall be one gold stripe.

E. Chaplain Insignia
(11/01/13)

1. Chaplains shall have a gold-colored oak leaf affixed to each collar of uniform garments. The leaf shall be centered between the top and bottom edge of the collar and ½ inch from the front edge. The stem of the oak leaf shall point downwards.

2. On the Class 'A' Uniform coat, the oak leaf shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from shoulder to sleeve. On the wrist of each sleeve there shall be two gold stripes. On the lapels of the coat, Chaplains shall also display a gold attachment of the appropriate religious symbol (e.g. Cross, Star of David). (10/18/07) (08/20/15)

F. Commander Insignia
(08/20/15)

1. Commanders shall have a gold-colored oak leaf affixed to each collar of uniform garments. The leaf shall be centered between the top and bottom edge of the collar and ½ inch from the front edge. The stem of the oak leaf shall point downwards.

2. On the Class 'A' Uniform coat, the oak leaf shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from shoulder to sleeve. On the wrist of each sleeve there shall be two gold stripes. On the lapels if the coat there shall be a gold wreath encircling the word "Commander."

G. Inspector Insignia
(11/01/13)

1. Inspectors shall have one gold-colored eagle affixed to each collar of the uniform garment. The eagle shall be centered between the top and the bottom edges of the collar ½ inch from the front edge.

2. On the Class 'A' Uniform coat, the eagle shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from the shoulder to sleeve. On the wrist of each sleeve there shall be two gold stripes. On the lapels of the coat, there shall be a gold wreath encircling the letters "Insp." (08/20/15)

H. Deputy Chief Insignia
(11/01/13)

1. Deputy Chiefs shall have two gold-colored stars affixed to each collar of the uniform garments. The stars shall be centered between the top and bottom edges of the collar ½ inch from the front edge. (06/14/18)

2. On the Class 'A' Uniform coat star shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from the shoulder to sleeve. On the wrist of each sleeve there shall be one thick gold stripe. On the

lapels of the coat there shall be a gold wreath encircling the letters "D/C". (10/18/07) (08/20/15)

I. Assistant Chief Insignia
(11/01/13)

1. The Assistant Chief shall have three gold-colored stars affixed to each collar of uniform garments. The stars shall be worn centered between the top and bottom edges of the collar ½ inch from the front edge. (06/14/18)

2. On the Class 'A' Uniform coat the stars shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from shoulder to sleeve. On the wrist of each sleeve there shall be one thick gold stripe, one narrow gold stripe and one gold star. On the lapels of the coat there shall be a gold wreath encircling the letters "A/C." (10/18/07) (08/20/15)

J. Chief of Police Insignia
(11/01/13)

1. The Chief shall have four gold-colored stars affixed to each collar of uniform garments. The stars shall be worn centered between the top and bottom edges of the collar ½ inch from the front edge. (06/14/18)

2. On the Class 'A' Uniform coat the stars shall be worn centered on the shoulder epaulet centered on the cross stitched section of the epaulet near the transition line from the shoulder to sleeve. On the wrist of each sleeve there shall be one thick gold stripe, two narrow gold stripes and one gold star. On the lapels of the coat there shall be a gold wreath encircling the word "Chief." (10/18/07) (08/20/15)

3-124 MPD Employee Identification

(02/08/02) (12/15/09) (12/30/10)

(A-D)

All personnel shall display their MPD badge or employee ID card on their outermost garment while in police facilities, including police precincts, and at crime scenes. The ID card shall be attached to the clothing with a clip or to a cord worn around the neck. Clips and neck cords are available from the MPD Stores.

Exceptions to this policy may be allowed at the discretion of commanders of employees working undercover assignments and employees working at or visiting undercover facilities. All employees will show proper MPD ID upon request.

3-125 Interns/Temporary Employees/Other City Employees – Employee ID Cards

(02/08/02) (12/15/09) (12/30/10)

(A-D)

All MPD interns and temporary or permit employees shall wear an identification card while in police facilities or as directed by their supervisors or the Chief of Police. Business Information Services (BIS) personnel assigned to support MPD computer hardware and software will be issued civilian identification cards and will be required to wear this identification while in police facilities.

3-126 Maternity Uniform

(12/30/10) (09/26/22)

Pregnant officers working in an area of the MPD where uniformed public contact occurs shall wear a maternity uniform shirt.

3-127 Hijab and Headscarves

(03/31/23)

A. Employees are permitted to wear a hijab or headscarf as part of the uniform, in accordance with a sincerely-held religious belief, subject to the following conditions:

1. Any hijab or headscarf worn while in uniform shall be Midnight Blue in color.

2. The hijab or headscarf shall not pose a health or safety hazard or interfere with the use or operation of any police equipment (e.g. weapons, hat, helmet, gas mask etc).

3. Any hijab or headscarf worn while in uniform must be crafted in a manner that will not allow for it to be used to choke or strangle the officer. It cannot be one continuous piece and must be able to separate or tear away.

B. Other religious accommodations may be requested in accordance with P&P 3-309.

3-201 Authorized Equipment and Weapons

(07/19/07) (12/30/10)

I. Purpose

To provide regulations and procedures regarding the distribution, maintenance and possession of both City-owned and personal police-related equipment. (12/30/10)

II. Policy

While working, sworn MPD employees shall only carry and use equipment and weapons that have been authorized by the MPD Training Unit, and only the weapons the employee has been trained to use by the MPD Training Unit or its designee.

The MPD Training Unit shall be responsible for conducting research and product testing of any new equipment or weapons prior to authorization for carry and use by sworn MPD employees. Documentation of any employee authorized to conduct field testing of new equipment or weapon shall be retained by the MPD Training Unit. (07/19/07)

MPD employees shall comply with directives as outlined unless otherwise authorized in writing by the Chief of Police or his/her designee. (12/30/10)

III. Procedures / Rules / Regulations

A. Equipment shall not be altered in any way to change its general appearance or function. (03/08/02)

B. All MPD purchased equipment shall be marked with the full "Minneapolis Police" designation before issue/use. Markings may include "Mpls Police" or "MPD." Police Stores will provide uniform markings and advise units of the best marking for equipment type. If equipment is purchased/shipped directly to a unit, the commander shall ensure that the items are brought to Police Stores for Department marking before use. This directive does not apply to standard "police" labeled clothing. (07/19/07) (12/30/10)

C. All employees on leave of absence in excess of 180 days, disability status, resignation, termination or retirement shall relinquish all city-issued equipment immediately upon the start of such status to Police Stores. A CAPRS report will be filed for any item not returned. (03/08/02) (03/01/05) (07/19/07) (12/30/10)

D. MPD employees under suspension shall report as ordered and surrender their badges, identification card and any other city issued equipment requested by the Internal Affairs Unit.

1. No employee may wear the MPD uniform, be armed, or carry a badge or police identification while under suspension. (07/19/07)

2. During a suspension period, an employee cannot carry a weapon based on their status as a licensed peace officer with the Minneapolis Police Department. This also includes the ability to carry a weapon into other states based on federal law. An employee may carry a weapon during the suspension period, provided they have other legal authority to do so (e.g. State of Minnesota Permit to Carry a Handgun). (12/30/10)

3-202 City Property – MPD Issued

(03/08/02) (07/19/07) (12/30/10) (12/17/18)

A. The City of Minneapolis will issue the following equipment to all sworn employees: (12/30/10) (07/01/11)

- Ammunition
- Bloodborne Pathogen Kits
- Breast Badge
- Chemical Agent
- Gas Mask (APR)
- Gas Mask (APR) Carrier
- Gas Mask Filter
- Hat Badge
- Handgun- Primary Duty (if hired after 12/01/18)
- Identification Card
- Name Tag
- Office Keys/Access Cards (when applicable)
- Police Radio
- Riot Helmet
- Riot Stick
- Shoulder Patches (10)
- Squad Car keys
- Traffic Vest

B. The City of Minneapolis may issue the following equipment to civilian employees:

- Cellular Phones
- Office keys/Access Cards (when applicable)
- Identification Card
- Other equipment as deemed necessary by the Precinct/Division Commander.

C. The City of Minneapolis may issue additional equipment (tactical and administrative) to employees as needed for specialized assignments. (12/30/10)

3-203 Required Equipment

(03/08/02) (12/30/10) (12/17/18)

A. Every sworn MPD employee shall supply the following equipment at his/her own expense:

- Firearm- Handgun (unless hired after 12/01/18)
- Leather equipment and accessories
- Handcuffs
- Flashlight
- Impact Weapon

B. Every sworn MPD employee shall carry the following equipment unless assigned to undercover duty where it is necessary to conceal their identity. (12/30/10)

- MPD issued ammunition
- MPD authorized badge
- MPD authorized firearm
- MPD authorized handcuffs and key
- MPD issued identification card
- MPD cell phone (if issued)

C. Every sworn MPD employee working in a **uniformed** capacity shall carry the following authorized equipment and weapons. (11/06/07) (12/30/10)

- MPD authorized CED (if issued)
- MPD authorized impact weapon (optional for those issued a CED)
- MPD issued chemical agent
- MPD authorized flashlight
- MPD authorized hobble
- MPD authorized nametag
- MPD issued portable radio

D. Every sworn MPD employee working in a uniformed capacity shall have accessible the following equipment: (12/14/07) (07/01/11)

- MPD issued gas mask (APR)
- MPD issued gas mask (APR) Carrier
- MPD issued gas mask filter

3-204 Authorized Equipment and Specifications

(12/30/10) (02/06/12)

A. Handcuffs
(03/08/02) (07/19/07)

1. Every sworn MPD employee shall carry at least one set of handcuffs while working in a uniform or plainclothes capacity.

2. Handcuffs shall comply with the following requirements:

   a. Authorized Brands: Smith & Wesson or Peerless

   b. Authorized Styles: Hinged or Chain

   c. Double locking mechanism

   d. Black or Chrome finish

3. Plastic handcuffs may be used to supplement standard handcuffs in emergency situations.

   a. Plastic handcuffs may be used in mass arrest situations and should be available in all sergeants' vehicles.

   b. Plastic handcuffs should not ordinarily be used in felony arrests or for restraining mentally ill individuals.

   c. When using plastic handcuffs, the employee should monitor the arrestee to prevent injury. (03/01/05) (07/19/07)

B. Hobbles
(07/19/07)

1. Uniformed employees shall have the hobble readily accessible in their duty vehicle or on their person.

2. The hobble shall be of the authorized brand RIPP Restraint Hobble.

C. Flashlights
(03/08/02) (07/19/07)

1. Every sworn MPD employee shall carry a flashlight while working in a uniform capacity.

2. The flashlight shall comply with the following requirements:

   a. Diameter not to exceed 1-1/2 inches

   b. Black finish

   c. Minimum of two cells or equivalent

d. Maximum of five cells or equivalent

D. Knives

Employees may carry a knife as a tool. The knife blade length shall not exceed 4 inches. (03/08/02) (07/19/07)

E. Traffic Whistle

If used, traffic whistles shall be of military or police design only. (03/08/02)

F. Chemical Agents
(10/30/02) (09/04/12) (07/01/13)

1. Every sworn MPD employee shall carry a 4 oz. canister of chemical agent on their person at all times while working in uniform. In addition, canisters larger than 4 oz. may be carried by sworn MPD employees when authorized by a supervisor. (07/01/13)

2. Employees shall only carry the chemical agent issued to them by the department. (07/19/07)

3. Authorized chemical agents are: (09/04/12)

   a. Aerko Freeze +P, 1% CS/1% OC

      - 4 oz 2k3
      - 17.5 oz M9 Streamer

   b. Defense Technology Oleoresin Capsicum (OC) Solution .2%

      - 12oz MK9 Streamer

G. Batons (Impact Weapons)
(03/08/02) (07/19/07) (12/30/10) (07/01/13)

1. Every sworn MPD employee, whose job assignment would reasonably require them to respond to 911 calls or initiate calls for service, shall carry an impact weapon while working in uniform unless issued a CED. Impact weapons are optional for employees issued a CED.

2. The impact weapon shall comply with the following requirements:

   a. Authorized Brands – ASP or Monadnock

   b. Overall extended length not to exceed 26 inches.

   c. Black or Chrome finish

H. Riot Stick
(07/19/07)

1. Every sworn MPD employee, while working in a uniformed capacity, shall keep in their possession (and readily available, i.e. in the squad) a riot stick for response to civil disturbances when needed.

2. Employees shall only carry the riot stick issued to them by the MPD.

I. Conducted Energy Device (CED)
(07/19/07) (12/30/10) (07/01/13)

1. Sworn MPD employees shall carry a CED (if issued) while working in a uniform capacity.

2. The CED shall comply with the following requirements:

   a. Authorized Brand – TASER®
   Authorized Model – X26
   Authorized Ammunition – TASER® Brand compressed air cartridges (Department issued only)

   Or

   b. Authorized Brand - TASER®
   Authorized Model - X2
   Authorized Ammunition - TASER® Brand compressed air smart cartridges (Department issued only)

J. Reflective Vests

All sworn MPD employees shall wear reflective vests when involved in traffic direction or control. (03/08/02) (07/19/07)

3-205 Riot Helmets and Helmet Bags

(03/08/02) (12/30/10) (02/06/12)

A. Riot helmets shall be maintained by each sworn employee and shall be kept at the employee's duty assignment at all times. Helmet bags shall be used to protect the helmets while in storage or during transport. (07/19/07)

B. The helmet shall have:

1. The employee's badge number placed on the front and rear of each helmet.

   a. The front of the helmet shall have the employee's badge number centered and placed no more than ¼ inch above the badge insignia.

b. The rear of the helmet shall have the employee badge number centered and placed two inches above the base of the helmet.

c. The badge number stickers shall be no less than one inch in height and shall be black with a white background. (07/19/07)

2. The MPD badge insignia placed on the front of the helmet.

a. The badge insignia shall be centered in the front of the helmet and placed directly above the base of the visor.

b. Supervisors shall have gold badge insignia

c. Officers shall have silver badge insignia.

C. MPD Stores Unit personnel will provide badge number stickers for placement on helmets. (03/01/05)

D. Additional markings shall not be placed on the helmet unless directed to do so by a supervisor.

3-206 Bicycles

(03/08/02) (12/30/10) (02/06/12)

A. Bicycles may be used by sworn employees for both uniformed patrol and plainclothes assignments. Employees must obtain a supervisor's approval to use bicycles on a limited basis for plainclothes assignments. (08/02/13)

B. Employees must successfully complete an MPD-approved bicycle patrol certification program and complete continued training requirements to maintain the bike patrol certification status. (08/02/13)

C. Employees without MPD-approved bicycle patrol training may use a bicycle for an isolated detail (no more than one shift) or an assignment in which a bicycle will only be ridden on a limited basis (no more than one week); with prior approval by a supervisor. (07/19/07) (08/02/13)

D. Employees must obtain a supervisor's approval and meet the following provisions prior to using a bicycle on duty: (07/19/07)

1. All bicycles shall be inspected prior to use. If any deficiency is noted that would interfere with the safe and legal operation of the bicycle, it shall not be used until the problem has been corrected.

2. If the bicycle is MPD-owned or furnished, any deficiency or damage shall be reported to the MPD Bike Patrol Coordinator, who shall arrange for repair or maintenance as required. (07/19/07) (08/02/13)

3. Any employee using a personal bicycle or bicycle equipment for police duties assumes all risk for wear or damage to the bicycle and items. The MPD shall have no responsibility for maintenance, repair, or replacement of the employee's personal bicycle or bicycle items. (07/19/07) (08/02/13)

3-207 Body Armor

(01/01/13)

(A-D)

Purpose:

To provide procedures for the use, standards and specifications, and reimbursement of body armor worn by sworn employees and to maximize the Minneapolis Police Department's opportunities to receive Federal grant funds.

Policy:

To maximize officer safety through the use of body armor in combination with prescribed safety procedures.

A. The wearing of body armor is mandatory for all sworn employees while wearing the uniform when working on or off duty, who are involved in any enforcement activities.

B. Sworn employees electing to wear a body armor external vest carrier shall adhere to the standards and specifications outlined in section 3-121.08 of the MPD policy manual.

3-207.01 Ballistic Vest Reimbursement

(03/08/02) (12/30/10) (02/06/12) (01/01/13)

A. Ballistic Vest Reimbursement

(see also, Minnesota State Statute 299A.38)

1. Only vests that either meet or exceed the requirements of standard 0101.03 of the National Institute of Justice or that meet or exceed the requirements of that standard, except wet armor conditioning, are eligible for reimbursement.

2. The State of Minnesota provides reimbursement for the purchase of an eligible ballistic vest every 5 years (plus 1 day) to Minnesota peace officers. The amount of reimbursement is adjusted yearly by the Commissioner of Public Safety.

3. The City of Minneapolis will match the amount reimbursed by the State.

4. The amount reimbursed by the State and City is determined based on the purchase date of the vest.

B. Reimbursement Process

1. The sworn employee seeking ballistic vest reimbursement shall:

   a. Keep documentation of his/her own ballistic vest purchases.

   b. Complete the City of Minneapolis Employee Reimbursement Form and the Vest Reimbursement State Form. These forms are available on MPDnet.

   c. Mail the State form to the State.

   d. Forward the completed Employee Reimbursement Form to Police Administration. A copy of the itemized invoice/paid receipt for the ballistic vest purchase must be attached to the form.

3-301 Hours of Shift
(03/15/02)

(A-B)

Commanders shall establish the work hours for shifts under their commands, subject to review by the Administration and in accordance with individual employee labor agreements. Commanders of uniformed personnel shall ensure that staffing levels on Friday and Saturday Night Watches exceed those of other days. Staffing levels shall at all times be sufficient to provide adequate 24-hour service to the public.

More information on work schedules may be found in individual employee labor agreements.

3-301.01 Hours of Shift – Change to Daylight Savings Time
(03/15/02)

When clocks are set back one hour in the Fall, employees normally scheduled for mid or night shifts that cross over or end at the daylight time change (usually 0200), will work an extra hour. Employees will be compensated for the additional hour worked per their individual labor agreements. (7/11/05) (9/12/06)

3-302 Employees to Remain at Work Until Properly Relieved
(03/15/02)

(A-B)

MPD employees shall work the full time assigned and shall not leave work until they are properly relieved, except in the following cases:

- An employee assigned to duties not normally requiring continuity of assignment into the next shift shall remain at work until the end of the shift.
- An employee is instructed to leave work by a supervisor.

3-303 Absent Without Leave
(03/15/02)

(B-D)

Employees are absent without leave (AWOL) when they fail to report for work or abandon work or assignment without proper authorization.

If an investigation indicates that an AWOL violation occurred, an Internal Affairs Complaint Form (MP-3401) shall be completed. A sustained finding requires that an individual be marked

"AWOL" for the day in question and lose a day of pay, notwithstanding any other punitive measures. Should the day in question, as a result of the findings, be marked "AWOL," MPD Human Resources personnel shall notify MPD Payroll so that they may take appropriate action.

3-304 Telephone and Address Requirements

(12/03/01) (1/15/08) (05/24/13)

(A)

A. Employee Phone Requirements

1. Employees are required to maintain a personal cell phone or hard-wired telephone in their residence.

2. Pager numbers cannot be used in lieu of a home phone number.

3. Department issued cellular phones shall not be used as an employee's primary contact number. (05/24/13)

4. Employees shall update telephone information in Workforce Director within three business days of the change. (05/24/13)

B. Employee Address Requirements

1. A residential address is a street address with indication of municipality. A Post Office box may precede or follow the street address, but shall not be used independently as a residential address. (2/1/05)

2. Work addresses, MPD addresses, or any City facility addresses shall not be utilized for any personal residential declaration or personal vehicle registration.

3. Work addresses, MPD addresses, or any City facility addresses shall not be used as residential address on a driver's license or for receiving personal mail. (2/1/05) (1/15/08) (05/24/13)

4. Employees shall report a change to their residential address by completing the Employee Information Update form, found on MPD Net under Forms. (1/15/08) (05/24/13)

   a. Employees shall forward the Employee Information Update form to Research/Policy Development, Room 100, and City Hall **within three business days** of the change. (05/24/13)

   b. Research/Policy Development will forward a copy to MPD Payroll and place the original in the appropriate personnel file. (05/24/13)

3-305 Photographing and Fingerprinting Employees

(03/15/02)

It is the MPD's policy to photograph and fingerprint all employees for identification purposes as a condition of employment. Identification data obtained on employees is classified as private and can only be released by the Administration pursuant to the provisions of the Minnesota Data Privacy Act.

3-306 Requests for Transfer

(03/15/02)

A Request for Transfer form (MP-6602) shall be completed in quadruplicate. All copies shall be routed through the appropriate chain of command and forwarded by the appropriate Bureau Head to MPD Human Resources, within five working days. (7/11/05)

MPD Human Resources personnel will distribute a copy to each of the following:

- The Commander of the assignment area requested
- The appropriate Bureau Head
- The employee's personnel file
- The requesting employee (indicating that it has been received and processed)

Written requests for transfer will be considered biweekly throughout the year. MPD Human Resources maintains the current year's transfer request file electronically for one year.

Prior to the scheduled Commander's meeting, MPD Human Resources personnel will forward electronically a copy of the transfer request list to each Commander and Bureau Head. Any additional transfer requests or negotiated transfers may appear on an addendum at the scheduled Commander's meeting.

Transfers that are not approved will remain on the transfer request list for a period of one year.

Leaves of absence, resignations, retirements, terminations, and other transfers deemed necessary by the Administration may be discussed at the Commander's meeting.

If a transfer is approved by Police Administration, MPD Human Resources personnel will publish and distribute the Personnel Order and the employee's supervisor will notify the employee. The employee's personnel file will then be updated by MPD Human Resources personnel from the Personnel Order.

Employees wishing to cancel a transfer request shall send a memo to MPD Human Resources, with a copy to their Commander, requesting that their name be removed from the transfer request list.

When an employee experiences a change in assignment and/or a promotion, all of the employee's requests for transfer will automatically be removed from the transfer request list.

3-307 Resignations

(03/15/02) (05/24/13)

(A)

When an employee resigns, he/she shall be instructed by his/her commander to submit a properly completed Resignation Form (CSC-35) to MPD Payroll. The form can be obtained from MPD Human Resources or MPD Payroll. (7/11/05)

3-308 Smoking/Tobacco Use Restrictions

(03/15/02) (07/01/11) (05/24/13)

(A)

In accordance with City Council Resolution 93R-156, smoking is prohibited in any City-owned facility, leased space, and all City vehicles. (7/11/05)

MPD employees shall not use tobacco products while on-duty when in direct contact with the public. (07/01/11)

Tobacco use is prohibited within a crime scene area. (07/01/11)

3-309 Religious Accommodations

(10/18/19)

Requests for religious exceptions or accommodations to MPD uniforms, rules, policies or procedures shall be made to the Deputy Chief of the Professional Standards Bureau.

3-310 Limitation on Hours Worked

(05/22/22) (06/24/22) (12/05/22) (02/06/23) (05/16/25)

A. Policy Scope

1. A member's primary duty assignment is the first priority. All of the primary duty assignment scheduled work hours shall be counted in the weekly total (including those not yet worked), prior to permitting any other additional hours worked.

   a. Other Department duties shall be prioritized after the member's primary duty assignment. This includes any overtime, court, and special duty.

   b. Off-duty employment shall only be considered once Department duties have been satisfied.

2. This policy covers all work in any capacity (on-duty shifts, overtime, Buy-Back, special events, contract work, off-duty employment or any other work assignments), subject to the exceptions below.

B. Time Limits and Rest Requirements

To support both member wellness and Department readiness, members shall observe the following time restrictions on work:

1. Total work in a pay period

   Members shall not work more than 160 hours total in a pay period.

2. Day off each pay period

   Members shall have at least one full 24-hour day with no work shifts in any capacity in each pay period.

3. Rest between shifts

   Members shall have at least 8 consecutive hours off within every 24-hour period.

C. Authorizations

1. Exceptions

   a. Exceptions to the limitations in this policy can only be made with the approval of the Police Chief or the Chief's designee at the level of Deputy Chief or above, in the member's chain of command. Exceptions will involve matters beyond regular policing including large scale events or emergent investigations in homicide and other major cases.

   b. Once an exception has been approved, supervisors are responsible for ensuring that members obtain the appropriate rest period as soon as reasonably practical at the conclusion of the event.

   c. Members who are required to appear or reply to a matter in court or in response to a subpoena may exceed the limits only for the purpose of responding to the required matter.

2. Supervisors

   Supervisors shall give consideration to reasonable rest periods and are authorized and expected to deny requests to work overtime and cancel or end the overtime, buyback or shift extensions that would cause any member to fall outside the requirements in this policy.

3. Remain at work until relieved

   In accordance with P&P 3-302, members shall not leave or be absent from assigned MPD shifts until properly relieved or as ordered by a supervisor.

4. Off-duty employment

    a. Members shall not work off-duty employment if doing so will cause them to be in violation of the provisions of this policy, including the above limitation on hours worked and required rest periods.

    b. Members who violate the hours worked policy due to off-duty employment shall expect corrective action or discipline as well as having their off-duty employment privileges rescinded.

3-401 Timekeeping Responsibility
(03/18/02)

(A)

It shall be the responsibility of commanders to maintain accurate and current records of employees under their command. Commanders or supervisors who approve deviations from normal scheduling shall make proper notifications and ensure that employees complete the required forms.

3-402 Payroll – Special Duty Hours
(03/18/02)

(A-B)

Prior to attending Special Duty assignments that are less than a normal workday, employees shall make arrangements with their immediate supervisor regarding how the balance of their normal workday hours will be entered. Supervisors are accountable for keeping track of this time and reporting it correctly.

MPD Payroll personnel will track all Special Duty days, using the Personnel Orders to assure the Special Duty time is recorded properly and coincides with the employee's normal work day.

Daily hourly totals must add up to an employee's normal eight or ten-hour workday.

3-403 Payroll – Miscellaneous Information
(03/18/02)

Vacations: Civilian employees certified to permanent positions prior to January 1, 1973 shall be allowed to accrue a negative balance in their vacation account. Such amount shall not exceed the anticipated earnings for the immediately succeeding 12-month period. (03/11/05)

Civilian employees hired after January 1, 1973 shall be authorized to utilize only vacation benefits actually accrued to the date of their return from vacation.

Sworn employees certified to permanent positions are allowed to accrue a negative balance in their vacation account. Such amount shall not exceed the anticipated earnings for the immediately succeeding twelve-month period.

Personal Leave Day: It is considered a vacation day for payroll purposes and is reported as such.

Sick and Vacation Time: All sick and vacation time is figured on an hourly basis. During each payroll period, the employee accumulates 1/26th of the yearly benefits.

3-404 Payroll Checks

(03/18/02)

(A)

Payroll checks are mailed to the employee's home by the City Finance Department for employees who do not utilize direct deposit. Direct deposit employees have the capability of retrieving the payroll advice via the City's intranet site at http://citytalk and clicking on "Employee Self-Service," or externally through the City's internet site at https://www.minneapolismn.gov/ and clicking on "Apply for City Jobs" and then clicking on "HRIS Employee Self-Service." (03/11/05)

3-405 Administrative Leaves (Departmental)

(03/18/02)

(A)

The Chief of Police or his/her designee may place an employee on a departmental Administrative Leave whenever they are involved in a traumatic incident that may involve a life-threatening situation, serious injury or death, or under circumstances where an employee's conduct justifies an immediate release from duty.

While on Administrative Leave, employees shall be available for investigative needs and to participate in an Employee Assistance Program or Peer Support Team session.

Note: MPD Administrative Leaves are not the same as City Administrative Leaves. Supervisors should contact MPD Payroll personnel for any questions.

3-406 Relieving Employee From Duty

(03/18/02)

(A)

A supervisor shall relieve an employee from duty with pay when:

- An employee is involved in a serious or traumatic event such as a fatal accident or shooting.
- A supervisor initiates a complaint involving potential disciplinary action in a serious matter.
- When ordered to do so through the chain of command.

Prior to relieving an employee from duty, the supervisor shall notify the employee of the reason for the action. In serious incidents, the employee's commander shall be notified immediately.

The supervisor shall also document the leave and forward copies of the memo to the employee's Bureau Head, Commander or supervisor and MPD Human Resources.

Employees relieved of duty for medical examination shall contact MPD Human Resources immediately or at 0800 on the following business day.

MPD Human Resources will complete an order requiring the employee to see the MPD healthcare provider for medical evaluation. The letter will be signed by the Chief or a Bureau Head.

3-407 Mandatory Counseling

(03/18/02)

(A)

When an employee is placed on Administrative Leave due to a traumatic event, the Chief of Police or a Bureau Head shall mandate that the MPD's Police Assistance Program staff provide appropriate counseling services to an employee.

Per the MPD's Critical Incident Protocol, the employee on such Administrative Leave must meet with the Police Assistance Program staff or a Peer Support Team member prior to returning to full enforcement status or normal work duty.

3-501 Employee Health and Wellness

(11/01/11)

(A-D)

I. Purpose

To establish procedures, rules and regulations regarding employee medical statuses and related processes.

II. Policy

It is the policy of the Minneapolis Police Department to comply with all applicable state and federal laws and City of Minneapolis policies regarding employee injury, illness and leaves of absence.

Employees will provide all requested documentation for the processing of leave requests and returning to work after injury, illness and/or extended leaves to their supervisor and the MPD Health and Wellness Coordinator. Employee medical information is private as defined by Minn. Stat. § 13.02, subd. 12 and it is the responsibility of supervisors and administrators to ensure that employee rights to privacy are upheld.

III. Definitions

Affected Employee: The employee affected by a change in job status due to injury or illness and/or who is the subject of MPD/employer maintained medical documentation and/or records.

Employee Designee: The individual acting as a liaison between the MPD and the Affected Employee.

Essential Job Functions: The fundamental duties of a position.

Fitness for Duty Evaluation: Department-ordered medical examination to evaluate whether an employee is able to perform the essential job functions.

Limited Duty: A temporary work assignment as the result of the Affected Employee not being able to perform his/her essential job functions, according to a health care provider. Also known as “light duty.”

MPD Healthcare Provider: The occupational medicine clinic selected by the MPD (City doctor).

Report of Work Ability: A form completed by the affected employee's health care provider which identifies work restrictions.

Supervisor's Report of Injury: A City of Minneapolis Worker's Compensation form that must be completed and submitted within 24 hours of a work-related injury, illness or exposure (IOD form).

Worker's Compensation: Benefits for medical care and lost time prescribed by state law for employees who are injured while on the job. Submission of a Supervisor's Report of Injury form is required for work-related injuries as directed by State law and MPD policy. NOTE: Worker's Compensation is separate from the IOD program (refer to POFM labor agreement).

IV. Procedures / Rules / Regulations

A. Disclosure of Employee Medical Information
(11/01/11)

1. Employee medical information is classified as private and is protected from unauthorized disclosure under the Minnesota Government Data Practices Act, Minnesota State Statutes, Chapter 13.

2. Medical information shall be shared only with MPD supervisors and/or commanders who have a need to know.

3. Permission must be obtained from the Affected Employee or his/her designee prior to wide disclosure (via e-mail, MDC, radio, or in-person) of an employee's medical condition or status.

4. Employee medical documentation shall be maintained only in the employee's medical file.

5. Medical-related documentation provided to supervisory personnel shall immediately be forwarded to the Health and Wellness Coordinator. Medical documentation shall not be maintained in station/unit files.

B. Medical Notifications
(11/27/01) (11/01/11)

The Health and Wellness Coordinator shall be notified in the following circumstances:

1. Employee hospitalizations.

   a. The Affected Employee or the Employee's Designee shall notify the Affected Employee's supervisor.

   b. The supervisor shall notify the MPD Health & Wellness Coordinator and provide the following information:

i. Affected Employee's name, employee number and assignment.

ii. Affected Employee or the Employee Designee's contact information. (To discuss necessary forms, work status, etc.)

iii. Anticipated length of incapacitation.

2. An employee is unable to perform his/her essential job functions due to a medical condition.

   a. The Affected Employee shall notify his/her immediate supervisor prior to returning to work.

   b. The Affected Employee's supervisor shall notify the MPD Health and Wellness Coordinator. Note: It may also be appropriate to notify other supervisors in the Affected Employee's chain-of-command.

   c. Medical documentation of the employee's condition will be requested by the Health & Wellness Coordinator and/or the employee's supervisor.

      i. The medical documentation must first be submitted to the employee's supervisor for review.

      ii. The supervisor shall immediately forward said documentation to the Health and Wellness Coordinator.

3. A supervisor has reason to believe an employee has a medical condition that may adversely affect the employee's work performance or prevent the employee from performing his/her essential job functions.

C. Work-Related Injuries
(11/27/01) (11/01/11)

1. Employees injured while at work may be eligible for Worker's Compensation benefits. Sworn employees may also be eligible for Injured on Duty (IOD) benefits.

   Note: Employees may be responsible for medical expenses incurred if Worker's Compensation procedures are not followed and/or Workers Compensation does not accept the claim.

2. An MPD employee injured while at work shall:

   a. Seek a medical examination, if appropriate. The employee may be seen by the MPD's healthcare provider or his/her own healthcare provider. In an emergency situation the employee should seek medical treatment at the nearest hospital's Emergency Room.

   b. Complete the Supervisor's Report of Injury form and forward to immediate supervisor within 24 hours of incurring the injury.

c. Comply with the Checklist for Work-Related Injury.

d. Provide a Report of Work Ability form, completed by a physician/healthcare provider, to his/her supervisor, the Health and Wellness Coordinator and Worker's Compensation Claim Coordinator.

e. Provide updated Report of Work Ability forms, completed by a physician/healthcare provider, to his/her supervisor, the Health and Wellness Coordinator and Worker's Compensation Claim Coordinator as work restrictions change or expire, until the employee is cleared to return to work with no restrictions.

3. Supervisor responsibility of an employee injured at work:

a. Upon receipt of the Supervisor's Report of Injury form, sign and immediately forward via e-mail to "MPD-IOD Reporting".

- If the injured employee is unable to complete the Supervisor's Report of Injury form, the supervisor shall complete it and forward via e-mail to "MPD-IOD Reporting" within 24 hours of the injury.

b. Comply with the Checklist for Work-Related Injury.

c. Forward all medical documentation received to the Health and Wellness Coordinator.

D. Returning to Work After Injury/Illness (Work Related and Non-Work Related) (11/27/01) (11/01/11)

1. Prior to returning to work on full or limited-duty, an employee may be referred to the MPD's healthcare provider (City doctor) by the Health and Wellness Coordinator.

2. A referral may be made to the MPD's healthcare provider if circumstances meet but are not limited to one or more of the following:

a. Employee has had any major illness or injury or major surgery.

b. Employee has been off duty due to illness or injury for thirty calendar days or more.

c. Employee has been away from work, even for one day, for any diagnosed cardiac condition.

d. Employee has been away from work for any bone fracture.

e. Employee has been placed on restrictions for more than seven calendar days by their personal healthcare provider.

3. The Health and Wellness Coordinator may direct an employee returning to work after an absence caused by one or more of the circumstances outlined above, to have a Report of

Work Ability completed by their physician in addition to, or in lieu of, a referral to the MPD's healthcare provider.

E. Limited Duty: Work-Related
(11/01/11)

1. An employee with work restrictions verified by a physician may be reassigned temporarily to a limited-duty assignment.

2. Employee responsibility when requesting a limited duty assignment:

   a. Notify immediate supervisor and the Health and Wellness Coordinator prior to returning to work.

   b. Provide all forms and statements necessary to substantiate work limitations/restrictions.

   c. Provide Work Ability forms requested by the supervisor and Health and Wellness Coordinator.

   d. During the period of the temporary reassignment, the Affected Employee is expected to perform all of the duties of the limited duty assignment; and

   e. Sworn employees working a limited duty assignment shall not work off-duty employment. (See section 3-800, Off-Duty Employment.)

3. Supervisor responsibility related to limited duty employees:

   a. Identify a limited duty work assignment that meets the Affected Employee's work restriction. If an assignment that meets the employee's work restrictions cannot be identified, contact the Health and Wellness Coordinator for additional assistance.

   b. Notify precinct/division commander and Health and Wellness Coordinator of the temporary limited duty assignment.

   c. Ensure the Affected Employee does not work outside his/her work restrictions.

   d. Forward all medical documentation received to the Health and Wellness Coordinator.

4. The MPD Health and Wellness Coordinator will coordinate with the MPD healthcare provider, the appropriate supervisors and Worker's Compensation to monitor limited duty personnel and ensure work restrictions indicated by the healthcare provider are met.

5. Returning to full duty after a limited-duty assignment:

   a. Prior to returning to full duty status, a completed Report of Work Ability form signed by a physician stating that the affected employee may return to work with no work

restrictions/limitations shall be submitted to the Health and Wellness Coordinator and the affected employee's supervisor.

b. When the employee is released to work full-duty with no restrictions by his/her primary health care provider, a referral to the MPD's healthcare provider may be made, if circumstances meet but are not limited to:

i. Employee has had any major illness or injury or major surgery

ii. Employee has been off duty due to illness or injury for thirty days or more

iii. Employee has been away from work, even for one day, for any diagnosed cardiac condition

iv. Employee has been away from work for any bone fracture

v. Employee has been placed on restrictions for more than seven calendar days by their personal healthcare provider

c. The Health and Wellness Coordinator may direct an employee returning to work after an absence caused by one or more of the circumstances outlined above, to have a Report of Work Ability completed by their physician in addition to, or in lieu of, a referral to the MPD's healthcare provider.

F. Limited Duty: Non-Work Related
(11/01/11)

1. An employee placed on work restrictions by a physician as the result of a non-work related injury may be reassigned temporarily to a limited-duty assignment for a period of up to six months.

2. If the affected employee is not ready to return to full duty without restrictions within six months after such limited duty restrictions were imposed, the Department may terminate the limited duty assignment and offer the employee a medical layoff.

3. Employee responsibility when requesting a limited duty assignment:

a. Notify the immediate supervisor prior to returning to work.

b. Provide all forms and statements necessary to substantiate work limitations/restrictions.

c. Provide Report of Work Ability forms as requested by the Health and Wellness Coordinator and supervisor.

d. During a period of temporary reassignment, the Affected Employee will be expected to perform all of the duties of the limited duty assignment.

e. Sworn employees working a limited duty assignment shall not work off-duty employment. (See section 3-800, Off-Duty Employment.)

4. Supervisor responsibility related to limited duty employees:

   a. Gain approval from respective precinct/division commander to temporarily reassign the affected employee to a limited duty assignment.

   b. Identify a limited duty work assignment that meets the Affected Employee's work restriction. If an assignment that meets the employee's work restrictions cannot be identified, contact the Health and Wellness Coordinator for additional assistance.

   c. Notify Health and Wellness Coordinator of the temporary limited duty assignment.

   d. Ensure the Affected Employee does not work outside his/her work restrictions.

   e. Forward all medical documentation received to the Health and Wellness Coordinator.

5. The MPD Health and Wellness Coordinator will coordinate with the MPD healthcare provider and the appropriate supervisors to monitor limited duty personnel and ensure work restrictions indicated by the healthcare provider are met.

6. Returning to full duty after a limited-duty assignment:

   a. Prior to returning to full duty status, a completed Report of Work Ability form shall be completed by the Affected Employee's physician and provided to the Health and Wellness Coordinator. The Work Ability form must be signed by a physician and state that the employee may return to work with no work restrictions/limitations.

   b. When the employee is released to work full-duty with no restrictions by his/her primary health care provider, a referral to the MPD's healthcare provider may be made, if circumstances meet but are not limited to:

      i. Employee has had any major illness or injury or major surgery

      ii. Employee has been off duty due to illness or injury for thirty days or more

      iii. Employee has been away from work, even for one day, for any diagnosed cardiac condition

      iv. Employee has been away from work for any bone fracture

      v. Employee has been placed on restrictions for more than seven calendar days by their personal healthcare provider

G. Prescription and Over-the-Counter Medication
(11/01/11)

1. It is the employee's responsibility to report for work able to perform the essential duties of his/her job.

2. An employee who is taking medication(s) which may interfere with the safe and effective performance of his/her essential job functions and/or job duties or the operation of City equipment, shall notify his/her supervisor and/or Health and Wellness Coordinator prior to the beginning of his/her next assigned shift.

   a. If a question exists regarding an employee's ability to safely and effectively perform his/her essential job functions while using such medications, clearance to work from a qualified physician may be required.

   b. The supervisor should contact the Health and Wellness Coordinator for assistance.

3. If the MPD determines that an employee failed to make the appropriate notifications regarding medication use or that the employee is working outside of the scope of the modified work assignment, disciplinary action may be taken.

3-502 Health Screening and Fitness Assessment – Sworn Employees

(11/01/11)

(A-B)

I. Purpose

To establish Health Screening and Fitness Assessment guidelines for sworn employees.

II. Policy

All sworn MPD employees will participate in the Health Screening and Fitness Assessment as outlined in the POFM labor agreement and applicable Memorandum of Understanding.

III. Rules/Regulations/Procedure

A. The Health Screening and Fitness Assessment process will be overseen by the Administrative Services Division.

B. The Health Screening and Fitness Assessment process will be conducted in accordance with the POFM Labor Agreement and applicable Memorandum of Understanding.

C. Assessment Components:

1. Health Screening.

2. Fitness Assessment.

D. A sworn employee's failure to participate in the mandatory components of the Health Screening and Fitness Assessment process (including follow-up appointments deemed

necessary), except when excused pursuant to the provisions in the current POFM labor agreement, shall be considered insubordination.

3-601 Days Off – Donated Off-Day
(03/19/02)

All sworn and civilian personnel are entitled to receive days off each year equaling the total number of weekends per year plus the number of legal holidays allowed by their respective labor agreements.

Officers who are members of the Minneapolis Police Federation (POFM) are required to donate off-day time to the Federation so that they may conduct necessary business (see POFM labor agreement, Leaves of Absence Governed by this Agreement section).

3-602 Religious Holidays
(03/19/02)

Employees may request a leave of absence with pay for religious holidays. The time may be debited from vacation or accrued compensatory time. Employees may work an off day in lieu of the holiday within the same payroll period, with supervisory approval as long as no overtime is accrued.

3-603 Time Off to Vote
(03/19/02)

Minn. Stat. 204C.04 states, "Every employee who is eligible to vote in an election has the right to be absent from work for the purpose of voting during the morning of the day of that election, without penalty or deduction from salary or wages because of the absence. An employer or other person may not directly or indirectly refuse, abridge, or interfere with this right or any other election right of an employee." (03/25/05)

3-604 Vacation Accumulation and Selection
(03/19/02)

Vacation time is accumulated at a rate determined by existing labor agreements. Leaves in excess of the number of days allotted by individual labor contracts will not be recorded and shall be considered lost.

Vacation periods shall be selected by rank and by seniority within rank and will be administered by the precinct, unit or division commander in order to maintain sufficient staffing levels.

Employees who split their vacations may apply seniority preference to either part, but not to both. Vacation shall mean four or more consecutive vacation days. (06/24/13)

Employees who wish to take vacation time in excess of two weeks (including compensatory time and off days) must obtain prior approval from their respective Bureau Head and Commander. (06/24/13)

Seniority among persons having identical dates of employment or promotion shall be determined by their relative positions on the eligibility/promotion list from which they were appointed.

Each shift, unit or division supervisor will not permit more than ten percent of their staff to be on vacation between June 1st and August 31st annually. A .5 percent will be rounded to the next highest number (e.g., 1.5 will permit 2 to be on vacation).

In the precincts, no more than one supervisor per shift or unit can be on vacation at the same time from June 1st through August 31st. Single vacation days or small periods of vacations (two or three days) will not normally be allowed from June 1st to August 31st. Rare exceptions will only be permitted with the commander's approval.

3-605 Leaves of Absences

(03/19/02)

The City of Minneapolis allows various types of Leaves of Absence. These leaves are explained in detail in the Civil Service Rules and Regulations.

3-605.01 Military Leave

(03/19/02)

Military Leave will be granted as days worked according to the employee's normal work hours and schedule.

3-606 Special Duty

(03/19/02)

(A-B)

Special duty time is when an employee is excused from regular duties to perform special activities (training, travel, outside schools/seminars, official union business, canine trials, etc.). The Chief of Police or designated Bureau Heads will authorize the use of special duty time.

Special duty assignments are issued on a Personnel Order (MPD-3154).

Special duty may be for all or part of a workday. When a Special Duty assignment is not expected to last a full workday, the employee involved is expected to report or return to their normal assignment to complete a full workday. With a supervisor’s approval, an employee may use compensatory or vacation time before or after a Special Duty assignment that does not last an

entire workday. Personnel scheduled for Special Duty while on scheduled time off will be compensated in accordance with existing labor agreements and MPD policy.

Attendance at a Special Duty assignment is mandatory. Upon a supervisor's request, the employee shall provide documentation of attendance, i.e., certificate, training materials, etc. Any employee missing a Special Duty assignment shall submit a memo to his/her commander explaining the reason for their absence.

Supervisors are responsible for ensuring that Special Duty hours are monitored and appropriate time adjustments made. For example: an employee who works a ten hour shift and attends an eight hour in-service training session must report back to their work assignment to complete his/her work day or use vacation or compensatory time for the remaining two hours.

When possible, Special Duty requests shall be submitted at least 30 days in advance. The Training Unit may forward requests for final approval to the appropriate Bureau Head and will coordinate travel paperwork. For further information, see the MPD Travel Procedures policy.

3-701 Overtime Policy

(12/28/01) (08/18/17) (07/30/18)

(A)

A. Overtime accrual shall be kept to a minimum. Normal administrative and supervisory activities shall be accomplished during assigned work hours.

B. Overtime accrual without prior approval may be denied by a supervisor. Overtime accrual will only be allowed for specific department-related reasons.

C. Officers of a higher rank are not authorized to work in an overtime capacity for officers of a lower rank.

1. Precinct Inspectors and Division Commanders may authorize individual exceptions per the Police Labor Agreement, Section 20.02, Subd. 2 (c), when the staffing shortage is the result of **compensatory time usage** and efforts to fill a necessary position with officers of the lower rank have been exhausted.

2. Exceptions shall be documented in writing and submitted to the police administration through the chain of command.

D. Overtime records will be audited by MPD Payroll personnel on a biweekly basis.

E. Overtime may be accrued for court time when such time occurs outside of compensated City time. The court case must be related to an incident arising from the employee's department employment or from acting in a law enforcement capacity. Compensation shall be in accordance with existing individual labor agreements.

F. In the event that a Middle or Night Watch employee receives a Subpoena/Trial Notice for a civil trial, the employee shall notify their supervisor immediately. If it is determined that the trial may be prolonged, the supervisor shall attempt to temporarily modify the employee's work hours, within the scope of the employee's individual labor agreement, to accommodate the trial schedule.

G. Prior authorization for compensatory time usage is required.

H. Probationary employees that have successfully completed the Field Training Officer program are allowed to work voluntary overtime and buyback details.

I. Officers on Field Training Officer (FTO) status may work voluntary overtime and buyback details with the permission of their Inspector, provided they are in good standing within the FTO program and will work the overtime/buyback detail with their assigned FTO.

3-701.01 Calculation of Overtime

(12/28/01)

(A)

Overtime earned and compensatory time used will be calculated consistent with existing individual labor agreements. Overtime earned will be credited to the nearest one-quarter hour. Compensatory time used will be debited to the nearest one-quarter hour.

3-701.02 Extension of Work Hours

(12/28/01)

(A)

When overtime ends 60 minutes or less before work shift or when time starts 60 minutes or less after the employee's worked shift, it will be considered an extension of duty/shift.

When overtime ends more than 60 minutes before or starts more than 60 minutes after the employee's worked shift, the overtime is not considered an extension of work hours.

3-701.03 Maximum Allowable Compensatory Time Credit

(12/28/01)

The maximum amount of compensatory time credit a sworn officer or non-exempt civilian employee is normally allowed to maintain is specified by individual labor agreements.

3-701.04 Emergency Callback Overtime Requests

(12/28/01)

Emergency callbacks shall be compensated in accordance with existing individual labor agreements.

3-701.05 Approval of Overtime Requests

(12/28/01)

(A)

All accrued compensatory time requests must be electronically entered into the MPD timekeeping system by the employee and must be approved by the employee's immediate supervisor.

The Chief of Police or the Deputy Chief/Director of the Internal Services Bureau may authorize specific personnel, under special circumstances, to approve overtime requests as part of their duties, i.e., Court Liaison.

3-701.06 Prohibited Acts- Overtime

(12/28/01) (02/02/25)

A. Members shall not change, or cause to be changed, a scheduled workday to a non-work day, or change the normal or posted scheduled hours of a shift, in order to accrue overtime, unless approved by a Deputy Chief or higher. Members may not use compensatory time that results in a negative balance.

B. No member shall work less than four hours during their scheduled OFF hours without the permission of a Deputy Chief or higher through their chain of command, other than overtime shift extensions (including shift holdovers and late calls), court, and scheduled on-call time that are authorized with the approval of the member's chain of command.

C. Compensatory time shall not be accrued or overtime shall not be paid when a member is also accruing time for any city paid hours, including, but not limited to: sick, compensatory time used, paid holiday, Family Medical Leave Vacation (FMV), FMS (sick), FMC (compensatory time), P.A.L. time used, floating holiday taken, paid suspension, military leave, injured on duty, relieved of duty, jury duty, funeral leave, special duty, worker's compensation, or absent without leave.

D. Overtime cannot be accrued for non-emergency medical or physical therapy treatments for those members on IOD status.

3-702 Shift Meetings

(12/28/01)

Shift meetings shall be scheduled as an extension of a shift. Employees having worked that shift are eligible for overtime compensation to a maximum of one and one-half hours. Off-duty employees may attend on a voluntary basis and will be given one and one-half hours of overtime for the meeting.

Precinct shift meetings shall be held quarterly and shall take place within MPD facilities. The Commander shall approve the agenda prior to the meeting.

3-703 Definitions Applying to Court-Related Overtime

(12/28/01)

The following definitions shall apply to court-related overtime:

Court-Related Overtime: Any compensatory time or paid overtime earned as a result of a court trial or court-related activity.

Subpoena: An official court order for an individual to appear in court. The Subpoena remains in effect until the case is over or the Issuing Authority excuses the individual under Subpoena.

Trial Notice: A City Attorney document comparable to a Subpoena, whereas the same procedures and meanings apply as described for "Subpoena."

Appear: A directive on a Subpoena or Trial Notice ordering an individual to appear in court. The order to appear may be superseded by a notation or an oral directive of "Standby."

State Statute allows for modifications to be made to a Subpoena by the Issuing Authority.

Standby: An off-duty status in which an employee must:

- Be reachable by phone, cell phone or pager; and
- Be in court within one hour of such call

An employee who is on “Standby” is eligible for “Standby” compensation per individual labor agreement.

Subpoena or Trial Notice with a "Standby" Designation: A Subpoena or Trial Notice that specifies by notation that the employee is on “Standby.” This notation supersedes the order to appear for trial, and directs the employee to remain on “Standby” for the period stated on the Subpoena or Trial Notice. For example: Day 2 - 9:00 a.m. to 1:00 p.m. means that the employee is on standby the second day of the trial from 9:00 a.m. until 1:00 p.m. Days of trial normally exclude weekends and holidays. (See Standby Court Time).

Issuing Authority: Refers to the court, attorney, or representative of the court or attorney who has issued a Subpoena or Trial Notice with or without a “Standby” designation.

Direct Contact: In person or telephone communication between an individual delivering a message and an individual intended to receive the message (Does not include voice mail, or second party messages).

3-704 The Court Liaison Function

(12/28/01)

The Court Liaison function is housed in two locations. Court-related overtime involving civil cases are processed through the Court Liaison office located in the City Attorney’s Office, 300 Metropolitan Center. Court-related overtime involving criminal cases are processed through the Court Liaison office located in Room 210 ½, City Hall. Duties of Court Liaison personnel include:

- Distribution of Subpoenas and Trial Notices to precincts, units and divisions.
- Monitoring and coordinating court appearances.
- Approving all court and Civilian Review Authority-related overtime (Verification is required from the judiciary or Civilian Review Authority).
- Coordinating court “Standby” between MPD employees and attorneys.
- Reporting complaints or policy violations to an employee’s Commander.

3-705 Processing Subpoenas and Trial Notices

(12/28/01)

(A)

All Subpoenas and Trial Notices issued to MPD employees by the County and City Attorney's Office are processed by Court Liaison personnel and distributed to the appropriate precincts, units and divisions. Each precinct, unit and division is responsible for recording the receipt of all Subpoenas and Trial Notices on a Subpoena Log Sheet (MP-6806).

It is the supervisor's responsibility to ensure prompt and verifiable delivery of Subpoenas and Trial Notices to MPD employees. Supervisors shall deliver the Subpoenas and Trial Notices in person to the employee when the employee reports for work. If an employee is off, and will not return to work within five days, notification by direct phone contact is required (no voicemail messages, no second party messages). If the employee is contacted by phone, all pertinent information on the Subpoena or Trial Notice shall be relayed to the employee. The supervisor shall record current phone numbers where the employee may be reached, indicate that delivery was made by phone, initial and identify their employee number on the Subpoena or Trial Notice receipt. The supervisor shall then interoffice mail the receipt(s) to Court Liaison personnel within 24 hours. It may be appropriate to notify the Issuing Authority.

Upon receiving the Subpoena or Trial Notice, the employee shall make notation of current phone numbers, sign, date, and return the Subpoena or Trial Notice receipt to the serving supervisor. The serving supervisor shall then interoffice mail the receipt(s) to Court Liaison personnel within 24 hours.

If a Subpoena or Trial Notice is issued on short notice or the employee is off for an extended period of time (more than five working days), and will not return to work before the date of appearance, notification by direct phone contact is required (no voicemail messages, no second party messages). If the employee is contacted by phone, all pertinent information on the Subpoena or Trial Notice shall be relayed to the employee. The supervisor shall record current phone numbers where the employee may be reached, indicate that delivery was made by phone, initial and identify their employee number on the Subpoena or Trial Notice receipt. The supervisor shall then interoffice mail the receipt(s) to Court Liaison personnel within 24 hours. It may be appropriate to notify the Issuing Authority.

A supervisor may determine that a Subpoena or Trial Notice is "undeliverable" due to extended leave, hospitalization or other extenuating circumstances. The supervisor shall note such reason and the date the employee is expected to return to work on the Subpoena or Trial Notice and return it immediately to Court Liaison personnel.

Accelerated Subpoenas and Trial Notices such as juvenile cases or Drug Court shall be processed through Court Liaison personnel. Court Liaison personnel shall contact the employees involved or their supervisor. If the Subpoena or Trial Notice is deemed "undeliverable," it shall be returned immediately to the Court Liaison. It may be appropriate to notify the Issuing Authority by phone.

Requests for compensation, as a result of other court jurisdictions, (e.g., Federal and out-of-state court jurisdictions), must be sent to Court Liaison personnel along with a copy of the Subpoena. The

Subpoena must be signed by the attorney and must have the starting and ending time the employee was required to be in court or was placed on standby.

3-706 Subpoenas or Trial Notices – Employee Responsibility

(12/28/01)

(A-B)

Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing.

A Subpoena or Trial Notice is an order to appear in court. State Statute does allow the issuing authority to modify the order to appear. A notation or an oral directive of "Standby" is such a modification and supersedes the order to appear. (See section on "Definitions")

Upon direct receipt of a Subpoena or Trial Notice, the employee shall indicate on the receipt portion of the Subpoena or Trial Notice all current phone numbers, including cell phone and pager numbers where the employee may be contacted. The receipt shall then immediately be returned to the supervisor serving the Subpoena or Trial Notice.

If an employee receives notice of a Subpoena or Trial Notice through direct phone contact with a supervisor, the employee shall provide the required phone numbers to the supervisor. The supervisor shall complete the Subpoena or Trial Notice receipt for the employee and relay all pertinent court information on the Subpoena or Trial Notice to the employee. The Subpoena or Trial Notice shall then be placed in the employee's office mailbox for final delivery.

Upon receipt of a Subpoena or notification thereof, the employee must make direct contact with the court representative indicated on the Subpoena or that person’s designee. This is to determine any “Standby” period and to receive specific trial information. Contact shall be made during regular business hours on the first business day after receipt of the Subpoena.

If a conflict with the date of trial or specified standby period is known or arises, the employee shall notify the issuing authority during regular business hours on the first business day that the conflict is known to exist. Employees must obtain permission from the Issuing Authority to be excused from court or to make alternative arrangements.

Upon receipt of a Trial Notice, direct contact with a court representative is not required unless a known conflict exists.

3-707 Standby Court Time

(12/28/01)

(A-B)

Standby court time is time spent being available to proceed immediately to court for the purpose of testifying. Employees on “Standby” status must be available by telephone or pager and available to return the phone call/page within a 5-10 minute time frame. If notified to appear, employees on standby must appear in court within one hour.

The City and/or County Attorney or their designated representative will submit a completed Court/Standby Verification Form (MP-6105) to Court Liaison personnel for each employee that is to be placed on standby. Court Liaison personnel or a court representative may request an unsubpoenaed off-duty employee to appear or be on standby. An unsubpoenaed on-duty employee may be placed on standby.

Employees shall not request to be placed on standby, but should request that verification be sent to Court Liaison personnel if placed on standby.

Court Liaison personnel will maintain all Court/Standby Verification forms (MP-6105).

Normal standby status in the A.M. hours begins at 1000 hours and ends at 1200 hours. In the P.M., hours, standby begins at 1300 hours and ends at 1600 hours, unless the attorney or their representative notifies Court Liaison personnel of an extension or termination of standby and of any special circumstances. Standby hours will be stated on the subpoena. Any changes in standby hours will be relayed to the employee by Court Liaison personnel or court representatives.

Compensatory time for court standby will be credited per individual labor agreements.

3-708 Applying for Court-Related Overtime

(12/28/01)

(A)

Employees applying for court-related overtime shall enter the request into the MPD's electronic timekeeping application. The defendant's full name must be entered into the "comments" section of the request. The electronic request can only be approved by Court Liaison personnel.

Electronic overtime requests should be submitted within the pay period earned. The appropriate court-related "OT Code" must be entered. The "actual OT DATE" must be the date of the court appearance or standby. For court appearances, employees must submit a signed Subpoena, Trial Notice, Implied Consent Notice or Court/Standby Verification form (MP-6105) to Court Liaison personnel.

If an employee receives a Subpoena or Trial Notice and is called to court or is put on standby, he/she shall receive overtime as stated per individual labor agreement.

3-709 Overtime Policy for Office of Police Conduct Review, Internal Affairs and Police Federation

(12/28/01) (12/14/07) (05/03/13)

A. When a sworn employee receives notice to meet with the Office of Police Conduct Review (OPCR), Internal Affairs Unit (IAU) or the Police Officers Federation of Minneapolis (POFM) in conjunction with an investigation, the sworn employee shall schedule such appointments during their normal work hours on a day that they are scheduled to work. (05/03/13)

B. Mid-watch employees shall schedule their appointments at the beginning of their shift.

C. Night-watch employees shall schedule their appointments to immediately follow the end of their scheduled shift and code the time entry as an extension of shift.

3-710 Complaint Signing, Depositions, Prolonged Trial Appearances , etc.

(12/28/01)

Commanders are responsible for arranging to have complaints signed, depositions given, etc., during an employee's work hours whenever possible. Court Liaison personnel will review and approve requests for overtime due to complaint signing, depositions, etc. A copy of the signed complaint or written authorization from the employee's supervisor must be provided to Court Liaison. (10/04/90)

3-711 Overtime for Off-Duty Telephone Calls

(12/28/01)

(A)

Employees who must conduct police-related business over the telephone while off-duty will be granted overtime providing they abide by the following standards:

1. Employees shall conduct all telephone business during work hours whenever possible. Only calls that cannot be made or received during normal work hours because of emergency or exigent circumstances will be considered legitimate for granting overtime. Requests for overtime for calls that could have reasonably been made or received while at work or for calls that were not an absolute business necessity will be denied.

2. When court-related business is conducted off-duty and according to the above provisions, employees must record and submit to Court Liaison personnel the following:

    - Time the conversation started and ended;
    - Name of the person with whom they were speaking;
    - Subject matter of the conversation;
    - Phone number of the person with whom the business was conducted;
    - Supervisor's confirmation and approval

    Confirmation of all the above facts will be required before any overtime is granted.

    Overtime will be accrued according to the following rules:

    - No overtime will be granted for calls less than or equal to 15 minutes.
    - Straight time will be granted for business-related calls that exceed 15 minutes.

3-712 Employees Late or Failing to Appear for Court

(12/28/01)

(A-B)

Court Liaison personnel monitor court appearances and case dispositions for the MPD. Employees unable to attend court for legitimate reasons shall notify the agency issuing the Subpoena or Trial Notice on the first business day the conflict is known to exist. Unacceptable absences may include, but are not limited to, off-duty employment, local training, or childcare issues.

Unexcused tardiness or absences from court appearances that result in the dismissal of a case or generate a written complaint will be documented on a Policy and Procedure Inquiry (PPI) and forwarded to the employee's Commander.

Court Liaison personnel will not issue any court-related overtime to employees late for court if the case has been dismissed due to the employee's tardiness.

3-713 Testifying for the Defense and Witness Fees

(12/28/01)

(A-B)

Employees testifying for the defense in a civil trial against the City of Minneapolis, the MPD, or in another jurisdiction shall notify their commander in writing upon receipt of the Subpoena.

Employees shall not accept witness fees, stipends or remuneration for any court-related event, statement, or interview occurring during City-compensated time. Non-government agencies, such as law firms and insurance companies, wishing to interview an employee concerning events they were involved in relating to the scope of their employment, shall schedule the interview by notifying his/her supervisor and scheduling the interview during work hours.

When giving a statement or testifying in litigation cases not involving the City of Minneapolis, while on City time, a fee of $150.00 per employee, payable to the City of Minneapolis, shall be charged to the non-government entity per session. The non-government agency requesting the interview shall be informed of the fee prior to the interview and that payment is due at the time of the interview. Employees shall send the payment received to MPD Finance with a memo noting the date and reason for the payment, including the case number if applicable. (08/26/05)

While off-duty, and for incidents *not* involving the City of Minneapolis, employees may retain witness fees or compensation from outside agencies for any statements or testimony given. (08/26/05)

3-714 Court Parking and Validation

(12/28/01) (08/27/14)

All officers appearing for court who wish to have their parking validated, shall park at the HAAF RAMP located at 424 4th Street South.

1. Upon entry to the **Haaf Ramp** you will receive a parking ticket stub.

2. Bring the parking ticket stub to Room 108 – CID at City Hall for validation **before** court to obtain a parking pay ticket.

3. When exiting the parking ramp, insert the original parking ticket stub, then insert your pay ticket to exit the ramp.

Note that if you are scheduled to appear in court in the afternoon allow time to go to Room 108 prior to court to obtain parking validation, the front desk to Room 108 is manned only from 0800-1600.

3-715 Timeliness of Overtime Entry

(06/27/22)

A. Entry at End of Shift

All overtime entries shall be submitted into the MPD timekeeping system at the end of the shift, prior to departing, subject to the exceptions below.

B. Entry at Start of Next Shift

1. When an employee works overtime off-site (without visiting their work location) and does not have access to the MPD timekeeping system, the overtime entries shall be submitted into the MPD timekeeping system at the beginning of the employee's next shift. Examples include:

    - Court-related and attorney consultation overtime,
    - Off-duty phone calls (P&P 3-711),
    - On-call hours, and
    - Time to provide statements to the Office of Police Conduct Review or Internal Affairs.

2. When an employee needs to submit entries for additional compensation or premiums such as FTO additional compensation or Canine Maintenance Premiums, the entries shall be submitted into the MPD timekeeping system prior to or at the beginning of the employee's next shift.

3-801 Off-Duty Employment

(05/09/00) (07/25/01) (03/07/03) (06/10/03) (04/23/04) (02/10/06) (05/16/12) (08/18/17) (04/20/25)

(A-D)

I. Purpose

To provide employees with information related to policy rules and regulations for off-duty employment.

II. Policy

Minneapolis Police Department employees who work off-duty are subject to the rules, regulations, ordinances, and the policies and procedures of the City of Minneapolis and Minneapolis Police Department.

In all cases of off-duty employment the primary duty, obligation, and responsibility of an employee is to the City of Minneapolis and the MPD. This policy applies to all off-duty employment.

The term "officer" is used generically in this document and does not assume a level of rank, such as Patrol Officer. For the purpose of this policy, the term "officer" applies to a sworn employee working in a capacity relating to their status as a law enforcement officer.

The term "employee" refers to all employees whether sworn or civilian, working off-duty in a civilian capacity.

Nothing in this policy provides a guarantee of off-duty employment to any employee.

All off-duty approvals expire on December 31st of each calendar year. Approval requests must be submitted annually.

III. Rules/Regulations/Procedures

A. General Policies

1. All MPD employees who pursue off-duty employment must apply for and receive approval, before the off-duty employment commences. Unpaid/volunteer positions do not require completion of the Off Duty/Employer Site Approval Request Form.

2. If more than one officer is working at an off-duty job site, the senior officer present at the job site is responsible for compliance with City and MPD rules and regulations by all officers working off duty at that job site.

3. If a complaint is received about the conduct of an officer working an off-duty job, the supervisor who received the complaint will follow MPD policy and procedure in investigating the complaint. On-duty supervisors may do periodic inspections of officers working at off-duty employment sites.

4. Employees shall adhere to all local, state and federal tax laws and revenue agency income reporting requirements.

5. The official blue police uniform, worn in conformity with MPD rules and regulations, is authorized for use in off-duty employment within the City limits if the officer is able to work in uniform for the MPD.

6. Use of the official blue uniform in off-duty employment outside the city limits must be pre-approved by the Chief or the Assistant Chief.

7. Officers needing to wear plain clothes for off-duty employment shall obtain permission from the employee's precinct or division commander. A notation shall be made in the comments section on the officer's off-duty application that states the reason for the officer to be dressed in plain clothes.

8. The following circumstances may be grounds for suspending, denying or revoking permission to work off-duty:

    a. Performance of outside employment while on duty;

    b. The off-duty work interferes or conflicts with MPD duties or availability for emergency duty;

    c. When an employee’s ability to perform his/her duties for the MPD is impaired due to his/her off-duty employment;

    d. Failure to adhere to the call sign/radio usage policy;

    e. Failure to file an off-duty employment application; and/or

    f. As part of disciplinary action where off-duty employment is related to the finding.

9. Off-duty officers working at an approved off-duty employment site shall immediately send written notice to the Chief or Assistant Chief if a labor dispute should occur.

    a. The written notice shall contain the location at which the officer is working and the duties required of that officer. Each case will be reviewed by Police Administration for conflicts of interest.

b. Off-duty employment approval may be suspended for the duration of the labor dispute.

10. Officers may generally be allowed to only use marked squads for off-duty employment. Unmarked squads will not be used for off-duty employment without permission from the precinct commander.

    a. Permission to use a marked squad for off-duty employment shall be obtained from an on-duty supervisor in the precinct/command from where the marked squad is taken.

    b. All units/divisions permitting use of marked squads shall maintain a sign-out log. The sign-out log will include the officer's name, badge number, hours of off-duty employment and the site name and location of the off-duty work site.

    c. The use of a marked squad for off-duty employment outside of the City limits must be approved by the Chief or the Assistant Chief.

11. Officers with marked squads at off-duty work sites shall:

    a. Notify MECC of their work-site location and receive a "call sign" number if one has not already been permanently assigned to that work site;

    b. Be in full uniform while in possession of a squad;

    c. Transport all property, prisoners or other individuals for law-enforcement purposes;

    d. Ensure that all squad usage is law-enforcement related;

    e. Park the squad in a legal and visible location; and

    f. Comply with MPD Policy & Procedure Section 4-402 Vehicle Idling.

12. Officers working off-duty employment shall contact the on-duty supervisory staff of the precinct where they are performing their off-duty employment for probable cause authorization.

13. Officers working off-duty employment within the City of Minneapolis will handle police calls that are brought to their attention while working off duty, as they would if they were working on duty.

14. All reports shall be completed during the off-duty employment in which the incident occurred, and submitted for supervisory review and signature in the precinct where the off-duty site is located.

15. Compensation for arrests or work occurring during or resulting from the off-duty shift, including all travel time, shall be paid for by the off-duty employer if the arrest or work involve only the off-duty employees.

16. Officers working off-duty shall not intentionally seek assistance from on-duty MPD staff when not needed or take unnecessary action in an attempt to create a claim for compensation payable by the MPD.

17. The following provisions apply when an employee working off-duty is directed by MPD to act or otherwise becomes engaged in activities unique to law enforcement thereby qualifying for compensation from MPD:

    a. Compensation shall be paid on an hour for hour basis at the rate specified in the Labor Agreement. However, the call-back minimum provisions of the Labor Agreement shall not apply.

    b. Officers shall note in the comments section of the overtime entry in Workforce Director, the name of the off-duty site/employer and the shift hours that the officer was scheduled to work for the off-duty employer. Overtime entries not containing this information shall be rejected by the officer's Supervisor.

    c. Employees shall take appropriate action so that they are not compensated by the off-duty employer for the same hours for which they are compensated by MPD. This does not apply to standby hours.

18. The provisions of paragraph 17, above, also apply to arrests and paperwork that result from an arrest made by an officer when not on duty or while working an off-duty job. Officers shall note in the comments section of the off-duty entry in Workforce Director, the case control number from the arrest and the type of arrest (misdemeanor/felony). Overtime entries not containing this information shall be rejected by the officer's Supervisor.

19. Portable radios shall not be used for off-duty employment outside the City of Minneapolis without the prior permission of the Chief or Assistant Chief.

20. Officers working off-duty within the City of Minneapolis shall contact Channel 7 and provide their name, badge number, hours of off-duty employment, location of the off-duty work site and obtain off-duty call sign. Channel 7 maintains list of call signs for specific off-duty locations and those assigned call signs shall be used.

21. If the off-duty employment is at a location that does not have a permanent call sign, Channel 7 will assign a temporary call sign for that location.

22. All officers shall contact Channel 7 at the end of their off-duty shift to log off.

23. An officer working off-duty shall preface radio transmissions with "OFF-DUTY" followed by the call sign.

B. Application & Approval Process

1. To apply for off-duty employment approval employees must submit an electronic application through the Workforce Director system for each job site, including off-duty employment that is not scheduled at the precinct, but is paid on the employee's City paycheck (i.e. Detox Van, Park Board, or other City departments, etc.). Incomplete applications will not be approved.

2. Off-duty employment applications shall be submitted at least 72 hours in advance to allow for review and approval by the employee's supervisor before the off-duty employment commences.

    a. Applications received less than 72 hours in advance of off-duty employment may be approved verbally or via email by the employee's precinct/division commander.

    b. The employee shall enter the request into Workforce Director during their next regularly scheduled shift for MPD, noting in the comments section the date and from whom they received approval to work the off-duty job.

3. The applicant's immediate supervisor shall review each application and make recommendations for approval or denial based on criteria in this policy. The applicant's precinct commander, or in the case of civilian employees, the employee's supervisor, shall make the final determination of eligibility for off-duty employment, with the following exceptions:

    a. Any employee applying to work for another law enforcement agency; or

    b. An officer applying to work outside the City of Minneapolis.

4. The Chief or the Chief's designee shall approve applications for an employee to work off-duty for other law enforcement agencies and for an officer to work off-duty outside the City of Minneapolis, prior to such off-duty employment commencing.

    a. An employee shall not be approved to work for another law enforcement agency unless such agency has entered into a standard defense and indemnification agreement ("agreement") with the City of Minneapolis.

    b. Agreements must be signed by the employee, the MPD and the other agency and submitted to Research & Policy Development.

    c. Requests to deviate from the standard defense and indemnification agreement language should be forwarded to Research & Policy Development for review and approval by the City Attorney's Office.

    d. Employees are not authorized to enter into any other agreements that obligate the City of Minneapolis.

5. If an application is denied, the applicant has the right to appeal the decision through their chain of command.

C. Employer / Site Approval Requests

1. Employees are prohibited from entering any new employer/sites in Workforce Director.

2. Establishment of new employer/sites on the master list of approved employer/sites in Workforce Director will be done by authorized Research & Policy Development personnel.

3. Employees shall complete MPD form #MP-9067 (Request for off-duty employer/site approval) and submit to Research & Policy Development for approval and entry into Workforce Director. Incomplete forms will not be processed.

4. An MPD contact person must be designated for each off-duty employer/site employing officers within the City of Minneapolis. Only persons employed by the MPD in a sworn position may serve as an MPD contact person. Exceptions to the MPD contact requirement will be handled on a case by case basis.

5. The responsibilities of the MPD contact person include but are not limited to:

   a. Scheduling officers who have received approval to work at the off-duty site.

   b. Maintaining a list of employees approved to work at the site.

   c. Serve as a liaison between the MPD and off-duty employer/site.

   d. If serving as the Contact Person for an off-duty job that is related to a large-scale event for which the MPD may prepare an Incident Action Plan (IAP), the Contact Person shall communicate with the Precinct Commander of the precinct where the event will take place at least 72 hours prior to the event. Time spent communicating with the Precinct Commander and coordinating planning shall be compensated by the off-duty employer unless prior approval is given by the MPD for payment by the MPD.

   e. There will be no brokering of officers. For example, no officer may gain remuneration by the work of another officer. However, the MPD contact person responsible for scheduling officers to work may receive additional pay from the off-duty employer for that service at the employer's discretion, as long as it is not paid from a portion or percentage of another officers' wages. An officer's contract/agreement to work an off-duty job must be directly with the off-duty employer and not with another officer.

D. Restrictions and Prohibitions

1. Officers are subject to supervision by the precinct in which they are working and are subject to inspection.

2. Officers working off-duty in uniform, or in a capacity so as to be readily identified as a Minneapolis police officer, shall not consume alcoholic beverages while so employed.

3. All employees are prohibited from working off-duty under the following conditions:

   a. For any business that is not compatible with police work; (i.e., bartending, rave gatherings, repossession work; any establishment that provides adult entertainment in the form of nude, semi-nude or topless exhibitions).

   b. If the employment requires the officer to wear a uniform and the employee is not authorized to work in uniform for the MPD.

   c. If the employment requires the officer to carry a firearm and the officer: is not authorized to carry a firearm; is on non-enforcement duty assignment; is on suspension or administrative leave; has failed to successfully complete required training or qualification with department-authorized firearms.

   d. While on limited duty (unless the Chief or Assistant Chief grants permission).

   e. While on a leave of absence, unless allowed under the Labor Agreement.

   f. While on sick leave or IOD status.

   g. For an employer who wishes to have an off-duty officer assist in a labor dispute or strike.

   h. Where the nature of the off-duty engagement constitutes a conflict of interest with the employee's duties for the MPD.

   i. Employment as a private investigator without a private investigator license.

4. Within the City of Minneapolis, officers are allowed to work at establishments, events or other premises where alcoholic beverages of any kind are served subject to the following conditions:

   a. A minimum of two off-duty officers shall be working unless the precinct commander has determined a different minimum for a specific establishment.

   b. The job site of off-duty officers is limited to the exterior of the establishment.

   c. Off-duty officers shall not work in the capacity as a bouncer or screen patrons for admission or exclusion from the establishment.

d. Off-duty officers shall not enter the establishment except to respond to an emergency situation or to use the rest room.

5. If an employee exceeds 64 hours of work (on and off-duty combined) in a 7-day period, the employee shall notify their Precinct/Division Commander. The 7-day period is defined as beginning on Sunday at 0000 hours and ending on Saturday at 2400 hours.

6. Probationary employees are prohibited from off-duty employment unless the specific job site is approved by a bureau head for probationary employees to work off duty. This includes Park Police "Extra-Duty" jobs. (08/18/17).

7. Employees shall not submit time documents to the City or an off-duty employer that will result in being paid by more than one employer for the same time period. This does not apply to standby hours.

8. Employees shall report all off-duty income to all local, state and federal tax or revenue agencies and shall pay the applicable taxes on all off-duty income. Payment for off-duty work shall be made in an appropriate and private manner to avoid any perception of impropriety.

3-802 Off-duty Timekeeping

(08/01/23)

A. Entry of hours required

Employees shall enter all hours of off-duty employment into Workforce Director for all paid or unpaid work in an MPD uniform or in a law enforcement capacity. This includes:

- Work in an MPD uniform.
- Work in a plainclothes law enforcement capacity.
- Work for another law enforcement agency in a law enforcement capacity.

B. Required information

Entries shall be coded POD and shall include the following information:

- Date and beginning and end time of the off-duty employment
- Name of the off-duty site
- Address of the off-duty site
- The squad number for any marked squad that was used, or the P# if an unmarked vehicle is used (when applicable)
- Call sign

C. Entry timing

Entries for planned off-duty shifts shall be recorded as soon as the shifts are known, and at least 72 hours prior to the start of the planned off-duty shift.

1. Any necessary adjustments shall be made by the start of the next on-duty shift.

2. If the off-duty shift was unplanned or was scheduled within 72 hours of the off-duty shift, the entry shall be made by the start of the next on-duty shift.

D. No overtime for entry

Overtime shall not be accrued for entering off-duty hours.

E. Failure to Adhere

MPD may deny or revoke permission for any off-duty employment for violations of this policy, in accordance with P&P 3-801.

3-901 Funeral Details
(03/20/02)

The MPD may provide department representation in the event of a death of an MPD officer, a retired MPD officer, or an officer from another jurisdiction if requested. The family's wishes will be followed whenever possible. (03/28/05)

Duty assignments for funerals are announced through a Personnel Order. If there is a time concern, commanders/supervisors/officers will be contacted by phone. Instructions from other agencies, if received, are not to be considered official MPD orders and should be referred back to Administration.

Only MPD officers assigned to funeral details will be allowed on-duty or compensatory time for funeral details. (03/28/05)

The MPD does not provide representation for other funerals, including, but not limited to, family members of current employees, other City employees or citizens.

3-901.01 Funeral Details – Current MPD Officers – Line of Duty Death
(03/28/05)

In the event of a line-of-duty death of an MPD officer, the Honor Guard Commander or his/her designee shall be notified immediately to coordinate the funeral detail. The family's wishes will be followed whenever possible.

Personnel from the Police Assistance Program will coordinate counseling and other assistance to the family and members of the MPD as needed.

The Honor Guard Commander or his/her designee will determine the proper protocol.

3-901.02 Funeral Details – Current MPD Officers
(03/20/02)

In the event of the death of a current MPD officer, the Honor Guard Commander or his/her designee will coordinate the funeral detail. The family's wishes will be followed whenever possible. (03/28/05)

Personnel from the Police Assistance Program will coordinate counseling and other assistance to the family and members of the MPD as needed.

The Honor Guard Commander or his/her designee will determine the proper protocol. (03/28/05)

3-901.03 Funeral Details – Retired MPD Officers

(03/20/02)

In the event of the death of a retired MPD officer, a funeral detail may be assigned, if requested by the family and the funeral service is held locally.

The Honor Guard Commander or his/her designee will coordinate the funeral detail, including contacting the family or funeral director for information. The Honor Guard Commander or his/her designee shall contact the MPD Training Unit to obtain a personnel number and is responsible for issuing the Personnel Order (MPD-3154). A copy of the Personnel Order must be forwarded to the appropriate personnel involved, Administration, MPD Human Resources, and the Training Unit. (03/28/05)

If the Honor Guard is unavailable, the MPD will generally detail a one-officer squad from each precinct. The precinct in which the funeral service will be held will usually be asked to provide a supervisor for the detail. If the family requests officers as pallbearers, six officers will be detailed.

3-901.04 Funeral Details – Other

(03/20/02)

In the event of an on-duty death of an officer or local official from another jurisdiction, the Deputy Chief of the Central Services Bureau or his/her designee shall coordinate duty assignments with the Honor Guard Commander or his/her designee. (03/28/05)

Generally, two officers from the Honor Guard will be assigned to these funeral details to represent the MPD.

3-902 Funeral Information – General Announcements

(03/20/02)

Personnel Orders involving funeral notices will only be issued when assigning personnel to funeral details.

Administrative Announcements or "All MPD" email messages may be issued/sent informing MPD employees of deaths of family members, retired MPD employees, and officers from other jurisdictions, etc., as employees may wish to express their sympathy to the family. Issuing an informational funeral Administrative Announcement or email message will be up to individual commanders. (03/28/05)

3-903 Honor Guard
(03/20/02)

The Honor Guard will represent the Minneapolis Police Department as requested by the Chief of Police. Funeral details will be their primary duty.

The commander of the Honor Guard is responsible for coordinating the selection, training and scheduling of Honor Guard personnel. The commander or his/her designee shall also have the overall responsibility for coordinating other MPD activities related to their assigned details. (03/28/05)

Honor Guard officers must wear the full Honor Guard uniform for all official Honor Guard details.

3-904 Color Guard
(03/20/02)

Requests for the Color Guard must be made in writing to the Chief of Police. If approved, the commander of the Color Guard will coordinate the Color Guard detail.

The Color Guard may be used for line-of-duty deaths of MPD officers. (03/28/05)

3-905 Police Band
(03/20/02)

Requests for the Police Band must be made in writing to the Chief of Police. If approved, the Bandmaster will coordinate the Police Band detail.

3-906 Drills and Ceremonies
(03/20/02)

Officers assembling into ranks for drills or ceremonies shall arrange themselves according to height so that the tallest officers occupy the right of each line. Division of rank will be by line with the highest rank to the front of the assembly. When closing uneven lines, the officers of higher rank shall be to the left of the line.

If the Honor Guard is present, they will coordinate the drill or ceremony. The Honor Guard may be contacted for general advice.

3-1001 Drug and Alcohol Testing Roles

(04/22/09) (04/05/16) (03/30/17)

I. Purpose

A. The purpose of this section is to define the roles in drug and alcohol testing of Minneapolis Police Department employees.

B. The scope of MPD drug and alcohol testing of employees is strictly for employment purposes under applicable labor agreements and City policy.

II. Provisions

A. Minneapolis Police Department employees are subject to the drug and alcohol testing policies found in the employees' respective union labor agreements. Employees not represented by a labor union are subject to the City of Minneapolis' Drug and Alcohol Testing Policy.

B. Drug and alcohol counseling, rehabilitation, and employee assistance are available from or through the City's Employee Assistance Program (E.A.P.) or the MPD's Employee Resource Program (E.R.P). (7/11/05)

C. All sample collection and testing shall be performed by a Collector from the designated clinic(s) on the Designated Clinic List.

1. If the Employee is at a facility such as an emergency room for care, the sample collection shall still be processed by the designated clinic. If the offsite facility refuses to allow for the transfer of the sample, contact the Commander of Internal Affairs or the Deputy Chief of Professional Standards.

III. Definitions

Applicable/ Respective Drug and Alcohol Policy: Drug and alcohol testing policies for Minneapolis Police Department employees are found in the employees' respective union labor agreements. Employees not represented by a labor union are subject to the City of Minneapolis' Drug and Alcohol Testing Policy.

Collector: The certified forensic specimen collector who is an authorized representative of the designated clinic, who shall perform the drug and alcohol testing sample collection.

Designated Clinic: All sample collection and testing shall be performed by a Collector from the designated clinic(s) on the Designated Clinic List.

Escort: The employee assigned to accompany the subject of testing.

Non-Witnessed Collection: The collection of the testing sample shall not be witnessed by the Collector or Escort, or by any person other than subject Employee.

IV. Roles

A. Supervisor

1. The supervisor shall notify the Internal Affairs Unit (IAU) immediately by phone if drug and alcohol testing is to occur, if the supervisor would like to initiate testing, or if the supervisor isn't sure whether or not to test.

2. The supervisor will take further direction from Internal Affairs as needed.

B. Internal Affairs

In the event of drug and alcohol testing, the IAU Commander or his or her designee shall:

1. Review the Drug and Alcohol Testing policy language from the appropriate labor agreement or City Policy.

2. Determine if Reasonable Suspicion exists as outlined by the Drug and Alcohol Testing-Establishing Reasonable Suspicion Checklist (MP-9052).

3. Provide the Employee a copy of their respective Drug and Alcohol Policy.

4. Request that the Employee sign the Drug and Alcohol Testing - Notification and Consent form (MP-9050).

    a. The Consent form must be signed before proceeding. Employees have the right to refuse to undergo drug or alcohol testing requested or required by the Employer, subject to disciplinary action as outlined in their respective Drug and Alcohol Policy.

    b. If the Employee refuses to sign the form, no such test shall be given.

5. Assign an Escort to transport the Employee to the collection site and remain with the Employee until the Collector arrives.

6. Notify the Employee of his/her test results, whether positive or negative.

C. Escort

The Escort accompanies the Employee and ensures the Employee does not compromise his or her ability to provide a valid test sample by eating, drinking, smoking or using the restroom before the Collector arrives.

D. Employee

1. The Employee has the right to refuse to undergo drug or alcohol testing requested or required by the Employer, subject to disciplinary action as outlined in their respective Drug and Alcohol Policy.

2. If the Employee consents to testing, the Employee shall not compromise his or her ability to provide a valid test sample by eating, drinking, smoking or using the restroom before the Collector arrives.

E. Collector

Upon arrival, the Collector will be the official in charge of the collection and custody of the test sample.

4-101 Roll Call Requirements

(05/23/02)

(A)

Commanders of all precincts, units and divisions shall ensure that roll calls are conducted at the beginning of each shift within their commands. Precinct roll calls should be brief and informative preparatory sessions, geared to getting the officers out on patrol quickly. There must be at least one squad working the street during roll call. The officers in that squad can receive the roll call information later in their shift.

Formal roll call may not be practical for small divisions or units. In such instances, information may be presented in a less formal manner, however, employees are still responsible for knowing and understanding MPD orders and communications.

4-102 Roll Call Procedures

(05/23/02)

(A)

Commanders shall establish the work hours for shifts under their commands in accordance with existing labor contracts, subject to review by MPD Administration. Commanders of uniform officers shall ensure that staffing levels on Friday and Saturday Night Watch exceed weekday levels for both officers and supervisors. Officers shall report to roll call at the time and place specified in full uniform, if applicable, and properly equipped for immediate duty.

Normally only one supervisor will come in early in order to gather materials and information to be presented during roll call. The remaining supervisors will work the regular shift hours to ensure coverage by a supervisor throughout that shift. The times in which a supervisor will report for roll call preparation shall be established by the appropriate commander.

Roll calls will include taking attendance and listing the duties of each officer assigned to the shift. Newly-issued MPD orders or communications will be read as well as any other information deemed important by supervisors. Training materials and/or inspections may also be part of roll call.

4-103 Inspections - Vehicles

(A-C)

Patrol vehicles shall be inspected before each watch by the officer using the vehicle. Officers must check for missing equipment and defects to the vehicle. Defects to a squad or unmarked vehicle shall be reported by the inspecting officer as follows:

1. Damage that may have resulted from an accident shall be immediately reported to the supervisor, who shall ensure that the proper procedure for reporting an accident involving police vehicles is followed. The inspecting officer shall also document the damage on the Daily Activity Report (MP-3006) and have it signed by the supervisor.

2. Minor problems or damage (i.e., a squeak or dome light out) shall be recorded by the inspecting officer on the Equipment Work Order Log (MP-5400) found in each vehicle. This type of damage will be fixed during the vehicle's regularly scheduled maintenance day.

3. Problems or damage to a vehicle that potentially threatens officer safety (i.e., headlight or siren out, radio not working, etc.) should be recorded by the inspecting officer on the Equipment Work Order Log and reported to the supervisor immediately. The supervisor shall assign a replacement vehicle and arrange for the damaged vehicle to be taken to the Royalston Maintenance Facility for repairs.

A supervisor from each precinct shall inspect the squads assigned to that precinct once a week during the Day Watch. This inspection shall include checking the oil level in each vehicle and filling if necessary. The inspection shall be documented on the vehicle section of the Personnel/Vehicle Inspection form (MP-6478). The completed inspection report shall be given to the commander who is responsible for ensuring that deficiencies are corrected. Completed inspection reports will be kept on file at each precinct according to the City's records retention schedule.

Investigative division commanders or their designees shall conduct monthly inspections of all unmarked and undercover vehicles assigned to their command. This inspection shall include checking the oil level in each vehicle and filling if necessary. The inspection results shall be reported on the vehicle section of the Personnel/Facility Inspection sheet and kept on file in the investigative division's office according to the City's records retention schedule.

4-103.01 Inspection of Precinct Incident Command Vehicles

(11/06/07)

Each Precinct will be assigned a specially equipped SUV intended to be the primary Precinct Incident Command Vehicle. This vehicle will be the primary Incident Command Post on major incidents in the precincts, facilitating the use of the Incident Command System (ICS) and the National Incident Management System (NIMS). This vehicle shall be staffed by a supervisor and on patrol 24 hours a day, 7 days a week. The vehicle will be equipped to sustain a precinct-level incident and is intended to be used as a tool to direct an operation until command and control can be transitioned to Mobile Command One personnel if necessary.

The Precinct Incident Command Vehicle shall be inspected before each watch by the supervisor using the vehicle. Supervisors must check for missing equipment and defects to the vehicle. Physical defects to the Precinct Incident Command Vehicle shall be reported by the inspecting supervisor as per policy. Missing or damaged equipment shall be reported to the Lieutenant in charge of the MPD Homeland Security Unit by email as soon as discovered.

A supervisor from each precinct shall inspect the Precinct Incident Command Vehicle assigned to that precinct once a week during Day Watch. This inspection shall include checking the oil level in each vehicle and filling if necessary. The inspection shall be documented on the vehicle section of the Precinct Incident Command Vehicle Inspection form (MP-9033). The completed inspection report shall be sent to the Lieutenant in charge of the MPD Homeland Security Unit as soon as possible by way of inter-department mail. Completed inspection reports will be kept on file at the MPD Homeland Security Unit according to the City's records retention schedule.

4-103.02 Inspection of Vehicles Used for Transport

(05/23/02)

All vehicles used for transports shall be inspected before and after each transport to ensure that no contraband or other items are present. This includes, but is not limited to, prisoners and persons in crisis transports.

4-104 Equipment Required in Vehicles

(05/23/02)

(A)

Officers shall inspect the equipment kept in their squad. Each patrol squad is required to carry the following:

- One shotgun with chamber empty, trigger pulled, safety off, magazine loaded with four rounds of 00 buck and taped around forearm, dated and initialed
- One blanket
- One first-aid kit (fully stocked)
- A supply of latex gloves

Some replacement supplies are available at each precinct. Otherwise, supplies can be obtained from the MPD Supply Room.

Patrol sergeants' and lieutenants' vehicles are required to carry the following equipment in their vehicles:

- One shotgun with chamber empty, trigger pulled, safety off, magazine loaded with four rounds of 00 Buck and taped around forearm, dated and initialed
- One first aid kit (fully stocked)
- One blanket
- Two dozen plastic handcuffs
- Two rolls of police line tape
- Three traffic cones
- 100 feet of yellow poly rope
- Two dozen flares
- One 10 lb. sledge hammer
- One pry bar

- One pair bolt cutters
- A supply of latex gloves
- A supply of plastic evidence bags (assorted sizes)
- Two reflective vests

Special purpose vehicles (i.e., accident investigation cars) are required to carry other specialized equipment specified by their Commander.

4-104.01 Equipment Required in Precinct Command Vehicles

(11/06/07)

In addition to the equipment listed as required in Patrol Sergeants vehicles, the Precinct Incident Command Vehicles shall be equipped with the following specialty equipment:

- One Tac Center storage console with magnetic dry erase board and weapon armory drawer
- One Sony DVD Camcorder in protective case
- One Blackhawk Tactical Entry Kit, to include:
- One bolt cutter
- One CQB ram
- One Hallagan tool
- One ThunderMaul hammer
- One backpack carrier
- One QuickStep collapsible ladder in case
- One ITT Gen. 3 Night vision monocular in protective case
- One pair of Steiner binoculars in protective case
- One Krestel Weather Tracker device in protective case
- One 1000 watt portable lighting system with tripod
- One 100’ extension cord
- Ten spare mini DVDs
- 4 rolls of crime scene tape
- 20 spare AAA batteries
- Assorted dry erase markers
- One dry erase eraser
- Five disposable cameras
- Two large canisters of OC spray
- Five spare gas mask filters
- RECOMMENDED EQUIPMENT INCLUDES SPARE AMMUNITION IN QUANTITIES LISTED ON PRECINCT INCIDENT COMMAND INSPECTION FORM. As this is to be budgeted by the individual precinct, it is at the discretion of the Precinct Commander.

Some replacement supplies are available at each precinct. Otherwise, supplies can be ordered from the MPD Supply Room. Requests for replacement of missing or damaged specialty

equipment must also go through the Precinct Commander and MPD Supply Room. MPD Homeland Security will not supply replacement specialty equipment as they were grant purchases.

4-105 Inspections – Sworn Personnel

(05/23/02)

(A)

Supervisors at each precinct and division shall inspect weekly, all personnel assigned to their shift or unit, to ensure compliance with MPD regulations governing appearance, uniforms, and equipment. (11/06/07) (02/08/13)

Sworn employees not in compliance with regulations shall be listed on the personnel section of the Personnel/Vehicle Inspection form (MP-6478), which shall be forwarded to the commander and retained at the precinct or division according to the City's record retention schedule. (11/06/07)

4-105.02 Homeland Security Equipment Inspection

(11/06/07)

Supervisors at each precinct and division shall inspect weekly, all personnel assigned to their shift or unit to ensure that they are in possession of and deploying daily with them in their squads, their issued Homeland Security Personal Protective Equipment (PPE).

Inspecting patrol supervisors must verify that each officer is carrying the PPE issued by the Homeland Security Unit as stated on the Homeland Security Equipment Issuance Weekly Inspection Form (MP-9034). Missing or damaged equipment will be reported to the Lieutenant in charge of the MPD Homeland Security Unit by email as soon as discovered. The officer will be required to fill out a CAPRS report documenting the missing equipment.

Officers not in compliance shall be listed on the personnel section of the Homeland Security Equipment Issuance Weekly Inspection Form (MP-9034), which shall be forwarded to the Lieutenant in charge of the MPD Homeland Security Unit as soon as possible by way of inter-department mail. Completed inspection reports will be kept on file at the MPD Homeland Security Unit according to the City's records retention schedule.

4-106 Ammunition

(05/23/02)

(A)

Extra supplies of .38 Special, 9mm Parabellum, .45 Caliber, and 00 Buckshot gun ammunition shall be retained in a safe and secure place within each precinct. This ammunition shall be accessible to the shift lieutenants and sergeants for use if necessary. It is critical that this ammunition is stored in a locked and temperature controlled location.

4-201 Equipment & Supply Responsibility
(08/13/02)

The Operations Development Unit shall have overall responsibility for MPD Stores. MPD Stores is responsible for:

- Ordering supplies and maintaining inventory;
- Distribution of supplies and equipment;
- Ordering and supplying facility keys (Commanders are responsible for issuing and controlling keys within their command);
- Requests for department-issued radios, cell phones and pagers;
- Evaluating requests for repairs or replacement of department-issued equipment and/or supplies.

Commanders shall be responsible for their respective inventories. The Chief's Administrative Assistant shall be responsible for the items assigned to the administrative offices. Whenever the following conditions occur, MPD Finance shall be notified using the Inventory Transfer Form (MP-8000):

- When equipment is physically moved from one precinct, unit or division to another;
- When new or used equipment is received as either a donation or gift;
- When there is a change in the physical inventory requiring alterations of records.

Precincts, units or divisions wishing to dispose of equipment that no longer meets their needs shall refer to the City's intranet site and refer to "Procedure for Disposal of Surplus Equipment" listed under "Policies Maintained by Contract Management."

In addition, commanders are to provide MPD Finance with a written explanation of any items listed on an inventory, but not located at the time of a physical inventory.

4-201.01 Marking Equipment
(07/19/07)

All MPD purchased equipment shall be marked with the full Minneapolis Police designation before issue/use. Markings may include Mpls Police or MPD, if space or design of the equipment does not permit full Department lettering. MPD Stores will provide uniform markings and advise units of the best marking for equipment type. If equipment is purchased/shipped directly to a unit, the commander shall ensure that the items are brought to MPD Stores for

Department marking before use. This directive does not apply to standard 'police' labeled clothing.

4-202 Equipment – Employee Responsibility
(08/13/02)

(A-C)

All employees are responsible for the department equipment they use. When an employee transfers from an assignment that issues individually-assigned equipment to an assignment that does not issue individually-assigned equipment, they shall return the equipment to MPD Stores. Any misuse or unauthorized use of City property or supplies shall constitute a violation of this policy.

4-203 Request for Equipment, Supplies or Services
(08/13/02)

(A-B)

A Supply Requisition form (MPD-4022) or electronic request form from authorized personnel is required when ordering supplies and shall be signed by the commander or his/her designee. A Supply Order Authorization form (MP-8860) must be on file with MPD Stores listing all authorized personnel.

Requests for budget-approved equipment shall be submitted on an Equipment Request Form (MP-2601, and shall be forwarded to MPD Finance for budget review. Form MP-2601 can be found on the MPD Net under "MPD Forms." MPD Finance will then forward the form to the Deputy Chief of the Central Services Bureau for approval.

The Business Technology Unit (BTU) is responsible for evaluating all requests for technology equipment, i.e., computers, printers, software, etc. For budget-approved technology equipment, the Equipment Request Form must first be forwarded to the BTU supervisor for signature.

If a commander believes that a need for furniture or equipment is urgent and cannot wait for inclusion in the next year's budget cycle, a letter documenting the request shall be directed to the Deputy Chief of the Central Services Bureau along with a completed Equipment Request Form.

When requesting telephone service, equipment, repair, etc., approval shall be obtained from the Manager of the Administrative Services Division, who will then make the request through the ITS Action Center.

4-204 Request for Equipment – Portable Radios
(08/13/02)

(B-C)

Sworn personnel and authorized civilian personnel assigned to the following units or divisions will be issued individual radios. The radio assignment is permanent as long as the individual is

assigned to any of the following authorized units or divisions. Care and maintenance of the radio is the responsibility of the individual.

Authorized Units and Divisions:

Precinct Patrol, Community Response Teams, School Programs, Repeat Offender Program, OCU, CCP/SAFE, Public Housing and/or other units designated by the Deputy Chief of the Central Services Bureau.

Procedures for Radio Assignment:

Any employee not currently assigned a radio, who transfers to an assignment that is authorized a permanently-assigned radio, will requisition the radio from MPD Stores. Authorization will be verified.

Lost, stolen, or damaged radios require a CAPRS report and a supervisor be notified of the incident. A copy of the CAPRS report is required by MPD Stores to obtain a replacement radio. The lost, stolen, or damaged status is indicated on the original Equipment Issued/Returned form and is maintained by MPD Stores.

When transferring to an assignment that does not authorize individual radio assignment, it is the employee's responsibility to ensure that the radio is returned to MPD Stores. The Equipment Issued/Returned form must be signed for inventory tracking purposes.

If a radio is lost, stolen or damaged during hours when MPD Stores is closed, it is a supervisory responsibility to provide an internally-assigned radio as a temporary replacement until a permanent replacement can be made, i.e., the precinct Investigations Unit.

4-205 Requests for Reallocation of Space

(08/13/02)

Commanders desiring a reallocation of space within a police facility not solely under their command shall forward a written request to the Deputy Chief of the Central Services Bureau.

4-206 Repair of Furniture and Equipment

(08/13/02)

(A)

MPD personnel shall promptly report the need for repairs of any MPD-owned equipment to their commander for action. A note describing the exact nature of the problem, with samples if appropriate, shall be attached to the item needing repair.

Repairs or service to MPD-occupied buildings and offices should be made by completing a Work Order (PW-5401) and forwarding it to MPD Finance.

4-207 Inventory of Special Items

(08/13/02)

(A)

A log shall be kept at each precinct, unit or division that is assigned radios, shotguns or pagers.

Commanders shall ensure that any special equipment assigned to their command is inventoried at least annually or whenever needs dictate.

4-208 Lost/Stolen/Damaged City Property and Recovery

(08/13/02)

(A)

Employees shall notify their supervisor of the loss, recovery, or damage of City-owned property. The ensuing investigation is the responsibility of the respective commander. It is the employee's responsibility to ensure that a CAPRS report is completed. City-owned equipment that is lost during an officer's response to an incident or crime should be reported as "LOSTPR" in the CAPRS report. Items misplaced shall be reported as a "MYSDIS" in a CAPRS report. A copy of the report shall be attached to a completed Inventory Record Change Form (MP-8001) and forwarded immediately to MPD Stores.

If property is recovered, the respective commander shall ensure that a Supplementary Report in CAPRS is completed and forwarded to MPD Stores. If the property is to be used as evidence in a criminal case, it shall be inventoried in the Property and Evidence Unit.

4-209 MPD Issued/Returned Equipment

(08/13/02)

(A)

City-owned equipment that is individually issued to employees during their employment with the MPD shall be returned to MPD Stores upon termination of employment. Such items include, but are not limited to, badges, pagers, cell phones, keys, identification cards, etc. (04/14/04)

4-210 Reimbursement for Damaged Property or Equipment

(08/13/02)

Reimbursement is not normally granted under the following circumstances:

- For property or equipment lost or stolen;
- For damage caused by employee negligence;
- For damage or loss to jewelry other than watches (watches up to $100.00);
- For personal property not previously approved for official use by a precinct or division commander; (09/10/03)
- To the extent that the employee may be entitled to reimbursement from other sources;
- When the employee does not file a claim within 30 working days;
- When the employee's claim is denied for other reasons.

Reimbursement is not granted for uniform alterations.

4-211 Initiating a Reimbursement Claim
(08/13/02)

1. Document the incident and damage to the item in the related CAPRS report or via written memo including a detailed description of the activity during the incident and the cause of the damage. Attach reports and statements relating to the incident including your full name, assignment and badge number.

2. Attach original copies of payment or repair receipts (credit card, cash or check receipts). Receipts shall only reflect items claimed.

3. The item(s) shall be inspected by the employee's commander or his/her designee, and a written statement from the commander or his/her designee describing the damage shall be included as part of the claim. During the claims process, damaged items may be requested for examination at any time.

4. Forward all claim documentation to Police Administration, Attention: Claims, Room 130, City Hall within 30 calendar days of the incident. If the Bureau Head or his/her designee approves the claim, it shall be forwarded to the MPD Finance Department for reimbursement.

5. If no reimbursement is granted, a memo of explanation will be sent to the claimant.

4-212 Professional Association Reimbursement
(08/13/02)

It is the MPD's policy to permit memberships in professional, technical or special interest associations whose materials, services or activities benefit police services. To provide the broadest utilization of membership benefits, the MPD will:

1. Pay for organization/agency memberships with Bureau Head approval;

2. Reimburse individual memberships when such membership is more economical and efficient than organizational membership;

3. Pay for an individual membership if organizational membership is not available;

4. Pay for only one individual membership per association per unit, unless approved in writing by a Bureau Head or the Chief of Police;

5. Terminate payment or reimbursement if an employee is transferred from the unit covered by the membership, unless continued membership of the individual is approved in writing by a Bureau Head or the Chief of Police.

4-213 Use of Department Telephones

(08/13/02)

(A)

All MPD communications equipment is primarily intended for MPD business. Telephone lines may be monitored and/or recorded. Abuse of MPD communications equipment is subject to disciplinary action. For further reference, see the City's cell phone policy.

Incoming telephone calls shall be answered as promptly as possible. When answering the telephone, employees shall identify themselves and their units by name. Employees shall be courteous and make every attempt to supply assistance or refer the caller to the proper person.

4-214 Standard Forms

(08/13/02)

Forms not available on the MPD's intranet site (MPD Net) may be ordered from MPD Stores on a Supply Requisition form (MPD-4022). All applicable information must be completed on the requisition form.

4-215 Requests for New Forms, Revisions and Printing

(08/13/02)

(A)

Requests for creating new forms and/or form revisions shall be made through the Operations Development Unit. After a review is completed, the requester shall be referred to either the City's forms vendor or the Operations Development Unit.

Requests for printing at the City's Copy Center must be signed by an MPD supervisor with the appropriate funding source noted.

4-216 Business Cards

(08/13/02) (12/01/08)

(A-D)

Business cards identify employees as representatives of the City. A consistent appearance reinforces the City of Minneapolis brand identity. Standard formatting helps to clearly and accurately communicate information about the City of Minneapolis and the Minneapolis Police Department.

All MPD business cards shall include:

- Employee name (nicknames and slang not permitted)
- Rank and badge number (sworn employees)
- Civil Service title (civilian employees)
- Proper name of unit or assignment
- Proper business/precinct address

- Precinct or office telephone number
- Fax Number

Employees may choose to include the MPD's recruiting website: www.ci.minneapolis.mn.us/police/recruiting.

Secondary titles and assignments may also be included, space permitting.

In order to ensure that an authentic and professional image is conveyed, employees shall not design or use business cards for MPD business that have not been purchased via the City's authorized vendor. Slogans, emblems or embellishments shall not be used. Deviations from standard formatting must be approved by the Chief or his/her designee. Orders for MPD business cards will be limited to 250 cards per order. (06/19/07) (12/1/08)

4-216.01 Ordering Business Cards

(08/13/02) (12/1/08)

Employees wishing to order business cards shall complete an MPD Business Card Request Form (MP-9049) available on MPDnet, and submit the form to MPD Stores. The purchase of business cards must be approved by the employee's Commander, with funding to come from the employee's precinct, unit or division. (06/19/07) (12/1/08)

4-217 Digital Cameras and Digital Information Management System (DIMS)

(10/12/01) (12/01/08) (06/10/13) (10/22/15)

(A-B)

All MPD employees who have access to a Digital Information Management System (DIMS) download station shall receive training on these systems. Training may include, but not be limited to department policy and directives, and may be electronic or hands-on training.

A. Employee Responsibility

1. Employees, other than those equipped with department-approved crime scene equipment, shall use a digital camera to document photographic evidence whenever possible.

2. A separate SD memory card shall be used for each CCN.

3. Employees shall download their photographic evidence into a DIMS download station. DIMS download stations are available at each precinct as well as in Property & Evidence.

4. In all cases, officers shall document in their report when photographs are taken, and that they have been downloaded into DIMS.

5. Photographic evidence shall be downloaded before the end of the employee's shift. In the event that the employee is not able to download the evidence, a supervisor shall download the photographic evidence into DIMS and document the action in CAPRS.

6. Upon successful completion of the download the SD memory card will be formatted by DIMS and will be available for immediate reuse.

7. If the download is not completed due to an error with the download station, the employee shall report the error via email to the DIMS support group at dimssupport@minneapolismn.gov. The SD card will not be formatted and should not be used until the photographic evidence is downloaded. The employee may use another station to complete the download while the error is being resolved.

8. If an employee forgets to place a SD memory card in the camera and uses the camera to document photographic evidence, the entire camera shall be inventoried as Digital Photographic Evidence. The Crime Lab Unit will download any photographic evidence from the camera's internal memory into DIMS. The camera will then be available for pickup at the Crime Lab.

B. Viewing Photographic Images from the DIMS Server and Ordering a CD

1. The DIMS server on a City Network computer may be used to access photographic evidence and to request a CD copy of the images.

2. Access to view photographic evidence is based on the user's rank and assignment. If a user requires a different level of access, a request shall be emailed to the DIMS support group at dimssupport@minneapolismn.gov.

C. Digital Camera/SD Card and DIMS Download Station Repair, Replacement and Supplies

1. Precinct Inspectors or their designees are responsible for maintaining an adequate supply of SD memory cards for the digital cameras.

2. SD memory cards may be obtained from MPD Stores by completing Supply Requisition form (MP-4022), authorized by a Lieutenant or above.

3. Digital cameras in need of repair are the responsibility of precinct Inspectors or their designees.

4. Precinct Inspectors or their designees are responsible for ensuring that the download stations and accessories, i.e. keyboard and mouse, are properly maintained.

4-218 Mobile and Video Recording (MVR) Policy

(05/25/04) (9/19/08) (08/28/09) (08/01/11) (12/30/24)

(A-D)

I. Purpose

The purpose of utilizing mobile video recording (MVR) equipment in Minneapolis Police Department vehicles is to:

- capture video evidence for criminal, civil and traffic-related court cases.
- assist officers with recalling facts or other details captured by the equipment that will help them accurately articulate a chain of events when writing reports.
- allow supervisors to review the contents of the recorded media as a management tool within their chain of command.
- be used as a training tool for officer safety and best practices in the MPD.
- assist in the assessment of contacts between officers and the public by reviewing procedures and interpersonal actions.

The content of this policy will provide MPD personnel with guidelines and procedures for the use, management, access, retention, handling of evidence, degaussing, storage, and retrieval of recorded media captured by MVR equipment.

II. Policy

Minneapolis Police Department employees shall be responsible for performing assigned duties in accordance with the Mobile Video Recording (MVR) System Policy and the MVR Operational Guide. All MPD employees who have access to the MVR systems shall receive training on these systems. Training may include, but not be limited to: department policy, directives, electronic or traditional classroom education. (08/01/11)

All stops and searches captured on the MVR are presumed to be legal and valid unless evidence indicates otherwise. (09/19/08) (08/28/09)

The term "officer" is used generically in this document and does not assume a level of rank, such as Patrol Officer. It includes all applicable sworn and non-sworn personnel. (08/01/11)

III. Definitions

Activate: Any process which causes the MVR system to record video or audio data. Activation may occur automatically due to a trigger event or be done manually.

"Categorize" an event: Term used to classify an event that has been recorded and for which a predetermined retention period has been set.

Critical Incident: An incident involving any of the following situations occurring in the line of duty:

- 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 or is intended to cause Death or Great Bodily Harm.

Deadly Force: Minn. Stat. §609.066 states that: "Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of

another person, or at a vehicle in which another person is believed to be, constitutes deadly force."

Degaussing: Electronic cleansing by overwriting, erasing, and/or destruction of electronic storage media of analog and digital recording media that returns the media to it original state so it is ready for the imprinting of new images.

Designated Upload Site: Location where MVR recordings stored on media cards are uploaded to server through wireless transmission.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

Manual Activation: Activation of MVR equipment that is not caused by a trigger event. Officers may activate the MVR equipment at their own initiation or at the direction of a supervisor via the wireless microphone, in-car LCD monitor, or digital video recorder (DVR) box in the vehicle's trunk.

Manual Upload: In the event a digital MVR system is unable to wirelessly upload recordings, the digital memory card may be removed and manually uploaded by Crime Lab Unit personnel.

Mobile Video Recorder (MVR): Audio/video recording equipment designed for fixed installation in patrol vehicles that includes at a minimum, a camera, microphone, recorder and LCD monitor. Can be a VHS or digital system.

- VHS: An electronic system for recording video and audio information on videocassettes.
- Digital: Digitized (text, graphics, audio, and video).

MVR Equipment Check: An audio/video test to ensure that the MVR equipment is in working order. This check shall include a test of the video and microphone recording components and a date and time check of the in-car LCD monitor.

MVR Operational Guide: Training manual/guide which outlines the protocol for operating the MVR system/equipment.

Pre-Event Recording: Video stored by the MVR system prior to activation. This is a configurable feature for the digital MVR system and is preset to record video prior to activation. The pre-event recording is included as part of the incident and is viewable during playback.

Record Mode: Any time MVR equipment is recording audio/video as indicated on the LCD monitor, wireless microphone and/or DVR.

Recorded Media: Audio-video signals recorded on any of several storage devices, including but not limited to, analog tape (VHS) or other portable digital storage devices (e.g. CD, DVD, hard drive, flash drive).

Significant Incident: Includes, but are not limited to, any of the following situations occurring in the line of duty:

- Critical incident;
- Domestic abuse incident interview;
- Felony crime;
- Pursuit;
- Squad accident;
- Any incident in which the officer or sworn supervisor believes the recording to be of evidentiary and/or administrative value;
- The identity of someone in the video needs to be protected;
- Man-made or natural disaster or act of terrorism;
- Any event that an officer or supervisor believes should be brought to the immediate attention of police command staff;
- Any time that a citizen makes allegations of police misconduct or discrimination during the incident.

Trigger Event: An event that causes the MVR system to begin a video and audio recording. Trigger events include the activation of emergency lights or vehicle collision sensor.

Wireless Upload: When the police vehicle is within range of the designated upload site, MVR (digital) recordings are automatically transferred over a wireless connection to a storage server.

IV. Procedures / Rules / Regulations

A. Conditions of Use (Digital and VHS Systems)
(05/25/04) (09/19/08) (08/01/11)

1. MVR equipment installed in any MPD vehicle is the responsibility of the officer(s) assigned to that vehicle and shall be operated in accordance with MPD training, MPD policy and procedures, and the manufacturer's recommendations. (08/01/11)

2. When the activation indicator is illuminated, officers should be aware that activities are being recorded. (09/19/08) (08/28/09) (08/01/11)

3. Before placing any MVR-equipped vehicle in service, officers shall conduct an MVR Equipment Check to ensure that the equipment is working properly. (05/25/04) (09/19/08) (08/01/11)

    a. MVR Equipment Checks conducted on the digital MVR system shall be categorized "90 Day Retention". (08/01/11)

    b. The officer's immediate supervisor shall immediately be notified of any missing or malfunctioning MVR equipment. (07/11/07) (08/01/11)

4. The driver shall wear the wireless microphone, verify that it is turned on and shall be responsible for ensuring that it is working properly throughout the shift. (07/11/07) (08/01/11)

5. Record Mode can be activated in the following ways: (08/01/11)

   a. Automatically, when a trigger event occurs; (08/01/11)

   b. Manually, by an officer via the wireless microphone, LCD monitor console, or digital video recorder (DVR) box in the vehicle's trunk. (08/01/11)

6. MVR equipment shall be in Record Mode: (08/01/11)

   - For every stop/contact where a motor vehicle is involved and shall record the stop/contact in its entirety. (04/11/07) (08/01/11)
   - For domestic abuse incident interviews conducted inside or in close proximity to an MVR equipped vehicle. (08/01/11)
   - Any time a person is transported in a squad, regardless of the destination. This does not apply when an authorized ride-along is the only other person in the squad. When practical, officers shall begin recording when the person is placed in the squad, regardless if transportation begins immediately following activation. (06/09/15)

7. MVR equipment may be manually deactivated during non-enforcement activities, such as protecting accident scenes, traffic posts, and/or assisting motorists. (08/01/11)

8. MVR equipment shall not be manually deactivated for an arrest, DUI, Use of Force, traffic stop or a "Significant Incident" as defined in this policy. (08/01/11)

9. Any sworn supervisor can direct an officer to activate or deactivate MVR equipment.

10. Officers shall notify their immediate supervisor of any recorded event believed to be of value administrative review or training purposes. (08/01/11)

11. Officers shall inform those who ask, that video/audio recording equipment is in use. (04/11/07)

12. Nothing herein shall preclude MPD personnel from reviewing or using recorded data for the purposes of investigation or prosecution of crimes, or preparation of reports. Recorded data may only be used for training purposes with the approval of the Deputy Chief of Professional Standards. (09/19/08) (08/28/09) (05/24/13)

13. An MPD employee who is captured on or referenced in any recorded media, may review such data and use the data for any purpose relating to his/her employment, provided such use complies with the Minnesota Government Data Practices Act, MPD policy and other laws. (09/19/08) (08/28/09) (08/01/11)

14. All MVR recordings are the property of the MPD and original MVR recordings shall remain in the sole custody of the MPD, unless used in court as evidence, provided to an expert for analysis, or required to be provided to another by lawful order. (08/28/09) (8/01/11)

15. An MVR-equipped vehicle can be used for off-duty employment with supervisor pre-approval. MVR-equipped vehicles and use of MVR equipment are subject to all requirements as outlined for on-duty use. (08/28/09)

16. Only MPD-issued videotapes, memory cards and microphones shall be used in MVR equipment. MPD Stores is responsible for distributing blank MVR media to the precincts and units. (08/28/09) (08/01/11)

17. Disabling MVR equipment and/or altering, duplicating or destroying MVR recordings is prohibited, except for authorized personnel. (08/01/11)

18. When reference is made to an MVR recorded event in a police report or supplement, the P# of the squad which captured the event shall be noted in the report. (05/24/13)

B. MVR System - Supervisor Responsibility
(05/24/04) (09/19/08) (08/01/11)

1. Supervisors shall ensure that officers follow established procedures for the use and maintenance of MVR equipment, videotapes, and the completion of MVR documentation.

2. Supervisors shall periodically view recorded media to ensure proper procedures are being followed. (08/01/11)

3. Supervisors may review the contents of the MVR systems, as a management tool within their chain of command. (08/28/09) (08/01/11)

C. MVR Digital System
(08/01/11)

1. Every recorded event shall be appropriately categorized in order to ensure proper data retention guidelines are followed.

2. Recorded events will be categorized using the following categories. Only one category can be chosen for each recorded event.

    - 90 day retention;
    - Citation;
    - Arrest or DUI;
    - Use of Force;
    - Significant Incident

3. MVR digital recorded events categorized as Arrest, Use of Force or Significant Incident shall be uploaded at designated upload sites by the officers assigned to the squad, prior to the end of their shift whenever possible.

4. When the display shows less than 4 gigabytes of available space, officers shall proceed to a designated upload site to upload recordings.

5. In the event a memory card which contains recording(s) needs to be removed from the DVR, only Crime Lab personnel are authorized to remove the memory card.

6. Only Crime Lab Unit personnel are authorized to remove a memory card from DVR equipment.

D. VHS System
(05/25/04) (09/19/08) (08/01/11)

1. Only shift supervisors are authorized to possess a key to the MVR trunk vault. (08/01/11)

2. Only shift supervisors are authorized to load or unload videotape into the MVR. (08/01/11)

3. When the 30-minute warning light appears on the MVR overhead console display, officers shall notify their immediate supervisor and arrange to have the MVR videotape inventoried and replaced. (08/01/11)

4. If the original MVR recording is of evidentiary value, it shall be inventoried in the Property & Evidence Unit prior to the end of the officer's shift which encompasses the recorded event. A recording that is of evidentiary value includes the following: (08/28/09) (08/01/11)

   a. Significant Incident;

   b. Arrest;

   c. DUI;

   d. Use of force

5. MVR (VHS) recordings of non-evidentiary value will be stored at the precinct/unit where issued for a period of 1 year and then may be degaussed and re-used. (08/28/09) (08/01/11)

6. Exercise caution to ensure that repeated viewing of an original VHS recording is kept to a minimum. Repeated viewing may result in the quality of the recording to become degraded. (08/01/11)

7. In the event of a Critical Incident, Crime Lab personnel shall collect MVR VHS recorded media from all squads at the scene. (04/03/09) (08/28/09) (08/01/11)

a. In order to preserve the quality and integrity of the videotape, the recording shall not be reviewed in the squad car prior to collection. (04/03/09) (08/28/09) (08/01/11)

b. A duplicate copy of the VHS recorded media will be made as soon as possible by Crime Lab personnel. (04/03/09) (08/28/09) (08/01/11)

c. At the request of the Involved and/or Witness Officers, the Lead Investigator for the Critical Incident shall provide them an opportunity to view a copy of the MVR recorded media prior to giving a statement and completing a report. (04/03/09) (08/28/09) (08/01/11)

E. VHS System - Supervisor Responsibility
(05/25/04) (09/19/08) (08/01/11)

1. Patrol supervisors are responsible for the installation, removal and storage of VHS videotapes. (08/01/11)

2. Precinct/Unit commanders or their designees are responsible for the usage, labeling, storage, degaussing, and recycling of VHS recordings intended for patrol use. (08/28/09) (08/01/11)

3. Unless otherwise noted, MVR VHS videotapes stored at precincts shall be retained for one year and then may be degaussed and/or reused. (08/28/09) (08/01/11)

4. Videotapes that have been degaussed three times shall be destroyed. (05/07/07) (07/11/07) (08/28/09) (08/01/11)

5. Supervisors shall maintain a logbook to ensure inventory control of videotapes.

6. Each precinct/unit shall track the installation/removal of MVR videotapes via the Precinct/Unit MVR Videotape Log (MP-8898). (08/01/11)

F. Property Inventorying MVR (VHS) Videotapes
(05/25/04) (09/19/08) (08/01/11)

1. Mobile Video Recording (MVR) videotapes shall be property inventoried when the MVR equipment was in use in the following situations: (08/01/11)

   a. Significant Incident;

   b. Arrest;

   c. DUI; and

   d. Use of force

2. If the squad is involved in or responds to a Critical Incident:

a. Crime Lab Unit personnel will remove and property inventory MVR videotapes from all squads at the scene. (08/01/11)

b. MVR videotapes property inventoried for reasons related to a Critical Incident shall only be permanently released or destroyed by the Property and Evidence Unit at the direction of the Commander of the Internal Affairs Unit. (07/11/07) (04/03/09)

3. In cases where evidence is recorded, it shall be noted on the videotape and in the CAPRS report.

G. MVR Equipment Coordinator
(08/01/11)

1. Each patrol precinct/unit will have a designated MVR Equipment Coordinator.

2. The MVR Equipment Coordinator will:

a. Ensure that all MVR equipment in vehicles is operational and accounted for;

b. Follow up when equipment and microphones are reported missing or in need of repair;

c. Conduct and/or coordinate training for personnel regarding MVR operations, MVR desktop software, and policy/procedure updates;

d. Liaison between the precinct/unit, the Business Technology Unit (BTU) and the Radio Shop;

e. Ensure videotapes from the MVR (VHS) system are maintained appropriately and requests for video duplication are handled in a timely manner.

H. MVR Equipment Maintenance, Repair and Replacement

1. Employees shall directly notify their immediate supervisor as soon as practical of any:

- Missing equipment.
- Damaged equipment.
- Malfunctioning equipment (including when either or both of the audio or video recording functions is malfunctioning).

2. The notification to the supervisor must be made without unnecessary delay.

3. As soon as practical, employees shall submit a ticket with the IT Service Desk to report the problems (in accordance with P&P 4-219).

4. Employees shall document in the Police Report any problems they encountered with their MVR while responding to an incident. The employee shall also note if they are using a

replacement squad because of the issues. If a Police Report is not required, the employee shall document the problems in CAD.

5. Supervisors shall ensure that appropriate measures are taken when informed of any problems with the equipment. This includes ensuring a ticket is submitted for the problematic equipment (P&P 4-219), arranging for any replacements or alternatives, and making any necessary reports.

I. Requests for Duplication of MVR Recordings
(05/25/04) (09/19/08) (08/01/11)

1. Requests by MPD personnel for duplication of MVR video for purposes of official MPD business shall be directed to the Crime Lab Video Forensics section via submission of the Crime Lab Video Request for Services form (MP-9069).

2. Requests by MPD personnel for duplication of MVR video for non work-related purposes (e.g. teaching, personal reasons) shall be submitted to the Records Information Unit and are subject to the Minnesota Government Data Practices Act and City of Minneapolis data charges.

3. Requests made by the public for MVR video will be processed by the Records Information Unit (RIU), in conjunction with Precinct Supervisors, the Crime Lab Video Forensics Section and the Public Information Office.

    a. Records Information Unit responsibilities:

        i. Determine nature of the request;

        ii. Ensure video is not part of an active criminal or internal investigation;

        iii. Submit Crime Lab Video Request for Services form (MP-9069) to the CLU requesting duplication of video;

        iv. Receive recorded media intended for release;

        v. Ensure the Public Information Office reviews video prior to release to make certain that only public information is released;

        vi. Notify requestor video is ready;

        vii. Collect fees and release video.

    b. Precinct Supervisor responsibilities when an MVR VHS videotape recording is required for duplication:

        i. Receive request from Records Information Unit;

        ii. Locate and property inventory videotape;

- If no CCN exists, one shall be generated and a CAPRS report completed using the code MISC.

iii. Notify RIU via e-mail if the videotape is already inventoried under another CCN, if it no longer exists, or cannot be located.

c. Crime Lab Video Forensics Section responsibilities:

i. Receive requests via Crime Lab Video Request for Services form (MP-9069).

ii. Process requests according to Crime Lab Division SOP's.

d. Public Information Office responsibilities:

i. Coordinate with Records Information Unit to manage requests.

ii. Review all videos to be released.

4-219 Department and City Technology

(12/21/01) (09/19/08) (08/01/11) (05/23/12) (12/30/24)

I. Purpose

This policy covers Department-issued and City-issued technology, including software, and hardware such as computers and accessories, phones, etc.

The purpose of this policy is to:

- Direct members how to procure technology and related services.
- Direct members how to report issues with their technology.
- Ensure compliance with City Information Technology (IT) and Business Technology Unit (BTU) standards.

II. Policy

A. Procurement and Access

The procurement of all technology and related services such as programming or consulting will be facilitated through City IT, in coordination with MPD's Business Technology Unit (BTU). Members shall only use approved software on any MPD or City device.

1. Any precinct, unit or division wishing to obtain or implement hardware, software or services, or request permissions or access to programs, shall submit a ticket by calling extension x2525, using the CityLife portal (also called ServiceNow), or emailing the service desk directly ITServiceDesk@minneapolismn.gov. City IT will coordinate with BTU to evaluate the request and confirm proper approvals are secured.

2. It is the responsibility of the requesting precinct, unit or division to make all necessary budgetary arrangements and ensure the procurement has been approved prior to submission.

3. All Department-issued and City-issued technology is owned by the City and may be reallocated, replaced and managed as needed. Technology obtained through grant programs shall be maintained according to the grant guidelines.

B. Issues With Technology

1. Members who are encountering issues with technology, including software, hardware such as computers and accessories, phones, etc. issued by City IT or the Business Technology Unit (BTU), and any issues with technology installed in a City or Department vehicle, shall report their issues by submitting a ticket with the IT Service Desk.

   a. Tickets can be submitted by calling extension x2525, using the CityLife portal (also called ServiceNow), or emailing the service desk directly ITServiceDesk@minneapolismn.gov.

   b. This includes issues with body worn cameras, in-car cameras, squad computers, desktop or laptop computers, cell phones, desk phones, computer accessories, etc.

   c. Issues include, but are not limited to, malfunctioning devices, connectivity issues, battery or charging problems, GPS issues, uploading issues, problems with programs or software, etc.

2. The IT Service Desk will determine the best course of action to resolve the issue, and members shall follow any directions from the IT Service Desk regarding next steps.

   a. Members shall not drop vehicles off at the Radio Shop without first submitting a ticket and being directed to bring the vehicle to the Radio Shop.

4-220 Cellular Phones

(06/25/90) (10/21/05) (07/25/13) (05/29/18) (09/26/22)

I. Purpose

The Minneapolis Police Department uses cellular phones in the course of police operations to enhance departmental communication. The purpose of this policy is to provide all MPD employees with guidelines for the proper use of cellular phones.

II. Definitions

Disruptive Activity: Any time that cell phone operations would be considered disruptive, such as in training sessions, court or public places where cell phone use would reasonably be deemed annoying and intrusive.

Distraction: Any time the use of a cell phone would unnecessarily or unreasonably divert the attention of an employee from official duties and/or cause a potentially hazardous situation.

III. Policy

A. This policy is supplemental to the City of Minneapolis Cell Phone Policy.

B. Cell phones issued to department employees by other agencies, jurisdictions, or entities shall be governed by the same policy and regulations as phones issued by the MPD.

C. Evidence recorded on a cell phone shall be handled in accordance with P&P 4-224 Employee Cell Phones and Recording Devices Used to Capture Evidence.

IV. Regulations

A. General Use of Cellular Phones

1. Cell phones are intended to supplement to the MPD's communication system, not substitute for radio communication designated for transmission through MECC. Calls for service shall be received, coordinated and dispatched through MECC and not via an employee's personal or department issued cell phone.

2. A cell phone shall not be used when it would unnecessarily or unreasonably divert the attention of an employee from official duties or cause a potentially hazardous situation.

3. Engagement in multiple or extended cell phone conversations, text messaging or other use of cell phone devices unrelated to police business while on duty, or similar use that interferes with the performance of an employee's job duties, is prohibited.

    a. While incidental usage of department-issued phones for non-city related business is allowed, such use should be kept to a minimum.

4. Employees' use of a cell phone while operating City or Department vehicles shall comply with the City's Distracted Driving Policy. Cell phone use must be directly associated with a necessary, business-related function.

5. Cell phones should not be used if they may be disruptive to others.

6. The MPD is not responsible for loss or damage occurring to personal cell phones while employees are working on or off duty.

B. Department-Issued Cell Phones

1. Employees issued a cell phone by the MPD **shall**:

   a. Ensure the voicemail function is set up and able to accept messages.

   b. Ensure the phone is charged.

   c. Be responsible for proper care and appropriate use of the cell phone. This includes but is not limited to: reasonable minutes and data charges incurred, proper use of the department-issued protective case, and accountability for any accessories that the employee is issued associated with the cell phone.

   d. Keep the phone on and in an audible or vibration mode at all times while on duty except in those circumstances where it may be considered disruptive or a distraction.

   e. Keep the phone on their persons or close enough to their person to safely answer a call while on duty.

   f. Check for voicemail messages periodically while on duty, to ensure that any outstanding messages are returned in a timely manner.

   g. Respond to all calls related to city operations within a reasonable length of time.

   h. Use password protection on the phone at all times.

2. Employees issued a cell phone by the MPD **shall not**:

   a. List the department issued cell phone as their primary phone number. Refer to P&P 3-304 Telephone and Address Requirements.

   b. Use the issued phone for calls to directory assistance except when exigent circumstances dictate otherwise.

3. Random audits of department-issued cell phones may be made at the MPD's discretion.

4. All data sent, delivered or accessed on a department-issued cell phone are subject to data practice laws and may be considered public data. This includes but is not limited to emails, text messages and telephone calls.

5. The MPD will not be responsible for damage to or loss of a department-issued cell phone if:

   a. The cell phone is not housed in the department-issued protective case.

   b. If the damage or loss occurs as a result of negligence by the employee.

4-221 Disposition of Property to the Museum of Minneapolis Police

(07/01/11) (08/01/11) (05/23/12)

I. Purpose

To outline procedures for the transfer of Minneapolis Police Department property to the Museum of Minneapolis Police.

II. Policy

The Minneapolis Police Department, through the Museum of Minneapolis Police Curator, will ensure that the best possible educational, research and interpretive opportunities are available to the MPD, visitors and participants of the Museum's programs.

III. Procedures / Rules / Regulations

A. Scope of Museum Acquisitions

1. The focus of Department sponsored acquisitions will be related to materials that reflect the history and heritage of the MPD.

2. The Museum will actively collect, but is not limited to, the following:

   Examples of MPD history

   - Material that documents the formation and history of the MPD
   - Technological advances in equipment, uniforms, firearms and communication relating to the MPD and surrounding community
   - Historical uniforms, medals, firearms, insignia, and other equipment relating to the MPD and the surrounding community
   - Items which are audio-visual, mixed media, electronic and digital including but not limited to MPD records, Administrative Announcements, Unit Manuals, etc.

B. Museum Authority and Documentation

1. The Chief of Police grants the Museum Curator the authority to solicit and accept any contributions from the MPD and/or other City Departments providing they meet the criteria listed above.

2. Items of significant value or items critical to daily operations shall not be transferred to the Museum until they are significantly devalued due to usage or become obsolete due to advances in technology.

3. MPD units and divisions should consult with the Museum Curator prior to the permanent disposal of MPD property or materials.

4. The Museum will not dispose of MPD or City-owned property without approval from the appropriate MPD or City officials.

5. The Museum Curator shall sign for the receipt and/or disposal of any MPD or City-owned property or materials acquired or disposed of by the museum and shall maintain all related documentation.

4-222 Automated License Plate Reader (ALPR) Policy
(09/16/13)

I. Purpose

Automated license plate reader technology (ALPR) may be used to support a wide range of public safety activities including revoked/suspended driver interdiction, stolen vehicle recovery, enforcement of traffic regulations, apprehension of individuals subject to an outstanding warrant, and criminal and terrorist investigations/interdiction. ALPR devices enable police officers to recognize and take immediate action against vehicles and persons who are subject to investigative detention or arrest; the data collected by ALPRs can also provide investigative leads to identify unknown vehicles, to gather data about known suspect vehicles and to locate potential suspects, witnesses or victims in the vicinity of a crime scene. (07/29/15)

The content of this policy will provide MPD personnel with guidelines and procedures for the use, retention, access, handling of evidence, and requests for and release of data captured by ALPR equipment. (07/29/15)

II. Policy

Any use of an ALPR system by the Minneapolis Police Department shall be in compliance with MN Statute 13.824 and any other applicable statutes. MPD employees shall be responsible for performing all ALPR related duties in accordance with the Automated License Plate Reader (ALPR) Policy and state law. All MPD employees who have access to an ALPR device or the ALPR database shall receive training on these systems. Training may include, but not be limited to: department policy, directives, electronic or traditional classroom education. (07/29/15)

All ALPR devices and data generated by the use of the ALPR devices shall only be used for legitimate law enforcement business.

III. Definitions

Automated License Plate Reader (ALPR): A system consisting of a camera or cameras and related equipment that automatically and without human control locates and focuses on, and photographs license plates and vehicles that come into the range of the device, that automatically converts digital photographic images of scanned license plates into electronic data, that is capable of comparing scanned license plate text data with data files for vehicles on a BOLO (be on the lookout) or hot list programmed into the device's electronic memory, and that notifies police when a scanned license plate matches the license plate on a programmed BOLO list. The

term includes both devices that are placed at a stationary location and mobile devices affixed to a vehicle and capable of operation while the vehicle in in motion.

BOLO (Be on the lookout): A determination by a law enforcement agency that there is a legitimate and specific law enforcement reason related to an active criminal investigation to identify or locate a particular vehicle. (07/29/15)

BOLO List/ Hotlist: A compilation of license plates or partial license plates of vehicles for which a BOLO situation exists that is programmed into an ALPR so that the device will alert if it captures the image of a license plate that matches a license plate included on the list.

Stored Data: All information captured by an ALPR and stored in the device's memory or in a separate storage device or system. This includes the recorded image of a license plate which has been read, optical character recognition data, a contextual photo of the vehicle, GPS data, ALPR device data, timestamp and hotlist information. This term refers to both alert data and non-alert data.

Alert data: Information captured by an ALPR relating to a license plate that matches the license plate on a BOLO or Hotlist.

Read: The process by which an ALPR automatically focuses on, photographs, and convers to digital text the license plate of a vehicle that comes within range of the ALPR device. The term scan may also be used.

Authorized User: A sworn or civilian employee who has been authorized to operate an ALPR device or to access ALPR stored data and who has successfully completed training on ALPR use and policy.

Designated Supervisor: A superior officer assigned to oversee and administer, or to assist in overseeing and administering, the use of the ALPR devices and/or stored ALPR data. There may be more than one designated supervisor.

Historical ALPR query: The process of accessing and reviewing stored ALPR data to gather information about known vehicles, to identify unknown vehicles and/or to identify vehicles in the area of a crime scene.

IV. ALPR Use/Procedures

A. Conditions of Use for ALPR Devices

1. ALPR equipment installed in any MPD vehicle is the responsibility of the officer(s) assigned to that vehicle and shall be operated in accordance with MPD training, MPD policy and procedures, and the manufacturer's recommendations.

2. ALPR equipment shall only be deployed for official and legitimate law enforcement business.

3. An ALPR shall only be used to read license plates of vehicles that are exposed to public view and in places where officers are lawfully present.

4. An officer or civilian employee may operate an ALPR device only if the person has been designated as an authorized user and has received training on the proper use and operation of ALPRs.

5. When an officer operating a vehicle equipped with ALPR receives an alert, the officer shall take such action as appropriate in the circumstances. An officer alerted to the fact that an observed motor vehicle's license plate is on a BOLO/hotlist shall evaluate the nature of the hit to determine if there is a lawful basis to stop the vehicle or if the officer must gather additional information before taking such action.

B. BOLO/Hotlists Content and Use

1. A license plate number or partial license plate number shall only be included in a MPD generated BOLO list when there is a legitimate and specific law enforcement reason to identify or locate that particular vehicle or any person reasonably believed to be associated with that vehicle.

2. BOLO/hotlists may be downloaded in batch from other databases including but not limited to those provided by the MN Department of Public Safety.

3. BOLO/hotlists shall be updated as frequently as practicable and not less than on a daily basis.

C. Storage and Retention of ALPR Data

1. All ALPR stored data shall be kept in a secure data storage system with access restricted to authorized persons.

2. Data collected by the ALPR shall be limited to: (07/29/15)

    - license plate numbers
    - date, time and location data on vehicles
    - pictures of license plates, vehicles and areas surrounding vehicles

3. The Department's ALPR data record keeping system shall document the date, time, authorized user, requester and the reason code for historical searches used to gather information about known vehicles.

4. ALPR data shall be retained in accordance with State of MN data retention schedules, after which, the data shall be purged from the data storage system. ALPR data not associated with an active criminal investigation shall be destroyed after 60 days. (07/29/15)

D. Access and Use of Stored ALPR Data

1. Only those users authorized by a designated supervisor may access stored ALPR data. Users authorized to access stored ALPR data shall complete training on ALPR policy and data use.

2. An authorized user may access stored ALPR data in a historical query only as part of an active investigation or for another legitimate law enforcement business purpose.

3. Once ALPR stored data has been identified as of evidentiary value, the ALPR data shall be copied to an investigative file.

E. Requests from Law Enforcement Agencies for ALPR Data

Any ALPR stored data that may be accessed and used in compliance with the MPD ALPR Policy may be shared and provided to another law enforcement agency in compliance with all other applicable laws.

F. Release of ALPR Data to Non-Law Enforcement Persons or Agencies

1. Requests from non-law enforcement persons or agencies for ALPR stored data shall be forwarded to the Records Information Unit for handling.

2. All requests for ALPR stored data shall be handled in compliance with the MN Government Data Practices Act Chapter 13.824 and any other applicable laws. (07/29/15)

G. Record of Stationary ALPR Devices
(07/29/15)

1. The MPD shall maintain a list of the locations of stationary ALPR devices and the dates those stationary devices are in service. This list shall be maintained at the Strategic Information Center.

2. Mandated notification to the BCA of the number of ALPR units in use, the location of stationary ALPR devices and the addition of any new ALPR devices, shall be the responsibility of the Commander of the Strategic Information Center.

H. Biennial Audit
(07/29/15)

The Chief of Police or his/her designee shall arrange for an independent biennial audit of the ALPR system to verify compliance with MN 13.824.

4-223 Body Worn Cameras

(06/29/16) (07/29/17) (04/04/18) (06/30/20) (02/04/21) (06/24/22) (12/30/24)

(A-D)

I. Purpose

With the goal of enhancing accountability and public trust this policy will provide MPD personnel with procedures for the use and management of Body Worn Camera (BWC) equipment, and the access, retention, storage, and retrieval of recorded media captured by BWC equipment. The purpose of BWC equipment use by Minneapolis Police Department employees is to accomplish the following:

- Enhance accountability and public trust by preserving a record of employee interaction with citizens.
- Capture digital audio-video evidence for criminal, civil and traffic-related court cases.
- Assist employees by providing a record independent from their perceptions and recollections.
- Serve as a training tool for employee safety and best practices in the MPD.
- Assist in the assessment of contacts between employees and the public by reviewing procedures and interpersonal actions.

II. Definitions

Activation: Any process that causes the BWC system to record audio or video data. Activation will be done manually. Activation can only occur when the BWC is already powered on.

Authorized Personnel: Personnel designated by the Chief or the Chief's designee, to manage data recorded by the BWC. Such management includes duplication, redaction and lawful destruction of data as required by law and the City of Minneapolis Records Retention Policy. Designated personnel may include, but is not limited to: Records Management Specialists, Crime Lab Personnel and Business Technology Personnel.

Body Worn Camera (BWC): Portable audio-video recording equipment designed to be worn on a person.

Business Technology Unit (BTU): The Business Technology Unit acts as a liaison between the MPD and Business Information Systems (BIS) and is responsible for the technological aspects of the BWC program, including device support and maintenance.

BWC Quality Assurance Unit: The BWC Quality Assurance Unit within BTU is responsible for oversight of the BWC program and ensuring policy adherence.

BWC Uploading: The act of transferring recorded data from the BWC to the storage server.

CAD (Computer Aided Dispatch): CAD is the electronic system used to manage law enforcement resources in relation to calls for service.

Classify: To categorize an event that has been recorded and for which a predetermined retention period has been set.

Critical Incident: Per the Critical Incident policy (P&P 7-810), a Critical Incident is an incident involving any of the following situations occurring in the line of duty:

- The use of Deadly Force by or against a Minneapolis Police employee;
- Death or Great Bodily Harm to an employee;
- Death or Great Bodily Harm to a person who is in the custody or control of an employee;
- Any action by an officer that causes or is intended to cause Death or Great Bodily Harm.

Deadly Force: As defined by MN Statute section 609.066, which states that: "Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force."

Deactivation: Any process that causes the BWC system to stop recording. Deactivation can be done manually or can occur accidentally.

Designated Upload Site: Location where employees complete the task of uploading BWC recordings to a storage server through a PC using the SYNC program or through a docking station.

Employee: The term "employee" includes all sworn and non-sworn employees regardless of rank.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

Mobile Video Recorder (MVR): Audio and video recording equipment designed for fixed installation in patrol vehicles that includes at a minimum: a camera, microphone, recorder and LCD monitor.

Operation 100: An Operation 100 is a SWAT callout where on or off-duty SWAT Tactical, Negotiators, and Tech Team members respond to a hostile event, such as an active shooter or a barricaded suspect, which exceeds the capabilities of traditional law enforcement first responders and investigators.

Power On: Powering on the BWC requires setting the "On/Off" switch to "On," enabling power to the BWC. This must occur prior to and is distinct from Activation.

Pre-Event Recording: Video stored by the BWC system prior to manual activation. This is a configurable feature for the digital BWC system and is preset to record video only (no audio) prior to manual activation. The pre-event recording is included as part of the incident and is viewable during playback.

Record Mode: When the BWC is recording both audio and video as a result of activation.

Recorded Media: Audio-video signals recorded on any of several storage devices, including but not limited to, portable digital storage devices (e.g. CD, DVD, hard drive, flash drive).

III. Policy

A. Restrictions

1. Intimidation

   a. The BWC shall not be used for the purpose of intimidating or discouraging an individual from observing police activity, making appropriate inquiries to the police or making a complaint.

   b. In no event shall any recording be used or shown for the purpose of ridiculing, embarrassing or intimidating any person.

2. Interactions only with employees

   Employees shall not use the BWC to record interactions solely with or among other department employees, except in circumstances for which activation is appropriate in accordance with this policy.

3. Personal use

   Employees shall not use the BWC for personal use or for any other reason inconsistent with this policy.

4. MPD equipment

   Employees shall only use BWCs and BWC equipment authorized by the Department.

5. Disabling or interfering with BWCs

   Disabling BWC equipment, intentionally interfering with audio or video recording capabilities, and altering, duplicating, deleting or destroying BWC recordings are prohibited, except by Authorized Personnel in the course and scope of their lawful job duties and in accordance with record retention laws and policies and the provisions of this policy. Only the Chief or the Chief's designee can designate such Authorized Personnel.

6. Surveillance of protected activities

   The BWC shall not be activated solely for the purpose of surveillance of, or identification of individuals engaged in constitutionally protected activities conducted in a lawful manner.

7. Facial recognition

   BWC data shall not be:

a. Used to create a database or pool of mug shots.

b. Used as fillers in photo arrays.

c. Searched using facial recognition software. This does not prohibit the MPD from using facial recognition software to analyze the recording of a specific incident when an investigator has reason to believe that a specific suspect, witness, or person in need of assistance was recorded.

8. Use by non-employees

Employees assigned a BWC shall not permit any non-employees to use or wear the BWC.

B. Informing the Public that a BWC is in use

1. When feasible, employees are encouraged to inform members of the public that they are being recorded.

2. If asked, employees should inform those inquiring that audio-video recording equipment is in use, unless doing so would be unsafe for the employees or members of the public.

C. Training

1. Employees shall complete department authorized training in the use and operation of the BWCs prior to being assigned a BWC.

2. Only those employees that have been issued a BWC and have received the department authorized training may operate a BWC.

3. All MPD employees who use the BWC data storage and access systems shall receive training on these systems and this policy, prior to being granted access.

D. Wearing and Using the BWC

1. Employees assigned a BWC shall use it in accordance with MPD training, MPD policies, and the manufacturer's recommendations.

2. Employees shall wear the BWC in accordance with MPD training, using mounting equipment provided by the Department.

a. Employees shall wear the BWC facing forward on the outermost garment, in the chest area.

b. The Commander of the Technology and Support Services Division (who oversees BTU) may authorize additional mounting equipment options, and may authorize alternate camera mounts with different placements for specialized units or functions.

E. BWC Program Responsibility

1. Business Technology Unit responsibility

   The Business Technology Unit (BTU) is responsible for the technological aspects of the BWC program, including device support and maintenance.

2. Quality Assurance responsibility

   The BWC Quality Assurance Unit is responsible for oversight of the BWC program, and ensuring policy adherence.

3. Policy Review and Audit

   a. The BWC program and any associated policy shall be reviewed as necessary, with any appropriate changes occurring as a result of input received.

   b. The BWC program shall be independently audited in accordance with existing law.

F. Duty to Report

All employees are required to report misconduct or other violations in accordance with the Professional Code of Conduct chapter (P&P 5-100) and the Internal Affairs Process chapter (P&P 2-100).

G. Assignment of BWCS

BWCs shall be assigned to all sworn personnel. BWCs may be assigned to other personnel at the discretion of the Chief of Police or the Chief's designee.

H. Failure to Adhere to Policy

Employees failing to adhere to this policy or applicable laws regarding the use of BWCs and any associated data, including but not limited to restrictions regarding accessing such data, will be subject to discipline, up to and including termination.

IV. Procedures/ Rules/ Regulations

A. Employee Responsibilities

1. Charging BWCs

   Employees assigned a BWC shall keep it charged between shifts so that it is fully charged at the start of a shift.

2. Wearing and Powering on BWCs

   a. In Uniform

      Employees assigned a BWC and working in uniform (Class A, B, C or D in accordance with P&P 3-100) shall wear the BWC and keep it powered on at all times during their shift when they can reasonably anticipate that they may become involved in a situation for which activation is appropriate in accordance with this policy.

      i. This also applies to employees working at a precinct front desk.

      ii. When working in uniform, investigators assigned a BWC shall wear it in accordance with the rest of this policy.

      iii. The Lieutenant or Commander who oversees units focused on outreach and engagement (such as the SROs or CET) may determine whether their employees should wear the BWC when working in such assignments in soft uniforms (anything other than the full uniform that bears police markings).

   b. Plainclothes

      i. Employees do not need to wear the BWC during plainclothes operations in which displaying or indicating their status as a law enforcement employee would compromise the operation.

      ii. Investigators working in plainclothes who are assigned a BWC are not required to wear it during their on-duty shift except when executing a search warrant in the field or when ordered to by a supervisor.

   c. Entering Centers for Domestic or Sexual Violence Victim Advocacy

      Employees may power off their BWCs when entering a center for domestic or sexual violence victim advocacy or assistance, as long as there will not be any interaction with a suspect. Employees shall activate as needed in accordance with the section on Activation (including for interviews).

   d. Legal Proceedings

      Employees shall power off the BWC for any court-room proceeding, deposition or similar legal proceeding. Employees shall power on and activate the BWC if a situation requiring activation occurs.

3. Startup Checks

   Employees shall conduct a BWC Startup Check to ensure that equipment is working properly at the beginning of their shift.

a. A Startup check consists of activating the camera to ensure it properly enters Record Mode, and does not display any error indicators. Any problems shall be handled in accordance with the section on Problems with the BWC Equipment.

b. Once the BWC is activated for the startup check, the employee shall state the following information prior to deactivating:

- Name
- Badge number (or Employee ID for civilians)
- Call sign

4. Problems with the BWC Equipment

a. Employees shall directly notify their immediate supervisor as soon as practical of any:

- Missing equipment.
- Damaged equipment.
- Malfunctioning equipment (including when either or both of the audio or video recording functions is malfunctioning).
- A loss of BWC battery power (including if the BWC does not maintain a charge for a full regularly assigned shift).

b. The notification to the supervisor must be made without unnecessary delay.

c. As soon as practical, employees shall submit a ticket with the IT Service Desk to report the problems (in accordance with P&P 4-219).

d. Employees shall document in the Police Report any problems they encountered with their primary BWC while responding to an incident. The employee shall also note if they are using a replacement BWC. If a Police Report is not required, the employee shall document the problems in CAD.

5. BWCs and Mobile Video Recording (MVR) equipment

a. Employees equipped with a BWC who are operating a squad car equipped with Mobile Video Recording (MVR) equipment shall activate the MVR equipment as required by policy and shall also activate the BWC in compliance with this policy.

b. Employees wearing a BWC are not required to wear an MVR microphone.

6. Activation

a. Required Activation

Employees shall activate their BWC for the following circumstances:

i. When dispatched or assigned to a call, activation shall occur at least two city blocks away from the call for service location. If dispatched or assigned to a call less than two city blocks away, activation shall occur immediately. This includes assisting squads.

ii. When self-initiating a call, as soon as possible and prior to contacting a person or exiting a squad.

iii. Prior to taking any law enforcement action.

iv. Prior to making an investigatory contact.

v. When any situation becomes adversarial.

vi. Prior to assisting a citizen during in-person encounters, other than when providing basic verbal assistance (such as giving directions).

vii. When directed to activate the BWC by a supervisor.

Examples of situations that require activation include, but are not limited to:

- Any in-person contact (including at a precinct front desk, during a business check or while on a foot beat) involving allegations of criminal activity, suspicious or unlawful behavior, a complaint of misconduct or another situation requiring activation. This includes any contact with a reporting person, victim, suspect or witness, subject to the exceptions listed in the deactivation section.
- Traffic stops.
- Suspicious Person stops.
- Suspicious Vehicle stops.
- Any vehicular response requiring emergency driving or emergency response as defined by MPD P&P 7-401.
- Vehicle pursuits.
- Work-related transports not involving a ride-along or another City employee in their official capacity as a City employee.
- Any search, including but not limited to searches of vehicles, persons, and buildings. This excludes searches that could reasonably involve the presence of explosives, and also excludes protective sweeps for explosive devices.
- Any contact involving physical or verbal confrontations.
- When advising a person of their Miranda rights, if not inside of a secure law enforcement facility where the MPD is already creating a recording through another approved method.
- Any use of force situation. If a BWC is not activated prior to a use of force, it shall be activated as soon as it is safe to do so.
- Any tactical entry or forced entry into a building.
- Supervisors responding to a scene.

b. Changing Situations

If a situation changes to require activation, the employee shall immediately activate the BWC as soon as it is safe to do so.

c. Strip Searches

i. All strip searches shall be recorded by at least one person present during the entirety of the strip search, including all pre-search instructions provided to the person being searched.

ii. The camera shall be positioned to ensure that only audio data is collected and that the person being searched is not captured on video.

d. Failure to Activate

i. If there is a failure to activate the BWC or a late activation in any of the above situations, the employee shall document the reasons for the failure in the Police Report.

ii. If a report will not be prepared, the reason(s) for the failure to activate shall be documented via added remarks in CAD, as soon as practical.

aa. If the employee does not have access to a squad computer to enter added remarks directly, the employee shall contact MECC via radio or phone as soon as practical and request the reason(s) be added to the remarks in CAD.

ab. Documentation shall begin with the following prefix: “BWC:”, followed by the reason for the documentation.

e. Community Meetings

Unless activation is otherwise required by this policy, employees do not need to activate BWC for community meetings or other community engagement activities.

f. Phone Calls

Nothing in the activation policy precludes an employee from using the BWC to record phone calls the employee deems to be of evidentiary value or that otherwise require activation.

g. Interviews with Crime Victims

i. If employees will be conducting an initial interview with a crime victim, employees should advise the victim the camera will be on and activated during the interview.

aa. If the victim raises concerns with the camera being activated, the employee can turn the camera away to record audio but avoid capturing the video.

ab. If the victim refuses to be interviewed with the camera on, the employee may deactivate or power off the camera to facilitate the interview.

ii. Employees conducting interviews with victims of domestic or sexual violence should be especially sensitive to the victims' requests (in accordance with the section on temporarily deactivating at the request of a party being contacted).

iii. If the employee had their camera powered off inside a center for domestic or sexual violence victim advocacy or assistance, they should power it on and activate it for the interview.

7. Deactivation

a. Event Conclusion

Once activated, the BWC shall be left in the record mode until the conclusion of the event. The conclusion of the event occurs when either the employee or citizen(s) has left the scene or a detention or transport has concluded.

i. If a transport involves a transfer of custody, the event is not concluded until the transfer is complete.

ii. When transporting arrestees to the Hennepin County Jail the transfer may be considered complete at the intake door from the secure garage (threshold of the person sally port) unless custody has been transferred prior to that point, and the BWC may be deactivated in line with Jail policy. It should remain activated within the garage while MPD retains custody and should be reactivated at the intake door if custody is returned to the MPD (it should be activated while arrestees are in the squad, being unloaded or loaded, and while being escorted to or from the person sally port).

iii. The BWC may be deactivated if an event has otherwise concluded but the employee remains at the scene to prepare reports or for another similar reason not involving a situation requiring activation.

b. Critical Incidents- Deactivation

All involved, witness and escort employees in a Critical Incident shall leave their BWCs activated while on scene, until directed by the Incident Commander.

i. Deactivation must be after the Public Safety Statement is completed, at a minimum.

ii. When the BWCs have been deactivated in accordance with this section on Critical Incidents, employees may reactivate if they feel it is appropriate, and shall reactivate if otherwise required by the BWC policy.

c. Early Deactivation

i. Narration

aa. If a BWC is deactivated prior to the conclusion of an event, employees shall describe the reason by narration prior to deactivation.

ab. Supervisors deactivating to perform administrative functions shall describe the reason by narration prior to each deactivation, or following reactivation.

ii. Documentation

aa. If a Police Report will be prepared, the early deactivation and the reason shall also be documented in the employee's Police Report or statement in the Police Report.

ab. If a Police Report will not be prepared, the reason for the early deactivation shall be documented via added remarks in CAD, as soon as practical.

ac. If the employee does not have access to a squad computer to enter added remarks directly, the employee shall contact MECC via radio or phone as soon as practical and request the reason(s) be added to the remarks in CAD.

ad. Documentation shall begin with the following prefix: "BWC:", followed by the reason for the documentation.

ae. Supervisors performing administrative functions may summarize their associated deactivations in any required documentation.

d. Accidental Deactivation

i. If an accidental deactivation is discovered, the BWC shall be immediately reactivated.

ii. The employee shall narrate the cause of the accidental deactivation as soon as practical, and shall follow the other reporting requirements for early deactivations.

e. Stabilized Events

Notwithstanding the above, once an event has been stabilized and if the employee reasonably believes there is no longer audio or visual evidence to capture, and that none of the circumstances requiring activation will likely occur, the BWC may be deactivated during activities such as:

- Monitoring assigned traffic posts.
- The incident or event is of such duration that it is necessary to deactivate the BWC to conserve power or storage.
- When guarding suspects/arrestees at a hospital, if no other activation conditions are met (it must be activated if there will be contact with the suspect, if the suspect becomes combative, etc.).

f. Temporary Deactivation

When an event is still in progress, the BWC may be *temporarily* deactivated in the following situations, but shall be reactivated as soon as the temporary situation has concluded or if ordered to by a supervisor, and the required documentation shall be made according to the Early Deactivation section:

i. To protect the identity of an employee in an undercover capacity or during a plainclothes operation.

ii. To protect the identity of a confidential informant.

iii. If a request is made for a BWC to be turned off by a party being contacted, the employee should take into account the overall circumstances and what is most beneficial to all involved, before deciding to honor the request. For example, an employee may choose to turn off the BWC if its operation is inhibiting a victim or witness from giving a statement. Factors to consider may include the type of call and the vulnerability of the victim, such as the victim of a sexual assault.

iv. When ordered to by a supervisor. Both the employee and supervisor shall document the reason for the deactivation as described in the Report Writing section of this policy.

v. During Operation 100s, only if the Incident Commander deems it necessary.

8. Uploading and Classification

a. Classify events prior to upload

Classification should be done shortly after the recorded incident is concluded, and must be done prior to upload at the end of the employee's shift.

b. Upload at conclusion of shift

Employees shall upload all BWC digital data at the conclusion of their shift by placing their BWC in the assigned docking stations or utilizing other department approved uploading procedures.

c. Classify events as appropriate

Employees shall classify recorded events as appropriate, based on the options available under the classification and storage software. Multiple categories are permitted, and all applicable categories shall be used.

i. Each category used for classification is assigned a status of Public (subject to review) or Nonpublic (subject to review), based on statutory requirements. Requests for data (including by data subjects) will be handled according to the section in this policy related to Data Requests (in accordance with the Government Data Practices Act and any other applicable laws).

ii. Data may be held longer than the stated retention period in accordance with litigation or other legal requirements, and the section on BWC data retention [IV-C-2].

d. Classification options

The following classification options will be used:

Category	Retention Period	Public Status (subject to review)
• Training	1 Year	Nonpublic
• Rcrt/Academy	1 Year	Nonpublic
• Accidental Activation	1 Year	Nonpublic
• Startup Check	1 Year	Nonpublic
• Non-Evidence/General Recording	1 Year	Nonpublic
• Protected	1 Year	Nonpublic
• Citizen Complaint	3 Years	Nonpublic
• Evidence	7 Years	Nonpublic
• Use of Force- Other	7 Years	Nonpublic
• Use of Force- Substantial Bodily Harm	7 Years	Public
• Police Discharge of a Firearm	7 Years	Public
• Significant Event	*Min 7 Yrs	Nonpublic
• Non-BWC Data	1 Year	Nonpublic
• Citizen Evidence	1 Year	Nonpublic

* Until Manually Deleted/Indefinite Retention (Minimum of 7 years)

i. Category guidelines

Training: This category should be used for events that were recorded during BWC training sessions, or other training sessions where BWC data may have been recorded.

Rcrt Academy: This category is for the sole purpose of Academy staff and Recruits/Cadets for scenario video feedback. Video with this category shall not be accessed by anyone other than Academy staff, Recruits, Cadets and other personnel with written permission from the Academy Lieutenant or Training Division Commander.

Accidental Activation: This category should be used for inadvertent activations by the employee or inadvertent activations by an automatic signal.

Startup Check: This category should be used for the required BWC equipment checks done at the start of a shift, known as Startup Checks.

Non-Evidence/General Recording: This category should be used for recordings not associated with a call for service, offense, citation, arrest, report of crime or citizen complaint. This category includes events such as general citizen contacts that would not be considered evidence.

Protected: This category should be used for all recordings requiring a special level of review such as those capturing individuals with confidential identities or proprietary tactics.

Citizen Complaint: This category should be used for all recordings associated with any complaint of misconduct by a member of the public.

Evidence: This category should be used for all recordings associated with any call for service, offense, citation, arrest or report of crime (regardless if the employee believes there is actual evidence captured in the recording). This includes all related recordings such as witness statements or other evidence.

Use of Force-Other: This category should be used for all recordings in which use of force was captured, where the force resulted in no injuries or less than substantial bodily harm.

Use of Force- Substantial Bodily Harm: This category should be used for all recordings in which use of force was captured, where the force resulted in injuries with substantial or greater bodily harm or death.

Police Discharge of a Firearm: This category should be used for all recordings in which a firearm discharge by an employee was captured, where a notice is required under MN Statute section 626.553 Subd. 2.

Significant Event: This category should be used for any recording related in any way to any one of the following situations:

- Critical Incident;
- Homicide;
- Pursuit involving injuries or significant property damage;

- Squad accident involving injuries or significant property damage;
- Man-made or natural disaster or act of terrorism;
- Any event that an employee or supervisor believes should be brought to the immediate attention of police command staff.

Non-BWC Data: This category should be used for any file uploaded that is not a BWC video recorded by MPD.

Citizen Evidence: This category should be used for digital evidence collected by a citizen from their own digital collecting device (such as a cell phone or home/business security camera) and shared with the MPD for use in a criminal, civil, or internal investigation.

e. Case number required

i. Whenever a case number is generated from CAD, employees shall provide the associated case number in the "ID" field for all related BWC data.

ii. When entering the number, it shall be in the standard format of YY-xxxxxx (ex. 16-123456). The dash must be included and no other characters will be used.

f. Protected category requirement

If the Protected category is applied, the employee shall also add "PROTECTED" at the beginning of the Title field.

g. Critical Incidents- Uploading Data and Custody of BWC equipment

i. When MPD is the investigating agency, involved and witness employees shall maintain custody of their BWC equipment until Crime Lab personnel take custody of the equipment.

aa. In the event that any employees will be photographed as part of the Critical Incident protocol (see P&P 7-810), the employees shall leave BWC equipment on their uniform until photographs are completed.

ab. Authorized Crime Lab personnel are responsible for ensuring any BWC recordings are properly uploaded.

ac. Once all uploads are completed, the assigned investigators are responsible for authorizing release of the BWC equipment to the employee or other appropriate personnel.

ad. In the event that Crime Lab personnel are unable to take custody of the BWC, the on-scene investigators shall coordinate custody of the BWC and uploading of the video.

ii. When MPD is the investigating agency, all employees except involved and witness employees shall upload their BWC data as soon as possible, and no later than the conclusion of their shift.

iii. When investigation of the incident is transferred to another law enforcement agency, employees shall provide their BWC to the investigating agency.

aa. Uploading of the recordings and physical custody of the BWC will be coordinated with assigned MPD investigators and the outside investigating agency.

9. Report Writing

a. Data Access

BWC data may only be accessed in accordance with the section [IV-D] relating to Access of BWC Data and Request for Duplication of Recordings.

b. Critical Incidents

i. To capture and document the employees' perceptions and recollections uninfluenced by outside sources, and in accordance with P&P 7-810, involved and witness employees in Critical Incidents are prohibited from reviewing BWC data prior to making their initial Police Report or statement in the Police Report.

ii. If authorized by the Chief of Police to review BWC data after making their initial Police Report (in accordance with P&P 7-810), employees may add an additional narrative text after review but shall not alter the initial report.

c. Incidents that are not Critical Incidents

In incidents that are not Critical Incidents, employees may review BWC data in accordance with the section [IV-D] relating to Access of BWC Data and Request for Duplication of Recordings.

d. Items about BWC usage to include in Police Report

When a Police Report is made, employees shall document the following in the Police Report:

- Whether audio or video evidence was gathered relating to the events described in the report.
- If the BWC was not activated as required and the reason(s) why not, in accordance with the Activation section.
- Early or accidental deactivations, in accordance with the Deactivation section.
- Any malfunction of the BWC equipment in either the recording or the uploading of the event.

10. Off-Duty

    a. Use BWC during uniformed off-duty work

       Employees assigned a BWC shall use it during off-duty work when it is within the city of Minneapolis and involves wearing the MPD uniform, and the employees shall comply with the BWC policy.

    b. BWC use only for approved jobs

       BWC use is allowed only for approved off-duty jobs within the City of Minneapolis, and only while wearing the MPD uniform.

    c. Uploading BWC data from off-duty shifts

       i. Any audio/visual data regarding a use of force by or against an employee, or data that may be evidence in a criminal case, shall be uploaded in the same manner as if the data had been collected while on duty.

       ii. All other BWC data recorded during off-duty work shall be uploaded by the start of the next on-duty shift, as long as the shift begins within 48 hours of the off-duty shift's conclusion. If the next on-duty shift will begin more than 48 hours later the BWC data shall be uploaded at the conclusion of the off-duty shift.

    d. No MPD BWC use for other agencies

       Employees shall not use MPD-issued BWCs while working for another law enforcement agency.

B. Supervisor Responsibilities

1. Ensure employees follow procedures

   Supervisors shall ensure that employees follow established procedures for the use and maintenance of BWC equipment and the completion of BWC documentation. This includes the review of BWC recordings and usage data to ensure proper procedures are being followed.

   a. The MPD BWC Quality Assurance Unit will establish minimum standards for the review of BWC recordings and usage data. Supervisors shall conduct reviews of BWC recordings and usage data in accordance with these standards.

   b. Precinct Inspectors or Division Commanders may also direct their assigned personnel to conduct additional reviews of BWC recordings and usage data that exceed the standards established by the MPD BWC Quality Assurance Unit.

2. Problems with the BWC Equipment

    a. Supervisors shall ensure that appropriate measures are taken when informed of any problems with BWC equipment. This includes ensuring a ticket is submitted for the problematic equipment (P&P 4-219), replacing the BWC in question, and making any necessary reports.

    b. Supervisors shall ensure that employees who report an inoperable or damaged BWC are provided with a temporary or replacement BWC as soon as possible, and no later than the beginning of the employee's next shift. This may include temporarily assigning a BWC that is not currently being used.

        i. If the employee is using a replacement BWC (as provided by BTU or the employee's supervisor), the supervisor shall reassign the recordings accordingly.

3. Respond to the scene

    Supervisors shall respond to the scene of an incident that requires immediate retrieval of recordings and ensure appropriate uploading procedures are followed.

    a. For incidents not considered to be Critical Incidents

        i. If an incident occurs that involves substantial or great bodily harm or death, the supervisor shall ensure that employees upload the video as soon as practical following any necessary duties as part of the incident.

        ii. The same requirements shall apply to any incident the supervisor deems may be a "high profile" incident.

    c. For Critical Incidents

        For Critical Incidents, equipment and uploading shall be handled according to the Uploading and Classification Critical Incident section.

4. Review pertinent video

    When conducting force reviews or complaint investigations, supervisors shall view any pertinent BWC video as part of the review (including from witness employees). Supervisors may also view pertinent BWC video as part of any other administrative review.

C. BWC Data Retention

1. Data will be maintained in a storage system designated and approved by the Department.

    a. All data will be backed up by the storage system vendor.

b. BWC video shall only be stored in a database that is CJIS compliant (such as evidence.com, One Drive and Share Point). BWC video shall not be stored in any other database, including the M drive. Video shall not be stored on computer hard drives.

2. Data will be retained in accordance with applicable law, this policy and the City of Minneapolis records management retention schedule. Data may be retained past the scheduled retention period as required by MN Statute section 13.825 Subd. 2 and Subd. 3.

D. Access to BWC Data and Requests for Duplication of Recordings

1. Permission required for system access

Access to the department authorized storage system shall only be granted with written permission from the Commander of the Technology and Support Services Division (who oversees BTU), and only for a legitimate, specified law enforcement purpose.

a. Such permission must include the level of access to be granted to the individual, and any other restrictions that should be placed on the access.

b. BTU will periodically review the user access list to ensure that access levels are appropriate and have been duly authorized.

2. Documentation of access data

All accesses of the BWC data are documented automatically as part of the BWC vendor technology. Data relating to accesses will be retained in accordance with the retention schedule for the BWC data that was accessed.

3. Requests for data

All BWC recordings are the property of the MPD and original BWC recordings shall remain in the sole custody of the MPD, unless necessary for the preparation of civil, criminal or administrative matters, used in court as evidence, provided to an expert for analysis, provided to another law enforcement agency in the scope of their investigation, if required to be provided to another by lawful order or as may otherwise be required by the Minnesota Government Data Practices Act or other applicable law.

a. MPD records policy

All recordings shall be handled in accordance with the Department's records policy (P&P 4-501).

b. Public requests and redaction

Public requests for BWC recordings shall be referred to the Records Information unit and will be considered in accordance with the Minnesota Government Data Practices Act or other applicable law.

i. The public, non-public or confidential status will be determined in accordance with the Minnesota Government Data Practices Act or other applicable law in relation to the specific request.

ii. Data subjects have access to the data, subject to the conditions in the Data Practices Act, including but not limited to MN Statute section 13.825.

iii. All entities with access to the BWC data are responsible for ensuring they only handle and release BWC data in accordance with MN Statute.

iv. Any necessary and lawful redaction or other editing of BWC recordings shall only be completed by Authorized Personnel in the course and scope of their lawful job duties and in accordance with record retention laws and policies and the provisions of this policy.

aa. Data that are public may be redacted or access may be withheld to portions of the data if those portions of data are clearly offensive to common sensibilities, in accordance with MN Statute section 13.825 Subd. 2.

ab. If a data subject requests that data or requests that it be made public, data on other subjects will be redacted as required by MN Statute section 13.825, where applicable.

ac. The original recording shall remain intact and stored within the department authorized storage system in accordance with record retention laws and policies.

c. MPD personnel requests for duplication

Requests by MPD personnel for duplication of BWC data for purposes of official MPD business shall be directed to the Records Information unit.

d. Outside agency requests for duplication

Requests by outside agencies for duplication of BWC data shall be directed to the Records Information unit.

e. Sharing BWC recordings with public or employees

Employees shall not share BWC recordings with any member of the public or any MPD employee, unless it is required in the performance of their official duties and consistent with State and Federal law.

f. Sharing with partner agencies

Employees may share BWC data with a partner agency when:

i. The BWC data is shared with an approved City department or government agency as necessary for the administration and management of programs specifically authorized by the legislature or local governing body or mandated by the federal government.

ii. The BWC data is shared to aid another public safety agency in an active criminal investigation.

4. Data use for training purposes

Recorded data may only be replayed or displayed for training purposes with the approval of the Deputy Chief of the Professional Standards Bureau. Nothing herein prohibits Training Division staff from having access to BWC recording for the purpose of planning training.

5. Data access by employees or as evidence

Data captured by a BWC may be accessed by an employee, provided the access is in the course and scope of the employee's lawful job duties, or used as evidence relating to:

- Pending administrative, criminal, civil or traffic matters;
- A complaint of misconduct made against an employee
- In situations where evidence of employee misconduct is discovered during the course of authorized access (including force reviews);
- A random or uniform review of BWC data with regard to equipment functionality, policy compliance; or
- Any other purpose authorized under this policy and consistent with State and Federal law.

6. Data access in Critical Incidents

In any Critical Incident, video and audio data shall not be accessed unless approved by the assigned investigating agency.

7. No duplication of data by recording devices

Employees are prohibited from using recording devices to duplicate BWC video or audio in any form, including cell phones or video cameras.

E. Notice to Data Subjects

1. If a person brings an action in district court under MN Statute section 13.825 Subd. 2, the MPD shall give notice to any data subjects in the video in question who did not receive notice from the person bringing the action, if known.

2. If the MPD has retained a recording in accordance with MN Statute section 13.825 Subd. 3 paragraph (c), the MPD shall notify the requester after the time period is up that the recording will then be destroyed unless a new request is made under that paragraph.

3. If the MPD discovers or is notified of a breach in the security of the data, data subjects, if known, will be notified in accordance with MN Statute section 13.055, Subd. 2.

F. Uploading Non-BWC Data

For all video, audio or photographic data uploaded to the storage system that was not video captured by an MPD-issued BWC, employees shall follow the requirements in the Uploading and Classification section where applicable, as well as the following requirements:

1. The category of "Non-BWC Data" shall be applied, along with all other applicable categories.

2. Whenever a case number is generated from CAD, employees shall provide the associated case number in the "ID" field for all related data.

   a. When entering the number, it shall be in the standard format of YY-xxxxxx (ex. 16-123456). The dash must be included and no other characters will be used.

4-224 Employee Cell Phones and Recording Devices Used to Capture Evidence

(07/25/13) (05/29/18) (09/01/21)

A. Department-Issued Recording Devices

Employees shall only use department-issued recording devices, including but not limited to Body Worn Cameras, Mobile Video Recorders (MVR), and department-issued cell phones and digital cameras, to capture video, audio and photographic data.

B. Government Data

All electronic data that could be considered evidence, when captured by an MPD-owned device while on duty or off duty in any capacity, or when captured by another device during the course of an employee's duties, is considered to be government data and the property of MPD and may only be distributed in accordance with department policy. (See P&P 4-501 Confidential Department Records, Reports and Information.)

C. Transferring Captured Evidence

The mandatory protocol for transferring captured evidence from an employee's device to MPD custody is as follows:

1. Evidence from cell phones

   All photographic images or video captured using a cell phone shall be immediately uploaded into evidence.com and labeled according to the uploading and classification standards in P&P 4-223 Body Worn Cameras.

2. Evidence from digital cameras

   a. All evidentiary photographic images captured using a digital camera or recording device shall be immediately uploaded into evidence.com or into the Digital Information Management System (DIMS) in accordance with P&P 4-217 Digital Cameras and Digital Information Management System (DIMS). Images uploaded into evidence.com shall be labeled according to the uploading and classification standards in P&P 4-223 Body Worn Cameras.

   b. Images captured by Property and Evidence unit staff documenting evidentiary items shall be uploaded according to the Property and Evidence unit procedures.

   c. All video captured using a digital camera or other recording device shall be immediately burned to a CD/DVD and inventoried.

3. Evidence from Body Worn Cameras (BWCs)

   BWC data shall be uploaded in accordance with P&P 4-223 Body Worn Cameras.

4. Evidence from Mobile Video Recorders (MVR)

   MVR data shall be uploaded in accordance with P&P 4-218 Mobile and Video Recording (MVR) Policy.

D. Forensic Analysis

The cell phone or recording device may be subpoenaed at a later time by defense attorneys to be subjected to a forensic analysis. The device may be retained on a litigation hold for an extended period of time.

For a forensic analysis:

1. The cell phone or other recording device containing evidentiary photos or recordings shall **immediately** be inventoried. The minimum turnaround time for processing is 24 hours, and the process could take up to a few weeks.

2. Employees shall provide the lock code to the device (if applicable) so the Crime Lab can access the data stored on the device.

3. In the process of a forensic analysis, all content stored on the device which captured the evidentiary photos or recordings shall remain unchanged. Text messages, photos, emails or other data stored on the device shall not be modified or deleted. This includes all content not related to the data captured as evidence.

4. The Crime Lab will process the evidence in the same manner all other phones or recording devices are handled. No exceptions will be made.

5. "Processing" a phone or other recording device means all of the current data on the device could be extracted (not just an individual photo or recording), depending on the nature of the litigation. The data that could be extracted includes:

    - Call history
    - Text messages
    - Contacts list
    - All images
    - All video
    - All audio
    - Deleted data files

6. A copy of all the court-ordered extracted data will be provided as part of an evidentiary request. This is standard procedure and personal or other unrelated data captured on phones or recording devices will not be redacted or deleted.

7. Once processing is complete, the device will be returned to the Property and Evidence unit and a release from an investigator must be entered prior to retrieval by the employee.

4-225 Public Safety Camera Platforms

(03/24/22)

I. Purpose

The purpose of this policy is to provide direction for the use of Milestone and the Fusus Real Time Crime Center technology platform.

A. Milestone

Milestone is the Departments' primary application for viewing and retrieving video from the public safety cameras owned and operated by MPD.

B. Fusus Real Time Crime Center

The Fusus Real Time Crime Center technology platform consists of fususONE, fususOPS, fususALERT, fususREGISTRY, fususTIPS, fususVAULT, and the fususCORE hardware appliance.

II. Policy

A. Use of Video

1. All video saved from Milestone shall only be used for evidentiary, court, internal or administrative investigation, or training (with the approval of the training unit commander) purposes. Video can also be saved for other agencies through the MPD's Strategic Information Center (SIC).

2. The Minneapolis Police Department is committed to the protection of individual rights as governed by the United States Constitution, and Federal, State and local law. Collection of public and private video streams are strictly intended for legitimate law enforcement purpose and never for the arbitrary collection of video surveillance.

3. In accordance with Minneapolis Ordinance 41.100, facial recognition technology shall not be used with this platform or video from this platform unless an exception was approved in accordance with the Ordinance.

B. Viewing, Release and Collection of Video and Other Data

1. Video and other data shall only be released in accordance with the MN Government Data Practices Act and Minneapolis and MPD policy.

2. No person shall be permitted to view video, except in accordance with the MN Data Practices Act and any other applicable laws.

3. Video shall only be viewed or collected for a legitimate law enforcement purpose.

   a. Video shall not be viewed or collected for the purpose of harassing or intimidating members of the public, employees, visitors, or arrestees.

   b. Video shall not be viewed or collected for personal use.

C. Public Video Collection

1. Public video streams shall be collected in those public areas which are deemed of value for the prevention and detection of criminal activity within the city.

2. Decisions concerning which areas are selected for video surveillance shall be made by command staff members holding the rank of Lieutenant or above and shall be continually evaluated for need and effectiveness.

3. A list of those public areas in which video streams are collected shall be made available to the public.

D. Data Retention

All data (including video) received by the MPD shall be retained and disposed of in accordance with the MN Government Data Practices Act and the City of Minneapolis Records Retention Schedules.

III. Procedures

A. Milestone and fususONE Camera Control

1. The Incident Commander of an event will designate personnel to monitor cameras to give situational awareness to make informed, timely decisions.

   a. Remarks should be added to CAD to identify the camera operator by call sign.

   b. If the event is preplanned this should be noted in an EAP.

2. If an event or situation arises in a precinct, that precinct should be responsible for tracking and camera management for that event until it concludes or until it leaves the precinct.

   a. When an event leaves the precinct, the event responsibility shall be transferred to an Incident Commander in the new precinct. The transfer shall be announced on the radio.

   b. The precinct where the event originated shall be responsible for generating the required records and reports.

3. In situations where the event causes a response greater than the precinct resources alone or situations affect multiple precincts, control may be temporarily restricted and taken over by MPD Mobile Command personnel. If Mobile Command is not controlling a camera or does not have it restricted, the precinct may resume control of cameras.

4. Situations or events may dictate that personnel from the MPD's Strategic Information Center (SIC) unit need camera control for intelligence gathering or viewing for operational planning. In that case MPD Strategic Information Center (SIC) personnel may temporarily take control of a camera from a precinct to gather intel and will then release it back to the precinct when finished.

5. The Strategic Information Center (SIC) unit and the Multi Agency Command Center (MACC) or Emergency Operation Center (EOC) shall communicate together to avoid conflicts and to best fit operational needs, as they may be working on the same intel incident. Potential conflicts could include operational, intelligence gathering, and evidence gathering needs. If a conflict arises regarding who has the operational need, the

MACC/EOC Operational Section Chief and the Event Incident Commander shall determine who has operator priority.

B. System Access

1. A list of all users who have access to the platform shall be maintained by the system administrator.

2. Employees shall have their own username or a group username and password to login to the platform, and they shall only use that login information for access.

4-226 Use of Unmanned Aerial Vehicles

(03/06/23) (02/17/24)

I. Purpose

A. Unmanned aerial systems are a tool that can help the MPD de-escalate situations, aid in search and rescue operations, evaluate and manage the resources needed, and prepare the proper tactical response.

B. The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval, and dissemination of images and data captured by the UAS.

C. MN Statute section 626.19 Subd. 10 requires that any local law enforcement agency that uses or proposes to use a UAV must establish and enforce a written policy governing its use, including requests for use from government entities.

II. Definitions

Remote Pilot in Command (RPIC): A person who holds a remote pilot certificate with a UAS rating and has the final authority and responsibility for the operation and safety of a UAS operation conducted under FAA's Small UAS Rule (Part 107).

Unmanned Aerial System (UAS): An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled without the possibility of direct human intervention from within or on the aircraft (UAV), and all of the supporting or attached systems designed for gathering information through imaging, recording, or any other means.

Unmanned Aerial vehicle (UAV): MN Statute section 626.19 Subd. 1 states: "unmanned aerial vehicle" or "UAV" means an aircraft that is operated without the possibility of direct human intervention from within or on the aircraft.

Visual Observer: A person acting as a flight crew member who assists the small UAS RPIC and the person manipulating the controls to see and avoid other air traffic or objects aloft or on the ground.

III. Policy

A. Protect Life and Property

1. Unmanned aerial systems may be used to enhance the MPD's mission of protecting lives and property, when other means and resources are not available or are less effective.

2. Any use of a UAS will be in strict accordance with constitutional and privacy rights.

B. Privacy

The use of the UAS potentially involves privacy considerations.

1. Absent a warrant or exigent circumstances, Remote Pilots in Command and Visual Observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure).

2. Remote Pilots in Command and Visual Observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

C. Requirements for Deployment

1. FAA requirements

   In accordance with MN Statute section 626.19 Subd. 4, the MPD must comply with all Federal Aviation Administration requirements and guidelines, including, but not limited to:

   a. Daytime operation

      UAS operations should primarily be conducted during daylight hours and only operated in the dark when the situation calls for immediate action.

   b. Populated areas

      A UAS should not be flown over populated areas without FAA approval.

2. Pilot and observer

   Deployment can only be conducted if there is an authorized Remote Pilot in Command and a trained Visual Observer conducting the mission.

3. Policy and law

   A UAS shall only be deployed in accordance with MPD policy and MN Statute section 626.19.

4. Authorization required

   a. A UAS shall only be deployed when authorized by the Commander of the Special Operations Division, or the rank of Deputy Chief or above, except for the following types of use:

      - During or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person ([III-D-3-a]).
      - To document a crime scene when requested by the Forensics Division (as part of [III-D-3-f]).
      - To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road ([III-D-3-g]).

   b. The authorization requirement also applies to the use of a UAS for a search warrant when the UAS is being used as an instrument used to conduct the search.

D. Limited Use

1. Search warrant

   In accordance with MN Statute section 626.19 Subd. 2, the MPD must not use a UAS without a search warrant issued under this chapter, except as provided in Authorized Use:

2. Random surveillance

   The UAS video surveillance equipment shall not be used to conduct random surveillance activities.

3. Authorized use

   In accordance with MN Statute section 626.19 Subd. 3, the MPD may use a UAS:

   a. During or in the aftermath of an emergency situation that involves the risk of death or bodily harm to a person;

   b. Over a public event where there is a heightened risk to the safety of participants or bystanders;

   c. To counter the risk of a terrorist attack by a specific individual or organization if the MPD determines that credible intelligence indicates a risk;

d. To prevent the loss of life and property in natural or man-made disasters and to facilitate operational planning, rescue, and recovery operations in the aftermath of these disasters;

e. To conduct a threat assessment in anticipation of a specific event;

f. To collect information from a public area if there is reasonable suspicion of criminal activity;

g. To collect information for crash reconstruction purposes after a serious or deadly collision occurring on a public road;

h. Over a public area for employee training or public relations purposes; and

i. For purposes unrelated to law enforcement at the request of a government entity, provided that the government entity makes the request in writing to the MPD and specifies the reason for the request and proposed period of use.

4. Requests by other law enforcement agencies

Any use of the MPD UAS at the request of another law enforcement agency shall only occur in accordance with MPD policy and applicable laws, and the operation of the UAS shall be done by MPD employees.

E. Prohibited Use

In accordance with MN Statute section 626.19 Subd. 4:

1. Facial recognition

The MPD shall not deploy a UAV with facial recognition or other biometric-matching technology, or search the data from a UAS with facial recognition or other biometric-matching technology, unless expressly authorized by a warrant and only if an exception was approved in accordance with Minneapolis 41.120.

2. Weapons

The MPD shall not equip a UAS with weapons.

3. Data on protests and demonstrations

The MPD shall not use a UAS to collect data on public protests or demonstrations, unless expressly authorized by a warrant or an exception applies the Limited Use section of this policy.

Additionally:

4. One UAV per pilot

   Remote Pilots in Command shall only operate one UAV at a time per pilot. This does not prohibit the operation of more than one UAV at the same time by separate pilots.

5. Targeting based on characteristics

   The UAS video surveillance equipment shall not be used to target a person based solely on actual or perceived characteristics such as an individual's race, color, creed, religion, ethnic/national origin, gender, gender identity, age, disability (including pregnancy), or characteristics identified as sexual orientation, affectional preference, marital status, familial status, status with regard to public assistance and veterans status.

6. Harassment

   The UAS video surveillance equipment shall not be used to harass, intimidate, or discriminate against any individual or group.

7. Personal business

   The UAS video surveillance equipment shall not be used to conduct personal business of any type.

F. Use of Vision Enhancement Technology

1. Use of vision enhancement technology not generally available to the public is permissible in viewing areas only:

   - where there is no protectable privacy interest, or
   - when in compliance with a search warrant or court order.

2. In all other instances, legal counsel should be consulted prior to using vision enhancement technology.

G. Training Required

Only authorized Remote Pilots in Command who have completed the required training shall be permitted to operate the UAS.

H. Program Coordinator

The Minneapolis Police Department will appoint a program coordinator who shall be responsible for the management of the UAS program. The program coordinator shall ensure that policies and procedures conform to current laws, regulations, and best practices.

I. Department UAS Program

1. Only Remote Pilots in Command authorized by the UAS program coordinator shall operate UAVs.

2. Only UAVs authorized by the UAS program coordinator shall be deployed. Under no circumstance shall unauthorized UAVs be deployed.

   a. No personal UAVs shall be deployed by any employee while on-duty or for official purposes.

   b. All purchases, maintenance, and updates of UAVs shall be coordinated by the UAS program coordinator.

J. Evidence

MN Statute section 626.19 Subd. 7 states:

Information obtained or collected by the MPD in violation of this section is not admissible as evidence in a criminal, administrative, or civil proceeding against the data subject.

IV. Procedures/Regulations

A. Data Classification

In accordance with MN Statute 626.19 Subd. 6, data collected by a UAS are private data on individuals or nonpublic data, subject to the following:

1. If the individual requests a copy of the recording, data on other individuals who do not consent to its release must be redacted from the copy;

2. UAS data may be disclosed as necessary in an emergency situation under Subd. 3, clause (1);

3. UAV data may be disclosed to the government entity making a request for UAV use under Subd. 3, clause (9);

4. UAV data that are criminal investigative data are governed by section 13.82, Subd. 7; and

5. UAV data that are not public data under other provisions of Chapter 13 retain that classification.

B. Data Retention

Notwithstanding MN Statute section 138.17, the MPD shall delete data collected by a UAS as soon as possible, and in no event later than seven days after collection unless the data is part of an active criminal investigation.

C. Data Upload and Categorization

1. After the deployment is completed, the UAS Remote Pilot in Command shall upload all video and audio data collected by the UAS into Evidence.com prior to the end of their shift.

2. The text "DRONE-" shall be included at the beginning of the file name for all deployment uploads, regardless of evidentiary status.

3. If the following definition applies, the category of "Evidence" shall be applied to the upload.

   Evidence: This category should be used for all UAS recordings that are part of an active criminal investigation.

4. The category of "UAS" shall be applied to all deployment uploads that are non-evidentiary, which will be subject to deletion after 7 days.

D. Body Worn Cameras (BWCs)

1. The Remote Pilot in Command shall not activate their BWC while operating a UAS, and shall deactivate their BWC prior to operating if already activated.

2. The Visual Observer shall ensure their BWC is activated during the deployment, subject to the exceptions below:

3. BWC activation is not required for UAS training or for using the UAS for public relations purposes, unless another activation requirement in P&P 4-223 applies.

E. Tennessen Warning

In accordance with MN Statute section 6126.19 Subd. 6:

The MN Statute on Tennessen Warnings (section 13.04, Subd. 2) does not apply to data collected by a UAS.

F. Documentation Required

1. Incident information

   a. Report required

      The following information shall be documented in a Police Report, which shall include the code DRONE, for each use of a UAS, per MN Statute section 626.19 Subd. 5, subject to the exceptions below:

      i. A unique case number connected to the deployment.

ii. The factual basis for the use of the UAS.

iii. Whether a warrant was obtained, or an exception applied under Subd. 3 (and if so, the applicable exception).

aa. If an exception applied and a warrant was not obtained, the factual basis shall include describing in detail the situations and risks that authorized the exception.

b. Exceptions

A Police Report is not required for UAS training or using the UAS for public relations purposes.

2. Flight log

a. A flight log of the aircraft shall be completed following every deployment. The log shall contain:

i. The name and badge numbers of the Remote Pilot in Command and the Visual Observer;

ii. The case number for the deployment;

iii. The authorized use, search warrant or authorized exception;

iv. The supervisor that authorized the UAV deployment;

v. The model deployed;

vi. A mission synopsis and results; and

vii. Any performance issues, if applicable.

b. Digital logs of aircraft mission profiles will be retained pursuant to FAA guidelines.

G. Required Reporting

In accordance with MN Statute section 626.19 Subd. 12:

By January 15 of each year, the MPD shall report to the commissioner of public safety the following information for the preceding calendar year:

1. The number of times a UAV was deployed without a search warrant issued under this chapter, identifying the date of deployment and the authorized use of the UAV under Subd. 3.

2. The total cost of the MPD's UAV program.

H. Program Coordinator Responsibilities

The UAS Program Coordinator (UAS PC) reports to the Special Operations and Intelligence Division Commander. The UAS PC is responsible for the day-to-day operations and will have the following additional responsibilities:

1. Certificate of Waiver or Authorization

   The UAS PC shall coordinate the FAA Certificate of Waiver or Authorization (COA) application process and ensure that the COA is current.

2. Training

   The UAS PC shall ensure that all authorized Remote Pilots in Command and required Visual Observers have completed all required FAA and MPD-approved training in the operation, applicable laws, policies, and procedures regarding use of the UAS.

3. Protocols

   a. Requests for deployment

      i. The UAS PC shall develop a uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents.

      ii. The UAS PC shall develop protocols for reviewing and approving requests for use of the MPD UAS by government entities, as required by MN Statute section 626.19 Subd. 10.

   b. Use in criminal investigations

      The UAS PC shall develop protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.

   c. Operations

      The UAS PC shall develop an operational protocol governing the deployment and operation of a UAS, including but not limited to safety oversight, use of visual observers, establishment of lost link procedures, and secure communication with air traffic control facilities.

   d. Documenting missions

      The UAS PC shall develop a protocol for fully documenting all missions.

e. Inspection and maintenance

The UAS PC shall develop a UAS inspection, maintenance, and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.

f. Data access and storage

i. The UAS PC shall develop protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored, and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements.

ii. Electronic trails, including encryption, authenticity certificates, and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.

g. Data retention

Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.

4. Facilitate law enforcement access

The UAS PC shall facilitate law enforcement access to images and data captured by the UAS.

5. Ensure protocols are followed and report to Chief

a. The UAS PC shall ensure that established protocols are followed by monitoring and providing quarterly reports on the program to the Chief.

b. The Chief may direct or request additional reports or presentations to be prepared by the UAS PC.

6. Submit required reports

The UAS PC shall prepare and submit the required annual report to the Commissioner of Public Safety, per MN Statute section 626.19 Subd. 12.

7. Post policy

The UAS PC shall ensure the MPD policy regarding the use of UAV is posted on the MPD's website, as applicable, per MN Statute section 626.19 Subd. 10.

8. Review program

   a. Compliance

      The UAS PC shall review the program and UAS use for compliance with MN Statute section 626.19.

   b. Recommend enhancements

      The UAS PC shall recommend program enhancements, particularly regarding safety and information security.

4-301 MPD Travel Procedures

(10/01/01) (10/11/05) (06/10/13)

(A)

A. Business-Related Travel

1. Employees requesting Special Duty for business-related travel shall complete a Special Duty Approval form (MP-1002), obtain an estimate of costs and appropriate signatures.

2. Travel outside the seven county metro area is considered "out of town."

3. All travel costs must be pre-approved and the funding source identified by the employee's commander.

4. All out of town training, conferences, Honor Guard details, and MPD representation at funerals and other special events that are to paid for by the Minneapolis Police Department shall be reviewed by the Deputy Chief of Professional Standards, Assistant Chief or Chief.

5. If an employee attends a business-related event that involves air travel, and a Saturday stay is required to reduce airline costs, the extra day(s) will be marked as worked and the MPD will pay for the hotel and per diem for those days.

6. Days that are not considered travel, training, conference, meeting or other work days will be marked as off (unpaid) or the employee may use vacation or compensatory time.

B. Travel Reimbursement

1. The Travel Expense Form (FD-2800) shall be completed for reimbursable expenses and itemized receipts must be attached.

2. When applicable, a copy of the class certificate and/or a copy of the agenda schedule from the training attended are required when seeking reimbursement.

3. The following items are eligible for reimbursement:

   a. Original itemized hotel bill showing room, taxes and method of payment. MPD will reimburse only room and taxes. Incidental expenses shall be paid by the employee.

   b. Postage and mailings

   c. Registration fees

d. Transportation costs (e.g. taxi, shuttles, parking)

e. Rental car. This expense must be pre-approved prior to travel.

f. Gas receipts

g. Airline tickets

h. Baggage fee for the first bag.

i. MPD will pay for a second bag if the travel is to a command school or training 3 months or longer.

ii. MPD will not pay for overweight luggage.

iii. MPD will not pay shipping/baggage handling expenses for books or other materials acquired during training or other work-related travel.

4. The Travel Expense Form (FD-2800), receipts and applicable class certificates/agenda schedule shall be forwarded to the Training Unit.

C. Airfare Travel

Employees shall contact the Training Unit prior to making air travel arrangements.

D. Vehicle Travel

1. Requests to utilize an MPD vehicle for out of town travel shall be submitted to the MPD Fleet Manager. This includes marked squads and unmarked vehicles.

2. Officers using a marked squad for out of town travel shall obtain a spare tire and jack from the Police Garage.

3. In the event of a vehicle breakdown while traveling, employees shall ensure the MPD vehicle is taken to the nearest dealership respective to the make of the vehicle and contact the MPD Fleet Manager.

4. Reporting accident/vehicle damage shall occur in accordance with MPD Policy/Procedure Section *4-410 City Vehicles and On-Duty Accidents*.

a. In the event of a vehicle accident or damage occuring to a rental car, the MPD Training Unit shall be notified immediately.

b. In the event of a vehicle accident or damage occuring to an MPD vehicle, the MPD Fleet Manager shall be notified immediately.

E. Hotel Accommodations

1. Hotel reservations should be arranged by the Training Unit.

2. Employees may make their own arrangements and seek reimbursement by following the process outlined in ***Section B – Travel Reimbursement***.

3. The following protocol shall be followed when arranging hotel accommodations:

   a. If the conference/training/meeting/event is at a hotel, room reservations shall be made at that hotel.

   b. If rooms are not available at the conference/training/meeting/event hotel, reservations shall be made at the nearest hotel with comparable rates.

F. Per Diem

1. Meals and incidental expenses are calculated on the basis of the geographic location the employee is traveling to.

2. Per Diem amounts will be adjusted if meals are included in the training. No receipts are needed for meals and miscellaneous expenses.

3. For FBI and SPI training, the Per Diem amount will be pre-determined and an advance will be issued to the employees.

4. Employees attending the FBI Academy Training will receive a check from the FBI for expenses; the employee shall submit this check to the Training Unit.

5. MPD pays only the employee's Per Diem. This does not include an allowance for family.

G. Leave En-Route or Interrupted Travel

1. An employee who for personal reasons desires an interruption of travel or deviation from direct route shall:

   a. Request the leave in the travel request, unless an unforeseen circumstance arises (e.g. family emergency).

   b. Figure expenses for an uninterrupted trip (expenses during the leave will be paid by the employee).

2. Time involved during the leave will be off-duty time.

3. City vehicles shall not be used during a leave en route.

4-302 Flying While Armed

(04/22/09) (06/10/13)

(C-D)

A. The Transportation Security Administration (TSA) has instituted procedures for sworn personnel who have an official MPD business need to fly while carrying their firearm (flying while armed). Employees shall follow all TSA, airline and Departmental policies while traveling on official MPD business.

B. While in transit at airports and onboard aircraft, sworn employees are required to carry with them the following:

1. A TSA code (Form MP-9054).

    - Two of these forms are needed, one each for the departure and return trips. Sworn employees should complete the forms and submit them to the Records Information Unit (RIU). RIU staff will process the information via the National Law Enforcement Telecommunications System (NLETS) and return the LEO codes to the employee via email. Incomplete forms will be returned to the employee for additional information.
    - MECC may assist sworn employees to obtain LEO codes in an emergency situation when travel codes are needed and the Records Information Unit is closed.

2. Two forms of photo identification, one of which shall be MPD photo identification.

C. A Letter of Authorization from the Chief of Police (Form MP-9053) is no longer required by the TSA, but is suggested by the MPD.

1. Sworn employees should draft a Letter of Authorization to be signed by the Chief, and e-mail the word.doc to the Chief's secretary for his/her review and approval. If approved, the signed letter will be returned to the employee via inter-office mail.

2. In situations requiring an immediate need to fly, the VCI/SCI Commander or Homicide Unit Lieutenant may sign the Letter of Authorization for their commands.

3. Employees are encouraged to begin the process of obtaining the Letter of Authorization and LEO codes as soon as airline reservations have been made.

D. From the TSA: "Unless coordinated with US State Department or for the purposes of an extradition with the US Marshals Service, LEOs are not permitted to fly armed internationally."

E. Sworn employees must have completed the Flying While Armed class prior to carrying their firearm on the plane. Contact the Training Unit for further information regarding this requirement.

F. Sworn employees flying on official MPD business may check their firearms in their luggage. TSA and NLETS codes are not required for checked luggage.

G. Sworn employees who are not on official MPD business as well as civilian employees will not be authorized to fly while armed. These employees shall follow the TSA and airline regulations on checking firearms for personal use.

4-401 Vehicle Responsibility

(07/26/02) (05/24/13) (03/04/25)

A. The MPD Fleet Manager shall administer vehicle assignments.

B. Commanders and Inspectors are responsible for authorizing the use of assigned vehicles within their commands.

C. Members who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them.

D. Police vehicles shall only be operated by authorized personnel in a safe and lawful manner.

4-401.01 Vehicle – Use of Personal Vehicle for Police Business

(07/26/02)

(A-D)

Personnel are authorized to claim mileage for the use of their own vehicles for police business. Personal vehicles used for police business shall be used in accordance with restrictions set forth by City Council action.

4-401.02 Vehicle – Seat Belts

(07/26/02)

(A-B)

Employees operating or riding in City-owned vehicles, or in privately owned vehicles while on City business, shall wear seat and shoulder belts in accordance with the manufacturer's recommendations. Under certain operational needs, sworn personnel may be exempt from wearing the seat and/or shoulder belts.

4-401.03 Vehicles – Altering Design or Equipment

(07/26/02)

(A-D)

Employees shall not alter, add or remove equipment in or out of any MPD vehicle without written permission from their commander and approval from the MPD Police Equipment Specialist.

4-402 Driver's License Program

(03/04/25)

I. Purpose

This policy incorporates the requirements of the City's Driver's License Program that pertain to MPD members. Compliance with this policy is intended to satisfy the requirements of the City's program.

The purpose of the City's program is to ensure that every driver for the City of Minneapolis has a valid driver's license with appropriate endorsement(s). Information about the City's program is available on the City's intranet site and may also be obtained by requesting it from the MPD Driver's License Coordinator.

II. Requirement for a License and Eligibility to Drive

A. A valid driver's license and confirmed eligibility to drive under this policy are required for anyone operating an MPD vehicle, a City vehicle, or a privately owned or personal vehicle used to conduct MPD business. Any member who fails to comply with this policy may be subject to discipline, up to and including discharge.

B. Without confirmation of a valid driver's license and appropriate endorsements, members shall not drive to conduct Department or City business, and cannot perform jobs for which the essential functions require the ability to drive.

C. A member who is required to drive as part of their job duties may be subject to discipline, up to and including discharge, if they become ineligible to drive. A member who is required to drive a Department or City vehicle as part of their job duties may be subject to discipline, up to and including discharge, if they are only eligible to drive with restrictions that would prevent them from driving Department or City vehicles.

III. Procedures/Regulations

A. License Checks

1. The MPD Driver's License Coordinator or their designee will conduct a check annually to ensure that any member who drives or operates a Department vehicle, City vehicle, or a privately owned or personal vehicle used for MPD business, has a valid driver's license, without restrictions that would prevent driving Department or City vehicles (if applicable), and the appropriate license endorsements (if applicable).

2. If the MPD has reason to believe that the status of a member's driver's license may have changed affecting their eligibility to drive to conduct MPD business, additional checks may be conducted as needed to verify that the driver's license and applicable endorsements remain valid and to determine if there are any work-related restrictions.

3. Driver's license checks will also be conducted as needed for any non-sworn member in a new work assignment that requires driving and for a non-sworn member who requests to become an eligible driver.

B. The Program Form

1. All members will be provided the City of Minneapolis Driver's Licensing Program-Driver/Operator Information electronic form at least every three years, and shall review the form, complete it, and return it to the MPD Driver's License Coordinator. Non-sworn members who are not required to drive as part of their work assignment and are not requesting to become an eligible driver, will indicate that information on the form and driver's license information will not be collected and no driver's license checks will be conducted.

2. All members who are required to drive as part of their work assignment and all non-sworn members requesting to become an eligible driver, will complete the electronic form in its entirety. Member authorization to conduct driver's license checks will be effective for three years.

3. Members who do not complete the form will be deemed to have withheld consent for having their driver's license status checked, and will be considered ineligible to drive under this program.

C. Request Eligibility to Drive

1. Any member who is not required to drive as part of their essential functions but who would like to become an eligible driver may contact the MPD Driver's License Coordinator to request eligibility.

2. If a member's essential functions change to require driving, the member shall contact the MPD Driver's License Coordinator to request eligibility; this includes all non-sworn new hires.

D. Provide Information to the Coordinator

1. Members shall show their driver's license or provide a copy of it to the MPD Driver's License Coordinator or their designee upon request.

2. Members shall immediately report any changes in their driver's license status to their supervisor and the MPD Driver's License Coordinator or their designee.

E. List of Eligibility

1. The list of eligible MPD drivers will be maintained by the MPD Driver's License Coordinator or their designee, and will be available to Command Staff.

2. The MPD Driver's License Coordinator or their designee will notify supervisors of any changes to the eligibility to drive for their subordinates, including confirmation of the eligibility to drive for non-sworn members requesting it or needing it for a new work assignment.

F. Program Administration

1. The City's Driver's License Program will be administered by MPD for MPD members. The Chief of Police will assign the personnel responsible for administering the Driver's License Program for the MPD.

2. Records related to the Driver's License Program will be maintained by the MPD Driver's License Coordinator.

G. Data Access

Government record data access will be used only to confirm the status of a driver's license, current restrictions, and adequate endorsement(s) (if applicable), at the time of the data access. This access will not be used to address members' past driving records, or to record data about their past driving records, other than data related to their current driver's license status, restrictions and endorsements.

4-403 Parking Assignments

(07/26/02) (03/04/25)

The MPD Fleet Manager shall administer vehicle parking assignments. Members shall part in their assigned locations.

4-404 Parking Restrictions

(07/26/02)

(A)

Parking on Third Avenue between Fourth and Fifth Streets that is posted police parking is restricted to police vehicles only. Employees using these parking facilities shall park only in areas posted for police parking and shall comply with current sign postings.

Parking in all areas of the Haaf Parking Ramp leased by the MPD is restricted to authorized MPD vehicles. Bureau Heads are authorized to approve exceptions to this policy.

4-405 Preventive Maintenance Requirements

(07/26/02)

The MPD Police Equipment Specialist will assign a permanent "shop day" for squads. Commanders are responsible for ensuring compliance with regular "shop day" assignments and ensuring that vehicles assigned to their command receive regular maintenance.

All vehicle problems shall be reported in the yellow equipment repair log. A description of the problem must be complete and detailed. The yellow book shall be left open on the dash of the vehicle. When leaving a vehicle for repair at the Royalston Maintenance Facility, it should be parked in the "pool area" inside the garage when the facility is open. Vehicles should be parked next to the building when the facility is closed.

When notification is made that maintenance has been completed, the commanders are responsible for having the vehicle picked up immediately.

4-405.01 Vehicle Emergency Repairs

(07/26/02) (03/25/08)

The following facilities and services are available to MPD employees to utilize for minor vehicle repairs:

Royalston Maintenance Garage: Towing, tire changes, spotlight and headlight repair services are available at the Royalston Maintenance Garage during the hours of 0600 to 2300 Monday through Friday.

Currie Maintenance Facility: Tire changes, spotlight and headlight repair services are available during night hours at the Currie Maintenance Facility from 2300 Sunday through 0600 Friday.

Contracted Service: When Royalston Maintenance Garage and Currie Maintenance Facility are closed, the current contracted service will provide tire changes, spotlight and headlight repair services to MPD police vehicles. Towing from the contracted service may be used during hours the Royalston Garage is closed or if MPD employees are advised there will be an extended wait to obtain service from the Royalston Garage.

MPD employees using the contracted service shall:

- Review the work order receipt for accuracy, signing it with their name and badge number.
- Obtain a signed copy of the work order from the contracted service's employee.
- Forward the signed copy of the work order via inter-office mail to the Police Garage.

The contracted service information is available by contacting Channel 7.

4-406 Take-Home Vehicles

(07/26/02) (04/24/07) (10/13/23)

I. Purpose

A. MPD and City take-home vehicles are issued based upon a need for a timely response to a police incident.

B. Take-home vehicles are provided to enhance effectiveness, unit efficiency and to provide better service to the community and the Department.

II. Policy

A. Chief's Authorization Required

1. Only employees authorized by the Chief or the Chief's designee are allowed take-home vehicles.

2. The Chief or the Chief's designee will approve the assignment of the specific vehicle issued to each person assigned a take-home vehicle.

3. All new requests and renewal requests shall be submitted via the approved MPD electronic form.

B. No conversion of time

Assignment of a take-home vehicle does not automatically convert the employee's time to standby or on-call status.

C. Responsiveness

Employees issued take-home vehicles are expected to have a high level of responsiveness to Department needs beyond normal work hours.

D. Only Incidental Personal Use

Unless otherwise specified in a contract or labor agreement, take-home vehicles will only be authorized for personal uses which are incidental to coming and going from work.

E. No Non-City Drivers

Take-home vehicles shall only be driven by City employees.

F. Mileage Entry

Employees with a take-home vehicle shall accurately enter the mileage of the vehicle every time it is fueled.

G. Employees Away from Assignment

1. Employees on leave (including, but not limited to, medical leave, parental leave, etc) shall not use a take-home vehicle for any purpose, including off-duty employment.

2. Employees away from their assignment for more than 5 business days (including illness, vacation, training, etc.) shall coordinate with the Fleet Manager to have the City vehicle

returned to the Department in their absence, unless an exception has been approved by the Chief or the Chief's designee.

H. List of Take-Home Vehicles

A list of assigned take-home vehicles shall be maintained by the Department's Fleet Manager (for Police Administration) and the list shall be forwarded weekly to the Deputy Chief of the Professional Standards Bureau.

I. Factors for Consideration

The below factors are used to consider the approval of a take-home vehicle:

1. Whether the employee's assignment or duties are subject to emergency call back on a continuing basis and whether the distance the employee lives from the city would allow emergency response on a timely basis.

2. Whether the employee lives close to their work assignment. Employees who live more than 30 miles away from their regular work assignment will generally not be assigned a take-home vehicle.

3. Whether practical arrangements can be made to keep the vehicle within city limits but still be reasonably available to the employee if not a city resident.

4. Whether other conditions exist, not based on usage, which make it in the City's best interest to allow take-home privileges, such as compensation considerations or the employee's current employment agreement.

5. Whether the employee can demonstrate need based on number of meetings attended, miles driven, or related factors including, but not limited to, assignment, duties or position. Take-home vehicle assignments are based upon the employee's specific position and job duties, not based on assignment to a specific unit or division.

6. Whether the employee has a past history of misuse of City vehicles.

7. Other factors as determined by the Chief of Police.

J. Contractual Agreements

Contractual provisions may apply regarding take-home vehicles, and shall supersede any conflicting requirements of this policy unless and until amended.

4-407 Fueling Department Vehicles

(07/26/02)

(A)

All sworn personnel and authorized civilian personnel shall be issued a fueling card for the purchase of gasoline at City of Minneapolis fueling sites. The fueling card shall be kept in the employee's possession, not the vehicle.

Gasoline:

- Gasoline shall be purchased whenever the fuel gauge registers at or less than 1/2 tank.
- Notify dispatcher of intent to refuel.
- Employees are responsible for pumping their own gasoline.
- Only unleaded regular gasoline may be pumped unless the vehicle is equipped with a diesel engine.
- Vehicle P# and current mileage must be entered when refueling.
- Marked patrol vehicles shall refuel at fueling sites within their assigned precincts. When officers in marked patrol vehicles do not have a fueling site within their precinct, they shall use the facility closest to their assigned area.

Oil:

Every time an employee purchases gasoline, the oil level shall be checked. Both the oil dipstick handle and oil fill cap are painted yellow for easy identification. If the oil is below the manufacturer's recommended level as indicated by the oil dipstick, employees shall obtain oil at the fueling site within their precinct. Only 5W30 SAE-approved motor oil shall be added. When a vehicle requires over two quarts of oil, the necessary amount shall be added and the vehicle shall be taken to the Royalston Maintenance Facility for evaluation.

Windshield Washer Fluid:

Windshield washer fluid shall be available at all precincts and at the Royalston Maintenance Facility.

Exceptions:

Undercover vehicles have the option of fueling at City fuel sites or MPD-authorized fueling stations.

Vehicles such as K-9 or some investigator vehicles may fuel at MPD-authorized fueling stations under certain circumstances, i.e., out of town on MPD business. In addition, two quarts of oil may be purchased if needed.

4-408 Gasoline Credit Card Procedures

(07/26/02)

(A-B)

Employees are responsible for reviewing the charge slips prior to signing them. Charge slip review shall include verification of the number of gallons of gasoline, the dollar amount and that no merchandise charges other than oil are listed.

Employees shall enter the following information into the computer or by hand on the credit card charge slip:

- Their employee number
- The current vehicle mileage
- Vehicle Property Number (P#)

After all the information is completed, employees shall sign the charge slip with their legible signature - full rank and name (no initials).

For credit cards without the MPD name, the above procedures must be followed excluding rank on the charge slip.

Purchases are authorized only for the vehicle P# on the credit card.

4-408.01 Supervisors' Responsibility – Gas Charges

(07/26/02)

Supervisors shall collect all gas charge slips weekly and are responsible for checking them to ensure that all charges are valid and that all required information is on each slip. Once reviewed, gas charge slips shall be bundled, tagged with the supervisor's name, employee number and location, and forwarded to the MPD Police Equipment Specialist weekly.

Supervisors shall include a memo explaining any variations to MPD policy found in their review of the gas charge slips.

4-408.02 Unaccounted for Charges

(07/26/02)

(A)

If a service/fueling station or other company billing lists charges unaccounted for by the charge slips remitted, supervisors responsible for the vehicles listed on the charge will investigate the charges and take appropriate corrective actions.

4-408.03 Invalid, Lost or Stolen Fueling/Credit Cards

(07/26/02)

Invalid Cards:

In the event an employee has a conflict over an invalid or otherwise unusable card, a supervisor shall be contacted. The card shall then be pulled from service by the supervisor, who shall forward a memo explaining the circumstances to the MPD Police Equipment Specialist. The supervisor's fueling card shall be used to purchase gasoline.

Lost or Stolen Cards:

If a fueling card is lost or stolen, the employee shall immediately report it to their supervisor.

The supervisor shall immediately conduct an initial investigation in an attempt to locate the missing card. If the card cannot be located, the following procedures shall be followed.

1. Complete a CAPRS report and forward a photocopy to the MPD Police Equipment Specialist with a request to obtain a new card.

2. Until a replacement card is issued, the supervisor's card shall be used. Employees using an MPD-authorized fueling card must write the vehicle P# on the charge slip in the area designated "license number."

4-409 Motor Vehicle Pool
(07/26/02)

All precincts/units/divisions with assigned motor vehicles shall maintain a motor vehicle pool. Keys for vehicles not being used shall be kept in a secure location.

Unless specifically ordered by the Police Equipment Specialist, all precinct/unit/division vehicles are to be available to all personnel within that division/unit. Requests for temporary or permanent assignment must be directed to the MPD Police Equipment Specialist.

A central pool of vehicles is available to employees from precincts/units/divisions that have no assigned vehicles or have all of their vehicles signed out. Employees needing a vehicle shall contact the MPD Police Equipment Specialist or the Operations Development Unit.

4-410 City Vehicles and On-Duty Accidents
(07/26/02) (03/25/08)

(A-D)

Any MPD employee involved in an accident while in a City vehicle, or any vehicle while on official duty, shall immediately notify the dispatcher to send a Traffic Investigation squad and supervisor to the scene of the accident. If the accident occurs outside of the City of Minneapolis and it is not practical for a Traffic Investigation squad to respond, the employee shall notify the local law enforcement agency to respond and complete the traffic accident investigation. The employee shall notify their supervisor as soon as practical. Every effort shall be made to leave the vehicle(s) in the position it came to rest following the accident. (4/18/08)

Sworn employee(s) involved in a vehicle accident while on-duty shall complete a CAPRS report and statement, including the vehicle P# involved in the incident. If an employee is unable to complete this report, the employee's supervisor shall complete the report and the employee shall complete their statement as soon as they are able. Copies of the report shall be forwarded to the employee's Commander, prior to the end of the employee's shift. CAPRS reports completed for

accidents involving marked or unmarked police vehicles shall use the code SQUADA. (04/18/08)

Sworn employee(s) assigned to investigate an accident scene involving a City vehicle driven by another sworn employee shall gather the necessary information from the persons involved and complete a State of Minnesota Traffic Accident Report State of Minnesota Traffic Accident Report (PS-32003-07), including vehicle P#. (4/18/08)

Sworn employee(s) assigned to investigate an accident scene involving a City vehicle driven by an MPD civilian employee (including Traffic Control and Community Service Officers) shall gather the necessary information from the persons involved and complete a State of Minnesota Traffic Accident Report as well as a CAPRS report and statement. The CAPRS report shall be titled CITYA and include the vehicle # or P# of the vehicle involved. Civilian employees involved in the accident may be asked to complete a statement. (4/18/08)

If damage occurs to a City vehicle that was not the result of a traffic accident, the MPD employee responsible for the vehicle and/or the MPD employee who discovers the damage shall notify their immediate supervisor, who shall make arrangements to have the vehicle repaired. Towing needed for MPD vehicles must be ordered through the Auto Desk. (4/18/08)

4-410.01 Responsibility of Supervisors

(07/26/02)

(A)

A sworn supervisor shall be required to proceed to accident scenes involving MPD and Traffic Control vehicles and complete a CAPRS supplement regarding the accident. (03/25/08)

4-410.02 Responsibility of Investigating Squad

(07/26/02)

(A)

If a Traffic Unit squad is not available, the supervisor shall assign the investigation of the accident to an officer not involved as a driver or passenger in the accident. The investigating officer shall complete the Minnesota State Traffic Accident Report (PS62003-06) and a CAPRS supplement that includes all details of the accident.

4-411 Accident Review Committee

(01/26/01)

The Accident Review Committee shall make a preliminary review of all accidents. Upon finding an accident preventable, the Accident Review Committee shall forward the case file to the Internal Affairs Unit (IAU). After approval of the recommended finding, the IAU will determine if any MPD policy/procedure was violated, and if so, an IAU investigation will be conducted.

If no policy/procedure violation occurred, the case file will be forwarded to the Training Unit and it will be kept on file for one year from the date of occurrence. If a second accident occurs

within a one-year time period, the employee shall be required to attend a remedial driver's training course at City expense. In the event a third accident occurs within one year of completion of the remedial drivers training course, the accident will be categorized (B-D) and an IAU investigation will be conducted.

The Commander of the involved employee shall be notified of the findings by the Accident Review Committee. (03/25/08)

If an accident qualifies as a critical incident, the investigation will be conducted in accordance with the Critical Incident Policy.

Accident Review Committee members are:

- Traffic Unit Commander or a designee.
- A sworn employee trained in Accident Reconstruction. (03/25/08)

Definition of findings:

- No complete determination of cause - the Accident Review Committee has insufficient or incomplete facts to make a determination of the cause of the accident or damage.
- Non-preventable accident - accident in which the driver complied with all MPD rules, regulations and procedures, and/or the Accident Review Committee determines that reasonable precautions were taken to avoid the incident considering the circumstances at the time of occurrence.
- Use of Force - by officer as defined by Minnesota State Statute 609.06.
- Preventable accident - accident in which the driver did not exercise reasonable precaution to prevent the incident. Case findings and recommendations will be forwarded to the Internal Affairs Unit.

4-412 Squad Car Accident Reports and Dispositions

(07/26/02)

The Traffic Unit shall maintain records of squad car accidents.

4-413 MPD Parking Placards

(03/25/08)

An MPD Parking Placard shall be issued to each unmarked and undercover vehicle in the MPD fleet. Parking placards will be issued to MPD vehicles according to P-Number. Each MPD Parking Placard will have a placard number and MPD P-Number displayed on the front. MPD Parking Placards shall only be used in the vehicle with the corresponding P-Number. Placards shall not be used in personally owned vehicles (POVs) unless specifically pre-approved by the Deputy Chief of Patrol.

When unmarked MPD vehicles are parked in locations that are otherwise considered in violation of existing parking laws and ordinances, MPD parking placards shall be displayed in plain view. MPD parking placards shall only be used for official City business.

MPD undercover vehicles will not be required to display a MPD Parking Placard when such identification would jeopardize on-going criminal investigations.

4-414 Global Positioning Systems (GPS) in Squads

(06/19/07) (08/05/13) (06/16/19)

(A-D)

A. The intended purpose of implementing and using GPS in MPD squads is to increase officer safety, facilitate more rapid response times to 911 calls and to manage the department's resources effectively.

B. Supervisors may utilize GPS tracking capabilities, systems, information or data as a management tool within their chain of command. However, the MPD agrees not to use the GPS tracking capabilities, systems, information or data pro-actively to initiate a disciplinary investigation of any officer or officers outside their chain of command, absent independent and reliable information, which must be obtained through a separate credible source, that such an investigation is warranted.

C. Officers are prohibited from altering or attempting to alter or disable GPS systems in MPD squads.

4-415 Vehicle Idling

(07/26/02) (12/08/06) (04/23/10) (03/04/25)

(A-B)

Idling of unoccupied marked and unmarked police vehicles shall be prohibited except in the following circumstances:

- The squad is a K-9 vehicle with the dog inside;
- The vehicle is double-parked or otherwise impeding traffic away from the curb due to a call, or at a crime scene and requires the emergency lights to remain on;
- During a traffic stop;
- During any police action taking place real-time in which the employee has to momentarily leave the vehicle but plans to be returning quickly – such as a response to calls;
- In inclement weather where leaving a squad running is necessary to provide uninterrupted service.

Employees shall not leave unoccupied police vehicles idling in precinct parking lots or while OTL.

Employees shall not idle police vehicles at off-duty jobs whether they occupy the vehicle or not, without prior written permission granted via the Off-Duty Employment Idling Request Form (MP-9060).

Employees shall not intentionally position an unoccupied police vehicle in a double-parked or traffic-impeding position so as to meet the conditions above, if not on a call or at a crime scene.

4-501 Confidential Department Records, Reports and Information

(06/21/02) (04/22/09) (11/15/13) (05/03/20)

A. Numerous official files, documents, records, reports and information held by the MPD or in the custody or control of MPD employees are regarded as non-public or confidential.

B. Employees shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, or information except as required in the performance of their official duties and consistent with State and Federal law related to data practices, such as the Driver's Privacy Protection Act at 18 U.S.C. § 2721, et seq., the Minnesota Government Data Practices Act, and Chapter 171 of the Minnesota Statutes, for example Minnesota Statutes section 171.07 subd. 1a which strictly limits the use of driver's license photographs.

1. If an employee is uncertain of the status of any document, the employee should consult with the supervisor of the Records Information unit.

2. Employees shall only access Department of Motor Vehicle (DMV) records for official business-related reasons.

C. The identity of a juvenile suspect or arrestee can only be released with an order from a Hennepin County Juvenile Court Judge.

4-502 Security of Reports

(06/21/02) (11/15/13)

Only MPD personnel conducting official police business shall be admitted to the Transcription Unit. Persons other than assigned personnel shall not be allowed into the Records Information Unit without permission of Records Information Unit staff.

4-503 Access to Criminal Records

(06/21/02) (12/9/13) (01/23/14)

Law enforcement officers, with proper identification and on a need-to-know basis, may inspect criminal records in their entirety. Other persons, including the news media, may inspect arrest records and other available public information in accordance with data practices guidelines. A crime summary and access to the public information terminal is available during normal business hours. Charges for copies of public information reports will be in accordance with established guidelines.

4-503.01 Access to Criminal History Checks

(06/21/02) (11/15/13)

Employees conducting criminal history checks shall disclose restricted or privileged information and data in accordance with established data practices and other statutes governing such disclosure. Any MPD case supplements or summaries should include the following information regarding criminal history data:

- Purpose of the investigation and reason for the criminal history check;
- Identity of the source of the data or information; and
- Disposition of criminal history data.

4-504 Legal Process Involving the Production or Inspection of Evidence or Records in Court

(06/21/02) (12/9/13) (1/23/14)

The supervisors of the Records Information and Property and Evidence Units are responsible for coordinating activities concerning the production or inspection of criminal evidence or records in court as required by legal process. In any case involving criminal evidence or other records in custody of other divisions, the supervisors shall:

- In criminal matters, confer with the appropriate prosecuting attorney if there are doubts about confidentiality.
- In civil matters, determine the confidentiality of the items requested. If in doubt, contact the City Attorney's Office for advice.
- Arrange for transportation of records or criminal evidence to court when compliance is ordered or deemed advisable.

4-505 Inspection of Records and Reports by the Media or Public

(06/21/02) (12/9/13) (01/23/14)

Members of the news media and the public may inspect police records as allowed by law. These records are available only during regular business hours in the Records Information Unit. Certain reports may be photocopied and charged for in accordance with established guidelines.

4-505.01 Use of Victim Photographs/Videos

(06/21/02) (11/15/13)

Photographs and videos that are part of an active case investigation are not public and shall not be released to any individual or agency. Photographs and videos, which are part of an inactive case investigation involving one or more of the following situations, are private and may not be released to any individual or agency except as provided by state law:

- Sexual assault victim
- Child abuse victim
- Juvenile
- Depiction of images which are clearly offensive to the common sensibility
- Police personnel involved in inter-departmental or intra-departmental instruction on law enforcement-related issues who desire use of photographs or videos involving the above situations shall obtain permission from the bureau head in charge of the case. In all cases, the identity of the subjects of such photographs or videos shall be concealed. Employees shall not use photographs or videos for private purposes or enterprises. (11/15/13)

In addition, photographs and videos that reveal the identity of any of the following individuals is private and shall not be released to any individual or agency:

- Undercover law enforcement personnel;
- Paid or unpaid informants; and/or
- Victim or witness of a crime, if the victim/witness specifically requests that their identity not be revealed, and it has reasonably been determined by the agency that the release of such information may in fact pose a risk of threat to the victim or individual.

4-506 Openness in Government

(06/21/02) (11/15/13)

Public disclosure of policies and openness in matters of public interest shall be afforded to the public consistent with current data privacy laws. All MPD personnel shall safeguard the legal rights of the individual while maintaining the public's right to know. Any questions or concerns related to the release of data should be referred to the MPD Data Practice Specialist or the supervisor of the Records Information Unit.

4-507 Department Personnel Records

(06/21/02)

(A-B)

MPD Human Resources maintains a personnel file on all MPD employees. Each personnel file is divided into six categories containing the following information:

1. The Employment Section contains the employee's Civil Service certification including promotions, suspensions, information regarding disciplinary actions against the employee, and personal data such as home address and phone.

2. The Assignment Section contains a record of the employee's assignment during their career with the MPD.

3. The Commendations Section contains a record of any awards received by the employee during their career with the MPD.

4. The Training Section contains the employee's training records.

5. The Medical Section contains medical information about the employee such as sick leave, injury reports, and physician(s) reports.

6. The Performance Section contains copies of the employee's performance evaluations.

Any supervisor or Commander is allowed access to an employee's personnel file. All employees are allowed access to their own personnel file. (01/05/07)

All data practices requests shall be handled in accordance with the Minnesota Government Data Practices Act (MGDPA). (01/05/07)

4-601 Report Responsibility

(07/26/02) (06/06/05) (04/06/19)

(A)

A. Generally, officers and other designated employees shall make reports only for crimes or incidents occurring or originating in the city of Minneapolis.

1. Reports shall be completed for any incident occurring outside the city of Minneapolis when the officer is acting in their capacity as a Minneapolis Police officer or employee as part of the incident.

2. Reports shall be taken for any incident occurring outside the city of Minneapolis when otherwise required by law or by policy. Examples include, but are not limited to:

    - Reports taken as a mandated reporter
    - Reports taken for a sexual assault, in accordance with P&P 7-349

B. Serious or major crime reports, all domestic abuse-related crime reports, and all reports when a person has been placed in custody shall immediately be entered directly into the reporting system.

C. On-duty supervisors shall assume responsibility for all reports submitted by subordinates during their shift.

1. The supervisor shall review reports for completeness and accuracy.

2. The supervisor will decide to either approve the report or to return it for further information.

3. If a direct supervisor is not available to review and approve or return an officer's report, a supervisor from the precinct where the report was generated shall review and approve or return the report.

D. Employees who have been the author of any report shall periodically check to make sure that the supervisor approval of the report process has been completed.

4-602 Report Writing

(07/26/02) (08/01/08)

(A)

Specific reports are written for specific purposes. Offense reports detail the elements of the crime or incident. Arrest reports detail the elements of probable cause for the arrest. Statements are made by individual officers pertaining to what the specific officer observed or heard and what action the officer took. The officer's statement includes what the officer can testify to in court. Arrest reports, officer statements, and reports for seizures of personal property shall include rationale and legal justification for the initial stop as well as justification for subsequent search/seizure. (08/01/08)

All police reports shall include the following:

- All principal and relevant data fields on the CAPRS report pertaining to the case at hand shall be completed.
- All principal and relevant individuals involved in the incident shall be listed in the case.
- * This includes making a proper identification and documentation of all involved and/or associated individuals.
- A short public narrative statement describing the offense or incident. No names, addressees or anything that identifies a victim or witness shall be included in the public narrative.
- A probable cause statement in felony arrests.
- A description of the incident that occurred and documentation of the necessary elements related to the crime or basis for arrest.
- Documentation of reason(s) for an in-custody arrest versus issuance of a citation.
- A comprehensive individual statement in all felony arrests when an officer has information that is important to the case and in all other incidents where statements are required. (In critical incidents, this statement will generally be taken by an investigator in a question and answer format.)
- All principal and relevant information available to the officer at the time of the report shall be included in the report.

All police reports identifying and/or involving juveniles shall include:

- The school where the juvenile is enrolled or last attended.
- The parent/guardian information, including all contact phone numbers (home/work/cellular).

All handwritten reports must be legible and written in ballpoint pen.

4-603 Handwritten Offense/Incident Reports

(07/26/02)

(A)

Handwritten offense/incident reports must be written in ink and legible for entry by support staff into CAPRS. Illegible reports will be returned to the officer to be rewritten or entered directly into CAPRS.

All arrest reports and statements shall be completed immediately following processing of the suspect. All other reports and statements must be completed and submitted to the officer's supervisor during the shift, and all reports shall be submitted before the end of the shift. Supervisors are responsible for ensuring that their subordinates submit all reports within defined time frames.

4-604 Officer's Statements

(07/26/02)

(A)

Officers shall make a statement in any case that they could be required to testify in court, and/or those incidents that involve homicides, major crimes, felony arrests, gross misdemeanor arrests or misdemeanor arrests that have unusual circumstances.

A statement is essentially an officer's account of an incident. It should include all the information that an officer can testify to directly from his/her observations and senses. Joint statements are prohibited; each officer must make their own individual statement. Statements should also include additional contact information not listed in the "names" section of the CAPRS data entry field.

Statements are usually made in narrative form, but a question and answer format may be used at the discretion of the investigator. Statements shall be made whenever requested by an investigator or a supervisor.

4-605 Case Control Numbers

(07/26/02)

(A)

Case Control Numbers (CCNs) are required on all offense/incident reports and are obtained from MECC.

4-605.01 Case Control Numbers – Original

(07/26/02)

(A)

For arrests and P.C. Pickups for incidents after the original report has been filed, a new CCN shall be used, however, the original CCN shall be listed in the original CCN box of the arrest report. The offense code for these arrests will be different from the original offense code, i.e., auto theft arrest is "RECVEH" and burglary/assault arrest is "PCPKUP." The CCN for an original stolen auto report is on the NCIC listing (the OCA number) and the Auto Desk's daily list of stolen vehicles ("Hot Sheet"). Arrest Bulletins have an original CCN listed on them.

If a motor vehicle is taken during the commission of another offense, the motor vehicle report shall also be made using the same CCN, with copies going to the appropriate precinct investigations unit and to the appropriate investigative unit.

4-606 Quality Report Review
(07/26/02)

(A)

It is the responsibility of officers, supervisors, case managers, investigators and Watch Commanders to ensure that offense reports are complete and accurate.

Officers will complete the information required for CAPRS report entry, provide information to describe the elements of the offense, include pertinent information required to show probable cause for an arrest, and other elements as noted in the Report Writing section. Officers shall provide complete and accurate information on all reports.

Substandard reports may be documented by supervisors, Watch Commanders, case managers, investigators, and city and county attorneys on a Quality Report Review Form (MP-6945). The report shall be directed to the initiating officer for correction per the Quality Report Review Guide. Multiple substandard reports will lead to disciplinary action. Multiple errors on a single report are documented on one report form. Five substandard reports documented on the Quality Report Review Forms for an individual officer within a 12-month period will result in an "A" violation. For supervisors, three failures to review or approval of substandard reports within a 12-month period will result in an "A" violation.

4-606.01 Correction of Offense Code
(07/26/02)

(A)

Officers shall title their reports with the appropriate available CAPRS codes, to the best of their knowledge, using the information obtained at the crime scene and the elements of the crime as defined by state statute.

Reviewal of the case by a supervisor, case manager or investigator may dictate that the offense code needs to be changed. Correction of offense codes is critically important for accuracy in the Uniform Crime Report (UCR).

To change an offense code, the supervisor, case manager or investigator shall add a supplement entitled, "Supplement # _____ Offense Code Changed," on the first line of the supplement. The supplement shall state the date, name and badge number of the person making the change to the offense code and a short description as to why the offense code was changed.

4-606.02 Changing an Existing Supplement
(07/26/02)

(A)

A supplement cannot be changed once it has been added to a case except in extreme situations. If a modification to a supplement is necessary, only the supervisor of the Business Technology Unit or his/her designee can unlock the supplement to allow the modification. The procedure for this process is as follows:

1. A written request for the change/modification shall be submitted to the supervisor of the Business Technology Unit or his/her designee.

2. The supervisor of the Business Technology Unit or his/her designee will review the request.

3. The supervisor of the Business Technology Unit will make a recommendation and submit the request for change/modification to a Bureau Head for written approval or disapproval.

4. If the request for change/modification is approved by the Bureau Head, the request and a printout of the original supplement shall be brought to the Business Technology Unit.

5. The technical staff of the Business Technology Unit will then unlock the supplement so the change/modification can be made by the **requesting** unit.

6. After the change/modification has been made, an additional supplement shall be made by the person requesting the change with an explanation as to why the original supplement was changed/modified. *The first line of this supplement shall state "Supplement # ____ has been changed/modified."*

7. The approved written request and a hard copy of the original supplement will be kept on file in the Internal Affairs Unit.

4-607 Police Officers – Injury or Death in the Line of Duty

(07/26/02)

(A)

A detailed CAPRS report is required for all assaults on police officers or when officers die in the line of duty.

If an officer is injured or dies in the line of duty, any other reports including those from the injured officer's personal physician shall be completed. A Supervisor's Report of Injury and Request for I.O.D. Leave Determination (if applicable) are to be completed by the officer's supervisor. Other reports, including those from the injured officer's personal physician, shall be forwarded to MPD Human Resources.

Officers who are victims of assault shall have the injuries photographed. The Identification Division is available if necessary.

4-607.01 Continued Health Insurance Coverage to Officers Disabled or Killed in the Line of Duty

(08/19/03)

Police officers, who are killed in the line of duty, or who suffer a disabling injury in the scope of employment resulting in retirement or separation from service, may be eligible for continued health insurance coverage under Minn. Stat. § 299A.465.

An officer, or the representative or dependent, can obtain an application packet from the MPD Payroll Supervisor. The application must be signed by the claimant. Supporting documents must be included with the application, which may include, but are not limited to, the following documents:

- Legal documentation showing that the claimant, if other than the officer, is legally allowed to act on behalf of the officer.
- Medical Reports showing the nature of the disabling injury and the cause of the disabling injury.
- Letter or documentation from the pension plan demonstrating that the officer has been approved to receive a duty-related pension plan.
- Documentation from the City demonstrating that the disabling injury has been accepted as a workers' compensation injury.
- Marriage certificate for spouse.
- Birth certificates, adoption decrees, or legal guardianship documentation for dependant children (if they were covered under employee's health insurance at the time of injury/death).
- For dependant children at least 19 years old and under the age of 25, proof that the child is a full time student (a copy of the educational institution's enrollment record is acceptable).

Note: In case of a death in the Line of Duty, these additional documents are required:

- Certified copy of death certificate.
- An affidavit that provides proof that the spouse and decedent were legally married at the time of the officer's death.
- An affidavit that provides proof that decedent had custody or guardianship of all listed dependent children.

Once the application has been submitted by the employee or employee's representative or dependent, City staff will gather appropriate documentation, which may include:

- The Employment Verification form.
- Workers Comp First Report of Injury.
- Any other reports or statements that document work related status of the injury/incident.
- Any other document bearing on the eligibility for continued health care insurance coverage.

A copy of such documents will be provided to the claimant. MPD may also request that the officer submit to a medical and/or psychological examination by a health care provider of the City's choice to determine, among other things, the nature of the injury and whether the injury was incurred in the course and scope of employment with the City of Minneapolis.

The MPD Payroll Supervisor will assemble the packet and forward it to the Chief of the Minneapolis Police Department, or a designee, the Chief of the Minneapolis Fire Department, or a designee, and the Director of Risk Management, or a designee, for eligibility determination. If

the application meets the eligibility criteria, the Department of Human Resources will be notified to process the continuing coverage.

If the application does not meet requirements for continued health insurance coverage, the claimant will be notified in writing, by certified mail, of the reason for the denial of such benefits.

Upon the receipt of notice of denial, the claimant will have 30 calendar days to submit a request for reconsideration of the denial. City staff may gather any other necessary documentation or request additional information from the claimant. The claimant will have the opportunity to make a verbal presentation to a committee consisting of: the City's Director of Risk Management & Claims, or designee; the Chief of MPD, or designee; and the Chief of Fire Department, or designee. An attorney from the Office of Minneapolis City Attorney may also be present as legal counsel to the committee. The determination of the committee on the request for reconsideration is the final determination by the City of Minneapolis with regard to the claim.

4-608 Victim Assistance Cards (Blue Cards)

(07/26/02)

(A)

Police officers are mandated by Minnesota state statute to provide victims with information regarding the Crime Victim Ombudsman at the time of initial contact. This information is available on the blue card (MP-6441) and should be distributed at the time of the incident. If initial contact is through Tele-Serve, they shall provide the information cards as required. The MPD is in compliance with state statutes with the issuance of victim assistance cards.

Victims and witnesses should be advised to call 911 for any additional emergency response required prior to the time an investigator makes contact with them.

Victim assistance cards (MP-6441) are available at all precincts, investigative units, Tele-Serve, and from patrol officers. Cards are ordered through MPD Stores.

4-609 Reporting Liquor Violations to License Division

(07/26/02)

(A-B)

When officers make arrests related to liquor establishments, licensees or their employees, ensure that the CAPRS report is coded properly so that the License Division receives it. The following are examples of arrest circumstances that should be coded for routing to the License Division:

- Liquor law violations (on or off sale);
- Gambling violations related to the liquor establishment;
- Narcotics violations by an employee, licensee, or patron; and
- Arrest of licensee or employees for liquor law violations

Further, when officers issue warnings or obtain intelligence information concerning licensed liquor establishments, the information shall be forwarded to the License Division and any other appropriate units.

4-610 Daily Activity Report

(07/26/02) (09/20/13)

(A-B)

The Daily Activity Report (MP-3006) shall be completed by all officers performing patrol duties, to provide daily historical documentation of the services provided to the community.

The Traffic Unit shall use a Daily Activity Report developed for their specific needs (MP-6838).

Shift sergeants shall complete a Daily Activity Report for each tour of duty.

Any event and/or incident in which the officer is involved shall be recorded on the log. Two-person squads will have the same statistics for each officer. An arrest shall only be counted once. Multiple charges equal one arrest.

Only activities performed shall be counted on the Daily Activity Report. A separate Daily Activity Report shall be kept for buy-back activities.

Statistical information is recorded on the reverse side of the form to record patrol activities that are created by 911 response or self-initiated activity that occurs in areas not defined as a directed patrol area. Information needed to complete the statistical portion of the form is as follows:

The Directed Patrol boxes are for the respective officer to record activities that occur in directed patrol areas as defined by the precinct commander. For example, 26th/Penn Ave. North is defined as a directed patrol area. All actions taken in this area, whether dispatched or self-initiated, will be listed under the "Directed Patrol" column, not under the Officer # column.

Patrol Hours - Record the number of hours in the shift, plus approved overtime that occurs as a result of a shift extension.

Calls Answered - Record the number of CAD and self-initiated activities that generate a case control number.

PC Arrest - The arresting squad officer(s) and other officer(s) who make a written supplement on the arrest will be given credit.

DWI Arrest - The category for alcohol-related arrests is covered under Minn. Stat. §169A. The arresting officer(s) and other officer(s) making a written supplement on the arrest will be given credit.

Warrant Arrest (F/G) - The arresting officer(s) will receive credit for a warrant arrest involving a felony or gross misdemeanor.

Warrant Arrest (M) - The arresting officer(s) will receive credit for a misdemeanor warrant arrest.

Misdemeanor Arrest - The arresting officer(s) and other officer(s) making a written supplement on the arrest will be given credit. This is for non-traffic misdemeanor arrests only.

Traffic Arrest - This category includes all traffic arrests except DWI-related arrests whether tagged in lieu or booked into jail. The arresting officer(s) and other officer(s) making a written supplement on the arrest will be given credit.

Moving Violation - The officer(s) assigned to the squad when the citation is written will receive credit. Moving violations are for motorized vehicles only.

Parking Violation - The officer(s) assigned to the squad when the citation is written will receive credit.

Advised Driver - The officer(s) assigned to the squad when the action is initiated will be given credit. The following information must be recorded on the patrol log:

- Name
- Date of birth
- Vehicle license plate number
- Location of activity
- Reason for warning

Bicycle Citation - The officer(s) assigned to the squad when the citation is written will receive credit.

Bicycle Warning - The officer(s) assigned to the squad when the action is initiated will be given credit. The following information must be recorded on the patrol log:

- Name
- Date of birth
- Location of activity
- Reason for warning
- Bicycle registration (if available)

Recovered Stolen Vehicle - The officer(s) assigned to the squad at the time the stolen vehicle recovery is made will receive credit.

Detox - The officer(s) assigned to the squad when the action is initiated will be given credit. In situations where beat officers or others are unable to transport the individual, and a call for transportation to Detox occurs, both the initiating officer(s) and the transporting officer(s) will receive credit. The following information must be recorded on the patrol log:

- Name
- Date of Birth

- Action taken, i.e., release to 1010 Currie, 1800 Chicago, etc.

Offense Report – If the only action taken is an offense report written, the officer(s) assigned to the squad at the time will receive credit.

Field Report - Field interviews that generate information for a CAPRS report entitled "FLDRPT." The officer(s) assigned to the squad at the time the report is written will receive credit.

Miscellaneous Reports - A report that is written that does not receive credit in another report category. For example, a tow sheet.

Accident Report - Traffic accidents where a State Accident Report is completed by the officer. The officer(s) assigned to the squad at the time the report is written will receive credit.

Status Offense - The officer(s) assigned to the squad when the citation for a juvenile status offense is written will receive credit.

Truancy - The officer(s) assigned to the squad when the action is initiated will receive credit. The following information must be recorded on the Daily Activity Report:

- Name
- Date of birth
- Parent or Legal Guardian
- Action taken, i.e., release to parent, Curfew Center, etc.

Curfew - The officer (s) assigned to the squad when the action is initiated will receive credit. The following information must be recorded on the Daily Activity Report:

- Name
- Date of birth
- Parent or Legal Guardian
- Action taken, i.e., Curfew Center, release to parent, etc.

Citizen Contact - This includes suspicious person calls as well as non-dispatched citizen contact. No CCN is required. Officer(s) assigned to the squad at the time the contact is initiated will receive credit. The following information must be recorded on the Daily Activity Report:

- Name
- Age or date of birth (if possible)
- Location of contact
- Result of contact

Business Contact - Business contact counts for non-dispatched contact only. No CCN is required. The officer(s) assigned to the squad at the time the contact is initiated will receive credit. The location and result of the contact must be listed on the Daily Activity Report.

Community Service - Record the number of hours spent in meetings that are scheduled for attendance by the officer's supervisor.

Assist Other Unit - Record the number of dispatched or self-initiated activity that generates a CCN that assists other units/squads.

Assist Other Agency - Record the number of dispatched or self-initiated activity that generates a CCN that assists another agency. A report titled AOA will be written.

Detail - The number of hours spent on a detail and the type of detail must be listed on the Daily Activity Report. If more than one detail occurs per shift, list each detail separately in the extra boxes. Details must be assigned by a supervisor.

4-611 Patrol Performance Chart

(07/26/02) (09/20/13)

The Patrol Performance Chart (MP-3005) is used on a monthly basis by precinct shift supervisors. All of a shift's patrol officers shall be listed on the chart regardless of work status.

The Patrol Performance Chart (MP-3005) should be a compilation of the information on the Daily Activity Report.

4-612 Field Interviews and Interrogations

(07/05/01) (09/20/13)

(A)

Field interviews and interrogations shall be conducted with the appropriate regard for constitutional rights and personal dignity. Information gathered from a field interview may be recorded in CAPRS using the offense code "FLDRPT." This code shall not be used in conjunction with any other offense code.

4-613 Missing, Lost or Stolen Identification Cards

(04/02/18)

Officers shall take reports for missing, lost or stolen identification cards.

1. If possible, the officer will validate the reporting party's identification by checking some other form of identification.

    a. If the officer is unable to validate the reporting party's identification, the officer shall note the following in the public section of the report:

        i. That the officer was unable to validate the victim's identity through other means.

        ii. The attempted means of validation.

b. If the officer is able to validate the reporting party's identity, the officer shall note the means of validation in the public section of the report.

2. The issuing authority or political subdivision (country, state, county, city, etc.) shall be documented in the report.

3. Officers shall follow the same procedures for identification cards of foreign nationals as for domestic identification cards.

   Note: A CCN number is generally required by the foreign consulate to issue a replacement identification card.

4-614 Robbery and Carjacking Reports

(03/10/23)

A PIMS template shall be completed for all robberies and carjackings, in addition to the required Police Report and Narrative text.

5-101 Code of Conduct Defined

(10/20/88) (12/01/08) (09/26/22)

A. The code of conduct of the Minneapolis Police Department is promulgated by the Chief of Police by authority of the City Charter, Chapter 6, Section 1, as amended. This code is established to promote efficiency, discipline, and good public relations in setting forth policy governing the conduct of all Department employees.

B. The conduct of police officers and other MPD employees is governed by the MPD Policy and Procedure Manual, City of Minneapolis policies, and applicable State and Federal law.

All employees of the Minneapolis Police Department are required to maintain a working knowledge of and to obey the code of conduct, civil service rules, Departmental rules, policies, procedures and orders, City of Minneapolis policies, ordinances of the City of Minneapolis, the laws of the State of Minnesota and the United States.

5-102 Professional Conduct

(09/26/22) (01/30/23) (09/15/23)
Revisions to prior policies: (10/20/88) (05/05/89) (10/18/92) (02/28/93) (04/01/93) (10/28/94) (01/10/97) (03/21/97) (03/12/99) (01/05/00) (01/26/05) (04/01/05) (05/03/05) (09/07/05) (05/23/07) (12/14/07) (03/25/08) (04/23/10) (11/15/13) (11/17/15) (01/05/16) (07/28/16) (06/18/18) (06/16/20)

I. Purpose

This policy is established in accordance with MN Statute section 626.8457 Subd. 2 to define unprofessional conduct and to govern the investigation and disposition of cases involving alleged unprofessional conduct by peace officers.

II. Policy

A. Investigation and Discipline

It is the policy of the Minneapolis Police Department to investigate circumstances that suggest a peace officer or other employee has engaged in unbecoming conduct and to impose disciplinary action when appropriate.

B. Use of Discretion

The police profession is one that requires officers to use considerable judgment and discretion in the performance of their daily duties. Officers have a large body of knowledge from Department policies and procedures, training, their own professional police experience and the experiences of their fellow officers to guide them in exercising proper judgment and discretion in situations not specifically addressed by Department rules and regulations. When exercising such discretion, officers must always adhere to the following principles in the course of their employment with the Minneapolis Police Department:

1. All investigative detentions, pedestrian and vehicle stops, arrests, searches and seizures of property by officers shall be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the U.S. Constitution, Section 10 of the MN Constitution, MN statutes and MPD policies (such as P&P 9-200, P&P 7-601 and P&P 10-400).

2. Officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause.

C. Conduct that Detracts from the Public's Faith (Principle Two)

1. Employees shall refrain from any conduct in an official capacity that detracts from the public's faith in the integrity of the criminal justice system.

2. Employees shall carry out their duties with integrity, fairness and impartiality.

III. Procedures/Regulations

A. Obey Laws (Principle One)

Employees shall conduct themselves, whether on or off duty, in accordance with the Constitution of the United States, the Minnesota Constitution, and all applicable laws, ordinances and rules enacted or established pursuant to legal authority.

1. Rationale

   Peace officers conduct their duties pursuant to a grant of limited authority from the community. Therefore, officers must understand the laws defining the scope of their enforcement powers. Peace officers may only act in accordance with the powers granted to them.

2. Rules

   a. Peace officers shall not knowingly exceed their authority in the enforcement of the law.

i. Officers shall not arrest any person or search any premises except with a warrant or where such arrest or search is authorized without warrant under the laws of Minnesota and the United States.

b. Employees shall not knowingly disobey the law or rules of criminal procedure in such areas as interrogation, arrest, detention, searches, seizures, use of informants, and preservation of evidence, except where permitted in the performance of duty under proper authority.

c. Employees shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota.

i. Officers shall not falsely arrest or direct any malicious prosecution against any person.

d. Employees, whether on or off duty, shall not knowingly commit any criminal offense under any laws of the United States or any state or local jurisdiction.

e. Employees must obey lawful orders, but an employee must refuse to obey any order the employee knows would require the officer to commit an illegal act. If in doubt as to the clarity of an order the employee shall, if feasible, request the issuing employee to clarify the order. An employee refusing to obey an order shall be required to justify their actions.

f. Employees will not, according to MN Statute section 626.863, knowingly allow a person who is not a peace officer to make a representation of being a peace officer or perform any act, duty or responsibility reserved by law for a peace officer.

B. Truthfulness

1. Rationale

Community cooperation with the police is a product of its trust that officers will act honestly and with impartiality. The peace officer, as the public's initial contact with the criminal justice system, must act in a manner that instills such trust.

2. Scope

a. These requirements apply to any report or communication, whether verbal or written, concerning official MPD or City business.

i. This includes information given to or intended for others.

ii. This includes information before courts or hearings.

b. This includes questions about any action taken that relates to the employee's employment or position, regardless of whether such information is requested during a formal investigation or during the daily course of business.

3. Rules

Employees shall not willfully or knowingly make an untruthful statement or knowingly omit pertinent information, pertaining to their official duties or to their employment.

a. Employees shall not knowingly make false accusations of any criminal, ordinance, traffic or other law violation. This provision shall not prohibit the use of deception during criminal investigations or interrogations as permitted under law.

b. Employees shall truthfully, completely, and impartially report, testify and present evidence, including exculpatory evidence, in all matters of an official nature.

C. Impartiality (Principle Three)

Employees shall perform their duties and apply the law impartially and without prejudice or discrimination.

1. Rationale

Law enforcement effectiveness requires public trust and confidence. Diverse communities must have faith in the fairness and impartiality of their police. Employees must refrain from fostering disharmony in their communities based upon diversity and perform their duties without regard to race, ethnicity, color, national origin, ancestry, immigration status, gender identity or expression, age, creed, religion, sexual orientation, marital status, parental status, disability (including pregnancy), genetic information, veteran's status, status with regard to public assistance, and any other protected class status under state, federal, and local laws.

2. Rules

a. Employees shall provide every person in our society with professional, effective and efficient law enforcement services.

b. Employees shall not allow their law enforcement or official decisions to be influenced by race, ethnicity, color, national origin, ancestry, immigration status, gender identity or expression, age, creed, religion, sexual orientation, marital status, parental status, disability (including pregnancy), genetic information, veteran's status, status with regard to public assistance, and any other protected class status under state, federal, and local laws (in accordance with P&P 5-104 Impartial and Professional Policing).

i. Employees shall not physically display material that may be considered discriminatory, derogatory, or biased regarding the characteristics described

above, in or on City property. Such materials include, but are not limited to, calendars, cartoons, and posters.

ii. Employees shall not use any discriminatory, derogatory or biased terms regarding the characteristics described above.

iii. Digital material is covered by P&P 5-107 and by the City's Electronic Communications policy.

D. Conduct that Discredits (Principle Four)

Employees shall not, whether on or off duty, exhibit any conduct which discredits themselves or the MPD or otherwise impairs their ability or that of other employees or the MPD to provide law enforcement services to the community.

1. Rationale

A peace officer's ability to perform their duties is dependent upon the respect and confidence communities have for the officer and law enforcement officers in general. Employees must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public.

2. Rules

a. Employees shall not consume alcoholic beverages or chemical substances while on duty except as permitted in the performance of official duties, and under no circumstances while in uniform, except as provided for in [c].

i. Off-duty employees shall not carry any firearm or ammunition while under the influence of alcohol or any controlled substance.

b. Employees shall not consume alcoholic beverages to the extent the employee would be rendered unfit for the employee's next scheduled shift. An employee shall not report for work with the odor of an alcoholic beverage on the officer's breath.

i. No employee shall be under the influence of alcohol while on duty or while taking any off-duty law enforcement action (P&P 5-200).

ii. A reading of .02 blood/alcohol concentration is considered under the influence of alcohol.

iii. All alcohol testing shall be conducted in accordance with the conditions and procedures in P&P 3-1000.

c. In accordance with P&P 3-501, employees shall not use narcotics, hallucinogens, or other controlled substances except when legally prescribed.

i. When medications are prescribed, the employee shall inquire of the prescribing physician whether the medication will impair the employee in the performance of the employee's duties.

ii. The employee shall immediately notify the employee's supervisor if a prescribed medication is likely to impair the employee's performance during the employee's next scheduled shift.

iii. Employees shall not take any law enforcement action on or off-duty (P&P 5-200) while impaired by a controlled substance.

iv. All drug testing shall be conducted in accordance with the conditions and procedures in P&P 3-1000.

d. Employees, whether on or off duty, shall not engage in any conduct which the employee knows, or should reasonably know, constitutes sexual harassment as defined under Minnesota law and in accordance with P&P 2-105, including but not limited to; making unwelcome sexual advances, requesting sexual favors, engaging in sexually motivated physical contact or other verbal or physical conduct or communication of a sexual nature.

e. Employees shall not commit any acts which constitute sexual assault or indecent exposure as defined under Minnesota law. Sexual assault does not include a frisk or other search done in accordance with proper police procedures.

f. Employees shall not commit any acts which, as defined under Minnesota law, constitute (1) domestic abuse, or (2) the violation of a court order restraining the employee from committing an act of domestic abuse or harassment, having contact with the petitioner, or excluding the employee from the petitioner's home or workplace.

g. Employees, in the course of performing their duties, shall not engage in any sexual contact or conduct constituting lewd behavior including but not limited to, showering or receiving a massage in the nude, exposing themselves, or making physical contact with the nude or partially nude body of any person, except as pursuant to a written policy of the MPD (see P&P 10-202).

h. Employees shall avoid regular personal associations with persons who are known to engage in criminal activity where such associations will undermine the public trust and confidence in the employee or agency. This rule does not prohibit those associations that are necessary to the performance of official duties or where such associations are unavoidable because of the employee's personal or family relationships.

i. Employees shall remain alert, observant, and occupied with Department and City business during their tour of duty.

i. When on duty, employees shall devote their entire attention to the business of the Department and the City.

ii. Employees shall not conduct personal or private business while on duty.

iii. Officers shall not engage in policing for private interests while on duty.

iv. Employees shall not take excessive time for meals.

E. Courtesy and Respect (Principle Five)

Employees shall treat all members of the public courteously and with respect.

1. Rationale

Peace officers are the most visible form of local government. Therefore, peace officers must make a positive impression when interacting with the public and each other.

2. Rules

a. Employees shall exercise reasonable courtesy in their dealings with the public, other employees, superiors and subordinates.

i. Civilian employees shall give their name and employee number to any person upon request, and sworn employees shall identify themselves in accordance with P&P 5-104.

ii. Employees shall treat all fellow employees with respect and shall be civil at all times with one another.

iii. When on duty in the presence of other employees or the public, sworn employees should be referred to by rank.

iv. Employees performing official duties or representing the MPD shall not use derogatory, indecent or unnecessarily harsh language, whether spoken or in written materials or electronic communications.

aa. Employees performing official duties or representing the MPD shall not use profanity to insult, address or reference a person or group.

ab. Employees performing official duties or representing the MPD shall not otherwise use profanity while in the presence of the public, except when excusable due to an employee's response to an emergency.

b. Employees shall not ridicule, mock, deride, taunt, belittle, willfully embarrass, humiliate, or shame any person.

i. Employees shall not willfully mistreat or give inhumane treatment to any person held in custody.

c. Employees shall promptly advise any inquiring citizen of the complaint procedure and shall follow the established policy for processing complaints, in accordance with the Complaint Process Manual.

F. Avoiding Influence (Principle Six)

Employees shall not compromise their integrity nor that of their agency or profession by accepting, giving or soliciting any gratuity which could be reasonably interpreted as capable of influencing their official acts or judgments or by using their status as an MPD employee for personal, commercial or political gain.

1. Rationale

For a community to have faith in its employees, employees must avoid conduct that does or could cast doubt upon the impartiality of the individual employee or the agency.

2. Rules

a. Employees shall not use their official position, identification cards or badges for: (1) personal or financial gain for themselves or another person; (2) obtaining privileges not otherwise available to them except in the performance of duty; and (3) avoiding consequences of unlawful or prohibited actions.

b. Employees shall not lend to another person their identification cards or badges or permit these items to be photographed or reproduced without approval of the Chief.

c. In accordance with P&P 5-105, employees shall refuse favors or gratuities which could reasonably be interpreted as capable of influencing official acts or judgments.

d. Unless required for the performance of official duties, employees shall not, while on duty, be present at establishments that have the primary purpose of providing sexually oriented adult entertainment. This rule does not prohibit employees from conducting walk-throughs of such establishments as part of their regularly assigned duties.

e. Employees shall:

i. not authorize the use of their names, photographs or titles in a manner that identifies the officer as an employee of this agency in connection with advertisements for any product, commodity or commercial enterprise (in accordance with P&P 1-306);

ii. maintain a neutral position with regard to the merits of any labor dispute, political protest, or other public demonstration while acting in an official capacity;

iii. not endorse or oppose political candidates while on duty or while wearing the MPD's official uniform (in accordance with P&P 1-306).

f. This section does not prohibit employees from expressing their views on existing, proposed or pending criminal justice legislation, as may be required by their duties in their official capacity.

G. Conflicts of Interest (Principle Seven)

Employees shall not compromise their integrity, nor that of their agency or profession, by taking or attempting to influence actions when a conflict of interest exists.

1. Rationale

For the public to maintain its faith in the integrity and impartiality of peace officers and their agencies, employees must avoid taking or influencing official actions where those actions would or could conflict with the employee's appropriate responsibilities.

2. Rules

a. Unless required by law or policy an employee shall refrain from becoming involved in official matters or influencing actions of other employees in official matters impacting the employee's immediate family, relatives, or persons with whom the employee has or has had a significant personal relationship.

b. Unless required by law or policy an employee shall refrain from acting or influencing official actions of other employees in official matters impacting persons with whom the employee has or has had a business or employment relationship.

c. An employee shall not use the authority of their position as an employee or information available to them due to their status as an employee for any purpose of personal gain including but not limited to initiating or furthering personal or intimate interactions of any kind with persons with whom the employee has had contact while on duty.

i. Employees shall not make referrals to any attorney or other business from on duty contacts.

d. In accordance with P&P 3-801, an employee shall not engage in any off-duty employment if the position compromises or would reasonably tend to compromise the employee's ability to impartially perform the employee's official duties.

e. Employees shall not interfere with any criminal investigation being conducted by this Department or any other law enforcement agency.

i. Employees shall not knowingly communicate in any manner, either directly or indirectly, any information that may assist persons suspected or accused of

criminal acts to escape arrest or punishment or which may enable them to dispose of evidence.

ii. Employees shall not recommend a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before a grand jury except by written approval of their division commander. A copy of the approval will be kept in the case file.

iii. Employees shall not interfere with the attendance of witnesses or their testimony through coercion, bribery or other means.

iv. Employees shall not attempt to have any traffic citation reduced, voided, or stricken from the calendar for personal or monetary consideration. See P&P 7-608 Dismissal of Traffic/Parking Charges and Citations regarding the dismissal process.

f. Officers shall not render aid or assistance in civil cases except to prevent an immediate breach of the peace or to quell an existing disturbance. Officers may inform any citizen of the steps necessary to institute a civil suit or advise citizens on protecting their rights.

H. Record and Confidentiality (Principle Eight)

Employees shall observe the confidentiality of information available to them due to their status as employees.

1. Rationale

Employees are entrusted with vast amounts of private and personal information or access thereto. Employees must maintain the confidentiality of such information to protect the privacy of the subjects of that information and to maintain public faith in the employee's and MPDs commitment to preserving such confidences.

2. Rules

a. In accordance with P&P 4-500, employees shall not knowingly violate any legal restriction for the release or dissemination of information.

b. Employees shall not, except in the course of official duties or as required by law, publicly disclose information likely to endanger or embarrass victims, witnesses or complainants.

c. In accordance with P&P 4-500, employees shall not divulge the identity of persons giving confidential information except as required by law or MPD policy.

d. In accordance with P&P 4-500, employees shall not give any lawyer, bondsman, agent of either, or any other person unauthorized or confidential information

regarding prisoners in confinement, suspects in a case, property held, or records of the Department.

e. Employees shall not knowingly remove or destroy, or cause such action, to any report, document, or record without authorization.

I. Application

Any disciplinary actions arising from violations of this policy shall be investigated in accordance with P&P 2-100, MN Statute section 626.89, Peace Officer Discipline Procedures Act and the MPD's policy on Allegations of Misconduct as required by MN Rules sections 6700.2000 to 6700.2600.

5-103 Code of Ethics

(08/01/91) (05/23/07) (09/26/22)

A. All Employees

1. All sworn and civilian employees of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the Department or the City.

2. Employees shall abide by the City's Ethics in Government Policy, Chapter 15.

B. Law Enforcement Code of Ethics

MPD sworn employees shall comply with the IACP Law enforcement Code of Ethics:

"As a Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both by personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself to my chosen profession...law enforcement."

5-104 Impartial and Professional Policing

(06/27/01) (12/24/01) (12/01/08) (07/24/15) (11/17/15) (09/26/22)

I. Purpose

A. The reality or public perception of racial profiling alienates people from police, hinders community policing efforts, and causes law enforcement to lose credibility and trust among the people law enforcement is sworn to protect and serve.

B. This anti-racial profiling policy is established in accordance with MN Statute section 626.8471 Subd. 4 to govern the conduct of peace officers engaged in stops of citizens and other law enforcement actions.

II. Definitions

Racial profiling: has the meaning given to it in MN Statute section 626.8471, Subd. 2. which states:

1. "Racial profiling" means any action initiated by law enforcement that relies upon the race, ethnicity, or national origin of an individual rather than:

   a. the behavior of that individual; or

   b. information that leads law enforcement to a particular individual who has been identified as being engaged in or having been engaged in criminal activity.

2. Racial profiling includes use of racial or ethnic stereotypes as factors in selecting whom to stop and search.

3. Racial profiling does not include law enforcement's use of race or ethnicity to determine whether a person matches a specific description of a particular subject.

III. Policy

A. It is the policy of the Minneapolis Police Department to reaffirm our commitment to impartial policing and to reinforce procedures that serve to assure the public we are providing service and enforcing laws in a fair and equitable manner to all.

B. It is the policy of the Minneapolis Police Department that every aspect of our professional service must demonstrate our commitment to procedural justice, which means to treat others

with dignity, giving them voice and respect, being neutral in our decision-making and working to build trust.

C. Every employee of this department shall perform their duties in a fair and objective manner.

IV. Procedures/Regulations

A. Impartial Policing

1. Policing impartially, not racial profiling, is standard procedure for the MPD, meaning:

   Investigative detentions, pedestrian and vehicle stops, arrests, searches and property seizures by peace officers will be based on a standard of reasonable suspicion or probable cause in accordance with the Fourth Amendment of the United States Constitution and Article 1, Section 10 of the MN Constitution, and peace officers must be able to articulate specific facts, circumstances and conclusions that support reasonable suspicion or probable cause for investigative detentions, pedestrian and vehicle stops, arrests, nonconsensual searches and property seizures.

2. Except as provided below, peace officers shall not consider race, ethnicity, color, national origin, ancestry, immigration status, gender identity or expression, age, creed, religion, sexual orientation, marital status, parental status, disability (including pregnancy), genetic information, veteran's status, status with regard to public assistance, and any other protected class status under state, federal, and local laws in establishing either reasonable suspicion or probable cause:

   a. Peace officers may take into account the reported descriptors above of a specific suspect or suspects using credible, reliable, recent, locally-based information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals.

   b. This information may be used in the same way officers use specific information regarding age, height, weight, etc. about specific suspects.

B. Professional Policing

In an effort to prevent the perception of biased law enforcement peace officers shall use the following practices when contacting any citizen, regardless of the reason for the contact:

1. Be courteous, respectful, polite and professional.

2. Introduce or identify themselves to the citizen and explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of officers or other persons.

3. Ensure that the length of any detention is no longer than necessary to take appropriate action for the known or suspected offense.

4. Attempt to answer any relevant questions that the citizen may have regarding the citizen/officer contact, including relevant referrals to other agencies when appropriate.

5. Provide their name and badge number when requested, preferably in writing or on a business card.

6. Explain and/or apologize if the officers determine that the reasonable suspicion was unfounded (e.g. after an investigatory stop).

7. If asked, provide the procedures for filing a complaint about police services or conduct, in accordance with P&P 2-104.

C. Supervisor Responsibility

Supervisors shall ensure all personnel in their command are familiar with the content of this policy and are in compliance.

D. Duty to Report

Employees shall promptly report any suspected or known instances of bias-based policing to a supervisor (in accordance with P&P 2-101).

E. Duty to Intervene

Employees shall intervene, when reasonable to do so, to prevent any biased-based actions by another employee (P&P 2-102).

F. Report Violations to POST

1. Alleged violations of this policy shall be reported to POST in accordance with the reporting requirements in MN Statute section 626.8457.

2. Internal Affairs shall coordinate the required reporting to POST.

5-105 Gifts and Avoiding Influence

(09/26/22)

A. Property

1. Any money other than that received from unclaimed properties paid or sent to any employee as a result of on-duty police action shall be promptly forwarded to MPD Finance.

2. All property received as a result of on-duty police action shall be forwarded to the Property and Evidence unit.

a. The Property and Evidence unit shall dispose of unclaimed property according to P&P 10-401 and their unit manual.

b. The property shall be disposed of by being sent to the City Store or to the Minneapolis Police Relief Association in accordance with state law.

3. Employees shall not act as an intermediary in the payment of a reward for the return of stolen property without written authorization by the Chief of Police or the Chief's designee.

4. Employees shall not purchase, or have purchased for them, any auto or other property sold at a city auction. Employees are also prohibited from owning any such auto or other property purchased at a city auction for one year after the date that the auto or other property is sold at the city auction.

B. Debts and Finances

1. Employees shall pay all debts when due and shall not undertake any financial obligations which they know or should know they will be unable to meet.

2. An isolated instance of financial irresponsibility will generally not be grounds for discipline except in unusually severe cases. However, repeated instances of financial difficulty may be cause for disciplinary action.

a. Filing for a voluntary bankruptcy petition shall not, by itself, be cause for discipline.

b. Financial difficulties stemming from unforeseen medical expenses or personal disaster shall not be cause for discipline provided that a good faith effort to settle all accounts is being undertaken.

C. Soliciting or Accepting Gifts on Behalf of the City for City Purposes

1. Gifts to the City shall only be solicited or accepted in accordance with Minneapolis' Gifts to the City Policy.

2. In accordance with Minneapolis' Gifts to the City Policy, employees with enforcement powers, such as inspectors, regulators, police and prosecutors, should not solicit gifts from any source.

D. Soliciting or Accepting Personal Gifts

In accordance with Minneapolis City Ordinance 15.50:

1. Avoid gifts

Employees shall not solicit or accept any gift from an interested person, lobbyist or principal who has a direct financial interest in a decision that that the employee is authorized to make.

2. Return gifts

   Any employee who receives any gift prohibited by this section shall return, dispose of, or request that the city council accept the gift on behalf of the city.

3. Exceptions

   The prohibitions in this section do not apply if the gift is:

   a. A campaign contribution as defined in MN Statute section 10A.01, subd 11;

   b. A service to assist an official in the performance of official duties, including, but not limited to providing advice, consultation, information and communication in connection with legislation, or services to constituents;

   c. A service of insignificant monetary value;

   d. A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;

   e. A trinket or memento of insignificant value;

   f. Informational material of unexceptional value;

   g. Food or a beverage given at a reception, meal or meeting away from the recipient's place of work by an organization before who the recipient appears to make a speech or answer questions as part of the program;

   h. Given because of the recipient's membership in a group, and an equivalent gift is given to the other members of the group; or

   i. Given by an interested person, lobbyist, or principal who is a related person to the recipient, unless the gift is given on behalf of someone who is not a related person.

4. Trinkets and mementos

   The gift exception allowing employees to accept trinkets and mementos ([e] above) does not cover items such as a cup of coffee or other items where the employee received something at a discounted rate or for free due to their status as an employee of the City or the Department. The Ordinance and City policy prohibit accepting such items.

5-106 Department-Sanctioned Social Events

(02/22/05) (09/26/22)

A. In an effort to remain professional at all times, including department-sanctioned social events, the following guidelines shall be followed:

1. Employees are not allowed to solicit door prizes while on-duty or in the name of the Minneapolis Police Department for an event.

2. Attendance at off-duty social events is optional.

3. Awarding alcoholic beverages as door prizes is prohibited.

4. Complimentary alcoholic beverages are prohibited.

5. If the event is not held on police department property, advertising at a public establishment connecting the gathering to the MPD is prohibited.

6. Supervisors, while in attendance at said events, are responsible for the actions of officers under their command at the event.

7. Inappropriate behavior at an event should immediately be reported to a supervisor.

B. If security is needed for an event, arrangements should be made by the organizer.

5-107 Computer Use and Electronic Communication

(12/21/01) (09/19/08) (08/01/11) (05/23/12) (09/26/22)

(A-D)

All use of the City's computer system shall comply with the City of Minneapolis Electronic Communications Policy.

Users are responsible for maintaining security of any computer to which they have logged on. When users leave the computer, they shall log off the system.

Domain passwords are selected by individual users and are not to be shared. Users should protect their password against unauthorized use. Passwords can be stolen, guessed or inadvertently made available, therefore BIS will prompt users when to change their password. Users are required to change their passwords every 30 days and will have to supply a new password in order to log on. (09/19/08)

Security levels based on the user's position determine access to programs. If a user requires a different security clearance to perform functions beyond their current security level, a request shall be made in writing to the supervisor of the Business Technology Unit.

Internet and E-mail systems do not provide private or confidential electronic communications. Users must understand that any communications created, received or backed up on the City systems are considered public documents and are subject to legal requests for public disclosure. This includes communications that users might think are of a personal and private nature.

Use of the Internet will be monitored by Business Information and Technology Services (ITS) (BIS). Inappropriate or questionable use will be reported to the supervisor of the Business

Technology Unit, and if necessary, referred to the Internal Affairs Unit for investigation. This monitoring will include external links and services being accessed by employees. (09/19/08)

All Internet business that requires a fee or connects to an inappropriate site (i.e. pornographic material, sites that could violate the City's Sexual Harassment Policy, etc.) shall be pre-approved by the employee's supervisor. A memo stating the reason and approval for access shall be retained by the precinct, unit or division commander, who shall forward a file copy to Internal Affairs for review, if needed. (09/19/08)

Internal Affairs may investigate reported violations of the City's Electronic Communications Policy, with the assistance of BIS ITS personnel. Any employee whose user name and password is determined to have been in use during any violation may be subject to an Internal Affairs investigation and held accountable. (09/19/08)

5-108 Social Media Sites

(12/15/09) (05/24/13) (09/20/21) (09/26/22)

I. Purpose

To establish policy regarding employee use of social media sites.

II. Definitions

Content: Any posts, writings, material, documents, photographs, graphics, videos, links, or other information that is created, posted, distributed, or transmitted via social media.

Social Media Site: An internet site or application where users create and share content and participate in online communities and conversations, in the form of a page, profile, account, group or other presence. These include, but are not limited to, blogs, forums, chat sites, Facebook, Twitter, Instagram, Nextdoor, LinkedIn, Reddit, and YouTube. This policy includes emerging new web-based platforms generally regarded as social media or having many of the same functions as those listed.

Covert Social Media Profile: A social media site profile created and maintained by an MPD employee, but in a username not associated with the MPD employee, for the purpose of investigating criminal activity.

III. Policy

The MPD has a duty to protect the reputation of the organization and its employees, as well as guard against liability and potential legal risk. Therefore, employees are advised of the following:

A. Employees should exercise caution and good judgment when engaging with social media sites. Employees should be aware that the content of these social media sites can be subpoenaed and used in criminal and civil trials to impeach the employee’s testimony.

B. When engaging with social media sites, employees are subject to all pertinent City of Minneapolis ("City") policies, MPD policies, and local, state, and federal laws regarding public information on arrests, investigations, and personnel data.

C. This policy supplements the City's Electronic Communications Policy and Social Media Policy.

IV. Procedure/Regulations

A. Requirements

Failure to comply with the following may result in discipline, up to and including discharge:

1. This MPD policy on social media sites.

2. The requirements of the City's Social Media Policy and its procedures.

3. Provisions of the City's Social Media Policy's Procedures related to personal use of social media sites.

   This includes, but is not limited to, the following clauses:

   a. Clause 2

      Employees must not use personal Social Media Sites to originate Content as an official form of communication, to speak on behalf of the City, to indicate they are representing the interests of the City, or in a way that could be perceived as official City communication. Always consider how something may be interpreted or understood before posting.

   b. Clause 4

      The City expects employees to be truthful, courteous, and respectful toward supervisors, co-workers, City residents, customers, and other persons or entities associated with or doing business with the City. When an employee can be identified as someone who does work for the City, they must not engage in name-calling or personal attacks or other such demeaning behavior if the conduct would adversely affect their duties or City workplace. This Section and its limitations apply when the action of the employee adversely affects their work, job duties or ability to function in their position or creates a hostile work environment.

   c. Clause 7:

      If an employee chooses to identify themselves as someone who does work on behalf of the City on a personal Social Media Site or on a Social Media Site that is not a City-Supported Social Media Site, and posts a personal opinion on a matter related to City business, a disclaimer that is similar to the following must be used:

"These are my own opinions and do not represent those of the City of Minneapolis."

d. Clause 9:

i. There may be times when personal use of Social Media Sites that are not City-Supported Social Media Sites (even if it is off-duty or using their own equipment) may affect or impact the workplace and become the basis for coaching or discipline.

Examples of situations where this might occur include, but are not limited to:

- Cyber-bullying, stalking or harassment.
- Participating in offensive, hateful conduct.
- When conduct on personal Social Media could be perceived as a conflict with the City's mission, values, or degrades public trust in the City or its department.
- Release of City data that is not public.
- Unlawful activities.
- Inappropriate use of the City's name, logo, website URL, or the position or title of an employee or of someone who performs services for the City.
- Using City-owned equipment or City-time for more than occasional personal use on Social Media Sites that are not City-Supported Social Media Sites, which interferes with one's ability to do their job.
- Violation of law, whether federal, state, or local, or violation of a City policy.

ii. Each situation will be evaluated on a case-by-case basis because the laws in this area are evolving.

B. Authorized City-supported use

Certain MPD employees may be authorized to use social media sites for MPD-approved public relations and official investigative or work-related purposes. Such use must be approved by Police Administration.

C. Covert use of social media sites

The MPD recognizes that the use of covert social media profiles can be a useful tool in the investigation of criminal activity.

1. Profile registration

a. All covert social media profiles shall be registered with the Commander who oversees the Strategic Information Center (SIC). The information provided shall include:

- The name & web address of the social media site
- The username and screen name of the covert social media profile, and

- The MPD employee responsible for maintaining the covert social media profile.

b. The Commander or their designee shall conduct yearly audits to ensure that the covert profiles are still active.

c. When a covert social media profile is no longer needed it shall be deactivated or deleted from the social media site, to the extent permitted by the social media site, and the Commander shall be notified.

2. Employee responsibility

a. The MPD employee registered as the maintainer of a covert social media profile is responsible for all content posted online under that profile.

b. The employee shall maintain their own covert social media profile, and shall not share the access information with other employees, except that:

i. The employee shall provide the password to their registered profile upon request from the Commander or their designee or for auditing purposes.

3. No promotion of violence or criminal activity

MPD employees shall not post any information through a covert social media profile that promotes violence or criminal activity.

5-109 Malignment and Misinformation

(09/15/23)

1. Employees shall not publicly criticize or ridicule the Department, its policies, the City, another employee, an elected official, or a member of the public, or other employees as to the performance of their duties in a manner which is defamatory, obscene, unlawful, or in any other manner which impairs the effective operation of the Department or in a manner which displays a reckless or knowing disregard for the truth.

2. Employees shall not knowingly disseminate (including verbally, in writing, electronically, etc.) any false information, or un-verifiable or un-substantiated rumors or gossip, about the Department, the City, another employee, an elected official, or a member of the public, in a manner which is defamatory, obscene, unlawful, or in any other manner which impairs the effective operation of the Department, or in a manner which displays a reckless or knowing disregard for the truth.

5-110 Threats of Harm

(09/15/23)

Employees shall not threaten with physical harm, intimidate, or otherwise cause fear of retaliation or harm, to any other employee. Employees may be relieved of duty for such actions.

5-201 Responsibility of On-Duty Officers

(A-D)

In the City of Minneapolis, on-duty officers shall take all steps reasonably necessary to enforce the law after considering the tactical situation.

Minnesota Statutes 629.40 subd. 3 provides that when an on-duty licensed peace officer acting in obedience of an order of the court, or in the course and scope of their employment, or in fresh pursuit is outside of the officer's jurisdiction, that officer is serving in the regular line of duty as fully as though the service was within their jurisdiction. (11/14/88)

5-202 Responsibility of Off-Duty Officers

(A-D)

Off-duty officers in their jurisdiction have peace officer authority. Officers shall consider the tactical situation and liability to themselves and the department.

By the City Council Resolution (84R-047), Minneapolis police officers do not have peace officer authority when they are off-duty and outside their jurisdiction. The City of Minneapolis will not provide liability protection or worker's compensation benefits to officers acting in a law enforcement capacity when they are off duty and outside their jurisdiction. In these situations, Minneapolis police officers only have the power of citizen's arrest. (11/14/88)

5-203 Responsibility Outside of the State

(A-D)

Minneapolis police officers have peace officer authority outside of Minnesota only in incidents of fresh pursuit. Officers who are outside the boundaries of Minnesota for extradition, or other matters of direct concern to the City, are not to engage in police activities unless they are necessary in the performance of their duties as agents of the City, and then only after consideration of the tactical situation. (04/01/93)

5-204 Refusal to Work

(D)

Police officers do not have the right to strike or to engage in any work stoppage or slow-down.

5-301 Use of Force

(09/08/20) (12/22/20) (03/12/21) (01/01/23)
Revisions to prior policies: (10/11/02) (10/16/02) (08/17/07) (12/15/09) (10/01/10) (04/16/12) (06/01/12) (09/23/15) (07/28/16) (08/18/17) (06/16/20) (07/17/20)

I. Purpose

A. Sanctity of Life

Sanctity of life and the protection of the public are the cornerstones of the MPD's use of force policy. Officers must recognize and respect the sanctity of life and value of all human life, and the need to treat everyone with dignity and without prejudice.

B. State Requirement for Policy

MN Statute section 626.8452 requires the MPD to establish and enforce a written policy governing the use of force, including deadly force and state-mandated pre-service and in-service training in the use of force for all sworn MPD employees.

This policy is to be reviewed annually.

C. Use of Force Chapter Purpose

The purpose of this chapter is to provide all sworn MPD employees with clear and consistent policies and procedures regarding the use of force while engaged in their official duties. This policy applies to all licensed peace officers engaged in the discharge of official duties.

II. Definitions

De-escalation: Taking action or communicating verbally or non-verbally during a potential force encounter in an attempt to stabilize the situation and reduce the immediacy of the threat so that more time, options, and resources can be called upon to resolve the situation without the use of force or with a reduction in the force necessary. De-escalation may include the use of such techniques as command presence, advisements, warnings, verbal persuasion, and tactical repositioning.

Exigent Circumstances: A rare emergency situation requiring swift action to prevent imminent danger to life or serious harm to another.

Flight: Is an effort by the subject to avoid arrest or capture by fleeing without the aid of a motor vehicle.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ, or other serious bodily harm.

Objectively Reasonable Force: The amount and type of force that would be considered rational and logical to an "objective" officer on the scene, supported by facts and circumstances known to an officer at the time force was used.

Reportable Force: Force used that is required to have some level of Force Reporting in accordance with this policy [IV-B].

Subject Behaviors:

Compliant: The person contacted by an officer acknowledges direction or lawful orders given and offers no passive, active, aggressive or aggravated aggressive resistance.

Passive Resistance: The subject is not complying with an officer's commands and is uncooperative but is taking only minimal physical action to prevent an officer from placing the subject in custody and taking control. Examples include:

- standing stationary and not moving upon lawful direction
- falling limply and refusing to use their power to move (becoming "dead weight")
- holding onto a fixed object or locking arms to another during a protest or demonstration

Active Resistance: The subject's verbal or physical actions are intended to prevent an officer from placing the subject in custody and taking control but are not directed at harming the officer. Examples include:

- walking or running away
- breaking the officer's grip

Subject Intent to Harm:

Aggressive Resistance or Assault: The subject displays the intent to harm the officer, themselves or another person and to prevent an officer from placing the subject in custody and taking control. The aggression may manifest itself through a subject:

- taking a fighting stance
- punching, kicking, striking
- taking other actions which present an imminent threat of physical harm to the officer or another

Aggravated Aggressive Resistance or Aggravated Assault: The subject's actions are likely to result in death or great bodily harm to the officer, themselves or another. These actions may include:

- use of a firearm
- use of a blunt or bladed weapon
- extreme physical force

Use of Force: An intentional, direct or indirect, bodily contact that causes pain or injury or restricts someone's movement. Intentionally placing someone in fear of such contact, or threatening such contact, also constitutes force. This includes, but is not limited to:

- The use of any weapon, substance, vehicle, equipment, tool, device or animal that inflicts pain or produces injury to another;
- Any physical strike to any part of the body of another;
- Any physical contact or threat of contact by the officer or a weapon that causes or threatens to cause pain or injury to another;
- Any physical contact or threat of physical contact by the officer that results in restraint or physical manipulation of the physical movement of another;
- Unholstering or displaying a weapon, when engaged with a subject or subjects.

Low-Level Force: Force not intended to and with a low probability of causing injury.

Non-Deadly Force: Force that does not have the reasonable likelihood of causing or creating a substantial risk of death or great bodily harm. This includes, but is not limited to, physically subduing, controlling, capturing, restraining or physically managing any person. It also includes the actual use of any less-lethal weapons and other weapons not normally considered deadly force options, when used consistent with MPD training and policy.

Less-Lethal Weapon: A weapon that does not have a reasonable likelihood of causing or creating a substantial risk of death or great bodily harm.

Deadly Force: MN Statute section 609.066 states that Deadly Force means: "Force which the actor uses with the purpose of causing, or which the actor should reasonably know creates a substantial risk of causing death or great bodily harm. The intentional discharge of a firearm other than a firearm loaded with less-lethal munitions and used by a peace officer within the scope of official duties, in the direction of another person, or at a vehicle in which another person is believed to be, constitutes deadly force."

III. Policy

A. Force Guiding Principles

1. Legal standards and authorizations

   a. U.S. Constitutional standards

      The Fourth Amendment of the United States Constitution and Section 10 of the Minnesota Constitution's Bill of Rights state:

"The right of the people to be secure in their persons, houses, papers, and effects against unreasonable searches and seizures shall not be violated; and no warrant shall issue but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the person or things to be seized."

b. Statutory authorization

MN Statute section 609.06 subd. 1 states: "Except as otherwise provided in subdivisions 2 and 3, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

When used by a public officer or one assisting a public officer under the public officer's direction:

- In effecting a lawful arrest; or
- In the execution of legal process; or
- In enforcing an order of the court; or
- In executing any other duty imposed upon the public officer by law."

2. Do no harm

In accordance with the Sanctity of Life cornerstone, the principle of Do No Harm provides a guiding light from which all decisions shall flow.

a. Sanctity of life and the protection of the public are the cornerstones of the MPD's use of force policy. Sworn law enforcement officers have been granted the extraordinary authority to use force when necessary to accomplish lawful ends. Officers must recognize and respect the sanctity of life and value of all human life when making decisions regarding the use of force.

b. Officers shall treat everyone with dignity and without prejudice and use only the force that is objectively reasonable to effectively bring an incident under control, while protecting the safety of others and the officer.

3. Objectively reasonable force consistent with policy, law and training

a. Sworn MPD employees shall only use the amount of force that is objectively reasonable.

i. The decision by an officer to use force or deadly force shall be evaluated from the perspective of a reasonable officer in the same situation, based on the totality of the circumstances known to or perceived by the officer at the time, rather than with the benefit of hindsight, and that the totality of the circumstances shall account for occasions when officers may be forced to make quick judgments about using such force.

ii. Sworn MPD employees should use the lowest level of force necessary for safety and control; When lower levels of force do not work, would not work or are too unsafe to try, higher levels of force may be used for control and safety. Force may also be used for life-saving purposes.

iii. Physical force shall not be used against individuals in restraints, except as objectively reasonable to prevent their escape or prevent imminent bodily injury to the individual, the officer, or another person. In these situations, only the amount of force necessary to control the situation shall be used. Force used against a restrained or handcuffed individual shall be viewed with increased scrutiny in determining reasonableness.

iv. These facts and circumstances **shall** be articulated when documenting force (in accordance with the Force Reporting section in this policy).

b. Sworn MPD employees are only authorized to use force consistent with MPD training. Just because force is legally justified does not automatically mean that using force or the level of force is authorized by policy; for example, some specific types of use of force are limited to specific circumstances and force must comply with all applicable sections of policy including those related to de-escalation.

Some specific examples include that:

- While MN Statute includes Choke Holds as legally permissible in Deadly Force situations, MPD officers are prohibited from using such techniques, including in Deadly Force situations (see the Prohibition on Neck Restraints and Choke Holds section in P&P 5-302).
- Discharging firearms at motor vehicles is restricted under the Firearms section in P&P 5-302.

c. Force, or the threat of force, shall not be used as a means of retaliation, punishment, or unlawful coercion.

d. Officers shall exercise special care when interacting with individuals with known physical, mental health, developmental, or intellectual disabilities as an individual's disability may affect the individual's ability to understand or comply with commands from officers.

4. Announce arrests

When making an arrest officers shall verbally announce the arrest to the subject, when feasible, in accordance with arrest, search and seizure, and warrant-related policies and procedures (P&P 9-100, P&P 9-200 and P&P 9-300), and consistent with training.

a. When force may be used to make an arrest

In accordance with MN Statute section 629.33, if an officer has informed a subject that the officer intends to arrest the subject, and if the subject then flees or forcibly resists arrest, the officer may use all necessary and lawful means to make the arrest but may not use deadly force unless authorized to do so under section 609.066. Such force shall be consistent with all sections in P&P 5-300.

b. Minimum restraint allowed for arrest

In accordance with MN Statute section 629.32, an officer making an arrest may not subject the person arrested to any more restraint than is necessary for the arrest and detention.

c. Inform subject about warrant

In accordance with MN Statute section 629.32, the officer shall inform the subject that the officer is acting under a warrant, and shall show the subject the warrant if requested to do so. An arrest by an officer acting under a warrant is lawful even though the officer does not have the warrant in hand at the time of the arrest, but if the arrested person so requests the warrant must be shown to that person as soon as possible and practicable. An officer may lawfully arrest a person when advised by any other peace officer in the state that a warrant has been issued for that person.

Note: The officer can show the warrant via the squad computer.

B. Authorized Use of Deadly Force

In accordance with MN Statute section 609.066 subd. 2:

1. The use of deadly force by a peace officer in the line of duty is justified only if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that such force is necessary:

   a. To protect the peace officer or another from death or great bodily harm, provided that the threat:

      i. can be articulated with specificity;

      ii. is reasonably likely to occur absent action by the law enforcement officer; and

      iii. must be addressed through the use of deadly force without unreasonable delay; or

   b. To effect the arrest or capture, or prevent the escape, of a person whom the peace officer knows or has reasonable grounds to believe has committed or attempted to commit a felony and the officer reasonably believes that the person will cause death

or great bodily harm to another person under the threat criteria in clause [1-a], items [i] to [iii], unless immediately apprehended.

2. A peace officer shall not use deadly force against a person based on the danger the person poses to self if an objectively reasonable officer would believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight, that the person does not pose a threat of death or great bodily harm to the peace officer or to another under the threat criteria in clause [1-a], items [i] to [iii].

In accordance with MN Statute section 626.8452 subd. 1a:

3. Officers shall not use deadly force except in accordance with MN Statute section 609.066, and even in those circumstances officers shall first consider all reasonable alternatives including less lethal measures, before using deadly force.

Warn of intent:

4. Where feasible, officers shall identify themselves as law enforcement officers and warn of their intent to use deadly force.

C. Duty to Intervene

1. Sworn employees have an obligation to protect the public and other employees.

2. Regardless of tenure or rank, any sworn employee who observes another employee use any prohibited force, or inappropriate or unreasonable force (including applying force when it is no longer required), must attempt to safely intervene by verbal and physical means, and if they do not do so shall be subject to discipline to the same severity as if they themselves engaged in the prohibited, inappropriate or unreasonable use of force.

D. Officers' Actions Leading to Unnecessary Risk

1. Officers' actions that unnecessarily place themselves, suspects, or the public at risk

   An officer's conduct or actions may influence the amount of force used in each situation. A lack of reasonable or sound tactics can limit options available to officers, and unnecessarily place officers and the public at risk.

   a. Officers shall use reasonableness, sound tactics and available options during encounters to maximize the likelihood that they can safely control the situation.

   b. Officers shall not purposefully use words or actions that a reasonable officer would conclude are intended to incite or escalate reactive behavior. Prohibited conduct includes but is not limited to taunting individuals.

2. Officers' actions to safeguard the sanctity of life

   Officers should consider their positioning and attempt to place themselves in the best tactical position possible, in order to maximize their ability to safely resolve a dangerous threat. The sanctity of life should be the guiding principle for officers during these situations and they should attempt to reduce the likelihood of a deadly force encounter as much as possible.

E. Medical Treatment and Use of Force

1. Any sworn MPD employee who uses force shall, as soon as reasonably practical, determine if anyone was injured and render medical aid consistent with training and request Emergency Medical Service (EMS) if necessary (in accordance with P&P 7-350). Some force control options involve or require additional medical attention. This includes subjects who have visible injuries, lose consciousness, complain of injury or request medical attention.

2. Medical aid rendered consistent with policy is not a reportable use of force.

F. Threatening the Use of Force

As an alternative or precursor to the actual use of force, MPD officers shall consider verbally announcing their intent to use force, including displaying an authorized weapon as a threat of force, when reasonable under the circumstances. The threatened use of force shall only occur in situations that an officer reasonably believes may result in the authorized use of force. This policy shall not be construed to authorize unnecessarily harsh language.

G. De-escalation

1. When all of the reasonably known circumstances indicate it is safe and feasible to do so, officers shall:

   a. Attempt to slow down or stabilize the situation so that more time, options and resources may become available.

   b. Consider, based on the officer's actual observations and in the totality of the circumstances, whether a subject's lack of compliance is a deliberate attempt to resist or an inability to comply based on factors including, but not limited to, the subject's emotions and behavior.

2. De-escalation tactics include, but are not limited to:

   - Requesting additional officers and other resources to the scene, which may make more force options available and may help minimize the overall force used.
   - Placing barriers between an uncooperative subject and an officer.
   - Attempting to isolate the subject and contain the scene.
   - Minimizing risk from a potential threat using distance, cover or concealment.

3. An officer shall use de-escalation techniques and other alternatives to higher levels of force consistent with their training whenever feasible and appropriate before resorting to force and to reduce the need for force.

4. Prior to using force, officers shall attempt to use the following concepts and tactics when safe and feasible, which may help officers minimize risk to themselves and others.

   a. Identify themselves as a police officer,

   b. Attempt to verbally de-escalate,

   c. Attempt to use additional de-escalation tactics or control options,

   d. Give commands to be followed, and afford the person a reasonable opportunity to comply. Whenever possible and when such delay will not compromise the safety of another or the officer and will not result in the destruction of evidence, escape of a suspect, or commission of a crime, an officer shall allow an individual time and opportunity to comply with verbal commands before force is used.

5. If use of force is initiated, force shall be de-escalated immediately as resistance decreases or control is achieved.

H. Report Required

Authorized use of force requires careful attention to the facts and circumstances of each case. Sworn MPD employees shall write a detailed, comprehensive report for each instance in which reportable force was used (in accordance with [IV-B]). All uses of force shall be documented and investigated pursuant to MPD's policies.

I. Training

1. All officers shall receive training, at least annually, on the MPD's use of force policy and related legal updates (in accordance with P&P 2-500 and any policies related to specific tools or weapons).

2. In addition, training shall be provided on a regular and periodic basis and designed to:

   a. Provide techniques for the use of and reinforce the importance of de-escalation.

   b. Simulate actual shooting situations and conditions; and

   c. Enhance officers' exercise of discretion and judgement in using other than deadly force in accordance with this policy.

3. Before being authorized to carry a firearm all officers shall receive training and instruction with regard to the proper use of deadly force and to the MPD's policies and MN Statutes with regard to such force (in accordance with P&P 5-302, P&P 3-200 and P&P 5-400). Such training and instruction shall continue on an annual basis.

4. Before carrying an authorized device, all officers shall receive training and instruction in the use of the device including training as it relates to its use in deadly force and other than deadly force situations (in accordance with P&P 3-200 and P&P 5-302). Such training and instruction shall continue on an annual basis.

5. The Chief of Police shall ensure that the MPD maintains records of the MPD's compliance with use of force training requirements.

IV. Procedures/Regulations

A. Transfer of Custody

Prior to transferring custody of a subject that force was used upon, sworn MPD employees shall verbally notify the receiving agency or employee of:

- The type of force used,
- Any injuries or alleged injuries sustained,
- Any medical aid rendered, and
- Whether EMS was called and if so, whether EMS made contact with the patient, whether the patient refused or accepted EMS, and whether the patient was transported by EMS for further treatment.

5-302 Use of Force Reporting

(01/01/23) (03/17/23) (02/08/24) (12/03/24)
Revisions to prior policies: (10/16/02) (08/17/07) (04/16/12) (09/08/20) (12/22/20) (03/12/21)

I. Force and De-escalation Reporting

A. Force Reporting in PIMS

1. Anything other than routine contact with a person is considered a use of force. Examples of routine contact may include pat downs or incidental contact and they do not require use of force reporting.

2. All uses of force must be reported in PIMS as detailed in this policy, except for escort holds, touch and handcuffing that do not result injury or complaint of injury.

3. In order to complete a Use of Force details page, a full Police Report (GO), Supplemental Report (GO) or Street Check is required so that entities can be properly entered and linked, and the report shall include the code "FORCE."

B. Force-related items to include in Narrative Text

When documenting force in an incident through a Narrative Text with a Police Report or Street Check, officers shall describe in the narrative:

- Any efforts to de-escalate prior to the use of force.
- Why the officer decided to use force.
- Why the officer decided to use the level or levels of force used.
- Whether the subject was injured, displayed signs of an injury, or complained of an injury. This includes pre-existing injuries aggravated by or injuries suffered as the result of the force used.
- Whether medical aid was rendered or Emergency Medical Services (EMS) was called, and whether the officer who used force was the same officer who rendered aid or called EMS.
- Whether the subject was transported to the hospital, and if so:
    - Whether the transportation was because of force used.
    - Whether MPD, EMS or another agency made the transport.

C. Supervisor notification of force

When supervisor notification is required, the employee who used force shall remain on scene and immediately make direct contact with a supervisor by phone or radio, so the supervisor can fulfill their responsibilities.

D. De-escalation reporting requirements

Any time a Use of Force details page is required for an incident, the officer shall complete the de-escalation section in the Use of Force details page and shall describe their de-escalation efforts in the Narrative Text.

E. Force Reporting Timeliness

In Critical Incidents, Force Reporting shall be done in accordance with P&P 7-810. When a Police Report is required in accordance with P&P 7-810, any associated Force Reports shall be completed at the same time as the required Police Report. In all other cases, all required Force Reporting shall be completed as soon as practical, but no later than the end of the shift.

II. Reporting Requirements

A. No reporting required

The following listed actions do not require any Force Reporting (Use of Force details page, Narrative Text or supervisor notification) unless they result in an injury or complaint of injury:

- Escort holds.
- Touch.
- Handcuffing (a Police Report is still required- see the Handcuffing section below).

B. Level 1 reportable use of force

1. Level 1 definition and types

   Level 1 force involves using low levels of force that are reasonably expected to cause pain or injury but do not result in injury or complaint of injury. Level 1 types of force include:

   - Displaying or pointing a firearm when engaged with a subject.
   - Pointing a less-lethal launcher when engaged with a subject.
   - Pointing a taser or conducted electronic/energy weapon (CEW), using a CEW to conduct a warning arc, and laser painting with a CEW, when engaged with a subject.
   - Pressure point compliance techniques.
   - Wristlocks, armbars and joint manipulation techniques.
   - Weaponless strikes other than strikes to the head or neck.
   - Weaponless defense techniques such as push-aways, holds or slaps.
   - Body weight to pin.
   - Takedowns and leg sweeps.
   - Control pressure while handcuffing.
   - Authorized or improvised tool to push a subject without striking.
   - Any other use of force that does not rise to a level 2 or level 3 reportable use of force.

2. Display and pointing

   a. Reporting firearm display and pointing for specific tactical operations

      i. An officer engaged in the execution of a building search warrant or engaged in an Operation 100 shall be required to report the display or pointing of a firearm only when it involves a sustained active engagement with a person to gain that person's compliance.

      ii. An officer who quickly "sweeps" a room during a building search warrant or Operation 100 is not required to report each person at whom a firearm was momentarily pointed during the sweep.

   b. Related terms

      Display: Display means having a weapon in hand, while engaged with a subject. For a handgun, this means having it out of the holster, while engaged with a subject. For larger weapons such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.

      Engaged with a Subject: This means treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident,

while using some level of reportable force (such as display or pointing). An example of a person who is the focus of law enforcement attention is a person in crisis who may not be a potential suspect.

Point: Pointing a weapon means directing it towards a subject, while engaged with them as a potential suspect or as a focus of law enforcement attention in an incident (such as a person in crisis), with the intent to use or imply the use of the weapon. This includes using a CEW to conduct a warning arc or laser paint, and aiming firearms and less-lethal launchers.

3. Level 1 reporting requirements

   A Use of Force details page and Narrative Text are required for all level 1 uses of force. Supervisor notification is not required.

C. Level 2 reportable use of force

1. Level 2 definitions and types

   Level 2 force involves using force that includes the use of a less-lethal weapon or that causes injury or complaint of injury but does not rise to a level 3 reportable use of force. Level 2 types of force include:

   - Discharge of an MPD-authorized chemical aerosol.
   - Discharge of a taser or conducted electronic/energy weapon (CEW) (including probes/darts and drive stun/touch).
   - Weaponless strikes to the head or neck if the individual's head is not near a hard surface.
   - Impact weapon strikes (including improvised impact weapon strikes) to any part of the body other than the head or neck.
   - Impact munition use (40mm or handheld).
   - Physical apprehension by a canine.
   - Any reportable use of force against a handcuffed individual (see section [E] for additional requirements).
   - Use of any other less-lethal weapon, meaning a weapon that does not have a reasonable likelihood of causing or creating a substantial risk of death or great bodily harm.
   - An escort, touch, handcuff, or other action that results in an injury or complaint of injury.
   - Any use of force by an MPD officer that results in injury or complaint of an injury, except level 3 reportable uses of force.
     - This includes aggravation of a preexisting injury.
   - Any physical contact with the neck during a use of force, including incidental contact and touching.

- This does not include neck contact during a medical assessment such as checking someone's pulse.

- Maximal restraint device (prohibited).

2. Level 2 reporting requirements

   A supervisor notification is required in addition to a Use of Force details page and a Narrative Text for all level 2 uses of force.

D. Level 3 reportable use of force

1. Level 3 definition and types

   Level 3 force involves any force that causes or force that should have reasonably been known to create or cause a substantial risk of death or great bodily harm, and any force that results in hospital admission. Level 3 types of force include:

   - Deadly force.
   - Using an impact weapon (including an improvised impact weapon) to strike a person's head or neck.
   - Weaponless strikes to the head or neck if the individual's head is near a hard surface.
     - A "hard surface" means any surface that is unyielding or unlikely to absorb any meaningful force or impact. For example, concrete, frozen ground, wood surfaces, metal surfaces, etc.
     - If an individual is "near a hard surface," that means that a weaponless strike to that person's head would cause a direct and immediate impact with the hard surface as a result of the strike. For example, if the person is against a car or lying on the street.
   - Any force that causes injury resulting in admission to a hospital.
     - Admission to the hospital does not include treatment and release in the emergency department, no matter how long the stay (if the person was not admitted to the hospital).
   - Neck restraints, including choke holds (prohibited).

2. Level 3 reporting requirements

   A supervisor notification is required in addition to a Use of Force details page and a Narrative Text for any level 3 uses of force.

3. No review of recordings

   For Critical Incidents, the procedures relating to review of audio and visual data in P&P 7-810 apply. For other level 3 uses of force, officers shall not review any recordings including body worn camera footage prior to being interviewed or completing use of force documentation, unless doing so is necessary to address an immediate threat to life or safety while in the field.

E. Handcuffing

1. Police Report required

   a. A Police Report is required for any incident involving handcuffing. The circumstances necessitating handcuffing shall be documented in a Narrative Text.

   b. The application of handcuffs shall be marked in the corresponding box on each Entity handcuffs were applied to, subject to the exception for mass arrests below.

   c. If there is no associated offense code, the report should use a code that corresponds to the problem nature code or if not applicable, the code MISC.

   d. Handcuffing does not require the code FORCE or a Use of Force details page unless an injury or alleged injury occurred.

2. Injuries

   Handcuffing will be classified as a level 2 or level 3 use of force if it results in an injury, complaint of injury or aggravation of a preexisting injury.

3. Handcuffing in mass arrests

   a. If the Chief, Assistant Chief or a Deputy Chief gives authorization during a mass arrest situation (which involves multiple officers and typically involves more than five arrestees), officers who only apply handcuffs and escort someone to a transport vehicle do not have to record the application of handcuffs on the Entity form, as long as no injury resulted or was alleged to result from the handcuffing or escorting and as long as no additional force was used.

      i. The officer shall still enter a Narrative Text for the incident and describe their actions.

      ii. The incident commander shall ensure that such authorization is documented in the Police Report, including the person who gave the authorization.

   b. If the officer used additional force to control the subject (beyond escorting) or injuries resulted or were alleged to result from any force used by the officer, the officer shall record the application of handcuffs on the Entity form and shall complete any required reporting for the other force or injuries.

F. Reporting Force Used on a Handcuffed Subject

The requirements of this section are in addition to the standard requirements in the section on Use of Force and De-Escalation Reporting.

1. Notify a supervisor

   a. If an officer uses any force on a handcuffed subject (other than the types specified below), the officer shall remain on scene and shall notify an on-duty supervisor by phone or radio as soon as possible so the supervisor can respond to the scene.

   b. Exceptions to this requirement are the following actions used on a handcuffed subject, when the force does not result in injury: Escort holds, joint manipulations and nerve pressure points, and body weight to pin or control pressure if they would not already require a supervisor notification.

2. Supervisor response

   a. Respond to the scene

      The supervisor shall respond to the scene, determine the level of force used, and follow the Use of Force Review policy as necessary.

   b. Notify the Watch Commander

      The supervisor shall immediately notify the Watch Commander of the incident directly by phone. If there is no Watch Commander on duty, the Commander of Internal Affairs shall be notified directly by phone.

3. Watch Commander response

   The Watch Commander shall respond to the incident scene to gather information from the supervisor, observe the force subject and document any injuries, and shall immediately notify the Commander of Internal affairs of the incident directly by phone.

4. Internal Affairs response

   When the Commander of Internal Affairs is notified by the Watch Commander or an on-duty supervisor of an incident involving force used on a handcuffed subject, the Commander shall assess the situation and determine if an Internal Affairs call-out is warranted (in accordance with P&P 2-108), and whether to make a notification to the Deputy Chief of Internal Affairs.

5. Responding to the hospital

   If the subject must be immediately transported to the hospital for treatment, both the incident Supervisor and Watch Commander shall respond to the hospital to complete their required steps.

G. In-custody Injury or Illness Reporting (Not from Force)

If an individual in custody suffers an injury or an illness, or aggravates a pre-existing injury, not due to force used, the sworn employee shall document it through a Narrative Text, and shall notify a supervisor so the supervisor can respond and complete the Supervisor Force Review.

5-303 Use of Force Review

(02/08/24)
Revisions to prior policies: (10/16/02) (08/17/07) (12/15/09) (04/16/12) (09/08/20) (12/22/20) (03/12/21) (01/01/23)

I. Definitions

Supervisor Force Review: Supervisor Force Reviews (SFRs) are when the supervisor who was notified of a level 2 or level 3 use of force by an employee responds to the scene, investigates the force incident, and documents their findings.

Secondary Force Review: Secondary Force Reviews are when the initial Supervisor Force Review (SFR) and reportable use of force incident undergo a review by another supervisor. This process ensures that each use of force gets thorough scrutiny and sets the expectation for performance coaching and mentoring in the chain of command.

II. Policy

All level 2 and level 3 reportable uses of force, other than critical incidents (P&P 7-810), must be reviewed through a Supervisor Force Review, and through a Secondary Force Review.

III. Procedures

A. Supervisor Force Review (SFR)

1. Supervisor Force Review purpose

   The purposes of a Supervisor Force Review (SFR) are to:

   a. Collect and document information and evidence regarding the use of force; and

   b. Assess whether, based on the information available to the reviewing supervisor, the force used appears to have been consistent with MPD policy, including whether the force appears to have been objectively reasonable given the totality of the circumstances.

2. No review of own use of force

   Supervisors shall not conduct a Supervisor Force Review on their own use of force.

a. If a supervisor uses force that requires a supervisor notification per policy, they shall not conduct any Supervisor Force Review for any other sworn employees at the scene.

b. If an individual in a supervisor's custody suffers an injury or illness not from force, the supervisor shall not conduct any Supervisor Force Review for the in-custody injury or illness.

c. Any other supervisor of any rank who did not use such force or have custody shall conduct the Supervisor Force Reviews.

3. Supervisor responsibilities

The supervisor who is notified of and responds to a level 2 or level 3 use of force or In-Custody Injury or Illness incident by any sworn MPD employee shall:

a. Determine if the incident meets the criteria for a Critical Incident. If so, follow the Critical Incidents policy (P&P 7-810).

b. Instruct the involved employees to request the subject remain on-scene until the supervisor arrives, if it is reasonable to do so.

- If the subject does not remain on-scene, the supervisor shall go to the subject's location, if necessary, to complete the investigation.

c. Immediately respond to the incident scene and conduct a preliminary investigation of the use of force or In-Custody Injury or Illness incident.

i. Debrief the employee(s) who engaged in the use of force.

ii. Note any reported injury or alleged injury to any individual involved.

iii. Note any medical aid/EMS rendered to any individual involved, and take reasonable steps to offer MPD employees and community members appropriate medical care.

iv. Locate and review any evidence related to the force or injury incident (e.g. BWC, MVR, security video, private cameras, etc.).

v. Ensure any on-scene evidence is preserved and collected.

vi. Photograph:

- the force subject, including any visible injuries
- the immediate area of the force event
- injuries to any other individual involved in the force event
- damage to equipment or uniforms caused by the force event

vii. Locate and identify witnesses to the use of force or injury incident.

viii. Obtain statements from witnesses to the use of force or injury incident.

ix. Review all sworn employees' reports and supplements related to the use of force or injury incident for completeness and accuracy.

x. Determine if the force used was reasonable or unreasonable, or if it appears to constitute possible misconduct. The supervisor shall contact the Internal Affairs Commander immediately by phone if the force used appears to be unreasonable or appears to constitute possible misconduct.

xi. Determine the level of the reportable force, independent of how the force was reported to the supervisor.

d. Complete and submit the "Use of Force Review" template as soon as practical, but prior to the end of that shift.

i. It is the reviewing supervisor's responsibility to ensure that all actions taken in the preliminary investigation process and the information obtained from these actions are included in the Summary, and that all other relevant information is entered in the appropriate sections of the report. This includes documenting their observations and assessments.

ii. It is the reviewing supervisor's responsibility to assess whether, based upon the totality of the information available at the time of the report, the use of force was consistent with MPD Policy. If the supervisor concludes that the use of force was or may have been unreasonable or not within policy, the supervisor shall:

- State in the Summary that they believe the use of force requires further review; and
- Notify the Commander of Internal Affairs of their findings that the force requires further review.

e. Record the incident information on the approved MPD electronic form prior to the end of the shift, so that a Secondary Force Review can be completed.

4. Supervisor Force Reviews in civil disturbances and assemblies

During civil disturbances or assemblies (in accordance with P&P 7-805), reviewing supervisors shall complete the Supervisor Force Review requirements to the best of their ability, with the information available to them (which may be limited). At a minimum, the review should include:

- The type of force used.
- The amount of force used.
- The basis for the force used.

B. Secondary Force Review

1. Secondary Force Review purpose

   The purposes of a Secondary Force Review are to:

   a. Confirm that the SFR included all required collection and documentation of evidence;

      and

   b. Review all available evidence, and perform an additional, separate review of whether the use of force appears to have been consistent with MPD policy.

2. Secondary Force Review required

   Secondary Force Reviews shall be completed for all SFRs.

3. Reviewer requirements

   Secondary Force Reviews shall be completed by a supervisor at least one rank above that of the highest-ranking employee who engaged in the reportable use of force, as designated by the Inspector or Commander in the chain of command for the initial SFR supervisor.

   a. The secondary reviewer shall be at the rank of Lieutenant or higher.

   b. In some instances, the secondary reviewer may be an appointed rank, when designated.

   c. Supervisors cannot complete a Secondary Force Review of their own SFR.

   d. Supervisors cannot complete a Secondary Force Review of an SFR of their own use of force.

4. Thorough review

   a. The secondary reviewer shall review all of the information reasonably available regarding the use of force review, including BWC recordings made during the on-scene Supervisor Force Review, written reports, video, audio recordings, witness statements, photographs, and other evidence or information collected by the responding supervisor.

   b. The secondary reviewer is independently responsible for a thorough and substantive review of the evidence and an independent analysis of whether the use of force appears to have been consistent with MPD policy.

   c. The secondary reviewer is independently responsible for determining the level of the reportable use of force.

d. The secondary reviewer shall review the documentation and data entered by the employee who used the force to ensure that the documentation and data is sufficient and complete.

5. Determine if notifications are required

   The secondary reviewer shall determine, based on the information reviewed, if the use of force requires a notification to Internal Affairs, and make any required notifications.

6. Timeliness of Secondary Force Review

   Secondary Force Reviews and the associated documentation shall be completed as soon as practical, but no later than within 5 calendar days of the completion of the initial SFR, unless an extension is approved by the secondary reviewer's Inspector or Commander.

7. Documenting the Secondary Force Review

   After the Secondary Force Review is completed, the Secondary Force Review process shall be documented by recording the required information on the approved MPD electronic form.

8. Internal Affairs review

   a. After the Secondary Force Review is completed, Internal Affairs will ensure that all previous levels of review and documentation were completed properly.

   b. After Internal Affairs has checked the Secondary Force Review for completeness, they will determine whether the incident will be referred for further investigation by OPCR and Internal Affairs, or whether the review will be closed without further investigation.

C. Deputy Chief Review

Following the secondary review, the MPD Deputy Chief of Internal Affairs shall review all level 3 reportable uses of force and level 2 reportable uses of force that involve a strike to the head or neck, for compliance with policy and law, the use of tactics, and for any need to change policy or training.

5-304 Use of Force Control Options

(09/08/20) (12/22/20) (04/04/21) (01/01/23) (03/30/23) (06/26/23) (02/08/24) (05/12/25)
Revisions to prior policies: (05/29/02) (10/16/02) (08/17/07) (12/15/09) (10/01/10) (04/16/12) (06/01/12) (07/16/12) (09/04/12) (06/10/13) (10/07/13) (06/13/14) (04/30/15) (09/23/15) (04/05/16) (07/28/16) (07/13/17) (04/02/18) (07/16/19) (10/18/19) (06/11/20) (06/16/20) (08/21/20)

I. Purpose

A. The MPD recognizes that combative, non-compliant, armed or otherwise violent subjects cause handling and control problems that require special training and equipment.

B. The MPD has adopted the less-lethal force philosophy to assist with the de-escalation of these potentially violent confrontations.

C. This policy addresses the use and deployment of all force control options that are available to sworn employees.

Control options covered:

Restraints:
Handcuffing
Maximal restraint technique (MRT) (Hobble Restraint) and Hogtie (prohibited)

Bodily force
Less-lethal 40mm launcher and impact projectiles
Chemical agents
Conducted electronic weapons (CEWs)
Impact weapons
Canine
Neck restraints and choke holds (prohibited)
Firearms

II. Definitions

Carry: Carrying a weapon or tool means having it on one's person. This includes having it in a pocket, holster, or backpack or similar container, as well as having it slung or having it in hand.

Deliver: Delivering means to launch a weapon or technique to make impact with a subject or to strike a subject with an impact weapon or bodily force.

Discharge: Discharging means ejecting something out of the end or nozzle of a weapon (firing, spraying, launching, etc.).

Display: Display means having a weapon in hand, while engaged with a subject. For a handgun, this means having it out of the holster, while engaged with a subject. For larger weapons such as rifles, this means having it in hand (slung or unslung), while engaged with a subject.

Engaged with a Subject: This means treating someone as a potential suspect or dealing with a person who is the focus of law enforcement attention in an incident, while using some level of reportable force (such as display or pointing). An example of a person who is the focus of law enforcement attention is an individual in crisis who may not be a potential suspect.

Point: Pointing a weapon means directing it towards a subject, while engaged with them as a potential suspect or as a focus of law enforcement attention in an incident (such as an individual in crisis), with the intent to use or imply the use of the weapon. This includes arcing or red-dotting a CEW, pointing impact weapons and aiming firearms.

Use: Using a weapon or tool means activating or applying any of its mechanical functions, pointing a weapon, or making contact with a subject with the weapon or tool. This includes discharging a weapon such as a firearm, CEW, aerosol, or 40mm launcher, arcing, red-dotting or activating a CEW, applying handcuffs or restraints, making bodily contact with a subject with an impact weapon or with bodily force.

III. Policy

A. Authorized Control Options and Use of Unauthorized Control Options

1. Sworn MPD employees shall only carry and use MPD approved weapons for which they are currently trained and authorized to use through the MPD Training Division, except in exigent circumstances. An authorized device is a device an officer has received permission from the MPD to carry and use in the discharge of that officer's duties, and for which the officer has:

    a. Obtained training in the technical, mechanical and physical aspects of the device; and

    b. Developed a knowledge and understanding of the MPD policy, law, rules and regulations regarding the use of such a device.

2. All use of force control options and weapons shall be in accordance with the standards and requirements in P&P 5-301.

    a. Force control options shall only be used in a manner that would be found objectively reasonable (in accordance with P&P 5-301).

    b. If lower levels of force are ineffective, higher levels of force may be used for control and safety, subject to any additional restrictions on specific options or limitations in P&P 5-300.

3. If an exigent circumstance exists that poses an imminent threat to the safety of the employee or the public requiring the immediate use of an improvised weapon of opportunity, the employee may use the weapon in accordance with the standards in P&P 5-301 (including, but not limited to, the section on Objectively Reasonable Force Consistent with Policy, Law and Training).

4. The use of a firearm, vehicle, less-lethal or non-lethal weapon, or other improvised weapon by an officer may constitute the use of deadly force. This policy does not prevent a sworn employee from drawing a firearm or being prepared to use a firearm in threatening situations, in accordance with P&P 5-301 and the firearm section in this policy (P&P 5-302).

B. Limitations on the Use of Certain Restraints

1. Statutory prohibition

   In accordance with MN Statute section 609.06, the following restraints shall not be used unless MN Statute section 609.066 authorizes the use of deadly force to protect the officer or another from death or great bodily harm:

   a. Securing a person in any way that results in transporting the person face down in a vehicle.

   b. Less-lethal measures must be considered by the officer prior to applying these measures.

2. Prohibition on neck restraints and choke holds

   Neck Restraints and choke holds are prohibited, in accordance with the section in this policy (P&P 5-302) covering neck restraints and choke holds.

3. Prone positioning

   a. People in MPD custody shall not be placed in the facedown prone position or any other position that causes a breathing restriction, other than briefly when necessary to secure the person or to prevent the person from causing harm to themselves or others.

   b. If a person is in a position that causes a breathing restriction, for the purpose of securing the person or preventing the person from causing harm to self or others, the person shall be placed in a sitting position, or laying on their side, in a recovery position, as soon as safely possible for all parties. These positions allow the person to breathe freely, reducing the possibility of bodily harm or death from any part of the body respiratory system being restricted or manipulated.

C. Handcuffing

1. Authorized use

   a. Arrests

      i. To minimize the risk of injury to officers and others during arrest situations, officers shall handcuff all persons arrested as soon as possible (in accordance with P&P 9-100).

      ii. Handcuffs are authorized when transporting in-custody subjects (in accordance with P&P 9-100).

b. Investigative detentions ("Terry Stops")

i. Handcuff use during investigative detentions is authorized when one or more of the following factors are present:

aa. Articulable facts that the subject is physically uncooperative;

ab. Articulable facts that a subject's actions at the scene may present physical danger to themselves or others if not restrained;

ac. Reasonable possibility of flight based on the circumstances;

ad. Information that the subject is currently armed;

ae. The stop closely follows a violent crime and the subject matches specific parts of a description;

af. The number of subjects involved in the stop causes an articulable safety concern; or

ag. Articulable facts that a crime of violence is about to occur.

ii. Care and discretion should be used with individuals at extremes of age in handcuffing such individuals during an investigative detention.

iii. The authority to handcuff during investigatory stops continues for only as long as the circumstances above exist.

c. Suicidal persons

Handcuffs are authorized when engaging a person who is reasonably believed to be suicidal.

d. Search warrant service

i. Handcuffs are authorized when executing a search warrant at a private residence as is reasonably necessary to execute the warrant in safety.

ii. Handcuffs are authorized when executing a search warrant at a commercial business open to the public if it reasonably appears that handcuffing is necessary to protect an officer or others from physical harm. Circumstances that justify initial handcuffing may change and eliminate continued justification.

e. Detoxification subjects

Handcuffs are authorized when transporting detoxification subjects.

2. Unauthorized use

   a. If medical circumstances make it unreasonable to handcuff an arrestee, officers shall refrain from handcuffing.

   b. When responding to a scene where a subject has already been placed in handcuffs prior to arrival, officers shall not place MPD handcuffs on the subject until they have reasonable suspicion or probable cause based on their independent investigation or findings.

3. Checking handcuffs

   a. Officers shall check handcuffs for tightness and double lock as soon as it is safe to do so prior to transport.

   b. When a handcuffed subject first complains that handcuffs are too tight or are hurting the subject, the officer having custody of the handcuffed subject shall, as soon as reasonably possible, check the handcuffs to make sure that they are not too tight. If they are too tight (per training), they shall be loosened and relocked.

D. Maximal Restraint Technique (MRT) and Hogtie (prohibited)

1. The Maximal Restraint Technique (MRT) and the Hobble Restraint Device (and related devices) are prohibited.

   The Maximal Restraint Technique (MRT) is used to secure a subject's feet to their waist, through the Hobble Restraint Device or other related devices.

2. Hogtying a subject is prohibited.

   A hogtie involves tying the feet of the subject directly to their hands behind their back.

E. Bodily Force

1. Bodily force types

   Bodily force (also known as empty hand tactics) includes but is not limited to:

   - Escort holds (temporary holding of the hand, wrist, arm or shoulder to physically control or direct a subject)
   - Join manipulations (physically contorting a subject's joint to control or limit movement)
   - Nerve pressure points (touch pressure)
   - Joint locks (manipulating a subject's joint until it reaches its maximal degree of motion and hyperextension- wrist lock, shoulder lock, elbow lock, etc.)
   - Body weight to pin
   - Control pressure

- Takedown techniques or tackles (Using physical force to direct a person to the ground)
- Pushes (using physical force to press forward in an effort to effect movement)
- Strikes (punches, kicks, knees, slaps)

2. Body weight to pin and control pressure

   a. Body weight to pin definition

      Restricting a subject's movement by use of body weight to pin the subject to the ground or floor.

   b. Control pressure definition

      Restricting a subject's movement while the subject is upright by use of body weight to pin the subject to a fixed object (such as applying pressure while the subject is against a vehicle or building).

   c. Reporting

      Body weight to pin and control pressure require a report and Use of Force details page. The requirement to notify a supervisor for body weight to pin and control pressure varies based on where the pressure was applied:

      i. Supervisor notification required

         A supervisor notification is required for:

         aa. Body weight to pin or control pressure resulting in injury or alleged injury (including loss of consciousness).

         ab. Body weight to pin on the front rib cage area or the head.

         ac. Control pressure on the head.

      ii. Supervisor notification not required

         A supervisor notification is not required for the following types, unless another condition applies such as an injury:

         aa. Body weight to pin on limbs, hips, the back or the stomach.

         ab. Control pressure on limbs, hips, or the torso.

3. Pushing to the ground

   If a push or shove propels the subject to the ground or floor, it is considered a takedown.

4. Vehicle extractions to the ground

   Vehicle extractions that end on the ground or floor are considered takedowns.

5. Neck restraints and choke holds covered elsewhere

   Neck restraints and choke holds are considered separate control options under this policy (and are not included as bodily force).

6. Strikes (punches, kicks, knees, slaps)

   a. Strikes may be delivered:

      i. To subjects who are exhibiting Aggressive Resistance or Assault, or;

      ii. For life saving purposes, or;

      iii. To subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

   b. Strikes shall not be delivered to persons who are Compliant or are Passively Resisting as defined by policy.

7. Treatment and medical aid

   In addition to standard medical treatment after use of force (in accordance with P&P 5-301), when officers deliver strikes, or if bodily force causes a subject's head to strike an object or surface, treatment for the subject shall include visually inspecting the areas struck for signs of injury, when appropriate. Officers shall routinely monitor the medical condition until they are released to medical or other law enforcement personnel.

F. Less-Lethal 40mm Launcher and Impact Projectiles

The 40mm less-lethal round is a direct fire round used in situations where maximum deliverable energy is desired for the incapacitation of an aggressive, non-compliant subject.

1. 40mm less-lethal round authorization

   a. This policy applies to officers who are not working in a certified SWAT capacity.

   b. The 40mm launcher with the 40mm less-lethal round should not be used in deadly force situations without firearm backup.

      i. The discharge of the 40mm less-lethal round should be considered a level slightly higher than the use of an impact weapon and less than deadly force when delivered to areas of the subject's body that are considered unlikely to cause death or serious physical injury.

ii. Prior to using less-lethal options, officers need to consider any risks to the public or themselves.

iii. When discharging the 40mm less-lethal round, consideration shall be given as to whether the subject could be controlled by any other reasonable means without unnecessary risk to the subject, officers, or to the public, in accordance with knowledge and training in use of force and MPD policies governing the use of deadly and non-deadly force.

c. Only officers trained in the use of the 40mm launcher and 40mm less-lethal round are authorized to carry and use them.

d. All carrying and use of 40mm launchers for crowd control purposes or during civil disturbances and assemblies shall only occur in accordance with P&P 7-805.

2. Standard projectiles

a. Officers shall only carry MPD-approved 40mm rounds. Ammunition specifications are available from the Range Master.

b. The MPD Range shall issue 40mm rounds with each launcher depending on the needs of the 40mm Operator Program. The MPD Range shall replace any rounds discharged or damaged as needed.

3. Target areas

a. The primary target areas for the 40mm less-lethal round should be the large muscle groups in the lower extremities including the buttocks, thigh, knees. Alternative target areas include the ribcage area to the waist, and the larger muscle areas of the shoulder areas.

b. Officers shall be aware that the delivery of the 40mm impact projectiles to certain parts of the human body can cause grievous injury that can lead to a permanent physical or mental incapacity or possible death.

c. Officers shall not intentionally discharge less-lethal impact munitions at a person's head, neck, throat, face, armpit, spine, kidneys, or groin unless deadly force would be justified.

4. 40mm launcher use

a. The 40mm launchers can be discharged when the incapacitation of a violent or potentially violent subject is desired. The 40mm launcher can be a psychological deterrent and physiological distraction serving as a pain compliance device.

b. If a supervisor or responding officers believe that there is a call or incident that may require the use of less-lethal capability, they may request via radio or other means that an on-duty MPD-trained operator with a 40mm launcher respond to the scene.

c. Officers shall announce over the radio that a 40mm launcher will be discharged, when time and tactics permit.

i. It is important that whenever possible, all officers involved and possible responding officers know that a 40mm less-lethal projectile is being discharged so they do not mistake the sight and noise from the 40mm projectile discharge as a live ammunition discharge.

ii. 40mm launchers have an orange barrel indicating they are the less-lethal platform.

d. When appropriate given the situation, officers discharging a 40mm less-lethal projectile should yell "Code Orange!" prior to and during the discharge.

5. Carrying and Storage

a. 40mm launchers shall be assigned to each precinct, City Hall and specialty units as needed.

i. Each 40mm launcher shall be kept its own case and in a secured gun locker.

ii. Only commanders or their designee and MPD-trained operators will have keys to the 40mm armory lockers.

b. MPD-trained operators shall have the 40mm launchers available during their assigned shift, when possible.

6. Maintenance of 40mm launchers

Only MPD certified Range personnel shall perform maintenance and repairs to the 40mm launcher.

7. Subjects injured by 40mm less-lethal projectiles

a. Medical assistance shall be rendered as necessary in accordance with P&P 5-301 and the Emergency Medical Response policy (P&P 7-350).

b. If possible, photographs should be taken of any injuries to the subject.

8. Use of Force reporting

a. Officers who discharge a 40mm less-lethal round shall report the force in accordance with P&P 5-303.

b. Officers who discharge a less-lethal round shall immediately notify dispatch, who will notify a supervisor.

c. A supervisor shall respond to the scene any time a 40mm less-lethal round is discharged. The responding supervisor shall review the incident and complete a use of force review in accordance with P&P 5-303.

d. Supervisors shall ensure that all spent 40mm less-lethal rounds are collected and property inventoried if possible.

G. Chemical Agents

1. Use of Chemical Agents

a. MPD approved chemical agents may be used as a non-lethal use of force. The use of chemical agents shall be consistent with current MPD training and MPD policies governing the use of force (including all sections in P&P 5-300).

b. Chemical agents, regardless of canister size, shall only be discharged at subjects under the following circumstances:

i. During civil disturbances and assemblies, only when authorized in accordance with P&P 7-805.

ii. In situations not involving civil disturbances or assemblies:

aa. On subjects who are exhibiting Aggressive Resistance or Assault, or;

ab. For life saving purposes, or;

ac. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

c. Chemical agents shall not be discharged at persons who are Compliant or are Passively Resisting as defined by policy.

d. Sworn MPD employees shall exercise due care to ensure that only intended persons are exposed to the chemical agents.

2. Treatment and Aid for Chemical Agent Exposure

a. In addition to standard medical treatment after use of force (in accordance with P&P 5-301), post exposure treatment for a person that has been exposed to the chemical agent shall include one or more of the following:

- Removing the affected person from the area of exposure.
- Exposing the affected person to fresh air.

- Rinsing the eyes and skin of the affected person with cool water (if available).

b. Sworn employees shall keep a person exposed to the chemical agent under close observation until they are released to medical or other law enforcement personnel.

c. An officer who has discharged a chemical agent at a person shall inform individuals accepting custody that it was discharged at the person.

d. Discharging chemical agents to prevent the swallowing of narcotics is prohibited.

H. Conducted Energy Weapons (CEWs)

Terms related to Conducted Energy Weapons (CEWs):

Activating: Activating a CEW means engaging the Arc switch, or the trigger after probes have been discharged, to generate electricity through arcing or cycling. Activating on a subject means engaging the arc switch in touch/contact stun or drive-stun applications or engaging the arc switch or the trigger after probes have been discharged at a subject.

Apply: When a CEW is used for touch/contact stun or drive/stun applications (involving contact with the subject by the CEW).

Arcing: Un-holstering the CEW and activating the CEW for purposes of threatening its use prior to actual discharge or drive-stun or touch/contact stun application. In some cases, this may be effective at gaining compliance without having to actually discharge at or apply drive-stun or touch/contact stun on at a subject.

Drive-Stun: Touch/Contact Stun and Drive- Applying drive-stun mode is when the CEW is strongly, with forceful pressure, pushed directly into a subject's nerve bundle and touch/contact stun mode is applied.

Probe Mode: When a CEW is used to discharge probes (also called darts) at a person for the purpose of incapacitation.

Red Dotting: Un-holstering and pointing a CEW at a person and activating the laser aiming device. In some cases, this may be effective at gaining compliance without having to actually discharge a CEW. Also known as "painting" the target.

Touch/Contact Stun: Applying touch/contact stun mode is when a CEW's electrodes contact a subject's body and the trigger or arc button is activated with no cartridge or probes being discharged. Contact from the CEW with the subject completes the electrical circuit which causes pain but does not cause an incapacitating effect.

1. CEW authorization

a. The MPD approved Conducted Energy Weapon (CEW) (P&P 3-200) is considered a less-lethal weapon.

b. MPD officers are only authorized to carry CEWs that are issued by the department. Personally owned CEWs, or those issued by another agency, are not authorized to be carried or utilized while an MPD officer is acting in their official MPD capacity.

c. CEWs may be used:

i. On subjects who are exhibiting Aggressive Resistance or Assault, or;

ii. For life saving purposes, or;

iii. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

d. CEWs shall not be used against subjects who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).

e. CEWs should generally be used in the probe mode. Application of CEWs in the drive stun mode shall be limited to defensive applications or to gain control of a subject who is exhibiting Aggressive Resistance or Assault if lesser attempts at control have been ineffective, or if the probe mode was ineffective.

2. Cycles with a TASER 7

For members with a TASER 7, the following applies:

When activating a CEW on a subject, personnel should activate it for one standard cycle (a standard cycle is five seconds) and pause to evaluate the situation to determine if subsequent cycles are necessary.

a. If subsequent cycles are necessary, officers should restrict the number and duration to only the minimum amount necessary to control or place the subject in custody under the existing circumstances.

b. Personnel should constantly reassess the need for further activations after each CEW cycle and should consider that exposure to multiple applications of the CEW for longer than 15 seconds may increase the risk of serious injury or death.

c. Officers should be aware that a lack of change in a subject's behavior often indicates that the electrical circuit has not been completed or is intermittent. If there is a need for another cycle based on the standards above, officers should immediately discharge another cartridge or transition to other control options rather than activating continued ineffective cycles.

3. Cycles and deployment of additional probes with a TASER 10

For members with a TASER 10, the following applies:

a. Initial deployment

Each trigger pull deploys a single probe. A minimum of two deployed probes are required to make a connection. The second probe should be deployed as quickly and accurately as possible to ensure a full-circuit connection. The initial deployment of two probes is considered a single use of force.

b. Additional probes

Each deployment beyond the initial two probes is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional. Additional probes may be deployed when the conditions for use still apply, and:

- The probes have not completed a circuit.
- The probes have completed a circuit, but the circuit is not resulting in a sufficient change in the person's behavior. For example, the position of the probes results only in localized pain and the subject behavior continues.
- A previously completed circuit fails.

c. Re-energizing

After the conclusion of a cycle where neuro-muscular incapacitation has been achieved, the member shall assess the person to determine if an additional cycle is necessary based on the person's behavior. Re-energizing the CEW is a separate use of force that members must separately justify as objectively reasonable, necessary, and proportional.

i. In determining whether any additional cycle is objectively reasonable, members shall consider whether the person has the ability to comply and has been given a reasonable opportunity to comply prior to re-energizing the CEW.

ii. If subsequent cycles are necessary, members shall restrict the number and duration to only the minimum amount necessary to place the person into custody or safely control the situation, and subject to the limits stated in this policy.

4. Tactics and requirements when using a CEW

a. One officer at a time

Unless exigent circumstances exist as defined by policy (P&P 5-301), no more than one officer should intentionally activate a CEW against a subject at one time.

b. Warnings

Officers shall, unless it is not feasible to do so, give verbal warnings or announce their intention to discharge a CEW prior to actual discharge. Use of the CEWs' laser

pointer (red dotting) or arcing of the CEW may be effective at diffusing a situation prior to actual discharge of the CEW.

c. Holstering

The CEW shall be holstered on the sworn MPD employee's weak (support) side to avoid the accidental drawing or firing of their firearm. (SWAT members in tactical gear are exempt from this holstering requirement.)

d. Subject factors

i. Officers must consider the possible heightened risk of injury and adverse societal reaction to the use of CEWs upon certain individuals. Officers must be able to articulate a correspondingly heightened justification when activating a CEW on:

- Persons with known heart conditions, including pacemakers or those known to be in medical crisis;
- Elderly persons or young children;
- Frail persons or persons with very thin statures (i.e., may have thin chest walls);
- Women known to be pregnant;

ii. Prior to activating a CEW on a subject in flight the following should be considered:

- The severity of the crime at issue;
- Whether the subject poses an immediate threat to the safety of the officer or others, and;
- Whether the officer has a reasonable belief that activation of the CEW would not cause significant harm to the subject fleeing unless use of deadly force would otherwise be permitted.

e. Situational factors

In the following situations, CEWs should **not** be activated unless the use of deadly force would otherwise be permitted:

- On persons in elevated positions, who might be at a risk of a dangerous fall;
- On persons operating vehicles or machinery;
- On persons who are already restrained in handcuffs unless necessary to prevent them causing serious bodily injury to themselves or others and if lesser attempts of control have been ineffective;
- On persons who might be in danger of drowning;
- In environments in which combustible vapors and liquids or other flammable substances are present;

- In similar situations involving heightened risk of serious injury or death to the subject.

5. Loss or damage

   Lost, damaged or inoperative CEWs shall be reported to the CEW Coordinator immediately upon the discovery of the loss, damage or inoperative condition.

6. Use during off-duty employment

   a. Officers who use their MPD issued CEW during the scope of off-duty employment within the City shall follow MPD policy and procedure for reporting the use of force and downloading their device.

   b. If officers carry their MPD issued CEW during the scope of off-duty employment outside of the City (e.g. working for another law enforcement agency) that agency shall sign a waiver (Letter of Agreement for Off Duty Employment) which indicates that certification through the Minneapolis Police Department is sufficient for use while working for that agency.

7. Downloading and reporting

   a. CEW downloading guidelines

      i. The CEW shall be downloaded, when used in probe mode, touch/contact stun mode or drive-stun mode, prior to the end of the officer's shift.

      ii. The CEW shall be downloaded for any incident that is recorded that the officer believes might have evidentiary value.

      iii. If a CEW was used during a critical incident, the CEW will be inventoried by the investigating agency for processing video and firing data evidence.

   b. CEW reporting guidelines:

      i. When a CEW is discharged at or applied in touch/contact stun or drive-stun mode on a subject, the officer shall report its use in accordance with the Force Reporting requirements in P&P 5-303. Officers shall document de-escalation attempts in their Narrative Text.

      ii. When a CEW is threatened by means of displaying, red dotting or arcing, the threatened use shall be reported in accordance with P&P 5-303.

      iii. When a CEW is used during the scope of off-duty employment outside of the City (e.g. another law enforcement agency) officers shall obtain a Minneapolis CCN from MECC and complete a Police Report titled AOA and refer to the outside

employer's incident report in the Narrative Text. Officers shall then download the device and store the information under the Minneapolis CCN.

8. Post exposure treatment and medical aid

    a. In addition to standard medical treatment after use of force (in accordance with P&P 5-301), post exposure treatment for a person that has been exposed to the electricity from the CEW shall include the following:

        i. Request EMS response for probe removal if probes are located in sensitive areas (face, neck, groin or breast areas).

        ii. Wear protective gloves and remove probes from the person's non-sensitive body areas.

        iii. Secure the probes (biohazard "sharps") point down into the expended cartridge and seal with a safety cover.

        iv. When appropriate, visually inspect probe entry sites or drive stun locations for signs of injury.

        v. When appropriate, photograph probe entry sites or drive stun locations.

    b. Sworn employees shall routinely monitor the medical condition of a person who has been exposed to the electricity from a CEW until they are released to medical or other law enforcement personnel.

I. Impact Weapons

1. MPD approved impact weapons (P&P 3-200) are considered less-lethal weapons, and may be used as impact weapons:

    a. On subjects who are exhibiting Aggressive Resistance or Assault, or;

    b. For life saving purposes, or;

    c. On subjects who are Actively Resisting if lesser attempts at control have been or would likely be ineffective (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

2. Strikes from impact weapons shall not be delivered to persons who are Compliant or are Passively Resisting as defined by policy (P&P 5-301).

3. In addition to standard medical treatment after use of force (in accordance with P&P 5-301), treatment for a person that has been struck with an impact weapon shall include visually inspecting the areas struck for signs of injury, when appropriate.

4. Sworn employees shall routinely monitor the medical condition of a person that has been struck with an impact weapon until they are released to medical or other law enforcement personnel.

J. Canine

1. Canines shall only be deployed in accordance with P&P 7-807 Authorized Use of Canines.

2. When canines are used for apprehensions, handlers shall disengage their canines as soon as reasonably possible after the subject is able to be controlled or secured.

3. Officers are responsible for ensuring any person injured by an MPD canine receives medical treatment as soon as reasonably possible.

   a. Officers shall request an ambulance to the scene whenever a person is apprehended by a canine.

4. The canine handler shall notify the Canine Sergeants immediately after any canine apprehension or accidental bite.

   a. Officers will be debriefed by Canine unit supervisors and trainers as soon as possible following notification.

   b. If a Canine Sergeant is not available, another MPD sergeant may be asked to do the force review (in accordance with P&P 5-303).

5. Canine handlers shall photograph all injuries and ensure the images are uploaded in accordance with P&P 10-400.

6. Upon notification of a bite or apprehension, a Canine Sergeant shall complete the K-9 Unit Apprehension Review form (MP-9090) and will send it electronically to the members of the review panel.

K. Prohibition on Neck Restraints and Choke Holds

Neck Restraints and choke holds are prohibited. Instructors are prohibited from teaching the use of neck restraints or choke holds.

MN Statute section 609.06 Subd. 3 (b) defines a choke hold "as a method by which a person applies sufficient pressure to a person to make breathing difficult or impossible, and includes but is not limited to any pressure to the neck, throat, or windpipe that may prevent or hinder breathing, or reduce intake of air. Choke hold also means applying pressure to a person's neck on either side of the windpipe, but not to the windpipe itself, to stop the flow of blood to the brain via the carotid arteries."

L. Firearms

1. Firearm discharges- when authorized

   An MPD sworn employee may lawfully discharge a firearm in accordance with policy in the following circumstances:

   a. In deadly force situations, in strict compliance with the Use of Force policy (P&P 5-301), and with a high degree of restraint. Firearm use shall never be considered routine and is permissible only when alternative means do not work, would not work or are too unsafe to try (in accordance with the section in P&P 5-301 on Objectively Reasonable Force Consistent with Policy, Law and Training).

   b. To dispatch an animal that is dangerous, or one that humane treatment requires its removal from further suffering and alternative methods of disposition are impractical.

   c. To participate in authorized training.

   d. To participate in any authorized competition or legitimate sporting activity.

2. Firearm discharges- when prohibited

   Officers shall not discharge firearms under the following conditions:

   a. As a warning or to command attention.

   b. Against persons who present a danger only to themselves.

   c. Solely to protect property.

3. Shooting at motor vehicles

   a. Firearms shall not be discharged at a moving or fleeing vehicle, unless:

      i. The officer or another person is currently being threatened with deadly force by an occupant by means other than the moving vehicle and the officer reasonably believes there are no other reasonable means available to avert the threat, or

      ii. In the extreme case of a 'vehicle ramming attack' where a vehicle is being used as a weapon to target people to cause great bodily harm or death, or

      iii. In the extreme case when an officer is stuck in the path of a vehicle, and:

         - has no means of escape, and
         - the officer reasonably believes there are no other reasonable means available to avert the threat, and
         - the officer is unable to issue commands or the driver is disregarding commands to stop.

aa. Officers shall consider their positioning and avoid placing themselves in the path of a vehicle whenever possible. If officers find themselves positioned in the path of a vehicle, they shall attempt to move safely out of the path of the vehicle instead of discharging a firearm at it or any of its occupants.

ab. Being in the path of a moving vehicle shall not be the sole reason for discharging a firearm at the vehicle or any occupant.

b. This prohibition includes attempting to disable the vehicle by discharging at it.

c. Considerations in this prohibition:

i. A vehicle may be occupied by additional passengers and it may not be readily apparent how many occupants are in the vehicle.

ii. Bullets discharged at moving motor vehicles are extremely unlikely to immediately cease the movement of the vehicle or successfully disable it.

iii. Bullets discharged at or from moving motor vehicles have a higher probability of missing the intended target or ricocheting and possibly injuring officers or other innocent persons, including passengers in the vehicle.

iv. Bullets discharged at moving motor vehicles may disable or disorient the driver, causing the vehicle to crash and possibly injuring officers or other innocent persons, including passengers in the vehicle.

4. Drawing and displaying a firearm

a. An officer's decision to draw or display a firearm will be based on the tactical situation and the officer's reasonable belief that lethal force is necessary, or that there are indicators of a substantial risk the situation may escalate to the point where lethal force may be necessary.

b. Unnecessarily or prematurely drawing or displaying a firearm may limit an officer's alternatives in controlling a situation and may inhibit or limit communication between the officer and the subject.

5. Notification of firearm discharges

a. Employee responsibility

Any employee who discharges a firearm, whether on or off duty, shall make direct contact with their immediate supervisor or the on-duty Watch Commander and the local jurisdiction as soon as possible **except**:

- While at an established target range;
- While conducting authorized ballistics tests;

- When engaged in legally recognized activities while off-duty.

b. Supervisor responsibility

i. The supervisor shall respond to any scene in which an employee has discharged a firearm while on-duty or in the course of duty.

ii. The supervisor is responsible for notifying the Watch Commander and when appropriate, the employee's Deputy Chief and the on-duty Homicide investigator. This does not include the discharge of a firearm with the intention of dispatching an animal, unless it results in injury to a person.

iii. Notifications to the Internal Affairs unit shall be made in accordance with the Duty to Report policy (P&P 2-101).

iv. The advised supervisor shall ensure that drug and alcohol testing is conducted in accordance with P&P 3-1000 Drug and Alcohol Testing.

v. At any officer-involved shooting incident, the Critical Incident Policy (P&P 7-810) shall be followed.

c. Reporting firearms discharges to the State

MN Statute section 626.553 requires the Chief of Police to report to the State Commissioner of Public Safety whenever a peace officer discharges a firearm in the course of duty, other than for training purposes or when killing an animal that is sick, injured or dangerous. Written notification of the incident must be filed within 30 days of the incident. The notification shall include information concerning the reason for and circumstances surrounding discharge of the firearm. The Internal Affairs unit supervisor shall be responsible for filing the required form(s) with the State Bureau of Criminal Apprehension.

6. Written report on discharge of firearms

a. All employee firearm discharges that require notification, other than Critical Incidents, shall be reported in a PIMS report, including a Narrative Text, by the employee involved and the supervisor who was notified. The report shall be titled, "DISWEAP." The employee shall complete Force Reporting in accordance with P&P 5-303 and the supervisor shall then complete a Supervisor Force Review in accordance with P&P 5-303.

b. The Watch Commander shall include all case numbers on the Watch Commander log.

5-401 Safe Handling of Firearms

(03/11/16) (12/17/18) (07/26/24)

All employees shall safely handle firearms while performing on-duty assignments or while acting in a law enforcement capacity, in a manner consistent with MPD training and policy.

A. Safe Handling

To ensure firearms are handled in a safe manner, the following shall apply:

1. Employees shall keep their duty handguns holstered at all times while on duty or otherwise on City property, unless employees are:

    - Transferring their handguns from one holster to another.
    - Using the restroom.
    - Conducting a pre-deployment firearm check.
    - Engaged in training authorized by the Rangemaster or Training Division Commander or engaged in authorized SWAT Training.
    - Providing it for inspection at the request of Range staff or a supervisor.
    - Cleaning the handgun at the Range.
    - Adjusting their RDS optic brightness for time of day or lighting concerns.
    - Performing necessary field maintenance, such as cleaning their RDS optic.
        - Any maintenance requiring the firearm to be unloaded, such as changing the optic battery, shall be done using a clearing barrel.
        - When performing field maintenance, officers shall ensure the firearm is always pointed in safe direction while it is unholstered.
    - Engaged in a law enforcement response to a call for service (in accordance with P&P 5-300).

2. Employees shall not dry fire their firearms while on duty or otherwise on City property unless engaged in training authorized by the Rangemaster or Training Division Commander or engaged in authorized SWAT training.

    a. Authorized dry firing shall not occur unless a proper safety check has been conducted to ensure the firearm is unloaded.

3. An employee's finger shall be kept out of the trigger guard and indexed on the frame of the handgun until the employee is on target and intends to fire the gun.

B. Pre-Deployment Firearm Check

When conducting a pre-deployment firearm check of their handgun, employees shall:

- Check to verify their handgun is loaded with a full magazine and a round in the chamber.
- Check the overall condition of their firearm.
- Check the RDS optic (if equipped) to ensure it is working, witness marks haven't moved, and that the optic is set at the correct brightness for a given shift or lighting situation.
- Check that their weapon-mounted light is working (if equipped).

C. Responsibility for Discharge

Employees are responsible for any discharge of a firearm in their custody. Any unintentional, reckless, unlawful, or other discharge inconsistent with MPD training and policy may result in discipline.

5-402 MPD Armory

(11/27/02) (03/11/16) (05/03/24)

A. Transfers Through the Rangemaster

Department-owned firearms and components shall be transferred only through the MPD Rangemaster. Commanders may make temporary loans within the department to meet emergency needs, but the Rangemaster must be notified as soon as practical.

B. Armory Access

Only the Rangemaster and those working for the Rangemaster are authorized to approve access to the MPD Armory, unless access is authorized by the Chief of Police.

C. Inventory Records

The Rangemaster shall maintain inventory records for Department-owned firearms. Units and precincts maintaining firearms shall report changes in their inventory to the Rangemaster.

D. Destruction of Firearms

When Department-owned firearms and firearm components are taken out of service, they shall not be sold or otherwise released back to the vendor or any other outside entity. They shall be retained by MPD and will be destroyed by Property and Evidence if they are not returned to service. Property and Evidence shall maintain the destruction records.

5-403 Critical Incidents – Loaner Handgun

(01/31/02) (02/06/12)

1. Following a Critical Incident, if an involved MPD officer is required to surrender his/her duty handgun, the Homicide Unit will provide a loaner handgun to the involved officer.

2. Prior to returning to duty, the involved officer shall contact the MPD Range during normal business hours to receive a loaner handgun similar to the type of gun the officer has declared as a duty weapon.

3. After receiving the loaner handgun from the Range, the involved officer shall return the loaner gun to the Homicide Unit.

4. The involved officer will be allowed to carry the Range-issued loaner handgun as a duty handgun until the investigating agency returns the officer's duty handgun.

5-404 Firearms – Civilian Personnel

(01/21/03) (02/06/12)

(C-D)

Civilian personnel are prohibited from handling loaded firearms while at work unless they have attended and completed firearms familiarization training sponsored by the MPD Range or possess a valid permit to carry. Civilian personnel shall not possess personal firearms while at work.

5-405 Firearms Authorized for Off-Duty Use

(11/27/02)

(C-D)

The decision to carry a handgun while off-duty is left to the personal preference of each officer. The MPD prohibits any officer from carrying a handgun or ammunition off-duty while using or under the influence of alcohol or drugs.

Officers are permitted to carry off-duty only those handguns they have been certified to carry on-duty. The City of Minneapolis assumes no liability for any officer using a handgun off duty that has not been authorized and approved for on-duty use and for which the Rangemaster has not certified the officer.

5-405.01 Securing Firearms Off-Duty

(11/27/02)

(A-D)

Officers, when off-duty, are responsible for the safe storage of their firearms, whether they are in a motor vehicle, in a residence, or other facility. Officers assume the responsibility for taking reasonable precautions that their firearms do not fall into the hands of minors and/or unauthorized persons.

5-406 Approval of Firearms

(11/27/02)

(A)

Range personnel must inspect all firearms before an officer may attempt to qualify with the firearm and be authorized to carry the firearm on duty or off duty. Range personnel may require officers to take additional training in addition to shooting a qualification course before allowing an officer to carry a specific firearm.

A firearm shall be resubmitted to the Rangemaster for inspection and approval when:

- Directed by a supervisor;
- The firearm has been altered; and/or
- The firearm has malfunctioned or is not working properly.

5-407 Maintenance of Firearms

(11/27/02)

(A)

Officers shall maintain their firearm(s) in a clean, serviceable condition.

5-408 Ammunition

(11/27/02) (02/06/12)

(A-B)

1. Officers shall only carry MPD-approved ammunition. Ammunition specifications are available from the Range Master.

2. The MPD will provide the ammunition required for an officer's declared handguns (up to two total). (02/06/12)

3. Ammunition issued for an officer's declared handgun(s) will be replaced annually by the Range Master. (02/06/12)

4. Department shotguns should be loaded with MPD issued 00 Buck. If a situation arises where the spread of the buckshot becomes an issue or additional range or penetration is required shotgun slugs may be used. (02/06/12)

5-409 Shotguns

(11/27/02) (10/24/03) (12/18/06) (10/05/09) (02/06/12) (05/02/20)

I. Purpose

To establish procedure for the use of authorized shotguns.

II. Procedure / Regulations

A. The Remington, Model 870 shotgun is the authorized MPD shotgun.

B. All sworn personnel who are not Certified Rifle Operators (in accordance with P&P 5-410) shall qualify and attend annual shotgun training and shall retain annual shotgun certification.

C. The shotgun shall be "squad ready" when in a vehicle.

1. To be squad ready, the shotgun shall have six rounds in the magazine with the hammer dropped (trigger pulled). There shall be no round in the chamber and the safety shall be in the "fire position." The shotgun shall have a single strip of masking tape around the barrel and fore-grip with the preparing officer's initials, date and time written on the tape.

2. At the start of a shift, uniformed officers assigned to a marked squad shall obtain a shotgun, inspect it and ensure the shotgun is set up squad ready, unless the officers will have a rifle in accordance with P&P 5-410.

3. Upon completion of their shift, officers shall remove the shotgun from the squad car for storage in the precinct or unit armory. When stored, the Remington, Model 870 shotgun shall have the slide open with no rounds in the weapon.

5-410 Rifles

(03/31/06) (04/23/10) (08/01/11) (09/04/12) (05/02/20)

I. Purpose

To establish policy and procedure for the use of Department authorized rifles.

II. Policy

A. Officers certified to carry Department authorized rifles are authorized to do so as part of their regular duty assignment. When deploying a rifle officers shall adhere to the Constitutions of the United States and Minnesota, and to all state and federal laws and MPD policies pertaining to the use of deadly force.

B. Only magazines issued by the Range or brands of magazines approved by the Range shall be used (in accordance with P&P 5-408). A list of approved magazines will be maintained at the Range. Officers will be issued one 30-round magazine, and may elect to carry more magazines.

III. Procedure / Regulations

A. Certified Rifle Operators

1. Certified Rifle Operators shall attend annual training and pass a qualification course to retain their certification. The certification course will be determined by the Range Master.

2. A Certified Rifle Operator who has used the rifle in violation of this policy or in an unsafe manner may have their certification suspended or revoked.

3. Failure to attend a scheduled rifle training session may result in the suspension or revocation of rifle certification.

B. Rifle assignment and condition

Certified Rifle Operators will be assigned a department issued rifle to carry on patrol.

1. Checking the rifle in and out

   a. Certified Rifle Operators will check out a rifle from the precinct or unit armory at the beginning of their shift. Only currently certified officers may check out a rifle.

   b. When checking out a rifle, officers must conduct the following checks and inspections:

      i. Inspection for damages.

      ii. Inspection for proper lubrication.

      iii. Co-witness check of the electronic optic with the back-up iron sights.

      iv. Manual function test using the loading/clearing barrel, verifying the rifle is in proper working order.

   c. At the end of the officer's shift, the officer shall verify the rifle is unloaded and returned to the precinct or unit armory. Officers shall not leave rifles in the squads at the end of their shift.

2. Rifle condition

   a. Officers who carry a department issued rifle will maintain the rifle in the same condition as it was issued to the precinct or unit.

   b. Officers are responsible for general maintenance and cleaning of the department issued rifle.

   c. Officers shall report any damage, problems, or concerns with the rifles to authorized Range personnel. It is the responsibility of that Officer to notify their supervisor and to ensure that the rifle is marked "out of service."

3. Accessories

   Accessories may only be added or removed by authorized Range personnel, and only authorized accessories may be used.

a. The Range maintains a list of the authorized accessories that may be added to a Rifle (by authorized personnel).

b. Officers may not remove the assigned suppressor from any Department rifle.

C. Rifle Program Duty Declaration form

Certified Rifle Operators who are assigned a Department issued rifle shall sign a Rifle Program Duty Declaration Form (MP-9068) which outlines the rules associated with carrying the rifle. The Rifle Program Duty Declaration Form will be maintained by the Range in the officer's file.

D. Rifle storage and transportation in vehicles

1. Rifles shall be "squad ready" when in a vehicle:

   - The rifle's bolt is forward on an empty chamber with the safety on.
   - The rifle shall have the authorized magazine loaded with issued duty ammunition inserted into the magazine well.

2. Rifles shall be transported in one of two ways as follows:

   a. In a squad mounted lock in the front passenger compartment of the vehicle, or

   b. Cased in the trunk of the vehicle. If the rifle is cased in the vehicle's trunk it may be brought into the cabin of the vehicle prior to arriving on a call that will require use of the rifle.

E. Deployment of rifles

1. Rifles may be deployed when the unique features of the rifle provide a tactical advantage.

2. It may be necessary to use a rifle in a building if the call involves an active shooter, a suspect wearing protective body armor or other serious situations. Officers should be aware that serious damage may occur to their hearing or the hearing of others in close proximity to the area if a rifle is fired in a building.

3. Officers should be aware of the area behind their intended target if they need to fire their rifles in an urban area.

4. When officers respond to a call where MPD policy requires that a report be completed, officers shall document the deployment or use of the rifle in their statement.

5-411 Firearms Training Requirements

(11/27/02)

(A-D)

The Rangemaster is responsible for planning, implementing and conducting firearms training for all MPD sworn personnel. The Rangemaster is also responsible for operational activities of all sworn personnel and for ensuring that all personnel comply with the established policies, procedures and orders of the department. The Rangemaster reviews all officer-involved shootings for future or immediate training needs.

Range officers instruct sworn personnel in the proper use of authorized individual and MPD-owned firearms. They also are responsible for inspecting and determining the functional operation of firearms.

All sworn personnel are required, as a term and condition of employment, to obtain a "passing" score on the MPD-approved course of fire for each of the Range training periods established by the Training Unit. They must do so with their primary handgun and secondary handgun (if they intend to carry one).

Officers may be required to participate in additional firearms training at the discretion of the Training Unit as approved by the Administration.

Sworn personnel are also required to satisfactorily complete each course of fire with MPD-issued shotguns as conducted by Range personnel.

Any officer who fails to attend the MPD-approved course of fire for any given range training period because of a medically documented illness, temporary injury, IOD-related matter or non-medical excused absence from duty (i.e., LOA), will be required to do so upon their return to full duty. Officers returning to full duty shall be reassigned to a non-enforcement position by their Commander and will not be authorized to carry a firearm, on or off duty, until successfully completing the required course of fire.

Recruit officers must attain the minimum score required to "pass" the firearms qualification course conducted by MPD Range personnel. Failure to qualify is cause for termination of employment.

5-411.01 Failure to Qualify

(11/27/02)

(A-D)

"To Qualify" means obtaining the minimum passing score on any given MPD-approved course of fire with handguns, shotguns and other specialty firearms if required.

Officers who do not obtain a "passing" score on a required course of fire shall be given a "Notice of Failure to Qualify." This form will direct the officer to return on a given date and time for remedial training and/or refiring of the course. A copy of the "Notice of Failure to Qualify" (MP-6454) will be sent to the officer's Commander and another placed in the officer's Range file.

The Commander will immediately reassign the officer to a non-enforcement position until such time as he or she returns to the range and "passes" the course of fire. The officer is also

prohibited from carrying or using MPD-authorized firearms, on or off duty, until satisfactory completion of the course.

Failure to qualify after remedial training may be cause for disciplinary action up to and including termination of employment.

5-411.02 Failure to Attend Firearms Training

(11/27/02)

(A-B)

Commanders will be allocated sufficient range time to schedule all their officers for each required range training period. Make-up sessions may be scheduled if necessary.

Upon the completion of each firearms qualification period, officers who did not attend will be issued a "Notice of Failure to Attend Firearms Qualification Course" (MP-6453). A copy will be sent to the officer's Commander and a copy placed in the officer's Range file. The officer shall report to the Range on the specified date and time for remedial training and/or qualification.

Commanders will immediately reassign the officer to a non-enforcement position until such time as he or she returns to the Range and satisfactorily completes the course of fire. The officer is also prohibited from carrying or using MPD-authorized firearms, on or off duty, until satisfactory completion of the course.

A list of all officers who failed to report for firearms training during each qualification period will be forwarded to their respective Bureau Head. Failure to attend required firearms training, unless properly excused, will be cause for disciplinary action up to and including termination of employment.

5-412 Use of Department Range Facility

(11/27/02)

(A)

The MPD Range facility may only be used by sworn law enforcement personnel or persons authorized by the Rangemaster. Sworn law enforcement personnel from agencies other than the MPD may be permitted to use the Range facility with the prior approval of the Chief of Police. In these instances, at least one Range staff officer must be present to monitor the use of the facility.

Only MPD-authorized ammunition and an officer's primary and secondary firearm may be used at an MPD Range facility.

5-412.01 Range Rules – Indoor and Outdoor

(11/27/02)

(A-B)

The Rangemaster is the Commander of the MPD's Range facilities. The following rules shall be adhered to by all personnel using the indoor or outdoor range facilities:

- All weapons at the range should be treated as if they are loaded. (02/06/12)
- Weapons shall be cased or holstered unless directed to do otherwise by the Rangemaster.
- Trigger fingers will remain off the trigger until the Rangemaster gives the command to shoot.
- Handling of weapons will be on command or by permission of range personnel only.
- No handling of weapons will be permitted while persons are down range.
- Possession and/or consumption of liquor or drugs is forbidden either immediately prior to or while at the range.
- The Rangemaster may order anyone using the MPD's Range to leave a Range facility for the violation of any of his/her commands or rules.
- The Rangemaster may temporarily confiscate the weapon of any employee of the MPD pending a decision on the issue by the Chief of Police.

5-413 Depositing Weapons at Jail or Processing Facility

(11/27/02)

(A-B)

Officers entering any area of a jail or processing facility shall follow all rules of the controlling agency as to the deposit of weapons immediately upon entering the facility.

5-414 Duty Handguns

(03/14/03) (01/27/05) (03/13/07) (07/19/07) (02/06/12) (11/08/13) (06/09/15) (12/17/18) (03/05/21)

A. Duty Handguns for Sworn Employees Hired on or after December 1, 2018

1. Sworn employees hired on or after December 1, 2018 shall only be permitted to carry Department-owned firearms as their primary duty handguns.

   a. The MPD Range Master shall maintain the approved list of the Department-owned primary duty handguns authorized by the Chief of Police.

   b. The authorized caliber for primary duty handguns is 9mm.

2. Sworn employees who wish to convert to an authorized Department-owned handgun as a primary duty handgun shall attend and pass an appropriate conversion course at the MPD Range.

3. Upon successful completion of the conversion course, the authorized handgun shall be the only handgun a sworn employee is authorized to carry as their primary duty handgun while on duty.

B. Second Handgun

1. Sworn employees may elect to carry a second declared handgun while on duty, provided they have passed the appropriate conversion and qualification courses for the particular handgun.

2. The MPD Range Master shall maintain the approved list of second handguns and calibers.

3. Sworn employees may only carry a second gun that is under the same platform (striker or hammer) as their authorized primary duty handgun.

4. Sworn employees working in an active undercover capacity may use their second handgun as their duty handgun during these operations for officer safety purposes with approval of their Inspector or Commander.

5. Sworn employees who wish to carry a second handgun on duty shall carry it concealed and in a holster.

C. Authorized Handguns for Sworn Employees Hired before December 1, 2018

1. Sworn employees hired before December 1, 2018 are authorized to continue carrying any handgun that was previously authorized, provided they have a duty declaration form on file with the range and they have qualified with that weapon prior to December 1, 2018.

2. Sworn employees will be permitted to replace a declared handgun that has been lost, stolen, destroyed or deemed inoperable by the range staff.

3. The Range Master shall maintain the list of firearms authorized before December 1, 2018.

D. Red Dot Sights (RDS)

1. RDS Weapon Training and Qualifications

   a. Officers must attend and successfully pass an RDS transition course or have approval by the Range Master before they are authorized to carry an RDS-equipped handgun on duty.

   b. Officers who carry an RDS-equipped duty gun shall score an 80% or better on the yearly MPD handgun qualification.

2. Approved Equipment and Altering of Duty Weapons for RDS

   a. The Range Master maintains a list of manufactured weapon systems designed to accept RDS that are approved for duty use.

   b. Milling or altering slides to mount RDS must be pre-approved by the Range Master.

c. The Range Master maintains a list of authorized manufactures and models of RDS and duty holsters that are approved.

d. Duty guns must have back up iron sights (BUIS) in the event of an RDS or battery failure.

e. If the RDS are not pre-installed by the weapon manufacture, installation of RDS and backup iron sights shall be done by range staff.

f. Range staff will perform battery changes on optics that require optic removal from slide.

g. Officers shall supply their own batteries for personally owned RDS systems. MPD will supply the batteries for department issued RDS systems. Replacement batteries are available at the range. Range Master maintains a list of approved batteries to be used.

E. Regulations Applicable to All Handguns

1. All sworn employees shall attend and pass annual firearms training required by the MN POST Board.

   a. A Declaration of Duty Handgun form (MP-8876) shall be completed by the sworn employee and kept on file at the MPD Range for every handgun an employee has declared as a duty weapon.

   b. Firearm qualification records shall be maintained by the MPD Range.

2. All sworn employees shall carry a declared handgun while on duty and in uniform, unless otherwise prohibited.

   a. All handguns carried while on duty shall be fully loaded.

   b. All handguns carried while on duty shall be carried in holsters.

3. Sworn employees working a plainclothes assignment shall wear their declared handguns in a manner that will not attract attention or be open to public view.

4. Sworn employees working in an undercover capacity may be permitted to be unarmed based on the nature of their undercover assignment, with approval of their Inspector or Commander.

5. Sworn employees working in uniform shall carry two additional fully loaded magazines for semi-automatic handguns or two fully loaded speed loaders for revolvers.

6. The Range Master shall maintain a list of approved lights and holsters for all handguns that the MPD uses.

a. The light attachment shall not be the primary flashlight. Employees shall carry an MPD approved flashlight (refer to P&P 3-203 Required Equipment).

b. Prior to adding a light to a declared handgun, sworn employees shall attend and pass a qualification course at the MPD Range with the new equipment.

c. Laser sight systems are prohibited.

7. Declared handguns shall not be altered in any way without approval of the Range Master.

8. Servicing (Gunsmithing and Alterations) of Department-owned handguns shall only be performed by MPD Range Staff. This does not include routine cleaning and general handgun maintenance, when performed by employees at the direction of MPD Range Staff.

5-501 Introduction/Purpose
(08/16/07)

This section outlines procedures that may be utilized by MPD Specialty Units. Units include but are not limited to Special Weapons and Tactics (SWAT).

5-502 Chemical Munitions
(10/16/02)

Chemical munitions shall only be used by trained Special Weapons and Tactics (SWAT) personnel on the orders of the on-duty Watch Commander or SWAT Commander. (08/16/07)

When chemical munitions are used, the Fire Department and an ambulance will be on standby at a safe distance near the target area. After the scene is secured, SWAT team members shall remove and dispose of any canisters in the area. (8/16/07)

5-503 Diversionary/Distraction Devices
(10/16/02)

Diversionary/Distraction devices will only be distributed by and used under the authority of the SWAT Commander or designee, who will make a decision about the use of such a device on a case by case basis. Diversionary/distraction devices shall be MPD approved. The SWAT Commander or designee shall distribute and supervise the use of the devices. (08/16/07)

Only personnel trained in the use of these devices shall deploy them. Department approved training shall include the nomenclature, mechanical operation, and tactical deployment of Diversionary/Distraction devices. All members of SWAT shall also be trained by the Minneapolis Fire Department in the use of dry chemical fire extinguishers. Emphasis will be placed upon safety considerations/measures to be utilized when using these tools. (08/16/07)

When the device is used, one member of the entry team shall carry a dry chemical extinguisher for use in the event of a fire.

5-504 MPD Community Chaplain Program
(07/21/16)

I. Purpose

A. The MPD Community Chaplain Program consists of Minneapolis clergy and faith community leaders, representing a variety of cultures and faith traditions. Their mission is to provide spiritual care and support services to members of the Minneapolis Police Department and to the citizens of Minneapolis in their times of need.

B. The positive relationships established through quality spiritual care relationships, create opportunities for building strong connections between the Minneapolis Police Department and the citizens of Minneapolis. These positive police/community connections are valuable components of: a healthy police department, healthy communities and ultimately a strong and healthy Minneapolis.

II. Policy

MPD Chaplains utilize an inter-faith ministry of presence, service and relationships to carry out their critical mission. As representatives of the Minneapolis Police Department and of the faith communities they have been called to lead, MPD Chaplains will carry out their duties to the highest standards of professionalism (See ICPC Canon of Ethics for Law Enforcement Chaplains).

III. Procedures/ Regulations

A. MPD Chaplain Spiritual Care and Support Responsibilities

1. Chaplains provide *proactive* spiritual care by being present with police personnel and community members in times of calm and in everyday, routine activities. This presence creates opportunities to build strong personal relationships with individuals within their personal context of community. Examples of these activities include, but are not limited to:

    - Precinct Roll Call
    - Chaplain Precinct Time
    - Officer Ride-Alongs
    - Department Meetings
    - Department Ceremonies
    - Neighborhood Meetings
    - Community Events
    - Community Celebrations
    - Community Outreach Activities

2. Chaplains provide *reactive* spiritual care by responding to critical incidents with MPD staff (in a support role) and providing care services to those who are suffering and in need. Examples of these activities include, but are not limited to:

    - Death/critical injury scene response

- Death Notifications at the direction of the MPD Chaplain Coordinator (07/22/16)
- Faith Community call response
- Major crime scene response
- Traumatized victim response
- Personal care/support of MPD staff
- Any situation where a Chaplain's calm and non-anxious presence would be helpful

B. MPD Chaplain Program Supervision and Direction

1. The MPD Community Chaplain Program is overseen by the Assistant Chief, who may assign supervision and direction to an MPD Commander or other designee.

2. Community Chaplain Program operations will be directed by the MPD Chaplain Coordinator. (07/22/16)

3. Individual Chaplain supervision and direction will be assigned to Precinct Inspectors and Inspector designees.

6-101 Relationships With Other Agencies

Establishing and maintaining channels of communication between law enforcement agencies and other criminal justice agencies is essential to cooperating and planning with agencies with differing mandates. (04/01/93)

It is the policy of this department to establish and maintain liaisons and relationships with criminal justice agencies and coordinating councils. (04/01/93)

6-102 Requests From Other Agencies

Requests for non-emergency assistance within the city limits shall be referred to a superior officer. Superior officers shall cooperate with other agencies and encourage good relations. Requests for assistance from police agencies outside the city limits shall be made through the on-duty watch commander.

6-103 Transportation of Persons for Hennepin County Agencies or Other Jurisdictions

(07/11/00)

The MPD will not respond to requests to pick up and transport juveniles for Hennepin County agencies or for other jurisdictions unless the MPD has specifically requested other jurisdictions or agencies to locate and/or hold a juvenile for Minneapolis. This includes requests from other law enforcement agencies to "meet them at the border" to transfer custody responsibility for the transportation to a truancy/curfew or other youth center, or any other location.

The following are the circumstances under which a Minneapolis officer will transport a person to or from a Hennepin County or social service agency, or other jurisdiction:

1. When a juvenile or adult is initially placed under arrest or taken into protective custody by MPD at the request of the Hennepin County agency;

2. The MPD requested other jurisdictions to locate and/or hold a juvenile;

3. When an abandoned or lost child is found in Minneapolis and a parent cannot be located;

4. When child abuse or abuse to a vulnerable adult is discovered and an officer is dispatched to write the initial 72-hour health and welfare hold;

5. When an intoxicated juvenile or adult is found within the City of Minneapolis and must be transported to a detox shelter; or (07/11/00)

6. When a person currently within the City of Minneapolis must be taken to the HCMC Crisis Unit to be placed under an emergency admission or transportation hold. (07/11/00)

In the following circumstances MPD officers shall not transport a juvenile or adult:

1. When a juvenile or adult has already been placed under an emergency hold and need to be transported to or from a Hennepin County or social service agency for any reason;

2. When a juvenile has been placed into custody of the Hennepin County Child;

3. Protection agency by either a parent or a court order;

4. When a juvenile or adult is under the care of a Hennepin County or social service agency but no criminal charge or emergency hold is requested;

5. When the placement of an emergency hold is requested for a juvenile or adult as a result of an incident which occurred outside the jurisdiction of the City of Minneapolis; or

6. When another jurisdiction requests transfer of custody of a juvenile or adult for transport (unless MPD requested a locate/hold). This includes requests from other agencies to "meet them at the border" to transfer juveniles to a truancy/curfew center or other social service agency. The MPD (i.e. Watch Commander) will contact a superior officer from any agency that drops off a juvenile at an MPD facility. The MPD will make arrangements for that agency to return to pick up and transport the youth to the proper facility. Transportation to a necessary destination of a person taken into custody by another jurisdiction is the responsibility (and liability) of the arresting or in-custody jurisdiction. (07/11/00)

None of the above precludes MPD officers from transporting children or adults to be examined or interviewed in the course of a MPD investigation.

6-104 Mutual Aid Agreement

The policy of this department is to provide law enforcement assistance or to be assisted by other law enforcement agencies in adjoining or concurrent jurisdictions in the event of unusual occurrences, such as natural and man made disasters and civil disturbances. (04/01/93)

The Minneapolis Police Department participates in a mutual aid agreement with the St. Paul Police Department and all law enforcement agencies within Hennepin County. The purpose of the agreement is to provide a legal vehicle for sharing law enforcement resources, both personnel and equipment.

6-104.01 Procedures for Requesting or Providing Assistance Under Mutual Aid

1. The decision to request assistance from other law enforcement agencies is left to the discretion of the requesting agency. As a general guideline, any emergency incident or event that is beyond the capabilities of the requesting agency could reasonably justify assistance under mutual aid. The following personnel are authorized to request assistance from other law enforcement agencies:

   - Mayor
   - Chief of Police
   - Bureau Heads
   - On-duty Watch Commander

   These same personnel are authorized to respond to a request for assistance from other agencies covered in the mutual aid agreement.

2. The authorized official requesting assistance shall contact the appropriate responding official and include the following information in the request:

   - The amount and type of assistance needed;
   - The nature of the event or incident;
   - When and where assistance is needed;
   - To whom the responding agency's personnel should report.

   The decision to provide assistance and how much assistance to provide rests solely with the responding agency. The mutual aid agreement does not obligate any agency to respond to a request for assistance and does not create any liability for any agency who chooses not to provide assistance when requested.

3. When an agency responds to a request for assistance, the responding official may recall all or part of the resources provided at any time, if needed by the responding agency.

4. The agency requesting assistance shall be responsible for managing the event or incident for which assistance is requested.

   When Minneapolis police officers respond to a request for assistance from another agency, they shall remain under the direction and control of the superior or senior officer in charge of the Minneapolis detail. The superior or senior officer in charge of the detail shall coordinate with the commanding officer in charge of the event or incident from the requesting agency.

   Officers from another agency responding to a request for assistance from Minneapolis shall remain under the direction and control of a superior or senior officer from their agency. The superior or senior officer from the responding agency shall coordinate with the commanding officer in charge of the event or incident in Minneapolis.

6-104.02 Costs and Liability Under Mutual Aid

Minneapolis police officers directed to provide assistance to another agency shall be deemed to be performing in their regular line of duty as fully as if they were in their own jurisdiction. The City of Minneapolis assumes responsibility for the officer's wages, worker's compensation protection, and any other liability to the same extent as when the officer is serving in Minneapolis. The authorization to respond to calls for emergency assistance outside of Minneapolis does not extend to officers who are off duty or who are not serving in their regular line of duty.

The Minneapolis Police Department shall be responsible for its own personnel, including any injuries or death, and its equipment and supplies, including any damage or loss when responding to another agency's request for assistance. Agencies responding to a request for assistance from Minneapolis shall assume all responsibility for their personnel, including injuries or death, and equipment and supplies, including damage or loss.

6-105 Requesting National Guard Assistance

(Revised 03/20/96)

When a natural disaster, civil disorder or other emergency requires assistance beyond the capabilities of local law enforcement agencies, military assistance from the Minnesota National Guard may be requested using the following procedures:

1. The on-scene Incident Commander will notify the Emergency Operations Center Commander of the need for additional military assistance. If the Emergency Operations Center Commander concurs with the request, the Emergency Operations Commander will telephone the Minnesota 24 hour Duty Officer and request assistance of the Minnesota National Guard, describing the situation and the intended role of National Guard personnel with instructions for reporting to a staging area.

2. The Emergency Operations Center Commander must then notify the Mayor that the request for assistance was made and notify the on-scene Incident Commander the request was forwarded.

3. The verbal request made to the Minnesota Duty Officer must be followed by a written request signed by the Mayor.

4. The National Guard assistance must not be requested until all other Mutual Aid resources have been utilized. When dispatched to provide assistance, the National Guard will provide a liaison officer to coordinate the activities of the National Guard with the on-scene Incident Commander.

6-106 University of Minnesota Campus

In the event of an emergency situation on the Minneapolis Campus of the University of Minnesota, the University President or the President's designee may contact the Mayor of Minneapolis or the Mayor's designee and request police assistance. The request shall be made electronically, orally, or in writing. If the Mayor approves the request, the on-duty watch commander will be ordered to coordinate activities with the University of Minnesota Police (UMPD). Minneapolis Police Department personnel will remain city employees under the direction of their superiors at the scene. UMPD personnel will remain university employees under the direction of their supervisors.

If the emergency situation requires a tactical response, decisions regarding such a response will be made only after consultation with civilian and police administrative officials from the University, the City of Minneapolis and the two police departments. A tape recording or chronological report of the events and decisions made shall be kept by the UMPD.

If Minneapolis Police command personnel or an Incident Commander wishes to request the assistance of the National Guard to the University of Minnesota, Minneapolis Campus, the request should be forwarded through an Emergency Operations Center Commander for large scale disturbances, or forwarded to the Minnesota Duty Officer by the University President and the Mayor of Minneapolis. (03/20/96)

Requests for National Guard Assistance must include an assessment of the emergency situation and the intended role of the National Guard personnel. (03/20/96)

6-107 Requesting Federal Law Enforcement Assistance

Federal law enforcement agencies may be contacted for assistance in emergency situations through the Chief of Police, Chief's designee or the on-duty Watch Commander in their absence. The following Federal agencies may be called; the phone numbers are on file with the Minneapolis Emergency Communications Center or may be found in the blue colored government pages of the Minneapolis Telephone Directory: (04/01/93)

- Drug Enforcement Administration
- Federal Bureau of Investigation
- Immigration and Naturalization
- Department of Treasury
- U.S. Marshall
- ATF- Alcohol Tobacco and Firearms
- U.S. Postal Inspector
- Civil Air Patrol
- Federal Protection and Safety Division
- U.S. Secret Service

6-108 Interagency Agreement – Bomb Unit/Water Related Incidents (08/27/02)

As per Minn. Stat. §86B.105, the Hennepin County Sheriff's Office shall investigate all drownings and watercraft accidents that involve personal injury or death; and damage or loss of property occurring in the County. MPD officers, via MECC, shall notify the Sheriff's Office when a reportable accident, i.e., theft, vandalism, fire, assault, etc., has occurred on the lakes/rivers/ponds (water or ice) in Minneapolis.

Upon request of the Hennepin County Sheriff's Department or any suburban law enforcement agency within Hennepin County, the Minneapolis Police Department's Bomb Unit shall respond to reported incidents involving bombs, explosives, or incendiary devices occurring within Hennepin County.

The agency providing service under this agreement shall do so at no cost or liability to the requesting agency.

6-109 Response to Special Jurisdictional Areas

Certain areas within and outside of the geographic boundaries of the City present special problems because of uncertainty about which agency has primary jurisdiction. Officers dispatched to an emergency situation where the jurisdiction is unclear or where the response is out of the Minneapolis jurisdiction shall take the appropriate action to relieve the emergency at hand until properly relieved by the appropriate authority.

Theodore Wirth Park: Although the park is located in both Minneapolis and Golden Valley, the entire park is considered a Minneapolis Police response area. Calls for service to Golden Valley Police will be referred to MECC.

Veteran's Hospital: Police response within hospital grounds and buildings is the primary responsibility of the Veteran's Administration Police Department. Assistance by the Minneapolis Police Department will be provided upon request.

Minneapolis police will be the primary responders for events occurring on Minnehaha Ave. S. from 54th St. S. to the intersection of Minnehaha and the Crosstown Highway even though this area is technically a state highway. The State Highway Patrol may be requested to provide investigative assistance, if needed.

Twin Cities International Airport: The Metropolitan Airport Commission (MAC) police are the primary responders for events occurring at the airport. Minneapolis police assistance may be requested in potential or actual crash situations through the mutual aid agreement.

Minneapolis also has an agreement with the Air Reserve Base and the Metropolitan Airport Commission for the use of the Minneapolis Emergency Response Unit (ERU). In the event of a hostage, high-jacking, or barricaded suspect in the Air Reserve Compound, Minneapolis ERU personnel may be deputized by the U.S. Marshal and used to supplement the F.B.I. Tactical Team. The MAC police would defer any hostage, high-jacking, or barricaded suspect incident outside of the main terminal to the F.B.I. The Minneapolis ERU may be requested by the ranking MAC officer to assist in perimeter security and/or to supplement the F.B.I. Tactical Team.

Minneapolis police personnel will be sworn in by the U.S. Marshal when supplementing the F.B.I. Tactical Team.

Historic Fort Snelling/Fort Snelling: Police response for Historic Fort Snelling and Fort Snelling is the responsibility of the Hennepin County Sheriff's Department. Minneapolis police may be requested to respond to high priority emergency calls because our units will usually be closer. Assistance to this area should be treated as any other request under the mutual aid agreement.

Hennepin County 62/E/W 62nd St: East and West 62nd Street are not the same as Crosstown Highway 62. On East 62nd Street, all even numbered addresses are the jurisdiction of the Minneapolis Police Department and all odd numbered addresses belong to the City of Richfield. On West 62nd Street, the even numbered addresses as far as 3300 West Xerxes belong under the Minneapolis jurisdiction and the odd numbered addresses belong either to Richfield or Edina.

Crosstown Highway: In general, the Minneapolis Police Department will provide the primary police response anywhere from Highway 55 on the east to Xerxes Avenue on the west. If the event is known for certain to be EASTBOUND between Portland Avenue and Xerxes Avenue, the call will be given to the Richfield Police Department. If the location is not known for certain, Minneapolis police will respond. In the Commons area where the Crosstown merges with I-35W for a short distance (area west of 2nd Ave S and east of Fremont), the State Highway Patrol will provide the primary police response.

The Hennepin County Sheriff's Department shares responsibility for the Crosstown with Minneapolis and Richfield. The Sheriff cannot always provide rapid primary response, but can provide assistance when requested. The State Highway Patrol has no primary jurisdiction on the Crosstown, but will respond if requested.

I-35W/I-94: The State Highway Patrol provides the primary police response for I-35W and I-94. Assistance from Minneapolis police may be requested by the Highway Patrol in special circumstances.

6-110 Minneapolis Fire Department

The Minneapolis Fire Department is the primary responder for all fires, hazardous materials incidents, and water rescue from the lakes in the City. Officers shall assist the fire department with traffic and crowd control when requested. They shall also take proper measures to assure that all hydrants are accessible to fire equipment. The on-duty watch commander shall be notified of all major fires.

When officers are at the scene of a fire extinguished by someone or something other than the fire department, they shall notify the dispatcher who will in turn notify the fire dispatcher.

Officers shall notify a supervisor of the fire department anytime they suspect arson, the use of molotov cocktails or other incendiary device. Any use of, or suspected use of, incendiary devices also requires the notification of the Minneapolis Police Bomb Unit.

6-111 Minnesota State Patrol Helicopter
(03/19/99)

(A)

The Minneapolis Police Department considers the use of helicopters an asset and an effective law enforcement tool. The State Patrol helicopter is available 24 hours per day, and the MPD encourages its use. The State Patrol Helicopter Unit has been assigned an MPD call sign and has the capability of communicating via our radio channels.

Upon request of the Minneapolis Police Department, the Minnesota State Patrol Helicopter Unit may be requested to respond to reported incidents requiring helicopter services occurring within the city of Minneapolis.

Any supervisor or dispatcher may make an inquiry via radio as to whether the State Patrol Helicopter Unit is available for assistance.

The official request for assistance shall be made through MECC. MECC shall contact the State Patrol Helicopter Unit stating the type of assistance needed and location, and requesting an estimated time of arrival (ETA). The Watch Commander shall also be notified when assistance has been requested.

When responding to an incident, the State Patrol helicopter pilot will advise dispatch and communicate via radio with MECC and the ground units requesting assistance.

The Minneapolis Police Department shall be responsible for managing the event or incident for which assistance is requested.

As soon as the supervisor in charge determines that assistance is no longer needed, the supervisor shall notify MECC and the State Patrol Helicopter Unit immediately.

Supervisors shall also make non-urgent or pre-planned event requests.

Landing zones in each precinct have been established, enabling the State Patrol helicopter to land if needed. A file copy of landing zone locations shall be kept on file at each precinct, MECC, with the Watch Commander, and the State Patrol Helicopter Unit.

MECC shall maintain records via CAD event data, which includes the date and time of request for assistance, name and rank of officers, location, type of incident, and squad numbers involved.

If the State Patrol helicopter pilots have recorded an incident on videotape, a supervisor may request a copy of the videotape through MECC. A nominal charge may be incurred. MECC shall make such requests through the State Patrol Aviation Officer at 651-296-3170.

6-112 Social Service Agency Relationships
(09/08/05)

The nature of police activity requires that all department personnel at times, work closely with private and public social service agencies. When providing assistance to citizens that is beyond police department capabilities, department personnel should consider referring citizens the agencies listed below. (04/01/93)

- Minnesota Directory of Community Services (First Call for Help) (2-1-1)
- Hennepin County Adult Protection Common Entry Point (612-348-8526)
- Hennepin County Child Protection Intake (612-348-3552)

6-113 District Court Liaison

The police Court Liaison provides interagency communications and coordination between the department and the offices of the Hennepin County Attorney and the Minneapolis City Attorney. (04/01/93)

6-113.01 Juvenile Court Liaison

Juvenile Division personnel will liaison with the Juvenile Court on a daily, ongoing basis for the exchange of information. (04/01/93)

6-113.02 Liaison With District Court Prosecutors

Precinct, division and unit manuals outline the activities and responsibilities for maintaining liaison with the District Court prosecutors on an ongoing basis. (04/01/93)

6-114 Corrections Department and Probation/Parole Agency Liaison

Adult and juvenile probation and parole agency liaison will be maintained on an as-necessary basis by all department personnel for increased understanding and effective relationships. Division, precinct and unit manuals describe these exchanges of information and reports. (04/01/93)

6-115 Law Enforcement Agency Liaison

It is essential for law enforcement communication and investigations to maintain professional liaison with other law enforcement agencies. Precinct, division and unit manuals describe these liaisons with adjoining jurisdictions and those of concurrent authority. All department personnel are expected to assist and to cooperate with other Federal, State, County and Local law enforcement agencies. (04/01/93)

6-116 Traffic Safety Liaison

Traffic safety, education, enforcement and planning requires Minneapolis Police liaisons with public safety agencies at city and state levels in addition to those of private agencies. (04/01/93)

6-117 Hennepin County Criminal Justice Coordinating Council

It is the policy of this department to participate in Hennepin County Criminal Justice Coordinating Council activities and task forces. Liaison assignments may be made to department personnel periodically and precinct and division manuals further describe additional activities and responsibilities. (04/01/93)

6-118 Fire Department and Emergency Medical Services Liaison

The effective delivery of emergency service often requires a coordinated response from police, fire and emergency medical personnel. All department employees are encouraged to develop and maintain good working relationships with fire department and emergency medical department personnel. (04/01/93)

The department Administration participates in a 911 User Board with the Fire department, Emergency Medical Services and Minneapolis Emergency Communication Department for planning and a coordinated emergency response. (04/01/93)

6-119 Regional Services

The policy of this department is to participate in regional services providing communications and informational data for law enforcement agencies as follows: (04/01/93)

6-119.01 Metro/Statewide Law Enforcement Radio System

The Minneapolis Police Department, through MECC, has access to Channel 8, a metro-wide emergency channel. If a need exists for a link-up to the Minnesota Statewide Emergency channel, MECC will patch the statewide channel into the Metro channel for use by the department. (04/01/93)

6-119.02 Centralized Statewide Fingerprint Records System

The Department participates in the Minnesota Automated Fingerprint Network (MAFIN) for evidentiary and identification purposes in compiling fingerprint records for Department use. (04/01/93)

6-119.03 Centralized Statewide Crime Information System

The Minneapolis Police Department participates in the Criminal Justice Information System to track wanted persons and stolen property. (04/01/93)

6-119.04 Statewide Crime Reporting System

The Department participates and complies with the Minnesota Uniform Crime Reporting Standards (UCR) and retains the UCR reports per Department/Division policy. (04/01/93)

6-120 Contractual Agreements for Law Enforcement Services

The policy of this department is to provide and to utilize paid law enforcement services based on precise contractual agreements in accordance with Minnesota Statutes 471.59 - Joint Exercise Of Powers. (04/01/93)

6-120.01 Assessment of Needed Services

The purchase of law enforcement services will be preceded by an assessment of needed services by the requesting agency. Written documentation of an analysis of problems, needs, capabilities and alternate methods of obtaining law enforcement services will be provided and/or retained by the agency providing the services. (04/01/93)

6-120.02 Joint Powers Agreement Required

All contracted law enforcement services provided to, or by, the City of Minneapolis shall require a written Joint Powers Agreement to include a precise description of the law enforcement services, facilities and equipment to be provided, with the date and duration of services. (04/01/93)

The agreement shall also stipulate terms of contract modification and the termination of contract. (04/01/93)

6-120.03 Contractual Cost Accounting

The Joint Powers Agreement shall specify the terms of payment to the provider agency. The cost of contracted services shall include personnel salaries, fringe benefits, equipment costs, maintenance costs, accounting costs and all indirect costs. The Minneapolis Police Department will maintain cost accounting records for the services provided to another agency. (04/01/93)

6-120.04 Indemnification

All agreements for contracted law enforcement services shall contain an indemnification clause to establish liability for suits or legal actions and shall identify by name and authority, those persons authorizing the Joint Powers Agreement. (04/01/93)

6-120.05 Personnel Status

The Joint Powers Agreement will state that both the requesting agency and the providing agency shall maintain control over their respective personnel with regard to hiring, training, assignment, discipline and dismissal. The employment rights of all personnel assigned under an agreement shall not be abridge by the agency providing the contracted law enforcement services. (04/01/93)

6-201 Media Information and Media Releases

(02/07/03) (02/24/06)

The policy of the MPD is to establish a cooperative relationship with the news media in supplying information on matters of public interest. Only Information that violates the constitutional rights of the victim or the accused, interferes with an on-going investigation, or is legally privileged may be withheld from the public.

6-201.01 Public Information Officer

(05/19/08)

The MPD may designate at its discretion, sworn or non-sworn personnel to serve as Public Information Officer(s) for the MPD. The PIO will work closely with Police Department personnel, MPD Command Staff and the City Communications Director or his/her designee. For chain of command purposes, the PIO will report directly to the Chief or his/her designee.

The PIO may occasionally receive calls and requests during off duty hours to assist in resolving issues. A PIO who does not respond or is unable to respond during off duty time will not be subject to discipline, unless the PIO has been placed on standby in accordance with Section 10.4 of the Labor Agreement. The MPD may, in accordance with Section 3 of the Labor Agreement, change, amend or delete the duties and/or responsibilities of the PIO at any time.

6-202 Responsibility of MPD Employees

(02/07/03) (02/24/06)

(A-D)

All inquiries, including requests for interviews, will be directed to the Public Information Officer (PIO). Inquiries regarding "on-scene" incidents shall be referred to the ranking officer (or designee) in charge at the scene. Only factual public information related to that incident shall be released. Updates to that incident may be obtained by contacting the PIO during normal business hours.

- No MPD employee should initiate a media contact without going through the PIO.
- Inquiries regarding current investigations shall be referred to the PIO.
- MPD employees shall not release information on any case where the progress of an investigation may be jeopardized by premature media coverage.
- MPD employees shall not represent opinion as fact.

6-203 Release of Information (News Media Release Form)

(02/24/06)

(A-D)

Completing a News Media Release Form (MPD 8877) will be the responsibility of the Public Information Officer (PIO). All written media releases and/or press conferences must be approved by the Chief of Police, a designated member of the Police Administration, or the PIO. Such information will be distributed to all news media outlets which regularly cover department activities.

6-204 Major Incidents

(02/24/06)

(A-D)

When major incidents such as homicides, officer involved shootings, natural disasters, etc. occur; the Public Information Officer (PIO) will proactively contact media organizations which regularly cover department activities. When possible, the on-scene supervisor or PIO will direct media to a staging area. Media briefings and updates will be held at these designated areas.

6-205 News Release on Vehicular Accidents

(02/24/06)

(A-B)

MPD employees should only give the name, address, age and a short description of how an accident occurred. This also includes any juvenile, unless the juvenile will be cited, arrested, incarcerated or otherwise substantially deprived of liberty. Under these circumstances, age and sex may only identify a juvenile.

6-206 Site Access for News Media

(02/24/06)

(A-B)

MPD employees shall not unnecessarily obstruct news media personnel from performing their duties at emergency scenes. However, news media will not be allowed to cross police lines, which are set up to protect a crime scene. Members of the media must follow all municipal, state, and federal statutes. Media can be restricted from an area where their presence can jeopardize police operations. Only the ranking on-scene officer may grant news media representatives access to any area closed because of investigation or health and safety hazards.

6-301 Public Access to Police Facilities

(04/18/08) (09/26/22)
Revisions to prior policies: (02/08/02) (05/12/05) (12/15/09) (12/30/10) (06/18/18)

A. Access

1. Each command will define the public or community areas of the facility and the areas restricted to employees only.

2. All visitors to areas of MPD facilities authorized for MPD employees only shall be escorted by an MPD employee while in the facility.

   a. When escorting visitors, attention shall be given to assure that equipment, protected data and other sensitive material is not available to the visitor.

3. Employees shall not permit any person to enter a police facility to sell goods, offer them for sale, or to canvas or solicit for any purpose without authorization from the employee in charge of the facility (Inspector, Commander, Lieutenant, etc.).

B. Tours

1. Escorted tours of police facilities may be conducted for approved groups who have expressed an interest in observing the functions of the Minneapolis Police Department.

2. Tour screening and coordination is the responsibility of Inspectors, Commanders or unit Lieutenants, or their designee, and shall be conducted by department employee volunteers.

6-302 Precinct Community Rooms

(04/18/08)

When not needed for official MPD business, the community rooms at each precinct shall be made available to community groups for public safety related meetings. The Precinct Commander or his/her designee shall determine whether a legitimate public safety reason exists. All community groups shall have equal access.

The following policy shall be adhered to:

1. Community rooms are scheduled on a first come, first served basis.

2. All meetings shall be open to the public.

3. Meetings involving the sale or promotion of commercial products or services are prohibited.

4. Meetings involving the campaign of political candidates or parties are prohibited.

5. No admission fee, registration fee, donation or monetary solicitation may be sought by meeting organizers.

6. Any group or organization interested in using a community room must first fill out a "Community Room Reservation" form. This form is available at the precinct stations, MPDnet and online at the public MPD website. These forms shall be submitted at least one week prior to the scheduled meeting date. Subsequent reservations can be made by telephone.

7. Reservations will not be confirmed until the reservation form has been completed, signed and processed. This may be done at the precinct if the paperwork is completed.

8. Groups may reserve space for up to six meetings in a six-month period. No single group may have more than six meetings in a six-month period unless written approval is obtained from the Precinct Commander.

9. An adult representative must be present during the meeting.

10. Reservations may be canceled at any time by the precinct should a Department or City need arise. If a cancellation is necessary, the requestor will be contacted by the precinct.

11. Users agree to accept responsibility for all damages caused to the building and/or equipment beyond normal wear.

12. The group/organization is responsible for cleaning the meeting room after use and may be assessed a cleaning fee if not properly cleaned.

13. Meetings must be held during the hours of 0800 (8 a.m.) - 2200 (10 p.m.) and must end on time.

14. Alcoholic beverages are prohibited.

15. Failure to abide by the above policy may disqualify the group or organization from future use of these facilities.

6-303 Department Speakers

Requests for department speakers will be referred to Precinct or Division Commanders. Requests for a specific officer will be sent to the officer at his/her place of assignment. (04/01/93)

Commanding officers are responsible for the recognition of superior performance of officers who participate in department speaking engagements. Recognition could include informal or formal letters of commendation.

6-304 Ride Along Program

(04/18/08)

The purpose of allowing citizens to ride with police employees is to add to the public's knowledge and understanding of the complexities of law enforcement. For details regarding the MPD's Ride Along Program, refer to Policy and Procedure Manual Section 6-400.

6-401 Ride-Along Program

The purpose of the Ride-Along Program is to improve police and public relations by familiarizing participants with the complex and unpredictable nature of police work.

Inquiries about the Ride-Along Program and requests for rides should be referred directly to the precinct/unit/division that the caller is interested in riding with. Each precinct/unit/division will handle its own ride-along requests. (05/01/92) (05/02/92)

Participants must normally be eighteen years of age. They will be assigned to a squad or vehicle with two officers unless an officer, with the approval of a supervisor, chooses otherwise. (05/01/92)

Ride-alongs are limited to one participant per squad or vehicle. The time limit for a ride-along is four hours; however, the supervisor and officers may agree to more hours. (05/01/92)

An officer's involvement with the program is voluntary, but an officer who has taken friends as riders can reasonably be regarded as volunteering to take others.

Any variation or exception to the ride-along process requires the written permission of the Chief of Police or the Deputy Chief of the appropriate Field Services Bureau. (05/01/92) (05/10/04)

6-401.01 Ride-Along Program Authorization

(05/01/92)

(A)

Each participant in a ride-along must read and complete a Ride-Along Program Release Form (MP-3009) prior to the ride-along. Participants under eighteen years of age must have the parent's/guardian's authorization section completed in order to be allowed to go on a ride-along.

Supervisors and officers taking the ride-along should request proper identification from the participant. Officers may request any additional information they deem necessary in order to review the ride-along application or screen the applicant.

Supervisors and officers may also evaluate the ride-along applicant immediately prior to the ride, making the final approval or denial decision at that time. (04/01/93)

Upon completion of a ride-along, the Ride-Along Program Release Form and any supporting paperwork shall be kept on file at the precinct/unit/division, where they will be retained for one year. (05/01/92) (04/01/93) (05/10/04)

Applicants who are not approved for the Ride-Along Program will be notified at the earliest opportunity and provided with the reasons for the denial. Those reasons shall be documented on the Ride-Along Program Release Form. Within three days, a copy of the form will be forwarded to the precinct/unit/division commander for review. Copies of ride-along denials shall be kept on file at the precinct/unit/division for a period of one year. (05/01/92) (05/10/04)

6-401.02 Ride-Along Instructions

(05/01/92)

(A)

Supervisors shall ensure that officers instruct their ride-along of expected behavior prior to the ride. Ride-alongs shall be instructed to follow the directives of the officers during the ride.

Officers will also advise participants that failure to comply with reasonable directives or injecting themselves into a situation improperly will result in termination of the ride-along.

Ride-alongs are not authorized to operate any MPD equipment.

6-401.03 Ride-Along Termination

(05/01/92)

(A)

Officers may terminate a ride-along at any time. Reasons may include, but are not limited to, ride-along conduct or call-load needs.

In such incidents, the officers shall notify a supervisor that they have terminated the ride-along. The supervisor shall note the incident and reasons on the Ride-Along Release Form. The form should be forwarded to the precinct/unit/division commander for his/her review, where it will be kept on file for one year. (05/10/04)

6-402 Special Participants for Ride-Alongs – City Employees

City employees required to participate in the Ride-Along Program may participate without signing the Ride-Along Release Form (MP-3009). Shift supervisors will assign participants to whatever squad they deem appropriate. Participation in this category is limited to four hours unless otherwise ordered by a supervisor.

Note: Permit and temporary employees are not considered City or MPD employees and must follow the ride-along application procedures described in 6-401. (05/01/92)

6-402.01 Special Participants for Ride-Alongs – MPD Employee

(05/01/92)

Supervisors may authorize some allowances for MPD employees participating in the Ride-Along Program as deemed appropriate for job-related knowledge needs.

6-402.02 Special Participants – Under Eighteen Years of Age
(05/01/92)

(A)

In order for a person under 18 years of age to participate in a ride-along, written parental or guardian approval is mandatory, per the City Attorney, and is included on the Ride-Along Program Release Form. For curfew concerns, refer to County Ordinance No. 16, Juvenile Curfew for Hennepin County, Section 4: Defenses, "the juvenile was going to, attending, or returning home from an official school, religious, or other recreational activity sponsored and/or supervised by a public entity or a civic organization. (05/10/04)

The MPD grants permission for youths involved in a MPD-sponsored law enforcement program to go on ride-alongs. MPD-sponsored programs are: the Explorers; Public Safety Internship Program; and the Police Athletic League (P.A.L.). (07/15/98) (05/10/04)

No one under the age of sixteen years and not involved in a MPD-sponsored program will be authorized to go on a ride-along without the written permission of the Chief of Police or Deputy Chief of the appropriate Field Services Bureau. Participants may ride along with precinct officers, Traffic officers, and CCP/SAFE personnel. (05/10/04)

6-403 Officer's Right to Decline

An officer may request to decline participation in the Ride-Along Program for reasonable cause. Reasonable causes include situations that may result in discomfort for the participant, officer or MPD. Final decisions on all assignments are the responsibility of the commander. (05/01/92)

6-404 Responsibility of Commanders – Ride Along Program

(A)

Commanders are responsible for the operation of the Ride-Along Program within their command. They are authorized to approve, modify or reject any request for participation. (05/01/92)

Commanders are responsible for ensuring that Ride-Along Program Release Forms are completed and applicants are approved prior to the ride-along. (05/01/92)

Commanders shall make every effort to assign ride-along participants to a squad or vehicle that patrols the applicant's stated area of interest. Officers are not expected to participate more than once a month with no more than three days consecutively assigned. Exceptions may be made for volunteers and special assignments. Commanders should seek to be equitable in assignments. (05/01/92)

6-405 Ride-Along Participant Identification
(02/14/01)

(A)

All participants authorized for the MPD's Ride Along Program shall wear identification. Participants shall be issued ID cards marked "Ride-Along" that must be worn on their outermost garment during the duration of the ride-along, including when accompanying an officer outside the squad. All non-MPD ride-along participants shall sign the Visitor’s Log at the precinct/unit/division when they obtain the ride-along ID card. MPD employees may wear their MPD-issued photo ID cards in lieu of the "Ride-Along" ID.

7-101 Emergency Communications Center
(09/26/22)

The Minneapolis Emergency Communications Center (MECC) is the communications link between the Police Department and the public it serves.

The MPD acknowledges the authority of MECC to dispatch or otherwise deploy MPD resources to facilitate prompt responses to calls for police service.

7-102 Priority Call Code Numbers and Radio Call Numbers
(09/26/22)
Revisions to prior policies: (07/10/92), (08/13/02)

A. Priority Call Code Numbers and Procedures

1. Call Code Numbers

   a. Call code numbers are used by dispatchers and officers to indicate the seriousness of an incident and the procedures for response.

   b. The responsibility for determining the appropriate call code number rests with the responding officer based upon information communicated from MECC or other personnel.

   c. The call code numbers used are:

      Code One: Indicates that an officer cannot be located or does not answer the radio.

      Code Two: A call to be answered or situation to be handled immediately. The red lights and siren shall not be used and all traffic laws will be obeyed.

      Code Three: Emergency Situation - To be answered immediately, but in a manner enabling the responding units to reach the scene as quickly and safely as possible. MN Statute sections 169.03 and 169.17 require the use of red lights and siren for emergency driving.

      Code Four: Situation is under control. Responding squads that have not arrived may clear.

2. Call Classification Priorities

   a. The Police Department and MECC have developed protocols and appropriate timeframes for dispatching calls, and have established common working definitions about the urgency of any situation and to facilitate the most efficient delivery of service to the public.

   b. MECC call classification priorities are not the same as call code numbers.

   c. Police calls are identified by a nature code and each nature code is assigned to one of five possible priority categories. The categories are:

      Priority 0 - Calls classified as Priority 0 include those situations where a known crisis exists that threatens the life of an individual. This is the highest possible priority and the fastest possible response is desired. The MECC objective is to have squads en route to the call within 30 seconds of receipt by the dispatcher.

      Priority 1 - Calls classified as Priority 1 include situations where an imminent threat to personal safety, or the loss or damage to property exists. Conditions at the scene of the call are unstable. The MECC objective is to have a squad en route to a priority 1 event within 70 seconds of receipt by the dispatcher.

      Priority 2 - Calls classified as Priority 2 include situations where no immediate threat of harm exists at the scene of the call. A timely police response is still desirable. The MECC objective is to have priority 2 calls assigned at the earliest opportunity or within 45 minutes of receipt by the dispatcher. Pending priority 2 calls are assigned out of sector to an available precinct squad after 10 minutes or if known that sector squads will be unavailable indefinitely. Priority 2 calls are assigned up to the last 15 minutes of shift. If after 30 minutes the call remains in MECC due to a lack of recommended unit availability, the dispatcher may notify the affected precinct shift supervisor to review the pending priority 2 calls and recommend a course of action.

      Priority 3 - Calls classified as Priority 3 include situations where conditions are stable at the scene of the call. MECC may hold priority 3 calls for the squad in whose district the call is occurring for up to one hour. After one hour, the situation should be reassessed by MECC and the precinct field supervisor, if necessary, to determine if the call should be reassigned to a squad outside of the district in which the call is occurring. Priority 3 calls may be assigned up to the last 15 minutes of shift.

      Priority 9 - Calls classified as Priority 9 include administrative or service assignments. Squads on a service assignment may be reassigned to an event with a higher priority.

B. Radio Call Numbers

1. Radio call numbers are developed by the Minneapolis Emergency Communications Center (MECC) with input from the MPD Equipment Specialist. Current listings of radio call numbers are maintained by MECC and the MPD Equipment Specialist.

   For precincts, call numbers are designed to indicate the precinct, sector, and sequence within the sector. For example:

   - Squad 420 - Fourth Precinct, Sector Two, Primary Squad
   - Squad 421 through 429 - Fourth Precinct, Sector Two, Secondary Squads

2. Officers shall begin all radio communication using their assigned call numbers and radio prefix.

3. Radio Prefixes

   a. All vehicles using MPD radio channels will use the following prefixes which indicate their type of assignment:

      - “Squad” for marked vehicle
      - “Car” for unmarked or civilian vehicles
      - “Portable” for officers away from their vehicle
      - “Chaplain” for chaplains
      - “Base” for precinct, unit or division fixed operations
      - “Beat” for officers assigned to a specific beat
      - “Bike” for Bike Patrol
      - “Mounted” for officers on horseback
      - “Off-duty” for officers working off-duty employment (under P&P 3-800)
      - “Unit” for agents or community service officers

   b. When beginning a radio transmission, officers shall begin the transmission with their appropriate radio prefix (Squad 310, not just 310).

4. One and Two Officer Designation

   a. In all communications with the MECC dispatcher, one officer squads or cars will be designated as "Able," i.e., 321A.

   b. If, during an apprehension or an investigation, an officer separates from a partner, the driver of the vehicle will be "A(ble)," (320A). The passenger of the vehicle shall be "B(aker)," (320B). If no vehicle is being used, the officers shall decide beforehand who shall be designated as "A" and "B."

   c. If, during a shift, one officer assigned to a two-officer squad is away from duty, the remaining officer shall immediately report the squad's change in designation to MECC.

5. FTO Squads

   Squads that have an FTO and an Officer in training will be designated as an FTO Squad. (Example 320 FTO or 320A FTO.) This designation will be used on the precinct line-up sheet, but standard radio call sign procedures will be used.

7-103 Calls for Service
(09/26/22)

A. Scope

1. Calls for service include calls assigned by MECC, as well as self-initiated calls and any call an officer self-assigns to.

2. This policy applies to:

   - On-duty uniformed officers
   - Officers employed by an off-duty employer, in a law enforcement capacity as an MPD officer
   - Off-duty officers taking any law enforcement action as an MPD officer

3. This policy covers uniformed officer response. Response to calls for service by plainclothes officers will be handled in accordance with P&P 10-202.

B. Prompt Response and Safe Approach

1. It is the policy of the Minneapolis Police Department to respond to all calls for service within a minimum amount of time after being dispatched or notified of the need for police service.

   a. Officers shall respond without delay to calls for police service unless otherwise directed by proper authority. Emergency calls for service shall take precedence. However, all dispatched calls shall be answered as soon as possible consistent with departmental procedures.

   b. If officers need to temporarily go out-of-service on a detail or otherwise be unavailable for calls, they shall notify their immediate supervisor and request permission for such details.

   c. Officers working uniformed patrol or in a marked squad who wish to go out of service for a meal break shall request OTL status from the MECC dispatcher.

      i. The request must include the requested OTL location.

      ii. The dispatcher may grant or deny OTL status based on call load and staffing levels.

iii. Employees shall not take excessive time for meals and officers working two-officer squads must take OTL at the same time.

iv. No more than three marked or unmarked squads may be OTL at the same public location unless officers are also participating in a community event.

2. Officers shall be responsible for responding to calls in a safe manner and assessing any need for additional assistance.

C. Assigning to Calls

1. Calls assigned by MECC

a. The dispatcher shall have the authority to assign calls to all available sworn personnel, including superior officers. Officers shall not refuse to take a call.

b. When an officer is unable to respond to an assigned call for any reason, the officer shall promptly notify the dispatcher and provide the reason for the change in status.

c. Officers shall not pass on to the succeeding shift any assigned calls without the permission of the shift supervisor.

2. Self-initiated calls

a. Any time an officer initiates a law enforcement action that was not part of a call assigned by MECC, the officer shall notify MECC to generate a call for service and assign to the call.

i. Any temporary detainment shall be considered a law enforcement action and requires a call for service. This includes, but is not limited to, all investigative stops and traffic stops.

ii. Taking a report of criminal activity shall be considered a law enforcement action and requires a call for service.

b. If an officer is assisting a citizen, and is using MPD tools or resources to provide assistance (including a squad) or will be out of service for more than a short time, the officer shall notify MECC to generate a call for service and assign to the call.

i. This does not include encounters where a citizen is only filing a complaint. Such encounters do not require a call for service. If a call for service was initiated already and the encounter is determined to be only complaint-related, the call shall be cleared as PROSRV.

c. The notification to MECC should be done by initiating an on-site in the Mobile Data Computer (MDC) or by radio. If the officer does not have access to an MDC or a radio, the notification can be made by phone.

3. Self-assigning to calls

   All MPD employees who respond to calls for service or arrive on scene at an active call for service shall assign to the call, subject to the exceptions described below in [b].

   a. This includes assisting squads and supervisors through the rank of Lieutenant.

   b. Exceptions:

      i. This does not include appointed positions, except when they are performing crime scene management or are directly involved in the call for service.

      ii. This does not include employees performing the role of a Public Information Officer.

4. Situations may arise which require that an officer decide whether to continue on an assigned call or handle a citizen's complaint, an observed event, or a higher priority call, and cause the original call to be reassigned. Such determination should be based upon the comparative urgency and the risk to life and property of the assigned call and the intervening incident.

   a. When it is not possible for officers to handle a citizen's complaint or an observed event, they should, if circumstances permit, give directions for obtaining such assistance or initiate the necessary notifications themselves.

   b. When handling a call and subsequently receiving a higher priority call, officers shall advise the person of the reason for leaving and of the squad's intention of returning after the call.

D. Acknowledging Calls

1. All officers assigned calls by MECC shall immediately acknowledge receipt of the call via voice radio.

2. Any time a squad is responding to an event, the officers shall notify the dispatcher either by radio or by pressing the “Self-assign” button.

E. Arriving on Calls

Officers shall announce their arrival at the scene by:

1. Depressing the “Arrive” status key on their MDC; and

2. If the unit is the first of multiple squads to arrive, using the voice radio indicating their call number followed by the word "arrived."

F. Updating the Problem Nature Code

Officers shall ensure the Problem Nature Code is accurate or is updated to reflect the correct code as soon as practical. The code must be updated prior to clearing the call.

G. Clearing from Calls

Officers shall clear from all calls or other assignments as soon as the call or assignment is complete by:

1. Depressing the "Clear" status key on their MDC and adding a disposition code; or

2. Using the voice radio indicating their call number followed by the word "cleared" and by a disposition code.

H. Single Transmission

Whenever possible, all aired status changes should be accomplished on a single radio transmission (Squad 320 is clear report).

I. Broadcasting Descriptions

1. The first officers to arrive at a crime scene or other incident that warrants the broadcasting of descriptive information shall conduct a brief interview with victims and/or witnesses.

2. If sufficient information is obtained to justify a broadcast, and radio traffic permits, it shall be transmitted in the following manner:

    a. The officer will notify the dispatcher that a description is available. The officer will also inform the dispatcher of the extent of dissemination of the broadcast (e.g. involved channel, citywide, regional broadcast, teletype, etc.) and will indicate arrest authority (au. probable cause, attempt to locate, etc.).

    b. The dispatcher will notify all squads that a description will follow and will state the location and nature of the crime. Permission will then be given for broadcast.

3. Once the dispatcher has given permission, the officer shall broadcast the description in the following sequence:

    a. Type of crime

    b. Time of occurrence

    c. Location of occurrence

    d. Number of suspects

e. Description of suspects

f. Weapons involved

g. Direction and method of flight

h. Description of vehicle, if applicable

i. Description of loss, if applicable

J. Request for Back-Up

1. Additional squads will be dispatched when requested by an officer or when department policy dictates a back-up be sent automatically for an "Able" squad responding to certain types of incidents.

2. Officers requesting a back-up shall give their squad number, location and code priority.

3. If the requesting officer or the on scene superior officer determines that back up squads are not needed, the back-up squad should be canceled.

K. Emergency or "Officer Needs Help" Procedure

1. When an emergency situation arises, officers shall notify the dispatcher by doing the following:

   a. Stating their radio call number, followed by "EMERGENCY" or "Officer needs help."

   b. Giving the location of the officer needing help.

   c. Giving the reason for the emergency, if time permits.

2. Whenever an emergency or "officer needs help" is announced, all other officers shall immediately clear the airway and keep the frequency clear until the dispatcher acknowledges the call.

   a. Responding vehicles should wait to give their numbers until it is obvious that the officer calling the emergency is finished giving information.

   b. When responding vehicles do give their numbers, they should be brief and then remain off the air until they arrive at the scene.

3. Once aired, the emergency commands the channel until the dispatcher announces a Code 4 and normal radio traffic is resumed.

7-104 Radio Contact and Use

(09/26/22)
Revisions to prior policies: (04/28/03)

A. Radio Contact

1. Officers working on the street (including when at lunch or any other break) shall be in radio contact at all times.

2. Officers handling an assigned call shall remain available for emergency or higher priority calls by maintaining radio communication via a portable radio.

B. Use of Base Units

1. Base unit radio transceivers located in divisions, precincts and units shall not communicate directly with their mobile or portable personnel or other base units, except on the designated car to car channel, or with the approval of MECC.

2. For MECC approval to communicate directly, the base unit operator shall contact the dispatcher by radio and request use of the air for the necessary transmission.

C. Unnecessary Use of Radio or Mobile Data Computer (MDC)

1. The police radio and MDC are for police business only. They shall not be used to conduct personal business or to transmit personal messages.

   a. MDC messages are public information and are subject to public disclosure.

   b. These communications are subject to the provisions in other policies that cover electronic communications, (such as the policies in P&P 5-100 Code of Conduct). Inappropriate language or remarks shall be immediately reported to a supervisor, Inspector or Commander, or Bureau Head.

   c. Communication about incidents over the radio or MDC shall only include the information, questions or comments necessary to handle or respond to the incident. Commentary shall not be included.

2. Information checks shall be requested only on the channel designated for such purposes. In most instances, Channel 7 will be the designated channel. When requesting information from Channel 7 or the precinct base, officers should try to include the nature of service in the initial transmission ("Squad 320, REGISTRATION," wait for acknowledgment; then "Squad 320, David Adam Paul 543").

3. Officers shall use Channel 5 or any other designated channel for non-emergency squad-to-squad or squad-to-precinct radio communications.

4. Requests for interoperable radio channels (MPD detail, Metro or State talk-groups) shall be made through the MECC Duty Supervisor.

7-105 Command Staff Notification Protocol

(09/10/04) (10/28/04) (02/17/05) (09/26/22) (02/16/23) (03/17/23) (09/06/24)

A. Page to Command Staff

Whenever a significant event happens, the MPD requestor shall request that MECC make notifications to the Chief and command staff.

1. Requesting the notification

   a. The MPD requestor shall be the Initial On-Scene Supervisor (IOS), their designee, or the Watch Commander.

   b. The request shall be made as quickly as possible once the scene is secured and life-saving measures have been rendered.

   c. The requestor shall request that MECC send a PDVIP page to the above-listed personnel. Notifications by MECC will be made by e-text on the Department-issued cellphones.

2. Significant events

   Significant events/incidents include, but are not limited to:

   - Critical incidents (as defined by P&P 7-810)
   - Homicides
   - In-custody deaths
   - MPD personnel with serious injuries or hospitalization
   - Natural or manmade disasters
   - Acts of terrorism
   - Any other event that should be brought to the Chief's and command staff's immediate attention

3. Personnel to be notified

   The following personnel shall be notified of such events:

   - Executive Committee (Chief, Assistant Chief, Deputy Chiefs, Chief of Staff)
   - Appropriate Inspector(s)
   - Watch Commander
   - VCID Commander
   - Lieutenant of Homicide
   - Department City Attorney
   - Department Public Information Officer
   - IAU Commander

4. Notification content

   The requestor shall provide the following content for the notification:

   - Date, time and location of the incident
   - A brief assessment of the event
   - A listing of other units or commanders contacted for assistance
   - Requests for other resources as deemed necessary
   - Name of contact person and their phone number

5. Response after notification

   The notifications will be made to a large number of command staff personnel but only those associated with the event need to respond.

   a. The contact person should not be called or asked for incident-specific information except by those required to respond to the incident.

   b. The requestor should expect a call back from the Chief, Deputy Chief of Patrol and the affected Inspector.

6. Memo from requestor

   The requestor shall also submit a memo to the Chief and command staff detailing the incident.

   a. Information to be included is:

      - The on-scene supervisor's name and assignment
      - A logical narrative of the sequence of events (date, time, and place)
      - Details of the initial call: officer's response, resources deployed, other command or unit assistance, officers or other people injured or killed, known hazards, extensive property damage, and any other significant facts that would best describe the incident.
      - The time MECC was notified (e.g., 14:00)

   b. The requestor shall submit the memo via email to the appropriate members of the command staff.

   c. The memo shall be submitted as soon as possible or by the end of the work shift.

7. Other notification protocols

   This policy is in addition to and does not supersede other applicable notification protocols such as Explosives, Weapons of Mass Destruction, Phase I, II or III Alert notification protocols (P&P 7-900 Large-Scale Emergency Response Procedures).

B. Direct Notification to the Chief

This policy does not alter any requirements in other policies to notify Internal Affairs (P&P 2-101) or other entities such as the Watch Commander (P&P 7-202), etc. This policy applies only to direct notifications to the Chief.

The notification to the Chief shall be made the highest ranking on-scene supervisor.

1. Notification by phone

   The Chief shall be immediately notified directly by phone call in the following situations:

   - Arrest of an MPD employee anywhere
   - An employee is alleged to have committed serious misconduct
   - An employee is alleged to have committed criminal conduct, including but not limited to, domestic abuse or threats
   - An employee is cited or arrested for DUI or DWI
   - Death, great bodily injury, or life-threatening emergency of an MPD employee
   - Serious injuries to an on-duty MPD employee
   - Injuries or illness to an on-duty MPD employee resulting in transportation by ambulance or hospitalization
   - Use of deadly force
   - Use of force resulting in great bodily injury
   - Any crimes occurring at religious venues, including threats
   - Hostage or barricaded persons
   - High-profile shooting incidents (e.g., active shooter, mass shooting, shooting of a child, etc.)
   - Violent crime pattern (e.g., multiple shootings or robberies close in time or by the same suspects)
   - Significant protests
   - Pursuit-related injuries

2. Written notification

   The Chief shall be immediately notified directly by written notification (text or email) in the following situations:

   - Homicides
   - Shootings
   - Stabbings
   - Bias crimes
   - Crash involving an MPD vehicle
   - Prisoner escape

- Potential threats to public safety (e.g. bomb threat, etc.)
- Major incidents on school grounds
- Major fires
- Any other newsworthy events/media presence at scenes

7-106 KOPS (Keeping Our Police Safe)

(09/29/04) (09/26/22)

A. The Minnesota Department of Public Safety's "alert file" called KOPS (Keeping Our Police Safe) enhances officer safety by alerting officers of unsafe situations when encountering a vehicle or person involved in a recent incident by disseminating safety information statewide.

B. The standard CJIS (Criminal Justice Information System) queries that check person or vehicle files also hit on KOPS alerts, immediately warning officers of potentially dangerous situations. Officers should respond to the KOPS alerts in the same manner as any other CJIS hits. The message will be accompanied by the caveat "For officer safety purpose only, this is not a warrant."

C. If the officers want to relay any message to alert fellow law enforcement officers, they will forward the message, with pertinent information, to their immediate supervisor for approval. Upon approval, the supervisor will forward the message to MECC (Minneapolis Emergency Communication Center) for entry into the KOPS system.

D. There are three KOPS alert options available:

- Officer Safety
- Safety to Individual (other than officer), i.e., suicidal person
- Informational

E. Alerts may be flagged to indicate when weapons may be involved.

F. All KOPS file information is automatically purged from the system after 72 hours except in the case of 12-hour domestic abuse pick up and hold cases.

7-107 Communications Record Keeping

(04/01/93) (09/26/22)

(A-D)

A. All electronic communications, (telephone calls, radio transmissions, MDT traffic, computer networks, etc.) that are conducted using the facilities of the City of Minneapolis are subject to being recorded.

B. Communication records shall only be disseminated in accordance with the MN Government Data Practices Act and MPD policy (including P&P 4-501 Confidential Department Records, Reports and Information).

7-201 Watch Commanders

(03/07/03) (11/02/16)

(B)

I. Purpose

The Watch Commander is an extension of the Chief's office and acts as the Chief's adjutant during non-business hours. Watch Commanders work under the general direction of the Assistant Chief in providing nightly supervision for all MPD operations. (04/25/05) (12/28/06)

II. Policy

A. Watch Commander duties will be assigned to all personnel holding the rank of lieutenant unless the assignment is excused by the Assistant Chief.

1. Limited duty Lieutenants shall be excused from Watch Commander duties, as Watch Commanders are expected to be visible and to respond to major scenes/ incidents.

B. Watch Commanders shall work in full MPD uniform.

C. Personnel assigned as Watch Commander are responsible for ensuring that their obligation is fulfilled.

1. If a scheduled Watch Commander is unable to fulfill his/her **immediate duties**, he/she shall contact an MECC supervisor as soon as possible.

   a. MECC will assist in locating a substitute Watch Commander.

   b. A substitute Watch Commander will notify a MECC supervisor of the change at the start of the shift.

2. If a scheduled Watch Commander is unable to fulfill his/her **future duties**, he/she shall locate a substitute or arrange a trade.

   a. The scheduled Watch Commander shall advise the designee of the Assistant Chief of the future substitution.

      i. The designee shall forward a copy of updates or changes to the Watch Commander schedule to the Records Information Unit and to MECC. (12/28/06)

3. If the need arises, a senior on-duty uniformed sergeant may be asked to assume full-time Watch Commander duties, and contractual agreements shall be followed.

D. Assigned Watch Commanders will normally use a department vehicle from their assignment.

1. If a Watch Commander uses a vehicle equipped with MVR, all policies related to MVR use shall be followed.

E. All Watch Commanders are required to have their department issued cell phone and an MPD police radio as part of their equipment.

1. Watch Commanders shall be available immediately by cell phone or police portable radio during their entire shift. (12/28/06)

F. Watch Commanders should base out of their normal work site when not in the field.

III. Procedures/ Regulations

A. Scheduling Watch Commanders
(03/0703)

1. The Watch Commander schedule is completed on an annual basis.

2. Scheduling annual Watch Commander assignments is the responsibility of the designee of the Assistant Chief.

3. Copies of the Watch Commander schedules will be sent to all commands by November 1st of each year for the following year. (08/07/03) (12/28/06)

4. The Watch Commander schedule, including all updates or changes, i.e., substitutions, trades, etc. will be kept by the designee of the Assistant Chief and the MECC supervisors. (12/28/06)

5. Watch Commander Schedules

   a. There are two Watch Commander tours per week:

      - Sunday through Wednesday
      - Thursday through Saturday

   b. For Lieutenants who work 10 hour shifts, the Watch Commander shift is 10 hours (1800 – 0400). For Lieutenants who work 8 hour shifts, the Watch Commander shift is 8 hours (2000 – 0400).

   c. If events necessitate, the Watch Commander may extend his/her shift until relieved by command staff. (12/28/06)

   d. Between 0400 and 0800 hours when no Watch Commander is on duty, the precinct inspector where an incident is occurring shall be notified if a command decision, advice or response to the scene is required. Senior uniformed sergeants may be contacted for general assistance (questions, on scene, etc.).

B. Duties of Watch Commanders
(03/07/03) (04/25/05)

Watch Commander duties include, but are not limited to:

1. Immediately at the start of the duty, Watch Commanders must contact the on-duty MECC supervisor with the following information:

    - Name;
    - Badge number;
    - Log onto MDT/MDC if available;
    - Other information should be relayed as the Watch Commander deems necessary or as requested by MECC.

2. Watch Commanders are expected to:

    a. Inquire as to the status of events.

    b. Provide representation for Police Administration.

    c. Monitor all MPD activities citywide.

        i. Check in with each precinct, 710, other MPD areas and MECC.

    d. Maintain contact with MECC.

    e. Respond to all officer-involved shootings, other shootings, and all other significant situations.

    f. Respond to the hospital or medical facility when an officer is injured, and notify the Assistant Chief by phone.

    g. Monitor major events.

    h. Respond as requested by MECC, SWAT or precinct/unit/division supervisors. (12/28/06)

        i. Provide assistance to the SWAT Commander in SWAT operations or other situations as requested.

            aa. Upon arrival, and after a brief assessment of the scene, coordinating with SWAT, the Watch Commander may be requested to notify an MECC supervisor, provide details and request that they make notifications. (12/28/06)

    i. Provide field representation for Police Administration by responding to all major police operations or events, especially those involving more than one precinct or division.

i. When notified, the Watch Commander shall normally detail a supervisor to command and direct activities of police personnel at the scene.

ii. If the need arises for the Watch Commander to relieve the incident commander, his/her decision will be justified and documented in writing to the Police Administration.

iii. The Watch Commander then shall detail a supervisor to act as citywide Watch Commander until the situation is resolved and the Watch Commander can assume his/her normal duties. (12/28/06)

j. Coordinate requests for assistance from other agencies, other departments, etc.

k. For major issues, decide if a VIP page should be issued.

i. Such issues may include, but are not limited to, officer-involved shootings, homicides, children shot, and incidents involving diplomats, celebrities, politicians, law enforcement personnel or other notable persons.

ii. Contact the Assistant Chief with any other significant issues.

l. Address issues of alleged and discovered acts of misconduct and violations of MPD rules and procedures.

i. Take immediate action following all normal procedures;

ii. Contact on-duty investigators or Internal Affairs Unit, precinct/unit/division commander for advice or as needed.

iii. Notify the appropriate precinct/unit/division commander.

m. Manage MPD staff city-wide, including but not limited to:

i. Make staffing adjustments between precincts.

ii. Activating Response cars (one or two per precinct per shift noted on line-ups), which may be used as first responders to assist with major events, other precinct call loads, etc.

iii. May approve immediate overtime for sworn or civilian employee if a situation arises. Send information to the employee's commander via email or memo, stating reason and estimated hours. (12/28/06)

iv. Provide other consultations as requested.

n. Procedure adjustments, i.e., limit 911 responses to Priority 1 calls in inclement weather. (12/28/06)

o. Accomplish other tasks and assignments as directed by the Chief, Assistant Chief or Deputy Chiefs. (12/28/06)

p. Complete a Watch Commander Daily Activity Report (MP-6936) for each shift and provide an accurate account of activities.

i. Report on Bar Close (especially Downtown, Uptown and U of M areas).

ii. CCNs for events shall be included on the Daily Activity Reports.

iii. The Daily Activity Report shall be in Microsoft Word format and forwarded to the email group "WCLog" at the end of each shift.

iv. If the email system is malfunctioning, a hard copy shall be delivered to Police Administration in Room 130 of City Hall. (12/28/06)

***Note:** Watch Commander logs, email, MDT/MDC messages and most radio communications are public data.

C. Public Information Officer (PIO) related Watch Commander duties

1. The Watch Commander shall defer media requests to the PIO for situations including, but not limited to:

- Officer-involved shootings
- Incidents where officers were shot
- Fatal pursuits
- Incidents with a child victim
- Homicides with multiple victims
- Homicides with high-profile victims

2. The Watch Commander may handle on-scene media requests for information or interviews at their discretion for situations including, but not limited to:

- Fatal vehicle accidents
- Homicides with a single victim
- Missing children
- Shootings
- Armed robberies

3. Press releases shall be handled by the PIO.

4. All other requests from the media, including calls or requests for follow-up, may be deferred to the PIO.

D. Procedures for Operation 100, Major Events and Non-Operation 100 Emergencies (03/07/03)

1. The Watch Commander shall designate a supervisor to be the Incident Commander (if one has not been established) during an emergency, disaster or other large-scale incident, including Operation 100's, Phase Alerts, etc.

2. The Watch Commander shall assist the Incident Commander with directing the operations, including establishing a command post, deciding on a course of action, directing personnel and equipment, and coordinating resources with other agencies, i.e., Fire Department, etc. (12/28/06)

3. The Watch Commander shall remain in contact with the command post. The Watch Commander shall ensure that the Chief, Assistant Chief, Deputy Chiefs and Inspector of the affected precinct are notified as outlined in the MPD's callback procedures.

7-202 Incidents Requiring the Notification of a Watch Commander

(03/07/03) (04/25/05) (11/02/16)

A. Upon completion of their duty shift, all Watch Commanders shall make a comprehensive report for any critical incident or major event and forward the report to the Chief of Police, Assistant Chief and Deputy Chiefs. Unusual or other unique situations should be noted on the log. (12/28/06)

B. Supervisors/officers shall notify the Watch Commander of incidents that may be of unusual concern to the department or require large-scale police action.

1. When warranted, the Watch Commander shall notify and instruct the Minneapolis Emergency Communications Center (MECC) to make the necessary notifications.

C. Such incidents include but are not limited to:

1. Arrests of MPD employees.

   a. Notify employee's commander, assist with any action needed (secure work area, keys, etc.). Note name of commander/supervisor contacted on log.

   b. Briefly note incident on log. Do not list employee's name on the log.

   c. Send a memo or separate email to employee's Bureau Head.

2. Death or injuries to MPD employees or citizens seriously injured during a police action.

3. A seriously ill MPD employee.

4. Incidents involving diplomats, celebrities, legislators, law enforcement personnel or other notable persons.

5. Hazardous material emergencies.

a. Provide assistance to Fire Department (usually the lead agency) or other HAZMAT agencies.

6. Disasters:

- Weather
- Major fires
- Major traffic accident
- Aircraft crashes, etc.

7. Disturbances:

- Mass arrests
- Demonstrations
- Riots
- Strikes, etc.

8. Explosives and incendiary, nuclear, biological and/or chemical incidents.

9. Tactical situations including multiple high-risk warrants.

10. Requests from other agencies for assistance outside the city.

11. Emergency escorts outside the city. **Note: MPD does not transport for other agencies unless MPD has specifically requested pick up. This includes juveniles, requests to meet at the border, etc. See Section 6-100 on Specific Call Procedures.

12. Missing/found children of a young age:

a. See Amber Alert Administrative Announcement—state or nationwide broadcast information of missing children. (710 will coordinate issuance of Amber Alerts.) (12/28/06)

13. When State Patrol helicopter assistance has been requested.

- Note: Any supervisor can contact the State Patrol for helicopter assistance.

14. Homicides, suicides, all DOA's, aggravated assaults with great bodily harm, life-threatening serious felonies, business robberies.

15. Vehicle pursuits.

a. Note name of sergeant responsible, for memo to Assistant Chief or Deputy Chief.

b. Respond to scene of pursuit conclusion as requested (except in the event a pursuit is terminated by officers/ supervisor).

16. Cases with complex information.

17. Personnel (shift) holdovers, unit closures, etc.

18. Pre-planned major events taking place during a Watch Commander's shift such as presidential visits, large concerts, etc.

19. Notification from Secret Service, FBI or similar agencies.

    a. Ensure communiqués are forwarded to Police Administration via email or hand delivered.

    b. If the situation requires an immediate response, contact the Chief/Assistant Chief or Deputy Chief(s) and take action as required. (12/28/06)

20. Information or incidents regarding Homeland Security.

    a. Ensure information is forwarded immediately to the Strategic Operations & Intelligence Division, Emergency Preparedness Unit and Police Administration.

    b. Complete a CAPRS report entitled "HOMLND."

    c. If the situation requires immediate administrative response or advice, contact the Strategic Operations & Intelligence Division commander.

    d. If the situation requires immediate field or tactical response, contact 1) Strategic Operations & Intelligence Division commander, 2) the Chief /Assistant Chief and Deputy Chiefs. (12/28/06)

21. Inability to contact officer after "emergency radio trip."

    a. Coordinate attempts to contact with MECC (see MECC procedures).

22. Officer discharge of firearm (see MPD P/P Section 5-300).

23. Officer-involved shooting (see MPD P/P Section 5-300).

24. 36/48 Hour Holds.

    a. In unique circumstances, the Hennepin County Adult Detention Center (HCADC) may contact the Watch Commander for direction.

    b. Watch Commanders shall coordinate needed actions with the unit supervisor or investigator.

25. Assist with Judicial Review if requested (Normally Car 710 will handle Judicial Review).

26. Any incident an employee feels should be brought to the attention of the Watch Commander and/or MPD Administration.

7-301 Accidents – Non-Vehicular (NVA)

(A)

In non-vehicular accidents where serious injury or death has occurred, the responding squad shall request that the MECC notify the Homicide Unit. The responding squad shall complete an Offense/Incident report with the title (NVA) for all non-vehicular accidents.

7-302 Animal Calls

(12/30/10)

A. Minneapolis Animal Care and Control (MACC) Assistance
(10/13/92) (08/22/95) (11/06/07) (12/30/10)

1. Minneapolis Animal Care and Control has the primary responsibility for enforcing City ordinances relating to animals. Animal Control Officers (ACO's) are on duty: (11/06/07)

   - Monday through Friday – 0730 hours to 2200 hours
   - Saturday and Sunday – 0730 hours to 1700 hours

2. Animal Control Officers are on-call seven days a week during non-business hours, and will only respond in the following situations:

   a. When Animal Control assistance is required during a police action; (10/13/92) (08/22/95) (12/30/10)

   b. A person is taken into custody and an animal will otherwise be left with no caretaker or in a manner that endangers the animal's health or safety; (10/13/92) (08/22/95) (12/30/10)

   c. An animal was incidentally killed or injured as the result of a police action and no owner is present or the owner is unable or refuses to provide veterinary treatment; (10/13/92) (08/22/95) (12/30/10)

   d. An animal was intentionally killed by police because it was a danger to the public. (10/13/92) (08/22/95) (12/30/10)

   e. When an animal, dead or alive, needs to be impounded as evidence in animal neglect or cruelty cases. (12/3010)

f. An animal is found which requires emergency veterinary treatment and no owner is present, or the owner is unable or refuses to provide treatment. (08/22/95) (12/30/10)

g. When a person has been bitten and the animal is at large, or the animal and owner are present but there is reason to believe the owner will flee with the animal. (10/13/92) (08/22/95) (12/30/10)

h. When the officers on a scene request assistance regarding an animal that is creating an immediate safety hazard to the public. In such cases, the on-call ACO may first call the reporting party or the officer to evaluate the public safety risk based upon the reported animal behavior. (08/22/95) (11/06/07) (12/30/10)

i. In the event a situation does not fit the above criteria, and officers believe a response from Animal Control is necessary, officers may request the on-duty or on-call ACO via Channel 7. The ACO will assess the circumstances and determine the appropriate course of action. (11/06/07) (12/30/10)

3. ACO's will not enter any scene until it has been secured by officers. MECC personnel will communicate to the ACO when the scene is safe. Officers will remain on the scene until the ACO has completed his/her duties. (12/30/10)

B. Animal Bites
(10/13/92) (08/22/95) (08/03/98) (11/06/07) (12/30/10)

1. A squad will be dispatched to an animal bite if;

   a. the attack is in progress;

   b. the attack was directed by a person;

   c. the injuries require medical attention;

   d. the animal is normally wild (i.e. bear, raccoon); or

   e. An ACO requests assistance.

2. Officers responding to the scene of an animal bite shall:

   a. Attempt to identify the animal (including obtaining a basic description) and locate or determine its direction of travel from the scene.

   b. Attempt to determine ownership if the animal is a pet.

   c. Inform the owner that the biting animal must be quarantined per Minneapolis City Ordinance 66.40 and that an animal control officer will contact them to make arrangements for the ten-day quarantine.

d. Advise the bite victim to seek medical treatment for any injuries received from the bite and to contact Animal Care and Control the following day via 311.

3. If the biting animal dies or is killed, officers shall request that MECC Channel 7 contact Animal Control to respond.

4. Responding officer(s) shall complete a CAPRS report titled ABITE.

C. Animal Fighting
(08/22/95) (08/03/98) (11/06/07) (12/30/10)

1. Animal fighting constitutes a felony and includes the activity of dog fighting, cock fighting, or violent pitting of one domestic animal against another. (12/30/10)

2. Animal Control shall be called out to the scene for the purpose of impounding animals and assisting in determining items of evidentiary value. (11/06/07) (12/30/10)

3. Officers shall photograph the scene or contact the Crime Lab for assistance, when needed. (12/30/10)

4. Officers shall property inventory all items determined to be of evidentiary value. (12/30/10)

5. ACO's will not enter the scene until it has been secured by officers. MECC personnel will assist in communication with Animal Control when the scene is properly secured. Officers will remain on the scene until the ACO has completed his/her duties. (08/03/98) (11/06/07) (12/30/10)

D. Domestic Violence Intervention Initiative – Kenneling Animals
(12/30/10)

The Domestic Violence Intervention Initiative is a partnership between the Minneapolis Police Department and Minneapolis Animal Care and Control. The purpose of this program is to provide free pet kenneling to individuals who want to leave a violent domestic relationship but are reluctant due to concerns for their pet's safety.

1. During MACC regular hours:

   a. Officers will request an Animal Control Officer (ACO) to come to the scene via MECC Channel 7.

   b. The ACO will have the victim fill out and sign the necessary forms.

2. When no ACO is on-duty officers have two options to complete the kenneling process:

   a. Officers may request an ACO to assist by contacting MECC Channel 7, or

b. Officers may elect to handle the kenneling process themselves. Officers choosing to complete the kenneling process shall have the victim complete the following forms, available on MPDnet under Forms/Domestic Violence Intervention Initiative – Forms for Kenneling (Form MP-9064):

- Domestic Violence Animal Release Form
- Domestic Violence Visitation Form, and
- Domestic Violence MN AFAS Waiver Form (optional).

c. Bring the animal to the MPD animal drop at MACC. Animals may be brought to MACC 24 hours a day.

d. Complete an MACC Impound Form (located in the box on the wall by the kennel). The CCN must be written on the form. Place all completed forms in the box on the wall.

e. Request to have Channel 7 notify the on-call ACO that an animal has been impounded under the Domestic Violence Initiative.

E. MPD Animal Transport Option
(11/12/06) 11/06/07) (12/30/10)

1. Officers have the option of transporting a mild mannered animal to the Minneapolis Animal Care and Control (MACC) facility (212 17th Ave No) rather than waiting for an ACO to respond to the scene.

2. When transporting an animal to the Minneapolis Animal Care and Control facility:

a. The animal shall be transported in the backseat of a squad car;

b. The animal shall be secured in a cage provided at the MACC facility, (located on the west side of the building inside the entrance marked for MPD);

c. No items (including leashes) shall be placed in the cage with the animal;

d. Follow the posted instructions at the Animal Control facility and complete the necessary form provided.

e. Officers shall not leave an animal at the MACC facility without the proper form(s) completed.

F. Dead Animal Pickup
(10/13/92) (11/06/07) (12/30/10)

1. Animal Control may transport dead animals during regular operating hours.

2. When no ACO is on-duty, officers should make sure the dead animal is not obstructing traffic and notify Animal Control of the location for pickup by leaving a message at 311.

   a. If the dead animal bit a person before it died or was killed, officers shall contact MECC Channel 7 to request that an ACO respond to the scene.

   b. If criminal activity is suspected (e.g. animal cruelty, dog fighting) officers shall contact MECC Channel 7 to request that an ACO respond to the scene.

G. Barking Dogs
(11/06/07) (12/30/10)

All barking dog complaints shall be referred to 311. (11/06/07)

7-303 Arson
(08/03/98)

The Minneapolis Fire Department's Fire Investigation Team, Car 1050, shall respond to all fires within the city of Minneapolis, to determine the cause and origin of the fire. Car 1050 shall complete a CAPRS report on the suspicious fire. (11/06/07)

Car 1050 shall collect and inventory all evidence found at the scene of a suspicious fire. If serious damage or personal injury has occurred, the Crime Lab may be called to the scene to collect and process evidence. Once the evidence is processed, the Fire Department Fire Investigation Team shall property inventory the evidence at the approved flammable liquid storage area. (11/06/07)

When sworn employees are called to or come across the scene of a fire that has been extinguished prior to the arrival of the Fire Department, and is suspicious in nature or may have been fueled by an incendiary device (for example, a Molotov Cocktail), Car 1050 shall be requested to the scene to make the CAPRS report. Sworn employees shall assist Car 1050 by locating and interviewing witnesses and completing a CAPRS supplement. (11/06/07)

In incidents where a vehicle is burned, Car 1050 shall have the vehicle towed and is responsible for completing the Vehicle Impound Report. (09/08/00) (11/06/07)

All arson cases shall be referred for further investigation to the Minneapolis Police Bomb/Arson Unit. (11/06/07)

7-304 Bias Crimes
(02/10/03) (9/26/07) (08/12/21)

I. Purpose

Proper investigation of bias crime incidents is the responsibility of all Minneapolis Police Officers. The actions taken by the MPD after a bias crime has occurred are visible signs of our concern and our commitment to the community.

II. Policy

A. Report required for bias crimes

1. In accordance with MN Statute section 626.5531, officers shall complete a Police Report for violations of the MN Criminal Code (Chapter 609) or related Minneapolis Ordinances, if the officer has reason to believe, or if the victim alleges, that the offender was motivated to commit the act by the victim's race, religion, national origin, sex (including gender identity), age, disability, or characteristics identified as sexual orientation.

2. Sworn employees shall be aware of the following criteria which may also be used to determine whether a criminal act falls within the mandatory bias (prejudice) crime reporting requirements:

    - The motivation of the perpetrator, as expressed in statements made to the victim, (e.g., slurs, epithets).
    - The victim's stated viewpoint that the actor's comment or conduct was motivated by bias.
    - The nature of the symbols used to deface public or private property indicate bias or prejudice.
    - The date and time of the occurrence corresponds to a holiday or date of significance.
    - Observations made by the sworn employee and a commonsense review of the circumstances of the incident that indicate bias or prejudice. Such observations may include the group or groups involved, the manner and means of the crime committed, and recurring patterns of similar incidents in the same area or against the same victim.

B. Monthly agency report required on bias crimes

In accordance with MN Statute section 626.5531 subd. 2, MPD must file a monthly report describing crimes reported under this section with the Department of Public Safety, Bureau of Criminal Apprehension. The report shall be coordinated through the Commander who oversees the Business Technology Unit.

C. Public Accommodation denial

In accordance with MN Statute sections 363A.11 and 363A.30, it is a misdemeanor to deny any person the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of a place of public accommodation because of race, color, creed, religion, disability, national origin, marital status, sexual orientation, or sex, or for a

taxicab company to discriminate in the access to, full utilization of, or benefit from service because of a person's disability; or for a place of public accommodation not to make reasonable accommodation to the known physical, sensory, or mental disability of a disabled person based on factors in MN Statute section 363A.11. In determining whether an accommodation is reasonable, the factors to be considered may include:

- the frequency and predictability with which members of the public will be served by the accommodation at that location;
- the size of the business or organization at that location with respect to physical size, annual gross revenues, and the number of employees;
- the extent to which disabled persons will be further served from the accommodation;
- the type of operation;
- the nature and amount of both direct costs and legitimate indirect costs of making the accommodation and the reasonableness for that location to finance the accommodation; and
- the extent to which any persons may be adversely affected by the accommodation.

III. Procedures

A. On-scene officer in bias crime incidents

When an on-scene officer makes a determination that an incident is a criminal act in accordance with the section of this policy regarding bias crimes [II-A], the officer shall:

1. Provide necessary assistance to the victims.

2. Conduct a preliminary investigation.

3. Take enforcement action (including arresting suspects) as appropriate in accordance with existing laws and policy.

4. Protect and preserve the crime scene and evidence.

5. Notify a supervisor of the incident so the supervisor can respond to the scene.

6. Ensure the victims receive a Victim Assistance Card (Blue Card), in accordance with P&P 4-608.

7. Complete a detailed Police Report, and ensure that:

    - The BIAS indicator on the Offenses section of the front page is set to the correct bias category, and
    - The BIAS INFO section of the front page is completed.

B. Supervisor response in bias crime incidents

Upon notification of a bias crime incident, the supervisor shall:

1. Respond to the scene.

2. Determine the seriousness of the incident and make appropriate notifications (including possible notification of the Watch Commander in accordance with P&P 7-300).

3. When the nature of the incident may warrant it, request a Crime Lab response to photograph the scene and victims and recover any possible evidence.

4. Ensure that officers complete a canvas for witnesses and potential video evidence of the incident.

5. Complete a supplement in the Police Report.

C. On-scene officer in public accommodation denial incidents

Officers who receive information that an individual is denied public accommodation based on factors in MN Statute section 363A.11 shall:

1. Investigate the potential discrimination as a possible misdemeanor.

2. Notify a supervisor.

3. Ensure the victim receives a Victim Assistance Card (Blue Card), in accordance with P&P 4-608.

4. Complete a detailed Police Report with the offense code "DISCRP" documenting their investigation. The Police Report shall identify witnesses to the alleged discriminatory conduct.

D. Supervisor response in public accommodation denial incidents

Upon notification of a public accommodation denial incident, the supervisor shall:

1. Respond to the scene.

2. Determine the seriousness of the incident and make appropriate notifications (including possible notification of the Watch Commander in accordance with P&P 7-300).

3. Ensure that officers complete a canvas for witnesses and potential video evidence of the incident.

4. Complete a supplement in the Police Report.

7-305 Bicycles – Stolen and Recovered

(09/06/07)

A police report shall be completed for all bicycle thefts:

- 311 personnel or desk personnel at the precincts will complete the report unless unusual circumstances require an on-site investigation.
- By the responding sworn employee when a bicycle is taken in a burglary or robbery. It will be included in the loss.

Persons reporting bicycle thefts occurring on Metro Transit property (light rail stations) shall be referred to Metro Transit Police to have a report completed.

Police reports relating to stolen bicycles must include a detailed description reported in the following sequence:

- License or serial number;
- Operation Identification information;
- Brand, make and style; and
- Color and other identifying data

Bicycles recovered by officers shall be property inventoried in the precinct stations by completing a Property and Evidence (P&E) Unit Pick-up Request Form (Form MP-9005, available on the MPD Intranet) and faxing it to the P&E Warehouse.

7-306 Boundary Disputes

(A)

Officers shall not make arrests for trespassing in boundary disputes. Parties should be advised that the dispute must be settled through civil litigation, and that any criminal violations will warrant police action.

7-307 Burglary

Officers responding to a burglary shall complete the preliminary investigation and CAPRS report. If information for the Modus Operandi (MO) space cannot be obtained, the word "none" should be written in that space. The report shall be appropriately titled either BURGB or BURGD. (09/07/07)

If officers find that there is a good probability of recoverable evidence, they shall notify their supervisor who shall make the determination if the Crime Lab should be notified. If evidence cannot be moved or secured, the Crime Lab should be notified. If Car 21 is not available, officers trained in latent processing can process the scene at the discretion of their supervisor. (09/07/07)

7-308 Burglary of Banks, Federal and Railroad Property

(A)

Officers investigating crimes to banks, federal or railroad properties during hours when that facility is closed shall, in addition to completing the Offense report, notify the appropriate Property Crimes Unit. (07/02/90)

7-309 Burglary – Property Loss Form Packets

When victims are unsure of a total loss at the time that they report a burglary, the responding officer(s) shall provide a Property Loss Form Packet along with the case control number. The packet allows the victim to add additional property losses to the original police report at a later time. The victim(s) shall be directed to return the Property Loss Form to their Precinct Investigations Unit or to the Property and Evidence Unit. (09/07/07)

7-310 Checks

(08/14/07)

When blank checks are reported lost or stolen, the offense/incident code used should be appropriate to the circumstances (LOSTPR, THEFT, TFMV, BURGD, ROBPER, etc). If the victim is aware that the lost/stolen checks have been used in a transaction, that information should be included in the narrative.

The victim of check forgery (FORGCK) is the person or business that accepted the check in exchange for goods or services, **not** the owner of the checking account.

If a merchant receives a check that is returned by their bank marked NSF (Non-Sufficient Funds), Account Closed or Return to Maker, the merchant, before making a police report (BADCHK), must first send the check issuer a Notice of Demand and Payment (available from most banks or the Forgery/Fraud Unit). The complainant should be referred to the Fraud Information Center on the City of Minneapolis Police Department website.

7-311 Check the Welfare/Medical Emergencies

(A)

Officers are authorized to make forcible entries into dwellings on "Check the Welfare," medical "panic alarm," or other medical emergency situations when they follow the procedures below: (12/06/92)

1. The officers can determine from their own observations that someone inside needs help or call is received, and, if possible, the caller is identified;

2. Facts are evident or presented by the caller that make it reasonable to believe that the subject is inside the dwelling and needs assistance;

3. Officers are unable to elicit a response from inside the dwelling after knocking, phoning or calling out;

4. A supervisor is notified prior to entry, except in circumstances demanding immediate attention. In such circumstances a supervisor will be notified as soon as possible after entry. (07/02/90) (12/06/92)

Entry will be made with as little force and damage as possible, and the building will be secured in accordance with Section Securing Open Buildings. The entry will be documented on an Offense/Incident report, and entitled "Forcible Entry," with "BOARD" listed as a second or third incident code if BOARD UP PLUS was called to secure the building. (12/06/92)

7-312 Clearing Condemned Buildings

(A)

Officers shall assist with removing the occupants of buildings posted with a placard of condemnation when called by the Commissioner of Health, Director of Inspections, Chief of the Fire Department or any of their representatives. It is unlawful under Minneapolis Code 244.1450 to occupy any building posted with a placard of condemnation.

7-313 Deaths and Serious Injury – Department Employees

(01/28/94) (06/19/97) (07/21/16)

(A)

All on-duty employee deaths and serious injuries will be reported by telephone to ECB and to the Watch Commander. The Watch Commander shall notify the Chief of Police or his/her designee.

Although it is the legal responsibility of the Hennepin County Medical Examiner's office to provide proper notification to relatives of the deceased, the Chief shall inform the Medical Examiner of the special circumstances involved.

The family of the deceased shall be referred the Personnel Section or to the Employee Assistance Program Coordinator for sources of emotional support and benefits assistance.

7-314 Domestic Abuse

(04/17/91) (12/19/91) (10/21/93) (07/01/95) (05/18/99) (10/01/01) (12/10/04) (03/14/12) (11/03/14) (01/12/15) (06/06/16) (03/18/22)

(A-D)

I. Purpose

The purpose of this policy is to establish departmental protocol and procedures for responding to and processing information regarding domestic violence in accordance with Minnesota State Statutes.

II. Definitions

Bodily Harm: Physical pain or injury, illness, or any impairment of physical condition.

Dangerous Weapon: Any gun, whether loaded or unloaded, or any device designed as a weapon and capable of producing death or great bodily harm, any combustible or flammable liquid or other device or instrumentality that, in the manner it is used or intended to be used, is calculated or likely to produce death or great bodily harm, or any fire that is used to produce death or great bodily harm.

Domestic Abuse: Physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, terroristic threats, criminal sexual conduct, or interference with an emergency call, when committed between family or household members.

Domestic Abuse No Contact Order: An order issued by a judge in a pending criminal case or during the probationary period following a conviction, prohibiting a defendant from having contact with a victim or their address. The Offense code to use for a violation of a Domestic Abuse No Contact Order is VDNCO.

Domestic Assault in the 1st Degree: Assaulting another and inflicting great bodily harm. The Offense code to use is DASLT1.

Domestic Assault in the 2nd Degree: Assaulting another with a dangerous weapon. The Offense code to use is DASLT2.

Domestic Assault in the 3rd Degree: Assaulting another and inflicting substantial bodily harm. The Offense code to use is DASLT3.

Domestic Assault in the 5th Degree: Assaulting a family or household member by (1) committing an act with intent to cause fear in another of immediate bodily harm or death; or (2) intentionally inflicts or attempts to inflict bodily harm upon another. The Offense code to use is DASLT5.

Domestic Assault by Strangulation: Intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of a family or household member. The Offense code to use is DASTR.

Family and Household Members: Spouses, former spouses, parents and children, persons related by blood (1st cousins or closer), and persons who are presently residing together or who have resided together in the past, and persons who have a child or are currently expecting a child in common regardless of whether they have been married or have lived together at any time, a man and a women if the women is pregnant and the man is alleged to be the father regardless of whether they have been married or have lived together at any time, and a person involved in a significant romantic or sexual relationship.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious permanent disfigurement, or which causes a permanent or protracted loss or impairment of function of any bodily member or organ or other serious bodily harm.

Harassment/Restraining Order: Violating any term of a Harassment/Restraining Order issued by a judge or referee. The Offense code to use for a violation of a Restraining Order is RORDER.

Interference with Emergency Call: Intentionally interrupts, disrupts, impedes, or interferes with an emergency call or who intentionally prevents or hinders another from placing an emergency call. The CAPRS code to use for Interference with Emergency Call is 911INT.

PC Felony Enhanced List: The Minneapolis City Attorney's Office maintains a list of all defendants whom they know to be chargeable with a felony for assault, domestic assault or violation of an Order for Protection, violation of a Harassment/Restraining Order or violation of a Domestic Abuse No Contact Order. The list is on MPD's internal CityTalk page and in a physical book at the jail. The Offense code to use for an enhanced domestic assault is DOMEN, for an enhanced 5th Degree assault is ASLTEN, and for an enhanced violation of an Order for Protection, Restraining Order or Domestic Abuse No Contact Order is OFPEN.

Primary Aggressor: The following criteria shall be considered as a guideline when attempting to determine the primary aggressor:

- Whether one person in the dispute was acting in self-defense;
- Whether a violation of an Order for Protection or a Violation of a Domestic Abuse No Contact Order has occurred;
- The extent of injuries, if any, to any person involved;
- Who initiated the first act of physical violence;
- The existence of a fear of physical injury, because threats were made;
- The history of physical violence perpetuated by one party against the other; and
- The physical stature or physical ability of the persons involved.

Risk Assessment: A series of questions officers ask a victim, pertaining to domestic violence history and the potential threat of future violence.

Significant Relationship: MN Statute section 518B.01 Subd. 2 states the following when deciding if a "significant" relationship exists, "In determining whether persons are or have been involved in a significant romantic or sexual relationship the court shall consider the length of time of the relationship; type of relationship; frequency of interaction between the parties; and, if the relationship has terminated, length of time since the termination.

Substantial Bodily Harm: Bodily injury which involves a temporary but substantial disfigurement, or which causes a temporary but substantial loss or impairment of the function of any bodily member or organ, or which causes a fracture of any bodily member.

Violation of an Order for Protection: Violating any term of an Order for Protection issued by a judge or referee. The Offense code for violation of an Order for Protection is POVIOL.

III. Policy

It is the policy of the Minneapolis Police Department to:

A. Thoroughly investigate all allegations of domestic violence, make appropriate referrals, and take action according to the totality of the information known.

B. Aggressively utilize the arrest powers granted by the State Legislature. Criminal laws will be enforced without regard to the relationship of the parties involved.

C. Discourage dual arrests in Domestic Abuse situations, in accordance with MN Statute section 629.342.

IV. Procedures/Regulations

A. Domestic Abuse- Preliminary Investigation

1. In the event a domestic 911 call is cancelled officers shall respond to the location and check welfare.

2. Officers shall attempt to determine the Primary Aggressor in a domestic assault.

3. Arrests for domestic abuse, based on probable cause, are expected if any of the following circumstances exist:

    - Signs of injury or impairment;
    - Dangerous weapon involved;
    - Alleged assault- no signs of injury;
    - Victim alleges actions by the suspect that were intended to put the victim in fear of immediate bodily harm;
    - Terroristic threats (refer to MN Statute section 609.713 Subd.1);
    - Criminal sexual conduct (refer to MN Statute sections 609.342, 609.343, 609.344, 609.345).

4. A police officer may arrest a person without a warrant, even in the person's own residence, if the officer has probable cause to believe that in the preceding 72 hours a domestic assault occurred.

    a. The 72 hour time period begins at 0001 hours the day after the incident occurred.

    b. Officers must have an independent reason to enter the suspect's residence, such as exigent circumstances or consent. MN Statute section 629.341 does not provide independent authorization to *enter* a suspect's residence.

    c. An officer may make an arrest for a misdemeanor domestic assault even if the assault did not occur in their presence.

5. An officer may not issue a citation in lieu of arrest and detention for a defendant charged with harassment, domestic abuse, violation of an Order for Protection, or violation of a Domestic Abuse No Contact Order. See MN Statute section 629.72, Subd. 1(a).

6. Officers shall follow the MPD's Domestic Abuse Incident Response Protocol (see below) when responding to all domestic abuse related calls.

7. Officers shall check the PC Felony Enhanced List on all domestic calls including cases where the suspect is gone on arrival (GOA). Failure to do so will result in a notification to the officer's commander.

B. Domestic Abuse- MPD's Domestic Abuse Incident Response Protocol

1. The Minneapolis Police Department has adopted the following protocol for patrol officers responding to adult arrest and suspect cases for the following offenses:

    - Felony 1st degree assault, if the parties are family or household members;
    - Felony 2nd degree assault, if the parties are family or household members;
    - Felony 3rd degree assault, if the parties are family or household members;
    - Felony domestic assault by strangulation;
    - Felony terroristic threats, if the parties are family or household members;
    - Misdemeanor, gross misdemeanor or felony domestic assault;
    - Misdemeanor, gross misdemeanor or felony violation of an Order for Protection;
    - Misdemeanor, gross misdemeanor or felony violation of a Domestic Abuse No Contact Order;
    - Misdemeanor, gross misdemeanor or felony violation of a Harassment/Restraining Order, if the parties listed in the order are family or household members;
    - Gross misdemeanor or felony stalking, if the parties are family or household members; and
    - Gross misdemeanor interference with an emergency call.

2. As part of this protocol, patrol officers shall complete the following preliminary investigative tasks when responding to any calls as described above:

    a. Check for existence of Order for Protection, Harassment/Restraining Order or Domestic Abuse No Contact Order on every domestic related 911 call.

    b. Ask victim if suspect or arrestee has access to any guns or ammunition or if there are any in the home.

        i. If victim indicates yes, ask if victim has any safety concerns. Document responses in the Police Report.

        ii. If the victim has safety concerns, officers may property inventory the guns and ammunition for safe keeping.

    c. Obtain a signed medical release with shaded areas completed from victim if victim is seeking medical treatment. Scan the release and attach it to the Police Report. Send the hard copy to the City Attorney's Office.

    d. Ask victim to complete domestic violence victim's supplement. Property inventory supplement on completion. Scan the release and attach it to the Police Report. Send the hard copy to the City Attorney's Office.

    e. Take photographs. Examples of things to photograph include, but are not limited to: the arrestee; victim; injuries; scene, including any damaged property; and the arrestee

in an Order for Protection or Domestic Abuse No Contact Order case at a prohibited address.

f. Collect any physical evidence and property inventory it.

g. Obtain contact information from witnesses to the incident including name, address, and phone number.

h. Question witnesses regarding the incident.

i. If suspect is gone on arrival, remind victim to call police if suspect returns within 72 hours of the incident.

j. If the case is misdemeanor or gross misdemeanor level, check the PC Enhanced Felony. Follow the instructions pertaining to the arrested party or suspect if they are on the list and add the additional charge listed.

k. If the case is misdemeanor or gross misdemeanor level, obtain a squad video Mirandized Scales statement from suspect or arrestee. Document results of the interview in the Police Report. (Miranda statements **Do Not** need to be taken on felony level cases).

3. Language access

Officers shall provide language assistance when needed, in accordance with the Limited English Proficiency (LEP) policy (P&P 7-1001) and the Communicating with Deaf or Hard of Hearing Individuals policy (P&P 7-1002).

C. Victim Advocacy Services

1. Officers on scene shall inform the victim of domestic violence resources on the Victim Assistance Card (Blue Card), in accordance with P&P 4-608.

2. While on scene, officers shall offer the advocacy services of Cornerstone to victims of intimate partner violence and domestic abuse against other family or household members.

a. Officers shall inform the victim that they will likely be contacted by victim witness staff the following week during business hours, to discuss the case and provide resource referrals.

i. If a victim indicates they would like to speak with an advocate right away, officers shall call the Cornerstone hotline (612-255-9740) from the victim's phone, identify they are calling from MPD, and hand the phone back to the victim. Officers do not need to remain on scene while victim speaks with the advocate.

ii. If a victim has serious safety concerns and does not have a cell or house phone to call Cornerstone, officers shall use their city-issued phone to call the hotline (612-255-9740) so that the victim may speak to an advocate.

aa. The officer should identify themselves to Cornerstone and indicate the victim is speaking on the officer's phone.

ab. Cornerstone has been instructed to limit phone calls when an officer's phone is used and only provide the most urgent of resources.

b. If a victim declines to speak with a Cornerstone advocate, officers shall highlight the Cornerstone number on the Blue Card in case victim decides services are needed later.

c. Officer shall document in the Police Report whether a phone call was placed on scene or if victim declined services.

D. Arrests for Violation of Domestic Abuse No Contact Order

1. Officers shall verify the existence of the Domestic Abuse No Contact Order.

2. If the suspect or the victim does not have a valid copy of the Domestic Abuse No Contact Order, the existence of the court order may be verified by contacting the Hennepin County Jail Records Unit 612-596-8080.

3. If no telephone is available to the officer, the officer may ask the MECC (Channel 7) for assistance.

4. Domestic Abuse No Contact Orders are stored in the same database as Orders for Protection, and can be verified by following the procedures described in the Order for Protection section in this policy [F].

5. If an officer determines an individual is in violation of a Domestic Abuse No Contact Order, an arrest shall be made.

6. Officers shall complete a Police Report and supplement entitled "Violation of a Domestic Abuse No Contact Order" (VDNCO). Include the Hennepin County Jail SILs number (HCJ's computer ID# of the arrestee) and the original charge which the arrestee had been previously booked on and released.

E. Domestic Abuse and Domestic Violence- Reporting Requirements

1. In all cases of domestic violence or alleged acts of domestic abuse, a Police Report and supplement shall be completed immediately.

2. If no arrest is made, the supplement shall clearly show sufficient reasons for not making the arrest.

F. Order for Protection- Short Form Notification

1. Order for Protection service

   An Order for Protection (OFP) that has not been served cannot be enforced.

   a. MN Statute section 518B.01 Subd. 8a allows any law enforcement officer in Minnesota to effect instant service of process through the Order for Protection Short Form Notification.

   b. Regardless of the OFP status, the officer may arrest an individual for other offenses if probable cause exists.

   c. The Minnesota Department of Public Safety maintains a CJIS "Hot File" database in conjunction with the FBI "Hot File" database to access Orders for Protection information.

      i. These files are queried every time an officer queries the wanted person files.

      ii. At the top of these "hits," there is a data field indicating if the Order has been served or not.

2. Hits on unserved OFPs

   If an officer encounters a person and receives a "hit" on an unserved OFP through a CJIS Hot File query, the officer shall use the following procedures to verify the hit and serve the respondent by Short Form Notification:

   a. Verify that information on the "hit" matches the information on the person's driver's license or state-issued ID card, or from appropriate databases (such as DVS).

   b. If the information matches, the officer shall ask the Channel 7 dispatcher to perform a "hit confirmation" with the agency of origin (usually a county sheriff's office). The originator of the message will be identified in the "hit."

   c. After determining that the person the officer has contacted is the same person described in the "hit" the "Order for Protection Short Form Notification" shall be completed by the police officer.

3. Completing the Order for Protection Short Form Notification

   a. The information that the officer needs to provide on the form may be available from the person's driver's license or appropriate database (such as DVS) and the CJIS "hit."

   b. There is a data field on the form for the respondent to sign and date for receipt of the form.

i. The respondent does have the right to refuse to sign the form.

ii. If the respondent refuses to sign the officer shall check the box marked "Respondent refused to sign acknowledgement."

c. The officer must fill in both respondent sections on page one and on the "Certificate of Service."

d. Copies of the form should be ordered from Police Stores by each Precinct or unit. The forms come from the state, in sets of three copies (one for court, one for the respondent and one for the officer). An example copy of the form can be found on the MPD's internal CityTalk page under Forms (but cannot be used for distribution).

4. Submitting the form and providing copies

a. The officer shall give the Respondent Copy of the form to the respondent regardless of whether they signed it or not.

b. The officer shall advise the respondent to go to the originating agency to obtain a full copy of the Order for Protection.

c. The officer shall scan and email the Order for Protection – Short Form to police.ofp.shortform@minneapolismn.gov.

d. The Domestic Assault unit or other designated person shall E-file the OFP-Short Form with Court.

5. Procedures with respondent and petitioner after completing the form

a. The officer shall inform the respondent that the Order for Protection is now enforceable.

b. If the Petitioner is with the Respondent at the time of service, the officer shall ensure the Petitioner goes to a safe place (separate from Respondent).

6. Documenting the OFP service

a. After serving an OFP, officers shall note in the comments of the call that an OFP was served.

b. If a report is made, officers shall include the offense code OFPSF when serving an OFP. If a routing screen is displayed, HDASLT should be selected.

7-315 Divorce Evidence

(A)

It is department policy to not assist persons involved in divorce suits or to obtain information pertaining to adultery situations. Officers shall not demand that a hotel registry be displayed or

assist a party in entering a hotel room for the purposes of obtaining divorce information. Persons with domestic problems should be advised to seek the assistance of a private agency or legal counsel.

7-316 Eviction of Cohabitant

(A)

A home is community property. Neither party can be forced to leave without a court order. A possible solution is for the officer to advise one party to leave the home for the night. If one party is locked out of the house for the night, the complainant will be advised to contact an attorney as the matter is an eviction and therefore a civil matter. Officers will not assist in breaking in the house. (07/02/90) (10/11/92)

7-316.01 Eviction

(10/11/92)

(A)

Under Minn. Stat. §387.03, the Sheriff of the county has the authority and duty to serve eviction notices. Upon request of the Sheriff, MPD officers may assist them in executing an eviction. MPD officers can only assist in the serving of an eviction notice when accompanying an officer from the Sheriff's Department.

7-317 Removing Personal Effects

(A-B)

Officers may enter a home at the invitation of one cohabitant that is moving while that person removes personal effects from the residence. The officers' responsibility is to ensure that neither party violates the law.

If the ownership of property is disputed, the property shall remain at its original location. In such situations, officers will inform the persons to contact their private attorneys, as a violation of community property rights is a civil matter.

7-318 Custody of Children

(01/22/95) (06/20/22)

A. Custody of Children By a Parent

1. Requests to remove child from parent custody

   Only a court of record may take a child from the custody of one or both of the child's parents.

   a. If an officer reasonably concludes that a child is in no danger, as to health and welfare, the complaining party should be advised to initiate a court action.

b. In the event of threats or actual physical violence, officers shall take whatever action is necessary to protect the child. Officers shall inform their supervisor if the actions taken included removing the child.

2. Visitation violations

MN Statute section 609.26 states that a person is in violation of visitation rights of a parent when that person "takes, obtains, retains, or fails to return a minor child from or to the parent in violation of a court order, where the action manifests an intent substantially to deprive that parent of rights to parenting time or custody."

a. Officer on-scene response

i. Officers shall verify the status by checking records such as NCIC, Odyssey and paper records, if possible. If an officer cannot access the court orders, the officer shall contact the Strategic Information Center (SIC) or MECC Channel 7 for assistance in verifying the status.

ii. Officers shall also check for Domestic Abuse No Contact Orders (DANCOs) and Orders for Protection (OFPs) in accordance with P&P 7-314.

iii. If officers have reason to believe that the child may be transported out of the state by the non-custodial parent, immediate enforcement actions will be initiated.

iv. If any transfer of custody is going to happen as a result of the visitation violation situation, including if the transfer is for health and welfare (in accordance with P&P 8-205), the officer shall notify a supervisor to respond to the scene and approve the transfer.

v. If transfer of custody is not authorized at the scene, the officer may still refer the victim to the Crimes Against Children unit.

vi. Officers shall make a Police Report on visitation violations, with the code DEPCPR.

b. Supervisor response

i. Supervisors who are notified of an incident involving visitation violations shall respond to the scene.

ii. The supervisor shall review and approve the transfer of custody in accordance with MN Statutes, or determine that custody should not be transferred (MN Statutes Chapter 518D, Uniform Child Custody Jurisdiction and Enforcement Act).

iii. Supervisors needing assistance should contact First Response or the City Attorney's Office for possible advice.

c. Referrals to the Hennepin County Attorney's Office

i. Hennepin County has indicated they will review referrals for criminal charging in these situations on a case by case basis. Some of the factors they consider include, but are not limited to, the following:

- Substantial effort made to hide child
- Removal from state to deprive of custody
- Child was in custody of county

ii. If any of these factors are part of the case facts, officers shall make sure they are part of the referral.

B. Custody of Children by a Person Other Than a Parent

If a person who is not a parent has a court order for custodial time and there is a request or dispute regarding custody, officers shall follow the same procedures listed above as they would for a parent.

7-319 Espionage or Sabotage Activities

Officers receiving any information regarding espionage or sabotage shall interview the informant and include the following information on a memorandum to the Intelligence Sharing and Analysis Center (ISAC): (07/31/07)

- Name, address and telephone number of subject
- Type of business and business address
- Make of vehicle and license number
- Any information regarding subject
- Reliability of informant
- Officer's name and assignment

7-320 Hold-Up Alarms

(08/16/97)

(A-C)

Officers assigned to holdup alarm calls shall proceed safely to observatory positions near the site, taking care not to alert possible suspects or lookouts. (09/01/92)

The first officer to arrive shall determine if there are any accomplices outside the site. If there are, the dispatcher will be notified. (01/07/91)

If it is not evident that a robbery is in progress, the officers shall wait until a "callback" to the site is attempted. When callback arrangements have not been made with the site or a callback cannot be completed, the officers must proceed as if a robbery is in progress. (09/01/92)

During a robbery in progress, officers will maintain their observatory positions until the suspects leave the interior of the business or site. Exceptions are limited to actions ordered by superior officers or circumstances which dictate action to protect someone from great bodily harm. Every effort should be made to prevent a hostage situation. When hostages are taken, officers will remain in position and a superior officer will immediately call for an Operation 100.

The on-site MPD supervisor has the authority to make the final determination of any action that need to be taken during the holdup call by the Department and ECB staff. (09/01/92)

7-320.01 Hold - Up Alarm – Callback Procedures

(09/01/92) (08/16/97)

(A)

A "callback" is calling the facility by telephone to verify that the holdup alarm is indeed a call for police service, checking to make sure that the alarm was not sent in error.

Once a squad is dispatched to a holdup alarm call, ECC shall immediately contact the MPD supervisor to do a callback to the facility, giving the supervisor a contact person, phone number and other necessary information. If for any reason, the MPD supervisor cannot make the callback, he/she shall direct ECC to do so, and the ECC supervisor shall immediately take responsibility for the callback. ECC shall maintain constant contact with the dispatched squads, advising them of callback and/or robbery status.

7-320.02 False (Holdup) Alarms

(09/01/92)

(A)

Officers who responded to a holdup alarm and found the call was not a holdup alarm, shall inform the ECC dispatcher of the exact type of call (medical, customer disturbance, shoplifting, accidental/panic alarm signal, etc.). Businesses are charged for false holdup calls.

7-321 Food Poisoning

(A)

Cases of suspected food poisoning shall be reported by telephone to the Minneapolis Health Department. When the Health Department is closed, cases shall be reported to Hennepin County Poison Control (347-3141). Poison control will contact the Health Department to follow up on the case.

7-321.01 Food or Product Tampering

(10/15/91)

(A)

When officers arrive on a call in which suspected product and/or food tampering has caused bodily harm or there has been an attempt to cause harm by tampering, officers shall complete an Offense/Incident Report and it shall be entitled "Adulteration."

7-322 Forgeries

Forgery is the making or altering of a document, writing or object with intent to defraud. The victim of forgery is a person or business that suffers a loss. An Offense/Incident Report shall be completed in all suspected forgery cases. (08/14/07)

Officers shall attempt to recover the original forged instrument or a photocopy if the original is not available, taking care to preserve all evidence in the condition in which it was received. All recovered evidence shall be inventoried at the Property and Evidence unit, not at precincts. (08/14/07)

7-323 Gunshot/Shots Fired

(03/11/94)

(A)

Officers responding to any call in which there is verifiable indication that a firearm has been discharged shall complete an offense report. Verifiable indication of shots being fired includes witness statements, physical evidence, or multiple complaints which indicate that a firearm was actually discharged.

If the weapons discharge is the primary offense, the report shall be title "DISWEA". If the weapons discharge is incidental to another offense, the other offense shall be listed first followed by "DISWEA" as a secondary offense code. In the case of a "MURDR" code, "DISWEA" shall not be listed as a secondary offense code.

7-323.01 Gunshot/Deadly Weapon Wounds

(A)

Officers responding to an incident of injury inflicted by a firearm/deadly weapon or receiving information that a person has been treated at a medical facility for an injury inflicted by a firearm/deadly weapon as a result of an aggravated assault or any other crime shall complete an Offense/Incident Report regardless of whether the victim wants to cooperate. The report shall include the following:

- Name of wounded person;
- Physical description of wounded person;
- Description of injury and suspected weapon used;
- Crime involved (if known);
- Date, time, and location injury occurred; and
- Name, address, and business phone of the physician treating the injured party.

7-323.02 ShotSpotter Calls (SPOTS)

(03/13/07)

ShotSpotter is a gunfire detection and location system that uses a combination of electronic sensors and software to quickly triangulate the approximate location of an outdoor gunfire event. Once a gunfire event is received and acknowledge by MECC, it will be dispatched to the closest available squad. Officers shall immediately respond to the event location and provide any needed emergency services required.

It is important to note that the ShotSpotter system has a self-learning capacity and needs accurate and timely feedback. Officers shall make every reasonable effort to confirm a gunfire event has occurred. Other operational points to consider;

- Officer shall not respond to a SPOTS call in-service (INS)
- Officers shall not clear the call unfounded (UNF) or firecrackers (FC) unless direct evidence is found to the contrary. If so, officers shall add remarks to the call and inform dispatch of the change in call nature.
- Locations of sensors shall be kept covert.
- Precinct Commanders will direct staff to conduct appropriate follow-up to SPOTS calls as deemed necessary.

This policy is in addition to and does not supersede procedures delineated in the following policies; 7-323 Gunshot/Shots Fired or 7-323.01 or Gunshot/Deadly Weapon Wounds.

7-324 Hazardous Material Incidents

(01/12/15)

(A)

A district squad will be dispatched to the scene of any complaint regarding hazardous material spills. The on-duty watch commander shall be notified and will assist the ranking Minneapolis Fire Department official. Personnel first arriving on the scene shall avoid committing themselves to a hazardous position or situation, and will ensure the Fire Department HazMat Team has been dispatched at the earliest possible time.

When approaching the incident squads shall slow down or stop, depending on the available information, and cautiously assess the situation. As part of this assessment:

- Evaluation of any visible activity shall include the effects of wind, topography and location of the problem;
- Always approach from an upwind direction;
- Avoid walking on or touching material;
- Avoid inhaling fumes, smoke or vapors; and
- Do not assume odorless/colorless gases, vapors or fumes are harmless.

The primary police role in hazardous material incidents will be to support the Fire Department in perimeter security, evacuation, traffic and crowd control, and first aid. The priorities shall be:

- Removing and keeping unnecessary persons from the scene (denying entry); and
- Isolating the hazard area (establishing a perimeter).

Any additional information obtained regarding the hazardous material shall be provided to the Emergency Communications Center (MECC). If it is safe to do so, officers shall survey the scene and take steps to identify the material. Such steps include:

- Checking the Safety Data Sheets (for fixed sites); or for transportation related incidents, DOT ID Number, shipping manifest, bill of lading, or information from the driver/operator; and
- Contacting those responsible for storage, shipping or receiving the material.

If it is not safe to proceed or you are not able to identify the product, treat each unknown as an immediate hazard, isolate the area and deny entry to anyone but those with an authorized response or operational need.

When the Minneapolis Fire Department arrives, they will assume the primary role of incident command. However, if it is determined that the material is an explosive compound and capable of detonating in its present state, the incident becomes the responsibility of the Police Department's Arson/Bomb Squad. Assigned officers shall remain at the scene until relieved by a superior officer and shall complete required reports.

7-325 Hotel or Motel Owner/Client Disputes

(03/22/18)

(A)

MPD officers do not intervene in hotel or motel owner/client disputes, except where required by statute.

A. In the absence of a court order, a hotel/motel owner may *not* take possession of a tenant's property for failure to pay the bill.

B. With good cause, a hotel/motel owner may evict a client from the premises without a court order for reasons outlined in Minn. Stat. §327.

7-326 Labor Management Disputes

(A-B)

The main responsibility of police officers assigned to duty at a labor dispute site is to maintain law and order. In no manner, word or action shall police officers display partiality toward either of the parties involved. Officers will maintain a courteous but firm attitude in the performance of their duties.

The purpose of a peaceful, orderly labor dispute shall be deemed to be legal, unless advice is received to the contrary from the courts or other authority. When notified of a strike or labor trouble in a precinct, the commanding officer will notify the Chief of Police.

The following procedures will be adhered to by all officers in dealing with disputes relating to strikes and picketing. All officers shall:

- Prevent interference with the free and uninterrupted use of public roads, streets, highways, or methods of transportation or convenience and use such force as may reasonably be necessary for that purpose.
- Prevent disorderly conduct, assault, malicious destruction of property, riot and other similar crimes and misdemeanors defined by law or ordinance and to make arrests for such violations when committed in their presence.
- Use such force necessary to prevent injuries to persons or destruction of property.
- Make arrests for warrants issued by courts.
- Police enforcement action on court orders shall come only after the Police Department Administration consults with the City Attorney's Office. (07/02/90)

7-327 Landlord Tenant Disputes

(A)

Under Minnesota State Statue 609.606, a landlord, agent of the landlord, or person acting under the landlord's direction or control cannot intentionally remove or exclude a tenant from lands or tenements or intentionally interrupt or cause the interruption of electrical, heat, gas, or water services to the tenant with intent to unlawfully remove or exclude the tenant from lands or tenements. Such unlawful exclusion is a misdemeanor under this statute. (03/19/93)

Officers called to a situation where the tenant alleges a lockout or unlawful exclusion may not make a forced entry into the building. If the landlord is present and refuses to allow the tenant entry, the tenant may make a citizen's arrest. The landlord may be booked or issued a citation. (03/19/93)

If the landlord is issued a citation for unlawful exclusion, officers shall complete an Offense/Incident report (MP 6833) using the offense code "UNEXCL." If the landlord is not present, officers may make an Offense/Incident report using the offense code "UNEXCL." Officers completing on Offense/Incident report shall list the landlord or agent of the landlord as the suspect and the tenant as the victim. (03/19/93)

A landlord also has no authority to take possession of a tenant's personal property. A court order is required even when a tenant has failed to pay rent or overstayed a lease.

A landlord has no right of entry into a tenant's dwelling unless the tenant grants permission or emergency repairs are needed.

7-328 Missing Persons- Adults

(02/03/89) (11/12/91) (05/19/05) (06/16/06) (10/05/09) (10/10/22) (01/30/23) (09/09/23)

I. Purpose

The purpose of this policy is to establish guidelines and procedures for responding to and investigating reports of missing adults.

II. Definitions

NCIC: The National Crime Information Center database helps criminal justice professionals apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their official duties more safely and provides them with information necessary to aid in protecting the general public.

III. Policy

A. Jurisdiction

Jurisdictional conflicts are to be avoided when a person is reported missing.

1. Any missing person believed to be in imminent danger shall have a squad response and NCIC Entry protocol initiated, regardless of jurisdiction. Officers shall complete a Police Report with the code ARMISP.

2. If a missing person either resides in or was last seen in this jurisdiction, the MPD will immediately initiate the required reporting process.

3. If a person resides in this jurisdiction and was last seen in another jurisdiction, MPD will confer and coordinate with the law enforcement agency covering that jurisdiction.

IV. Procedures

A. Initial Response

1. Reporting and MECC Response

   a. Adult missing person reports may be made at precinct desks, or a reporting party may call 911/the Minneapolis Emergency Communications Center (MECC).

      i. If a missing person report is made at a precinct desk, the officer shall call MECC.

   b. MECC will then dispatch a squad to the incident address.

   c. A squad shall respond as soon as possible to verify the status of the missing person.

      i. If the person is found at the incident scene, the report shall be considered unfounded.

      ii. If the officer confirms the person is missing, the officer shall inform notify MECC.

   d. MECC staff, reporting officers, and investigators shall advise the reporting person to call 911 if the missing person returns or is located.

2. Scene of the Incident

   Upon arriving at the incident address, officers shall:

   a. Permission to search

      If reasonable, officers shall ask for permission to search the residence to verify that the person is missing.

   b. Confirm missing person status

      Officers shall contact MECC Channel 7 upon determining whether the report of the missing person is confirmed or unfounded.

      i. If no contact is made or the status of the missing person is not determined, officers shall notify MECC that the call was not serviced, so that MECC can attempt a callback and if necessary, return the call to pending until contact is made.

      ii. If the missing person report is determined to be unfounded, the officer shall inform MECC Channel 7 so that MECC can clear the missing person record from NCIC.

   c. Complete a report

      If the person is confirmed missing, officers shall complete a Police Report with the code MISPER or ARMISP (for "at-risk" missing people) and document if a search was conducted and who gave consent.

      i. The report shall include the following information regarding the missing person:

         - Complete name (including any aliases or nicknames).
         - Date of birth.
         - Full physical description (including height, weight, hair/eye color, scars, marks or tattoos).
         - Clothing description (if available).
         - Driver license and Social Security numbers (if available).
         - Date of last contact.

      ii. The report shall include the following information regarding the reporting party:

         - Complete name.
         - Date of birth.
         - Address and contact phone number(s).

      iii. The report shall also include a description of circumstances relating to the missing person including any prior disappearances or "at-risk" factors.

d. Broadcast description

Officers shall decide if it is necessary to request that MECC broadcast a description.

e. Determine "at-risk" status

While conducting the initial investigation, responding officers shall determine whether the missing person is considered "at-risk."

i. An adult shall be considered "at-risk" when one or more of the following **suspicious or unusual circumstances** are present:

aa. The person is:

- A vulnerable adult (MN Statute section 626.5572 and see P&P 7-344).
- In a life-threatening situation.
- Dependent on a care provider.
- Taking critical medication.
- Believed to be with people who could endanger the missing person's welfare.
- A potential victim of foul play or sexual exploitation (as suggested by credible information).
- Absent under circumstances inconsistent with established patterns of behavior. ***OR***

ab. The missing person's disappearance involves circumstances that would cause a reasonable person to conclude that the missing person should be considered at-risk.

ii. If the missing person is determined to be "at-risk," the officers shall contact and inform the on-duty precinct shift supervisor of the circumstances.

iii. The officers shall describe the reasons for their determination in their Police Report.

iv. The code ARMISP shall be used for the Police Report if the missing person is determined to be "at-risk."

3. At-risk missing person response

If a missing person is determined to be "at-risk," the following shall occur:

a. The Precinct Shift Supervisor shall notify the MECC on-duty supervisor that the person has been determined to be "at-risk" (MECC can add an alert to the call as necessary).

b. The Precinct Shift Supervisor shall notify the Watch Commander or Inspector (when the Watch Commander is not on duty), and Car 710/Car 712.

c. The supervisor shall evaluate facts as they are known at the time and determine if the totality of the circumstances requires further action.

i. Depending on the situation, the supervisor may determine that additional personnel, including specialized units, should be called to the scene or otherwise assist in the investigation (including the Watch Commander or Car 710/Car 712).

ii. The supervisor may also determine that using the MN Crime Alert Network (see Section 8-202 Amber Alerts and MNCAN Activations) is necessary.

d. If further action is needed, the Precinct Shift Supervisor shall assume Incident Command of the call and:

i. Coordinate search and investigative efforts, and through the Precinct Lieutenant or Watch Commander request additional resources deemed necessary.

ii. The Watch Commander will monitor the missing person case and assist the Incident Commander with resource management.

iii. Ensure that Precinct or Patrol responders continue the response and search.

- Investigators are there to assist the Incident Commander with the search.

iv. At the time the missing person is found or located, contact MECC to provide a brief summary and request MECC make required notifications.

e. The "at-risk" missing person case shall be noted on the Watch Commander Log and the Precinct shift bullets.

B. NCIC Entry

1. Missing adults of any age (over 18) will be entered into NCIC by MECC immediately after the report is made, or within 2 hours of the time reported if the report or squad was delayed. A copy of the NCIC Initial Entry Report is available for guidance on the MPD's intranet under "Forms."

2. For all missing adult cases officers shall contact MECC Channel 7 upon determining whether the report of the missing person is confirmed or unfounded.

a. If no contact is made or the status of the missing person is not determined, officers shall notify MECC that the call was not serviced, so that MECC can attempt a callback and if necessary, return the call to pending until contact is made.

b. MECC will enter the missing person into NCIC within 2 hours of the time reported, including cases where the status of the missing person has not been confirmed.

c. If the missing person report is determined to be unfounded, the officer shall inform MECC Channel 7 so that MECC can clear the missing person record from NCIC.

C. Investigating Missing Persons

1. Responsibility for investigation

   a. The respective precincts shall be responsible for the follow-up investigations on all adult missing person cases.

   b. If the initial investigator determines there is information that the case might be a homicide, they shall then route the case to the Homicide Unit.

2. Contact reporting party

   a. The investigator shall contact the reporting party by phone or in-person within 24 hours of the initial contact by the reporting party, or as soon as reasonably possible.

   b. The time and summary of the contact shall be documented in the case file for Audit purposes.

3. Follow-up investigation

   a. The investigator shall determine if the person has returned or if additional information is available and shall contact the Terminal Agency Coordinator (TAC) in the Business Technology Unit (BTU) or MECC if changes need to be made in the NCIC entry.

   b. The investigator shall perform necessary follow-up as prompted by the nature of the case.

      i. The investigator shall document in the case file all systems used during the investigation and follow-up.

      ii. At a minimum, RMS, DVS, Criminal History and the Jail Management System information must be available in the case file for audit purposes.

4. Provide materials to reporting person

   a. The investigator shall provide the following materials (available on the MPD intranet under “Forms”) to the reporting person no later than two weeks after the date of the NCIC entry:

      - A packet titled “NCIC Missing Person File Data Collection Entry Guide.”

   b. The investigator shall document in the Police Report the date these materials were distributed.

c. The Missing Person Data Collection Guide shall be kept on file with the Terminal Agency Coordinator (TAC) in the Business Technology Unit (BTU) once it is returned to the MPD.

5. Missing person located

a. Officers receiving information that a missing person has been located shall add a narrative text to the Police Report documenting the circumstances.

b. The supervisor approving the Police Report change shall notify the assigned investigator regarding the change in status of the missing person.

c. The investigator shall contact the Terminal Agency Coordinator (TAC) in the Business Technology Unit (BTU) to ensure the NCIC entry has been removed.

D. Kidnapping

1. Officers responding to a reported kidnapping shall conduct a preliminary investigation and shall complete a Police Report entitled "Kidnapping".

2. When a juvenile has been taken by a person determined to be a non-custodial parent or other family member (in accordance with P&P 7-318 Custody of Children), officers shall complete a Police Report entitled "Deprivation of Custodial or Parental Rights".

3. In each of the above cases the assigned investigator shall mail a BCA Missing Person Photo Request Form to the parent or other reporting person.

4. For incidents regarding the abduction or kidnapping where the victim is 17 years or younger, refer to P&P 8-202 Amber Alerts.

7-329 Motor Vehicle Theft Reports

(05/23/90) (09/26/07)

CAPRS Offense/Incident Codes:
(09/26/07)

- AUTOTH: To be used for motor vehicle thefts involving vehicles licensed to be driven on streets/roadways.
- MVTHFT: To be used for motor vehicle thefts involving vehicles **not** licensed to be driven on streets/roadways. (Examples: 3-wheelers, garden tractors, snowmobiles, golf carts, gators, some scooters and construction equipment.)

The following procedures shall apply when the victim will prosecute for the theft of a motor vehicle: (07/02/90) (08/21/91)

1. Upon receiving a request to take a police report for a motor vehicle theft the Officer shall first ascertain whether the Auto Desk is aware of the matter before completing a report. (08/21/91) (09/26/07)

2. A police report titled AUTOTH or MVTHFT shall be completed immediately if the information provided by the person reporting indicates the vehicle is stolen. (See Breach of Trust, 7-336.04.) (08/21/91) (09/26/07)

3. If the person reporting names or identifies a suspect, the officer shall attempt to determine whether the suspect had lawful access to the vehicle. An AUTOTH or MVTHFT report will not be taken if the suspect had lawful access to the vehicle. (See Breach of Trust, 7-336.04.) (08/21/91) (09/26/07)

4. After the AUTOTH or MVTHFT report is completed, the officer shall notify the Auto Desk with the assigned Case Control Number (CCN). (09/26/07)

5. The AutoDesk shall make the entry into NCIC. (09/26/07)

The following procedure shall apply when the victim will not prosecute for the theft of a motor vehicle: (08/21/91)

1. The responding officer shall refer the case to the Auto Desk as a 'locate' only. (08/21/91)

2. No reports are required.

If a vehicle is stolen during the commission of another offense, the AUTOTH or MVTHFT shall be reported on the same police report, in order of the most serious offenses. (08/21/91) (09/26/07)

Recovery of Stolen Vehicles
(08/21/91) (05/20/99) (09/26/07)

All recovered stolen vehicles shall have a CAPRS report entitled RECVEH and a tow sheet completed, regardless of the originating jurisdiction. This includes recovered vehicles missing the Vehicle Identification Number (VIN), license plates, or both; as well as vehicles that have been significantly stripped.

The Vehicle Identification Number (VIN) entered on all reports shall be obtained directly from the vehicle.

In situations where an arrest takes place prior to the vehicle being reported as a 'Minneapolis Stolen' vehicle, and the arresting officers also take the AUTOTH or MVTHFT report, the CAPRS report shall then be entitled #1 AUTOTH or MVTHFT and #2 RECVEH.

A new CCN with a completed RECVEH CAPRS police report shall be done for all other incidents involving recovered stolen vehicles, referencing the original AUTOTH or MVTHFT CCN. This is necessary to track locations where stolen vehicles have been recovered.

If the motor vehicle theft occurred in another jurisdiction, that agency shall make the motor vehicle theft report.

Arrests/Case Control Numbers
(08/21/91) (09/26/07)

Stolen Vehicle – Minneapolis

- The charge listed on the arrest report for a person arrested in control of a 'Minneapolis Stolen' vehicle shall be AUTOTH, MVTHFT, or R&C.
- The CCN from the original AUTOTH or MVTHFT report shall be included in the space "Original CCN" on the RECVEH report.
- The original CCN for the AUTOTH or MVTHFT can be obtained from the MDC NCIC screen following the letters 'OCA.'

Stolen Vehicle - From Another Jurisdiction
(08/21/91) (09/26/07)

- The charge listed on the arrest report for a person arrested in Minneapolis, in control of a stolen vehicle from another jurisdiction shall be STOLMV (Stolen Motor Vehicle) or R&C.
- The other jurisdiction's CCN (OCA) and city shall be included in the narrative section of the RECVEH report.

7-329.01 Motor Vehicle Locates
(05/23/90)

On vehicles that are missing but do not qualify as a Motor Vehicle Theft, a 'locate' may be placed on the vehicle. This is done through the Auto Desk upon the request of an officer and/or owner. A 'locate' is active for 30 days. (09/26/07)

7-329.02 Motor Vehicle License Plate Theft Reports
(05/23/90) (09/26/07) (04/23/10) (05/08/20)

A. Officers who respond to take a report on stolen license plates shall take the following actions:

1. Take a police report entitled TMVP (Theft of Motor Vehicle Parts).

   a. The report shall include a completed vehicle screen in PIMS, including the vehicle description.

   b. The vehicle shall be listed as "other" on the PIMS vehicle screen.

   c. The stolen plates shall be listed on the Stolen Vehicle Detail page.

2. Notify the Auto Desk of the license plate number and the assigned CCN.

B. The Auto Desk will make any necessary entries into NCIC.

7-329.03 Motor Vehicle Theft Reports – Leased Vehicles
(09/26/07)

A leased vehicle obtained under a written agreement that is not returned to the rental agency (lessor) by the agreed upon return date cannot be considered stolen until five days after the rental agency demands return of the vehicle in writing to the lessee. (See Minn. State. §609.52(9)). Written demand for return of the vehicle may be served personally in the manner provided for service of process of a civil action, or sent by certified mail to the last known address of the lessee. (05/23/90)

No report will be taken until a copy of the lease agreement is provided to officers along with proof that the written demand for return of the vehicle was issued. 311 may not be used to complete the police report in these circumstances. (05/15/89) (05/23/90) (03/10/95) (09/26/07)

7-329.04 Motor Vehicles – Breach of Trust
(05/15/89)

Breach of trust is defined as the taking of a vehicle for temporary use when prior authority has been granted or can be assumed, such as with former or current members of the same household. Breach of trust is also unauthorized use by chauffeurs and others having lawful access to the vehicle. These types of situations are not classified as motor vehicle thefts. In these cases, officers should advise the complainant that:

- No report can be taken for at least 30 days from the date of discovery. A 'locate' may be called in to the Auto Desk by the officer. The complainant should also be advised to take substantive steps to recover their vehicle. (05/23/90) (09/26/07)
- After thirty (30) days, if the vehicle is still missing and the complainant still wishes to file a report, a CAPRS report, titled AUTOTH or MVTHFT shall be completed. The officer shall contact the Auto Desk and check if a 'locate' was placed on the vehicle and the date of entry to verify if thirty (30) days has expired. (05/23/90) (07/02/90) (03/10/95) (09/26/07)
- 311 may not be used to complete a police report in these circumstances. (05/23/90) (07/02/90) (09/26/07)

7-330 Motor Vehicle Theft During the Commission of Another Crime
(A)

Whenever a vehicle is taken in the commission of another crime, an Offense/Incident Report (MP-6833), titled Motor Vehicle Theft. The same Case Control Number shall be used. (07/02/90)

7-331 Narcotics

When controlled substances or the equipment to prepare or use them are found on the person of an arrestee or are in plain view at the place of an arrest or search, the officers shall seize and immediately inventory the evidence. Narcotics shall be inventoried using a narcotics bag or a sealed envelope. Separate envelopes shall be used for each suspect. Narcotic paraphernalia shall not be included in the envelope. (08/10/07)

If items seized are in the room, apartment, or premises occupied by the arrestee, the officers shall:

- Identify any other persons present.
- Determine the name and address of the manager or landlord.
- Attempt to determine the location of the key to the premises. When the key is in the possession of the arrestee, it shall be inventoried as evidence.
- Inventory all physical evidence gathered.
- Secure the premises and get a search warrant for further evidence if probable cause exists.

The Narcotics Unit/Precinct Community Response Teams gathers and tracks narcotics intelligence information. Officers receiving information about the purchase or sale of controlled substances shall inform the Narcotics Unit/Precinct Community Response Teams. (04/01/93) (03/14/97)

7-332 No-Pays – Service Stations

(06/28/02) (04/18/08)

(A)

Individuals wanting to file a police report for Failure to Pay for Gasoline may be referred to 311.

7-333 Open Fire Hydrants

(03/20/00)

(A-D)

MECC personnel shall refer incidents in which the general public has illegally opened fire hydrants to the Minneapolis Water Department, who is responsible for closing fire hydrants. If Water Department personnel need police assistance, they will contact MECC. MECC shall dispatch officers to deal with harassing or threatening individuals on the scene, or if the opening of a hydrant is in progress and the person opening the hydrant can be identified by witnesses. MECC shall not dispatch a squad if there are people loitering or playing in the area of an open hydrant. Responding officers are not responsible for closing hydrants.

7-334 Party Calls – Chronic Problem Address

(07/28/88) (05/19/08)

(A)

Officers respond to a large number of party disturbance calls. Some addresses generate a high number of calls. In an effort to reduce the number of return calls, officers shall take aggressive action when responding to "Chronic Problem Addresses". Officers should arrest or issue a citation when responding to a substantiated party call at a Chronic Problem Address.

Upon making a determination of how the call will be resolved, officers shall document in the corresponding CAPRS report or VisiNet comments (if advising only) the following information:

- Party incident address;
- Distance from which disturbance could be heard;
- Estimated number of people in attendance;
- Other disruptive behavior related to the party;
- Name, address and DOB of the resident with whom officer(s) spoke, and if they were identified as a renter or property owner.

MPD Crime Prevention Specialists shall be responsible for reviewing CAPRS reports and/or associated comments in VisiNet and determining the appropriate follow-up action(s) to take, including:

- Mailing warning letters and/or citations to the property owner under Minneapolis Ordinance 389.65.
- Notifying MECC to place an alert on the address. The 'remarks' section of the alert will state:
- "The above address is being investigated as a chronic party house. Per Lt. (name of supervising Lt. for Sector), if violation of Minneapolis City Ordinance 389.30 Noisy Assembly exists, responding officers shall tag and arrest those responsible."

MPD Crime Prevention Specialists may utilize the Rental Licensing Revocation process under Minneapolis City Ordinance 244.2020 to address on-going chronic parties. Repeated documented violations at a rental property can result in a loss of the owner's rental license, and right to rent the property.

7-335 Prowlers

(A)

Prowlers may be potential burglars or criminal sexual conduct suspects. If an adequate description is given or a suspect is known, a memorandum shall be made and distributed to the affected precincts, divisions and units.

7-336 Repossessions

In many commercial transactions, the buyer signs a purchase contract agreeing to a repossession, without judicial process, by the seller if there is a default in the payment. However, the seller cannot commit criminal offenses in order to make a repossession. Sellers should have a copy of purchase contract at the repossession.

7-337 River and Lake Operations – Rescue and Immediate Response

The lock and dam offices are staffed 24 hours a day. Should an incident occur requiring an immediate response, the lock and dam offices and the Fire Department should be called immediately.

When an incident occurs that requires the use of boats, the Hennepin County Sheriff, the Department of Natural Resources, and the Minneapolis Fire Department may be able to provide emergency service. The Hennepin County Sheriff's Office will also provide divers.

7-338 Police Response to School Bus and School Bus Stop Incidents
(08/30/99)

(A-D)

The Minneapolis Police Department works closely with the Minneapolis School District to create and maintain a safe environment for students on school buses and at school bus stops.

The MPD will respond to emergency and all other 9-1-1 calls for police service to incidents on Minneapolis Public School transportation buses and at school bus stops with district squads in accordance with existing 9-1-1 response procedures.

Response to on-going situations of a minor nature on school buses and at school bus stops will be referred to the appropriate precinct unit for follow-up. Direct written notification of these situations will be sent to the School Programs supervisor.

7-339 Securing Open Buildings
(06/28/02)

(A-B)

Officers shall attempt to notify the owner or other contact person when they encounter unsecured homes or buildings. If such notification cannot be made, officers shall attempt to secure the building in a reasonable manner on their own. If they are unable to secure the building, the contract service provider may be called to secure the building in the following situations:

1. When the building is unsecured as a result of a lawful police action that includes activities such as serving a search warrant or making a forcible entry to "check the welfare," etc.

2. When a business is unsecured as a result of a burglary or damage to property.

3. In other serious or emergency situations when authorization is obtained from the supervisor prior to notifying the contract service provider.

When officers encounter an unsecured building that must be boarded up, but which does not meet the above listed criteria, they shall notify the Inspections Department. The notification will be made to Inspections via inter-office mail by sending a memo to Inspections Department, Public Health Center, Room 300.

The contract service provider shall be contacted through Channel 7 after a supervisor's approval. The contract service provider has been contracted to respond within 30 minutes. An officer shall remain at the scene until they arrive. In all cases where the contract service provider is called, a CAPRS report shall be made; included in the report shall be the time the call to the contract service provider was made and also the time they arrived at the scene. Officers shall also note the reason the contract service provider was called and the name of the supervisor authorizing the board up if his/her authorization was necessary. The name of the occupant of the property, and the name, address and phone number of the owner shall also be included if known.

The CAPRS report shall be titled "BOARD" if the board up is the primary incident. If the board-up is incidental to another offense or incident, the other offense shall be listed first, followed by "BOARD" as a secondary incident code.

The white and yellow copy of the Minneapolis Police Authorization to Board and Secure Building form (MP-8843) shall be given to the vendor. The vendor will send the white copy, attached with photographs, to the Inspections Department. The pink copy of the form, copies of all CAPRS reports involving the contract service provider, and copies of any supporting documentation given to officers by the contract service provider, shall be immediately forwarded to the Transcription Unit, Room 29.

To cancel a board-up call, the officer shall contact MECC. MECC personnel will contact the vendor to cancel the call. The board-up form for the cancelled call shall be completed by MECC, and the white and yellow copies shall be sent to the Inspections Department. The pink copy shall be forwarded to the Transcription Unit.

Form MP-8843 is available from MPD Stores.

7-340 Shoplifting – Adult Suspects

(01/01/09)

(A)

All shoplifting calls require a squad response. Responding officers shall cite and release the suspect or transport the suspect to HCJ. A CAPRS report shall be completed for all shoplifting cases.

If a report has been completed by store Loss Prevention personnel, it shall be property inventoried. Officers may utilize information contained in the Loss Prevention report, for the CAPRS report. Reports from Loss Prevention personnel shall not be obtained in lieu of completing a CAPRS report.

Misdemeanor Arrests

Suspects apprehended with merchandise valued under $500 may be cited and released by officers after a proper identification is made and a warrant check is completed. Misdemeanor shoplifting suspects who cannot be properly identified shall be transported to HCJ. If the suspect has committed other misdemeanor offenses (trespass, disorderly conduct, etc.) and can be properly identified, a citation may be issued for all offenses.

Note: The City Attorney's office will not charge cases when the suspect has not been properly identified. Proper identification includes but is not limited to:

- MN DVS site
- State issued ID or DL card
- Identification made by HCJ

Gross Misdemeanor Arrests

Suspects apprehended with merchandise valued from $500 to $1000 shall be arrested for PC Gross Misdemeanor Theft and transported to HCJ. CAPRS reports will be routed to the appropriate Precinct Investigations Unit.

Felony Arrests

Suspects apprehended with merchandise valued in excess of $1000 shall be arrested for PC Felony Theft and transported to HCJ. CAPRS reports will be routed to the appropriate Precinct Investigations Unit.

7-340.01 Shoplifting – Juvenile Suspects
(01/01/09)

Juvenile suspects shall be processed according to the policies and procedures set forth in Section 8-300 Juvenile Arrest Procedures.

7-341 Stake-Out and Decoy Operations
(09/01/89)

(A-C)

In any situation where a crime is anticipated and officers decide to employ an armed stake-out or decoy operation within a building or on private property, the safety of the public shall be the major concern.

The manager of the property shall be contacted for permission and on-scene employees or residents notified for maximum personal safety should they choose to remain. Any employee or person who is expected to be on the scene who is under the age of eighteen or who is unable to give informed consent because they are mentally impaired or physically helpless shall be barred from the area before any stake-out or decoy operation begins.

Apprehensions of armed or dangerous suspects shall not be attempted inside a building where non-police personnel are present unless it is obviously necessary to protect human life.

When officers have advance information that causes them to:

- establish a stake-out or surveillance,
- recognize potential suspects from descriptions or prior knowledge

- have probable cause to believe that a crime of violence is about to occur,
- have any reason to believe that the suspects may be armed and/or dangerous,

An attempt to arrest shall be made before the suspects enter the building if time and circumstances make it possible to do so safely.

7-342 Theft

(A)

Officers conducting a preliminary investigation of a theft in which there is an extensive loss shall, in addition to completing the required offense report, notify their immediate superior who shall decide whether the appropriate Property Crimes Unit shall be notified.

Officers conducting a preliminary investigation of a theft or attempted theft from a bank, federal government or railroad property during hours in which the property is closed shall, in addition to completing the offense report, notify the appropriate Property Crimes Unit and the Emergency Communications Center.

7-343 Vice

(06/17/97)

(A-B)

Officers assigned to a specific district are responsible for enforcing laws in that area. Arrests shall be made for vice offenses committed in an officer's presence. If an officer finds that an establishment is habitually violating laws or suspects vice activity in an area, the Precinct Community Response Teams, Organized Crime Unit, and License Division shall be notified.

7-344 Vulnerable Adults

(09/08/05)

(A-B)

A vulnerable adult is defined as any person 18 years of age or older who is unable to adequately care for themselves without assistance due to a physical, mental, or emotional disability. This includes any adult who is a temporary or permanent resident of a health care facility or licensed group home.

Abuse, neglect, or financial exploitation of a vulnerable adult is a crime. Abuse resulting in substantial bodily harm, great bodily harm, or death is a felony. All other abuse is a gross misdemeanor. Neglect is a gross misdemeanor. Financial exploitation may be a misdemeanor, gross misdemeanor, or felony depending on the dollar amount lost. The dollar amounts are equivalent to those used to determine charging level in the theft statute 609.52.

Officers who receive complaints or become aware of abuse, neglect, or financial exploitation of a vulnerable adult shall complete a CAPRS report using one of the following offense codes as the primary offense. Secondary offense codes may be added as appropriate. A caregiver, as

mentioned in the descriptions below, is defined as any person or organization that has agreed to provide assistance with any portion of the vulnerable adult's care.

- VABUSE: This code applies when a vulnerable adult is physically or sexually assaulted by a caregiver. This code should not be used if the suspect is not a caregiver for the vulnerable adult.
- VANEG: This code applies when a caregiver fails to provide necessary food, clothing, shelter, health care, or supervision to a vulnerable adult. This code does not apply in cases where the vulnerable adult is neglecting his or her own needs by refusing services or assistance.
- VAFIN: This code applies when an individual who is legally responsible for the finances of a vulnerable adult via power of attorney, conservator ship, or guardianship, intentionally fails to use those financial resources for the care of the vulnerable adult. It also applies when any individual acquires possession of money or property belonging to a vulnerable adult through undue influence, harassment, or duress.

Officers should document the relationship between the suspect and victim as well as the victim's status as a vulnerable adult in the narrative portion of their reports. This information should also be reflected in the description and relationship portions of the CAPRS report.

Minnesota law mandates that law enforcement personnel immediately report all cases of abuse, neglect, or financial exploitation of a vulnerable adult via the Minnesota Adult Abuse Reporting Center at 844-880-1574. Officers should document in their CAPRS report the date and time of this notification. Intentional failure by law enforcement personnel to report abuse, neglect, or financial exploitation to the Minnesota Adult Abuse Reporting Center is a misdemeanor. If it results in the death of a vulnerable adult, the failure to report becomes a gross misdemeanor. Officers are immune from any civil or criminal liability that might result from their actions provided they are acting in good faith. (07/01/15)

7-345 Patrol Responses to Special Events/Incidents

(09/18/03) (12/01/08)

(B-C)

Short Notice Incident: Incidents requiring a large-scale commitment of officers on typically 1 to 2 hour notice. These incidents are characterized by a short planning window and arise from events occurring which have just become known.

Spontaneous Incident: An event arising with no notice, usually as a result of a radio call or police contact, and requiring a rapid response by available precinct and response squads. A limited response by Precinct Response Teams should be utilized for spontaneous incidents and response teams should be returned to their precinct as soon as possible.

Planned Event: An event with adequate notification, designated Incident Command structure, pre-committed resources, operational planning and an approved Incident Action Plan (e.g. Aquatennial, festivals, protests, and protection details).

Patrol Response to Special Events/Incidents

1. The responsibility for precinct situational awareness lies with the on-duty precinct supervisor (may be lieutenant or sergeant).

2. The affected precinct supervisor will notify the on duty Watch Commander or Precinct Commander as appropriate.

3. The affected precinct supervisor will assume the incident command, assess the situation and plan for an appropriate operational response using Precinct Response Teams. (The composition of Precinct Response Team is listed below).

4. The Incident Commander will contact an on-duty SOD Patrol Supervisor or the 1280 supervisor to determine availability of SWAT personnel to assist.

5. Watch Commanders will continue to maintain their city-wide responsibilities and assist the Incident Commander with issues requiring their authority. Watch Commanders will also notify the police administration as necessary. (For additional details, see section 7-200, Watch Commanders).

6. The Incident Commander will direct the other precinct supervisors to put together a Response Team from their precinct personnel. The Response Team will either stand by at their precinct or be deployed as instructed by the Incident Commander.

7. If time permits, a staging area will be designated and the Precinct Response Teams will respond there for briefing and assignments by the Incident Commander. If adequate time is not available, Precinct Response Teams may be assigned via radio en-route.

8. Normally, the Incident Commander will assign Precinct Response Teams specific duties and allow the response team sergeants freedom to implement them.

9. At the conclusion of any short notice incident, an After Action Report should be completed by the Incident Commander and forwarded up the chain-of-command.

Precinct Response Teams

Upon request of the Incident Commander, the precinct supervisor(s) charged with the formation of a Precinct Response Team will ensure the that following is completed:

1. A group of available officers is gathered at the precinct (from any shift currently on duty).

    - Group size will depend upon the request of the Incident Commander.
    - One sergeant will be included (if no sergeant is available, a senior officer may be designated to be in-charge of the team.

2. Names and badge numbers of the team are recorded.

3. The Response Team has any special equipment requested by the Incident Commander, in addition to all other necessary equipment (e.g. helmets, riot batons, gas masks, 8-point hats, prepared for weather).

4. The Response Team is transported to the scene using as few vehicles as possible. Booking vans should be utilized as part of the response if available.

5. Incidents involving multiple arrests shall have a supervisor designated to oversee arrest reports and statements. The Booking Team should document each arrestee with an on-scene photograph.

7-346 Trespass

(03/06/17) (07/30/18) (08/15/22)

A. Sidewalks

A person can never be issued a trespass notice for a public sidewalk, nor can they be trespassed from a public sidewalk.

B. On-Duty

1. If a property owner or authorized agent of the owner legally requests that a person be trespassed from their property, officers shall require that the property owner/agent complete and sign a trespass notice.

   a. This form can be supplied by the owner/agent or a MPD Trespass form (MPD-9018) can also be used.

   b. Once the form is completed it must be given to the offender by the officer or property owner/agent with an explanation of the conditions.

C. Off-Duty

1. If an officer is working in off-duty/part-time capacity, they can complete and issue trespass notices to the offender provided the officer has been given express consent by the property owner to do so and there is a valid legal reason to do so. This only applies when the officer is working in an off-duty capacity.

2. The officer should be prepared to report who gave them such consent and when it was given.

D. Yellow Placarded Properties

1. When an officer observes or responds to a call of a non-authorized person present on property that has been properly posted with “Minneapolis Police No Trespassing” or “MNDOT No Trespassing” signage, the officer shall:

a. Determine if there is any legal justification for the person to be on the property.

b. Determine if the person had notice or should have had notice they were not allowed on the property. This includes documenting the number and location of the "No Trespassing" signs.

2. If the person had proper notice and understanding of the notice, proper enforcement action (citation or arrest) can occur.

3. If the person did not have proper notice or understanding, the officer shall properly advise the person that they cannot be on the property.

E. Enforcement

1. Verbally read notice

a. Officers shall verbally read to the offender:

i. The trespass notice, word-for-word.

Or

ii. At a minimum, the portion of the notice (verbatim) stating that the offender must leave and not return for the specified time.

b. In either case, the verbal reading shall inform the offender that they "must leave" and that they "must not return" for the specified time period. Using the phrase "trespassed" is not sufficient.

c. In both cases, the officers should then ask the offender to confirm that person's understanding.

d. The written notice shall still always be served on the person and their acceptance of the notice sheet shall be documented.

2. Report required

A Police Report is required if any enforcement action is taken (citation or arrest).

3. Documentation

a. Document in Police Report

When taking appropriate enforcement action (citation or arrest) officers shall document the following information in the Police Report:

- the name of the property owner/authorized person that approved the trespass notice,

- the number and placement of "no trespassing" signs,
- the portion of the notice that was read verbatim,
- that the person was in a position to have heard it read verbally (e.g. no excessive noise, no evidence the person was hard of hearing, the person appeared to be paying attention, etc.),
- that the person acknowledged that they understood what was read (if applicable),
- the offender's acceptance of the notice sheet,
- the date the applicable notice was issued to the offender, and
- the name of property owner/authorized person that is asking for the current trespass to be enforced.

b. Document on trespass notice

The listed information shall also be documented on the trespass notice whenever feasible.

4. Body worn cameras

Officers shall ensure their body worn cameras are activated and capture the officers verbally reading the required language and serving the notice (in accordance with P&P 4-223).

5. Inventory notice

a. Any time enforcement action is taken (citation or arrest), a copy of the written trespass notice shall be scanned and attached to the Police Report.

b. The original notice shall be sent to the Property and Evidence unit for verification.

6. Charging under Statute or Ordinance

a. MN Statute section 609.605 is generally (but not exclusively) used for charging persons refusing to leave upon demand of a lawful possessor or returning after a demand to depart and not return for one year. The State statute is enhanceable to a gross-misdemeanor after a person has been convicted two times.

b. Minneapolis City Ordinance 385.380 is generally employed for charging violations of Minneapolis No Trespassing signs, and is not enhanceable.

F. Detention

Officers must list a Rule 6 reason for continued detention on the authority to detain. If no Rule 6 reason is listed, the offender will be released without bail.

7-347 Incidents Involving Injuries to a Traffic Control Agent

(04/19/17)

A. When an officer is dispatched to a call for service involving injuries to a Traffic Control Agent (including injuries from a vehicle, physical assault or other means), an on-duty supervisor shall also respond.

B. Responding officer(s) protocol:

1. Officers shall immediately, or as soon as reasonably practical, administer first aid consistent with training and request Emergency Medical Services (EMS) as necessary.

2. Officers shall **not** issue a citation for the incident, even if the suspect is still at the scene. The City Attorney can charge by complaint based on the Offense Report.

   a. If the injuries are serious and a suspect is still at the scene, officers shall follow standard arrest and citation procedures.

3. Officers shall take further direction from the on-duty supervisor.

4. Officers shall complete an Offense Report, and send a copy directly to the City Attorney's Office.

   a. The report shall include the names and phone numbers of any witnesses to the incident.

   b. Officers shall mark the copy "Attention" when sending to the City Attorney's Office.

   c. The copy may be sent electronically to complaint.intake@minneapolismn.gov.

C. Supervisor protocol

1. The responding supervisor shall direct the officer to locate any potential video evidence of the incident.

2. The supervisor shall complete a supplement to the Offense Report before a copy is submitted to the City Attorney's Office.

3. If the incident requires mapping or other Traffic Investigation techniques or procedures, the responding supervisor shall notify a supervisor from the Traffic Investigation unit.

7-348 Nalaxone (Narcan) Administration and Maintenance

(05/04/18)

I. Purpose

Opiate overdose fatalities may be preventable if interventions are introduced quickly. The purpose of this policy is to establish broad guidelines and regulations governing the use of

Naloxone by trained personnel within the MPD. The objective is to render aid and ultimately reduce injuries and fatalities associated with opioid-involved overdoses.

II. Definitions

Intranasal: A method of medication administration where medication is sprayed into the nose and is absorbed by the mucus membranes in the nose.

Naloxone: A prescription medication that can be used to reverse the effects of an opioid overdose. Specifically, Naloxone is an opioid antagonist. It binds to chemical receptors in the body; slowing or stopping the effects of opioids. Naloxone is the generic name whereas Narcan is the trade name for this drug.

Naloxone kit: This overdose kit includes (1) Naloxone pre-filled Luer-Lock (needleless) syringe containing 2mg/2ml, (1) mucosal atomization device, and (1) storage bag.

Opioid: A medication or drug that is derived from the opium poppy or that mimics the effect of an opiate. Opiate drugs are narcotic sedatives that depress activity of the central nervous system; these will reduce pain, induce sleep, and in an overdose will cause people to stop breathing. Commonly called, but not limited to, Heroin, Morphine, Dilaudid, Oxycodone, Methadone, Hydrocodone, Fentanyl, and Codeine.

III. Policy

A. Department-issued Naloxone shall only be administered by authorized personnel who have completed the training required by this policy.

B. Department-issued Naloxone shall only be administered according to the procedures outlined in this policy.

C. Employees that have received Naloxone Training and have been issued a personal Naloxone Kit shall carry the Naloxone Kit on their person or have it readily accessible for use, at all times while working in an MPD Uniform.

D. If an officer does not have Naloxone, MN Statute § 604A.04 provides immunity for a person who acts in good faith in administering an opiate antagonist to another person whom the person believes in good faith to be suffering from a drug overdose.

E. All administration of Naloxone shall be documented as outlined in this policy.

F. Naloxone kits shall be carried in a manner consistent with proper storage guidelines for temperature and sun exposure, as outlined in training.

1. The kit shall be inspected for damage or expiration when removing from storage.

2. Expired, damaged and missing kits shall be reported to an immediate supervisor as soon as possible.

IV. Procedures

A. Department-issued Naloxone Administration

1. Naloxone shall only be administered by intranasal route.

Trained personnel administering Naloxone shall adhere to the following procedures:

2. Request standard EMS response if not already in progress.
3. Maintain scene safety and personal universal precautions.
4. Perform victim assessment to determine unresponsiveness, absence of breathing, pinpoint pupils, and/or no pulse.
5. Provide basic life support practices as needed.
6. Perform situation assessment to determine whether it is more likely than not the victim's condition is an opiate overdose.

If it is more like than not the victim's condition is an opiate overdose:

7. Administer one half of the Naloxone capsule (1 mg) to one nostril as trained.
8. If the patient has no improvement in breathing or has not regained consciousness in 2-5 minutes, a 2nd dose of Naloxone may be administered to the other nostril. If the victim's condition markedly improves prior to the administration of the 2nd mg of Naloxone, the 2nd mg does not need to be administered.
9. Continue to provide basic life support care to the victim.
10. Update responding Paramedics of:
    a. Amount of Naloxone given, and
    b. Any change in victim's condition.
11. Obtain a refill for the Naloxone kit as soon as possible.

B. Documentation

Any personnel who administered Naloxone shall complete the following documentation:

1. Complete an Offense/Incident report titled "OD," including the EMS run number and hospital to which the individual was transported.
    a. Describe efforts to revive the overdosed individual (e.g., rescue breathing, chest compressions, administered Naloxone, other).

b. Amount of Naloxone administered.

c. Change in individual after the administration of the Naloxone (e.g. regained consciousness or failed to regain consciousness).

d. If the individual regained consciousness, the individual's behavioral reaction (e.g. aggressive, yelling, calm, confused, or seemed normal).

2. Fill out and submit the Naloxone Deployment Reporting Form to the Naloxone Program Administrator prior to the end of your shift.

C. Supervisor Responsibilities

1. Respond to calls when Naloxone is being administered, whenever possible.

2. Ensure proper protocols are being followed.

3. Review reports documenting the use of Naloxone.

4. Ensure subordinates attend Naloxone training when required and appropriate.

5. Submit a memorandum to the Naloxone Program Administrator after being notified by a subordinate of any used, expired, damaged or missing Naloxone kits.

D. Naloxone Program Administrator Responsibilities

1. Training

a. Coordinate and implement initial Naloxone training for personnel, as well as re-certification training as required by policy.

b. Ensure all personnel have successfully completed Naloxone training prior to treating individuals with Department-issued Naloxone.

c. Maintain training records of personnel allowed to carry and administer Department-issued Naloxone.

2. Naloxone kit supply

a. Ensure an adequate, non-expired supply of Naloxone is available for MPD use.

b. Replace Naloxone kits that are damaged, unusable, expired or deployed after being made aware of issues with the kit supply or via a memorandum from a supervisor.

3. Administrative Records

   a. Maintain records to comply with the requirements of reporting the receipt and administration of Naloxone in accordance with the State of MN and MPD Medical Director.

   b. Maintain administrative records regarding departmental use of Naloxone and disseminating these records to the appropriate authorities.

E. Training and Education

1. Those authorized to administer Department-issued Naloxone shall complete an initial training course prior to receiving and administering Naloxone. This education will include both didactic and practical formats or as required by the Medical Director.

2. Recertification shall be attended every two years as required by the Medical Director.

F. Expired Naloxone kits

Expired Naloxone will be:

1. Maintained by the department for use in training; or

2. Properly documented and disposed of by the Leadership and Organizational Development Division.

7-349 Sexual Assault Response and Investigations

(04/06/19) (09/08/20)

I. Purpose

A. The Minneapolis Police Department recognizes sexual assault as a serious problem in society and it is the MPD's policy to protect victims of sexual assault by ensuring its peace officers understand the laws governing this area.

B. Sexual assault crimes are under-reported to law enforcement and the goal of this policy is, in part, to improve victim experience in reporting so that more people are encouraged to report.

C. This agency will strive to:

1. Afford maximum protection and support to victims of sexual assault or abuse through a coordinated program of law enforcement and available victim services with an emphasis on a victim centered approach;

2. Reaffirm peace officers' authority and responsibility to conducting thorough preliminary and follow up investigations and to make arrest decisions in accordance with established probable cause standards;

3. Increase the opportunity for prosecution and victim services.

D. It shall be this agency's goal to decrease the victim's distress, increase the victim's understanding of the criminal justice system and process, and promote public safety. All employees should take a professional, victim-centered approach to sexual assaults, proactively investigate these crimes, and coordinate with prosecution in a manner that helps restore the victim's dignity and autonomy.

E. This agency will aggressively enforce the laws without bias and prejudice based on race, marital status, sexual orientation, economic status, age, disability, gender, religion, creed, or national origin.

II. Definitions

Consent: MN Statute section 609.341 states:

1. Words or overt actions by a person indicating a freely given present agreement to perform a particular sexual act with the actor. Consent does not mean the existence of a prior or current social relationship between the actor and the complainant or that the complainant failed to resist a particular sexual act.

2. A person who is mentally incapacitated or physically helpless (as defined by MN Statute section 609.341 Subd. 7 and 9) cannot consent to a sexual act.

3. Corroboration of the victim's testimony is not required to show lack of consent.

Child or Minor: a person under the age of 18.

Family and Household Member: MN Statute section 518B.01 Subd. 2b defines Family or Household Members as:

a. spouses and former spouses;

b. parents and children;

c. persons related by blood;

d. persons who are presently residing together or who have resided together in the past;

e. persons who have a child in common regardless of whether they have been married or have lived together at any time;

f. a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time; and

g. persons involved in a significant romantic or sexual relationship

Sexual Assault Medical Forensic Examiner: The health care provider conducting a sexual assault medical forensic examination.

Sexual Assault: Sexual contact or penetration with another person in a criminal manner as identified in MN Statute sections 609.342 to 609.3451.

Sexual Assault Exam: A forensic medical examination of a sexual assault patient by a health care provider, ideally one who has specialized education and clinical experience in the collection of forensic evidence and treatment of these patients. The sexual assault exam may also be referred to as a Sexual Assault Resource Services (SARS) exam.

Sexual Assault Examination Kit: A collection of evidence, including biological material, gathered from a patient by a health care professional.

Restricted Kit: A kit that does not have an accompanying release form signed by the patient authorizing law enforcement to submit the kit to a forensic laboratory.

Unrestricted Kit: A kit that has an accompanying release form signed by the patient allowing law enforcement to submit the kit to a forensic laboratory.

Victim Advocate: A Sexual Assault Counselor or a Domestic Abuse Advocate as defined by MN Statute 595.02 Subd. 1, who provides confidential advocacy services to victims of sexual assault and domestic abuse.

Victim Centered: A victim-centered approach prioritizes the safety, privacy and well-being of the victim and aims to create a supportive environment in which the victim's rights are respected and in which they are treated with dignity and respect. This approach acknowledges and respects a victims' input into the criminal justice response and recognizes victims are not responsible for the crimes committed against them.

Vulnerable Adult: As defined by MN Statute section 626.5572 Subd. 21, a Vulnerable Adult is any person 18 years of age or older who:

1. is a resident inpatient of a facility (as defined in MN Statute section 626.5572 Subd. 6);

2. receives services at or from a facility required to be licensed to serve adults under MN Statute sections 245A.01 to 245A.15, except that a person receiving outpatient services for treatment of chemical dependency or mental illness, or one who is committed as a sexual psychopathic personality or as a sexually dangerous person under MN Statute chapter 253B, is not considered a vulnerable adult unless the person meets the requirements of clause [4];

3. receives services from a home care provider required to be licensed under MN Statute sections 144A.43 to 144A.482; or from a person or organization that exclusively offers, provides, or arranges for personal care assistance services under the medical assistance program as authorized under MN Statute sections 256B.0625 Subd. 19a, 256B.0651 to 256B.0654, and 256B.0659; or

4. regardless of residence or whether any type of service is received, possesses a physical or mental infirmity or other physical, mental, or emotional dysfunction:

    a. that impairs the individual's ability to provide adequately for the individual's own care without assistance, including the provision of food, shelter, clothing, health care, or supervision; and

    b. because of the dysfunction or infirmity and the need for assistance, the individual has an impaired ability to protect the individual from maltreatment.

III. Policy

A. The Minneapolis Police Department shall accept any report of sexual assault, regardless of when or where the offense occurred. The officer receiving the report shall take the report regardless of which precinct or jurisdiction the offense occurred in.

- By accepting any report, MPD's goal is to have a victim-centered response. This policy also ensures a timely response which will provide the best chance for evidence collection.
- This policy ensures compliance with MN Statute section 609.3459.

B. Investigators or MPD partners should maintain regular contact with the victim regarding the process of the investigation, so that the victim does not believe it is futile or demeaning to file a report.

C. Individuals making a report of sexual assault will not be cited for underage consumption or other minor offenses, including prostitution, occurring at the time of the report or the reported incident, whenever reasonable.

IV. Procedures

A. Initial officer response

In addition to following standard incident response procedures (including providing any necessary medical assistance), officers shall also do the following:

1. Recognize that the victim experienced a traumatic incident and may not be willing or able to immediately assist with the criminal investigation.

2. Make every effort to bring victims into a secluded or protected area to take the report, affording them privacy and dignity.

    a. Desk officers should avoid taking the report through the glass, at the desk or at a workspace.

    b. Desk officers should notify their supervisor they will be taking the report away from the desk.

c. When notified by a desk officer, the supervisor will ensure the report is taken in a private setting and may reassign resources to the desk as necessary.

3. Make a report titled "CSC".

   a. Responding officers should generally limit their initial interview to questions that will establish only the basic facts of the assault and provide the information necessary for the immediate needs of the investigation and safety of the victim, such as the suspect identity and elements of the crime.

   b. Ask about and document signs and symptoms of injury, including strangulation.

   c. Identify and attempt to interview potential witnesses to the sexual assault and anyone the victim told about the sexual assault.

   d. Inform the victim that a second interview may occur at a later time by a trained investigator.

   e. Request preferred contact information for the victim for follow-up. Ask if the telephone number is a safe one (if it is used by others), if it is safe to leave a voicemail message, and if it is safe for the victim if callers identify themselves as members of the Minneapolis Police Department.

   f. Indicate in the report whether the victim received a sexual assault exam and the health care facility the victim was seen at.

4. Attempt to determine the location or jurisdiction where the assault took place.

5. If the incident occurred outside of Minneapolis but is being reported in Minneapolis, the officer receiving the information shall prepare a report.

   a. For incidents occurring in other jurisdictions, the officer shall use the location where the report is being taken as the incident location (e.g. the precinct, HCMC, etc.).

   b. A copy of the report shall be sent to the law enforcement agency having jurisdiction, as soon as practical.

6. If the crime was recently committed, the suspect's description should be broadcast over the radio.

7. If the crime was committed within the last 96 hours, the officer should attempt to locate and identify the crime scene.

   a. If the incident occurred outside of Minneapolis, the officer shall contact their supervisor. The supervisor will coordinate with the other agency to ensure proper notifications and where applicable, scene response.

b. If a crime scene in Minneapolis is identified, it should be thoroughly investigated and processed, to include photographs and evidence collection, as scene investigation will be a major factor in determining prosecution.

i. The officer shall secure the scene and shall notify a supervisor.

ii. The supervisor shall respond to the scene and shall request that Crime Lab respond and process the scene.

aa. On extensive or complex crime scenes or in unique circumstances, a supervisor or senior officer shall remain on the scene to direct the Crime Lab.

ab. In all other cases, an officer shall remain on the scene to direct the Crime Lab. If available, Sex Crimes investigators or Car 710 may be called to direct the Crime Lab at the crime scene.

ac. The supervisor should consider using additional department resources, such as Canine.

iii. If the Crime Lab is not available, the officer shall collect any evidence in a paper bag and inventory the evidence in accordance with P&P 10-400.

iv. Investigative efforts should focus on the collection of video, DNA, and other trace evidence used for analysis to identify the perpetrator.

8. Reassure the victim that other evidence may still be identified and recovered even if they have bathed or made other physical changes.

9. Explain the reporting process and the availability of confidential victim advocates.

a. Provide the victim with contact information for the local victim advocate.

b. Upon victim request the officer can offer to contact local victim advocate on behalf of the victim.

10. Officers shall obtain a signed medical release from the victim or shall document that the victim either declined or was unable to sign the release.

11. Advise the victim about the importance of a sexual assault exam at the hospital. Offer to arrange for transportation for the victim, if practical.

12. Date rape drugs

"Date rape drugs" may be a contributing factor in cases of sexual assault.

a. Officers responding to a suspected sexual assault should take note of any of the following symptoms being displayed by the victim:

- A loss of memory or blackouts with minimum use of alcohol
- Severe drowsiness
- Difficulty in walking and other motor movements
- Slurred speech and impaired judgment

b. Symptoms similar to intoxication may indicate the use of date rape drugs.

c. All symptoms shall be documented in the report.

d. If the victim complains of any of the above symptoms or similar symptoms, they should be transported immediately for a sexual assault exam. When the victim arrives at the hospital for the exam, the officer should immediately notify the hospital staff of the possible use of a "date rape drug."

e. Hospital staff will be responsible for drawing blood or urine samples from the victim for later processing.

i. It should be noted that the body metabolizes most of these substances within 12 hours, so the samples must be drawn immediately.

ii. If possible, officers shall note the time of ingestion of the substance and the time of the sample draw in their reports.

f. If available, the samples should be collected along with the victim’s clothing and property inventoried by the officer. If circumstances do not allow the transfer of evidence at that time, the hospital may retain the samples or clothing for an investigator or Property and Evidence Unit personnel to pick up and inventory later.

B. Booking suspects

1. When a suspect is apprehended for sexual crimes, officers shall inventory all the suspect's clothing, including undergarments and personal effects. All items shall be packaged separately in paper containers and properly marked for identification.

2. In accordance with MN Statute section 629.73, officers shall complete a Criminal Sexual Assault Victim Notification form (located in the jail intake area) when booking a suspect for CSC (the statute requires that jail personnel notify victims of criminal sexual assaults prior to the release of the alleged suspect).

a. Officers shall be required to complete this form in full; including name, address and phone number of the victim.

3. If a suspect is arrested on a P.C. Pick-up, the officer shall be responsible for obtaining the victim's name, address and phone number for the Criminal Sexual Assault Victim Notification form.

a. Officers shall contact either the Records Information unit or Sex Crimes unit to obtain this victim information.

b. If the victim is a minor, the officer shall list the minor's parent or guardian as a contact person.

C. Victim interviews

1. The MPD recognizes that victims of sexual assault are best served through trauma informed interviewing techniques and strategies.

2. In recognizing the need for non-traditional interviewing skills for sexual assault victims, officers should consider doing the following:

   a. Offer to have a confidential victim advocate present if the victim would benefit from additional support during the process.

   b. Whenever possible, conduct victim interviews in person.

   c. Make an effort to conduct the interview in a warm, welcoming environment.

   d. Let the victim share the details at their own pace.

   e. Recognize that victims of trauma may have difficulty remembering incidents in a linear fashion and may remember details in the days and weeks following the assaults.

   f. After the initial interview, consider reaching out to the victim within a few days, after at least one sleep cycle, to ask if they remember any additional details.

   g. Additional interviews might be needed to gather additional information. Offer support from a victim advocate to help facilitate engagement with the investigative process and healing.

3. During initial and subsequent victim interviews, officers should note the following information:

   a. Whether the suspect was known to the victim.

   b. How long the victim knew the suspect.

   c. The circumstances of their meeting and if there is any indication of the use of drugs or alcohol to facilitate the sexual assault.

   d. The extent of their previous or current relationship.

   e. Any behavioral changes that led the situation from one based on consent to one of submission, coercion, fear, or force.

f. Specifics actions, statements or thoughts of both victim and suspect immediately prior to, during and after the assault.

g. Relevant communication through social media, email, text messages, or any other forms of communication.

D. Special considerations- minors, vulnerable adults, and family and household members

1. Minors and vulnerable adults

a. Officers should be alert for victims who would be best served by the use of specialized interview techniques. In making this determination officers should consider:

- the nature of the offense,
- the length of time since the assault,
- the victim's physical, mental, and emotional state,
- the victim's age, level of maturity, communication skills, cognitive and intellectual capacity, and
- any other observable factors that would indicate specialized interview techniques would be appropriate for the particular victim.

b. When an officer determines that a victim requires the use of specialized interview techniques, the officer should limit their actions to the following:

i. Ensuring the safety of the victim;

ii. Ensuring the scene is safe;

iii. Safeguarding evidence where appropriate;

iv. Collecting any information necessary to identify the suspect; and

v. Addressing the immediate medical needs of individuals at the scene.

c. Unless evidence or the investigation would be compromised, initial responding officers should not attempt to interview the victim in situations in which a minor or vulnerable adult is involved. Instead, officers should attempt to obtain basic information and facts about the situation, including the jurisdiction where the incident occurred and whether a crime most likely occurred. Officers should seek to obtain this information from parents, caregivers, the reporting party, or other adult witnesses, unless those individuals are believed to be the perpetrators.

d. Officers responding to victims with special considerations must comply with the mandated reporting requirements of MN Statute sections 626.556 and 626.557 and the Vulnerable Adult policy (P&P 7-344), where applicable.

e. Officers investigating cases involving victims with special considerations should coordinate these investigations with the appropriate local human services agency as required.

f. Any victim or witness interviews conducted with individuals having special considerations should be audio and video recorded whenever possible.

g. Not all sexual assaults of minor victims require a mandatory report to social services.

i. The MPD recognizes that in certain cases, notifying or involving parent or guardian can cause harm to the minor or impede the investigation.

ii. Officers responding to the sexual assault of a minor victim that does not trigger a mandated report under MN Statute section 626.556 should assess the potential impact on the victim and the investigation of notifying parents or guardians before deciding to involve them.

h. Officers should obtain necessary follow-up contact information for the victim's caregiver, guardian or parents as well as how or where to locate the victim later.

i. Officers should advise the victim and any accompanying adults, guardians or caregivers that an investigating officer may follow up with information on a forensic interview.

j. The officer should advise the victim's caregiver, guardian or parent that if the victim starts to talk about the incident they should listen to them but not question them as this may influence any future statements.

2. Victims of domestic abuse

Officers responding to a report of sexual assault committed against a family and household member shall also follow the Domestic Abuse policy (P&P 7-314) in addition to the guidelines in this policy.

E. Protecting victim rights

1. Confidentiality

Officers should explain to victims the limitations of confidentiality in a criminal investigation and explain that the victim's identifying information is not accessible to the public, in accordance with the MN Government Data Practices Act (specifically MN Statute section 13.82 Subd. 17b).

2. Crime victim rights

a. Officers shall provide the following information to the victim by providing them with the Victim Assistance Card (Blue Card), in accordance with P&P 4-608:

i. Crime victim rights and resource information required to be provided to **all** victims as specified by MN Statute section 611A.02 Subd. 2b.

ii. Crime victim rights and resource information required to be provided to domestic abuse victims as specified by MN Statute section 629.341 Subd. 3, if the suspect is a family or household member to the victim.

iii. The report or incident number and contact information for the Sex Crimes unit.

b. Officers shall provide the victim with the Sexual Violence Resource Card (Teal Card) in addition the Victim Assistance Card. The Teal Card will be stocked at the Precincts and can be ordered from Police Stores.

c. Officers shall also notify the victim of their right to be informed of the status of a sexual assault examination kit upon request as in accordance with MN Statute section 611A.27 Subd. 1.

d. The Lieutenant of the Sex Crimes unit or their designee will be the liaison between MPD and the forensic laboratory and will respond through the Records Information Unit to requests for data from sexual assault victims in accordance with MN Statute section 611A.27.

i. MPD will respond to such requests within thirty days of receipt, unless the release of the data will interfere with the investigation.

ii. Releases under this section are limited to:

- date a sexual assault examination kit was submitted to the forensic laboratory for testing
- the date MPD received notice of the results of that testing, and
- whether a DNA profile was obtained from the testing.

iii. The Records Information unit will handle the request and response and will coordinate with the Lieutenant of the Sex Crimes unit to collect the data.

iv. In accordance with MN Statute section 611A.27, the sexual assault victim can designate another person to request information on the victim's behalf by providing written authorization to the agency.

3. Language access

Officers shall provide language assistance when needed, in accordance with the Limited English Proficiency (LEP) policy (P&P 7-1001) and the Communicating with Deaf or Hard of Hearing Individuals policy (P&P 7-1002).

F. Considerations for evidence collection

1. If the victim chooses to participate in a sexual assault exam, the collection of evidence on or from the victim would occur during this examination.

2. Officers may attempt to collect evidence in addition to what might be collected through a sexual assault exam by doing the following:

   a. Collect evidence regarding the environment in which the assault took place, including indications of isolation and soundproofing.

   b. Document any evidence of threats or any communications made by the suspect, or made on behalf of the suspect, to include those made to individuals other than the victim.

   c. In situations where it is suspected that drugs or alcohol may have facilitated the assault, officers should assess the scene for evidence such as drinking glasses, alcohol bottles or cans, or other related items.

3. If the victim has declined a sexual assault exam or one will otherwise not be conducted the officer should request victim consent, and once granted, should take photographs of visible physical injuries, including any healing or old injuries. The victim should be given directions about how to document any bruising or injury that becomes evident later after these photographs are taken.

G. Sexual assault exams

1. Prior to the sexual assault exam, the officer should do the following:

   a. Provide the victim with general information about the exam and encourage them to seek further detail and guidance from the sexual assault medical forensic examiner, health care professional, or a victim advocate.

   b. Ensure the victim understands the purpose of the sexual assault exam and its importance to both their general health and wellness and to the investigation.

   c. Instruct the victim not to wash, change clothes or clean the crime scene until evidence can be gathered.

   d. Inform the victim that the sexual assault exam is free and provide information about evidence collection, storage and preservation in sexual assault cases (P&P 10-400 and MN Statute section 299C.106).

   e. Ask the victim for a signed release for access to medical records from the exam.

2. Officers should be aware that there might be additional treatments or medications that victims are entitled to and if necessary, officers should relay that to victims who do not want to undergo an exam or have evidence collected.

a. Victims can seek that information from a health care provider or a victim advocate.

b. If possible, officers should transport or arrange transportation for the victim to a hospital for the additional treatments or medications.

3. If the victim undergoes an exam, officers should make arrangements for the victim's transportation home or to the Sex Crimes Unit after the exam.

4. Officers and investigators cannot deny a victim the opportunity to have an exam.

5. Officers should not be present during any part of the exam, including during the medical history.

6. When the designated person in the Sex Crimes unit (the kit coordinator) is notified by a health care professional that an unrestricted sexual assault examination kit is available for pickup, the designated person will ensure the kit is retrieved within ten days of receiving notification.

7. Within sixty days of receiving an unrestricted sexual assault examination kit, the designated person in the Sex Crimes unit (the kit coordinator) will ensure the kit is submitted to the forensic laboratory for testing, unless MPD deems the result of the kit would not add evidentiary value to the case (in accordance with MN Statute section 299C.106 Subd. 3). If a kit is not submitted during this time, MPD shall make a record, in consultation with the county attorney, stating the reasons why the kit was not submitted.

8. Restricted sexual assault examination kits will not be submitted for testing.

   a. Restricted sexual assault examination kits will be handled in accordance with the standards in P&P 10-400.

   b. The kits will be recorded under the assigned case number for restricted sexual assault examination kits.

9. When a victim who has a restricted sexual assault examination kit chooses to report the sexual assault to law enforcement and convert the kit to an unrestricted kit, the Sex Crimes unit will:

   a. Ensure that MPD has a signed medical release from the victim.

   b. Provide the signed medical release to the associated health care facility with a request for the nurses' Sexual Assault Nurse Examiner (SANE) report.

   c. Update the case information for the report and the newly unrestricted kit. This includes reassigning the kit from the assigned case number for restricted kits to the new case number (as needed).

   d. Ensure the kit is sent to the forensic laboratory for testing.

e. Contact the victim for any needed information or follow-up.

H. Contacting and interviewing suspects

1. Prior to contacting the suspect, investigators should do the following:

   a. Conduct a background and criminal history check specifically looking for accusations, criminal charges, and convictions for interconnected crimes, especially crimes involving violence.

   b. Consider conducting a pretext or confrontational call or messaging.

      i. Involvement of a victim in contacting suspects should be based on strong consideration of the victim's emotional and physical state.

      ii. A victim advocate should be present whenever possible to offer support.

2. When possible, investigators should attempt to interview the suspect in person.

3. In situations where suspects do not deny that a sexual act occurred, but rather assert that it was with the consent of the victim, officers should do the following:

   a. Collect evidence of past communication, including but not limited to all relevant interaction (including through social media) between the suspect and victim.

   b. Identify events that transpired prior to, during, and after the assault to help locate additional witnesses and physical locations that might lead to additional evidence.

I. Forensic examination and the collection of evidence from the suspect

1. Prior to or immediately after the preliminary suspect interview, the officer or investigator should photograph the suspect to include any injuries or the absence of injuries.

2. Officers and supervisors should communicate with Car 710, the Watch Commander or the Commander of the Special Crimes Investigation Division to determine whether a sexual assault exam of the suspect should be conducted.

3. Officers and investigators are strongly encouraged to consider obtaining a search warrant, which should include specific details about what evidence will be collected, and which should include forensic evidence collection.

4. Investigators or Crime Lab personnel should do the following:

   a. Collect biological and trace evidence from the suspect's body;

   b. Document information about the suspect's clothing, appearance, scars, tattoos, piercings, and other identifiable marks;

c. Seize all clothing worn by the suspect during the assault, particularly any clothing touching the genital area;

d. Document the suspect's relevant medical condition and injuries.

J. Role of the Supervisor

Supervisors should do the following:

1. Assist officers investigating incidents of sexual assault or if requested by an officer, when possible.

2. Provide guidance and direction as needed.

3. Review sexual assault reports to ensure that necessary steps were taken during initial response and investigations.

4. Contact Car 710, the Watch Commander or the Commander of the Special Crimes Investigation Division for further information or advice if needed.

K. Case Review/Case Summary

The Sex Crimes unit supervisor should ensure cases are reviewed on an on-going basis. The review process should include an analysis of:

- Case dispositions
- Decisions regarding evidence collection
- Submissions of evidence for lab testing
- Interviewing tactics and decisions

7-350 Emergency Medical Response

(06/18/18)

I. Purpose

The purpose of this policy is to lay out the roles and responsibilities of MPD employees in MPD incidents involving a medical emergency.

II. Policy

A. MPD employees shall request emergency medical services (EMS) as soon as practical if any employee has come into contact with an individual having an acute medical crisis and any delay in treatment could potentially aggravate the severity of the medical crisis, or as otherwise required by policy.

1. While awaiting EMS, MPD employees assisting an individual having an acute medical crisis shall provide any necessary first aid consistent with MPD training, as soon as practical.

2. Naloxone (Narcan) shall be administered only in accordance P&P 7-348.

B. MPD employees assisting individuals who are not in an acute medical crisis but may need medical attention shall offer EMS response, and shall document the offer and answer in a report, or if no report will be made via added remarks in CAD.

C. MPD employees shall not make any suggestions or requests regarding medical courses of action to be taken by any medical personnel. Determinations made by medical personnel regarding medical courses of action must be clearly made by medical personnel.

1. MPD employees shall provide medical personnel with any necessary information related to the subject's observed or known conditions and behaviors, so the medical personnel can conduct a quick and accurate assessment and determine the best medical course of action.

2. MPD employees shall provide medical personnel the names of any MPD employees who provided first aid or assisted with a person's care, so that notifications can be made to involved officers of possible exposure to any pathogens discovered through further medical examination.

D. MPD employees responding to incidents where EMS has already been requested shall not cancel EMS unless the employees determine that the call was unfounded or the subject is no longer at the scene.

E. MPD employees shall document in a report any assistance provided to medical personnel regarding the medical crisis, including actions taken by the employees, the effects of those actions on the subject, and the outcome of the situation. Any physical control applied by MPD personnel should be reported in accordance with the P&P 5-306 Use of Force-Reporting and Post-Incident Requirements.

F. Arrest or detention of individuals receiving treatment under this policy shall also be in accordance P&P 9-108 (Arrest or Detention of Injured Adults).

7-401 Normal and Emergency Vehicle Operation

(12/31/90) (12/31/91) (02/08/93) (03/19/97) (10/12/01) (02/23/05) (12/14/07) (08/05/13) (06/16/19) (05/05/23)

A. Vehicle Condition

1. Vehicles shall not be driven when they are in unsafe mechanical condition.

2. Officers shall inspect their assigned vehicle before each tour of duty and immediately report any damage or mechanical failure to their supervisor.

B. Normal Operation

1. Under normal conditions, personnel will operate police vehicles in the same manner as required for the public.

2. Violations of motor vehicle laws when not authorized, or careless and abusive use of police vehicular equipment may result in disciplinary action.

C. Operating Without Lights

This section regarding operating without lights applies to headlights and taillights, and does not apply to emergency lighting, which is addressed separately in this policy.

1. MN Statute section 169.541 exempts peace officers from statutes relating to the lighting of vehicles and watercraft when all of the following conditions apply:

   - while operating a motor vehicle or watercraft owned, leased, or otherwise the property of the state or a political subdivision;
   - in the performance of the officer's law enforcement duties if the officer's conduct is reasonable and is consistent with the standards adopted by the Minnesota POST Board; and if
   - the officer reasonably believes that operating the vehicle without lights is necessary under the circumstances to investigate a criminal violation or suspected criminal violation of state laws, rules, or orders or local laws, ordinances or regulations.

2. In accordance with the Minnesota Post Board standards, a peace officer may not operate without lights:

- on interstate highways
- at speeds greater than what is reasonable and prudent under existing weather, road, and traffic conditions;
- faster than the posted speed limit;
- in situations where the peace officer is an active participant in the pursuit of a motor vehicle in violation of MN Statute section 609.487 (Fleeing a Peace Officer in a Motor Vehicle);
- contrary to the elements listed in MN Statute section 169.541 (explained in the preceding paragraph);
- contrary to any written policies or procedures established by the Chief Law Enforcement Officer of the agency that employs the peace officer.

D. Emergency Driving

1. Emergency driving occurs whenever an officer intentionally drives in excess of the speed limit or in violation of any traffic control device or other traffic law.

2. Emergency driving is authorized only, in accordance with MN Statute section 169.03 Subd. 5, "when in response to any emergency call or in the immediate pursuit of an actual or suspected violator of the law."

3. Only police vehicles with department authorized lights and sirens are authorized for emergency driving.

4. Ordinarily, all MPD officers shall use department authorized red lights and sirens continuously during any emergency driving.

    a. Some incidents may necessitate an unannounced approach. If a responding officer determines the incident warrants an unannounced approach, the officer may deactivate or avoid use of the emergency lights or sirens when nearing the location, when reasonable given the environment and circumstances. The officer shall sound the siren or display at least one department authorized lighted red light to the front if exceeding the speed limits or proceeding past a red or stop signal or stop sign.

5. Officers performing emergency driving shall exercise caution and due consideration for the safety of the public.

    a. The use of the red lights and siren does not exempt officers from the need for caution nor does it exempt them from criminal or civil liability.

    b. Officers driving low profile, unmarked, or other MPD vehicles should be particularly aware of the less visible nature of the emergency equipment in/on the vehicle and should use extra caution.

    c. Officers are prohibited from going around the light rail crossing arms when they are down at an intersection.

E. Emergency Escorts or Transportation by Police Vehicles

1. Officers will not provide emergency escorts for private vehicles except under extreme or exigent circumstances.

2. Officers may provide emergency escort for other emergency vehicles equipped with red lights and sirens, when requested to do so.

3. Employees shall not transport persons in police vehicles except for a proper police purpose or on official department business.

4. Police vehicles should not be used to transport persons in need of physical medical attention except when ambulances are not available. Persons in need of medical attention shall normally be transported by ambulance and/or other medical equipment.

F. Non-Emergency Escorts

1. The Chief may authorize a non-emergency escort for a procession, provided the officers and other vehicles in the procession obey traffic laws.

2. Any non-emergency escorts outside of the state of Minnesota shall be coordinated with the local jurisdictions.

3. All requests for non-emergency ceremonial escorts for dignitaries must be approved by the Chief of Police.

7-402 Pursuit Policy

(11/20/01) (12/31/01) (05/03/02) (07/26/03) (04/06/05) (11/01/05) (12/14/07) (02/08/13) (02/18/13) (05/24/13) (06/16/19) (11/07/22) (05/02/23)

I. Purpose

This policy is intended to establish expectations of MPD sworn employees who, during the course of their duties, become involved in a vehicular pursuit.

II. Definitions

Air Support: For the purpose of this policy, it shall mean a Minnesota State Patrol Helicopter. (See P&P 6-111 Minnesota State Patrol Helicopter)

Discontinued: Discontinuation is a condition affecting individual participation in a pursuit and not the safety of the overall pursuit. This may be due to stopping at a light rail crossing, an equipment malfunction or another similar reason, and may be a temporary pause. Individual participation in a pursuit is discontinued when the participating squad has discontinued the use of sirens, slowed to the posted speed limit or stopped, and when feasible discontinued the use of emergency lights.

End of Pursuit: A pursuit is ended when all participating squads have terminated or discontinued their participation or after the suspect was apprehended.

Great Bodily Harm: Bodily injury, which creates a high probability of death, or which causes serious permanent disfiguration, or which causes a permanent or protracted loss or impairment of any bodily member or organ or other serious bodily harm.

Offender: The operator of a vehicle being pursued who has been signaled to stop.

Police Vehicles:

1. **Fully Marked Squad Car:** Any vehicle used by the MPD that has clearly identifying police markings, emergency lights visible from front, sides and rear, siren, and a manufacturer's rating to make it suitable for pursuits. Currently, the Ford Crown Victoria, Ford Police Interceptor SUV, Chevrolet Caprice, and the Chevy Tahoe Police Pursuit Vehicle (PPV) are the only vehicles in the MPD Fleet with such a rating.

2. **Low Profile Squad Car:** Any vehicle used by the MPD that has a permanent or temporary MPD door marking, emergency lights visible from front, sides and rear, siren, and a manufacturer's rating to make it suitable for pursuits.

3. **Unmarked Squad Car:** Any vehicle used by the MPD not clearly identified with a shield, logo or department name that has emergency lights visible from the front, sides and rear, and a manufacturer's rating to make it suitable for pursuits.

Primary Squad: The squad car that initiates the vehicular pursuit, or any squad that assumes control of the pursuit.

Pursuit Rated Vehicle: Some police vehicles are designated by the manufacturer as "pursuit rated." This rating indicates the manufacturer certifies the vehicle to be generally suitable for high-speed police pursuits. Not all police vehicles are considered "pursuit rated" and those without the rating shall not be used during a pursuit, in accordance with this policy. The Fleet Services unit maintains a list of pursuit rated vehicles.

Pursuit Supervisor: The supervisor who monitors and manages the pursuit.

Secondary Squads: Police squad cars that provide direct support in the pursuit to the primary squad and follow the primary squad at a safe distance.

Terminated: A pursuit is terminated when all participating squads do the following, without or prior to the apprehension of the offender:

- **t**urn off sirens
- stop the squad cars completely, or slow to the posted speed limit and turn off the pursuit route at the next available intersection, and
- turn off emergency lights (when feasible).

Vehicular Pursuit: A vehicular pursuit is a multi-stage process in which a peace officer initiates a vehicular stop and a driver resists the signal or order to stop by increasing speed, taking evasive action, extinguishing motor vehicle headlights or taillights, refusing to stop the vehicle or using other means with intent to attempt to elude the peace officer. Once the driver refuses to obey the peace officer's signal or order, this pursuit policy and procedure will determine the officer's and agency's actions.

III. Policy

A. Continuously Weigh Risk

Officers shall not initiate a pursuit or shall terminate a pursuit in progress if the pursuit poses an unreasonable risk to the officers, the public or passengers of the vehicle being pursued who may be unwilling participants.

1. Officers shall always be aware of the inherent danger to the public and to themselves in vehicle pursuits or emergency responses.

2. Officers shall continuously weigh the necessity for apprehension against the risk created for the officers and the general public. Officers shall consider factors such as weather, vehicle and pedestrian traffic, as well as any other factors that could contribute to an unreasonable risk to safety.

B. Decision to Participate

All officers involved in a pursuit must decide whether or not to participate, discontinue their individual involvement, or if appropriate, to transfer their responsibility to another squad. Officers shall immediately take and acknowledge direction from the assigned pursuit supervisor.

C. Take Direction from Pursuit Supervisor

Officers shall immediately take and acknowledge direction from the assigned pursuit supervisor.

D. Authority to Intervene

All MPD supervisors at the rank of Lieutenant or higher have the authority to intervene in a pursuit if they feel the pursuit should be terminated, but cannot overrule a supervisor of higher rank.

1. Supervisors terminating any pursuit shall complete a statement in the pursuit report that documents their basis for terminating the pursuit.

2. This section is in addition to the responsibilities and authority assigned to the pursuit supervisor.

3. All sworn employees have a duty to inform the pursuit supervisor if they know of specific hazards that appear to be in the pursuit path. Examples include, but are not limited to, Open Streets events, block parties, etc.

E. Approaching Vehicle at Pursuit Conclusion

1. Officers are strongly discouraged from immediately approaching a stopped vehicle at the conclusion of a pursuit.

2. Where reasonably possible, officers shall use felony stop tactical procedures.

F. Pursuit Squad Limit

Vehicle pursuits are limited to the primary marked squad and no more than two secondary marked squads unless otherwise authorized by the pursuit supervisor over the radio.

1. Additional squads beyond the primary and two secondary squads shall not engage or attempt to engage in a pursuit unless specifically authorized by the pursuit supervisor over the radio.

2. Supporting or responding officers (such as those attempting to strategically place themselves in the area of pursuit's conclusion or those securing or maintaining a perimeter) shall follow the requirements in P&P 7-401, including using speeds and driving that do not present a danger to the public or to other officers.

G. Pursuits Outside of Minneapolis

Officers shall not engage in pursuits outside the corporate city limits of Minneapolis, unless authorized by an on-duty supervisor, in accordance with the section in this policy on Pursuits into Other Jurisdictions.

IV. Procedures/Regulations

A. Initiating, Continuing, or Terminating a Pursuit

1. Vehicle type limits

Fully marked, low profile and unmarked squads can initiate a pursuit, provided the squad is equipped with department authorized emergency lights and a siren and is rated for pursuit by the manufacturer.

a. Low profile and unmarked squads shall discontinue their involvement once a fully marked squad is involved.

b. Other police vehicles shall not be used in pursuits.

2. Offense limit for a pursuit when identity is unknown

   Officers shall not initiate a pursuit unless:

   - The officer knows or has reasonable grounds to believe the suspect has committed violent pursuit offense; *or*
   - The officer has current, credible information that the individual is about to commit violent pursuit offense; *or*
   - The suspect's driving **prior to the attempted stop** is so flagrantly reckless that the driver would pose an imminent and life-threatening danger to the public if not apprehended.

   a. Violent pursuit offenses under this section are limited to:

      - The attempt or act of murder
      - Violent sex crimes
      - Robbery
      - Arson
      - Kidnapping
      - Car jacking (not to include auto theft or stolen motor vehicle, which are property crimes)
      - 1st and 2nd degree assault
      - Felony firearm discharges
      - Firearm pointing in violation of MN Statute section 609.66 Dangerous Weapons
      - 1st degree burglary
      - Terrorist acts

   b. Examples of such flagrantly reckless driving that is life-threatening to the public include, but are not limited to:

      - Collisions with other vehicles or objects
      - Forcing other vehicles to take evasive action to avoid collision
      - Failure to stop at controlled intersections without slowing

   c. A pursuit shall not be initiated or shall be terminated if the driver is refusing to or failing to stop and the only known reason for the attempted stop is a petty misdemeanor or misdemeanor.

3. Offense limit for a pursuit when identity is established

   a. Officers shall not initiate a pursuit or shall terminate a pursuit in progress when the offender's identity is established (so that an apprehension can be made at another time), unless the offense is one of the following crimes:

      - Sexual assault involving the use or threatened use of a dangerous weapon.

- Homicide
- 1st and 2nd degree assault
- Aggravated robbery
- Kidnapping
- Firearms- felony firearm discharges, firearm pointing in violation of MN Statute section 609.66 Dangerous Weapons

b. These exceptions do not include holds or warrants to appear for probation revocation, or violations of conditional release, unless delayed apprehension would create a substantial or known risk of injury or death to another.

4. Terminating a pursuit for reckless driving

   If continuation of a pursuit for flagrantly reckless driving increases the danger to the public, officers shall terminate the pursuit.

5. Wrong way on freeways

   During a pursuit, officers shall not drive their vehicle the wrong way on freeways. They may, however, go down the wrong way of a freeway ramp to make a traffic stop on a vehicle going the wrong way to prevent it from entering the main portion of the freeway.

6. Wrong way on one-way streets

   Officers may not pursue the wrong direction on one-way streets without due consideration for existing conditions as listed in this policy.

7. Non-MPD employees in squad

   a. Individuals who are not pre-approved

      When any individual is in the squad who is not an MPD employee and is not pre-approved by a supervisor to be in the squad:

      i. Officers shall not engage in a pursuit under any circumstance.

      ii. Examples include prisoners, or any person being transported in relation to a call for service or for any other reason, etc.

   b. Pre-approved individuals

      i. Initiating a pursuit

         When any pre-approved individual is in the squad who is not an MPD employee (this includes Ride-alongs who are not MPD employees), officers may only initiate a pursuit for one of the following crimes:

- Sexual assault involving the use or threatened use of a dangerous weapon
- Homicide
- 1st and 2nd degree assault
- Aggravated robbery
- Kidnapping

aa. These exceptions do not include holds or warrants to appear for probation revocation, or violations of conditional release, unless delayed apprehension would reasonably create a substantial or known risk of injury or death to another.

ab. The officers shall discontinue their participation in the pursuit as soon as another squad is able to take over as the primary pursuit squad.

ii. Secondary pursuit squad

When any pre-approved individual is in the squad who is not an MPD employee (this includes Ride-alongs who are not MPD employees), officers shall not participate as a secondary pursuit squad.

8. Previously terminated pursuit

Officers shall not initiate a previously terminated pursuit within 20 minutes of the termination, unless there are exigent circumstances.

9. Terminating a pursuit due to distance or loss of visual contact

Officers shall terminate a pursuit in progress whenever the distance between the primary pursuit squad and the offender is so great that further pursuit is futile, or when the primary pursuit marked squad loses visual contact of the offender for a significant period of time (approximately 10-15 seconds).

10. Discontinuing participation required

a. Discontinuation applies to whole squad

Any time a squad is required by policy to discontinue participation or chooses to discontinue participation, it applies to the vehicle and all officers in the squad.

b. Crash occurs

The pursuit squad shall discontinue its participation and stop to check for injuries if a crash results from the pursuit, and immediate medical assistance is needed or the pursuit supervisor has designated the squad to stop and check for injuries.

i. The pursuit squad shall discontinue its participation and stop to check for injuries if a crash results from the pursuit, and immediate medical assistance is needed or the pursuit supervisor has designated the squad to stop and check for injuries.

ii. The squad(s) shall notify via radio that they are stopping to check for injuries.

c. Equipment or radio malfunction

The pursuit shall discontinue its participation if the squad has a malfunction of police emergency equipment or radio communication.

d. No secondary squads involved

If the primary squad discontinues their participation under this section and there are no secondary squads involved, the pursuit is terminated.

B. Vehicular Pursuit Procedures

All department employees involved in a vehicular pursuit shall follow the procedures listed in this section.

1. All participating pursuit squads

a. Use lights and siren

Officers shall use department authorized emergency lights and siren in a continuous manner during any vehicular pursuit.

b. Notify dispatch of crashes

Officers shall immediately notify dispatch if a crash occurs as a result of the pursuit.

c. Notify dispatch of discontinuation

Officers shall notify dispatch via radio whenever they are discontinuing their participation, and shall confirm via radio the street they used to leave the pursuit route.

d. Acknowledge pursuit termination

Officers shall acknowledge via radio whenever the pursuit has been terminated, and shall confirm via radio the street they used to leave the pursuit route.

2. Role of officers in the primary pursuit squad

   a. Notify dispatcher of pursuit information

      Officers in the primary pursuit squad shall notify the dispatcher by radio of the location, speed, direction of travel, and reason for the pursuit.

   b. Identify vehicle and occupants

      Officers in the primary pursuit squad shall identify the vehicle and its occupants as completely as possible.

   c. Call out updates

      i. Officers in the primary pursuit squad shall call out the location and direction of travel of the pursued vehicle as frequently as possible.

      ii. If the primary pursuit squad is an Able squad with no passenger officer, a secondary pursuit squad may be designated to call out the updates.

   d. Avoid removing vehicle occupants

      Whenever reasonable, officers in the primary pursuit squad shall not physically remove the offender or passengers from the vehicle and should wait for the officers in a secondary pursuit squad to arrive and remove the offender or passengers.

   e. Avoid transporting suspect

      Officers in the primary pursuit squad shall not transport the arrested suspect unless authorized by the pursuit supervisor. The officers and pursuit supervisor shall document the authorization in the report.

   f. Complete a report

      All officers in the primary pursuit squad shall complete a Police Report with the code "FLEE" and all other necessary reports. The report shall contain:

      - the initial reason for the stop
      - when red lights and siren were activated
      - evasive actions taken by the offender
      - any injuries or property damage as a result of the pursuit
      - the offenses for which the offender was arrested as a result of the pursuit
      - the length of the pursuit in distance and time
      - the outcome of the pursuit
      - any tactical options utilized
      - if the pursuit was terminated without an arrest, the reason the pursuit was terminated

3. Role of officers in the secondary pursuit squads

    a. Notify dispatcher of involvement

        Officers in the secondary pursuit squads shall notify the dispatcher by radio of their involvement in the pursuit.

    b. Maintain reasonably safe distance

        i. Officers in secondary pursuit squads shall maintain a reasonably safe distance from the primary squad.

        ii. At no time shall the secondary pursuit squad drive directly next to or pass the primary squad unless requested by the primary squad.

        iii. Officers should be alert to the fact that citizens will see the primary squad proceed, may assume that it is the only emergency vehicle in the area and may be unaware or inattentive to the second emergency vehicle, especially if it is far behind the primary squad.

    c. Remove vehicle occupants

        Officers in a secondary pursuit squad shall remove offenders and passengers from their vehicle when pursuit results in an apprehension, then transport them as necessary.

    d. Complete a statement

        All officers in secondary pursuit squads shall complete a statement in the pursuit report regarding their involvement in the pursuit.

4. Role of the pursuit supervisor

    The pursuit supervisor's role is to oversee the pursuit from a broader perspective than the officers involved in the pursuit.

    a. Monitor the pursuit.

        i. Whenever practical, the pursuit supervisor shall not be a participating squad in the pursuit.

            aa. If another squad is available to take over in the pursuit, the pursuit supervisor shall discontinue their participation as an involved squad and maintain their role as the pursuit supervisor.

            ab. If the pursuit supervisor is an involved squad and no other squads are available to take over, they shall request that another supervisor (at the rank of Sergeant or higher) assume the role of pursuit supervisor.

ii. The pursuit supervisor shall exercise their authority and responsibility to decide whether to commit additional squads or to terminate the pursuit if they believe that the risk to the general public and officers outweighs the necessity to immediately arrest the suspect.

iii. The pursuit supervisor should generally be an immediate supervisor of the pursuing officer, a precinct supervisor from where the pursuit began, an adjacent precinct supervisor, or the Watch Commander, however any supervisor at the rank of Sergeant or above can be requested to assume the role if necessary.

b. Acknowledge responsibility

The pursuit supervisor shall acknowledge responsibility of the pursuit over the radio.

c. Ensure a squad stops for crashes

When notified of a crash as a result of the pursuit, the pursuit supervisor shall ensure a squad stops immediately to check for injuries.

d. Respond to scene

The pursuit supervisor shall respond as soon as possible to the location where the pursuit ended or at the scene of a collision. If the pursuit is terminated with no apprehension, collision or injury, the pursuit supervisor does not have to respond to the scene.

e. Avoid occupant removal by officers in the primary pursuit squad

Wherever practical, pursuit supervisors shall not allow the offender or passengers to be removed from the vehicle by officers in the primary pursuit squad.

f. Avoid transport of suspect by primary pursuit squad

The arrested suspect(s) shall not be transported by the primary pursuit squad unless specifically authorized by the pursuit supervisor. The officers and pursuit supervisor shall document the authorization in the report.

g. Complete a statement

i. The pursuit supervisor shall complete a statement in the pursuit report regarding their involvement in the pursuit.

ii. If the pursuit supervisor terminated the pursuit, the statement shall include the reasons and basis for termination.

h. Review the pursuit

i. The pursuit supervisor shall immediately review the pursuit for compliance with department policies and procedures.

ii. A digital recording of the pursuit may be obtained from MECC by the pursuit supervisor. The request shall be made by emailing "911 Recording" via City of Minneapolis email.

i. Notify the Chief of injuries

The pursuit supervisor shall make a direct notification to the Chief by phone regarding any pursuit-related injuries.

j. Write a Pursuit Summary Memo

i. The pursuit supervisor shall complete a Pursuit Summary Memo, which shall include all of the following information:

- Date and time of the pursuit and the Case Control Number (CCN)
- Squad(s) involved in the pursuit
- Offense that led to the attempted stop
- General route of the pursuit, approximate distance covered and approximate speeds attained
- Description of the weather and road conditions
- Outcome of the pursuit including a description of any damage or injuries sustained as a result of the pursuit
- The reasons and basis for continuing or terminating the pursuit
- Statement as to whether department policies were followed during the pursuit
- Any other information deemed relevant

ii. The Pursuit Summary Memo shall be emailed as an attachment to:

- The Pursuit Review Committee (Police - Pursuit Review Committee),
- The Deputy Chief of the Patrol Bureau, and
- Inspector(s) of the involved precinct(s).

C. Tactical Options and Use of Force in a Pursuit

1. Air support

Once contact is made with air support and air support has the suspect vehicle in sight, the primary squad shall change their role to a secondary squad, treating air support as the primary squad.

2. Roadblocks and intentional vehicle contact

    a. A roadblock is when a marked squad is placed, either moving or stationary, in the roadway to narrow or block the escape route of a moving vehicle being pursued.

    b. Roadblocks, rolling roadblocks and other intentional vehicle contact may be used only when deadly force is justified. (P&P 5-300).

    c. Procedures for setting up roadblocks are as follows:

        i. The pursuit supervisor's approval shall be obtained to set up a roadblock. The pursuit supervisor may cancel a roadblock at any time.

        ii. Only marked squads shall be used.

        iii. The marked squads used to set up the roadblock shall be unoccupied. Officers from those vehicles shall be a safe distance away from the roadblock in case the pursued vehicle strikes a police vehicle.

        iv. Marked squads used in the roadblock shall have all emergency lighting activated. When possible, there shall also be a reasonable distance to allow the driver of the pursued vehicle to stop before striking a police vehicle.

        v. The number of police vehicles used in a roadblock shall be limited to only those necessary to cause the offender to stop.

    d. This policy is not intended to prohibit the strategic placement of squads on side streets, driveways, parking lots and alleys to eliminate potential escape routes and assist in controlling a pursuit. Supporting or responding officers shall use speeds and driving that do not present a danger to the public or to other officers.

3. Hostage-involved vehicular pursuit

    a. If a vehicular pursuit involves a hostage, the safety of the hostage must be the primary consideration in determining the tactics that will be used during the pursuit.

    b. As soon as the existence of a hostage is known that information shall be communicated to the pursuit supervisor.

D. Procedures After Apprehension or Vehicle Recovery

1. If an offender is apprehended:

    a. Officers shall assess driving impairment and follow DUI protocol if probable cause exists.

    b. Obtain statements from passengers and witnesses.

c. Complete an arrest report and all other necessary reports.

2. Whenever a pursuit vehicle is recovered or located, it shall be towed to the Minneapolis Impound Lot and marked "Hold for Traffic - FLEE."

E. Pursuit-Related Investigation and Review

1. Vehicle crashes shall be investigated according to the Accident Investigation Responsibility policy (P&P 7-502).

2. To ensure compliance with MN Statute, Traffic Investigation personnel shall complete the state pursuit report form and forward it to the Bureau of Criminal Apprehension (BCA) within 30 days following the incident.

3. The Pursuit Review Committee will review all pursuits involving MPD personnel and MPD vehicles.

F. Vehicle Pursuits into Minneapolis by Other Jurisdictions

1. In any pursuit, regardless of the initiating agency or jurisdiction, MPD officers shall observe existing MPD policies regarding pursuits.

2. If another agency involved in a pursuit enters the city limits, MPD officers shall not assist in the pursuit unless authorized by a supervisor.

3. If more than two squads from other agencies are involved in the pursuit, only one authorized MPD marked squad shall assist in the pursuit.

4. The initiating agency will be in charge of the arrest scene when they arrive.

5. The initiating agency retains the authority to terminate pursuit.

6. In the event vehicles from the initiating agency cannot continue, the pursuit supervisor may authorize MPD police officers to take responsibility for the pursuit if:

   a. They are in position to do so.

   b. The offender being pursued fits the MPD's pursuit policy.

7. Officers involved in another agency's pursuit shall not leave the Minneapolis city limits unless authorized by the pursuit supervisor.

G. Vehicle Pursuits into Other Jurisdictions by MPD Squads

1. Prior authorization must be given over the air by the pursuit supervisor before a pursuit initiated by an MPD officer leaves the City limits. If authorization is not received before reaching the City limits, the officer shall terminate the pursuit.

2. A pursuit supervisor shall continue to monitor any out-of-city pursuit and respond to the scene when the pursuit has ended.

3. MECC is responsible for managing pursuit communications, which in some cases may be patched to an inter-op channel. When the pursuit is cross-patched with other agency communications all squads must precede their squad number with the word "Minneapolis."

4. MPD officers have the authority to terminate pursuits out of the city of Minneapolis whenever an MPD marked squad is the primary pursuit squad.

5. If a vehicular pursuit results in a crash, the jurisdiction in which the crash occurs shall be responsible for the crash scene and the subsequent crash investigation.

7-403 Tire Deflation Devices
(08/20/21)

I. Purpose

Because of the risks involved with vehicle pursuits, officers and supervisors shall mitigate the likelihood of a pursuit whenever possible. Tire deflation devices may prevent vehicles from fleeing, reducing the likelihood of crashes or other adverse situations, and reducing risk to the officers, vehicle occupants and the community.

This policy is intended to cover the use of these devices for fleeing prevention.

II. Definitions

Tire deflation devices: Commercially manufactured law enforcement products, (currently made by "Stop Stick Ltd"), which contain puncture devices to deflate vehicle tires. Also referred to as fleeing prevention devices. The devices are used on a vehicle that is stopped. There are two styles of approved tire deflation devices officers are permitted to deploy, which both have a tire deflation rate of five seconds:

1. The Patrol Terminator, which is generally preferred for fleeing prevention, and

2. The Piranha, which is primarily intended as a covert option.

III. Policy

A. Department-Issued Devices and Training

1. Officers shall only use approved department-issued tire deflation devices.

2. Only officers who have been trained in deployment by the MPD may these deploy tire deflation devices.

3. This policy is not intended to cover tactical (intentional) deflation of tires by specialized units such as SWAT.

B. Deployment

Officers may deploy approved tire deflation devices to prevent a vehicle from fleeing, subject to the following conditions:

1. The officers can articulate the need to prevent the vehicle from fleeing and why the device was necessary. Factors may include:

    - The driver has a known history of fleeing
    - A suspect in the vehicle has active warrants
    - The driver or occupant exhibits behavior or movements indicative of fleeing
    - The vehicle is an occupied, parked, stolen vehicle
    - The occupants are asleep or unconscious
    - The vehicle is under surveillance for a felony level crime
    - The time and location of the vehicle stop

2. This device shall **only** be deployed on stationary vehicles as a fleeing prevention tool.

3. This tire deflation device shall **not** be used on any vehicle that normally operates with fewer than four pneumatic tires.

4. Officers should only use this device when it can be safely deployed. For example, if the approach on a felony stop would make it unsafe to deploy prior to securing the occupants, officers should avoid doing so.

C. Pursuit

In a situation where a vehicle with a deflated tire flees, officers are shall not pursue the vehicle unless it meets the requirements of an Authorized Pursuit (P&P 7-402).

IV. Procedures/Regulations

A. Placement

The best tactical placement for deployment is between the front and rear tires. Other placement options may work better in certain circumstances (such as on an unoccupied vehicle).

B. Warnings and Announcements

1. Warn the Driver

    When practical, officers shall verbally warn the driver that a tire deflation device has been deployed and tire damage may result if the vehicle is moved.

2. Broadcast Deployment

   Officers who deploy the Patrol Terminator shall broadcast the deployment over the radio. For example, “Squad 123- I have deployed TDD (Tire Deflation Devices)”. This will alert other officers in the area that this vehicle has the potential to flee.

C. Device Recovery

1. Stop Completion

   Upon completion of the stop, officers shall recover the device **prior** to the vehicle leaving, and shall inform the driver when it is safe to leave.

2. Device Inspection and Reuse

   a. Once used and activated, the device shall be delivered to the Auto Theft Prevention unit, who will inspect and re-load the device, and will return it to service.

   b. Officers shall ensure that the tire deflation device is in working order at the beginning of their shift.

3. Evidence Retention

   The device shall be retained and submitted as evidence if the use of the device resulted in a crash involving great bodily harm or death or was otherwise used in a critical incident.

D. Reporting

1. No Tire Damage

   a. No report being made

      Officers who deploy a tire deflation device that does not result in tire damage shall document the information in CAD when a Police Report will not be made.

   b. Report being made

      Officers who deploy a tire deflation device that does not result in tire damage shall document the information in the Police Report when a report will be made for the incident, and shall include the code STOPST.

2. Tire Damage

   Officers who deploy a tire deflation device that results in tire damage shall document the deployment in a Police Report, and shall include the code STOPST.

E. Training

The Training Division shall be responsible for device training and shall maintain records of officers authorized to deploy tire deflation devices.

F. Program Administration

1. The Auto Theft Prevention unit shall purchase and issue equipment and shall maintain a current inventory of tire deflation devices, including a record of which vehicles or units the devices are assigned to.

2. Tire deflation devices shall be mounted and carried in accordance with the manufacturer's recommendations.

7-501 Traffic Accident Investigation Procedures

(A)

Officers notified of a traffic accident will respond and handle that accident according to State Statutes, City Ordinances and department policy. They are responsible for investigating and reporting all accidents, completely and accurately (unless it qualifies for packeting), whether it occurs on public or private property, on interstate highways or ramps, or outside city limits, except when properly relieved by a law enforcement officer from another jurisdiction.

At any accident scene, officers shall check for evidence that the driver may be under the influence of alcohol or drugs. If such evidence is present, officers shall take steps to determine the level of impairment, such as field sobriety test, PBT, etc.; and follow with appropriate enforcement action. (07/11/07)

7-501.01 Traffic Accident Reports

(09/03/03) (05/29/09)

(A-B)

A Traffic Accident Report shall be completed for motor vehicle accidents involving personal injury, a City vehicle, or combined property damage amounting to over $1,000.

Officers shall directly enter all accident reports into the State of Minnesota Online Accident Reporting System, unless the system is down. When entering the report into the system, officers shall use a 10-digit case number format (example: MP03-123456).

In the event that the online system is down, officers shall:

1. Notify dispatch of the system outage;
2. Add remarks to the call that the Online Accident Reporting System is down;
3. Complete a handwritten Minnesota Traffic Accident Report (PS 32003 03); and,
4. Enter the handwritten report when the Online Accident Reporting System is back on-line or forward the report to the precinct/unit typist for entry.

7-501.02 Insurance – No Proof of Insurance

(10/21/97)

(A)

Police officers may issue a traffic citation for no proof of insurance to the driver/owner of a motor vehicle or a No Proof of Insurance form (MP-3408)—not both, when the driver/owner states they do not have proof of insurance in their possession. It is a misdemeanor violation to not provide proof of insurance to a police officer upon demand.

No Proof of Insurance - Citation Issuance Procedures:

1. An officer may issue a traffic citation to the driver/owner of a motor vehicle when the driver/owner states they do not have proof of insurance in their possession.

   Pertinent statutes:

   169.791s2 - to driver whether or not the owner

   169.791s3 - to driver who is not the owner

   The officer should advise a driver/owner who is issued a traffic citation for no proof of insurance in their possession, that the driver/owner has ten days to deliver proof of insurance information to the Traffic Violations Bureau. The officer should advise the driver/owner that failure to comply within ten days will result in a misdemeanor moving violation being entered on their driving record, the revocation of their driver's license, and the revocation of the motor vehicle registration.

2. When issuing a citation to a driver/owner who admits to not having insurance, the citation should be titled "No Insurance Coverage." Pertinent statute: 169.797.

3. Officers shall not issue a traffic citation for no proof of insurance in a felony motor vehicle collision. Officers shall use the Proof of Insurance form in all felony motor vehicle collisions. (10/27/05)

No Proof of Insurance - Vehicle Insurance Information Form

When a driver/owner of a motor vehicle is unable to provide proof of insurance, and the officer does not issue a citation, the officer may follow these procedures:

1. The officer may complete the Vehicle Insurance Information form (MP-3408), ensuring that the officer's precinct/division is recorded on the spaces provided.

2. The officer shall give the pink copy of the Vehicle Insurance Information form to the owner/driver and direct the person to sign the form in the space provided, complete and mail the form, with proof of insurance, to the address provided on the form within ten days.

   The officer should advise the driver/owner that failure to comply within ten days will result in a misdemeanor moving violation being entered on their driving record, the revocation of their driver's license, and the revocation of the motor vehicle registration.

The white and yellow copies of the Vehicle Insurance Information form shall be filed at the officer's precinct or division office. The officer shall complete an arrest report for the incident, attaching it to these copies. (04/01/93)

3. If the driver/owner does not respond within ten days of the issuance of the No Proof of Insurance form, the officer designated by the commander will complete the form and forward the white copy to the Minnesota Department of Safety. An officer may issue either a No Proof of Insurance form or a uniform citation—not both. (10/21/97)

4. If a CAPRS report was completed, that same CCN shall be used on the tag issued for No Proof of Insurance. If no report was made at the time that the Vehicle Insurance Information Form was issued, a CAPRS report and a new CCN are needed. (07/30/90)

5. The date the Offense/Incident Report is completed should be the arrest date. The arrest location is the location of the original offense. (07/30/90)

Vehicle Insurance Information Forms (MP-3408) are available in the MPD Stores Unit.

7-502 Accident Investigation Responsibility

(10/27/05) (04/19/17)

(A-B)

A. The Traffic Investigation unit shall investigate the following accidents:

- Felony motor vehicle accidents or accidents where there is a death, unless it involves a critical incident or fatal hit and run accident. (07/30/90) (10/27/05)
- All MPD vehicle accidents. (10/27/05) (06/28/17)
- Vehicle accidents in Minneapolis involving on-duty police officers from another agency, if requested by the involved agency. (10/27/05) (06/28/17)
- All City vehicle accidents, unless the accident is so minimal that no injury or future injury claim is expected. (10/27/05) (06/28/17)
- All government vehicle accidents involving Personal Injury (PI). (06/28/17)

B. Car 710 shall investigate all critical incident MPD vehicle accidents and fatal hit and run accidents with the assistance of Traffic Unit personnel. (10/27/05)

C. Officers not assigned to the Traffic Investigation unit shall investigate and report all other accidents assigned to them.

D. Officers responsible for accident investigations will prepare and submit all required reports and documents to the appropriate unit or agency without unnecessary delay. (10/27/05)

1. The investigating officer(s) shall complete an Offense Report for accidents involving an A-injury (incapacitating) as reported on the State Accident Report. (2/17/06)

2. For accidents involving Personal Injury (PI) to a pedestrian, where probable cause exists to believe the injury resulted from careless or unlawful driving conduct by a motorist, the investigating officer(s) shall complete:

   a. An Offense Report, and

   b. A Minnesota Traffic Accident Report.

7-503 Fatal and/or Critical Injury Accident Investigations

The following is a list of reports, documents and items required by the Traffic Unit or Car 710 for investigating critical incidents, fatal and/or felony motor vehicle accidents and personal injury accidents involving city or government vehicles: (07/30/90) (10/27/05)

- Minnesota Traffic Accident Report
- Minneapolis Police Department Offense/Incident Report (MP-6833)
- Minnesota State Fatality Report
- Investigating officer's statement
- Statements from all assisting officers.
- Statements from all vehicle operators involved
- Statements from all passengers and witnesses
- Photographs of the scene, damage and evidence
- Scale diagram of final accident scene that also indicates the location of evidence items
- Results of chemical testing of vehicle operators in fatal or serious injury accidents
- Printouts of vehicle registrations and driver's licenses of all parties involved
- Tow sheets, property inventories, and other reports

** Missing or refused statements must be explained in the investigating officer's statement. Juvenile defendants must have an attorney or parent present and identified in the statement.

7-504 Charging Suspects With a Felony as a Result of an Accident (07/30/90)

(A-B)

Persons suspected of felony vehicle operation who are involved in an accident will not be routinely booked for P.C. Vehicular Homicide/Injury unless they are transients, out of state residents, wanted for other crimes, or when positive identification is not possible.

Persons suspected of felony hit and run (victim is dead or suffers substantial bodily harm) shall be booked P.C. Felony Hit and Run by the arresting officer.

Officers shall not issue any citations to a suspect when felony charges are pending. When a suspect is booked as a result of an accident, the Traffic Unit must be notified to ensure prompt processing according to law. In cases involving fatalities, the word "FATAL" shall be included on all such reports to prevent court processing until after a grand jury hearing.

7-505 Hit and Run Reports – When Required

(07/03/03) (09/03/03) (01/27/04)

(A-B)

Officers responding to a reported hit and run accident shall conduct a preliminary investigation and complete the required reports as described below:

- **Property Damage Accident (including damage to City property) - Victim still at scene:** In hit and run cases where the victim is still at the scene, officers shall complete the State of Minnesota Online Accident Report or the State of Minnesota Traffic Accident Report and a CAPRS report entitled "HRPD." The report shall include any suspect information provided by the victim or witnesses. This procedure shall be followed in cases where the victim has moved the vehicle for scene safety or to prevent the obstruction of traffic, or to give pursuit to the suspect vehicle.
- **Property Damage Accident, - Victim has moved vehicle:** In hit and run cases where the victim has moved the involved vehicle from the scene for convenience or is reporting the hit and run at a later date, officers shall issue a traffic accident packet to the victim and advise on how to proceed. Officers shall then complete a CAPRS report entitled "HRPD."
- **Personal Injury Hit and Run:** In all hit and run cases involving a personal injury, officers shall complete the State of Minnesota Online Accident Reporting System or the State of Minnesota Traffic Accident Report and a CAPRS report entitled "HRPI." The CAPRS report shall include all available details about the suspect vehicle and suspect if known. Felony and gross misdemeanor hit and run scenes (involving substantial bodily harm) should be investigated by a Traffic Unit officer when available. Fatal hit and run scenes shall be investigated by Car 710. Responding officers shall aid and assist as necessary. (10/27/05)

7-506 Investigating Hit and Run Incidents

(07/03/03) (11/30/2004)

Responding officers will investigate misdemeanor hit and run accidents at the scene. Reports shall be completed as directed in Section 7-505. The Traffic Unit will conduct follow-up investigations on personal injury hit and run accidents. Car 710 is responsible for investigating all fatal hit and run accidents with the assistance of the Traffic Unit. Traffic Accident Investigations will be responsible for follow-up investigations of property damage hit and runs. (10/27/05) (11/06/07)

Officers responding to a reported hit and run should attempt to broadcast a description of the hit and run vehicle and driver as soon as possible. Hit and run vehicles located during the investigation, in plain view, shall be towed to the city Impound Lot. Vehicles located in secured areas may not be towed or searched without a search warrant. Examples of secured areas are garages, warehouses or pole barns. Assistance for writing search warrants may be obtained from Precinct Investigation Investigators, Community Response Team members, or other officers knowledgeable in search warrants.

Officers impounding a vehicle involved in a property damage hit and run shall mark the impound sheet "Hit and Run - Hold for Traffic Accident Investigations." For example, "Hit and Run - Hold for Traffic Accident Investigations." Officers who tow a Hit and Run Property Damage suspect vehicle shall also complete the MPD Hit and Run Insurance Follow Up form (MP-8879), and send it with the tow sheet to the Impound Lot. This form is located on the MPDNet under "Forms." (4/21/06) (11/06/07)

Officers who apprehend a suspect involved in a property damage hit and run shall interview them, and if probable cause exists, issue an appropriate citation for the offense. Officers are required to make a CAPRS report, and when citations are issued, shall close the case by arrest/complaint. Officers who apprehend a suspect in a personal injury hit and run shall interview suspect when possible, gather evidence, and book if probable cause exists. Officers may consult with a Traffic Unit officer when handling a personal injury hit and run, or Car 710 when handling a fatal hit and run. Officers impounding a vehicle involved in a personal injury hit and run shall mark the tow sheet, "Hit and Run - Hold for Traffic Accident Investigations." Officers impounding a vehicle involved in a fatal hit and run shall mark the tow sheet "Hit and Run Hold for Car 710. (10/27/05) (11/06/07)

Vehicles involved in pedestrian hit and runs shall be towed to the Forensic Garage for processing and protection from the elements. Pedestrian victims shall have their clothes property inventoried as evidence as soon as possible. Reports shall note from whom the clothing was obtained.

Investigators who amend hit and run state accident reports on the State of Minnesota Online Accident Reporting System, involving city or government property, shall notify the Accident/Records Unit about the amendment. (09/03/03)

7-507 Charging Violators With a Misdemeanor at Accidents

(A)

When an operator of a vehicle is not subject to charges of Vehicular Homicide/Injury, felony Hit and Run, or other felony or gross misdemeanor charges, the operator may be charged with: (07/30/90)

- Violations that the investigator has probable cause to believe were committed.
- Violations charged by citizen's arrest.
- Violations by complaint through the City Attorney.

If an officer suspects an operator of a motor vehicle of operating under the influence at the time of an accident, the officer may arrest and process that person for DUI if:

- The officer has probable cause to place that person behind the wheel and;
- The officer documents behavior or conducts a field sobriety test to add to the probable cause of DUI.

Note: Accident reports must be completed if anyone is charged at an accident scene with the following exception: No Driver's License in Possession. (03/20/89) (07/03/03)

7-508 Vehicle Towing at Accidents
(09/14/18)

Towing of vehicles at accidents shall be done in accordance with P&P 7-700 Vehicle Impounding and Towing.

7-509 Accident Packets – Property Damage
(11/22/94)

When an officer responds to a property damage accident, they shall complete an accident report or provide the drivers with an accident packet.

Accident packets may be issued at property damage accidents if the following criteria exist: (11/06/07)

- No personal injury;
- City/government vehicles or property not involved;
- All drivers involved have a valid driver's license;
- All drivers involved display current proof of insurance;
- No citations are issued for a moving violation; and
- No arrests were made for a traffic violation.

When packeting and advising at the scene of an accident, officers shall: (11/06/07)

- Verify that drivers involved have valid driver's licenses;
- Verify that the vehicle VIN matches the license registration (plate) VIN;
- Determine the validity of the information filled out on the Accident Report Envelope;
- Advise the drivers if the total damage exceeds $1,000 they must complete their copy of the Minnesota Motor Vehicle Accident Report and submit to the State within 10 days of the accident;
- Remain at the scene until damaged vehicle which interfere with traffic are removed; and
- Record on their daily activity log-license, name, and date of birth of the drivers involved.

When a citation is issued for a moving violation, officers shall complete the State Traffic Accident Report, along with a CAPRS report. Accident packets include the Accident Report Envelope (MPD-3022), Traffic Accident Information Sheet (MP-6422), and three copies of the Minnesota Motor Vehicle Accident Report.

7-601 Traffic Stops

(06/24/88) (02/01/20) (10/08/21)

(A)

A. Initiating a stop

When making a traffic law enforcement (TLE) stop, the initiating squad shall:

1. Notify the dispatcher of the location of the stop and the license number of the vehicle being stopped and initiate a call for service in accordance with P&P 7-100 Communications.

2. Request a back-up unit or roll-by assist from the dispatcher, if one is needed or desired.

    - It is no longer a Department procedure to automatically start a roll-by or back-up to a TLE if the stop is made by a one officer (able) squad.

B. Conditions for Initiating a Stop

Officers shall not initiate a traffic stop when the only offense is one of the following:

- Expired tabs
- An item dangling from the rearview mirror, unless that object impairs the driver's ability to operate the vehicle safely
- Inoperable license plate lights

C. Equipment violations

1. Issuing a Lights On! Coupon

    All MPD employees conducting motor vehicle stops for equipment violations shall issue a Lights On! Coupon in Lieu of traffic citations, when available and applicable. If a Coupon is issued, then the officer shall advise the driver or recipient of the location in which the repair can be made.

    a. Applicable violations

        Lights On! Coupons can be issued for the following equipment violations;

        - Headlights
        - Turn signals

- Rear lights
- Rear license plate lights (subject to the conditions in section [c])
- Parking lights

b. Coupons not available

If Lights On! Coupons are not available, but the incident meets the Lights On! Criteria, the officer shall:

- Advise the driver of the equipment violation,
- Provide a Blue Card to the driver, and
- Advise the driver to bring the Blue Card to the nearest precinct to get a Lights On! Coupon.

c. Inoperable license plate light

i. Officers may not initiate a traffic stop for an inoperable license plate light to provide the driver with a Lights On! Coupon or a Blue Card.

ii. If a vehicle with an inoperable license plate light is stopped for an independent, permissible reason, officers shall issue a Lights On! Coupon for the inoperable license plate light or a Blue Card if the coupon is not available, in lieu of a traffic citation.

2. Incidents involving other violations

a. Other equipment violations

If the incident does not meet the criteria of the Lights On! Program, the officer shall advise the driver of the equipment violation, subject to the following exception:

i. The driver may be cited or charged by complaint in incidents where an equipment violation on a motor vehicle resulted in a motor vehicle crash or harm to another.

b. Non-equipment violations

i. This policy does not limit the ability of officers to arrest individuals who have committed a criminal offense or have any outstanding warrants.

ii. If the incident involves a non-equipment violation, the officer shall still advise the driver of the equipment violation and issue a Lights On! Coupon when applicable, in addition to any other actions taken during or in relation to the stop.

3. Public safety risk

   If the officer feels the equipment issue poses an unreasonable risk to public safety, the officer shall advise the driver to park the vehicle and get the issue resolved prior to driving the vehicle again.

4. MDC Clear-Form

   Officers shall complete the coupon section of the MDC Clear Form by selecting Yes, No or Not Available.

5. Coupon supply

   Lights On! Coupons will be stocked at each precinct.

   a. If no coupons are available, officers shall request more coupons through their chain of command.

   b. The Chief's office will coordinate delivery of additional coupons.

7-602 Traffic Tags

(A)

Uniformed officers will draw their citation books from the division in which they are assigned. Other officers may draw books from any division normally charged with the responsibility of issuing citation books. (04/01/93)

All traffic tag books are obtained by the division, precinct or unit through the MPD Supply Room. The officer shall also fill out the green receipt of acknowledgment from the tag book and deposit the form in the precinct tag box. (04/01/93)

After a tag is written, the first copy shall be deposited in the precinct tag box by the end of the officer's shift. The last copy is the officer's. The officer may use the reverse side of the last copy for personal notes. (04/05/05)

When a traffic tag is issued, the defendant should be made aware of the violation and how to proceed in processing the tag.

7-603 Enforcing Vehicle Parking and Driving Laws

(A)

Officers shall use Minnesota state laws when enforcing all vehicle, parking and driving violations. The only exceptions shall be for miscellaneous city ordinance violations that are not covered under state law. State statute numbers can be found on the State Statute Traffic Card (MP-6202).

7-604 Traffic Arrest Reports
(08/01/08)

(A-B)

A CAPRS report shall be completed in the following circumstances:

- When a suspect is arrested/booked for a traffic offense.
- When a suspect is given a citation for Careless Driving, Reckless Driving, or a violation of the Open Bottle law.
- When a citation is issued at an accident.
- On all citizen arrests.
- Any unusual charge or situation which needs explanation.

Suspects of felony vehicle operation or drivers in fatal or critical injury accidents shall not be given citations. In such cases, officers shall detail the offenses in their arrest reports or statements.

Arrest reports and reports for seizures of personal property shall include rationale and legal justification for the initial stop, as well as justification for any subsequent search/seizure. If an in-custody arrest is made versus issuing a citation, the reason(s) for the in-custody arrest shall be documented in the corresponding CAPRS report. (08/01/08)

7-605 Chemical Testing – Driving Violations
(10/05/01) (08/21/03) (09/26/16)

(A-B)

A. When arresting a person for driving/operating a motor vehicle while under the influence of alcohol or drugs, or handling a citizen's arrest for DUI, the arresting officer shall transport the suspect to the Chemical Testing Unit and a certified DMT-G (Data Master Transportable – Gas with fuel cell option) Operator shall offer the suspect a breath test. (11/08/16)

1. The suspect has the right to refuse the breath test.

   a. The Implied Consent Advisory (PS 01802-09) shall be read before offering the breath test.

   b. If a breath test has been offered and refused, the refusal is considered a crime under Minn. Stat. 169A.20, subd. 2.

2. If the Chemical Testing Unit is closed, the officer will try to locate a certified DMT-G Operator by contacting MECC.

3. A search warrant shall be secured for a blood test if:

   - a certified DMT-G Operator is not available,
   - the suspect is medically incapable of taking a breath test,

- the suspect starts a breath test but claims he or she cannot physically complete the test, or
- evidence indicates the presence of drugs other than alcohol.

4. The suspect is also entitled to have additional testing done by a person of their own choice and at their own expense while in custody.

   a. The officer shall document the request in the CAPRS report and allow the suspect to use a telephone to make arrangements for alternative testing before transporting to Hennepin County Jail.

   b. Jail personnel shall be notified that arrangements for alternative testing have been made by the arrested party.

   c. The alternative test will be conducted at Hennepin County Jail.

B. Special kits are available in the Chemical Testing Unit for taking a blood sample.

1. Blood samples can only be drawn by authorized medical/hospital personnel.

2. The blood sample must be marked on the outside of the kit box with the case number and the sample shall be deposited in the Chemical Testing Unit refrigerator.

C. A Drug Recognition Expert (DRE) should be called when an officer believes a person has been driving/operating a motor vehicle while under the influence of a drug other than alcohol or in addition to alcohol.

1. The officer or Chemical Testing Unit personnel shall contact MECC to request a DRE.

2. If no DRE is available in the city, MECC will request a DRE from another agency (i.e., Minnesota State Patrol or University of Minnesota).

3. If no DRE is available from another agency, MECC will contact an off-duty Minneapolis DRE from the callback roster to respond.

D. In all cases, including testing of juveniles, the testing officer shall conduct a videotaped interview. This will include videotaping the reading of the Implied Consent Advisory.

1. After completing the videotaped interview and DRE evaluation (if requested), the officer shall complete the identification process and:

   - Issue a citation and release the individual to a responsible person; or
   - Issue a citation and transport the individual to a detoxification facility; or
   - Process the individual through the Hennepin County Detention Center.
   - If a DRE evaluation was completed and/or a blood specimen taken on a DUI, request a Release Pending Complaint (RPC). When completing the Authority to Detain form, officers must write on the form "RPC - DRE Case."

- DRE evaluation forms will be forwarded to the office of the Minneapolis City Attorney. This includes those partial evaluations not completed because of arrestee refusal to finish the evaluations.

E. Driver's License Revocation

1. For arrested persons who refuse testing or for arrested persons who take the breath test with a .08 or more result (.04 or more for commercial vehicle driver), the officer shall clip the non-photographed corner of the person's driver's license to invalidate the driving privileges. (11/08/16)

   a. When clipping the license, the officer shall ensure all descriptive information remains intact.

   b. The officer shall complete the State Notice and Order of Revocation form (PS 31123-10) and return the corner clipped license to the arrested person.

2. If only a blood test is given, the officer shall return the license to the arrested driver **without clipping the license**. It is the responsibility of the Minnesota Department of Motor Vehicles to act upon the test results.

3. If the arrested person has an out-of-state Driver's License, **do not** clip the license. The officer shall complete the Minnesota Notice and Order of Revocation and return the license to the arrested person.

4. The State Notice and Order of Revocation form shall also be completed for arrested persons not having a driver's license, however the officer shall write "**Not a Driver's License**" on the top of the form.

5. In all cases, the original top copy of the Notice shall be given to the arrested person and the remaining copies will be left in the Chemical Testing Unit along with all other associated paperwork. Chemical Testing Unit personnel will forward the paperwork to the Records Unit.

7-606 Citizen Arrest – Traffic Violation

(A-B)

Citizens observing violations of the law have the right to make an arrest. When an officer is unable to take enforcement actions but feels that a citizen can, that officer shall inform the citizen how to make a citizen's arrest. Once the arrest is properly made, the officer shall follow Department arrest procedures. On all arrests for traffic violations, officers shall make out the proper form stating the facts as related by citizens. Officers may also note other items of which they are aware. A copy of the Citizen's Arrest Form should be attached to the reporting form.

7-607 Parking Violations

(09/14/18)

(A)

A. Under normal conditions, all existing parking regulations will be enforced with reasonableness and impartiality.

B. Supervisors shall be responsible for parking enforcement in their precincts, and Watch Commanders will ensure citywide compliance.

C. Towing shall be done in accordance with P&P 7-700 Vehicle Impounding and Towing.

D. Winter Parking and Snow Emergencies

1. Snow emergencies are declared by the City Engineer and the Chief of Police and last 72 hours. Streets posted as snow emergency routes shall have enforcement action taken to ensure proper plowing.

2. When the Winter Parking Restrictions are in place, as declared by the City, all vehicles parked in violation of the Restrictions shall be tagged.

3. Vehicles parked in violation of Snow Emergencies or Winter Parking Restrictions shall be towed using an "Immediate Red Tag Tow," in accordance with P&P 7-703 Towing Procedure- General.

7-608 Dismissal of Traffic/Parking Charges and Citations

(08/22/03)

(A-B)

An officer requesting that a traffic/parking charge or citation be dismissed by the City Attorney's Office shall submit a **completed** Recommendation for Dismissal of Traffic Charge form (MP-6104) to their immediate supervisor. The dismissal form will include the vehicle license number or the City equipment number with a complete description of the incident. Traffic/Parking citations will not be dismissed for personal or monetary considerations. If approved, the supervisor shall sign the form and forward it to the Traffic Unit supervisor. If the Traffic Unit supervisor approves the request, the form will be sent to the City Attorney's Office.

7-609 Temporary No Parking Violations

(A)

When issuing a citation for this type of violation, all officers must indicate on the bottom of the citation the number of such temporary signs located in the block in which the enforcement action is taken.

7-610 Driver's License/Traffic Violations

(06/01/12)

(A-B)

Violations for Driving after Revocation (DAR), Driving after Suspension (DAS) or Driving after Cancellation (DAC) shall be issued citations in lieu of arrest unless the officer believes that one of the following circumstances exists:

- To prevent bodily harm to the accused or another.
- To prevent further criminal conduct.
- There is a substantial likelihood that the accused will fail to respond to a citation.
- The officer cannot verify the identity of the accused.
- The officer has found that the accused has an outstanding warrant.

Officer shall not clip a driver's license except for Driving after Cancellation Inimical to Public Safety (CANCIP) violations and when appropriate under current DWI guidelines.

Licenses confiscated for false identification or evidentiary purposes shall be property inventoried and the appropriate CAPRS reports shall be completed.

7-611 Incompetent Drivers

(A)

An officer, who believes that any driver should be reevaluated because of physical defects or improper driving ability may make such a recommendation to the Driver License Evaluator from the State of Minnesota. Recommendation for testing may be accomplished by using the available box on accident reports and/or completing a "Request for Examination of Driver" Form.

7-612 Squad Speedometer Calibration

(08/21/03)

Squads are calibrated annually. Officers appearing in traffic court relative to a speeding tag based on a speedometer clocking shall bring a photocopy of the calibration card for the vehicle, which can be obtained from the Police Equipment Specialist. Officers will need to provide the P# of the vehicle. (11/06/07)

7-612.01 Radar and Speed Measuring Devices-Standards

All speed measuring devices shall meet or exceed the National Highway Traffic Safety Administration (NHTSA) standards. Operators of the devices shall be trained, certified and operate the devices consistent with NHTSA standards and Minnesota POST Board guidelines. (11/02/95)

Radar units shall be tested and calibrated at the Public Works Radio Shop once a year. The calibration and testing procedures for daily use will be followed by officers using the units to ensure proper performance on a daily basis. Units that do not perform properly will be taken to the Radio Shop for repair/replacement with an accompanying memo detailing the deficiencies.

Other speed measuring devices will be tested in accordance with the manufacturer's recommendation. (07/23/97)

7-613 Semi-Annual Fleet Mileage Check

(06/01/88)

Semi-annual mileage checks shall be conducted at the precinct, unit and division levels. The mileage checks shall be conducted by the Commander, Unit Supervisor or their designee. Mileage checks shall be conducted during the months of April and October of each calendar year and will be due in the Police Equipment Specialist’s possession by April 30 (April's report) and October 31 (October's report). (04/29/93) (11/06/07)

Mileage Check forms are available from the Police Equipment Specialist. (11/06/07)

7-701 Impounding Vehicles

(06/01/12) (09/14/18)

I. Purpose

The purpose of this policy is to provide employees with information and guidance on towing vehicles, and inventory, storage and releasing of impounded vehicles.

II. Definitions

Responsible Occupant: A person in the vehicle, who after reasonable inquiry, appears to be in lawful possession of the vehicle.

III. Procedures/Regulations

A. Officers shall impound vehicles in the following circumstances:

1. As authorized by a "Pick-up and Hold" Order;
2. As directed by an MPD investigator or supervisor;
3. The officer has probable cause to believe the vehicle is stolen and the owner is not present.

B. Unless otherwise prohibited by law, officers may impound vehicles parked on public property in the following circumstances:

1. The officer has probable cause to believe that the vehicle constitutes evidence of a crime and impoundment is reasonably necessary to preserve the evidence;
2. There is probable cause to believe that the vehicle contains evidence of a crime and impoundment is reasonably necessary to obtain or preserve the evidence;
3. The vehicle impedes traffic, threatens public safety, or threatens public convenience and the owner or responsible occupant cannot immediately remove the vehicle on his/her own;
4. The vehicle is subject to forfeiture.
5. The vehicle is illegally parked ***and*** impoundment is specifically authorized by Minnesota state statute or Minneapolis ordinance, including, but not limited to, MN Statute sections

168B.04 and 168B.035. This includes, but is not limited to, retaining control over a vehicle that is subject to forfeiture;

6. The owner or responsible occupant is arrested, absent, or otherwise incapacitated and impoundment appears appropriate for the safekeeping of the vehicle and its contents, to protect them from theft and damage and to protect the MPD from claims of mishandling, unless prohibited in section [C] below.

7. The owner or responsible occupant requests that the MPD takes responsibility for the vehicle.

C. Officers shall **not** impound a vehicle ***solely for safekeeping*** in the following circumstances:

1. When the owner or responsible occupant has been cited rather than arrested, and is capable of taking responsibility for the vehicle.

2. When the owner or responsible occupant has been arrested, specifically requests to make arrangements for the vehicle ***and*** is successful in making those arrangements.

   a. An officer should give an arrestee a reasonable opportunity to make arrangements if specifically requested.

   b. Such an opportunity should not unnecessarily delay or hinder any ongoing police investigation or official duties (e.g. testing a driver's alcohol concentration within a statutorily required time-frame).

3. When another person with a valid driver's license is available at the scene and has the owner's/responsible occupant's permission to take custody of the vehicle, even if the owner/responsible occupant has been arrested.

4. The vehicle is legally parked and the owner/responsible occupant requests the vehicle to be left legally parked.

D. Officers are not required to ask an owner or responsible occupant if they wish to make their own arrangements for the removal of the vehicle in lieu of impoundment.

1. Vehicle Accidents

   a. In vehicle accidents, if an immediate tow is necessary, officers shall note the reason in the Vehicle Impound Report and shall order the tow. An immediate tow is necessary when a vehicle is disabled and either impedes traffic or otherwise presents a risk to the public safety and public convenience, or when the failure to immediately tow would place the vehicle or its contents at risk of theft.

   b. If the vehicle does not have to be moved immediately, is not disabled, and the owner or responsible occupant is able to remove the vehicle within a reasonable time, officers shall not order a tow.

c. In other cases where an immediate tow is not necessary, but the vehicle is disabled, the owner (if on scene) or responsible occupant should be given a reasonable opportunity to arrange a tow. If officers have an opportunity they should ask the owner or responsible occupant if they wish to arrange a tow, when practical. When a citizen is arranging a tow, they shall be responsible for ordering the private tow and for the resulting charges. Officers shall not order a private tow.

E. In all cases in which a report is required and a vehicle is towed, officers shall state the reason for towing in the report. If a report is not required, officers shall state the reason for impounding the vehicle on the tow sheet.

F. In all cases in which a report is required and a vehicle could have been towed but is left legally parked, officers shall note the reason it was left parked, including a summary of the owner or responsible occupant's request(s), if any, in the report.

7-702 Towing- Inventory Procedure

(09/14/18)

A. It is the policy of MPD that an inventory search of a vehicle must be conducted when a vehicle is impounded by MPD for any of the reasons discussed in P&P 7-701, or when an unlocked and unoccupied vehicle is otherwise towed by police order.

1. The purpose of an inventory search is to protect property in the vehicle, to ensure that the vehicle does not contain harmful or dangerous weapons or other items that would endanger the safety of officers or the public, and to protect the department against false claims of loss or damage.

2. The inventory search shall be for the entire vehicle, including all compartments that can be accessed without damage to the vehicle.

   a. Officers shall investigate the contents of containers within the vehicle if those containers can be opened without damage to the container.

   b. If a container cannot be opened without damage, an officer shall attempt to determine the value of the contents of a container by reasonable means, such as asking the owner.

B. The inventory search shall be performed in accordance with P&P 9-201 III B, entitled "Searching Vehicles." For ease of reference, the primary obligations of an officer conducting an inventory search are included here:

1. An "inventory search" is the search of a vehicle lawfully seized in order to ensure that the vehicle does not contain harmful or dangerous weapons, secure valuable items, and protect against false claims of loss or damage.

2. A "Vehicle Impound Report" (AKA "tow sheet") must be completed for every tow.

a. All items of significant monetary value shall be recorded on the tow sheet.

b. Officers must indicate on the tow sheet what items were removed and inventoried and what items were left in the vehicle.

3. If the inventory of the vehicle results in an arrest or seizure of evidence or contraband, a report and supplement shall be completed by each officer conducting the inventory search. This is in addition to completion of the tow sheet. The officer(s) must articulate, at a minimum, the following:

a. The legal justification(s) for the search;

b. Results of the search;

c. Any damages that occurred;

d. Any other pertinent information.

4. If the inventory of a vehicle does not result in an arrest, property damage, or seizure of evidence or contraband, the fact that a search occurred and the legal justification for it should be documented via added remarks to the call in CAD (Computer Aided Dispatch) or by another method.

5. If damage to property was caused during the course of a search and/or resulting seizure, officers shall:

a. Notify a supervisor; and

b. Document the damage by taking photographs.

6. Where possible, items such as weapons, contraband, items of significant monetary value, or other items that an officer believes should be retained for safekeeping shall be property inventoried.

7-703 Towing Procedure – General

(09/14/18)

A. Towing requests shall be made to the Auto Desk.

1. Requests shall indicate the location of the vehicle, the license or Vehicle Identification Number (VIN), and the type of tow required.

2. Heavy duty towing shall be ordered if the vehicle to be towed has three or more axles, or a gross weight in excess of 10,000 pounds, or if an officer determines that heavy-duty equipment is necessary. (03/14/97)

B. White Tag Tow

A "White Tag Tow" means that an officer is waiting at the scene for the tow truck. A White Tag Tow is used when it is necessary to immediately remove a vehicle to safeguard the vehicle and its contents, (i.e. when the vehicle is needed for evidence or when the vehicle is creating a traffic hazard).

1. When using a White Tag Tow, officers shall complete a Vehicle Impound Report "Tow Sheet" (MP 6925) and determine that the VIN and license plate correspond with the registration on file with the Department of Motor Vehicle Registration. A citation may also be issued depending on the reason for towing the vehicle. (10/25/89)

2. Prior to removal by the towing service, the vehicle shall be searched according to P&P 7-702 Towing- Inventory Procedure. (03/14/97)

C. Red Tag Tow

A "Red Tag Tow" means that an officer is not waiting for the tow truck.

1. Officers using or requesting a "Red Tag Tow" shall complete a red tag tow report and attach it with the citation(s) issued to each towed vehicle's windshield. (10/25/89)

2. When an officer directs a “Red Tag Tow,” no inventory search shall be performed. See Minneapolis City Ordinance 478.1160 (“It shall be the duty of the impound tower or his agent to prepare a written report of the description of the vehicle with an inventory of any personal properties visible therein at the time of the arrival of the tower at the location of the vehicle.”)

3. "Red Tag Tows" are separated into two (2) categories: **Immediate** and **Delayed**. (10/25/89) (01/19/90) (10/31/90) (08/14/92)

    a. Immediate Red Tag Tows

    Immediate "Red Tag Tows" include:

    - Rush Hour zones: 7-9am and 4-6pm;
    - Snow emergency;
    - Blocking alley, driveway, traffic lane, or right of way;
    - Parked in a bus lane or at a bus stop, during hours when parking is prohibited;
    - Blocking fire hydrant;
    - Disability zones;
    - Temporary no parking, when posted 24 hours in advance;
    - Preventing egress by a lawfully parked vehicle;
    - Posted emergency vehicle zone;
    - Parked within 30 feet of a stop sign and visually blocks sign;
    - Vehicles parked in posted taxicab stands not licensed as same;

- School zones;
- Winter Parking Restrictions.

b. Delayed Red Tag Tows

i. Delayed "Red Tag Tows" require at least a four-hour delay before the vehicle may be towed. The time the vehicle will be first eligible for towing should be listed on the front line of the red tag tow report. (10/25/89) (01/19/90) (05/23/90) (10/31/90) (08/14/92)

ii. Delayed "Red Tag Tows" include:

- Posted no parking zones (4 hours);
- Truck zones;
- Sidewalk or boulevard;
- Crosswalks;
- Municipal property (Abandoned vehicles on municipal property require 48 hours or 4 hours when properly posted, per MN Statute sections 168B.011 and 168B.035);
- Overweight Truck parking;
- Abandoned vehicles as defined in MN Statute section 168B.011 (must be parked over 72 hours).

D. Investigative and hit and run tows involving pedestrian victims shall be impounded at the Forensic Garage. (04/12/89) (10/25/89)

7-704 Towing From Private Property

(09/14/18)

A. A vehicle legally parked on private property may be towed only under the following conditions:

- The vehicle has been reported stolen.
- The vehicle is wanted by an investigative unit.
- The vehicle is involved in a crime.

B. Officers shall advise parties seeking tows from private property for illegally parked vehicles that they must make their own arrangements with a private towing service.

7-705 Towing From Out of the City

The contracted towing service will tow from anywhere in or near the City of Minneapolis. However, if it is necessary to tow a vehicle for MPD business from far enough out of the city to justify a private towing service, officers shall contact the Fleet Manager or the on-duty Watch

Commander for permission. The bill for such service will be accompanied by a memorandum and forwarded to the Auto Desk.

7-706 Stalled Vehicles

Officers will not push or pull any stalled vehicle with a police vehicle. If no telephone facilities are reasonably available, officers may notify an official police impounding agency. However, the operator should be made aware that neither the officers nor the Department will assume responsibility for the reliability or cost of services rendered.

7-707 Placing a Hold on an Impounded Vehicle
(09/14/18)

A. When a hold is placed on a vehicle for evidentiary reasons, officers shall write "Hold" on the Vehicle Impound Report (MP 6925) along with the reason for the hold.

1. The tow truck driver should be advised on how to handle the vehicle to protect any evidence.

2. Officers shall note in the remarks section of the Vehicle Impound Report what the charges are against the driver or occupants of the vehicle.

B. When officers arrest a driver for DUI and impound the vehicle, officers shall indicate on the Impound Sheet "DWI Arrest, Hold for Proof of Insurance and Ownership."

C. The owner of the vehicle must provide proof of ownership and proof of insurance before their car can be released per MN Statute section 169A.42. (01/04/93) (10/22/15)

7-708 Procedures for Processing Vehicles Held for Evidentiary Purposes
(09/14/18)

A. Only vehicles impounded and held for forensic examination shall be towed directly to the Forensic Garage. Other vehicles placed on a "Hold" shall be towed directly to the City Impound Lot.

B. A supervisor must authorize impounds for forensic examination.

C. Procedures and timelines

1. The respective division or unit will be responsible for promptly ordering the examination by the Forensic Garage staff or for release of the vehicle.

2. The completion of the examination should not exceed eight days following notification to the Forensic Garage by the respective division or unit. (02/9/04)

a. If circumstances exist that would prevent completion of processing in eight days, the City Impound Lot towing coordinator shall be notified by the investigator assigned to the case and arrange to have the "Hold" period extended.

b. If this is not done, the vehicle will automatically be towed from the Forensic Garage to the City Impound Lot in eight days. (02/9/04)

3. Forensic Garage personnel will notify the Auto Desk immediately upon completion of their examination.

4. The Forensic Garage is responsible for notifying the supervisor or investigator of the respective division or unit that the examination has been completed. (02/9/04)

5. All vehicle "holds" will automatically expire 15 business days after the date a vehicle was towed to the City Impound Lot.

a. Investigative divisions or units may extend that period, if necessary, for further investigation or for seizure.

b. To extend that period, the investigator handling the case must send or fax the Auto Desk a completed investigator's Vehicle Hold form (MP-8897) and the exact amount of extended "hold" time required. The Vehicle Hold form can be found on the MPD Net under "MPD Forms." (01/11/89) (02/9/04)

7-709 Release of Vehicle Procedure

(09/14/18)

A. When a driver is arrested, and the vehicle is released (with the permission of the owner or responsible occupant) at the scene to a responsible party, the officer shall include the responsible party's information in their arrest report.

B. The holding or investigating division or unit will authorize the release of impounded vehicles. This will be done in writing by placing the name, address and the phone number of the party to whom the vehicle is to be released on the original Vehicle Impound Report (MP-6925).

7-710 Administrative Impoundment of License Plates

(01/28/91) (04/01/93) (04/18/08) (09/14/18)

A. Minnesota state law requires that police officers impound the license plates in the following circumstances: (04/18/08)

1. The individual has been arrested for the second drug or alcohol related violation of MN Statute section 169A.20 (driving while impaired) or MN Statute section 169A.52 (license revocation for test failure or refusal), within 10 years.

2. The individual has a Commercial Driver's License disqualification under MN Statute section 171.165 for a 2nd drug or alcohol related violation within 10 years.

3. The individual was driving while having an alcohol concentration of 0.20 or more.

4. For a violation of MN Statute section 169A.20, while having a child under the age of 16 in the vehicle if the child is more than 36 months younger than the offender.

5. For driving after license cancellation for repeated drug or alcohol violations (canceled-inimical to public safety) whether DUI or sober.

B. Upon arresting a suspect for DUI, an officer shall check the suspect's driving record and determine if license plate impoundment is required.

1. If impoundment is required, the license plates shall be removed and a Notice and Order of License Plate Impoundment form (PS2486-14) shall be completed.

   a. If the operator of the vehicle is the owner or lessor, a seven-day permit shall be issued.

   b. If the operator is not the owner or lessor, a 45-day permit shall be issued.

   c. The Notice and Order of License Plate Impoundment form shall be completed (including the expiration date of the permit, which shall be printed in large numerals).

      i. The "vehicle" copy will be taped to the inside rear window, left corner.

      ii. The "Department, Operator and Issuing Agency" copies shall be forwarded to the Records Unit, who will file the Issuing Agency copy and forward the other two copies to the State of Minnesota on a weekly basis. (04/18/08)

2. If for any reason, the car is released before the plates can be removed for impoundment, the Notice and Order of License Plate Impoundment form shall still be completed.

   a. The "Vehicle" and "Operator" copies will be given to the operator of the vehicle who shall be advised to post the "Vehicle" copy on the inside of the rear window and surrender the vehicle plates along with the "Operator" copy to any law enforcement agency.

   b. The "Department" and "Issuing Agency" copies will be forwarded to the Records Unit.

3. Notice and Order of License Plate Impoundment forms are available from the MPD Stores Unit.

C. License plates that are surrendered shall be turned in to the City Impound Lot and they will be responsible for their destruction. It will be the responsibility of each precinct/unit/division to ensure that the impounded plates are delivered to the City Impound Lot weekly.

7-801 Procedures for Operation 100

(11/08/01) (05/03/13)

1. The primary responsibility in all tactical situations is to prevent the loss of human life and to contain the threat. Whenever possible, efforts will be directed towards peaceful resolution. (05/03/13).

2. Officers confronting a sniper, armed, barricaded person or hostage situation shall first provide for their own safety and the safety of others. If the situation has turned into an active shooter scenario, responding personnel shall act in accordance with the Active Shooter policy *(see section 7-904)*. (11/08/01) (05/03/13)

3. In situations where an Operation 100 may be necessary, the on-scene supervisor shall contact the Watch Commander via MECC. (05/03/13)

   a. If the Watch Commander concurs that an Operation 100 may be necessary, the Watch Commander shall contact the SWAT Commander or Executive Officer (XO) via MECC. (05/03/13)

   b. If no Watch Commander is on duty, the on-scene supervisor shall contact the SWAT Commander or Executive Officer (XO) via MECC. (05/03/13)

4. If the SWAT Commander concurs that an Operation 100 is necessary, the SWAT Commander shall immediately notify MECC and the Deputy Chief of Patrol that an Operation 100 will be called. (05/03/13)

5. The SWAT supervisor, upon arrival at the scene, will assume command with complete authority and responsibility of the tactical operation. (11/06/07)

6. Overall incident command is the responsibility of the on-duty Watch Commander or non-SWAT supervisor. Incident command responsibility may include managing the media, perimeter, crowd control, non-SWAT logistics and equipment needs. (11/08/01) (11/06/07)

7. The on-duty Watch Commander shall report to the incident staging area and assist at the command post with expediting and coordinating assistance from within the MPD and other public and/or private agencies. The Watch Commander will continue to have citywide responsibilities and authority.

8. Tactical decisions in Operation 100's shall be made by a member of SWAT. Watch Commanders may assume tactical command only if they are a SWAT supervisor or circumstances necessitate removing tactical command from the SWAT supervisor. Reasons for removing tactical command from SWAT supervisor shall be documented to the Chief of Police. (11/06/07)

9. MECC will activate the PDVIP page notifications. (05/03/13)

7-802 Designating a SWAT Field Command Post

(11/06/07) (05/03/13)

It is the responsibility of the SWAT supervisor or the Mobile Command One supervisor (whoever arrives first), or their designee, to coordinate with the Patrol Supervisor the location of the SWAT Field Command Post area.

When selecting the SWAT Field Command Post area, the area should be: (05/03/13)

- Out of sight of the perpetrator
- Close enough to be practical
- Upwind from the incident site
- Large enough to accommodate parking for 20 vehicles (including large specialty vehicles such as Mobile Command One, SWAT Negotiators van, SWAT Equipment van, the Bomb Squad truck and TCV) as well as a separate area large enough to accommodate the staging and deployment of 50 SWAT personnel within that secured area.

Remember: When selecting a SWAT Field Command Post area it is best to select a larger area than may be needed and scale it back, rather than an area which is too small. (05/03/13)

These areas shall be cordoned off and secured with green Tactical Staging Area scene tape and blue Command Post scene tape. The Tactical Command Post Area will have a designated point of entry to the tactical area. All tactical and Bomb Squad personnel shall enter and exit the scene at the designated point of entry, sign in with logistics, and wait for assignment within the confines of the Tactical Staging Area, designated with the green Staging Area scene tape.

Police personnel not assigned in some capacity to SWAT (Command, Tactical, Negotiations, or Mobile Command One) or Bomb Squad shall not enter the Command Post area or Mobile Command One without receiving entry from the Tactical Commander or their designee.

Blue Command Post Scene Tape:

Mobile Command One personnel will maintain rolls of blue Command Post scene tape. The blue tape will be placed around the designated area around the Tactical Command Post portion(s) of the scene that will accommodate Mobile Command One and the SWAT Negotiators vehicle. Only SWAT and Bomb Squad personnel will be allowed to cross the blue tape. Blue tape usage will be at the discretion of SWAT Command Staff or Mobile Command One personnel. Once the Operation 100 is complete, Mobile Command One personnel will remove the blue tape.

Green Tactical Staging Area Scene Tape:

Mobile Command One personnel will maintain rolls of green Staging Area scene tape. The green tape will be placed around the designated Tactical Staging Area within the Tactical Command Post portion(s) of the scene. The Staging Area should be large enough to accommodate the staging and deployment of 50 SWAT and Bomb Squad personnel. Only SWAT and Bomb Squad personnel shall be allowed to cross the green tape. Green tape usage will be at the discretion of SWAT Command Staff or Mobile Command One personnel. Once the Operation 100 is complete, Mobile Command One personnel will remove the green tape.

7-803 Bomb Threats

(12/01/08)

(B-D)

Officers responding to a bomb threat shall advise the person in-charge (contact person) of the involved business or building, that it is their decision to evacuate. If asked for a recommendation, officers shall advise that in all instances of bomb threats the Minneapolis Police Department recommends an evacuation of the building, and a search of the building by employees/staff (on a voluntary basis) to look for suspicious item(s).

Prior to the search being conducted officers shall also advise the contact person:

1. Not to use portable radios or cell phones while conducting the search;

2. Not to handle any suspicious item(s);

3. If a suspicious item is discovered immediately evacuate the area and call 911.

All requests for building searches utilizing MPD employees and/or canines to look for suspicious packages or suspected explosives must be approved by the Bomb Squad supervisor, in advance.

Responding officers shall complete a CAPRS report. Bomb threats should be coded BOMBT. If a suspicious package or suspected explosive is discovered subsequent to the bomb threat, CAPRS code BOMB shall be used in addition to BOMBT.

7-804 Suspicious Packages, Explosives, Suspected Explosive Packages and Explosions

(12/01/08)

(B-D)

Sworn personnel should be aware of the potential for secondary devices and other potential hazards when responding to any scene involving a:

- Suspicious package
- Suspected explosive
- Suspected explosive package or device
- Suspected weapon of mass destruction (WMD)

- Chemical bomb
- Military ordnance
- Clandestine lab
- Explosion

Sworn personnel shall not handle or open any device, or utilize a canine to survey any suspicious package. Responding officers shall establish a perimeter and evacuate all persons (including EMS personnel) to a minimum distance of 500 feet. Portable radios and cell phones shall not be used in the immediate vicinity of the suspected threat. Only personnel assigned to the Bomb Squad shall cross the established perimeter.

Officers shall complete a CAPRS report coded BOMB.

7-805 Crowd Management

(01/05/23)
Revisions to prior policies: (04/20/01) (08/17/07) (06/16/20) (08/21/20) (09/08/20) (10/31/20) (03/12/21) (01/01/23)

I. Purpose

A. The First Amendment to the Constitution of the United States of America states, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press, or the right of the people peaceably to assemble and to petition the Government for a redress of grievances."

B. The Bill of Rights in Article 1 of the Minnesota Constitution addresses the rights of free speech and the liberty of the press. However, neither the state nor federal constitutions protect criminal activity or threats against citizens, businesses, or critical infrastructure.

C. The Minneapolis Police Department supports all people's fundamental right to peaceably assemble and their right to freedom of speech and expression.

D. The purpose of this policy is to provide guidelines to MPD employees regarding the application and operation of law enforcement actions during public assemblies and First Amendment Activity.

II. Definitions

Assembly: An assembly is a group of people gathered together in one place for a common purpose.

Civil Disturbance: A civil disturbance, also known as civil disorder or civil unrest, is when a gathering or assembly becomes violent or involves a collective threat of imminent violence, including but not limited to, assaults, significant property damage, arson fires, and bodily injury to people.

Control Holds: Control holds are soft empty hand control techniques as they do not involve striking.

Crowd Control: Techniques used to address unlawful public assemblies.

Crowd Control Purposes: Using tactics or weapons to contain, control or disperse a crowd or assembly.

Crowd Control Weapons: Crowd control weapons include any weapon (or tool used as a weapon) used to address a civil disturbance or other unlawful public assembly. These include chemical aerosols, chemical munitions or projectiles (CS or OC), smoke munitions or projectiles, marking rounds (40mm direct, exact or blunt impact projectiles or rounds), rubber bullets, impact weapons (ASP batons, riot sticks, bicycles or other items used as impact weapons), and light sound distraction devices (inert, CS or OC blast balls). Authorization for use of crowd control weapons is set forth in section [D] below.

Crowd Escort Actions: Actions to escort crowds, moving or directing them back, with contact that does not rise to the level of a forceful shove or strike.

Crowd Management: Techniques used to manage lawful public assemblies before, during, and after an event. Crowd management can be accomplished in part through coordination with event planners and group leaders, permit monitoring, and based on the specific circumstances presented and in light of prior crowd events.

Deadly Force: Force used by an officer that the officer knows, or reasonably should know, creates a substantial risk of causing death or great bodily harm.

Demonstration: An assembly of people organized primarily to engage in First Amendment activity. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.

First Amendment Activities: First Amendment activities include all forms of speech and expressive conduct used to convey ideas and/or information, express grievances, or otherwise communicate with others and include both verbal and non-verbal expression.

1. Common First Amendment activities include, but are not limited to:

    - Speeches
    - Demonstrations
    - Vigils
    - Picketing
    - Distribution of literature
    - Displaying banners or signs
    - Street theater, and
    - Other artistic forms of expression.

2. All these activities involve the freedom of speech, association, and assembly and the right to petition the government, as guaranteed by the United States Constitution and the Minnesota State Constitution.

3. The government may impose reasonable restrictions on the time, place, or manner of protected speech, provided the restrictions are justified without reference to the content of the regulated speech, that they are narrowly tailored to serve a significant governmental interest, and that they leave open ample alternative channels for communication of the information.

Great Bodily Harm: Bodily injury which creates a high probability of death, or which causes serious, permanent disfigurement, or which causes a permanent or protracted loss or impairment of the function of any bodily member or organ or other serious bodily harm.

Legal Observers: Individuals, usually representatives of civilian human rights agencies, who attend public demonstrations, protests and other activities. The following may be indicia of a legal observer: Wearing a green National Lawyers' Guild issued or authorized Legal Observer hat and/or vest (a green NLG hat and/or black vest with green labels) or wearing a blue ACLU issued or authorized legal observer vest.

Media: Media means any person who is an employee, agent, or independent contractor of any newspaper, magazine or other periodical, book publisher, news agency, wire service, radio or television station or network, cable or satellite station or network, or audio or audiovisual production company, or any entity that is in the regular business of news gathering and disseminating news or information to the public by any means, including, but not limited to, print, broadcast, photographic, mechanical, internet, or electronic distribution. For purposes of this policy, the following are indicia of being a member of the media: visual identification as a member of the press, such as by displaying a professional or authorized press pass or wearing a professional or authorized press badge or some distinctive clothing that identifies the wearer as a member of the press.

Munitions:

Chemical Agent Munitions: Munitions designed to deliver chemical agents from a launcher or be propelled by hand.

Less-Lethal Impact Munitions: Impact munitions which can be fired, launched, or otherwise propelled.

Direct Fired Munitions: Less-lethal impact munitions that are designed to be direct fired at a specific target.

Indirect-Fired Muntions: Less-lethal non-direct impact munitions that are discharged toward a surface in front of a target, intended to impact the subject following contact with the surface.

Unlawful Assembly: According to MN Statute section 609.714, "When three or more persons assemble, each participant is guilty of unlawful assembly, which is a misdemeanor, if the assembly is:

1. with intent to commit any unlawful act by force; or

2. with intent to carry out any purpose in such manner as will disturb or threaten the public peace; or

3. without unlawful purpose, but the participants so conduct themselves in a disorderly manner as to disturb or threaten the public peace."

III. Policy

A. Facilitating Exercise of Rights

1. MPD employees shall not unlawfully interfere with people engaged in the lawful exercise of their rights.

2. The MPD will uphold the constitutional rights of free speech and assembly while using the minimum amount of physical force and authority required to address a crowd management or crowd control issue.

3. The policy of the MPD regarding crowd management and crowd control is to apply the appropriate level of direction and control to protect life, property, and vital facilities while maintaining public peace and order during a public assembly or First Amendment activity.

B. Policy Application

This policy concerning crowd management, crowd control, crowd dispersal, and police responses to violence and disorder applies to:

- Spontaneous demonstrations,
- Spontaneous crowd event situations, and
- Planned demonstration or crowd events regardless of the permit status of the event.

C. Use of Force

1. Nothing in this policy prohibits officers' abilities to use appropriate force options to defend themselves or others as defined in P&P 5-300.

2. Use of any crowd control weapons shall be reported and reviewed in accordance with the sections on Force Reporting and Supervisor Force Reviews in P&P 5-301.

D. Supervisor Responsibility for Oversight

Supervisors shall be responsible for:

1. Ensuring that officers assigned launchers or munitions have completed relevant training and certification as applicable.

2. Describing to on-scene officers the rules of engagement for the deployment of munitions, including a review of the applicable use-of-force policy sections.

3. Maintaining responsibility for the munitions issued and deployed.

4. Ensuring appropriate radio notification of deployments where practical and ensuring subsequent reporting.

5. Ensuring officers complete proper written documentation for the deployment of less-lethal weapons after deploying such tools.

E. Incident Commander

In some cases, the Incident Commander role in this policy may be the same person as the on-scene supervisor.

F. Annual Policy Review

This policy is to be reviewed annually.

IV. Procedures/Regulations

A. Uniform

1. All officers responding to public assemblies shall at all times, including when wearing protective gear, display their agency name and a unique personal identifier in accordance with P&P 3-100.

2. The Chief or the Chief's designee shall maintain a record of any officer at the scene who are not in compliance with this requirement due to exigent circumstances.

B. Officer conduct

1. Officers shall maintain professional demeanor and remain neutral in word and deed despite unlawful or anti-social behavior on the part of crowd members.

2. Verbal abuse against officers does not constitute a reason for an arrest or for any use of force against such individuals.

3. Officers shall not take action or fail to take action based on the opinions being expressed.

4. Officers shall not interfere with the rights of members of the public to observe and document police conduct via video, photographs, or other methods unless doing so interferes with on-going police activity (P&P 9-202).

5. Officers shall not use a weapon or munition unless the officer has been trained in the use and qualified in deployment of the weapon/munition (P&P 5-302).

6. This policy does not preclude officers from taking appropriate action to direct crowd and vehicular movement; enforce ordinances and statutes; and to maintain the safety of the crowd, the general public, law enforcement personnel, and emergency personnel.

C. Responses to Crowd Situations

1. Spontaneous disturbances

   Officers responding to large-scale disturbances, or those that are likely to become violent, shall notify their supervisor. The responding supervisor shall assume the role of Incident Commander and determine the need for additional assistance, equipment, and tactics to be used.

   a. The Incident Commander shall inform the Watch Commander, who shall contact MECC with information of the situation. MECC shall contact the Chief of Police and the appropriate Bureau Head, with information of the situation.

   b. The first level of additional assistance shall be precinct officers and designated response cars. The Incident Commander shall establish a field command post with a designated staging area. The Incident Commander shall designate officers for security details for police vehicles and equipment.

   c. The Incident Commander may request the activation of the SWAT team to provide additional demonstration management resources. Upon activation, the SWAT team will be deployed and directed by the SWAT Lieutenant in consultation with the Incident Commander.

   d. The Incident Commander shall be in charge of the incident as a whole, however, the SWAT Lieutenant shall direct the specific actions of SWAT members once they have been activated, consistent with the mission outlined by the Incident Commander.

2. Lawful assembly

   Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest, or otherwise express their views and opinions through varying forms of communication including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills, leafleting and loitering.

3. Unlawful assembly

   a. The mere failure to obtain a permit, such as a parade permit or sound permit, is not a sufficient basis to declare an unlawful assembly.

b. The fact that some of the demonstrators or organizing groups have engaged in violent or unlawful acts on prior occasions or demonstrations is not grounds for declaring an assembly unlawful.

c. Whenever possible, the unlawful behavior of a few participants shall not result in the time, place or manner of expression being impacted for majority of peaceful protestors, unless other participants or officers are threatened with dangerous circumstances.

d. Unless emergency or dangerous circumstances prevent negotiation, crowd dispersal techniques shall not be initiated until after attempts have been made through contacts with the police liaisons and demonstration or crowd event leaders to negotiate a resolution of the situation so that the unlawful activity will cease, and the First Amendment activity can continue.

4. Declaration of Unlawful Assembly

a. If the Incident Commander has declared an unlawful assembly, the reasons for the declaration and the names of the decision maker(s) shall be recorded.

i. The declaration and dispersal order shall be announced to the assembly.

ii. The name(s) of the officers announcing the declaration should be recorded, with the time(s) and date(s) documented.

b. The dispersal order shall include:

iii. Name, rank of person, and agency giving the order.

iv. Declaration of Unlawful Assembly and reason(s) for declaration.

v. A minimum of two egress routes that may be used.

vi. Specific consequences of failure to comply with dispersal order.

vii. How long the group has to comply.

c. Whenever possible, dispersal orders should also be given in other languages that are appropriate for the audience. Officers shall recognize that not all crowd members may be fluent in the language(s) used in the dispersal order.

d. Dispersal announcements shall be made in a manner that will ensure that they are audible over a sufficient area.

i. Dispersal announcements shall be made from different locations when the demonstration is large and noisy.

ii. The dispersal announcements should be repeated after commencement of the dispersal operation so that people not present at the original broadcast will understand that they must leave the area.

5. Crowd Dispersal

a. Crowd dispersal techniques should not be initiated until officers have made repeated announcements to the crowd, or are aware that repeated announcements have been made, asking members of the crowd to voluntarily disperse and informing them that, if they do not disperse, they will be subject to arrest.

b. Unless an immediate risk to public safety exists or significant property damage is occurring, sufficient time will be allowed for a crowd to comply with officer commands before action is taken.

c. If negotiations and verbal announcements to disperse do not result in voluntary movement of the crowd, officers may employ additional crowd dispersal tactics, but only after orders from the Incident Commander, and by using the minimum amount of physical force and authority needed to address the issue.

d. If, after a crowd disperses pursuant to a declaration of unlawful assembly and subsequently participants assemble at a different geographic location where the participants are engaged in non-violent and lawful First Amendment activity, such an assembly cannot be dispersed unless it has been determined that it is an unlawful assembly, and a new declaration of unlawful assembly has been made.

D. Authorization for Crowd Control Weapon Use

1. Except as provided in [E] below, during civil disturbances or assemblies (as defined in this policy), authorization for use of crowd control weapons shall only come from the Chief of Police, or if the Chief is unavailable, the Chief's designee at the rank of Deputy Chief or above.

a. Such authorization shall be given over the police radio via radio transmission to personnel on scene, whenever possible.

b. The Incident Commander shall ensure that any authorization for crowd control weapons (which must come from the Chief of Police or if the Chief is unavailable, the Chief's designee at the rank of Deputy Chief or above) is documented in the Police Report, including the person who authorized the use of crowd control weapons. MPD shall retain such documentation for a period of not less than seven years.

c. Sworn MPD employees shall not use crowd-control weapons in a civil disturbance or an assembly until they have been authorized under this policy, unless there is an immediate need to protect oneself or another from objectively imminent physical harm, as detailed in [E] below.

2. Crowd control weapons shall not be authorized for peaceful gatherings or assemblies (such as peaceful protests and demonstrations).

3. In situations not involving civil disturbances or assemblies, the use of weapons listed in this policy shall be in accordance with the other sections in P&P 5-300 specific to those weapons.

E. Objectively Imminent Physical Harm to Oneself or Another

1. If there is an immediate need to protect oneself or another from objectively imminent physical harm and crowd control weapons have not been authorized under [D] above:

   a. Crowd control weapons, excluding chemical munitions, smoke munitions and light sound distraction devices, may be used without prior authorization in order to stop the assaultive conduct or act of violence.

   b. In these circumstances, crowd control weapons may only be used against specific people who are posing a threat of objectively imminent physical harm to another person.

   c. Chemical munitions, smoke munitions and light sound distraction devices may not be used in these circumstances.

2. The sworn officer using crowd control weapons under such circumstances must notify their supervisor of the use of crowd control weapons as soon as it is safe to do so.

3. The supervisor shall notify the Incident Commander or Watch Commander as soon as it is safe to do so.

4. Any sworn officer who uses crowd control weapons under this section (against specific people in an assembly without prior authorization) shall document and detail in the Police Report the specific circumstances establishing that there was an immediate need to protect themselves or another from objectively imminent physical harm. MPD shall retain such documentation for a period of not less than seven years.

5. The Incident Commander or Watch Commander who is notified shall email a brief notification before the end of their shift that an officer used crowd control weapons without prior authorization, including the case number and circumstances establishing the need to use the weapon, to the Chief of Police, Assistant Chief, Deputy Chiefs, and the Commander of Internal Affairs, for further review and handling.

F. Crowd Control and Crowd Dispersal Tactics

Crowd control weapons may only be authorized and used during civil disturbances and assemblies in accordance with P&P 5-300 and the conditions set forth in this policy, including the authorization requirements in section [D].

1. Canine use prohibited

   Canines shall not be used for crowd control, crowd containment, or crowd dispersal.

2. Fire hoses prohibited

   Fire hoses shall not be used for crowd control, crowd containment, or crowd dispersal.

3. FSDDs prohibited

   FSDDs (also known as "flash-bangs") shall not be used for crowd control, crowd containment, or crowd dispersal.

4. Electronic Control Weapons (ECWs) prohibited

   Electronic Control Weapons (ECWs) shall not be used for crowd control, crowd containment, or crowd dispersal. This provision does not limit the use of ECWs under the conditions of [E] regarding objectively imminent physical harm.

5. Vehicles

   a. Motorcycles and police vehicles shall not be used for crowd dispersal.

   b. Vehicles may be used for purposes of observation, visible deterrence, traffic control, transportation, and area control during a crowd event.

6. Bicycles

   a. Bicycles may be used to control and move people as appropriate. Bicycles may be authorized for crowd escorts by the Incident Commander.

   b. Strikes with bicycles and other uses of a bicycle as a weapon shall follow the policies and procedures for impact weapon use.

7. Horses

   a. When authorized by the Incident Commander, horses may be used to contain, control, and direct groups in nonviolent demonstrations as appropriate.

   b. Horses shall not be used against passively resistant demonstrators, including those who are sitting or lying down.

   c. Unless exigent circumstances exist, horses should not be used when chemical agents are used or use is anticipated, or in icy or snowy conditions or when similar lack of footing may jeopardize the animal, rider, or others.

8. Munitions and 40mm Launchers

   a. 40mm launchers

      In accordance with the section on 40mm launchers in P&P 5-302, during civil disturbances or assemblies:

      i. Carrying 40mm launchers

         Only officers working in a certified SWAT capacity shall carry 40mm launchers, unless authorization is given by the Chief of Police, or when the Chief is unavailable, the Chief's designee at the rank of Deputy Chief or above, for other officers who have been trained in the use of 40mm launchers to carry them.

      ii. Coordination of 40mm launcher use

         Once use of 40mm launchers is authorized in accordance with section [D], and the SWAT supervisor is on scene, the supervisor shall coordinate all use of 40mm launchers on scene, including by any officers who were authorized to carry prior to the SWAT supervisor's arrival. Nothing in this provision limits the use of 40mm launchers authorized by section [E] regarding objectively imminent physical harm.

   b. Less-lethal impact munitions

      i. Use of less-lethal impact munitions

         aa. Less-lethal impact fired munitions shall never be used indiscriminately against a crowd or group of people.

         ab. Less-lethal impact munitions shall be used only against a specific individual who is engaging in conduct that poses an immediate threat of objectively imminent physical harm (as covered by section [E]).

         ac. When circumstances permit, the Incident Commander shall make an attempt to accomplish the policing goal without the use of less-lethal impact munitions as described above, and, if practical, an audible warning shall be given to the subject before use of the weapon.

      ii. Areas to avoid targeting

         In accordance with the P&P 5-302, officers shall intentionally not discharge less-lethal impact munitions at a person's head, neck, throat, face, armpit, spine, kidneys, or groin unless deadly force would be justified.

c. Chemical munitions

i. Sufficient egress

Chemical munitions may not be used unless sufficient egress exists to safely allow the crowd to disperse.

ii. Prohibition on CN chemical munitions

CN chemical munitions are prohibited.

iii. Announcements and area notifications

aa. When feasible, additional announcements warning of the imminent use of chemical munition should be made prior to the use of chemical munitions in a crowd situation.

ab. Where extensive use of chemical munitions would reasonably be anticipated to impact nearby residents or businesses, the MPD should consider proactively notifying impacted individuals of safety information related to the munitions use as soon as possible, even if after the event.

iv. Emergency medical services available

When chemical munitions are used, emergency medical services will be on standby at a safe distance near the target area when feasible.

v. Documenting chemical munition use

In addition to the use of force and de-escalation documentation requirements in P&P 5-301, the following information shall be documented for all chemical munition use:

aa. The name of each chemical munition used in an incident.

ab. The location and time of use for each munition use (as accurately as possible).

vi. Safety data sheet

The safety data sheet (SDS) shall be saved and maintained for all chemical munitions used by the MPD.

9. Impact weapons

a. Display of batons or riot sticks

Batons and riot sticks may be visibly displayed and held in a ready position during squad or platoon formations.

b. Crowd movement

Impact weapons (such as batons, riot sticks and riot shields) may be used as tools for crowd escorts when authorized by the Incident Commander.

c. Use of impact weapons

i. Impact weapon strikes shall not be used indiscriminately against a crowd or group of people, but only against specific individuals who are physically aggressive or actively resisting arrest.

ii. Impact weapon strikes should not be used in a crowd control situation against an individual who is attempting to comply but is physically unable to disperse or move because of the press of the crowd or some other fixed obstacle.

d. Areas to avoid targeting

Officers shall not strike a person with any baton to the head, neck, throat, kidneys, spine, or groin, or strike with force to the armpit unless the person has created an imminent threat of great bodily harm to another.

e. Use against a person in handcuffs

Impact weapons shall not be used against a person who is handcuffed except when permissible under P&P 5-300 and state law.

10. Aerosol hand-held chemical agents

a. Use of aerosol hand-held chemical agents

i. Aerosol hand-held chemical agents shall only be used against specific individuals who are engaged in conduct that poses an immediate threat of objectively imminent physical harm. Aerosol, hand-held, pressurized, containerized chemical agents that emit a stream shall not be used indiscriminately for crowd management, crowd control, or crowd dispersal.

ii. Officers shall use the minimum amount of the chemical agent necessary to overcome the subject's resistance.

b. Subject exposure treatment

i. When possible, people should be removed quickly from any area where hand-held chemical agents have been used. Officers shall monitor the subject and pay particular attention to the subject’s ability to breathe following the application of a chemical agent.

ii. A subject who has been sprayed with a hand-held chemical agent shall not be left lying on their stomach once handcuffed or while restrained with any device.

G. Arrests

1. Encircle crowd

   If the crowd has failed to disperse after the required announcements and sufficient time to disperse, officers may encircle the crowd or a portion of the crowd to make multiple simultaneous arrests.

2. People seeking to be arrested

   a. People who make it clear (e.g., by non-violent civil disobedience) that they seek to be arrested may be arrested and shall not be subjected to other dispersal techniques, such as the use of impact weapons or chemical agents.

   b. People refusing to comply with arrest procedures may be subject to the reasonable use of force.

3. Arrests of non-violent people

   Arrests of non-violent people shall be accomplished by verbal commands and persuasion, handcuffing, lifting, carrying, the use of dollies and/or stretchers, and/or the use of soft empty hand control holds.

4. Arrestee injuries

   a. Officers shall document any injuries reported by an arrestee, in accordance with P&P 5-301.

   b. As soon as practical, officers shall obtain professional medical treatment for the arrestee, in accordance with P&P 5-301 and P&P 7-350.

5. Juvenile arrests

   Juveniles arrested in demonstrations shall be handled consistent with MPD policy on arrest, transportation, and detention of juveniles (P&P 8-300).

6. Arrests of people with disabilities and Limited English Proficiency

   a. Officers arresting a person with a disability affecting mobility or communication shall follow the MPD policy on arrest, transportation, and detention of people with disabilities (P&P 7-1002 and P&P 7-1003).

   b. Officers shall follow P&P 7-1001 for providing services to people who are Limited English Proficiency.

7. Handcuffing arrestees

   a. Handcuff policies

      All people subject to arrest during a demonstration or crowd event shall be handcuffed in accordance with MPD policy, orders, and training bulletins (including P&P 5-301, P&P 5-302 and P&P 9-109).

   b. Flex-cuffs

      i. Officers should be cognizant that flex-cuffs may tighten when arrestees hands swell or move, sometimes simply in response to pain from the cuffs themselves.

      ii. When an arrestee complains of pain from overly tight flex cuffs, officers shall examine the cuffs and ensure proper fit.

      iii. Arrestees in flex-cuffs shall be monitored to prevent injury.

      iv. Each unit involved in detention or transportation of arrestees with flex-cuffs should have a flex-cuff cutter and adequate supplies of extra flex-cuffs readily available.

H. Media.

The media have a First Amendment right to cover public activity, including the right to record video or film, livestream, photograph, or use other mediums.

1. The media shall not be restricted to an identified area, and shall be permitted to observe and shall be permitted close enough access to view the crowd event and any arrests. An on-scene supervisor or the Incident Commander may identify an area where media may choose to assemble.

2. Officers shall not arrest members of the media unless they are physically obstructing lawful efforts to disperse the crowd, or efforts to arrest participants, or engaged in criminal activity.

3. The media shall not be targeted for dispersal or enforcement action because of their media status.

4. Even after a dispersal order has been given, clearly identified media shall be permitted to carry out their professional duties unless their presence would unduly interfere with the enforcement action.

I. Legal Observers

1. Legal observers, including unaffiliated self-identified legal observers and crowd monitors, do not have the same legal status as the media, and are subject to laws and orders similar to any other person or citizen.

2. Legal observers and monitors must comply with all dispersal orders unless an on-scene supervisor or the Incident Commander chooses to allow such legal observers and monitors to remain in an area after a dispersal order.

3. Legal observers and crowd monitors shall not be targeted for dispersal or enforcement action because of their status.

J. Documentation of Public Assembly and First Amendment Activity

1. Public assembly or first amendment activity shall not be visually documented, except under the following circumstances:

   a. Documentation of the event for the purposes of debriefing,

   b. Documentation to establish a visual record for the purposes of responding to citizen complaints or legal challenges (including through required BWC or MVR activations in accordance with P&P 4-223 and P&P 4-218), or

   c. Creating visual records for training purposes.

   d. When authorized under MN Statute section 626.19 Subd. 4 regarding UAV use.

2. Any authorized video or photo documentation shall be done in a manner that minimizes interference with people lawfully participating in First Amendment activities.

3. Videotaping and photographing of First Amendment activities shall take place only when authorized by an on-scene supervisor or the Incident Commander.

4. Individuals should not be singled out for photographing or recording simply because they appear to be leaders, organizers, or speakers.

5. Unless evidence of criminal activity is provided, videos or photographs of demonstrations shall not be disseminated to other government agencies, including federal, state, and local law enforcement agencies. If videos or photographs are disseminated or shared with another law enforcement agency, a record should be created and maintained noting the date and recipient of the information.

6. If there are no pending criminal prosecutions arising from the demonstration or if the video recording or photographing is not relevant to an Internal Affairs or citizen complaint investigation or proceedings or to civil litigation arising from police conduct at the demonstration, the video recording and photographs shall be destroyed in accordance with MPD policies, City Retention Guidelines and State law.

7. This policy shall not prohibit employees from using these videos or footage from such videos as part of training materials for officers in crowd control and crowd dispersal techniques and procedures.

K. Training

1. Initial and ongoing training

   a. All officers should receive yearly training on appropriate responses to crowd control and crowd management.

   b. Officers assigned to specialty units that respond to crowd control situations should receive additional training on appropriate responses to crowd control and crowd management, in addition to the yearly department-wide training.

2. Joint training

   Joint training should also be conducted with all agencies who are involved in crowd management activities.

3. Less-lethal 40mm launcher and munition training

   a. The MPD shall ensure that officers assigned the weapons or munition have completed relevant training and certification as applicable, ideally well in advance of an incident.

   b. The training shall describe the rules of engagement for the deployment of munitions, including a review of the applicable use-of-force policy sections.

7-806 Canine (K9) Unit

(A)

The Canine Unit will be available on a 24 hour basis. K9 personnel will perform regular police duties between calls for assistance from other officers.

Requests for canine assistance shall be made by officers in charge of a scene via MECC. The situation shall be explained to the canine officer and area secured of all personnel to preserve evidence and scent.

Requests for canine assistance by outside agencies will be referred to an on duty canine supervisor or senior canine officer in the canine supervisor is not available. The agencies will be advised of Department policies and procedures, and that there is a fee for canine use outside Hennepin County and St. Paul. The canine officer will make a written report of the incident. (05/21/96)

7-807 Authorized Use of Canines

(05/21/96) (02/16/23)

I. Purpose

Police canines are valuable assets to the MPD because of canines' superior sense of smell, hearing, agility and loyalty. Use of canines requires adherence to procedures that properly control their use and to channel their specialized capabilities into legal and ethical law enforcement tools.

II. Definitions

Apprehension: When a police canine physically engages a suspect in an effort to take them into custody.

Canine Administration: This includes the Commander of the division overseeing the Canine unit, and the Lieutenant and the Sergeants of the Canine unit.

Canine Deployment: Anytime a canine is used outside of training or a demonstration.

Canine Handler: A Minneapolis police officer specifically trained to use a canine.

Canine Team: Minneapolis police officer trained as canine handler working with a MPD canine.

Certified (Certification): An MPD canine team that has passed the United States Police Canine Association (USPCA) Regional Field Trial or another certifying accredited entity approved by the Canine Administration.

Certifying Entity: The accredited entity approved by the Canine Administration, that is responsible for setting certification standards and conducting any required trials. Generally, the certifying entity is the United States Police Canine Association (USPCA).

Field Trials:

Regional Field Trial: The certification field trial conducted and hosted by the approved certifying entity.

Mini-Trial: Small-size field trials hosted by agencies, but approved and sponsored by the approved certifying entity.

III. Policy

A. Sole Responsibility of Handler

The Canine Handler shall be solely responsible for the best practical application and deployment of their dog in all instances.

B. Report to Ranking Officer at the Scene

1. During operational deployment, the assigned canine handler will report to the ranking officer at the scene.

2. The canine sergeants and canine officers are all active canine handlers.

C. Permissible Uses

Department canines may be used for the following situations, when the associated conditions in this policy are met:

- Searching for or apprehending suspects.
- Locating missing or lost persons.
- Searching for explosives, narcotics or other evidence.
- Security of MPD and City equipment and property.
- Public relations demonstrations, with the prior approval of the Canine unit supervisor.

D. Prohibited Uses

Department canines shall not be used for any of the following purposes:

- Crowd control purposes at protests or demonstrations.
- Searching for animals.
- Punitive purposes against suspects.
- For off-duty employment (in accordance with P&P 3-800).

E. Dangerous Situations

Canines should not be put in dangerous situations needlessly.

IV. Procedures/Regulations

A. Searching For or Apprehending Suspects

1. Department canines may be used to search for or apprehend a suspect if:

   a. The canine handler reasonably believes that the individual has either committed or is about to commit a serious offense, *and*

   b. Any of the following conditions exist:

      - There is a reasonable belief that the individual poses an immediate threat of violence or serious harm to the public, any officer, or the handler.
      - The individual is physically resisting arrest or attempting to evade arrest and the use of a canine is reasonably necessary force under the circumstances to overcome such resistance or prevent the escape of the suspect.
      - The individual is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

2. When canines are used for apprehensions, handlers shall disengage their canines as soon as reasonably possible after the suspect is able to be controlled or secured.

B. Warnings

1. If feasible, a verbal warning shall be given loud enough to be reasonably heard by the suspect or other persons prior to any deployment of a police canine. This warning shall include all of the following:

    - The identification of the MPD.
    - That the canine is being released.
    - That the subject is under arrest.
    - That the subject may be bitten by the canine.

2. Circumstances may arise that make it unsafe for a canine handler to give a verbal warning if the handler's safety or the safety of another is jeopardized.

C. Injuries and Apprehensions

1. Injuries by a canine

    a. In accordance with P&P 5-301, officers are responsible for ensuring any person injured by an MPD canine receives medical treatment as soon as reasonably possible.

    b. Officers shall request an ambulance to the scene whenever a person is apprehended by a canine.

    c. Canine handlers shall photograph all injuries and ensure the images are uploaded in accordance with P&P 10-400.

2. Notify Sergeants of apprehension

    The canine handler shall notify the Canine Sergeants immediately after any canine apprehension or accidental bite.

    a. Officers will be debriefed by canine unit supervisors and trainers as soon as possible following notification.

    b. If a Canine Sergeant is not available, another MPD sergeant may be asked to do the force review.

3. Review form

    Upon notification of a bite or apprehension, a Canine Sergeant will complete the K-9 Unit Apprehension Review form (MP-9090) and will send it electronically to the members of the review panel.

4. Injuries to a handler or canine

    a. The handler shall notify a Canine Sergeant immediately if the handler or canine suffers a serious injury requiring immediate treatment.

b. If a canine is injured in the Line of Duty, the handler shall complete a report using the code K9ASLT.

5. Handler unable to command canine

All officers shall consider the following course of action in the event a handler is injured and unable to command their canine:

a. Request another Canine Handler or Canine Sergeant to the scene, or

b. Place the Canine Officer's squad car near the injured Officer, and:

i. Command the Canine to "kennel," or

ii. Lure the canine into the back of the squad with one of the Canine toys in squad car such as a Kong, Tug Toy or Bite Sleeve commonly stored in the rear of the Canine squad car.

D. Building Searches

1. Using a canine to search a structure minimizes risk to officers. Regular patrol units should not search a structure if a canine unit is responding.

2. In addition to the other conditions in this policy, the following requirements apply to building searches for a suspect:

a. Before the canine is deployed, the handler will attempt to ensure the area is clear of civilians and police personnel.

b. Canine handlers shall give verbal warnings inside a building prior to deployment, if tactically feasible.

c. Canine handlers shall repeat warnings in large or multi-level buildings as necessary and as feasible.

d. Canine handlers shall not routinely search buildings on alarm calls where there is no evidence of forced entry. If officers determine a canine search is necessary, the canine should remain on a lead.

E. Area Searches

In addition to the other conditions in this policy, the following requirements apply to area searches for a suspect:

1. If a suspect has fled and is to be tracked using a canine:

a. Personnel at the scene shall secure the scene until the arrival of the canine team.

b. All personnel shall stay clear of the area where the suspect was last seen.

2. While the canine is being used, all personnel except those assigned to assist the handler shall stay away from the handler and the canine. Personnel shall not do things that will distract the canine.

3. The canine shall remain on a long lead during area searches, whenever it is reasonable and does not jeopardize officer safety.

F. Narcotics Searches

1. Officers must have a reasonable, articulable suspicion that narcotics are involved before conducting a narcotics search using a canine. Random narcotics searches are prohibited.

2. Any MPD canine used for narcotics detection shall have completed the MPD Canine Narcotics Detection Training Course.

3. Any MPD canine used for narcotics detection shall be narcotics certified by the approved certifying entity.

4. The canine handler shall complete a statement about the search in the offense report any time narcotics are located by a canine.

G. Explosives Searches

1. Any MPD canine used for explosives detection shall have completed the MPD Canine Explosives Detection Training Course.

2. Any MPD canine used for explosives detection shall be explosives certified by the approved certifying entity.

3. In the event of a bomb threat, the procedures in P&P 7-800 shall be followed.

4. If a canine is used for an explosives search, the handler will determine the most practical way to proceed.

5. The MPD Bomb Squad shall be called if a suspicious device is found. A canine will not be used if a suspicious device is found, unless requested by the Bomb Squad.

H. Searching For Lost or Missing Persons

1. Canines may be used to track or search for non-suspects, including but not limited to, lost children, missing persons, or individuals who may be disoriented or in need of medical attention. The canine handler shall determine the canine's suitability for such assignments based on the conditions and on the abilities of the canine.

2. In addition to the other conditions in this policy, the following requirements apply to searching for or tracking non-suspects:

a. Absent a change in circumstances that presents an immediate threat to officers, the canine or the public, such deployments shall be conducted on-lead or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, once located.

b. Throughout the deployment, the handler should periodically give verbal assurances that the canine will not hurt or bite the individual and should encourage the individual to make themselves known.

I. Canine Handler Duties and Responsibilities

1. The canine handler shall be responsible for the best practical application and deployment of their dog in all instances.

2. When a canine is not involved in a police function, the handler shall secure the dog in the police vehicle.

3. Canine handlers shall keep their canine secure while inside of their vehicle.

   a. The emergency alarm temperature monitoring system shall be activated at all times during their shift.

   b. Handlers shall not allow the kennel divider between the rear cage and front seat of the squad to be open, while the vehicle is occupied by a canine.

4. Canine vehicles shall not be used to detain, interview or transport suspects or arrestees without the prior approval of a supervisor. Canine vehicles should not be used to transport witnesses or injured persons unless emergency circumstances exist.

5. The canine will be kept on a lead in areas where the public has ready access, unless the dog is being used for a specific police purpose.

6. The handler shall notify a Canine Sergeant immediately if they are ordered to perform in a way that may be contrary to policy or to unit training.

7. The handler is responsible for the health, care and feeding of their canine. The handler shall not permit anyone other than the handler, their immediate family or authorized personnel to care for or feed the canine.

J. Canine Sergeant Duties and Responsibilities

1. The Canine Sergeant shall immediately remove a canine team from service that fails to certify through the approved certifying entity's regional field trial, and shall ensure the team demonstrates competence prior to returning to service.

2. Canine Sergeants have the authority to remove any Canine Team from service immediately if the supervisors determine the canine team does not perform satisfactorily.

Canine teams that certify through an approved field trial but demonstrate weakness in control areas will be removed from patrol work for retraining.

3. The Canine Sergeant shall handle canine-related issues and concerns as directed.

4. The Canine Sergeant shall organize and facilitate critical incident debriefing involving canine teams.

K. Training

1. All patrol canine teams will be required to certify annually through an approved regional field trial.

   a. Any canine team that fails to certify through an approved regional field trial will be removed from service immediately.

      i. The team will not be returned to service until completing retraining and then demonstrating competence in all areas of patrol work.

      ii. The team will be required to participate in the next available approved regional field trial, or an approved mini trial if there is no regional trial available.

      iii. Any canine team that fails to certify in two consecutive approved regional field trials, or fails an approved mini trial after failing an approved regional field trial, will be removed from the Canine Unit after the situation is reviewed by the Canine Administration.

2. All patrol canine teams shall be required to train their canine in either explosives or narcotics detection within one year of graduating from the twelve-week MPD Basic Patrol Canine School, and shall certify their canine in their detection specialty annually through a Detection Certification Course from the approved certifying entity.

3. Handlers shall ensure all handler and canine training is documented, in accordance with P&P 2-501.

7-808 Injured Canine Handler

(A)

If a handler is injured and unable to call the dog, the officers should follow the following procedure:

- After requesting medical assistance and securing the scene, attempt to call the dog into the rear of an open squad.
- If the above has failed, notify another canine officer. Officers who have been canine officers may also be able to help. As a last resort, contact a member of the officer's family that is familiar with the dog.

7-809 Crisis Intervention

(06/22/01) (12/28/06) (11/06/07) (10/25/18) (03/01/19) (04/01/19) (08/15/22)

I. Purpose

Sanctity of life, officer safety and the protection of the public shall be the principles of the Minneapolis Police Department's (MPD) crisis intervention response policies and procedures.

The purpose of this policy is to provide all sworn MPD employees with clear and consistent policies and procedures regarding interaction with people who are suffering from a crisis by:

- Improving the safety of people in crisis, officers, and the Minneapolis community,
- Promoting community solutions to assist people in crisis, and
- Diverting those people away from the criminal justice system.

II. Definitions

Behavioral Crisis Response (BCR) team: The City of Minneapolis has established Behavioral Crisis Response (BCR) teams to respond to incidents of non-violent mental health crises. All crisis responders are mental health practitioners or professionals as defined by MN Statute section 245.426, Subd. 17 and 18.

Crisis: An event or situation where a person's safety and health are threatened by behavioral health challenges, to include mental illness, developmental disabilities, substance use, or overwhelming stressors. A crisis can involve a person's perception or experience of an event or situation as an intolerable difficulty that exceeds the person's current resources and coping mechanisms and may include unusual stress in their life that renders the person unable to function as they normally would. The crisis may, but not necessarily, result in an upward trajectory or intensity culminating in thoughts or acts that are possibly dangerous to the person or others.

Crisis Intervention: An attempt by an MPD officer to de-escalate a person in crisis or refer or divert the person to other services when appropriate.

Crisis Intervention Coordinator: An officer of the MPD who is responsible for the Crisis Intervention Program. The Crisis Intervention Coordinator is the point of contact between mental health and crisis intervention issues involving the MPD and the community, including crisis intervention training, reporting and policies. The Crisis Intervention Coordinator will maintain continuous working relationships with all community partners, with specific emphasis on mental health and advocacy partnerships.

Crisis Intervention Data Collection Form: A data collection form that gathers required crisis intervention information for the MPD to track and assess gaps in crisis intervention responses and training.

Crisis Intervention Program: A partnership program between police, mental health agencies, advocates, and the community that seeks to achieve the common goals of safety, understanding,

and service to people in crisis, those suffering from mental health issues and their families. The goals of the Crisis Intervention Program are to:

- Improve the safety and security of people in crisis and their family, community members, and officers.
- Improve the quality of life for people suffering from mental illness or crisis.
- Change how society and systems view people suffering from mental illness or crisis.
- Change how healthcare and criminal justice systems respond to people suffering from mental illness or crisis.

Crisis Intervention Trained Officer: A licensed peace officer of the MPD who has completed the MPD's approved crisis intervention training. Crisis Intervention Trained Officers work in cooperation with community partners, mental health facilities and organizations.

Developmental Disability: A physical, cognitive, or emotional impairment often caused by a neurodevelopmental disorder such as cerebral palsy or autism spectrum disorder that results in a person's limited functions in areas such as self-care, language, learning, mobility, self-direction, comprehension, or capacity for independent living and economic self-sufficiency.

Disengagement: Disengagement is a strategic decision to leave, delay contact, or delay custody of a person in crisis when there is not an immediate need to detain them.

Mental Illness: MN Statute Section 245.462, Subd. 20 defines mental illness as "an organic disorder of the brain or a clinically significant disorder of thought, mood, perception, orientation, memory, or behavior that is detailed in a diagnostic codes list published by the commissioner, and that seriously limits a person's capacity to function in primary aspects of daily living such as personal relations, living arrangements, work, and recreation." Mental illness conditions may be characterized by impairment of a person's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors.

Person in Crisis (PIC): The nature code for a person experiencing a crisis event or situation (as defined in this policy).

III. Policy

A. The MPD shall handle encounters with people in crisis in a manner that reflects the values of protection, safety and sanctity of life, while promoting the dignity of all people. People in crisis may require heightened sensitivity and additional special consideration.

B. Whenever feasible and appropriate, officers shall use de-escalation techniques and other alternatives to higher levels of force, consistent with their training (in accordance with P&P 5-301).

C. The MPD shall handle incidents involving mentally ill, chemically dependent or developmentally disabled people and those in crisis, with care and expertise, ensuring that such people receive appropriate responses based on their needs.

IV. Procedures/Regulations

A. Crisis Intervention Response

1. Responding to calls involving a person in crisis

   a. Whenever possible, a Crisis Intervention Trained Officer will be dispatched to incidents involving a person in crisis who is believed to be in danger of harming self or others, and is:

      - Believed to have a mental illness or developmental disability, or
      - Believed to be chemically dependent or intoxicated in public.

   b. If officers who are dispatched or responding to a call involving a Person in Crisis (PIC) have not received Crisis Intervention training, the officers shall notify dispatch of the need for a Crisis Intervention Trained Officer to respond.

2. Inform person of steps being taken

   When practical, officers should inform the person and their family (if on-scene) of the steps being taken while assisting the person to a treatment facility, making referrals, or making an arrest, including providing information such as contact numbers and the reasons for the actions being taken.

3. Juveniles in crisis

   a. Officers responding to call involving a person in crisis who find that a juvenile is in need of psychiatric care (whether or not under arrest) may contact the Hennepin County's 24/7 Mobile Mental Health Child Crisis Services (612-348-2233) for assistance.

   b. In accordance with MN Statute section 260E.06, officers shall report the incident to Child Protection Services Intake at 612-348-3552.

B. Emergency Admission Procedures and Transport Holds

1. Transport holds

   In accordance with MN Statute section 253B.051, subd. 1, if a peace officer or health officer has reason to believe, either through direct observation of the person's behavior or upon reliable information of the person's recent behavior and, if available, knowledge or reliable information concerning the person's past behavior or treatment that the person is believed to be in danger of harming self or others, and is:

   - Believed to have a mental illness or developmental disability, or
   - Believed to be chemically dependent or intoxicated in public.

a. Both of the following elements are required to take an individual into custody under a transport hold:

- Has a mental illness or developmental disability, or is chemically dependent or intoxicated in public.
  and
- Is in danger of harming self or others if not immediately detained.

i. The police officer's statement shall specify the facts to substantiate why the officer has reason to believe both elements are applicable.

b. The peace or health officer does not need to directly observe the behavior or other facts upon which the transportation hold is based and may consider information from other reliable and reasonably trustworthy sources.

i. The sources can be based on the statements of the person, witnesses, family members, or on the physical scene itself.

ii. Anonymous tips must be corroborated through direct observation or identifiable, reliable sources.

c. If the person in crisis is only posing a danger of harming self and not others, and is resistant to the transport hold, officers should consider whether continued contact with the person in crisis may result in an unreasonable risk to the person, the public or officers.

i. Officers may choose to strategically de-escalate or disengage to avoid resorting to physical force when the danger to the person in crisis by self-harming is no longer imminent and the person has not committed a serious or violent crime.

ii. Officers should only consider using this technique when it is safe and prudent to do so.

d. The police officer shall complete the Application by Peace Officer for Emergency Evaluation Form (MP-9094), also known as the MPD "transport hold" form, when taking a person into custody under MN Statute section 253B.051 subd. 1 and transporting the person to a health care facility for evaluation.

i. The form can be found on City Talk under Forms.

ii. The form can be completed online but must be printed for distribution.

iii. The police officer completing the form shall provide a copy of the completed form to:

- the health care facility,
- the person taken into custody and

- to the transporting agency, if the person is not transported by the police officer.

e. The transport hold allows the person to be transported to a hospital and held until they are evaluated. After the evaluation, the hospital may release the person or place them under a 72-hour hold.

i. When a police officer responds to a health officer's call to assist in transporting a person, the health officer should identify themselves to the police officers as qualified under the statute to write a transport hold.

ii. If the transport hold order is written by a health officer (on or off-site) and presented to a police officer, the police officer may assist in executing the transport hold.

iii. Officers also have the authority to sign a transport hold, based on the factors set out above.

2. Health officer defined

In accordance with MN Statute section 253B.02, Subd. 9, a health officer is defined as one of the following:

- a licensed physician;
- a mental health professional (as defined in MN Statute section 245.462, Subd. 18);
- a licensed social worker;
- a registered nurse working in an emergency room of a hospital;
- an advanced practice registered nurse (APRN);
- a mobile crisis intervention mental health professional; or
- a formally designated member of a prepetition screening unit.

3. Transportation for Emergency Admission

a. Any necessary transportation for emergency admission shall be to a health care facility (e.g. HCMC, Fairview Riverside, NMMC or Abbott).

b. All searches of a person taken into custody and transported shall be in accordance with the Search and Seizure policy (P&P 9-201).

c. Officers are advised to request an ambulance to transport a combative person to the hospital.

i. An officer shall ride in the ambulance during the transport of the combative person.

d. If the person to be transported is a juvenile, officers shall make a reasonable attempt to notify the parent or guardian as soon as practical.

e. In the event a dispute arises regarding the MPD's Transporting for Emergency Admission section, a Supervisor will be called to the scene.

f. MN Statute section 253B.051 Subd. 1(e) states that "as far as practicable, a peace officer who provides transportation for a person placed in a treatment facility, state-operated treatment program, or community-based treatment program under this subdivision must not be in uniform and must not use a vehicle visibly marked as a law enforcement vehicle." If a transport is required and unmarked and non-uniformed resources are available, officers should use those to make the transport.

C. People in Crisis Who Require Medical Attention or Transport

1. Officers shall call EMS and render first aid in accordance with P&P 7-350 Emergency Medical Response.

2. If a person in crisis requires a transport but is unable to walk due to a medical or physical condition or other circumstances, officers shall call EMS to transport the person to the medical facility.

D. Handcuffing People in Crisis

1. Officers shall use extreme caution when taking a person in crisis into custody and shall use handcuffs when the person is not restrained by other means (in accordance with P&P 9-109)

2. When safe and feasible, use of handcuffs shall be explained to the person being handcuffed and to the parent or family member (if present) in a tactful manner, using age-appropriate language for minors.

3. Once the person in crisis is calm, under control and handcuffed, officers shall keep the person under constant observation while in custody, and shall continue with de-escalation techniques as necessary.

E. Reporting Procedures

Officers responding to any incident involving a person in crisis shall comply with the following reporting requirements:

1. Reporting transportation for emergency admission

a. When a person in crisis is placed under a transport hold by MPD, and is involuntarily transported, the transporting officer(s) shall complete a Police Report titled CIC.

b. When MPD is the primary responding agency and determines that a transport by ambulance is necessary, the officer(s) shall complete a Police Report titled CIC.

c. When MPD is not the primary responding agency, and a person in crisis is placed under a transport hold and is transported by ambulance (or means other than MPD), the officer(s) shall request that MECC change the nature code to PIC prior to clearing the call.

i. When MPD officers complete a transport hold requested by a health officer, the MPD officers shall upload a copy of the completed hold form to Evidence.com under the incident number, and shall note the transport hold in added remarks in CAD.

2. Citation or arrest

When a person in crisis is cited and released or arrested for an offense, the arresting officer shall complete the Police Report.

3. Nature code

If an original incident (e.g. CKWEL, SUSPP, DIST) is later determined to be an incident involving a person in crisis, officers shall request that MECC change the nature code to PIC prior to clearing the call.

4. Report

When a report is required, officers completing the Police Report shall:

a. Use CIC as the primary code or include CIC as an additional code when CIC is involved but not the primary code.

b. Avoid references to the mental health of a person in any report synopsis available for public disclosure. All such information shall be documented in the nonpublic narrative section.

5. Crisis Intervention Data Collection form

a. When the nature code of a call is PIC, the primary squad handling the call shall complete the Crisis Intervention Data Collection form in MDC prior to clearing. This form does not replace any required reports.

b. Questions regarding the Crisis Intervention Data Collection form should be directed to the Crisis Intervention Coordinator.

F. Early Release from a Transport Hold or 72-Hour Hold

If a treatment facility releases a person from a transport hold placed by MPD officers or a 72-hour hold placed by the treatment facility, before the hold period expires, all related notifications from the facility shall be forwarded to the precinct supervisor in the precinct where the person was taken into custody. The supervisor shall review the case and make the determination regarding further actions.

G. Referral options

1. Referral options for behavioral health and social service agencies, veteran and homeless resources, child and adolescent services, and hospital systems are provided on the MPD's Sharepoint site under Crisis Intervention Resources.

2. If an officer learns of a new agency that can be used as a resource, the officer should notify the Crisis Intervention Coordinator via e-mail and include the agency name, address and phone number as well as the resources that can be provided. The Crisis Intervention Coordinator will add this information to the Crisis Intervention Resources.

H. Behavioral Crisis Response (BCR) teams

1. BCR response

   When on duty, BCR teams will be responding to 911 calls involving community members with mental health challenges. The calls for service will be routed to the BCR teams via MECC only. They do not have a crisis line. They will be assigned calls by dispatch.

2. BCR transports

   BCR teams can transport people on a voluntary basis only. They will not transport people who are placed on a transportation hold.

3. Call types and screening

   a. When BCR teams are on duty, MECC will screen calls to determine if they are appropriate for the BCR response. Such calls will be designated by the nature codes of:

      - BCR (Behavioral Crisis Response), and
      - BCRW (Behavioral Crisis Response Welfare)

   b. If a BCR team is not on duty or unavailable to respond, or if call circumstances change requiring the response of a Crisis Intervention Trained Officer, MECC will change the nature code to the appropriate MPD nature code (PIC, CKWEL, etc.) and will dispatch a squad. BCR teams will defer to responding officers instructions upon arrival.

   c. Officers dispatched to such calls shall follow current MPD policy and training in responding to these calls.

   d. In accordance with MECC protocol, a Crisis Intervention Trained Officer must be dispatched to incidents involving people in crisis who are believed to be mentally ill or developmentally disabled, in the following situations:

- Firearms(s) or access to firearm(s) involved
- Weapons(s) currently in their possession or threatening the use of weapon(s)
- Physical violence has occurred or threats of physical violence toward others
- When injury has taken place that is life threatening (example: someone has ingested pills, taken more than prescribed medication, alcohol, etc.)
- Situations involving physical intervention to secure safety, i.e. someone on a bridge or ledge
- When a BCR team is on-site and determines that the scene is unsafe

7-810 Critical Incidents

(09/21/07) (04/21/09) (07/21/16) (06/30/20)

I. Purpose

A. The MPD and its employees understand that the performance of law enforcement duties is inherently demanding and that certain situations create a significant risk of physical and emotional harm to the officer. It is therefore important to the department to develop standards and procedures for responding to Critical Incidents that ensure the safety and well-being of its employees and that provide a means by which employees may seek assistance in dealing with the effects of critical or traumatic events.

B. This policy shall be administered in a manner that is consistent with the department's desire to treat affected employees with dignity and respect under such circumstances and to provide information and assistance to them concerning their involvement in critical/traumatic events, their recovery, and their return to duty.

C. The department also recognizes that having established standards and procedures for responding to Critical Incidents is necessary to facilitate the prosecution of suspects, and to give the public a sense of safety and to promote public confidence in the department’s response to Critical Incidents.

D. It is the purpose of this policy to establish investigative and administrative procedures that ensure the safety and well-being of officers while promoting public safety and confidence at Critical Incidents.

II. Definitions

Critical Incident: An incident involving any of the following situations occurring in the line of duty:

- 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 or is intended to cause Death or Great Bodily Harm

Great bodily harm: Bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement, or protracted loss or impairment of the function of any bodily member or organ.

Investigation:

Administrative Investigating Entity: The Minneapolis Police Department Internal Affairs unit (IAU), unless otherwise designated by the Chief of Police or their designee. The Administrative Investigating Entity is responsible for the administrative investigation of the Critical Incident which includes checking for adherence to policy, and identifying policy failures, tactical and training issues, and potential civil liability issues.

Chief's Proxy: The Commander of the Internal Affairs unit or their designee at the scene, acting on behalf of the Chief of Police, who has ultimate authority to intervene in the criminal and administrative investigations and direct the activity of all MPD personnel to protect the integrity of the investigations.

Criminal Investigating Entity: The Minneapolis Police Department Homicide unit, unless otherwise designated by the Chief of Police or their designee. The Criminal Investigating Entity is responsible for the criminal investigation of the Critical Incident.

Investigators: All persons from the MPD Homicide unit and Internal Affairs unit who are conducting an investigation of the Critical Incident, unless other Criminal Investigating and Administrative Investigating Entities have been designated by the Chief of Police or their designee.

Lead Investigator: The Investigator in charge of the criminal investigation or their designee at the scene. The Lead Investigator shall be from the MPD Homicide unit, unless otherwise designated.

Headquarters- Investigative: The MPD Homicide Office or such other location designated by the Lead Investigator, at which Witness Officers gather immediately following a critical incident for purposes of meeting with legal counsel, Police Assistance Program (PAP) personnel, talking to investigators, and surrendering firearms or other equipment as deemed necessary.

Headquarters-Involved Officer's Room: The location designated by the Lead Investigator at which Involved Officers gather immediately following a critical incident for purposes of relaxing, meeting with legal counsel, Police Chaplin, Police Assistance Program personnel, talking to investigators, and surrendering firearms or other equipment as deemed necessary.

Mental Health Professional (MHP): A psychiatrist, psychologist or Police Assistance Program (PAP) contract consultant who is on the Federation and City's approved list to meet with officers involved in Critical Incidents. The Police Assistance Program (PAP) representative maintains the list.

Officers:

Escort: An officer assigned by the Incident Commander at the scene to stay with an Involved Officer and any Witness Officers until relieved by Investigators. Whenever possible, Escorts assigned to Involved Officers shall be of the rank sergeant or above.

Incident Commander: The MPD patrol supervisor at the scene who has taken command and control of the scene.

Involved Officer: An officer who appears to have engaged in conduct constituting a Critical Incident.

Witness Officer: An officer who witnesses a Critical Incident, but did not engage in any conduct constituting a Critical Incident.

Reports and Statements:

Police Report: A report or statement in a report that sets forth the officer's account of an incident and is entered into the MPD's Records Management System.

Public Safety Statement: A mandatory statement from the Involved Officers which provides information necessary to ensure public safety. This may include questions about the direction in which the Involved Officer fired their firearm, injured people, location of dangerous weapons or information on any suspects still at large and any other information necessary to facilitate the commencement of the investigation.

Voluntary Statement: A statement given by Involved or Witness Officers to Investigations Bureau Investigators which is voluntary and outlines details associated with the Critical Incident. Voluntary statements from officers are essential for bringing criminal charges against suspects, defending officers, and maintaining community trust by providing the Chief of Police with sufficient information to appropriately address community concerns. Voluntary statements will be taken in question and answer (Q&A) format.

III. Policy

A. Report Timing

Involved and Witness Officers shall complete their Police Reports, or statements in the Police Report, as soon as practical, unless the Chief has relieved the Officer of the obligation. Any authorization to relieve the Officer of the obligation must come from the Chief.

B. Police Reports and review of audio or visual data

To capture and document the Officers' perceptions and recollections uninfluenced by outside sources, Involved and Witness Officers shall not review audio or visual data prior to completing their Police Reports, or statements in the Police Report, and shall not review such data afterward without the Chief's authorization.

IV. Procedures

A. On-Scene Procedures

1. Notification of a Critical Incident

   a. As soon as a Critical Incident occurs, a Witness or Involved Officer shall immediately notify their supervisor and the MECC dispatcher that a Critical Incident has occurred.

   b. MECC shall immediately send out a text message pursuant to MECC protocol and notify the Watch Commander.

2. Incident Commander's Duties

   The Incident Commander shall:

   a. Announce on-air that they are the Incident Commander.

   b. Make sure the scene is safe.

   c. Render first aid if necessary.

   d. Set up crime scene boundaries and keep the crime scene secure.

   e. Determine the identity of Involved and Witness Officers.

   f. Determine the identity of Witness Officers.

   g. Take a Public Safety Statement from Involved Officers.

   h. Assign Escort Officers to Involved and Witness Officers.

   i. Keep the Involved and Witness Officers separated from each other.

   j. Identify civilian witnesses and keep them separate from each other.

   k. Designate an officer to complete the Police Report.

   l. Protect the quality and integrity of audio and visual data by ensuring MVR recordings are not played or reviewed in squad cars and BWC data are not reviewed prior to collection by Crime Lab Unit personnel.

   m. Remain on the scene to meet with and brief Investigators upon their arrival at the scene. Identify all Involved Officers, Witness Officers, other witnesses, and other known evidence at the scene for the Investigators.

3. Public Safety Statements

   a. The Incident Commander shall ask the Witness and Involved Officers questions to:

      i. Determine the direction of fire to locate anyone who may be injured.

      ii. Determine the location of any known firearms or dangerous weapons.

      iii. Determine if there are any outstanding suspects, their description, direction of travel, vehicle, weapons they possess and crimes they have committed.

      iv. Provide details to enable the primary responders or investigators to secure the scene.

      v. Facilitate the commencement of the investigation.

      vi. Allow for officer or civilian safety at the scene.

   b. Due to the immediate need to take action, the officer does not have the right to wait for representation before answering the limited Public Safety questions.

4. Scene Investigation

   a. MPD Homicide unit Investigators and Internal Affairs Investigators shall have equal access to the scene and should jointly view the scene and any evidence at the scene.

   b. MPD Crime Lab personnel shall collect identified evidence at the direction of Investigations Bureau and Internal Affairs Investigators, including MVR recordings from all squads at the Critical Incident scene (in accordance with P&P 4-218) and Body Worn Camera data (in accordance with P&P 4-223).

   c. All Investigators at the crime scene shall complete a statement in the Police Report.

B. Procedures for Involved and Witness Officers

1. Supporting Officers following a Critical Incident

   Officers involved in Critical Incidents, whether Witness or Involved Officers, can be profoundly affected by the incident. How a Witness or Involved Officer is treated during the time following a critical incident can minimize or aggravate the psychological effect on them. Therefore, first and foremost, anyone dealing with a Witness or Involved Officer should keep in mind the following guiding principles at all times:

   - Be sensitive to individual officer needs. Physical contact with the officer must be evaluated on an individual basis. Often officers feel overwhelmed by people wanting to console them. Before attempting to speak with an officer, please ask the Escort attending to the officer to inquire if the officer would like to meet with

you. If the officer declines to meet with any particular person, please honor their decision.
- Because Witness or Involved Officers can be profoundly affected by Critical Incidents, they should not be left alone or ignored.
- Avoid making the officers feel like a suspect.

2. Managing Involved Officers

a. Involved Officers at the scene

i. The MPD Incident Commander shall determine which officers are Involved Officers. The Incident Commander at the scene shall promptly assign an Escort to stay with each Involved Officer until relieved by a Homicide Investigator. One Escort shall be assigned for each Involved Officer. Whenever possible, Escorts assigned to Involved Officers shall be of the rank sergeant or above and shall not be the Incident Commander.

ii. Involved Officers shall not talk to anyone at the scene about the incident, except to the Incident Commander, Lead Investigator or legal counsel and to provide a Public Safety Statement to the Incident Commander.

iii. The Involved Officers shall not be unreasonably denied access to legal counsel at the scene.

iv. As soon as practical, the Escorts shall take the Involved Officers from the scene to the designated drug and alcohol testing collection site in accordance with P&P 3-1001. After test samples are obtained, the Escorts shall transport the Involved Officers to Headquarters-Involved Officer's Room.

v. Escorts shall keep the Involved Officers separate from other Involved and Witness Officers.

vi. Unless a supervisor has a reason to believe that the officer may pose a threat to self or to others, or unless directed by the Investigators, the Involved Officers' firearm should not be taken at the scene.

vii. Involved Officers should not be placed in the back seat of a police vehicle.

b. At Headquarters- Involved Officer's Room

i. If Involved Officers request, they shall not be unreasonably denied access to:

- Food and drink
- Restroom facilities
- Telephone to contact loved ones
- A representative from the Federation or other legal counsel

- A representative from the MPD Employee Resource Program or the responding peer support team member
- A Community Chaplain or other clergy

ii. If requested by Investigators, Involved Officers shall make themselves available for a firearms inspection and shall surrender their firearm and any other requested equipment to the Investigators. Homicide Investigators will take custody of the Involved Officer's firearm, place it in a paper bag, and put it in the evidence locker in Investigative Headquarters if Crime Lab personnel are unavailable to take immediate custody of the weapon. The evidence locker will be locked immediately after the firearms are placed inside. Crime Lab personnel will remove the officer's handgun from the locker and process in accordance with P&P 10-400.

iii. Involved Officers shall be provided with replacement firearms and equipment as soon as reasonably possible.

iv. Involved Officers shall be allowed a reasonable opportunity to consult with Federation representatives, legal counsel, Community Chaplain or other clergy, and MPD Employee Resource Program personnel.

v. After consultation with legal counsel, the Involved Officers or legal counsel will inform the Lead Investigator or designee if the Involved Officers are willing to give a Voluntary Statement.

aa. Voluntary Statements should be given as soon as possible, but in all cases within 48 hours of the Critical Incident to ensure the continuity of the investigation unless the involved officer is not able to do so.

ab. Involved Officers' statements shall be given at Investigative Headquarters or such other location chosen by the Lead Investigator. All statements from involved officers will be taken in question and answer (Q&A) format.

c. Administrative Leave

i. Involved Officers shall be placed on a mandatory paid administrative leave for a minimum of three calendar days and a maximum of seven calendar days following the Critical Incident unless otherwise requested by the officer and approved by the Chief or the Chief's designee. Such administrative leave does not relieve the Officer of the requirements of this policy.

ii. An officer shall not work a uniformed off-duty job or buyback while on Administrative Leave (in accordance with P&P 3-800). An officer may work an approved non-uniform, non law-enforcement off-duty job while on a "pending investigation" administrative leave at the sole discretion of the Chief or their designee.

d. After Incident Care for Involved Officers

i. Peer Debriefing

All Involved Officers may take part in a group peer debriefing facilitated by the MPD Employee Resource Program or other Mental Health Professional and after care as necessary.

ii. Psychological Debriefing

All Involved Officers shall be required to meet with a Mental Health Professional selected by the officer from the approved list.

aa. Such meeting or meetings shall be considered on-duty time, and the City shall pay the fees of the Mental Health Professional as stated in the Collective Bargaining Agreement.

ab. If, after consultation, the Mental Health Professional renders an opinion that the Involved Officer is not yet fit for duty, the Involved Officer shall be placed on Injured on Duty ("IOD") status, pursuant to Minneapolis Civil Service Rule 15.19(A). If the Mental Health Professional determines that the officer is not able to return to work in any capacity after the officer has exhausted IOD benefits, the officer may continue to be eligible for paid time off pursuant to MN Statute section 299A.411 and applicable provisions of the Labor Agreement and other Civil Service Rules.

ac. Any disputes concerning the officer's ability to return to work shall be resolved in accordance with the Collective Bargaining Agreement.

ad. A return to duty determination and documentation will be presented to the Chief of Police by the Mental Health Professional prior to the Involved Officer being returned to duty.

3. Managing Witness Officers

a. Witness Officers at the scene

i. The Incident Commander shall determine which officers are Witness Officers. As soon as possible, the Incident Commander shall assign an Escort to each Witness Officer. If possible, one Escort shall be assigned to each Witness Officer. Witness Officers shall be separated from each other and other witnesses and shall not talk to anyone at the scene about the incident other than the Incident Commander, Lead Investigator or legal counsel and to provide a Public Safety Statement.

ii. The Witness Officers shall be allowed a reasonable opportunity to consult with legal counsel at the scene.

iii. As quickly as possible after the Public Safety Statement, Witness Officers will be released from the scene by the Lead Investigator and advised to proceed to Investigative Headquarters. The Lead Investigator will inform the Incident Commander of any officers released from the scene. Witness Officers shall be advised that they are to wait at Investigative Headquarters for an opportunity to meet with legal counsel, a Community Chaplain or other clergy, or MPD Employee Resource Program personnel.

b. Witness Officers at the Investigative Headquarters

i. Witness Officers shall be afforded an opportunity to meet with a Community Chaplain or other clergy, the responding MPD Employee Resource Program representative and to consult with legal counsel or Federation representatives.

ii. After such consultations, statements from Witness Officers are to be taken by Homicide Investigators prior to the officers being released from duty unless otherwise directed by Homicide Investigators. All statements by Witness Officers will be taken in a question and answer (Q & A) format.

iii. If requested by Investigators, Witness Officers shall make themselves available for a firearms inspection and shall surrender their firearm and any other requested equipment to them. Homicide Investigators will take custody of the Witness Officer's firearm, place it in a paper bag, and put it in the evidence locker in Investigative Headquarters if Crime Lab personnel are unavailable to take immediate custody of the weapon. The evidence locker will be locked immediately after the firearms are placed inside. Crime Lab Personnel will remove the officer's handgun from the locker and process (in accordance with P&P 10-400).

iv. Witness Officers shall be provided with replacement firearms and equipment as soon as reasonably possible.

c. Administrative Leave

i. A Witness Officer may request to be placed on paid administrative leave for up to three calendar days following the Critical Incident. The decision to grant the request shall be made at the sole discretion of the Chief or their designee. The decision on whether to grant paid administrative leave shall be promptly communicated to the Witness Officer by their commander or the commander's designee. Such administrative leave does not relieve the Officer of the requirements of this policy.

ii. If an officer is granted a paid leave, the officer shall not work a uniformed off-duty job or Buy Back while on Administrative Leave. An officer may work an approved non-uniform, non law-enforcement off-duty job while on a "pending investigation" administrative leave at the sole discretion of the Chief or their designee.

d. After Incident Care for Witness Officers

i. Peer Debriefing

All Witness Officers shall take part in a group peer debriefing facilitated by the MPD Employee Resource Program representative or other designated Mental Health Professional and shall take part in any after-care, if appropriate.

ii. Psychological Debriefing

aa. Witness officers granted a paid leave shall be required to meet with a Mental Health Professional selected by the officer from the approved list.

ab. Witness officers not on a paid leave shall be encouraged and allowed to meet with the Mental Health Professional selected by the officer from the approved list. Such meeting or meetings shall be considered on-duty time, and the City shall pay the fees of the Mental Health Professional pursuant to the Collective Bargaining Agreement.

ac. If, after consultation, the Mental Health Professional renders an opinion that the Witness Officer is not yet fit for duty, the Witness Officer shall be placed on Injured on Duty ("IOD") status, pursuant to the Labor Agreement. If the Mental Health Professional determines that the officer is not able to return to work in any capacity after the officer has exhausted IOD benefits, the officer may continue to be eligible for paid time off pursuant to applicable provisions of the Labor Agreement.

ad. Any disputes concerning the Officer's ability to return to work shall be resolved in accordance with the Labor Agreement.

ae. After consultation, a return to duty determination and documentation will be presented to the Chief of Police by the Mental Health Professional. In the case of a Witness Officer on paid administrative leave, their fitness for duty determination and documentation will be presented to the Chief of Police prior to being returned to duty.

C. Consultation with Legal Counsel

1. Involved and Witness Officers are entitled to consult with their legal counsel during the pendency of the Critical Incident investigation, up to and including any grand jury proceedings.

a. Such reasonable and necessary meeting or meetings shall be considered on-duty time and the fees of the legal counsel may be eligible to be paid by the City pursuant Chapter 466 of the Minnesota State Statutes and the City's legal fees policy.

b. Officers shall be personally responsible for payment of any legal fees that exceed the hourly rate provided for in the City's legal fees policy.

2. It is common for Critical Incidents to result in civil lawsuits being filed against the City and the officers. Pursuant to the City's adopted defense and indemnity policy, the Minneapolis City Attorney's office, as the legal counsel for the City of Minneapolis, defends the City and *its employees* in such suits. Therefore, it is very important in order to properly prepare to defend any potential lawsuit following a Critical Incident that the City Attorney's office be able to fully investigate the Critical Incident as soon as possible. For that reason, both Witness and Involved Officers shall be required to meet with and otherwise cooperate with the Civil Division of the City Attorney's office when appropriate in its investigation and subsequent defense of any case that may arise.

D. Internal Affairs

The Internal Affairs unit shall be responsible for conducting an Administrative Investigation of all Critical Incidents and will investigate the Critical Incident simultaneously with Homicide Investigators. The IAU Commander or the Commander's designee will be the Chief's Proxy on scene.

1. Scene Access

   MPD Homicide Investigators and Internal Affairs unit Investigators have equal access to the scene, evidence, civilian witnesses and all investigative data obtained at the scene.

2. Suspect and Witness Interviews

   Homicide Investigators shall ensure that all suspect and critical witness interviews are done in the monitored and recorded interview rooms at Investigative Headquarters. IAU will be notified of the interviews and may observe the interviews from the monitors in Investigative Headquarters.

3. Investigative Data and Additional Evidence

   Homicide Investigators shall notify in a timely manner and provide investigative data to IAU Investigators from sources not on scene, investigative reports or additional evidence as the investigation proceeds. IAU will have full access to all investigative records, statements and evidence that is collected during the criminal investigation. Evidence collected during any Critical Incident shall not be released without IAU approval.

7-901 Emergency Response – General Objectives

Although emergency situations vary in nature and scope, they have common police objectives:

1. Life safety - protection of life and injury reduction
2. Preservation of property and the environment
3. Incident stabilization - restoration of order
4. Proper notification of appropriate authorities
5. Incident command responsibility
6. Collection and preservation of evidence
7. Proper recording of all actions and reporting

The ranking officer or supervisor at the scene of any emergency is the on-scene Incident Commander until relieved of this responsibility by a higher authority. At the scene of multi-agency or multi-department responses, the ranking Fire Department officer will most often be the on-scene Incident Commander, with police functions being traffic control, security and evacuation assistance, in accordance with the City's Emergency Operations Plan, Annex F.

7-902 Emergency Response – General Responsibilities

(B-C)

Sworn personnel called in for an emergency callback shall report to the location of their duty assignment with uniforms and equipment. Further assignments will be made from the precinct or duty assignments by supervisory personnel, as determined by the on-scene Incident Commander or the Emergency Operation Center Commander. Those officers on-duty at the time of a critical incident or emergency shall continue their existing assignments until reassigned by precinct or division commanders.

Supervisors at the precincts will take measures to secure their buildings, vehicles and facilities. All personnel will stand by at their duty assignment stations until further assignment is requested by the Watch Commander, the on-scene Incident Commander or the Emergency Operations Center Commander. If the precinct designated response cars and supervisors were not initially called out to the emergency scene, the designated squads and officers will also stand by at the precinct for further assignment by the on-scene command officers.

The ranking officer or supervisor at the scene of any emergency is the on-scene Incident Commander until relieved of this responsibility by a higher authority. The responsibilities of the on-scene Incident Commander will be passed to a higher level of command if relieved. If the emergency situation involves a multi-agency/department response, the incident command will be assumed by the ranking Fire Department officer at the scene. The Police Department responsibilities will include traffic control, on-scene security and assistance with any evaluations ordered. In any emergency response situation, police personnel will take orders from police supervisors only. (11/02/01)

7-903 MPD Response to Homeland Security Threat Levels

(06/30/05)

(A-B)

The U.S. Homeland Security Department maintains national terrorism alert levels. The levels indicate the level of threat nationwide of a terrorist attack. **The current threat level is updated real time on the MPD Net.** The MPD will respond as indicated below for the listed threat levels. The steps listed build upon each level meaning that when a threat level is raised, all of the steps taken in lower threat levels are to be continued as well as taking additional steps indicated for the higher threat level.

Green- Low Condition

Normal business practices- Maintain existing protective measures including call back lists, sound security practices and awareness.

Blue- Guarded Condition

- Check communications and response plans for accuracy and completeness.
- Provide the public with information as necessary.
- Report any unusual or suspicious activity at or near potential target sites.

Yellow-Elevated Condition

- All sworn personnel shall have full uniform available at work.
- All sworn and Crime Lab personnel should have their PPE equipment in their squad.
- Riot helmets/batons should be carried in each marked squad.
- Increase surveillance and patrols should be conducted around potential target sites.

Orange- High Condition

- All sworn personnel shall wear full uniform unless otherwise directed by a Bureau Head.
- Non-sworn will wear and have their ID visible at all times.
- All sworn and Crime Lab personnel shall have their PPE equipment in their squad.
- Riot helmets/batons shall be carried in each marked squad.
- Schedule and assignment changes for sworn and non-sworn will be announced as needed.

- Personnel shall make contact with potential target sites in their area and verify contact information.
- Personnel shall conduct proactive surveillance for suspicious activity at or near potential target sites on each shift.
- Precincts and Units shall verify location and number of chemical protective gear available assigned to Precinct or Unit.
- Precincts should have plans in place for immediate distribution of chemical protective gear to officers.
- Precincts should pre-plan for response to emergencies/crowd control situations.
- Commanders should review the City of Minneapolis Emergency Plan.

Red- Severe Condition

- MPD Administration will pre-designate Incident Commanders (separate from Watch Commanders) to be available for EOC or Field Operations.
- All police facilities shall be locked down and entry limited to police personnel only.
- Parking and traffic restrictions will be imposed and strictly enforced around city hall and potential target sites throughout the city.
- MPD may post uniformed security within city hall.
- MPD may staff a 24-hour ERU response team for immediate tactical response needs.
- Supervisors shall review emergency response procedures and related MPD policies and procedures with officers at roll calls.
- Minimum sworn staffing levels shall be raised and vacations/off days will be limited, and staffing of non-sworn personnel will be in compliance with current applicable labor contracts.
- Watch commanders will go on an alternate schedule, which will provide for 24 hour/ 7 day coverage.
- All callback lists shall be checked and verified for accuracy.
- Precincts shall pre-plan for response to emergencies/crowd control situations.
- Precincts shall have plans in place for immediate distribution of chemical protective gear to officers.
- Traditional response plans should be altered when responding to suspicious calls or to calls at potential target sites.
- MPD Administration will pre-plan for EOC activation and incident command procedures.
- Commanders shall review the City of Minneapolis Emergency Plan.
- Based upon staffing and security needs, commanders of non-patrol units shall be prepared to establish skeleton staffing assignments for their units and advise their bureau head of personnel who would be available for emergency re-assignment.
- In the event that 12 hour shifts become necessary, commanders shall pre-designate and notify all personnel what shift and hours (0600-1800 or 1800-0600) they will be expected to work keeping in mind that this may be subject to change depending on MPD staffing needs.
- Schedule/assignment changes for sworn/non-sworn will be announced as needed.

7-904 Active Shooter Policy - ERU Personnel

(09/07/01)

(B-D)

In response to a nationwide increase of active shooter incidents, and incidents where suspects use high-powered, high-capacity assault rifles while committing crimes, qualified MPD Emergency Response Unit (ERU) personnel shall be required to carry with them the following equipment in addition to standard squad equipment.

- ERU assigned tactical weapon
- Ballistic helmet
- Level III tactical vest

This equipment shall be placed in the trunk of the ERU officer's police vehicle at the start of his/her patrol shift and removed at the end of the shift. If the equipment is needed at a scene, the ERU officer will advise MECC of his/her arrival at the scene with tactical weapons and equipment. If an Operation 100 has been called, the tactical decisions will be made by the on-scene ranking ERU member in concert with incident command. If an Operation 100 has not been called, the highest ranking department member at the scene shall command the incident. The equipment shall not be removed unless at least one of the following circumstances is present:

- The ERU officer is responding to an "active shooter" situation where gunfire is present at the time of the officer's arrival at the scene. An active shooter situation is defined as an ongoing or continuing act where the perpetrator is actively assaulting others with a firearm or deadly weapon.
- The ERU officer is responding to, or is present at, an Operation 100.
- The ERU officer is requested to participate in a high-risk search warrant entry or high-risk building search during their patrol shift.

MPD personnel shall remain cognizant of the fact that in many active shooter incidents, innocent lives are lost within the first few minutes of the incident. In some situations, this dictates the need to rapidly assess the situation and act quickly in order to save lives.

7-905 Incident Command System

(06/30/05) (02/16/23)

I. Purpose

The purpose of this policy is to ensure that MPD employees respond to potentially large-scale threats to life and property in accordance with Incident Command System principles and priorities, and to ensure the response is done in an effective, comprehensive and appropriate manner in coordination with other responding agencies.

II. Definitions

Incident Commander (I.C.): First Officer or Supervisor to arrive on the scene of a call for service where multiple units, scenes, or assisting agencies are dispatched. The Incident

Commander has overall command of the incident, until properly relieved by a Supervisor of higher rank if necessary, and will be based at the incident command post. The priorities of the Incident Commander include:

1. Assess incident priorities.
2. Determine strategic goals and tactical objectives, not related to the operations of SWAT or ESU personnel.
3. Identify a staging area, if needed.
4. Develop and implement incident action plan.
5. Develop appropriate incident management structure.
6. Assess resource needs.
7. Coordinate overall on-scene emergency activities.
8. Authorize information to be released to the media.

Public Information Officer: disseminates information to the public and media.

Staging Officer: responsible for identifying a single location or multiple locations, as needed, for resources to gather in preparation to respond to the emergency. Also keeps track of the availability of various resources for the incident.

Safety Officer: responsible for evaluating the overall incident scene for potential hazards, and makes recommendations to the incident commander during the incident operations.

Planning: group or individual responsible for planning and prioritizing the direction of the incident in order to accomplish the current mission of the operation.

Logistics: group or individual responsible for securing resources in order to support operations during the incident.

Finance: tracks and records costs (via logs) for the operation.

III. Policy

A. Incident Command System Model

The Incident Command System is a model for the management of critical incidents and other emergencies that provides a common, uniform approach to the command and management of emergencies at the local, county and state levels. The incident command system will be used for single-agency responses, single-jurisdiction/multi-agency responses, and multi-jurisdiction/multi-agency emergency and disaster responses.

1. Command types

   Some critical incidents involve only a police tactical response (**Single Command**) while other emergencies or disasters will require a planned, coordinated response from several departments, agencies or jurisdictions (**Unified Command**). A small-scale police incident may also escalate into an emergency requiring county, state and federal assistance.

2. ICS priorities

   All emergencies or critical incident management plans must have the same incident priorities:

   - Life safety;
   - Incident stabilization;
   - Property conservation.

3. ICS situation examples

   Examples of critical incidents and emergencies are described as, but not limited to, public safety incidents that escalate beyond existing resources (large shooting scene; multiple shooting scenes, multiple emergency events); civil disturbances, riots, barricaded suspects, snipers, terrorist activities, hostage situations, hazardous materials accidents, major fires and explosions, aircraft crashes, weather disasters and nuclear, chemical and biological emergencies. This is not an all-inclusive list. The incident command system is designed to be used in any such situation.

B. Adhere to ICS Principles

MPD employees shall adhere to Incident Command System principles in an emergency or crisis.

IV. Procedures

As a major emergency is reported, or a small incident escalates beyond existing resources, the following incident command responses will be observed.

A. Incident Commander responsibilities

When arriving at the scene of an emergency event, the on-scene Incident Commander **shall**:

1. On the radio, identify yourself as the Incident Commander.

2. Rapidly assess:

   - What is the problem?
   - What are the objectives needed to bring this to a positive resolution?
   - What resources will be needed?
   - Will responding personnel need Personal Protective Equipment (PPE)?

3. Quickly determine or identify:

   - Perimeter locations….cold zone, warm zone, hot zone
   - Do people need to be evacuated or sheltered-in-place?
   - Is there a need for a separate radio frequency for the event?
   - Will weather conditions affect response plans? What is the wind direction?

4. Systematically:

   - Identify a Command Post location.
   - Identify Staging Area and Evacuation Area.
   - Request necessary personnel and resources to handle the event.
   - Insure that perimeters are adequate and held to prevent escalating the event.

5. Delegate:

   - Perimeter Control Officer
   - Staging Officer
   - Safety Officer
   - Any other functions necessary for incident command or unified command operations.

B. Police Supervisor (Sergeant or Lieutenant) Response

1. The Supervisor will announce on the radio that they have arrived, and **if** the Supervisor will be taking over as **Incident Commander**.

2. The Supervisor will assess the situation and any potential for escalation of the incident.

3. The Supervisor will provide MECC with a description and assessment of the situation and request additional resources as needed, such as Precinct response cars, additional supervisors, SWAT or other specialized units, or Fire/EMS services to respond.

4. The Supervisor should consider the need for a designated radio channel for incident management.

5. The Supervisor in charge will then notify the on-duty Watch Commander or a Deputy Chief of Field Services.

C. Watch Commander / Deputy Chief Response

1. The on-duty Watch Commander or Deputy Chief will announce on the radio that they have arrived and **if** the Watch Commander or Deputy Chief will be taking over as **Incident Commander**.

2. The Watch Commander or Deputy Chief will again make an assessment of the incident, and advise MECC of any changes in the situation.

3. The Watch Commander or Deputy Chief should consider the need for a designated radio channel for incident management.

4. If additional police personnel are needed for life safety or containment of the incident, the Watch Commander or Deputy Chief should consider the use of Police Reserves and the Emergency Response Unit (ERU).

D. MPD-SWAT (ERU) Activation

1. When activated through MECC by the Watch Commander, Precinct Supervisor or Deputy Chief, the MPD SWAT (ERU) will provide a mobile command vehicle, and the SWAT Commander will assume command of tactical police operations involving SWAT personnel.

2. The Watch Commander or Deputy Chief will assist as necessary, but will retain citywide supervisory responsibility.

3. Incident command responsibilities include:

   a. Assessments of incident priorities;

   b. Determination of the strategic objectives for the incident;

   c. Directing the activities of police personnel;

   d. Developing an appropriate incident management structure;

   e. Deployment of resources to specific objectives;

   f. Coordination of all incident activity;

   g. Providing for personal safety of responding personnel; and

h. Authorization of information to be released to the media.

E. Unified Incident Command / Multi-Agency Incident Command

1. Police and Fire Department Response (with Public Works or other emergency agencies)

a. Fire Department

At most multi-agency/department emergencies, the Fire Department will assume the on-scene incident command with a designated on-scene Incident Commander, under a Unified Command System.

b. Police Department responsibilities

At this time the Police Department responsibilities will include traffic control, incident/area security, and evacuation assistance when required.

c. Single command post and IC

Although separate departments or agencies may use mobile communications vans and operations centers, there will be only one incident command post under the direction of one single Incident Commander.

d. Command of police personnel

i. The Police Field Commander will maintain command of all police personnel and will use police communications as necessary, but will coordinate all police activity under the direction of the Fire Department on-scene Unified Incident Commander.

ii. Police personnel will receive direction and orders from police supervisors only, to insure unity of command and the police chain of command.

iii. When activated and assembled at a designated staging area, Police Reserve officers will receive assignments through the Police Reserve Coordinator for traffic control, security or evacuation assistance. The Police Reserve unit may utilize their own mobile communications van with a separate radio net, but will coordinate with established police and fire channels used.

e. Activation of an EOC

The on-scene Incident Commander may request the activation of an Emergency Operations Center (EOC) when field responsibilities exceed the capabilities of on-scene personnel. When established, the EOC will be staffed with City officials and department heads to assume the overall incident command. The on-scene Incident Commander will then report directly to the EOC Commander.

7-906 Phase I Alert

(11/02/01)

(B-C)

Supervisors called to a large disturbance or event requiring resources beyond the capabilities of a single precinct may request a Phase I Alert. Only a Watch Commander, or in their absence the ranking supervisor, may declare a Phase I Alert. The appropriate Deputy Chief of Field Services shall be notified by MECC as soon as possible. General duties of personnel in a Phase I Alert are:

Officers:

- If already at the scene of a disturbance, remain on the perimeter and await arrival of sufficient help.
- Those at the scene shall give a preliminary evaluation to the ranking officer.
- Other available officers within the precinct where the disturbance or emergency occurs shall proceed to the precinct station to obtain the necessary equipment and assignments.
- Designated precinct response cars and supervisors shall await instructions for reporting to the scene of the disturbance or emergency.

Supervisors:

- On-scene supervisors shall assume incident command of the situation and provide MECC an evaluation of the disturbance or emergency. A request for a separate radio channel should also be considered at this time.
- The on-scene supervisor shall notify the Watch Commander or other ranking officer of the situation and any additional resources required.

Precinct Commander or Ranking Officer:

- The Precinct Commander, Bureau Head or other ranking officer will assume incident command and establish a Field Command Post (FCP).
- The incident commander will then decide the course of action and the appropriate incident command model/structure.
- The incident commander shall order the necessary personnel and equipment, beginning with the designated precinct response cars and supervisors.

7-907 Phase II Alert

(11/02/01)

(B-C)

A Phase II Alert is **a heightened state of readiness and alert due to a large disturbance or event that may threaten the welfare of the city.** The Chief or a Bureau Head may call a Phase II Alert. In his/her absence, the on-duty Watch Commander may call a Phase II Alert, however the Chief or a Bureau Head must be notified as soon as possible. (11/23/93)

Under a Phase II Alert, the following additional steps shall be initiated:

- Notification of Mayor and MECC of the Phase II Alert.
- The Chief of Police or a designee will notify the Minnesota Duty Officer, who will notify the National Guard and federal law enforcement agencies of the Phase II alert.
- Normal service calls will be limited to emergencies, and those squads responsible for handling calls in the precinct will be designated by the supervisor in charge of the precinct.
- Security will be established at all police facilities. All doors and windows will be closed and locked. Only City employees will be allowed in police facilities. Two officers will be assigned security at the front of each facility.
- If City Hall is threatened, a security detail shall be assigned for its protection. Security details shall also be assigned to protect squad vehicles and equipment at the Royalston Maintenance Facility and the Haaf Ramp.
- Available personnel will stand by at their assigned precinct, unit or division until assigned by the FCP.
- Emergency callback lists should be available in the event a Phase III Alert is called.
- The Hennepin County Medical Center and the Hennepin County Medical Examiner shall be notified of the emergency. Two officers shall be assigned at each precinct to ready emergency equipment.
- Personnel reporting to the FCP shall go to the staging area and shall be transported in as few vehicles as possible.
- Officers reporting to the staging area for assignments will be logged in for assignments by a staging officer for accountability and safety.

7-908 Phase III Alert

(11/02/01)

(B-C)

A Phase III Alert is **a large-scale disturbance or event that requires resources beyond on-duty MPD personnel and affects the welfare of the city.** A Phase III Alert may only be initiated by the Chief of Police, or in his/her absence, the next highest command officer. Under a Phase III Alert, the following additional steps shall be initiated:

- An Emergency Operations Center (EOC) shall be established and commanded by the Chief or his/her designee for those critical incidents involving only the Police Department.
- The mayor shall be notified of the Phase III Alert.
- The Minnesota Duty Officer shall be notified of the Phase III Alert status in order to contact the State Patrol, National Guard and other Federal agencies.
- For those large-scale disturbances or events involving the Fire Department and multiple city departments, an EOC will be established in room B-911 in City Hall and will be commanded by the Mayor. Command assistance will be provided by the Chief of Police and Deputy Chief of Field Services or other command staff designated by the Chief of Police.

- During a Phase III Alert, the on-scene incident commander shall remain at the scene and take direction from the EOC. Police on-scene operations will be directed by the on-scene Incident Commander.
- All police personnel will go on 12-hour shifts and immediate callbacks will be initiated. All days off will be canceled with the exception of vacations of more than four days.
- Neighboring law enforcement agencies shall be notified of the disturbance or event and mutual aid will be requested if it is needed.
- The Emergency Operations Center (EOC) shall inform other agencies of their reporting instructions.
- In the event of a Phase III Alert, police responsibilities will include traffic control, on-scene and perimeter security, and evacuation assistance.

7-909 Emergency Callback Roster

(A)

Commanders shall maintain an emergency callback roster that includes all employees under their command. A copy of the roster shall be distributed by the commanders to all employees who will be responsible for calling personnel back to work. The roster must be kept at the home and the work place of those employees subject to making callbacks.

The callback roster shall be updated by January 15th and July 15th each year. A copy of the updated callback roster shall be forwarded to the Operations Development Unit, who will coordinate distribution to MECC, the Watch Commander's Office, and Administration. (10/22/96) (05/02/01)

7-909.01 Callback Procedures

(A-C)

Immediate callbacks will be initiated with a Phase III Alert. The following procedures shall be followed:

- On-duty personnel shall remain at work until relieved.
- The callback roster shall be utilized to contact all personnel not on duty. When an employee is contacted, the time he/she was notified, the estimated time of arrival or the time they were told to report to work shall be noted on the callback roster.
- If an employee cannot be contacted on the first try, a second attempt will be made to contact them. If they still are not contacted, a notation shall be made on the callback roster as to the time and manner of the attempted contacts (i.e., message left on answering machine).
- If an employee was not contacted by a person doing a callback, but learns of the callback via other sources, the employee shall immediately call their place of assignment, let it be known they are aware of the callback and find out when and where they are to report to work.
- The MPD will go to two twelve-hour shifts during a Phase III Alert. Day Shift uniform personnel at the precincts will begin working an emergency shift from 0700 hours to 1900 hours. Night Shift uniform personnel at the precincts will be assigned to work 1900

hours to 0700 hours. Depending upon the time of announcement of twelve-hour shifts, shifts may be held-over until either 0700 or 1900 hours. Hours for all other personnel will be set at the time of the callback. (11/27/96)

- All sworn personnel are to report to work in uniform unless directed otherwise. (04/01/93)

7-910 Emergency Operations Center – MPD

(11/02/01)

For large-scale disturbances or events involving only the MPD, the Emergency Operations Center (EOC) may be established in the police administrative offices and the Chief shall be the EOC Commander. When requested by the Incident Commander or on-scene Deputy Chief/Director, the EOC will be activated and staffed by the following personnel:

- Chief of Police
- A Deputy Chief
- Director of the Emergency Communications & Technology Bureau
- Administrative Assistant to the Chief
- MPD Legal Advisor
- MPD Public Information Officer
- Additional personnel as needed

Responsibility for recording all information coming in and directions leaving the center belongs to the Administrative Assistant to the Chief. Other staff assignments may be made as necessary for planning, logistics, finance and media relations.

Incident command models require that the on-scene incident commander retain direct control and authority over all on-scene activity. The on-scene Incident Commander shall take direction from the EOC and will report all situational developments to them. All requests for additional personnel, equipment, and support of other City departments and outside agencies shall be forwarded to the EOC.

The EOC Commander will determine the incident command structure to be used and will establish the procedures required for the following:

- Mass arrests and transportation arrangements
- Arrest processing center location and teams for staffing
- Video taping
- Intelligence gathering
- Use of weapons and force
- Mutual aid requests and liaison with the Minnesota Duty Officer

The on-scene Incident Commander, whether a Police or Fire Department commander, may elect to designate on-scene operations, logistics, planning, and finance officers for large scale or complex emergency situations. These officers shall report directly to the on-scene Incident

Commander. An officer assigned at the incident scene as a staging officer will be responsible for the recording of all reporting personnel, assignments made, and the inventory of available equipment and vehicles.

7-910.01 Emergency Operations Center – City
(11/02/01)

When a large-scale disturbance or event involves multiple City departments or agencies, the on-scene Incident Commander shall request the activation of an Emergency Operations Center in MECC through the Chief or Deputy Chief. The Phase III Alert may require a larger incident command structure and may be of a longer duration. The Mayor shall be notified when a Phase III Alert escalates, to report to the EOC in room B-911 in City Hall. The Chief of Police shall report to the EOC with the Deputy Chief of the Central Services Bureau until staffing requirements are later decided.

See Volume 6 - Procedures for requesting assistance under Mutual Aid and for requesting National Guard Assistance.

7-911 Multi-Jurisdictional Radio Channels
(07/15/03)

There are several multi-jurisdictional radio channels and 800 MHz talk groups that are currently available and may be activated by an incident commander for use in a major inter-jurisdictional incident or emergency within Hennepin County. MECC must be notified when using any of these resources so that they may notify the other radio system users as per Metro Radio Board requirements.

Available multi-jurisdictional radio resources:

HTAC-3 (Talk Group) MPD Portable Radio Zone A-13 (Mode 1 on mobile radios)

MINSEF (Talk Group) MPD Portable Radio Zone C-15 (Mode 2 on mobile radios)

Contact MECC if communication with non 800 MHz users is needed.

Metro Emergency (Talk Group): MPD Portable Radio Zone C-14 (Mode 2 on mobile radios)

Contact MECC if communication with non 800 MHz users is needed.

PTAC Talk Groups: MPD Portable Zone C-1 thru C-4 (Mode 2 on mobile radios)

Mettac-P Talk Group: MPD Portable Zone C-5 (Mode 2 on mobile radios)*

MIMS (155.37 MHz): Contact MECC for patch to an 800 MHz talk group.

**Mettac-P will likely become the standard for incidents involving multiple agencies. It is actually a combination of several VHF/UHF and three different 800 MHz systems (Eden Prairie, Bloomington and Minneapolis).*

7-912 Weapons of Mass Destruction (WMD)

(11/27/02)

(A-C)

Weapons of Mass Destruction (WMD) pose a great threat to first responders and requires a unique and extraordinary police response. Often times, officers may not know that they are responding to such an incident when dispatched. Officers should be aware of signs and symptoms of any victims and should be mindful that any emergency could involve a weapon of mass destruction, particularly unknown trouble, explosions or medical emergencies. It is imperative that the responding officer/supervisor solicit as much information as possible from MECC and/or victims and witnesses in order to properly ascertain whether the call may involve WMD materials.

Definitions:

Weapon of Mass Destruction: Any destructive item/device that incorporates explosives, toxic chemicals, biological materials, radiological materials, or nuclear materials, and is designed to inflict mass casualties and destruction of human life and/or property.

Biological Weapons: Items or devices containing disease-causing microorganisms or toxins derived from or produced by living organisms.

Chemical Weapons: Items or devices containing toxic chemicals designed to kill victims by attacking systems of the human body. Chemical agents include:

- Nerve Agents
- Blood Agents
- Choking Agents
- Blister Agents

Explosive/Incendiary Weapons: Items or devices that contain explosive or incendiary material and are designed to inflict injury and property damage.

Radiological Weapons: Items or devices that contain and emit radiation, causing immediate and long-term human tissue damage and health effects.

Nuclear Weapons: Items or devices containing radioactive nuclear material with the ability to cause widespread catastrophic explosive damage and a wide release of radioactive material.

WMD Incident: When a weapon of mass destruction has been used and/or a known chemical, biological, or radiological substance is present.

WMD Threat: Any threat received whether verbal, non-verbal, or written that indicates the potential use of chemical, biological, radiological, explosive/incendiary or nuclear weapons of mass destruction.

Suspicious Package/Device: Any package or device that is reported to be unusual in nature due to any of the following factors: location, size, shape, odor, wrapping, markings, no known origin, etc.

Suspicious Substance: Any substance that is emitted from or contained within a suspicious package. These substances may be liquid, solid or gas.

7-912.01 Weapons of Mass Destruction – Initial Response

(11/27/02)

Responsibilities of first responding officer:

If an officer responds to an incident which involves chemical, biological, radiological, explosive/incendiary, or nuclear materials he/she should do the following:

- Notify MECC immediately that you suspect WMD materials and the type of material you suspect may be present.
- Relay signs and symptoms of victims to MECC.
- Be alert for visual signs of clouds of dust, liquid or gaseous materials in the area.
- Do not enter an area you believe to be contaminated.
- Take appropriate self-protection measures. Squad windows and air vents should be closed prior to responding to a suspected WMD incident. The squad PA system when possible, should be used to direct victims fleeing the incident to decontamination locations or areas where initial triage can safely occur outside the hot zone(s).
- Be aware of secondary devices that may be designed to kill/incapacitate first responders.
- Isolate area if possible.
- Stay upwind and uphill if possible.
- Do not perform first-aid on persons who you believe may have been exposed to chemical or radiological materials because you may become a victim yourself.
- Solicit as much information as possible from victims and/or witnesses.
- Take note of your surroundings and any suspicious persons, vehicles, aircraft, or incidents that may be present or occurring.

MECC Responsibilities:

If MECC believes that an incident may involve materials consistent with a weapon of mass destruction, an MPD supervisor shall be dispatched to the area with responding squads. MECC shall immediately make the below notifications and relay that there is a "potential WMD incident" and the type of incident if known."

MECC required notifications are:

- Minneapolis Fire Department
- MPD Bomb Squad
- Watch Commander/Police Chief and Administration
- Local FBI Office
- State Duty Officer
- 55th WMD Civil Support Team (directly or through State Duty Officer)

The following information should be relayed as soon as it becomes available:

- Location of the incident
- Command post location
- Type and number of casualties if known
- Victim signs/symptoms if known
- Type of material suspected (i.e. chemical, biological, radiological, etc.)

Other notifications should be made as necessary consistent with the City of Minneapolis Emergency Plan.

Responsibilities of first responding supervisor:

Generally, the Minneapolis Fire Department will have overall command of a WMD incident until the scene is stabilized and victims are removed and/or decontaminated. The first responding MPD supervisor will be responsible for managing police resources until relieved by a higher ranking MPD official. The primary responsibility of the Minneapolis Police Department in response to a WMD incident is to establish and maintain a perimeter outside the contaminated area in order to accomplish the following objectives:

- Prevent other persons from entering the contaminated area;
- Prevent contaminated or potentially contaminated persons from leaving the area;
- Maintain crowd and traffic control outside the contaminated area;
- Preserve and protect the crime scene to the best of our ability.

MPD supervisors will work with the MFD incident commander to establish the following:

- Location of command post;
- Location of perimeter and hot, warm, and cold zones;
- Location of decontamination area and decontamination procedures;
- Location and availability of first aid;
- Necessary safety precautions for responding police officers such as personal protective equipment and the potential for secondary devices. Position personnel and vehicles appropriately.

Any incident involving a weapon of mass destruction will be managed using the City of Minneapolis Emergency Plan and the Minnesota Incident Management System (MIMS), which utilizes the principles and structure of the Incident Command System or ICS.

Note: Although the FBI is charged with crisis management for a WMD incident, they will rely on local first responders for initial management and response. The MPD will work with the FBI on additional considerations as necessary.

Decontamination Procedures:

If an officer believes that he/she may have been contaminated and/or is exhibiting symptoms of chemical or radiological material, he/she should notify dispatch or other first responders in the area if possible. The officer should proceed to a safe decontamination area if possible. Normal decontamination procedures include:

- Removal of all clothing;
- Showering with large amounts of water;
- Administration of prophylactics and/or drugs which can counter act the effects of chemical agents.

7-912.02 Weapons of Mass Destruction – Threats
(11/27/02)

An officer may be dispatched to an incident in which use of a weapon of mass destruction has been threatened; however, no known event has occurred and there are no known casualties. If a suspicious substance or device is present and a threat has been received, officers should follow the guidelines listed below when responding to such incidents:

- Isolate the area and do not enter an area where a suspicious substance/device may be present.
- Notify MECC and request that a supervisor and the Bomb Squad respond.
- MFD HAZMAT should be requested if necessary.
- Keep those who have been potentially exposed to a suspicious substance isolated and at the scene until medical personnel have evaluated them or the incident has been deemed safe.
- If possible, those exposed should wash exposed areas with soap and water.
- Solicit as much information from witnesses about the threat and suspicious substance (i.e., suspect actions, substance color, odor, and form such as liquid, gas, solid, powder).
- If there is no suspicious package or device present, but a threat of a WMD incident has been received, the officer shall notify his/her supervisor and MECC. MECC shall notify the Watch Commander. An offense report titled "BOMBT" shall be completed immediately and forwarded to the Bomb/Arson Unit for investigation and further notification of the FBI if required.

7-913 Gas Masks/Respiratory Protective Equipment Program
(01/29/04)

All MPD officers will be in enrolled in the department's Respiratory Protective Equipment Program. Officers will go through a medical evaluation and a fit-testing procedure before being issued an Air Purifying Respirator (APR)/Gas Mask.

Only MPD-approved and issued APR's/Gas Masks will be used by officers. Officers must have their MPD-issued APR/Gas Mask available at all times. Officers on patrol shall carry the APR/Gas Mask with them in their squad. Officers will use their APR/Gas Masks whenever they feel it is needed to protect themselves or when ordered to do so by a supervisor.

APR/Gas Masks will only protect the respiratory system against a limited number of hazards. Officers must keep in mind that many agents such as nerve gas, mustard gas, anthrax, small pox and chlorine gas, to name a few, can also enter a person's system through contact with their skin or open wounds. Officers must keep these facts in mind when they are at a scene where chemical and/or biological agents may be present. Only a full chemical/biological suit can offer protection against most chemical/biological agents.

For the complete policy & procedure on the MPD's Respiratory Protection Program, it can be found on the MPD Net under "Manuals."

7-1001 Limited English Language Proficiency (LEP)

(02/08/96) (12/18/03) (12/05/08) (05/06/15)

(A-D)

I. Purpose

The purpose of this policy is to establish effective guidelines, consistent with Title VI of the Civil Rights Act of 1964 and the Omnibus Crime Control and Safe Streets Act, for Minneapolis Police Department (MPD) personnel to follow when providing services to, or interacting with individuals who have limited English proficiency.

The MPD recognizes the importance of effective and accurate communication between its employees and the community it serves. Language barriers can impede communication in a variety of ways. Language barriers can sometimes inhibit or even prohibit individuals with limited English proficiency from accessing and/or understanding important rights, obligations and services, or from communicating accurately and effectively in difficult situations. Hampered communication with LEP victims, witnesses, alleged suspects and community members can present the MPD with safety, evidentiary, and ethical challenges. Ensuring maximum communication ability between law enforcement and all segments of the community serves the interest of both.

II. Policy

It is the policy of the Minneapolis Police Department to take reasonable steps to provide timely, meaningful access to LEP persons with the services and benefits the MPD provides in all MPD conducted programs or activities.

All MPD personnel shall offer language assistance services to individuals whom they encounter and believe to be LEP, or whenever an LEP person requests language assistance services.

All MPD personnel will inform the public they encounter that language assistance services are available free of charge when using contracted City vendors.

III. Definitions

Bilingual: Is the ability to use two (2) languages fluently.

Interpretation: Is the act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the same meaning.

Language Identification Card: Language identification cards are used in face-to-face situations in order to determine which language a person speaks. The language identification card lists the languages most frequently encountered in Minneapolis. Language Identification Cards shall be readily accessible to MPD personnel in squad cars and in MPD areas accessible to the public.

Language Line: The City of Minneapolis Language Line provides phone interpretation services to residents who have questions about City services and functions. The Language Line should not be used for phone interpretation between police and LEP individuals.

Limited English Proficiency (LEP): Designates individuals whose primary language is not English and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in certain types of communication (e.g. speaking or understanding), but still be LEP for other purposes (e.g. reading or writing). Similarly, LEP designations are context specific. An individual may possess sufficient English language skills to function in one setting, but may find these skills are insufficient in other situations.

Limited English Proficiency (LEP) Coordinator: The LEP Coordinator is an MPD employee who is responsible for coordinating all aspects of the LEP plan for the MPD to ensure meaningful access is available to LEP individuals and, to provide training and direction to MPD employees about when and how to access LEP services for an LEP individual.

Limited English Proficiency (LEP) Guide: The LEP Guide is a document for internal use only, that lists contracted City vendors who provide interpretation and translation services to the MPD. This document contains access codes and information that employees will need to give vendors for billing and can be found on MPD Net under "Manuals and Guides" or "Frequently Used".

Primary Language: Means an individual's native tongue or the language in which an individual most effectively communicates.

Translation: Is the replacement of written text from one language (source language) with written text from another language (target language) while retaining the same meaning.

IV. Procedure / Regulations

The language assistance services available to be used by MPD personnel include both in person and phone interpretation, translation, and American Sign Language.

A. Police Personnel in Need of Interpretation Services

1. *Responding Police Personnel Responsibilities* –

   Police personnel in the field in need of interpretation services shall attempt to identify the LEP individual's primary language by asking the LEP person what language they speak or by using the Language Identification Card. Once the language has been identified, police personnel shall contact a City vendor as outlined in this policy and the LEP Guide which is located on MPD Net under Manuals and Guides.

2. *Exigent Circumstances*

   Exigent circumstances may require deviation from the general procedures outlined in this policy. In such situations, MPD personnel are to use the most reliable, temporary interpreter available, such as a bilingual MPD employee, a family member, friend, or bystander. Examples include but are not limited to: the need to obtain descriptive information on a fleeing suspect, or identifying information of an injured person. Once an exigency has passed all personnel shall revert to the general procedures in this directive.

3. *Family, Friends and Bystanders*

   In other than exigent circumstances, MPD personnel should only use family, friends or bystanders for interpreting in informal, non-confrontational contexts, and only to obtain basic information at the request of the LEP person. Note the following:

   a. Using family, friends or bystanders to interpret could result in a breach of confidentiality, a conflict of interest, or an inadequate interpretation.

   b. Barring exigent circumstances, police personnel should not use minor children to provide interpreter services.

   c. An exception to this practice: Anyone of the LEP individual's choosing may represent him/her when filing a citizen complaint. If the LEP individual chooses someone other than a City vendor, the LEP individual is responsible for any charges incurred for the interpreter.

4. *Contracted Telephone Interpretation Services*

   Contracted telephone interpretation services shall be available to assist all MPD personnel when interacting with LEP individuals.

   a. Police personnel in need of interpretation services shall attempt to identify the LEP individual's primary language through the use of the Language Identification Card, and shall notify the LEP individual that free interpretation services are available when using a City of Minneapolis vendor.

   b. Police personnel who believe they need to use interpreting services over the telephone shall contact a supervisor to make arrangements for use of a cell phone, if one is needed. If no cell phone is available for use, police personnel may transport the LEP individual to the precinct or other police facility to use a phone.

   c. Police personnel in need of interpretation services shall refer to the LEP Guide located on MPD Net under Manuals and Guides for specific contracted City vendors to use and to obtain necessary access codes.

d. Police personnel shall record the interpreter's name, company affiliation, and date and time contacted in the investigative report and specifically note if the interpreter used is not a contracted City vendor.

5. *Contracted In-Person Interpretation Services*

Contracted in-person interpretation services shall be available to assist all MPD personnel when needed for interacting with LEP individuals. While contracted in-person interpreting services are available to all police personnel, it is best suited for investigative units operating under non-emergency situations, such as victim/witness interviews and criminal interrogations.

a. Police personnel in need of interpretation services shall attempt to identify the LEP individual's primary language through the use of the Language Identification Card, and shall notify the LEP individual that free interpretation services are available when using a City of Minneapolis vendor.

b. An authorized list of contracted in-person interpreters available shall be used by police personnel to obtain in-person interpreting services. Refer to the LEP Guide located on MPD Net under Manuals and Guides for the list of contracted vendors. The contracted in-person interpreter should be on location no more than two (2) hours from the time of the service's notification.

c. Upon arrival of the interpreter, the officer/investigator shall record the interpreter's name and company affiliation in the investigative report along with the interpreter's arrival and departure times and the note the language being interpreted.

d. Police personnel will ask all questions and/or give direction through the interpreter.

e. Under no circumstances shall an interpreter independently question an LEP individual. The interpreter's role is to serve as a neutral third party, taking care not to insert his or her perspective into the communication between the parties.

f. If the officer/investigator believes that there is any conflict of interest with the assigned interpreter, bias or any other reason why the interpreter should be excused, the highest ranking supervisor on location shall be consulted.

i. If that supervisor agrees that the concern is warranted, the interpretation service will be notified for another interpreter.

ii. Any time there may be a conflict of interest or bias on the part of the interpreter, the consulted supervisor shall forward a memorandum to the Division Commander and LEP Coordinator for the department.

6. *Translation of Documents*

   a. Investigators shall secure translation services through a contracted City vendor, noting in the investigative report the date, name of the vendor used and the document translated.

   b. Units having documents that need to be translated shall contact the LEP Coordinator who will secure translation services through a contracted City vendor. Refer to section E. 2.

B. Interrogation, Interviews and Complaints

1. *Criminal Interrogations*

   A failure to protect the rights of LEP individuals during an interrogation risks the integrity of any investigation. Police personnel must recognize that miscommunication during interrogations may have a substantial impact on the evidence presented in any related criminal prosecution, and may adversely affect a suspect's legal rights. Therefore, qualified interpreters shall be used for all interrogations of LEP individuals.

   a. Because of the dual role a bilingual law enforcement officer may have when conducting interrogations and acting as an interpreter, bilingual officers shall not be used as interpreters during investigation.

   b. A contracted, in-person interpretation service shall be used as outlined in the LEP Guide available on MPD Net under Manuals and Guides.

   c. Vital written materials will be available to the suspect, victim or witness in his or her primary language. If needed forms are not available in the individual's primary language and in the case of illiteracy, forms will be read to the suspect, victim or witness in his or her primary language using the contracted interpretation services.

2. *Crime Witness Interviews*

   Accuracy is a priority as these scenarios potentially involve statements with evidentiary value by which a witness may be impeached in court. Accordingly, a certified interpretation service may be used when taking any formal statement or conducting any interview, as outlined in the LEP Guide available on MPD Net under Manuals and Guides.

3. *Complaint Procedures for LEP Persons*

   Any LEP individual who wishes to file a complaint with the MPD or Office of Police Conduct Review (OPCR) regarding language access or the discharge of Departmental duties, shall be provided with translated complaint forms in their primary language. Police personnel may obtain an electronic copy of the translated forms from MPD Net

under "Forms", or direct the LEP individual to the MPD public website where the forms can be found under "On-line Services – Translated Forms".

a. The assigned Internal Affairs or OPCR investigator shall use the contracted, in-person interpretation service, as outlined in this policy and the LEP Guide.

b. Internal Affairs or OPCR shall provide written notice of the disposition of any LEP complaint in the complainant's primary language.

C. Notifying the Public About Departmental Language Services
(05/06/15)

1. Signs shall be posted in the most commonly spoken languages at each police building with direct public access or lobby, stating that interpreters are available free of charge to LEP individuals, when using a contracted City vendor.

2. Language Identification Cards and Notice of Free Interpretation Services shall be readily accessible to MPD employees working at public access points and in any MPD vehicle used for transporting individuals to or from an MPD office, facility or crime scene.

3. The commanding officers of all precincts and units with direct public access shall ensure that the signs are posted and visible to the general public.

4. Each MPD Division or Unit shall maintain and have available hard copies of translated public forms and documents for LEP individuals. These documents and forms along with available languages shall be listed on the MPD public website under Forms>Translated Forms.

D. Training – Language Assistance Policy and Interpreter Skills
(05/06/15)

1. The MPD will provide periodic training to personnel about the Department's LEP policies, including how to access departmentally authorized telephonic and in-person interpreters.

2. The MPD shall conduct such training for new recruits and at in-service training and Roll Call for officers at least every two (2) years.

3. Training shall initially be conducted within 180 days of the effective date of this Directive.

E. Monitoring And Updating Language Assistance Efforts
(05/06/15)

1. **LEP Coordinator**:

   The Chief of Police will appoint an LEP Coordinator who is responsible for coordinating and implementing all aspects of the MPD's LEP policy. The LEP Coordinator will serve as the contact person for MPD employees with questions about or issues related to providing language assistance to LEP individuals.

2. **Documents**:

   a. The LEP Coordinator shall be responsible for initially reviewing, identifying and classifying all MPD documents as vital or non-vital for each unit, then annually reviewing all new documents issued by the MPD to assess whether they should be considered vital documents and be translated.

      i. New and updated forms or documents shall be submitted electronically to the LEP Coordinator who will assign an MPD form number, maintain the electronic original and process the request to get the forms translated.

      ii. Updates to and creation of the forms shall be the responsibility of the Unit who primarily uses the forms

   b. All translated documents and forms shall be available electronically on the public MPD website.

   c. Divisions or Units with forms that have been identified as vital documents shall have paper copies of the translated forms available for the public.

   d. The LEP Coordinator is responsible for working with contracted vendors to create additional access codes.

3. **Training**:

   The LEP Coordinator will assist Leadership and Organizational Development with developing a lesson plan for training MPD employees on the LEP policy and how to access and use language assistance services.

4. **Collection of LEP Contact Data**:

   The LEP Coordinator will be responsible for collecting information on the LEP individuals that have come in contact with the MPD. This data may be collected through the review of billing statements submitted by the contracted telephonic and in-person service providers.

5. **Tracking and Analysis of LEP Data**:

   The Chief or his/her designee shall be responsible for assessing demographic data to ensure that the MPD is providing meaningful access for LEP persons to the services and

benefits that MPD provides in all MPD-conducted programs or activities. This assessment and consultation shall be conducted in coordination with the LEP Coordinator.

7-1002 Communicating With Deaf or Hard of Hearing Individuals

(02/08/96) (12/05/08) (05/06/15)

(A)

It is the policy of the Minneapolis Police Department that American Sign Language interpreters will be provided to deaf or hard of hearing individuals who request them. Upon becoming aware that a person may be deaf or hard of hearing, MPD employees must inform the person that sign language interpreters are available at no cost and that it may take up to an hour for an interpreter to arrive. Employees should also ask the deaf or hard of hearing person what kind of interpreter or auxiliary aid he/she needs to communicate.

If a deaf or hard of hearing person suggests a mode of communication, MPD employees should try to accommodate the suggestion. Employees shall not require the deaf or hard of hearing person's friend or family member to interpret on his/her behalf.

If it is determined that an interpreter is needed, employees shall refer to the LEP Guide located on MPD Net under Manuals and Guides for specific contracted City vendors to request the interpreter service. If no immediate police action is required, employees may offer to schedule an interview or appointment to include an interpreter, for a later mutually agreeable date and time.

Before an interpreter arrives, employees should not take a suspect's statement, give Miranda warnings or have any other conversation which may be used in a court of law. During exigent circumstances, an interpreter will be offered after the exigency ends.

Officers assigned to 911 response cars have the discretion to determine whether to stay with the deaf or hard of hearing person while waiting for an interpreter to arrive. If there is no immediate threat of danger and the person has requested an interpreter, officers should direct them to go the nearest precinct where the interview will take place upon arrival of the interpreter. Officers shall return to the precinct when the deaf or hard of hearing person and the interpreter are present.

Upon encountering a deaf or hard of hearing person, officers should note the person's deafness in the CAPRS report. Any actions taken to accommodate suggestions made in order to facilitate communication should also be noted. If an interpreter was requested, the CAPRS report should include the time the interpreter was requested and the time the interpreter began interpreting. In addition, issues or problems that arise as a result of attempts to provide a qualified interpreter should be documented in the CAPRS report, if applicable, and the LEP Coordinator shall be notified via phone (673-2338), memo, or email.

MPD employees should direct questions and concerns regarding communication with deaf or hard of hearing individuals to the LEP Coordinator.

Communication Guidelines

In general, when communicating with deaf or hard of hearing individuals in the absence of an interpreter, employees should be aware of the following:

- Face the person; get his/her attention. Face the light.
- Communicate with the deaf or hard of hearing person directly; maintain eye contact.
- Use gestures and facial expressions. Do not restrict the use of both arms (unless necessary for officer safety).
- Offer the person a pencil and paper, or if available, use a computer. (02/08/96) (12/05/08)
- Written communications may require more effort to understand. American Sign Language is a language with different sentence structure and word usage than the English language. (02/08/96) (12/05/08)

7-1002.01 Arrest or Detention of Person Handicapped in Communication

(05/06/15)

(A)

Minn. Stat. 611.32 subd.2 requires law enforcement agencies to immediately make contacts to obtain a qualified interpreter whenever a person who is handicapped in communication is apprehended or arrested for a crime. An arrested person has the right to an interpreter to explain all charges filed against the person and to explain all procedures relating to the person's detainment and release. The interpreter will also assist with any other necessary communications (arrangements for medical attention, etc.).

When arresting a person who is deaf or hard of hearing who communicates through sign language, the officer shall immediately refer to the LEP Guide located on MPD Net under Manuals and Guides for specific contracted City vendors and arrange for a sign language interpreter to interpret for the arrestee at the place of detention. Upon arrival at the place of detention, detention center personnel shall be informed that the person is deaf or hard of hearing and that a sign language interpreter will arrive to communicate with the arrestee. This notification shall be recorded on the arrest report. Officers do not have to wait at the detention center for the interpreter to arrive, however should request that they are notified when the interpreter has arrived. (02/08/96) (05/06/15)

7-1003 Transportation of Persons With Disabilities in Wheelchairs

(06/19/94) (11/06/07) (05/06/15)

Special consideration is required when transporting a person with a disability who is in a wheelchair. When disabled persons in wheelchairs are arrested, are taken to Detox, or require placement on a health and welfare hold at HCMC, such persons will be transported by squad car whenever possible. However, prior to transport officers shall ask the disabled person if there is any medical reason they cannot be removed from their wheelchair for transport by squad.

If the person says they cannot be removed from their wheelchair, then special transportation by lift-van shall be made. A vehicle with a hydraulic lift is available through the Traffic Control Office, weekdays before 1530 hours. Officers shall contact the Traffic Control Street Supervisor at (612)335-5932, who will transport the wheelchair/arrested person. The officer requesting the Traffic Control lift-van shall give the Traffic Control Supervisor their name, badge number, squad number, and address where the arrested person/wheelchair is to be taken. One officer is required to accompany the person in the lift-van if the person is under arrest. Officers are not required to accompany the transport of just the wheelchair. (11/06/07) (12/14/07)

After 1530 hours and on weekends officers may obtain use of the hydraulic lift vehicle through the 1st Precinct. The key for the vehicle along with specific instructions for locating the van and operating the hydraulic lift are available at the 1st Precinct. Questions should be directed to 1st Precinct personnel, who have been trained in the procedure for transporting wheelchairs. 1st Precinct personnel will provide assistance to officers regarding use of the equipment, but are not responsible for transporting the arrested persons for other precincts. (11/06/07) (12/14/07)

If the person says they can be removed from their wheelchair, Officers will assist the disabled person into the squad, using care and caution. (08/27/95) (11/06/07)

When officers have had recent contact with the disabled person to be transported and have knowledge that there is no medical reason the person is not able to be removed from their wheelchair, the person may be transported by squad.

All wheelchairs shall be taken to the transport location of the disabled person, with collapsible wheelchairs transported in the trunk of the squad. When a person with a motorized wheelchair is transported by squad, the lift-van shall be called and directed to transport the wheelchair to the disabled person's location.

Officers may contact MECC to make arrangements for the arrival of the disabled person at the appropriate detox or detention facility, or they may contact the facility on their own. (03/18/96) (11/06/07)

Transport of Arrestee - When transport is needed to the detention facility, officers should contact or request that MECC contact the Jail Intake Supervisor for arrangements to book the arrestee as soon as possible. The Jail Intake Supervisor can be contacted at (612)596-8010. (03/18/96) (11/06/07)

Transport to Detox - When transport is needed to a detox facility, officers should request that MECC contact a supervisor at 1010 Currie for admission of the person. 1010 Currie is the preferred location because it is more wheelchair accessible. If 1010 Currie cannot accept the person, their staff supervisor should be able to direct the transport to another appropriate shelter facility. Ideally these arrangements should be made prior to the arrival of the lift-van service. The lift-van driver can then be directed to the pre-arranged facility. The phone number for 1010 Currie is 379-3646. (03/18/96) (11/06/07)

Officers shall follow department searching and restraining procedures when dealing with disabled persons in wheelchairs. Extra care shall be exercised during these procedures due to the arrestee's physical and/or medical conditions.

7-2001 Exposure to Blood Borne and Air Borne Pathogens
(04/22/09)

Officers may be called upon to directly interact with persons who are known or suspected of having communicable infectious diseases. Such interactions may occur when officers are acting as first responders, when they are called upon to transport possibly infectious persons, or to enforce isolation or quarantine orders. Other MPD employees might have contact with contaminated clothing or other personal effects of infected persons as a result of these officer contacts.

The policy of the Minneapolis Police Department regarding exposure to blood borne and air borne pathogens in the occupational setting is to provide precautions and preventative measures, offer testing, counseling and follow-up for employees exposed in the course of their work for the MPD.

The following sections provide Occupational Safety and Health Administration (OSHA) and Minnesota Department of Health (MDH) guidelines for MPD employees. These guidelines should be followed to prevent exposures and provide a post-exposure plan in the event an employee suffers a significant exposure.

7-2002 Exposure Terms and Definitions
(04/22/09)

AIDS: Acquired Immune Deficiency Syndrome – This virus attacks a person's immune system and reduces the ability to fight other diseases. AIDS is the final stage of HIV (Human Immunodeficiency Virus) infection.

Bloodborne Pathogen: Pathogenic microorganisms present in human blood that cause disease. These pathogens include, but are not limited to, hepatitis B virus (HBV), hepatitis C virus (HBC), and human immunodeficiency virus (HIV).

Body Fluids: Body fluids include but are not limited to blood, semen, vaginal secretions, breast milk, amniotic fluid, urine, saliva, vomit and stool.

Health and Wellness Coordinator: The MPD's Health and Wellness Coordinator is the designated point of contact for communications between Hennepin County Medical Center's (or other clinic/local hospital) Infection Control Unit and the MPD.

HBV: Hepatitis B Virus – A viral infection that can result in jaundice, cirrhosis, and cancer of the liver. The virus causes HBV and may be found in blood, urine, semen, vaginal secretions and saliva. It may be transmitted by direct contact with infected persons and through needle sticks or sharps exposures.

HCV: Hepatitis C Virus – A viral infection that can result in chronic infection, cirrhosis and liver disease. Infection occurs when blood from an infected person enters the body of a person who is not infected. HCV is spread though sharing needles and through needle sticks or sharps exposures.

HIV: Human Immunodeficiency Virus – HIV is the virus that causes AIDS (Acquired Immune Deficiency Syndrome). HIV may be transmitted from one person to another primarily through sexual contact or through the sharing of intravenous drug needles. It may also be transmitted by coming into direct contact with an infected person; i.e. an officer with a cut or sore on their hand gets blood on that hand while rendering first aid.

Influenza: Influenza (the flu) is a contagious respiratory illness caused by influenza viruses. It can cause mild to severe illness and can lead to death. Influenza is transmitted from person to person in respiratory droplets of coughs and sneezes. It may also be spread when a person touches respiratory droplets on another person or an object and then touches their own mouth or nose (or someone else's mouth or nose) before washing their hands.

Infected adults infect others a day before symptoms develop and up to five days after becoming sick. Children may pass the virus for longer than seven days. Symptoms start one to four days after the virus enters the body.

Meningitis: An inflammation of the membranes that envelop the brain and spinal cord. Meningitis may be contracted through direct contact with an infected person's respiratory secretion.

Personal Protective Equipment (PPE): Personal protective equipment is specialized clothing or equipment used by workers to protect themselves from direct exposure to blood or other potentially infectious materials. It includes, but is not limited to, protective disposable gloves, masks, goggles, boots, gowns and resuscitation masks.

Significant Exposure: Having sustained a contact which carries a potential for a transmission of bloodborne pathogens by one or more of the following means:

- A skin puncture by a needle or sharp object that has had contact with blood or body fluid from another person;
- Blood or bodily fluids of another person in contact with the mucus membranes or eyes;
- Any contamination of open skin (cuts, abrasions, blisters, open dermatitis) by blood or body fluids, or bites that break the skin;
- Blood or blood containing fluids in contact with skin longer than 5 minutes;

***Note*:** Fluids such as urine, saliva, vomit and stool are considered significant only when they contain visible blood.

Significant exposure to diseases communicable by airborne transmission (including tuberculosis, chicken pox, measles, and pertussis) will be confirmed and follow-up will be determined with the help of Public Health.

Source Individual (SI): An individual, living or dead, whose blood, tissue, or potentially infectious body fluids may be a source of bloodborne pathogen exposure to another person. Examples include, but are not limited to, a victim of an accident, injury or illness, or a deceased person.

Tuberculosis: Bacterial disease causing swelling and lesions in the tissue of the lung. The most common means of exposure is by inhaling airborne particles from the cough of an infected person. Transmission may occur after being in a non-ventilated area for an extended period of time with an infected person. In rare cases, this bacterial disease can be transmitted through the saliva, urine, blood and in some cases, other body fluids of infected persons.

Universal Precautions: Precautions designed for infection control. Under Universal Precautions, blood and certain body fluids of all individuals are considered potentially infectious for HIV, HBV and other blood borne pathogens. Universal Precautions must be posted in a central area at all precincts and division locations.

7-2003 Bloodborne/Airborne Pathogen Information and Training

(04/22/09)

Training on the Department's Exposure Control Plan, information regarding Hepatitis B vaccinations and basic use of Personal Protective Equipment (PPE) shall be provided to all new hire personnel in at-risk assignments within a reasonable period of time of beginning employment.

The MPD Training Unit and the MPD Health & Wellness Coordinator can be utilized as a resource for employees seeking additional information/materials regarding Universal Precautions and blood/air borne pathogens in the workplace.

7-2004 Employee Vaccinations

(04/22/09)

Hepatitis B vaccinations are available to all MPD employees at no cost. To arrange for obtaining a vaccination, contact the MPD Health and Wellness Coordinator or the MPD Training Unit.

7-2005 Personal Protective Equipment

(04/22/09)

Use of Personal Protective Equipment (PPE) is recommended and strongly encouraged in any situation which the employee believes an exposure to blood borne and/or airborne pathogens may occur. PPE may be obtained through MPD Stores and at each precinct.

7-2006 General Practices for Exposure Control
(04/22/09)

When possible, all MPD employees shall practice Universal Precautions to reduce the risk of infection by blood borne pathogens. Universal Precautions shall be used for all activities involving contact with blood, tissue, body fluids, equipment and materials that may be contaminated by infectious disease.

All MPD employees are responsible for ensuring that the following Universal Precautions and policies are followed when interacting with any potentially infectious individuals or handling potentially infectious materials:

1. Employees shall not eat, drink or smoke in work areas or at crime scenes where bodily fluids are present or other contagious factors exist.

2. Food and drink shall not be kept in refrigerators, freezers, shelves, cabinets or on countertops where blood or other potentially infectious materials are present.

3. Employees shall wash their hands and any other skin with soap and water, or flush mucus membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.

4. Contaminated needles and other contaminated sharps shall be properly disposed of in a "sharps" container or stored in leak-proof, puncture resistant packaging if needed to preserve for evidentiary purposes.

5. Property and evidence containing blood and/or body fluids or other potentially infectious materials shall be placed in a container which prevents leakage during collection, handling, processing, transport and storage. The container used for transport or storage shall be labeled or clearly marked in such a way that it is evident that blood, body fluids or other potentially infectious materials are inside.

6. All handling or decontamination of items contaminated with blood or other potentially infectious materials shall be performed in such a manner as to minimize splashing, spraying, spattering and generation of droplets of these substances.

7. Sworn MPD employees have an obligation to inform other support personnel (MPD civilians, firefighters, paramedics, etc.) whenever a subject has blood or bodily fluids on his/her person, or if the subject has made a voluntary statement that he/she has a contagious disease.

8. Sworn MPD employees shall indicate in the CAPRS report when an individual taken into custody makes a voluntary statement that he/she has an infectious disease. A notation shall also be made in the related supplements when a subject has blood or bodily fluids on his/her person or clothing.

9. Employees shall not refuse to work with or handle any individual – victim, complainant or suspect because of the employee's fears of possible infection.

10. Employees shall not refuse to arrest or otherwise refuse to handle any person in a legitimate law enforcement context, provided that appropriate protective equipment is available.

11. Employees shall use appropriate PPE unless it is the employee's professional judgment that in a specific instance its use would prevent the delivery of public safety services or it would pose an increased hazard to the safety of the employee or a co-worker. When the employee makes this judgment, the circumstances shall be documented in CAPRS and with a Supervisor's Report of Injury to be reviewed by the employee's supervisor in order to determine whether changes can be instituted to prevent such occurrences in the future.

12. Employees should be aware that certain prescribed medications, such as steroids and asthma medications, can suppress their immune systems increasing their susceptibility to infectious diseases. Employees should consult with their physician if they are taking prescription drugs.

7-2007 Decontamination of Employee and Equipment

(04/22/09)

MPD employees shall use the following OSHA approved cleaning procedures when disinfecting or decontaminating themselves or equipment while on-duty.

Hand Decontamination

- Wash hands completely with soap and water.
- Rinse completely; dry with a clean towel or air dry.

Clothing, Tool/Equipment Decontamination

- Mix 1/4 cup bleach per gallon of water. (**Note**: More bleach is not better.)
- Immerse objects in solution for 10 minutes; if clothing, gently agitate periodically. (**Note**: Dark clothing/fabric may produce bleach spots.)
- Transfer objects to a soap and water solution for 10 minutes; if clothing, gently agitate periodically.
- Allow clothes and tools/equipment to thoroughly air dry before re-use.

Severe Surface Decontamination

- Use for decontaminating only the most seriously affected surfaces.
- Mix 1 ½ cups bleach per gallon of water.
- Douse surfaces with heavy contamination and allow to sit for 3 minutes.

- Wipe the contamination from the surface with a paper towel and douse the surface again but use the hand wash solution.
- Wipe off residual contamination with a paper towel.

Important Considerations

- Use gloves and eye protection.
- Prepare bleach solutions daily and allow to stand for at least 30 minutes before use.
- All containers should be labeled "Bleach-disinfected water, **Do Not Drink** "
- Do not mix bleach with products containing ammonia.
- **Do Not Immerse Electrical or Battery Operated Tools/Equipment in Solutions**; clean exterior with a rag soaked with soap and water or disinfectant solution.

7-2008 Decontamination of Police Vehicles

(04/22/09)

Any police vehicle which has been contaminated by bodily fluids shall be taken to the Royalston Police Garage for proper biohazard decontamination. MPD employees shall not attempt to clean vehicles themselves.

Employees shall follow the standard vehicle drop-off procedure when leaving a vehicle for cleaning, including notifying the front desk during shop hours and displaying a notice on the dash of the vehicle indicating the biohazard status.

7-2009 Waste and Medical Debris Used at Crime Scenes and Traffic Accidents

(04/22/09)

MPD employees are responsible for removing any non-biohazard items at a crime scene or traffic accident. This includes properly disposing of rubber gloves and crime scene tape.

Minneapolis Fire Department (MFD) personnel are responsible for removing any medical debris, blood and other bodily fluids from a crime scene, traffic accident, or in public places such as sidewalks and streets, and decontaminating the area.

The MPD on- scene supervisor or senior officer may request MFD Personnel to leave the crime scene/accident scene intact during a prolonged investigation of the crime/accident scene.

The MPD on-scene supervisor or senior officer shall contact the MFD via MECC to make necessary arrangements for calling MFD personnel back to the scene to remove medical debris, blood, or body fluids upon completion of the investigation.

A police officer shall remain on the scene for security purposes until MFD personnel completely remove the medical debris, blood or body fluids.

7-2009.01 Removal of Waste, Blood, and Body Fluids From Locations Other Than Public Places
(04/22/09)

MPD is not responsible for the cleaning or repair of a crime scene after it has been processed.

7-2010 Disposal of Contaminated Materials
(04/22/09)

MPD units which accumulate/generate biohazard materials shall properly dispose of such materials (not including chemical waste) by transporting the waste to the Minneapolis Public Service Center Laboratory, Room 523. All waste shall be clearly marked by affixing warning labels or biohazard symbols to any containers or waste involving body fluids or associated materials.

Chemical waste shall be disposed of only by use of an approved vendor. Contact the City's Purchasing Department for assistance.

7-2011 Contacting a Medical Facility for Patient Information
(04/22/09)

Per HIPAA laws, medical facility staff shall not release confidential patient data. Questions relating to the diagnosis of a patient who may have a potentially contagious disease or infection and with whom MPD employees may have been exposed shall be directed to the MPD Health and Wellness Coordinator. The MPD Health and Wellness Coordinator will liaison with the Infection Control Unit of the medical facility to determine if the patient's medical status poses a risk of significant exposure to the MPD employee.

7-2012 When a Significant Exposure is Suspected: Actions of Employee
(04/22/09)

In the event of a significant exposure, the employee should do the following:

1. Seek initial medical examination with Occupational Medicine Consultants or HCMC ER; (08/05/13)

    a. The employee may obtain testing, counseling, and follow-up services through their own medical provider;

    b. Refer to the Checklist for Work-Related Injuries (08/05/13)

2. Complete a Supervisor's Report of Injury (IOD) form and submit it to their immediate supervisor.

Note: Employees may be responsible for medical expenses incurred if Worker's Compensation guidelines are not followed and/or Worker's Compensation does not accept the claim.

7-2013 Significant Exposure: Actions Taken by Medical Facility
(04/22/09)

If a physician determines that the MPD employee has suffered a "significant exposure" and the source individual is receiving treatment at a medical facility or is in-custody at the Hennepin County Jail, the medical facility will contact the source individual to obtain consent for a blood draw from the source individual (SI).

If the SI is not receiving treatment at the medical facility, the medical facility will make reasonable efforts to locate the SI and obtain consent. If the medical facility cannot identify or locate the SI, a representative from the Infection Control Unit will contact the MPD's Health and Wellness Coordinator to inform the MPD the SI has not been contacted. The MPD may initiate actions to identify or locate the SI after receiving such notice.

7-2014 Consent for Blood Draw Initiated by MPD
(04/22/09)

If the medical facility cannot identify or locate the SI but MPD subsequently identifies and locates the SI, a consent for blood draw may be initiated by the MPD.

A consent for blood draw must be coordinated by the Precinct/Division Commander (or designee) and the MPD Health and Wellness Coordinator (or their alternate). The Precinct/Division Commander and Health and Wellness Coordinator will coordinate contact with the SI to obtain consent only under the following conditions:

1. A physician determines that an MPD employee has suffered a significant exposure, and;

2. The SI is not at the medical facility, and;

3. The medical facility cannot identify or locate the SI.

When all of the above conditions are met and the MPD has identified and located the SI, the Precinct Commander (or designee) will initiate contact with the SI to obtain consent. The following steps should be taken;

1. The Consent for Blood Draw Form (MP-8861) should be read to the SI, using a language translator if necessary. The SI should be informed they have the right to refuse testing and that any test will be paid for by the MPD;

2. If the SI gives consent by signing the Consent for Blood Draw Form (MP-8861), the MPD may transport the SI to and from an appropriate medical facility;

3. If the SI refuses consent, indicate their refusal on the Consent for Blood Draw form (MP-8861) and include any other information/notes;

4. Forward the Consent for Blood Draw Form (MP-8861) to the Health & Wellness Coordinator.

7-2015 Seeking a Court Ordered Blood Draw
(04/22/09)

If the Precinct/Division Commander and Health and Wellness Coordinator determine that a court ordered blood draw is necessary, they shall contact the city attorney who will petition the Hennepin County District Court for a court ordered blood draw.

	Minneapolis Police Department Policy and Procedure Manual	Number: 7-3000
		Date: 16 June 2016

Volume Seven – Field Operations

Interactions With Transgender and Gender Non-Conforming Individuals

7-3001 Interactions With Transgender and Gender Non-Conforming Individuals

(06/16/16)

(A-D)

I. Purpose

The purpose of this policy is to establish guidelines for the appropriate treatment of transgender and gender non-conforming (TGN) individuals who come into contact with the Minneapolis Police Department.

II. Policy

It shall be the policy of this department to treat all individuals with the courtesy and dignity inherently due to every person. Employees shall act, speak and conduct themselves in a professional manner, recognizing their obligation to safeguard life and property. Employees shall maintain a courteous, professional attitude in all contacts with the public, and shall not exhibit any bias, prejudice or discrimination against a TGN individual or group of TGN individuals.

III. Definitions

Adopted/Chosen Name: Non-birth name that a TGN individual uses in self-reference (this may or may not be the individual's legal name).

Gender Identity or Expression: A person's actual or perceived self-image or identity as expressed through dress, appearance, behavior, speech or similar characteristics, whether or not traditionally associated with the person's physical anatomy, chromosomal sex, or sex at birth.

Gender Non-Conforming: A term for individuals whose gender expression does not fall within traditional expectations of masculine or feminine gender.

Sex: The anatomical qualities that determine whether one is male or female.

Sexual Orientation: Having or being perceived as having an emotional, physical, or sexual attachment to another person without regard to the sex of that person or having or being perceived as having an orientation for such attachment.

Transgender Individual: A person who expresses a traditional gender that differs from that person's sex assigned at birth.

Female-to-Male (FTM): A person who transitions from female to male, meaning a person who was assigned female at birth, but identifies and lives as a male (also known as a transgender man). An FTM individual should be addressed using masculine pronouns (e.g. he, him, his), regardless of surgical status.

Male-to-Female (MTF): A person who transitions from male to female, meaning a person who was assigned male at birth, but identifies and lives as a female (also known as a transgender woman). An MTF individual should be addressed using feminine pronouns (e.g. she, her, hers), regardless of surgical status.

IV. Procedures/ Rules/ Regulations

A. Forms of Address

1. Employees shall address TGN individuals by the individual's adopted name, even if the individual has not received legal recognition of the adopted name.

2. In addressing or discussing a TGN individual, employees shall use the pronouns appropriate for that person's gender identity (e.g. she/her/hers, he/him/his, they/them/theirs, etc.). If an employee is uncertain about which pronouns are appropriate, the employee should respectfully ask the individual.

3. Employees shall not use language that a reasonable person would consider demeaning or derogatory; in particular, language aimed at a person's actual or perceived gender identity, gender expression or sexual orientation.

4. Employees shall not disclose an individual's TGN identity to any other person or group absent a proper law enforcement purpose.

B. Calls for Service

1. Calls for service or complaints generated by TGN individuals shall be addressed and investigated in a manner consistent with all departmental policies.

2. Employees shall not consider a person's gender or gender identification as reasonable suspicion or prima facie evidence that the individual is or has engaged in a criminal act, including prostitution.

    a. Employees may only consider gender or gender identification in accordance with the Impartial Policing policy (P/P 5-104).

C. Transportation

Whenever possible, a TGN suspect or arrestee shall be transported alone. Officers shall ensure that additional units are called in order to assist with transporting additional TGN individuals.

D. Searches

1. Officers shall not stop, detain, frisk or search a person in whole or in part for the purposes of determining that person's gender or in order to call attention to the person's gender expression.

2. Officers shall continue to use standard practices and procedures when conducting field interviews, Terry stops and frisks/pat downs.

3. Whenever possible, a search of a TGN suspect that goes beyond a frisk/ pat down shall be conducted by an officer of the gender requested by the suspect.

    a. All other aspects of the search shall be conducted in accordance with standard MPD practices and procedures.

E. Medical Attention

1. TGN individuals requiring medical attention shall be handled as any other individual requiring medical attention.

F. Name and Gender Classification of TGN Individuals for Data Purposes

1. The reporting system used by MPD (CAPRS) uses the label "sex" and offers the options of "Male" and "Female." This section will use the term "gender" in reference to the classification in the reporting system.

2. A person's name and gender will be classified for data purposes as it appears on the individual's government-issued identification card.

3. In the event a government-issued identification card is unavailable:

    a. If the officer has established identification through appropriate databases (such as DVS) or if the individual was identified at the Hennepin County Jail, the name and gender from that identification shall be used.

    b. If no government identification is established the following procedure shall be used:

        i. The officer shall respectfully ask the individual whether they most closely identify with male or female and use that for the CAPRS report data classification.

            aa. If the individual is not comfortable with either option or refuses to answer, the officer shall select one.

        ii. The officer shall ask the individual for their legal name to use in the report.

4. If there is uncertainty regarding the appropriate data entry of an individual's name or gender, a supervisor should be consulted for further guidance.

5. This section relates to data classification only, and shall not alter the transportation, searching or processing of individuals.

8-101 Juvenile Policies
(10/07/08)

In the event that a Minnesota State Statute, Hennepin County or City of Minneapolis Ordinance referenced within sections 8-100, 8-200 and 8-300 is amended prior to the affected policy being updated, the statute or ordinance changes shall supersede the MPD juvenile policy.

8-102 Juvenile Terms and Definitions
(10/07/08)

Amber Alert Program: Utilizes the State's Emergency Alert System (EAS) and Minnesota Crime Alert Network (MNCAN). It allows law enforcement agencies to collaborate with local broadcasters through the use of an early-warning system to alert the public when a child is in danger.

Community Based First Response (First Response): First Response social workers are available 24 hours per day, 7 days per week. First Response handles emergency shelter placements, telephone assessments of families in crisis and takes child & adult protection reports.

Family Violence Unit - Child Abuse Section: The Family Violence Child Abuse Section investigates cases involving adult or juvenile suspects for crimes of child abuse, physical or sexual abuse, child endangerment, neglect, deprivation of parental rights and parental kidnapping. The unit also reviews HLTWEL and juvenile CIC reports.

Juvenile: An individual who is under the age of eighteen (18) years.

Juvenile Criminal Apprehension Team (JCAT): A component of the Juvenile Unit that focuses on apprehending wanted juveniles.

Juvenile Detention Center (JDC): Located at 510 Park Avenue in downtown Minneapolis.

Juvenile Diversion: A program coordinated through the Juvenile Unit, which provides diversion/options for first time juvenile offenders.

Juvenile Miranda: Each component of the Miranda Warning is understood and acknowledged by the juvenile. The investigator must be confident that the juvenile understands each of the components.

Juvenile Supervision Center (JSC): JSC receives juveniles ages 10-17, who have been detained for curfew, truancy and other offenses which do not meet JDC booking criteria and whose parent/legal guardian is unable to be located. JSC is located in Room 21A, City Hall.

Juvenile Unit: MPD Juvenile Unit primarily investigates Robbery, Assault, Domestic Assault and Missing Person cases in which the offender is at least 10 years old and under 18 years of age. Cases involving juvenile offenders less than 10 years of age will be investigated by the Juvenile Unit and referred to an appropriate agency for follow up. The Juvenile Unit also investigates school-related crimes.

The Juvenile Unit provides identification and processing services, as well as short-term detention for arrested juveniles. During the hours of Juvenile Unit operation, juveniles arrested for any felony, gross misdemeanor or domestic assault shall be brought to the unit for processing. Staffing and workload permitting, Juvenile Unit investigators will transport juveniles to the appropriate destination after intake is completed.

The Juvenile Unit maintains all Runaway and Missing Juvenile files and serves as the central repository for juvenile criminal history records. The Juvenile Unit also provides investigative support to other units with on-going investigations involving juvenile suspects.

The Link: The Link provides intervention services and community outreach at the JSC.

Low-level Offender: A juvenile arrested for a non-status offense that does not meet JDC booking criteria

Medical Neglect*:* Medical neglect is the failure to provide appropriate health care for a child, thus placing the child at risk for serious disability, disfigurement or death. Concern is warranted not only when a parent/legal guardian refuses medical care for a child in an emergency or for an acute illness, but also when a parent/legal guardian ignores medical recommendations for a child with a treatable chronic disease or disability, resulting in frequent hospitalizations or significant deterioration.

Minnesota Crime Alert Network (MNCAN): A statewide communications network that enables law enforcement agencies to quickly alert the public about crime or criminals that may affect them.

NCIC: National Crime Information Center.

Parent/Legal Guardian: "Parent" means the birth or adoptive mother or father of a child and does not apply to a person whose parental rights have been terminated in relation to the child. A legal "guardian" is a person who has been appointed by a judge or social services agency, to take care of a minor child (to include foster parents).

Runaway: An unmarried child under the age of 18 years who is absent from the home of a parent or guardian or other lawful placement without the consent of the parent, guardian, or lawful custodian.

Scales Interview: Audio recording of a custodial interview.

School Resource Officer (SRO): SRO's are assigned to Minneapolis Public Schools and work together with school administrators, students, the Juvenile Unit, and the community to ensure school safety and security.

Status Offender: A juvenile status offender is a juvenile who is taken into police custody for an offense that would not be a crime if committed by an adult. This includes: truancy, curfew violations, runaway and underage possession or consumption of tobacco and alcohol products.

8-103 Mandatory Reporting of Maltreatment of Minors

(10/07/08)

(A-D)

Sworn employees who receive a complaint of child abuse or neglect, or who become aware of such circumstances shall complete a CAPRS report which will be routed to the Family Violence Unit. Personnel from the Family Violence Unit shall report the incident to Hennepin County Child Protection.

8-104 MECC and Parental Notification of Detained or Arrested Juveniles

(12/14/07) (10/07/08)

(A-D)

When juveniles are transported to any MPD facility or to a hospital for medical treatment, the transporting officer(s) shall notify MECC in order to prevent a Missing Person Report from inadvertently being taken. The transporting officer(s) shall ensure a reasonable attempt is made to notify the parent/legal guardian as to the juvenile's status.

It shall be the responsibility of the investigator/investigative unit to notify the parent/legal guardian, when a juvenile is received by them from officers. Juvenile Detention Center, Juvenile Supervision Center and MPD Juvenile Unit staff will attempt notification for juveniles admitted to their respective facilities.

8-105 Juvenile Records

(10/07/08)

(A-D)

Records of juveniles who are or may be delinquent or who may be engaged in criminal acts shall be kept separate from records of persons 18 years of age or older. These records are private data and may only be disseminated:

1. To the child or the child's parent or legal guardian unless disclosure of a record would interfere with an ongoing investigation;

2. By order of the juvenile court;

3. To the Minnesota Crime Victim's Reparations Board;

4. According to Minnesota State Statute 121A.28, which states that a law enforcement agency can provide the school where a student is enrolled with information regarding incidents in which the law enforcement agency has probable cause to believe the student has committed a controlled substance crime; possessed drug paraphernalia or simulated controlled substances; or consumed, purchased or possessed alcohol as a minor; and

5. As authorized under Minnesota State Statute 13.82, subdivision 2 which refers to information that is public data. **Note:** The only personal identifying information that can be released relating to a juvenile is the juvenile's age and sex.

8-105.01 Authorized Use of Juvenile Photographs

(10/07/08)

(A-D)

Photographs of juveniles may be used only for institution management purposes, case supervision by probation agents and to assist law enforcement agencies to apprehend juvenile offenders. Juvenile photographs shall not be distributed to the public unless the criminal proceeding and/or complaint are available to the public and the child is 16 years of age or older.

8-105.02 Juvenile Photograph Expungement

(10/07/08)

(A-D)

Photographs of juveniles who have been adjudicated delinquent under Minnesota State Statute Chapter 260 shall not be expunged from law enforcement records or databases. Photos of juveniles who have not been adjudicated shall be destroyed (expunged) when the child reaches the age of 19 years.

8-106 Juvenile Search and Seizure

(10/07/08) (07/01/11) (10/10/22)

A. DNA Collection from Juveniles

1. Secure search warrant

   a. Search warrants shall be secured for DNA collection from the person of juvenile suspects or arrestees, whenever feasible.

   b. The officer who executes a search warrant for DNA collection from the person of a juvenile suspect or arrestee shall ensure a reasonable attempt is made to notify the parent or legal guardian immediately after executing of the warrant.

i. The notification may be made by telephone, in person, or by going to the juvenile's home.

c. Consent for a DNA collection shall only be sought for suspects in exigent circumstances.

2. Consent for DNA collection

Consent for DNA collection from the person of any juvenile suspect or arrestee, shall adhere to the following requirements.

a. Adult consent required

i. A juvenile suspect or arrested person cannot waive their rights and consent to a DNA collection from their person without first being allowed to engage in a meaningful consultation with an attorney or an informed parent or guardian.

ii. Any collection of DNA from the person of a juvenile suspect or arrested person via consent shall require consent from both the juvenile and the adult.

b. Documenting consent

i. Consent from both parties shall be recorded on body worn camera, when applicable (in accordance with P&P 4-223). If body worn camera recording is not applicable, the consent shall be audio recorded.

ii. Consent from both parties shall be documented in the Police Report.

B. Search of a Premises with Parental Permission

1. A parent/legal guardian may give consent to the search of a room and personal belongings of a minor child living in the home.

2. If the child has an expectation of privacy (because the child is an adult, is paying rent, or for another reason), the parent may not be able to consent to a search of the child's room.

C. Juveniles on Direct Supervised Probation

1. Juveniles on direct supervised probation have a signed agreement in accordance with terms of their probation authorizing their probation officer(s) to perform a warrantless search of the juvenile's person and the area under the juvenile's immediate control at any time.

2. Being in the presence of a Juvenile Probation officer does not provide the same authority to an MPD officer.

3. MPD officers shall not use probation officers as their agent to perform warrantless searches.

D. Searches of School Lockers

1. Lockers may be inspected or searched by school authorities without a search warrant. School authorities may request to have a law enforcement officer present during the search.

2. If a police officer believes it is necessary to search a locker, authorization from the school principal or a warrant signed by a judge shall be obtained.

E. Strip Searches of Juveniles

The strip search of any juvenile shall be done in accordance with P&P 9-201 Search and Seizure.

F. Taking Custody of a Juvenile not Under Arrest

1. Curfew and truancy violations

   Curfew and truancy violations shall be handled in accordance with P&P 8-200.

2. Statutory limits on taking custody

   MN Statute section 260C.175 Subd. 1 states: “No child may be taken into immediate custody except:

   (1) with an order issued by the court in accordance with the provisions of section 260C.151, subdivision 6, or Laws 1997, chapter 239, article 10, section 10, paragraph (a), clause (3), or 12, paragraph (a), clause (3), or by a warrant issued in accordance with the provisions of section 260C.154;

   (2) by a peace officer:

   (i) when a child has run away from a parent, guardian, or custodian, or when the peace officer reasonably believes the child has run away from a parent, guardian, or custodian, but only for the purpose of transporting the child home, to the home of a relative, or to another safe place, which may include a shelter care facility; or

   (ii) when a child is found in surroundings or conditions which endanger the child's health or welfare or which such peace officer reasonably believes will endanger the child's health or welfare. If an Indian child is a resident of a reservation or is domiciled on a reservation but temporarily located off the reservation, the taking of the child into custody under this clause shall be consistent with the Indian Child Welfare Act of 1978, United States Code, title 25, section 1922;

(3) by a peace officer or probation or parole officer when it is reasonably believed that the child has violated the terms of probation, parole, or other field supervision; or

(4) by a peace officer or probation officer under section 260C.143, subdivision 1 or 4."

Note: there are no exceptions for these limits.

3. Protective pat-down searches

When taking custody of a juvenile (child) for a curfew or truancy violation or for one of the other reasons specified in MN Statute section 260C.175 Subd. 1, the following provisions apply (MN Statute section 260C.175 Subd. 3):

a. "Officers may perform a protective pat-down search of the child in order to protect the officer's safety.

b. A peace officer also may perform a protective pat-down search of a child in order to protect the officer's safety in circumstances where the officer does not intend to take the child into custody, if this section authorizes the officer to take the child into custody.

c. Evidence discovered in the course of a lawful search under this section is admissible."

G. Handcuffing, Searching and Transportation of Juveniles in Other Cases

In situations not described in this policy, juveniles shall be handcuffed, searched and transported under the same rules and procedures as adults.

8-107 Interviews of Arrested Juveniles

(10/07/08)

(A-D)

All juveniles taken into custody shall be advised of the nature of the crime in which they are suspected. Prior to any in-custody interview, all juveniles shall be advised of their Miranda Rights in Juvenile Miranda format and in accordance with the Scales decision. The child's physical condition, age, intelligence, educational level, prior experience with the juvenile justice system, and ability to comprehend the meaning and effect of statements should be carefully evaluated in each case.

The officer/investigator shall document the interview in a corresponding CAPRS statement.

Officers and investigators may allow a parent/legal guardian to be present during an interview of their child, if the presence of the parent/legal guardian is not deemed to be coercive or inhibiting.

If the juvenile refuses to be interviewed, investigators may re-approach at another time. If the juvenile requests an attorney, all questioning and contact must cease. A juvenile who has

consulted with or retained an attorney (i.e. public defender at JDC), can not be contacted without approval of that attorney.

8-108 Arrest or Investigation of Juveniles at Minneapolis Public Schools

(12/14/07)

(A-D)

When an investigation requires the arrest or questioning of a student on school grounds or premises during school hours, officers shall solicit the cooperation of the School Resource Officer (SRO) and the Principal or other school administrative personnel. Assistance should be obtained prior to approaching a student on school property. When a juvenile is removed from school by police for any reason, the officer must sign the student out from school and thereby assume responsibility for the student. Furthermore, the officer(s) shall make a reasonable attempt to contact the parent/legal guardian of the juvenile, to advise them of the juvenile's status. (10/07/08)

8-109 Fingerprinting and Photographing Juveniles

(10/07/08)

(A-D)

Fingerprinting and photographing will be done by personnel from the Juvenile Unit, Juvenile Detention Center or the Crime Lab.

- Status offenders shall not be fingerprinted or photographed.
- Juveniles arrested for a misdemeanor shall not be fingerprinted, but may be photographed each time they are arrested in order to maintain a current photo record.
- All juveniles arrested for a gross misdemeanor or felony shall be fingerprinted and photographed. If a juvenile arrested for a gross misdemeanor or felony was not fingerprinted and/or photographed, the arresting officer(s) shall document in their CAPRS report why it was not done.

Fingerprint records of juveniles shall be maintained in the Crime Lab.

8-110 Juvenile Informants

(03/06/97) (10/07/08)

(A-D)

The use of any juvenile as a Confidential Informant (CI) or Confidential Reliable Informant (CRI) is prohibited. This policy does not restrict or prohibit department personnel from accepting and utilizing information voluntarily offered by juveniles or obtained from them during the course of an investigation. Department personnel may actively solicit information and assistance from juveniles in the solving of crimes.

8-201 Missing and Runaway Juveniles

(04/30/02) (10/03/03) (08/01/06) (10/07/08) (10/10/08) (10/05/09) (10/09/14) (10/10/22) (01/30/23) (09/09/23)

I. Purpose

The purpose of this policy is to establish guidelines and procedures for responding to and investigating reports of missing juveniles.

II. Definitions

Juvenile/ Child: A person who is younger than 18 years of age.

Missing Child: A person who is:

- Younger than 18 years of age *and*
- Whose whereabouts are unknown to the child's parent, guardian or responsible party.

NCIC: The National Crime Information Center database helps criminal justice professionals apprehend fugitives, locate missing persons, recover stolen property, and identify terrorists. It also assists law enforcement officers in performing their official duties more safely and provides them with information necessary to aid in protecting the general public.

Runaway: An unmarried child under the age of 18 years who is absent from the home of a parent or other lawful placement without the consent of the parent, guardian, or lawful custodian.

III. Policy

A. Court-Ordered Placement

A juvenile under court-ordered placement who is reported missing, shall require an MPD squad response.

B. Report by any Person for Runaway from Minneapolis Facility

A juvenile at a Minneapolis facility (e.g. The Bridge) who has run away, can be reported as a missing or runaway juvenile by any person, regardless of the reporting person's relationship to the juvenile, and whether or not the stay was a court-ordered placement.

C. Jurisdiction

Jurisdictional conflicts are to be avoided when a juvenile is reported missing.

1. Any missing juvenile believed to be in imminent danger shall have a squad response and NCIC Entry protocol initiated, regardless of jurisdiction. Officers shall complete a Police Report with the code ARMISP.

2. If a missing juvenile either resides in or was last seen in this jurisdiction, the MPD will immediately initiate the required reporting process.

3. If a juvenile resides in this jurisdiction and was last seen in another jurisdiction, MPD will confer and coordinate with the law enforcement agency covering that jurisdiction.

IV. Procedures

A. Initial Response

1. Reporting and MECC response

   a. Any person wanting to report a missing juvenile (including runaways) shall be directed to call 911 or the Minneapolis Emergency Communication Center (MECC) at all times.

      i. If an officer is approached in-person, the reporting part shall be directed to call 911 or MECC.

   b. MECC will dispatch a squad to the incident address.

   c. A squad shall respond as soon as possible to verify the status of the juvenile.

      i. If the child is found at the incident scene, the report shall be considered unfounded.

      ii. If the officer confirms the child is missing, the officer shall notify MECC.

   d. MECC staff, reporting officers, and investigators shall advise the reporting person to call 911 if the missing juvenile returns or is located.

   e. MECC will enter all juvenile missing persons into NCIC immediately after the report is made, or within 2 hours of the time reported if the report or squad was delayed. MECC will enter all juvenile missing persons into NCIC within 2 hours of the time reported, including cases where the status of the missing juvenile has not been confirmed.

   f. If a juvenile who is on a 72-hour Health and Welfare Hold placed by the MPD runs away prior to the expiration of the hold, a squad shall respond.

2. Scene of the incident

   Upon arriving at the incident address, officers shall:

   a. Permission to search

      If reasonable, officers shall ask for permission to search the residence to verify that the juvenile is missing.

   b. Confirm missing juvenile status

      Officers shall contact MECC Channel 7 upon determining whether the report of the missing juvenile is confirmed or unfounded.

      i. If no contact is made or the status of the missing juvenile is not determined, officers shall notify MECC that the call was not serviced, so that MECC can attempt a callback and if necessary, return the call to pending until contact is made.

      ii. MECC will enter all juvenile missing persons into NCIC within 2 hours of the time reported, including cases where the status of the missing juvenile has not been confirmed.

      iii. If the missing juvenile report is determined to be unfounded, the officer shall inform MECC Channel 7 so that MECC can clear the missing person record from NCIC.

   c. Determine "at-risk" status

      While conducting the initial investigation, responding officers shall determine whether the missing child is considered "at-risk."

      i. A missing child will be considered "at-risk" when one or more of the following **suspicious or unusual circumstances** are present:

         aa. The child is 12 years of age or younger. ***OR***

         ab. The child is believed to fit one or more of the criteria noted below:

            - Has a developmental or physical disability.
            - In a life-threatening situation.
            - Has a medical issue or is taking critical medication.
            - Out of the zone of safety as designated by the family or guardian.
            - Believed to be with persons who could endanger the child's welfare.
            - Absent from home for more than 24 hours before being reported to law enforcement as missing.

- A potential victim of foul play or sexual exploitation, as suggested by credible information.
- Absent under circumstances inconsistent with established patterns of behavior. ***OR***

ac. The child's disappearance involves circumstances that would cause a reasonable person to conclude that the child should be considered at-risk.

ii. If the missing child is determined to be "at-risk," the officers shall contact and inform the on-duty Precinct Shift Supervisor of the circumstances.

iii. The officers shall describe the reasons for their determination in their Police Report.

iv. The code ARMISP shall be used for the Police Report if the missing child is determined to be "at-risk."

d. Complete a report

If the juvenile is confirmed missing, officers shall complete a Police Report with the code MISPER or ARMISP (for "at-risk" missing children) and document if a search was conducted and who gave consent.

3. At- risk missing child response

If a missing child is determined to be "at-risk," the following shall occur:

a. The Precinct Shift Supervisor shall notify the MECC on-duty supervisor that the child has been determined to be "at-risk" (MECC can add an alert to the call as necessary).

b. The Precinct Shift supervisor shall notify the Watch Commander or Inspector (when the Watch Command is not on duty), and Car 710/Car 712.

c. The supervisor shall evaluate facts as they are known at the time and determine if the totality of the circumstances requires further action.

i. Depending on the situation, the supervisor may determine that additional personnel, including specialized units, should be called to the scene or otherwise assist in the investigation (including the Watch Commander, Car 710/Car 712 or Juvenile Missing and Absentee Investigations).

ii. The supervisor may also determine that requesting activation of the AMBER Alert System through the BCA or using the MN Crime Alert Network (see Section 8-202 Amber Alerts and MNCAN Activations) is necessary.

d. If further action is needed, the Precinct Shift Supervisor shall assume Incident Command of the call and:

i. Coordinate search and investigative efforts, and through the Precinct Lieutenant or Watch Commander request additional resources deemed necessary.

ii. The Watch Commander will monitor the missing child case and assist the Incident Commander with resource management.

iii. Ensure that Precinct or Patrol responders continue the response and search.

aa. Investigators are there to assist the Incident Commander with the search.

ab. Investigators from the Juvenile Missing and Absentee Investigations unit will be the lead investigators when available, otherwise Car 710/Car 712 will be the preliminary lead investigators.

iv. At the time the missing child is found or located, contact MECC to provide a brief summary and request MECC make required notifications.

e. The "at-risk" missing child case shall be noted on the Watch Commander Log and the Precinct shift bullets.

B. Investigating Missing Juveniles

1. Investigator responsibilities

The Juvenile Missing and Absentee Investigations unit shall be responsible for the follow-up investigations on all juvenile missing person cases. Once an investigator is assigned a missing person case, the investigator shall:

a. Contact the reporting party by phone or in-person within 24 hours of the initial contact by the reporting party. The time and summary of the contact shall be documented in the case file for Audit purposes.

b. Determine if the child has returned or if additional information is available. Contact MECC, designated Juvenile staff or the Terminal Agency Coordinator (TAC) in the Business Technology Unit (BTU) if changes need to be made in the NCIC entry.

c. Perform necessary follow-up as prompted by the nature of the case. Record all systems used. At a minimum, RMS, DVS, Criminal History and DOC Portal information must be available in the case file for Audit purposes.

d. Consider contacting the Strategic Information Center to request a bulletin on the Daily Information Brief.

e. Complete closing supplements and Disposition Sheet.

2. NCIC packets

   a. The Commander who oversees the Juvenile Missing and Absentee Investigations unit will designate staff for handling NCIC packets, entry of the NCIC information and updates to the NCIC entry.

   b. Designated staff shall provide the following materials to the reporting party no later than two weeks after the date of the NCIC entry:

      - a packet titled "NCIC Missing Person File Data Collection Entry Guide" and
      - the form titled "Minnesota Missing Person Bulletin Information & Release Form".

      These documents are available on the MPD intranet in the "Forms" section.

   c. Designated staff shall enter a case supplement noting the date these materials were distributed.

   d. The Data Collection Guide packet will be returned to the designated staff member, who shall review the information and enter a case supplement stating the date the packet was received.

   e. Designated staff shall update the NCIC entry with any additional identifying information as soon as it becomes available.

   f. The assigned investigator shall property inventory the Data Collection Guide once the investigator's review is complete and appropriate updates are made to NCIC and to the case reports.

C. Located/Returned Juveniles

1. MECC notified directly

   a. When MECC receives notification that a missing juvenile who is considered "high risk" has returned or been located, they will immediately dispatch a squad to the incident address to verify that the missing juvenile has returned. "High risk" generally includes many of the "at-risk" factors, particularly age, significant physical or mental disabilities or factors related to situations such as trafficking, abduction, etc.

   b. Upon verifying the juvenile has returned, the officer shall ensure that MECC Channel 7 is notified so that MECC can remove the juvenile from NCIC. MECC will remove the juvenile from NCIC within 24 hours from receiving notification the juvenile has returned.

2. Officer encounters juvenile

   a. Release or transport

      When an officer encounters a listed missing or runaway juvenile and the juvenile cannot be released to a parent or legal guardian, officers shall transport the juvenile to the Youth Connection Center. This includes juveniles who live outside of Minneapolis.

   b. Notify MECC

      When officers encounter a listed missing or runaway juvenile, the officers shall ensure that MECC Channel 7 is notified so that MECC can remove the juvenile from NCIC. MECC will remove the juvenile from NCIC within 24 hours from receiving notification the juvenile has returned.

3. Runaways

   a. Responding officers shall not issue a Hennepin County Juvenile Citation to runaways.

      i. If a citation is necessary, it can be issued by an investigator.

   b. When the missing juvenile is located, the officer shall document the return via a narrative text in the original Police Report.

8-202 Amber Alerts

(05/19/05) (10/07/08) (10/10/22)

I. Purpose

In child abductions, getting critical information out to as many people as possible as fast as possible is the best way to help bring about the child's safe and swift return.

II. Policy

A. BCA issues Amber Alerts

The BCA has sole discretion to issue Amber Alerts.

B. Requesting an Amber Alert Broadcast

To request an Amber Alert Broadcast the following criteria must be met:

1. The missing child is a victim of an abduction (parental or non-parental) or a runaway, and is 17 years of age or younger.

2. The child is believed to be in imminent danger of serious bodily harm or death.

3. There is information available to disseminate to the general public, which could assist with the safe recovery of the victim or the apprehension of the suspect.

4. The missing child has been entered in NCIC.

C. Activating the MN Crime Alert Network

In cases where Amber Alert criteria are not met but the general public, other law enforcement agencies, businesses and the media could assist in locating the missing individual, the MN Crime Alert Network (MNCAN) may be activated. To request activation of the MCCAN officers should contact the BCA.

III. Procedures

A. Notify supervisor and begin search

In instances when an Amber Alert may be warranted, officers shall notify their supervisor and begin an immediate search for the missing child.

B. Notify Watch Commander or Car 710

If it is immediately known that all criteria for an Amber Alert are met, the on-scene supervisor shall notify the Watch Commander or Car 710. The Watch Commander or Car 710 will decide if an Amber Alert Broadcast should be requested, and shall coordinate departmental notifications.

C. Contact BCA

To request an Amber Alert, a supervisor shall contact the BCA Communications Center at 651-793-7000 and request an Amber Alert Broadcast, providing the following information:

- When and where the child was abducted
- Description of child
- Description of abductor
- Description of vehicle, if involved
- Last known direction of travel
- If there is reason to believe the suspect has a relationship to the victim
- Number to contact for general information or questions
- NCIC number

8-203 Curfew Violations

(10/03/89) (10/07/08) (10/10/22)

I. Purpose

The Minneapolis Police Department is committed to reducing youth violence through a number of measures, including curfew enforcement.

II. Policy

The City of Minneapolis has adopted the Countywide Curfew Ordinance #16.

III. Procedures

A. Under Age 10

1. Curfew violators under the age of 10 shall be taken into custody if a parent or legal guardian cannot be located.

2. Officers shall contact First Response to determine where the child will be placed.

3. All juveniles under 10 who are stopped for curfew shall not be listed as Arrested Persons.

B. Over Age 10

1. Curfew violators over the age of 10 may be issued a Juvenile Citation and released to a parent or legal guardian.

2. If the juvenile cannot be released to a parent or legal guardian, the juvenile shall be transported to the Youth Connection Center.

3. When a juvenile is cited for curfew violation, officers shall complete a Police Report with the code CURFEW, and document to whom the juvenile was released.

8-204 Truancy

(01/23/96) (10/07/08) (10/10/22)

Juveniles detained for truancy offenses shall be delivered to the assigned School Resource Officer (SRO) or to a school staffer, when possible; otherwise, juveniles detained for truancy offenses shall be taken to the Youth Connection Center.

8-205 Health and Welfare Holds for Juveniles

(10/06/08) (10/10/22)

I. Purpose

The purpose of this policy is to establish guidelines for placing health and welfare holds on juveniles.

II. Policy

A. Situations involving juveniles in crisis

1. Situations involving juveniles in crisis shall be handled in accordance with P&P 7-809, including the potential need for a Transport Hold.

2. Health and Welfare 72-Hour Holds are distinct from Transport Holds for individuals in crisis. If a child or juvenile in crisis is going to be transported in accordance with the section in P&P 7-809 on Transportation for Emergency Admission, and is found in surroundings or conditions meeting the criteria of MN Statute section 260C.175, determinations for a Health and Welfare Hold will have to be made at the health care facility.

B. Officer responsibility

1. The decision to place a child on a Health and Welfare 72-hour Hold is solely the responsibility of the officer placing the hold. MN Statute section 260C.175 allows only a peace officer or judge (via court order), to take a child into immediate custody "when a child is found in surroundings or conditions which endanger the child's health or welfare, or which such peace officer reasonably believes will endanger the child's health or welfare."

2. Social workers may only *request* that a child is placed on a Health and Welfare Hold. Officers dispatched to place a child on a Health and Welfare Hold at the request of medical personnel or social services shall document the circumstances, surroundings, or conditions which necessitate the hold be placed. This must be done to ensure that the hold is legal.

C. Decision not based on cooperation

The decision to place a Health and Welfare Hold on a child shall not be based upon a parent or legal guardian's cooperation (or lack of) with any police investigation.

III. Procedures

A. List of Child Welfare Services

MN Statute section 260C.175 mandates that whenever a law enforcement officer takes a child into custody in regard to a health and welfare hold, the officer must provide the parent or legal guardian a list of social service agencies that offer child welfare services. If the parent or legal guardian is not present, a copy of the "Rights as Parents" brochure shall be left in a conspicuous location on the premises. This brochure is available in multiple languages on the MPD's intranet site.

B. Hold Process

If officers determine it is necessary to place a Health and Welfare Hold on a child, the following procedures shall be followed:

1. Complete Hold Notice

    a. Complete the Notice of 72-Hour Police Health and Welfare Hold (HC 12434).

    b. When a child is admitted to a hospital for care, a copy of the 72-Hour Hold shall be left in an envelope with the child's chart. Officers should complete the 72-Hour Hold by listing "HCMC" (or other local hospital name) **and** the Children and Family Services coordination center as the receiving facility in order to avoid the need for a separate 72-Hour Hold to be completed.

    c. The blue copy or printout of the electronic version of the 72-Hour Hold shall be forwarded to First Response at the 4th Precinct and the canary copy of the 72-Hour Hold shall be forwarded to the Crimes Against Children unit.

2. Provide Notice and Resource List to Parent or Guardian

    The copy of the "brochure" listing of social service agencies and the pink copy or printout of the electronic version of the 72-Hour Hold shall be given to the parent or guardian or posted conspicuously in the home if the parent or guardian is not available. Officers shall document in the Police Report where the notices were left.

3. Contact CPS

    a. Contact Child Protection Services Intake at 612-348-3552 to advise the hold and to receive information regarding the transport destination.

    b. CPS staff will determine whether the child will be transported or if a Rapid Response CPS staff member will respond to the scene and take custody of the child to process the hold (response time is generally within an hour).

    c. If the child will be transported, CPS staff will let the officer know where to bring the child (such as an out-of-home placement or a family placement per an investigation).

    d. If the officer is unable to reach CPS, or CPS could not find a suitable transport destination, the child should be transported to the Fairview University of Minnesota Masonic Children's hospital.

4. Transports to Hospital

    a. Transport for medical attention

        i. If the child requires medical attention or a medical assessment, officers shall transport the child to Hennepin County Medical Center (HCMC) whenever

possible, using an ambulance if necessary. If the child is transported via ambulance, an officer shall accompany the child in the ambulance.

ii. An officer shall stay with the child at the hospital until relieved by an investigator from the Crimes Against Children unit or Car 710.

b. Transport due to neglect or unsafe surroundings

If a child must be transported to a hospital because the officer could not reach CPS or CPS could not find a suitable destination, and the child cannot safely care for themselves in the current surroundings, the officer should transport the child to the Fairview University of Minnesota Masonic Children's hospital.

c. Form completion

In accordance with the section on completing the Hold Notice, the officer shall list both the hospital and the Children and Family Services coordination center as the receiving facility in order to avoid the need for a separate 72-Hour Hold to be completed. A copy of the form shall be left with the child's chart.

5. Contact MECC

Contact MECC and provide the nature of the incident and the location where the child is being transported to help prevent a Missing Juvenile Report from being filed when not appropriate.

6. Complete a Report

Police Report with the code HLTWEL shall be completed. Officers shall articulate the reasons for the Health and Welfare Hold and state what crime was committed: neglect, medical neglect, child endangerment, criminal sexual conduct, malicious punishment or deprivation of parental rights.

C. Releasing the Hold

1. The "police hold" can be released before the 72-hour period expires.

2. The procedure is for First Response to request that the hold be removed by contacting the Crimes Against Children unit.

3. During the hours that the Crimes Against Children unit is not staffed, this request may be made to Car 710.

8-206 Transfer of Child Custody When a Parent is Arrested for a Crime Unrelated to Child Abuse and Neglect

(10/07/08) (10/10/22)

A. Any parent or legal guardian being arrested has the option to designate a caregiver for their child(ren) while they are in custody **except** in those cases where juveniles are found in surroundings or conditions that endanger their health or welfare. If a caregiver is identified, officers shall allow a reasonable amount of time to conduct a temporary custody transfer of the child(ren). Officers are not required to transport the child(ren) to another location.

B. Officers shall complete the MPD Transfer of Child Custody form (MP-9048) and identify the child(ren) and caregiver in the corresponding Police Report. Copies of the Transfer of Child Custody form shall be distributed as indicated on the form.

C. If the parent or legal guardian does not designate a caregiver, officers will complete a Health and Welfare Hold. Officers shall complete a 72-Hour Hold and indicate on that form that the child(ren) can be released to the parents or other suitable person. Officers will also indicate that the transfer was declined on the MPD Transfer of Custody form. Copies of the 72-Hour Hold and the MPD Temporary Transfer of Custody form shall be distributed as indicated on the forms.

D. Officers may refuse to transfer custody of the child(ren) to the caregiver if there are articulable circumstances which may place the child(ren) at risk. Officers shall document these circumstances in the corresponding Police Report.

8-207 Lost and Abandoned Children

(10/07/08) (10/10/22)

I. Purpose

The purpose of this policy is to establish the actions to be taken upon discovery of a lost or abandoned child.

II. Definitions

Abandoned Child: Any child left alone long enough to come to the attention of police, and children left with a baby-sitter past the agreed upon return time of the parents, may be considered abandoned. An abandoned child is present in their expected location, but without the expected supervision.

Lost Child: Any child who strayed from the supervision of the parent or guardian and is not considered abandoned, may be considered lost.

III. Procedures

A. Found Child

1. Officers shall immediately contact MECC upon finding a child who would be considered lost.

2. If MECC receives a report of a found child, a squad shall respond to recover the child.

3. If the child's parent or legal guardian is unable to be located or the home address is not known, officers shall contact First Response.

B. Abandoned Child

1. Upon discovering an abandoned child (in a location where the child was expected to be), officers must use discretion and consider the totality of the circumstances in deciding what actions to take.

2. If the parent or legal guardian cannot be located, officers shall contact First Response.

C. Health and Welfare Hold

Should officers become aware of underlying circumstances which necessitate placing the child on a 72-hour Health and Welfare Hold, officers shall place the hold in accordance with P&P 8-205 Health and Welfare Holds for Juveniles.

8-208 Luring of Children

(06/10/91) (09/06/07) (10/07/08) (10/10/22)

I. Purpose

The purpose of this policy is to ensure that child luring incidents are reported and investigated.

II. Policy

The incident of LURING (alone) is not a violation of law and no arrests can be made for the specific act of luring. It is the policy of the MPD that incidents of child luring shall be reported and investigated.

III. Definitions

Luring: The act of Luring occurs when a person draws or leads or attempts to draw or lead a child away from:

1. The supervision of the child's parent, guardian or teacher without their consent, or

2. From the child's planned route or destination.

IV. Procedures

A. A Police Report with the code LURING shall be completed on all child luring incidents.

B. Luring reports will be routed to the Juvenile Investigations unit for investigation.

8-209 Contributing to the Delinquency of Minors

(10/07/08) (10/10/22)

A. Adults arrested for Contributing to the Delinquency of a Minor (a Gross Misdemeanor) shall be booked HCJ. The Police Report will be routed to the Juvenile Investigations unit for follow-up and referral to the Hennepin County Attorney's Juvenile Prosecution Division.

B. Officers arresting a juvenile for Contributing to the Delinquency of a Minor shall refer to procedures outlined in P&P 8-303 Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures.

C. The report code for Contributing to the Delinquency of Minors is CONDEL.

8-210 Mandated Reporting of Physical or Sexual Abuse of Children

(04/16/12) (10/10/22)

A. Per MN Statute section 626.556. Subd. 3(a), police officers are mandated reporters and are required to immediately report cases of child abuse in which an officer knows or believes a child (under the age of 18) has been neglected, physically or sexually abused.

1. Physical and sexual child abuse offenses only include cases in which the actor or suspect:

    - is a person responsible for the child's care;
    - has a significant relationship to the child (parent or legal guardian or caretaker); or
    - is a person in a position of authority over the child as defined by MN Statute section 609.341.

2. In such cases, the responding officer shall complete a Police Report with the code for Child Abuse (CHILDAB).

3. The Police Report shall be completed even if the child abuse offense may have occurred in another jurisdiction.

B. Upon receipt of the Police Report, the Crimes Against Children unit shall cross-report all abuse cases with Hennepin County Child Protection and will cross-report statewide as necessary for investigation.

8-211 Transportation and Car Seats

(03/05/21) (10/10/22)

A. When any child being transported by MPD is both under the age of eight and shorter than four feet nine inches, the child shall be transported and properly fastened in a child passenger restraint system (car seat) meeting federal motor vehicle safety standards (in accordance with MN Statute section 169.685).

1. When an incident requires transportation in an MPD vehicle (regardless of the destination) of a child who is both under the age of eight and shorter than four feet nine inches, the officer shall notify a supervisor.

2. The supervisor who receives notification shall arrange for a response to the scene with the appropriate child passenger restraint system (car seat) and a vehicle equipped to safely secure the system according to the manufacturer's instructions.

B. If an emergency requires transportation of a child meeting the stated criteria and a child passenger restraint system (car seat) and appropriate vehicle are not available, the child must be secured using a seat belt.

C. Any employee transporting a child in an MPD vehicle shall document the transport in a supplement if a Police Report is being made for the incident. If no Police Report will be made, the employee shall document the transport in CAD via added remarks to the call. The documentation shall include:

- Where the child was transported from
- Where the child was transported to
- The age and approximate height of the child
- Whether the child was secured with a child passenger restraint system (car seat) or a seat belt
- If the child met the criteria for a car seat but was secured with a seat belt, what the emergency was that required transportation without the car seat and appropriate vehicle

8-301 Booking Criteria for Hennepin County Juvenile Detention Center (JDC)

(10/07/08)

(A-D)

The Hennepin County Juvenile Detention Center (JDC) will accept juveniles ages 10 thru 17 years old only if one or more of the following conditions exist:

- The juvenile is accused of one of the following offenses:
    - Any incident resulting in death
    - Assault (1st, 2nd or 3rd degree)
    - 4th degree assault if the officer requires medical attention at a clinic or hospital
    - 5th degree domestic assault
    - Criminal Sexual Conduct 1st to 4th degree
    - Aggravated or simple robbery
    - Kidnapping or false imprisonment
    - 1st degree arson of a business, dwelling or school, includes explosives, bombs and Molotov cocktails
    - Possession of a firearm
    - Terroristic threats
    - Burglary of an occupied dwelling including attached garage or unoccupied dwelling where dwelling is defined as a home but does not include garages.
    - Fleeing police in a motor vehicle
    - Auto Theft (tampering and joyriding will not be admitted)
    - Controlled substance - possession or distribution (excludes petty offense)
    - Tampering with a witness
    - DUI Offense, MN Statute 169A.40 Subd.3: Certain DUI Offenses, Custodial Arrest.

JDC may be contacted to confirm that the following booking criteria condition(s) exist:

- The juvenile is accused of a new felony offense and is on probation for a previous felony offense or is pending court on a prior, non-property felony offense or auto theft. The juvenile is accused of a new felony and has previously been certified and sentenced by an adult court or is on parole.
- The juvenile is Extended Juvenile Jurisdiction (EJJ), under 18 and has any new charge.

- The juvenile is on court ordered Electronic Home Monitoring and is accused of a new felony or has absented overnight or has substantially violated terms of the court ordered supervision.
- The juvenile has absconded from a correctional facility or a court ordered treatment facility or another jurisdiction's probation or parole supervision.
- The court has issued a warrant for detention.
- The juvenile has violated a Restraining Order and the arresting officer has the RO number and provides it at time of intake.
- The juvenile resides out of Hennepin County and has been arrested for a felony.
- The court has issued a change of venue order on an in-secure custody juvenile placing the juvenile under Hennepin County jurisdiction.

8-302 Juvenile Misdemeanors and Status Offenses – Over 10 Years of Age

(10/07/08)

(A-D)

Officers may issue a Hennepin County Juvenile Citation (tag) to juveniles over the age of 10 for non-traffic misdemeanors, petty misdemeanors and status offenses, **except** for incidents involving domestic assault or a violation of an Order for Protection (refer to section 8-201 Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures).

The juvenile shall be released to a parent or legal guardian. If the juvenile cannot be released to a parent or legal guardian, he/she shall be brought to the Juvenile Supervision Center.

If the juvenile is unable to be identified, officers may transport the suspect to the Juvenile Unit (during office hours), or the Crime Lab (when the Juvenile Unit is closed) to receive assistance with the identification. Officers should contact the Crime Lab prior to transporting the juvenile to ensure personnel are available.

For every Juvenile Citation issued, officers shall complete a corresponding CAPRS report including documentation of whom the juvenile was released to and the citation number. The court copy of the citation shall be forwarded to the Juvenile Unit.

Note: Citations are not routinely investigated; they are intended to be complete investigations and must contain all of the information necessary for prosecution and subpoena services.

8-303 Juvenile Gross Misdemeanor, Felony and Domestic Assault Arrest Procedures – Over 10 Years of Age

(10/07/08)

(A-D)

All probable cause juvenile felony arrests must be authorized at the scene of arrest whenever possible. In the event a supervisor is unable to respond to the scene of the arrest, authorization may be given by radio or telephone by:

- the arresting officer's supervisor;

- an investigator from the concerned investigative unit;
- a supervisor from a neighboring precinct; or
- the on-duty Watch Commander.

Officers arresting a juvenile for domestic assault, violation of an Order for Protection, or a probable cause offense shall have the suspect processed at:

- the Juvenile Unit during office hours;
- JDC when the Juvenile Unit is closed and the juvenile meets JDC booking criteria; or
- the Crime Lab when the Juvenile Unit is closed and the juvenile **does not** meet JDC booking criteria. (Officers should contact the Crime Lab prior to transporting the juvenile to ensure personnel are available.)

When a juvenile is booked at JDC for a crime of violence, a Victim Information/Notification Form (HC-11551) must be completed. These forms are available at JDC.

If the juvenile does not meet JDC booking criteria and the Juvenile Unit is closed, officers may conduct a Scales interview regarding the incident.

The juvenile shall be released to a parent or legal guardian. If the juvenile cannot be released to a parent or legal guardian, he/she shall be transported to the Juvenile Supervision Center.

If the arrested juvenile requires medical attention, refer to Section 8-208 Injured or Incapacitated (Under the Influence) Juveniles.

8-304 Juvenile Suspects – Under 10 Years of Age

(10/07/08)

(A-D)

According to Minnesota State Statutes, juveniles under the age of 10 cannot commit a crime.

This means that juveniles under the age of 10 cannot be:

- arrested;
- issued a citation;
- placed in secured detention at the Juvenile Unit or JDC;
- fingerprinted or photographed.

Juveniles under the age of 10 may be detained to conduct an investigation.

Juveniles under 10 years of age shall be taken into custody if a parent/legal guardian cannot be located. Officers shall contact First Response to determine where the child can be placed. A CAPRS report shall be completed for the offense, to include whom the child was released to and/or the facility that the child was transported to.

Cases in which a juvenile under 10 years of age is listed as a suspect will be referred to the Hennepin County Attorney's Office with an accompanying Hennepin County Attorney

"Delinquent Under 10 Referral Form". These forms can be obtained through the Juvenile Unit or Hennepin County Attorney's Office.

8-305 Juveniles – Warrant Checks, Warrants and PC Pick Ups

(10/07/08)

(A-D)

Anytime a juvenile is detained or arrested, officers shall check the juvenile for NCIC wants and local warrants. Officers may contact MECC or JDC Intake for local warrant checks. Juveniles taken into custody for a warrant and no other offense should be transported to JDC or other facility as directed on the warrant. Officers shall complete a CAPRS report coded WT.

In circumstances which juveniles are found to have an outstanding warrant from another county, officers shall contact JDC to determine where the juvenile will be placed.

Adults found to have an outstanding Hennepin County juvenile warrant (as the only offense) shall be booked at JDC. Officers encountering adults found to have an outstanding juvenile warrant from another county should contact JDC Intake to determine what facility the individual will be transported to. Officers shall complete a CAPRS report coded WT.

When a juvenile is arrested for a PC Pick-Up, prior to transport, the arresting officer(s) shall attempt to contact the appropriate investigative unit. If the investigative unit cannot be reached, the juvenile shall be transported directly to JDC. Officers will complete the JDC Authority to Detain form and note the original offense, not PCPKUP. Officers shall generate a new CCN and complete a CAPRS report coded PCPKUP. The original CCN shall be referenced in the "Related CCN" data field. In addition, the arresting officer(s) shall notify the Transcription Unit to cancel the PC Pick-Up.

8-306 Arrest or Detention of Injured or Incapacitated Juveniles in Need of Medical Attention

(04/01/93) (04/24/07) (10/07/08)

(A-D)

Any juvenile needing medical attention or evaluation shall be transported directly to the HCMC Emergency Room or other area hospital, if necessary. This policy includes those who: (04/24/07)

1. Have ingested or are suspected of ingesting drugs or other dangerous substances.

2. Are under the influence of drugs or alcohol.

3. Have observable physical injuries that may require medical attention; are requesting medical treatment; or if officers have reason to believe that medical attention is needed. (04/24/07)

4. Display signs of mental illness and/or are considered to be a danger to themselves or others. (04/24/07)

Note: A juvenile taken to the hospital for only medical care and no other offense can be released to a parent/legal guardian by the hospital.

8-306.01 Juveniles Under the Influence and Juvenile Low-Level Offenders in Need of Medical Attention

(10/07/08)

(A-D)

Juveniles who do not meet JDC booking criteria (refer to section 8-301 JDC Booking Criteria) and juveniles in need of medical care may be released to a parent/legal guardian after medical treatment if:

1. The juvenile is clear of warrants/Juvenile Apprehend & Detain order
2. The juvenile can be properly identified.
3. The juvenile is not a danger to himself/herself or others.
4. Arresting officers obtain supervisor approval
5. Arresting officers notify the appropriate investigative unit, if applicable/when possible.

Officers shall complete a CAPRS report indicating that the juvenile was brought to HCMC (or other area hospital) for medical evaluation and that authorization was given to the medical facility to release the juvenile to a parent/legal guardian after completion of treatment. Officers are not required to stay with the juvenile until a parent/legal guardian arrives.

If the juvenile is transported to the Juvenile Supervision Center (JSC) following medical evaluation or treatment, appropriate medical release forms (provided by the hospital) must accompany the juvenile when he/she is admitted to JSC.

Should officers become aware of underlying circumstances which necessitate placing the juvenile on a 72-Hour Health and Welfare Hold, officers shall place the hold in accordance with section

8-205 Health and Welfare Holds – Juveniles.

In all cases, officers shall make a reasonable effort to have all gross misdemeanor and felony offenders photographed and fingerprinted (refer to section 8-109 Fingerprinting and Photographing of Juveniles).

8-306.02 Juveniles to be Booked JDC in Need of Medical Attention

(10/07/08)

(A-D)

If the juvenile meets JDC booking criteria, appropriate medical release forms (provided by HCMC upon completion of medical treatment/evaluation of juvenile) must accompany the

juvenile before he/she is admitted into JDC. It shall be at the sole discretion of the JDC Supervisor or Nursing staff whether a juvenile should be seen at HCMC, as there may be other factors not listed above. (04/24/07)

In regards to intoxicated juveniles, JDC policy states:

"The Admissions Juvenile Correctional Officer shall not accept custody of juveniles referred to detention who appear to be intoxicated from alcohol, drugs or inhalants, but shall direct the referring agent to HCMC's Emergency Department. Juveniles who appear intoxicated from alcohol shall submit to a breath analysis test. Those juveniles that register .090 or higher, or refuse to submit to a breath analysis test shall be denied admittance to detention and the referring agent directed to HCMC's Emergency Department".

The preliminary breath test (PBT) will be administered by JDC. (04/24/07)

If a juvenile is admitted to the hospital for an extended period of time, the precinct of the arresting officers shall be responsible for providing a guard until the juvenile can be taken to JDC, or until otherwise properly relieved.

Note: After the juvenile has been charged he/she is then under the authority of the county at which time JDC or the Hennepin County Sheriff's Office will take over guard duty.

8-307 Juvenile Traffic Offense

(10/07/08)

(A-D)

When a juvenile is charged with a petty misdemeanor or misdemeanor traffic offense, officers shall issue a Uniform Citation. The court copy of the citation shall be placed in a "Traffic Violations" box and the other citation copies shall be distributed as indicated.

Juvenile traffic offender(s) properly identified at the scene of a traffic stop may be issued a citation and released.

If a juvenile traffic offender is unable to be identified officers may transport the suspect to the Juvenile Unit (during office hours) or contact the Crime Lab via telephone (when the Juvenile Unit is closed) to receive assistance with the identification. The juvenile shall be released to a parent/legal guardian or taken to the Juvenile Supervision Center.

8-307.01 Juvenile Driving Under the Influence (DUI)

(10/07/08)

(A-D)

When placing a juvenile under arrest for Driving Under the Influence (DUI), officers shall:

1. Process the juvenile for DUI (refer to section 7-605 Chemical Testing – Driving Violations).

2. Transport the juvenile to HCMC for medical evaluation (refer to sections 8-306, 8-306.01, and 8-306.02 Juveniles in Need of Medical Attention).

3. After a proper identification of the juvenile has been made, release pending complaint to a parent/legal guardian. **Note:** 1st, 2nd, and 3rd degree DUI may be booked JDC.

4. Complete a CAPRS report.

8-308 Mass Arrests of Juveniles

(10/07/08)

(A-D)

When a group of 10 or more juveniles is arrested and in need of processing by the Juvenile Unit, the officer in charge of the scene shall be sure that the Juvenile Unit is notified as soon as possible.

9-101 Felony Arrests – Adults

(05/29/02)

(A-B)

All probable cause adult felony arrests must be authorized at the scene of arrest whenever possible. In the event the supervisor is unable to respond to the scene of the arrest, authorization may be given by radio, telephone or MDT/MDC. The probable cause felony arrest may be authorized by:

- The arresting officer's supervisor, or
- An investigator from the concerned investigative unit/division, or
- Any other supervisor

Supervisors will add their remarks via MDT/MDC to indicate their approval of probable cause and also whether they made the approval at the scene or via radio/telephone or MDT/MDC.

Arrests made on the basis of warrants or PC pickups do not require supervisor's approval.

Prior to transporting arrestees to Hennepin County Adult Detention Center (HCADC), officers should consider a debriefing session. Arrestees shall be taken to HCADC for processing unless requested to be transported to the concerned investigative unit.

The Authority to Detain form (HC 6377) shall be completed. The approving supervisor's name and badge number must be listed in the remarks section of the Authority To Detain form. The name of the supervisor approving the arrest and continued detention of the suspect must be included in the narrative section of the CAPRS report.

The original will be left at the HCADC and the carbon copy shall be given to the Police Typist to accompany the CAPRS report. The 36-Hour Expiration Advisory (HC 6400) shall be completed. In order to comply with the Supreme Court imposed 48-Hour Rule, officers shall note the exact time of arrest. The time of arrest is not when the suspect was booked or when the reports were made. The original 36-Hour Expiration Advisory shall be left at HCADC and the carbon copy will be forwarded with the case to the appropriate investigative unit.

Arrests for criminal sexual conduct (CSC), including PC Pick-ups, require an officer to complete a Criminal Sexual Assault Victim Notification form (HC 6170).

9-101.01 Felony and Gross Misdemeanor Arrest Report Requirements Public Information – Judicial Probable Cause

(05/29/02)

(A-B)

For felony and gross misdemeanor arrests, the following guidelines apply:

In Supplement Zero (0) of the CAPRS data entry screen, a pre-written prompt entitled "Public Information" appears. Following this prompt, officers are to briefly detail an incident/arrest. No names, addresses or any other information that would identify a victim or witness shall be entered in this section of the report.

The next prompt is the Judicial Probable Cause Oath statement. Following this prompt, officers shall write approximately one to two paragraphs detailing the probable cause for the arrest.

Supplement One (1) of the CAPRS report shall describe the entire incident in detail.

In cases of an arrest based on a PC arrest bulletin (PC Pick-up), officers shall attach a PC Pick-up to the CAPRS report. Copies of the PC Pick-up may be obtained from the Transcription Unit's file or MPD Net.

After administering a written or oral oath, peace officers can sign a written report of another officer for the purpose of providing probable cause for the underlying arrest.

Officers shall swear to and sign their Judicial Probable Cause statement in front of an MPD notary. Peace Officers can sign a Probable Cause statement written by another officer for the purpose of providing probable cause for arrest.

MPD notaries shall witness the swearing and signing, and after such fact, shall sign the statement with their signature, license number, and the date their license expires.

The senior officer making the arrest is responsible for making sure all Probable Cause statements are notarized.

Transcription Unit staff shall distribute the signed and sworn statements to the Criminal History Unit during weekend and holiday hours and to the investigative units during normal work hours.

Criminal History staff shall fill out the court form and attach it to the arrest report.

This policy also applies to felony arrests of juveniles and to gross misdemeanor arrests.

9-102 Gross Misdemeanor Arrests – Adults

(05/29/02)

(A-B)

Supervisor approval is not needed for gross misdemeanor arrests. All other felony arrest procedures apply to gross misdemeanor arrests.

9-103 Misdemeanor Arrests – Adults

(05/29/02) (09/16/04) (09/14/18)

(A-B)

A. Non-Payable Offenses

1. Adult misdemeanor violators shall be issued citations in lieu of arrest *unless* the officer believes that one of the following circumstances exists:

   a. To prevent bodily harm to the accused or another.

   b. To prevent further criminal conduct.

   c. There is a substantial likelihood that the accused will fail to respond to a citation.

   d. The officer has found that the accused has an outstanding warrant (not including Sign and Release warrants).

2. Officers making an arrest under one of the circumstances listed above must be able to articulate to the court and shall document in their report the reason(s) why it was necessary to arrest a person rather than issuing a citation.

B. Payable Offenses

When the only misdemeanor charge is a payable offense, officers shall either issue a citation or refer the case for a complaint.

C. Proper Identification

1. Proper identification includes, but is not limited to:

   - Minnesota DVS database
   - State-issued identification card or Driver's License
   - Consular ID or matricula consular
   - U.S. or foreign passport

2. In cases where a citation would be issued in lieu of arrest, and

   - The officer cannot establish proper identification of the accused person, *and*
   - The officer has a specific articulable reason to believe the identification information provided is false;

   a. The officer may transport the accused person to the Hennepin County Jail and the jail will use IBIS to identify them.

   b. Once the process is finished the officer shall issue the citation or forward for charging by complaint, *and:*

      i. Transport the person back to the original location; *or*

ii. If requested, transport the person to another mutually agreed-upon location in Minneapolis in the general vicinity of the original location; *or*

iii. If requested, release the person outside the Hennepin County Jail.

c. If the person was not identified through IBIS, the officer shall still release the person after issuing the citation or forwarding for charging by complaint.

3. Officers shall document the attempts made to identify the individual, the reasons for any transport, and any requests for release or transport outside of the original location.

9-104 Arrests for Driving While Intoxicated (DWI)

(05/29/02)

(A-B)

When suspects are arrested for DWI, they shall be taken to the Chemical Testing office, Room 19, for testing and video taping procedures. Suspects may be released after testing and issued a citation if they meet the conditions for issuing a citation in lieu of arrest.

9-104.01 Arrests for Crimes of Violence

(05/29/02)

(A)

Minn. Stat. §629.72 requires that victims of crimes of violence be notified of an arrested person's release. Domestic assault victims must also be notified of other relevant case information.

In order to comply with these laws, officers shall complete a Crime of Violence/Attempt Crime of Violence Information Form (HC 6194). This form shall be left at HCADC when the suspect is booked.

When a juvenile is booked at the Juvenile Detention Center for a crime of violence, a Victim Information Form must be completed. The forms are available at the Juvenile Detention Center.

9-105 Arrest Reports/Adult Detention Center

(05/29/02)

(A)

MPD is required to provide HCADC with a copy of the arrest report. Arrest reports are automatically routed to HCADC via the CAPRS system.

In the event that the CAPRS system is down, arrest reports shall be entered off-line and printed. Officers shall deliver a photocopy of the arrest report to HCADC.

9-106 Citations in Lieu of Arrest and Arrest Reports

(05/29/02) (03/17/03)

(A)

A CAPRS report must be completed when a citation is issued for the following:

- A non-traffic offense;
- A traffic offense charged in connection with an accident;
- Any citizen's arrest;
- Driving after Revocation (DAR);
- Driving after Suspension (DAS);
- Driving after Cancellation (DAC);
- On charges of DWI, Careless Driving, Reckless Driving or any violation of the Open Bottle law.

Note: See Volume 8 for procedures for handling Juvenile traffic, criminal and status offenses.

9-107 Citizen's Arrests

(05/29/02)

(A-B)

Citizen arrests for misdemeanor crimes can only be made when the crime was committed in the complainant's presence.

Citizens making arrests must complete a Citizen's Arrest Form (MP-3406). Security personnel from businesses that make arrests on a regular basis may be allowed to use the standard CAPRS offense report instead of the Citizen's Arrest form.

Officers shall determine whether the circumstances justify taking the accused into custody. If officers feel that the arrest is illegal, the officer shall refer the complainant to the City Attorney's Office.

If the accused is to be taken into custody, officers shall verify the identity of the complainant and assist in completing the Citizen's Arrest Report. Complainants should be advised that the City Attorney will notify them if a formal complaint is needed.

Note: See Manual Section for Citizen's Arrest - Traffic Violation.

9-108 Arrest or Detention of Injured Adults

(05/29/02) (05/19/08) (06/13/14)

(A-B)

A. Adult arrestees, who are in need of medical attention and are not cleared for booking by EMS or jail staff shall be transported to Hennepin County Medical Center (HCMC) or to a local hospital for medical evaluation and treatment.

B. Arrested subjects who have a high probability of requiring hospitalization, including those with known or suspected drug ingestion, shall be brought to HCMC whenever possible. Note: HCSO's contract is with HCMC and they prefer to take custody of arrestees at HCMC.

C. Officers are responsible for the custody of their arrestees while receiving medical attention.

D. If an injured arrestee is delayed at the hospital longer than the arresting officers are able to wait, officers shall contact a supervisor. Hospital personnel or hospital security will not hold or guard an arrestee.

E. Officers shall retain custody of arrested felons needing medical attention until the arrestee can be transported to HCJ.

F. In the case of felony arrestees admitted to the hospital, the arresting officers shall notify their on-duty supervisor, who shall then contact the on-duty jail supervisor to arrange for relief.

G. Officers assigned to the precinct where the arrest was made shall have custodial responsibility until properly relieved by the Hennepin County Sheriff's Office (HCSO).

9-109 Handcuffing Arrestees/Detainees

(05/29/02)

(A-B)

All detainees/arrestees shall be handcuffed behind the back, unless a physical condition or other circumstances including sickness, injury or disability, does not allow for it. Handcuffs should also be double locked as soon as possible. Prisoners being transported to HCADC shall be handcuffed. Prisoners shall be handcuffed whenever taken outside the confines of the jail, except when handcuffing would deter the completion of an investigation.

Plastic handcuffs may be used to supplement standard handcuffs in emergency situations. They may also be used in mass arrest situations and are available in all sergeants' vehicles. Plastic handcuffs should not be used in felony arrests or for restraining mentally ill individuals.

9-110 Prisoner Control, Safety and Transportation

(05/29/02) (07/19/18)

(A-B)

A. When feasible, a two-officer squad shall be used to transport a felony prisoner.

B. One-officer squads may transport misdemeanor prisoners.

C. When feasible, a two-officer squad shall transport an arrestee of the opposite sex.

1. Officers transporting an arrestee of the opposite sex shall give MECC their destination and odometer reading.

   a. Officers shall immediately notify MECC of any delay.

   b. Upon arrival at their destination, officers shall notify MECC.

D. All prisoners shall remain within sight of the transporting officers at all times until the custody of the prisoner is transferred to a responsible authority, except in emergency situations.

E. Transporting officers are responsible for ensuring the safety of their prisoners.

1. Prisoners shall be secured with fastened seatbelts during transport in any vehicle equipped with seat belts.

   a. If the vehicle is not equipped with seat belts in the transportation area, officers shall document in their report the lack of seat belts and the reason(s) that particular vehicle was used for the transport.

   b. If circumstances prevent officers from safely securing the prisoner, the prisoner will be transported unsecured. The officers must document the specific reason(s) for the unsecured transport in their report.

2. Transporting officers shall not stop or interrupt prisoner transport responsibilities unless exigent circumstances exist and the risk to the prisoner is minimal.

3. Under no circumstances shall a prisoner be transported in the prone position. (06/13/14)

F. When transporting prisoners to a detention facility, officers shall comply with MPD rules, regulations and requirements until the prisoner is secure within the destination facility. Officers will then comply with the rules, regulations and procedures of the receiving facility. (06/13/14)

G. Once the subject is secured, an officer shall watch for any of the following signs: (06/13/14)

- Significant change in behavior or level consciousness;
- Shortness of breath or irregular breathing;
- Seizures or convulsions;
- Complaints of serious pain or injury; and/or
- Any other serious medical problem.

H. If officers observe any serious medical issue, they shall immediately contact EMS or transport directly to a local hospital. Officers shall also notify a supervisor. (06/13/14)

I. In the event of a prisoner escape during transport, the transporting officers shall immediately do the following:

1. Notify the dispatcher of the event and location.

2. Attempt pursuit if possible.

3. Notify a supervisor or proper jurisdictional authority of the escape.

4. Complete the original arrest report, noting the escape from custody.

9-111 Legislative Immunity

(05/29/02)

(A)

Officers shall observe legislators' privilege from arrest as set forth in the State of Minnesota Constitution, Article IV, Section 10:

"The members of each house shall in all cases, except treason, felony, and breach of the peace be privileged from arrest during the session of their respective houses, and in going to or returning from the same."

9-112 Diplomatic and Consular Immunity

(05/29/02)

(A)

Under international and federal law, diplomatic and consular officials are granted varying degrees of immunity and personal inviolability (i.e. freedom from arrest, detention, search etc.) depending on the position they hold. However, the privilege of personal inviolability must be balanced with the responsibility of the United States and its government bodies to protect the safety of its citizens. Police authorities may intervene to the extent necessary to halt activity that poses imminent danger to the safety of the public or when it is apparent that a serious crime may otherwise be committed.

1. Diplomatic agents, family members recognized as part of their household, and members of their administrative and technical staff and their households enjoy full immunity from arrest, detention, criminal prosecution, and search of their person, property or residence.

2. Members of their service staff have no privileges or immunities except for immunity from prosecution for acts related to performance of their official duties. Family members of the service staff have no privileges or immunity.

3. Family members of diplomatic agents who are also U.S. citizens have no privileges or immunities. Staff members or their families who are U.S. citizens or permanent residents of the U.S. have no privileges or immunities.

4. Consular officials, their families and staffs have no privileges or immunity related to arrest, detention, or search and seizure. The only exception is that career consular officers enjoy immunity from arrest unless the arrest is pursuant to a felony warrant.

The only authoritative document that can reliably identify a diplomatic or consular official is the identity card issued by the Department of State, Protocol Office. Other documents such as foreign diplomatic passports, U.S. diplomatic visas, tax exemption cards, or vehicle registration issued by the State Department do not conclusively indicate the diplomatic status of an individual. Officers presented with this type of identification should assume that the suspect might have some degree of immunity and attempt to verify further the diplomatic status of the suspect.

The on-duty Watch Commander must be notified of any incidents involving diplomats or consular officials. These incidents must still be fully documented on the CAPRS reports. The

federal government, acting through the State Department may be able to take corrective action against foreign diplomats who violate U.S. criminal law.

9-113 Arrest and/or Detention of Foreign Nationals

(05/29/02)

(A)

It is the obligation of the United States, including local municipalities, to notify foreign authorities when foreign nationals are arrested or otherwise detained.

If a foreign national is arrested or detained, the following must be done:

1. Immediately inform the foreign national of his/her right to have his/her government notified concerning the arrest or detention.

2. If the foreign national asks that such notification be made, do so without delay by informing the consulate or embassy.

3. In the case of certain countries, such notification must be made without delay regardless of whether the arrestee/detainee so wishes. The Operations Development Unit and MECC have a copy of the Foreign Consular Offices in the United States that contains all pertinent phone numbers for Consular/Embassy offices. These are:

    - Algeria
    - Antigua and Barbuda
    - Armenia
    - Azerbaijan
    - Bahamas
    - Barbados
    - Belarus
    - Belize
    - Brunei
    - Bulgaria
    - China
    - Cost Rica
    - Cyprus
    - Czech Republic
    - Dominica
    - Fiji
    - Gambria
    - George
    - Ghana
    - Grenada
    - Guyana
    - Hong Kong

- Hungary
- Jamaica
- Kazakhstan
- Kiribati
- Kuwait
- Kyrgyzstan
- Malaysia
- Malta
- Mauritius
- Moldova
- Mongolia
- Nigeria
- Philippines
- Poland (only non-permanent residents)
- Romania
- Russian Federation
- St. Kitts/Nevis
- St. Lucia
- St. Vincent/Grenadines
- Seychelles
- Sierra Leone
- Singapore
- Slovakia
- Tajikistan
- Tanzania
- Tonga
- Trinidad/Tobago
- Tunisia
- Turkmenistan
- Tuvalu
- Ukraine
- United Kingdom
- Uzbekistan
- Zambia
- Zimbabwe

Foreign consular officials have the right to visit their arrested/detained nationals unless the arrestee/detainee objects to such visits.

9-114 Empty (former policy moved to 9-401)

9-115 Federal Prisoners – Including AWOLs

(05/29/02)

(A)

For the purposes of this section, AWOL is Absent Without Leave from Military Service. If an officer has a prisoner that they believe has a federal warrant, the officer shall confirm the warrant with Channel 7. The prisoner shall be transported to the Hennepin County Adult Detention Center where the prisoner will be received into custody per Minn. Stat. §641.03.

9-201 Search and Seizure
(07/01/11)

(A-D)

I. Purpose

The purpose of this section is to provide employees with legal guidance in order to conduct lawful searches and seizures. (10/05/16)

The term "officer" is used generically in this section and does not assume a level of rank, such as Patrol Officer. It includes all applicable sworn and non-sworn personnel. (10/05/16)

II. Policy

A. Minneapolis Police Department employees shall conduct searches in as minimally intrusive a manner as possible, adhere to all MPD policies and to the rights given to persons under the United States Constitution and the Minnesota State Constitution.

B. Minneapolis Police Department employees shall be responsible for understanding and performing assigned duties in accordance with the MPD's Search and Seizure Policy. (06/28/17)

III. Procedures / Rules / Regulations

A. Searching People

1. An officer may conduct a Terry Frisk of a stopped person if the officer reasonably believes, based on specific and articulable facts, that the person may be armed and dangerous. A Terry Frisk is limited to a pat down of the person's outer clothing for weapons. (10/05/16)

2. A full search of a person is not justified with reasonable suspicion. Generally, officers can legally conduct a full search of a person without a warrant only in the following circumstances: (01/25/16) (10/05/16)

   a. Probable Cause and Exigent Circumstances; (01/25/16)

   b. Search Incident to Arrest;

   c. Medical Emergency/Life-Saving;

d. Plain View;

e. Consent Search.

3. Searching an Arrestee's Property:

a. A custodial arrestee's property (purse, backpack, etc.) shall be searched prior to arrival at any jail, detention center, chemical testing unit, or investigative unit.

b. A non-custodial arrestee's property is not subject to search without consent unless reasonable articulable suspicion exists to believe that the individual is engaged in other criminal activity and the personal property may contain a weapon.

c. Items property inventoried will be searched according to protocol set forth by the Property and Evidence Unit.

4. Searching Persons of the Opposite Sex

a. When practical, persons should be searched by an officer of the same gender if such an officer is on the scene or can arrive within a reasonable period of time. If the gender of the person to be searched is in question, officers shall ask the person to identify their gender before proceeding with the search.

b. Prior to the execution of an arrest or search warrant, where a female officer is likely to be needed, a female officer shall be included in the operation if possible.

c. A strip search shall be conducted and witnessed by at least two officers of the same gender as the person being searched.

5. Strip Searches

a. A strip search includes the removal or rearrangement of clothing to permit the visual or manual inspection of any skin surfaces of a person's genitals, buttocks, anus or female breasts.

b. Strip Searches may be conducted only in the following circumstances:

i. Officers have probable cause to believe that evidence, or contraband exists and will be destroyed or lost in the absence of an immediate strip search; or

ii. Officers have probable cause to believe that an immediate search is necessary to prevent imminent danger to the suspect, officer or others.

c. The following procedure shall be followed when conducting a strip search, whether the person has been arrested or not:

i. Approval shall be obtained from a supervisor at the rank of Lieutenant or above before conducting a strip search. Such approval shall only be given after an on-

scene assessment by the supervisor, unless the circumstances prevent the supervisor from being on-scene. If the supervisor is unable to respond to the scene, they shall document the reason why in a CAPRS supplement. (06/29/16)

ii. The supervisor approving the search shall be present when the search is conducted unless precluded from doing so by the issue of gender or other circumstances. (06/29/16)

aa. If the supervisor who authorized the strip search is prohibited from being present, a supervisor of the same sex as the person to be searched should be present when the search is conducted.

ab. If it is not reasonable or possible to have a supervisor of the same sex witness the strip search, the supervisor approving the search shall ensure that at least two officers of the same sex conduct/witness the search. (06/29/16)

iii. The search shall be performed in a location that affords the suspect privacy from persons not involved in the search. Officers shall be aware that strip searches conducted in the field could require extraordinary measures to ensure the suspect's privacy.

iv. The supervisor authorizing the strip search shall complete a CAPRS supplement articulating why the search was justified and necessary. The supplement will also explain:

- Which officers conducted the search;
- Which officers were present for the search;
- Where the search was conducted; and
- How the search was conducted.
- The reason for the supervisor's absence if the supervisor was unable to conduct an on-scene assessment or be present for the search. (06/29/16)

v. Nothing stated in this policy shall preclude an officer from immediately recovering a weapon if the officer can articulate that any delay would cause imminent danger to the safety of the officer or others.

vi. Nothing stated in this policy shall preclude an officer from collecting a urine sample for evidentiary purposes (e.g. DWI).

6. Body Cavity Searches

a. A body cavity search is a search that goes beyond visual or manual inspection of skin surfaces, so that it involves internal physical examination of body cavities, and in some instances, organs such as the stomach.

b. With the exception of the mouth, body cavity searches shall only be performed by medical personnel, in a medical facility, pursuant to a search warrant or court order.

c. Exigent circumstances such as the suspect placing illegal narcotics or contraband into their mouth does not require obtaining a search warrant or court order.

d. Minimal physical force (which includes low control options such as joint manipulation, pressure points and verbal directions) may be used to recover suspected narcotics from a suspect's mouth. Force used shall not include any strikes or any type of force which restricts breathing or blood flow in the neck.

7. Stopping or Searching People – Documentation (10/05/16)

a. Terry Stops (Investigative Detentions), Terry Frisks, and all other searches (including consent searches) must be justified under the law. Officers shall document the justification for any frisk(s) and/or search(es) conducted.

b. Absent exigent circumstances, officers are responsible for knowing certain facts, to include: the name of the person encountered, as well as the reasonable suspicion, probable cause or other circumstances which served as the basis for the officer's actions.

c. Documentation should be made via added remarks to the call in CAD (Computer Aided Dispatch) or by another method, unless a CAPRS report and supplement is required.

i. Mobile Digital Computer (MDC) (10/05/16)

aa. Officers shall document information related to the detention in the Clear Call Disposition/Comments screen of their MDC for the following types of calls:

- Traffic Stop,
- Suspicious Person Stop,
- Suspicious Vehicle Stop,
- Attempt Pick-Up,
- Curfew Violation, and
- Truancy.

ab. Officers shall document the following information in their MDC for the required call types:

- The basis for the stop,
- The location of the stop,
- The race of the suspicious person(s),
- The age of the suspicious person(s),
- The gender of the suspicious person(s),
- Whether a person or vehicle was searched, and

- The reasons for any Terry frisk or other search of the person(s) prior to clearing the call.

d. A strip search of a person always requires a CAPRS report and supplement. All officers who witness and/or conduct a strip search shall complete a supplement.

B. Searching Vehicles

1. Generally, officers can legally search a vehicle in the following circumstances: (10/05/16)

   a. Plain View;

   b. Medical Emergency/Life-Saving;

   c. Probable Cause;

   d. Protective Weapons Sweep;

   e. Search Incident to Custodial Arrest (this exception is limited in the context of vehicle searches); (10/05/16)

   f. Inventory Search;

   g. Consent Search.

2. Searching Vehicles – Documentation

   a. If the search of a vehicle results in an arrest or seizure of evidence or contraband, a CAPRS report and supplement shall be completed and the officer must articulate in his/her supplement the legal justification for the search. The supplement shall contain all pertinent information concerning the search including:

      i. Legal justification for the search;

      ii. Results of the search;

      iii. Any damages that occurred;

      iv. Officers who conducted the search; and

      v. The name and date of birth of the consenting person (if applicable).

   b. If damage to property was caused during the course of a search and/or resulting seizure:

      i. A supervisor shall be notified;

ii. Photographs shall be taken and property inventoried to document any known damages.

c. If the search of a vehicle does **not** result in an arrest, property damage or seizure of evidence or contraband, the fact that a search occurred and the legal justification for it should be documented via added remarks to the call in CAD (Computer Aided Dispatch) or by another method.

C. Searching Dwellings and Buildings

1. A search warrant is always required to search dwellings and non-public areas of buildings, absent consent or exigent circumstances. Without a search warrant, officers may legally search a dwelling or building in the following circumstances:

   a. Hot Pursuit;

   b. Protect and Preserve Life;

   c. To Prevent the Destruction of Evidence;

   d. Serving an Arrest Warrant;

   e. Consent Search;

2. Searching Dwellings and Buildings – Documentation

   a. If the search of a building/dwelling results in an arrest or seizure of evidence or contraband, a CAPRS report and supplement shall be completed and the officer must articulate in his/her statement the legal justification for the search. The supplement shall contain all pertinent information concerning the search including:

      i. Legal justification for the entry/search;

      ii. Results of the search;

      iii. Any injuries that occurred;

      iv. Any property damages that occurred;

      v. Officers who entered the property; and

      vi. The name and date of birth of the consenting person (if applicable) and their relationship to the property searched.

   b. If the search of a building/dwelling does **not** result in an arrest, property damage or seizure of evidence or contraband, the fact that a search occurred and the legal justification for it should be documented via added remarks to the call in CAD (Computer Aided Dispatch) or by another method.

c. Officers assigned to a search warrant shall complete a supplement stating their assignment and actions taken if they were responsible for:

- Using force to subdue or detain individuals;
- Causing damage;
- Locating, recovering or documenting evidence; or
- When directed by a supervisor.

d. If damage to property or occurs during the course of a search and/or the resulting arrest or property seizure:

- A supervisor shall be notified;
- Photographs shall be taken to document any known damages. (10/05/16)

Note: If entry for a search is made forcibly to windows or interior or exterior doors, the report shall be additionally titled FENTRY.

e. When applicable, officers shall property inventory:

- Photographs documenting damages;
- Consent to Search form; and/or
- Audio and/or video recording of consent granted.

9-202 Public Recording of Police Activities

(05/05/16)

I. Purpose

The purpose of this policy is to acknowledge and protect the constitutional and legal rights of citizens to photograph and make audio and video recordings of Minneapolis Police Department personnel. This policy provides employees with guidance in dealing with situations in which they are being recorded.

II. Policy

A. The Minneapolis Police Department recognizes that members of the general public have an unambiguous First Amendment right to record police officers while they are conducting official business or while acting in an official capacity in any public space, unless such recordings interfere with police activity. Officers should assume that a member of the public is likely to be observing and possibly recording their activities at all times.

B. Officers shall be aware that recording of people, places, buildings, structures and events is a common and normally lawful activity. If a person is taking photographs or recording from a place where he or she has a right to be, this activity by itself does not constitute suspicious activity.

C. In areas open to the public, members of the general public have the same right to photograph and record as a member of the media. No person is required to have or display "press" credentials in order to exercise the right to record events, including police activity.

D. Officers **shall not** tell people that recording police activity is not allowed, requires a permit, or requires an officer's consent.

E. The warrantless seizure of material protected by the First Amendment (photos, videos, etc.) will be strictly scrutinized in court, and has a higher standard for reasonableness under the Fourth Amendment.

F. Employees **shall not** erase or delete, or request any person to erase or delete any files, media or recorded images or sounds from any camera or other recording device that is in possession of any person, or that has been seized or voluntarily turned over. Such action may constitute a violation of the First, Fourth and Fourteenth Amendments.

III. Definitions

Police Duties: Police duties discharged in a public setting may include a range of activities, including detentions, searches, arrests or uses of force.

Public Space/Setting: Public settings include but are not limited to: parks, sidewalks, streets and locations of public protests. The right to record also extends to an individual's home or business, common areas of public and private buildings, and any other public or private facility at which an individual has a right to be.

IV. Procedures/ Regulations

A. Responding to Public Recording of Police Activities

1. When an employee observes a citizen taking photographs or audio or video recording in a setting at which that person has a legal right to be present, the employee **shall not**:

    a. Order that person to cease recording;

    b. Demand that person's identification;

    c. Demand that the citizen provide a reason for recording;

    d. Detain that person for recording or investigation of a recording;

    e. Intentionally block or obstruct recording devices;

    f. In any way threaten, intimidate or otherwise discourage an individual from recording.

2. The right to record does not grant a citizen the right to interfere with police activity. A person commits an offense if the person with criminal negligence interrupts, disrupts,

impedes or otherwise interferes with a peace officer while the officer is performing a duty or exercising authority imposed or granted by law.

a. A person's recording of officers' activity from a safe distance, without any action to obstruct the activity or threaten the safety of an officer, does not constitute interference.

b. If a person is recording activity from a position that impedes or threatens the safety of officers or their ability to perform their duties, an officer may direct the person to move to a position that will not interfere. Officers shall not order the person to stop recording.

c. If a person is recording activity from a position that impedes or threatens the safety of members of the public, the officer shall direct the person to move to a safe position that will not interfere. Officers shall not order the person to stop recording.

d. Citizens have the right to express criticism of the police activity being observed. As long as that expression does not jeopardize the safety of any officer, suspect or bystander, and does not violate the law or incite others to violate the law, the expression does not constitute interference.

e. Arrest

i. Any arrest of a person who is recording officers in a public place shall be related to an objective, articulable violation of the law unrelated to the act of recording. The act of recording does not provide grounds for detention or arrest.

ii. If safe to do so, officers shall call a supervisor to the scene **before** any restrictive police actions are taken, and the supervisor must approve any related arrest.

iii. If an arrest is made prior to supervisor arrival due to exigent circumstances, the arrestee shall not be transported to a holding or detention facility until the supervisor is present and has approved the arrest.

iv. An arrest of a person does not provide an exception to the warrant requirement justifying a search of the individual's recording equipment or media. While equipment may be secured incident to an arrest, downloading, viewing or otherwise accessing files or media requires a search warrant.

B. Handling of Evidence on a Recording Device

1. Citizens have a high expectation of privacy for the contents of cellular phones and other recording devices. Absent arrest of the recording party, recording equipment shall not be confiscated.

a. Officers shall not order an individual to show recordings that have been made of police activity.

b. A supervisor must be notified before an officer takes any action involving a person's recording device, including a request for voluntary consent to search or seizure of the device.

2. If an officer reasonably believes that evidence of a serious crime has been recorded by a member of the public, the officer shall immediately request a supervisor respond to the scene.

   a. With approval of the supervisor, the officer may ask the person in possession of the recording if he or she will consent to voluntarily allow the officer to take possession of the recording device or media and process it as evidence.

      i. The officer shall not, implicitly or explicitly, coerce consent to take possession of any recording device or information it may contain.

   b. If the individual refuses to voluntarily provide the recording or device and the officer reasonably believes that the recording will be destroyed, lost, tampered with or otherwise rendered useless as evidence before a warrant can be obtained, the officer shall notify a supervisor.

      i. The supervisor will assess the situation and determine whether exigent circumstances exist to permit the seizure of the device without a warrant.

         aa. Any such seizure must be a temporary restraint intended only to preserve evidence, for no longer than reasonably necessary for the officer, acting with diligence, to obtain a warrant to seize the evidence.

         ab. A warrant must be obtained in order to examine or copy the recording and the chain of custody must be clearly documented.

         ac. The recording or device shall be processed as evidence (see P/P 10-400) and a DIMS download station shall **not** be used for retrieval (see P/P 4-217).

   c. In exigent circumstances when an officer reasonably believes that an immediate search of the recording is necessary to prevent death or injury, the officer shall notify a supervisor.

      i. The supervisor will assess the situation and determine whether exigent circumstances exist to permit the seizure and search of the device without a warrant. The supervisor shall notify the Watch Commander if a search is approved.

      ii. Photographs, videos or recordings that have been seized as evidence and are not directly related to the exigent circumstances will not be viewed until a search warrant has been obtained.

d. Any recording devices or media taken into custody shall be returned as soon as practical.

e. Employees who view or listen to a recording from a citizen, or conduct a forensic examination of the recording or device, shall undertake reasonable efforts to ensure only materials that constitute potential evidence are accessed. Employees will refrain from examining any materials not relevant to the investigation.

9-301 Search Warrants

(04/08/22) (05/02/22) (07/01/23) (06/15/25)
Revisions to prior policies: (06/19/02) (06/12/02) (08/01/02) (08/08/07) (03/11/16) (06/29/16) (11/30/20)

I. Purpose

A. The Minneapolis Police Department is dedicated to protecting and serving in a way that minimizes harm and risk to our community and to MPD employees.

1. In accordance with the MPD's vision and the use of force policy (P&P 5-301), officers must recognize and respect the sanctity of life and value of all human life, and the need to treat everyone with dignity and without prejudice.

2. When seeking and serving warrants, MPD employees must focus on protecting the community from harm, promoting public safety and providing service in a manner that builds trust and meets community expectations.

B. The purpose of this policy is to ensure that warrants are applied for, planned and served in a manner that protects officers, subjects and the public, and in a manner that upholds laws, the Constitution, and MPD policies.

II. Definitions

Administrative Search Warrant: A search warrant sent electronically or otherwise involving no in-person contact, or for the processing of evidence already in police custody. Examples of administrative search warrants include, but are not limited to:

- Bank records,
- Cell phone or other phone records,
- Social media and other electronic communications,
- Impounded vehicles,
- Medical records.

Affiant: The sworn officer, investigator or sergeant that is authoring the search warrant application and swearing to the facts of the affidavit contained in the application.

Affidavit: A written document (statement of facts) confirmed by oath or affirmation.

Court: The designated judicial branch having jurisdiction over the location or person listed in the search warrant application and affidavit.

"High-Risk" Search Warrant: A search warrant in which known or suspected hazards have been identified and likely might be present during the service of the warrant. The identified hazards are of such significant risk to the safety of individuals that the search warrant exceeds the capabilities of normal patrol and investigative functions. These hazards may include, but are not limited to, suspect factors such as weapon possession and use, and location factors such as obstacles and other approach difficulties.

"Intermediate-Risk" Search Warrant: A search warrant with limited potential threat for harm due to the nature and location of the warrant, as well as reasonably believed information about the individuals at the subject location. The potential hazards or risks do not meet the criteria for a "high-risk" search warrant, but may require additional scrutiny or planning. This could include a warrant where a forced entry may be required, and it is unknown if people present are armed.

"Knock and Announce" Search Warrant: Under the "knock and announce" rule, a police officer executing a search warrant generally must not immediately force their way into the premises, absent exigent circumstances as defined in the Warrant Entry Procedures section of this policy. Instead, the officer must first knock, identify themselves as "Police" and announce their intent, and wait a reasonable amount of time for the occupants to allow entry into the premises, pursuant to the Warrant Entry Procedures section of this policy.

"Lower-Risk" Search Warrant: A warrant with no or minimal potential threat for harm due to the nature and location of the warrant as well as the absence of suspects. Examples of "lower-risk" search warrants include, but are not limited to:

- Safe-deposit boxes,
- DNA sexual assault warrants for in-custody persons,
- Search warrants at a location where the investigator wouldn't expect to encounter the suspect(s) or other resistance (for example, a location already under the control of law enforcement).

"No-Knock Search Warrant": Also called an Unannounced Entry or Dynamic Entry warrant, a no-knock search warrant is a search warrant authorizing a police officer to enter certain premises without first knocking and announcing the officer's presence or purpose prior to entering the premises (MN Statute section 626.14 Subd. 2).

Probable Cause: Having reasonable grounds for supporting the requested Court order, to include: search warrants, arrests or other legal process. Probable cause is required by the Fourth Amendment. Officers must have an objectively reasonable basis for believing that a crime may have been committed or that there is evidence of the crime present in the place to be searched.

Search Warrant: A document issued by the Court authorizing the police to enter and search a person, premises, location or vehicle for purposes of evidence recovery.

Search Warrant and Risk Assessment form: The form completed by Minneapolis Police Department employees that uses investigatory information and other criteria to evaluate the risk potential associated with a warrant.

SWAT: The Special Weapons and Tactics Team of the Minneapolis Police Department.

"Unannounced Entry" Warrant: Also called a "no-knock search warrant."

III. Policy

A. Legal Principles

MN Statute sections 626.05 through 626.22 authorize peace officers to write and execute search warrants in the course of their investigative duties and criminal investigations, and the Statute sections establish the warrant requirements for peace officers. MN Statute section 626.14 specifically details time and manner of search warrants, and requirements for "no-knock search warrants."

B. Consistent with Values, Policies and Laws

1. It is the policy of the Minneapolis Police Department that search warrants are applied for and conducted in an impartial manner, consistent with the Vision, Mission, Values and Goals of the Minneapolis Police Department, to include the pillars of Procedural Justice, and consistent with protecting people's constitutional rights.

2. Search warrants shall also be conducted in accordance with all applicable laws and MPD policies and procedures.

3. The Minneapolis Police Department will pursue tactics and techniques to:

    - Provide for the safety for all persons concerned;
    - Accomplish a thorough and legal search;
    - Respect the constitutional rights of the people the warrant is being served upon;
    - Minimize the level of intrusion experienced by those who are having their premises searched; and
    - Establish a record of the warrant execution process.

IV. Procedures/Regulations

A. Drafting a Warrant

1. Affiant

    Search warrants shall be drafted by investigating officers or supervisors.

2. Probable cause

   If any doubt exists as to probable cause for the warrant, a city or county attorney shall be contacted for assistance.

3. Follow requirements on warrant

   Officers shall follow all listed requirements on the warrant including serving a copy of warrants and inventory receipts to the affected parties.

4. No-knock search warrants are prohibited

   a. MPD officers shall not apply for or execute a no-knock search warrant, whether for MPD or on behalf of another agency.

   b. MPD officers shall not request that another agency execute a no-knock search warrant on behalf of the MPD.

B. Time of Search Warrant Service

1. In accordance with MN Statute section 626.14, a search warrant may be served only between the hours of 7:00 a.m. and 8:00 p.m. unless the court determines on the basis of facts stated in the affidavits that a nighttime search outside those hours is necessary to prevent the loss, destruction, or removal of the objects of the search or to protect the searchers or the public.

2. The search warrant shall state that it may be served only between the hours of 7:00 a.m. and 8:00 p.m. unless a nighttime search outside those hours is authorized.

   a. All nighttime search warrants for a private residence or business not already under control of officers shall be reviewed and approved prior to execution by a Deputy Chief or higher.

C. Search Warrant and Risk Assessment form

1. Risk Assessment form required

   a. A Search Warrant Risk Assessment shall be completed for all “Intermediate-risk” and “High-risk” search warrants.

   b. The affiant shall document on the form what investigative activities have taken place to try and apprehend the suspect or obtain the evidence prior to issuance of the search warrant, or why no investigative activity is needed or able to be performed.

2. SWAT review for “Intermediate-risk” and “High-risk” warrants for premises

   In all search warrants for premises that are not determined to be an administrative search warrant or a “lower-risk” search warrant, the SWAT supervisor will review and

determine whether a SWAT team needs to be involved in the warrant planning and execution. This includes "intermediate-risk" search warrants.

3. Approval for "high-risk" warrants for premises

   All search warrant applications for premises that are determined to be "high-risk" shall be reviewed and approved by a supervisor at the rank of Commander or above, prior to the execution of the warrant.

4. "Intermediate-risk" and "high-risk" warrants not for premises

   Search warrants determined to be "intermediate-risk" or "high-risk" that are not for premises may be executed under the direction of a supervisor, without consultation with the SWAT supervisor. This includes search warrants for people and search warrants for vehicles that may be occupied or mobile.

5. "Lower-risk" warrants

   The investigator/affiant of a search warrant may execute a "lower-risk" search warrant under the direction of their supervisor, without consultation with the SWAT supervisor. A Search Warrant Risk Assessment form is not required for the warrant.

6. Administrative warrants

   The investigator/affiant may execute an administrative search warrant without consultation with the SWAT supervisor. A Search Warrant Risk Assessment form is not required for the warrant.

D. Planning for Warrant Execution

1. Using SWAT team

   a. An on-duty team from the Special Weapons and Tactics (SWAT) Unit shall be used for serving all high-risk warrants for premises described in the Search Warrant and Risk Assessment form (MP-6946).

   b. SWAT personnel shall be used in all other preplanned entries that may exceed the capabilities of normal patrol and investigative functions, as determined by the SWAT supervisor after their review.

   c. The purpose of the team is to provide trained personnel and special equipment for the safe and expeditious execution of planned searches and arrests.

   d. Investigating officers will assist the operation and make all associated arrests.

   e. If SWAT will not be involved in executing an "intermediate-risk" search warrant, only officers who received the required "search warrant entry" training shall execute the warrant.

f. SWAT officers executing a search warrant must be clearly identifiable as law enforcement, in accordance with the Warrant Entry Procedures section of this policy.

2. Requests for SWAT Team

When SWAT is not on-duty, requests for the SWAT's on-duty team shall be made to MECC.

a. A SWAT team supervisor will designate the responding team members and direct them to a prearranged location for a briefing with the investigating officers.

b. Tactical considerations for entering a dwelling and securing occupants is the responsibility of SWAT.

3. Supervisor present

a. A non-SWAT supervisor or investigative Sergeant shall be present at executions of all planned search warrants (including those involving SWAT).

b. A SWAT supervisor shall be present at briefings and executions of all planned search warrants involving SWAT.

4. Uniformed officers present

a. All high-risk and intermediate-risk search warrants shall have a uniformed officer present.

b. When SWAT is not involved in the warrant execution, the investigator shall contact the Minneapolis Emergency Communications Center (MECC) and the on-duty supervisor of the involved precinct of the location where the warrant is to be served, to notify them of the warrant and to request a uniformed officer.

i. When a squad is needed to assist an investigator with a search warrant, the district squad for the location where the warrant will be served shall be called upon to assist.

ii. If a district squad for the location is not available, MECC will contact another squad.

5. Paramedic or EMS unit present

A certified paramedic, EMT or an Emergency Medical Services (EMS) unit shall be requested to be on site or staged nearby when SWAT will be executing a search warrant.

6. Suspect photographs or briefing sheets

If available, suspect photographs or briefing sheets should be obtained prior to serving "intermediate-risk" and "high-risk" warrants.

E. Deconfliction Prior to Search Warrant Execution

1. Deconfliction requirement

    a. Prior to executing a search warrant at an address, the warrant affiant shall attempt to ensure that the search will not conflict with another investigation or police action.

    b. In accordance with MN Statute section 626.13, an officer serving and executing any search warrant other than an administrative search warrant (including "lower-risk," "intermediate-risk" and "high-risk" warrants) shall notify the local law enforcement agency of the municipality or county in which service is to be made prior to service and execution.

    c. Exception: A search warrant executed at an active crime scene *already under the control of the MPD or another law enforcement agency* does not need to be deconflicted.

2. Deconfliction process

    a. Deconfliction shall be handled through the RISSafe service provided by the Mid States Organized Crime Information Center.

        i. The search warrant affiant or their designee shall complete the RISSafe deconfliction process by contacting the Strategic Information Center at 612-673-3700 or police-sicmintel@minneapolismn.gov or the Bureau of Criminal Apprehension Operations Center at 651-793-7000.

        ii. Investigators who have received RISSafe system training may use the online deconfliction tool.

    b. The affiant or their designee shall provide the following information:

        - Affiant name and contact information
        - The name and contact information for a secondary contact familiar with the details of the planned warrant
        - Date and time of warrant execution (a date and time range is acceptable)
        - Type of crime being investigated

3. Conflict found

    In the event a conflict is found, the affiant will be instructed as to how to contact the conflicting agency. The affiant shall make contact and resolve the conflict prior to executing the search warrant.

4. Document deconfliction effort and result

   The deconfliction effort and result shall be documented on the Search Warrant Risk Assessment form (MP-6946).

F. Warrant Entry Procedures

1. Required people present

   In accordance with the planning section of this policy, the following people shall be present for all high-risk search warrant entries:

   - At least one uniformed officer
   - A non-SWAT supervisor
   - A SWAT supervisor
   - A certified paramedic, EMT or staged EMS team, when available

2. Media and other third parties

   The presence of media or other third parties during the execution of a warrant is prohibited unless their presence is necessary to aid the execution of the warrant.

3. Police identification

   a. All law enforcement shall be clearly identified as law enforcement by a distinctive outermost garment (such as a vest or jacket) or other visible indicator of position and authority.

   b. All non-uniformed law enforcement shall have the word "POLICE" clearly marked on the outermost garment (such as a vest or jacket) or other visible indicator of position and authority.

   c. Members of other agencies assisting with the search will be identified by using the procedures of their own agency's policy.

4. Body armor and body worn cameras

   a. All members of the entry team shall wear body armor.

   b. All MPD employees present (including members of the entry team) shall wear, activate and deactivate their MPD-issued Body Worn Camera in accordance with the Body Worn Camera policy (P&P 4-223).

5. Announcements and entry

   a. Notification prior to entry

      Notification is required before entry to the premises is made. An MPD personnel executing a search warrant shall use the following procedures:

      i. Physically knock or make contact

         Police personnel shall physically knock on an entry door to the premises in a manner and duration that can be heard by the occupants; or make contact with occupants inside the residence via phone or a long-range acoustical device.

      ii. Clearly announce as "police"

         Police personnel shall clearly and verbally announce themselves as "police" with the intent to execute a search warrant in a manner that can be heard by the occupants.

      iii. Wait before entering

         aa. Daytime entry

            Absent exigent circumstances, during a daytime hours entry, police personnel shall wait a minimum of **20** seconds or for a reasonable amount of time for occupants to respond, whichever is greater, before entering the premises.

         ab. Authorized nighttime search

            Absent exigent circumstances, during an authorized nighttime search entry, police personnel shall wait for occupants to respond, for a minimum of **30** seconds or for a reasonable amount of time, whichever is greater, before entering the premises.

         ac. Exigent circumstances

            Exigent circumstances for immediate entry are:

            - To prevent imminent harm or to provide emergency aid;
            - To prevent imminent destruction or removal of evidence (excluding narcotics);
            - When in hot pursuit;
            - To prevent the imminent escape of a suspect.

            Exigent circumstances do **not** include the destruction or removal of narcotics.

b. Reasonable force to make entry

If notification to the occupants has not resulted in admittance to the police personnel after a reasonable amount of time, the police personnel may use reasonable force to execute the warrant, including forced entry into the building to be searched.

c. Continue announcements

i. Police personnel shall clearly announce themselves as "police" at the time of actual entry.

ii. During the execution, officers must repeatedly announce themselves as "police" as they move about and clear the search area, and each time an officer has moved to an area where the previous announcement may not have been heard.

iii. These announcements should include the officer's authority and what the officer wants the subject to do.

d. Be mindful of barriers to cooperation

Officers should be mindful of any known or reasonably believed obstacles to cooperation or perception barriers, such as mental or emotional capacity, physical and language barriers, including whether the individual is known or believed to be deaf or hard of hearing.

6. Arrests, searches and use of force

a. Arrests, searches and use of force engagements shall follow the applicable policies (P&P 9-100, P&P 9-200 and P&P 5-300).

b. FSDDs (also known as "flash-bangs" shall only be distributed and used in accordance with P&P 5-503 Diversionary/Distraction Devices, and the use of force policies in P&P 5-300.

7. Return location to order

At the conclusion of a warrant, officers shall return the searched location to some semblance of order (i.e., drawers will be placed back into dressers, clothes removed from drawers will be placed back inside, mattresses will be returned to their bed frames, etc.).

G. Documenting Warrant and Warrant Execution

1. Documenting in a Police Report

a. When SWAT is involved in a warrant, the code SWAT shall be used on the Police Report. For reports that were entered prior to the search warrant execution, the investigator shall ensure the code is added to the report.

b. If SWAT is not involved, the code SRCHWT shall be used (denoting a search warrant). For reports that were entered prior to the search warrant execution, the investigator shall ensure the code is added to the report. This includes administrative warrants.

c. Investigators shall attach a copy of the warrant and a copy of the affidavit to the Police Report.

d. The SWAT supervisor, investigator or other person responsible for directing the entry shall document in their narrative text any exigent circumstances present prior to making the entry.

e. For warrants involving the search of a location, investigators shall document in the Police Report:

- Whether the location searched matched the location specified in the warrant
- Whether the subject or subjects specified in the warrant were present
- Whether any items specified for seizure in the warrant were present

f. Officers assigned to a search warrant shall document in a narrative text their assignment and actions taken, if they were responsible for any of the following:

- Using force to subdue or detain individuals;
- Any damage to property;
- Locating, recovering or documenting evidence.

g. When directed by a supervisor, officers shall document in a narrative text their assignment and actions taken.

2. Search warrant information collection form

a. The Search warrant information collection form in PIMS (the "Warrant" screen) is required for all search warrants. This includes "High-risk," "Intermediate-risk," "Lower-risk" and "Administrative" warrants.

b. The affiant shall complete the PIMS form for each search warrant applied for or executed by MPD, and shall enter all data required by the form.

i. If the affiant is from an outside agency and MPD participates in the execution of the search warrant, the ranking officer that participated in the entry shall complete the form.

c. The form shall be completed under the same CCN as the search warrant in PIMS.

d. In the Related field on the search warrant PIMS entry, the incident number for the primary case should be used.

3. Reporting force

   Uses of force during a search warrant execution shall be documented in accordance with P&P 5-301.

4. Documenting damage

   All case investigators shall document in a Police Report any damage done to property as a result of police actions.

   a. If entry for a search is made forcibly to windows or interior or exterior doors, the report shall include the code FENTRY.

   b. This documentation shall include damage done by the SWAT Warrant Detail to gain access to the premise and damage done by investigators as a result of lawfully searching for evidence.

   c. Damage done to vacant premises shall also be documented.

   d. This documentation must include the condition and detailed description of the property damaged; i.e., hollow core door vs. six panel oak door, porcelain sink vs. oak vanity with marble sink, etc.

   e. Photographs shall be taken to document any known damages, and shall be attached to the Police Report.

H. Warrants Outside Minneapolis

1. In the best interest of officer safety, MPD officers initiating a warrant in another jurisdiction shall contact the Communication Center that dispatches for the affected jurisdiction and request contact with the officer in charge.

2. When seeking to execute any search warrant other than an administrative search warrant (this includes “lower-risk,” “intermediate-risk”, and “high-risk” warrants), officers shall contact the law enforcement jurisdiction where the warrant is to be served. That jurisdiction should be responsible for entry and securing the scene prior to MPD personnel assuming control.

3. SWAT shall not leave Minneapolis to execute a search warrant without the prior approval of the Commander who oversees SWAT.

I. Requests by Others Jurisdiction for Search Warrant Execution

1. Prior approval by a Deputy Chief or higher is required for the execution of a search warrant for an outside agency.

a. The Commander who oversees the division of the requested unit shall seek approval from a Deputy Chief or higher prior to the execution of a search warrant for an outside agency.

b. The Deputy Chief or higher shall review the search warrant prior to giving approval to assist the outside agency.

2. All assistance provided shall be in compliance with MPD policies.

9-302 Arrest Warrants

(04/08/22)
Revisions to prior policies: (06/12/02) (06/19/02)

A. Legal Principles

In accordance with P&P 5-102:

1. "Officers shall not arrest any person or search any premises except with a warrant or where such arrest or search is authorized without warrant under the laws of the United States."

2. "Employees shall not knowingly restrict the freedom of individuals, whether by arrest or detention, in violation of the Constitutions and laws of the United States and the State of Minnesota."

B. Serve Within Minnesota

MPD officers may serve warrants within the State of Minnesota.

C. Confirm Warrant

1. Officers in contact with a person suspected to be wanted on a warrant shall confirm that the warrant exists through MECC.

2. If a warrant is from out of state, officers shall obtain the number of the warrant from MECC and provide it to personnel at the HCADC.

D. Suspect photographs or briefing sheets

If available, suspect photographs or briefing sheets should be obtained prior to serving felony warrants or when attempting felony pick-ups.

E. Announce Arrest and Inform Subject of Warrant

In accordance with MN Statute section 629.32 and P&P 5-301, the officer shall inform the subject that the officer is acting under a warrant, and shall show the subject the warrant if requested to do so. An arrest by an officer acting under a warrant is lawful even though the

officer does not have the warrant in hand at the time of the arrest, but if the arrested person so requests the warrant must be shown to that person as soon as possible and practicable. An officer may lawfully arrest a person when advised by any other peace officer in the state that a warrant has been issued for that person.

Note: The officer can show the warrant via the squad computer.

F. Using Force to Make Arrest

Force may only be used to make an arrest in accordance with P&P 5-300, and Federal, State and local laws.

G. Time of Arrest Warrant Service

1. Misdemeanor arrest warrants

   In accordance with MN Statute section 629.31, an arrest may for a misdemeanor may only be made during the hours of 8:00 am and 10:00 pm and only on the days of Monday through Saturday, subject to the exceptions below:

   a. An arrest for a misdemeanor may be made on Sunday or between 10:00 p.m. and 8:00 a.m. on any other day when the judge orders in the warrant that the arrest may be made between those hours; or

   b. when the person named in the warrant is found on a public highway or street.

2. Gross misdemeanor and Felony arrest warrants

   In accordance with MN Statute section 629.31, an arrest for a felony or gross misdemeanor may be made on any day and at any time of the day or night.

H. Transport

If a warrant does exist for the individual, the suspect shall be transported to the Hennepin County Adult Detention Center (HCADC).

I. Warrant Processing- Additional Charges

Officers arresting a suspect who also has outstanding warrants, may process the suspect on both the warrant and the additional offense.

9-401 Police Authority in Immigration Matters

(05/29/02) (04/02/18) (01/16/25) (02/26/25)

I. Purpose

The Minneapolis Police Department (MPD) is committed to fostering trust and collaboration with all people in the city, regardless of race, religion, sexual orientation, national origin, ethnicity, or immigration status. Minneapolis is home to a diverse and vibrant community, and the Department values and celebrates this diversity as a source of strength.

The MPD ensures that immigration status will never impede access to law enforcement services and is dedicated to providing equitable, bias-free service to all members of the community. Protecting the safety and civil rights of every community member remains the core mission of the MPD.

II. Procedures

A. The MPD recognizes the fear of deportation prevents some undocumented community members from reporting, interacting, and cooperating with law enforcement. The MPD is dedicated to community policing as a means of reducing crime while building community trust. Therefore, the MPD shall investigate criminal activity without regard to a person's actual or perceived immigration status. Doing otherwise would have a chilling effect on our ability to provide public safety to our community.

B. The MPD works cooperatively with all federal agencies, but the MPD does not operate its programs for the purpose of enforcing federal immigration laws.

1. The enforcement of civil and criminal federal immigration laws falls exclusively within the authority of the federal government and not the MPD. The United States Code, 8 U.S.C. §1101, empowers the U.S. Citizenship and Immigration Services (USCIS) and Immigration and Customs Enforcement (ICE), Department of Homeland Security, as the sole authority in immigration matters.

C. Members shall not initiate actions to determine, verify or detect a person's immigration status, including but not limited to questioning any person about their immigration status, subject to the narrow exception stated below. (City of Minneapolis Ordinance §19.30 (a)(3))

1. Members shall only initiate the actions above when specifically enforcing laws relating to human trafficking and smuggling where immigration status is an element of the crime.

a. When questioning, arresting, or detaining any person under this exception, the member shall articulate and document the reason the member believes the exception applies.

2. Nothing in this policy shall prohibit members from assisting federal law enforcement officers in the investigation of criminal activity involving people present in the United States who may also be in violation of federal civil immigration laws in accordance with City of Minneapolis Ordinance §19.30 (a)(4).

3. Members are prohibited from stopping, detaining, or taking law enforcement action against a person, vehicle, business, or residence on the sole basis of civil administrative immigration alerts, detainers, or non-criminal warrants.

   a. Local police do not have the authority to take law enforcement action for federal administrative civil warrants.

   b. If a person is found to have a National Crime Information Center (NCIC) hit, members shall verify the hit is not solely for an administrative ICE warrant prior to taking any action.

   c. Members shall not arrest or detain a person solely based on an administrative (ICE) warrant. This does not prevent members from taking law enforcement action on unrelated crimes, detainers, or non-criminal warrants.

      Examples of the language seen in NCIC administrative ICE warrants:

      Deported Felon

      Warning Regarding Following Record- Subject of NIC/N307770847 is a previously deported felon. Contact LESC at (877) 999-5372 for immediate hit confirmation and availability of Bureau of Immigration and Customs Enforcement Detainer.

      Absconder

      Warning Regarding Follow Record – Subject of NIC/N307770847 has an outstanding administrative warrant of removal from the United States. Contact LESC at (877) 999-5372 removal from the United States. Contact LESC at (877) 999-5372 for immediate hit confirmation and availability of Bureau of Immigration and Customs Enforcement Detainer.

   d. MPD does not have a municipal jail and cannot house undocumented people, even if requested.

D. Identification card of foreign nations may include, but are not limited to:

- Foreign government-issued identification cards, such as passports.
- Consular identification cards.

- National ID cards.

1. Members shall take reports for missing, lost or stolen identification cards of foreign nationals in accordance with P&P 4-600 Specific Report Policies and Procedures.

Appendix: Sample Identification Cards of Foreign Governments

Consular ID for Ukraine

Consular ID for Mexico

Consular ID for Poland

Consular ID for Guatemala

Consular ID for Ecuador

9-402 MPD U Visa/T Visa Certification Policy

(01/16/25)

I. Purpose

The Minneapolis Police Department (MPD) is committed to ensuring the safety, dignity, and rights of all people, including undocumented victims of crime who may be eligible for U or T Visas. The Department recognizes the unique challenges faced by victims of serious crimes and human trafficking and values its role in fostering trust and providing pathways to justice and healing.

The MPD is dedicated to supporting potential U and T Visa recipients by facilitating access to necessary certifications for U and T Visa applications, as required by law. This commitment underscores the Department's mission to serve all people of the community equitably, protect vulnerable populations, and build a city where trust and collaboration thrive.

II. Procedures

Under federal law, victims and witnesses of certain qualifying crimes may be eligible to obtain temporary immigration status through a U Visa or T Visa as authorized by the U.S. Citizenship and Immigration Services (USCIS) (see 8 U.S.C. § 1101(a)(15)(U), 8 U.S.C. § 1101(a)(15)(T)).

A. Requests for Certification

1. If a victim or witness requests certification for a U Visa or T Visa, the MPD Chief or the Chief's designee may assist by completing the appropriate Department of Homeland Security (DHS) forms:

    - **Supplement B for Form I-918** (U Visa certification)
    - **Supplement B for Form I-914** (T Visa certification)

2. The certification must include details explaining how the person has been, is being, or is likely to be helpful in the investigation or prosecution of a qualifying crime.

3. All requests for certification shall be directed to the U Visa unit for reviewing and processing such requests.

B. Certification Process

1. All requests for U or T Visa certifications will be evaluated on a case-by-case basis and processed solely by the Chief or the Chief's designee.

2. The amount of time that has elapsed since the crime occurred may impact the evaluation. Victims are encouraged to provide detailed information, evidence, and explanations regarding their cooperation and any delays in submitting the certification request.

3. The certification process must include verification of the following for both U and T Visas:

    a. The person is a victim of a qualifying crime or a derivative applicant (i.e., family member of the victim under federal law).

    b. The crime occurred in the United States or violated U.S. extraterritorial law.

    c. The victim has been, is being, or is likely to be helpful in the investigation or prosecution of the crime.

C. Specific Requirements for U Visa Certification

(See Form I-918, Supplement B)

To certify a U Visa application, the Chief's Designee must verify that:

1. The undocumented person was a victim of a qualifying criminal activity (e.g., domestic violence, sexual assault, human trafficking, extortion, or similar crimes).

2. The person has knowledge about the crime and has been or is being helpful to law enforcement in the investigation or prosecution.

3. MPD has determined the victim's helpfulness by reviewing evidence of cooperation, even if the investigation or prosecution was not completed.

D. Specific Requirements for T Visa Certification

(Form I-914, Supplement B)

To certify a T Visa application, the Chief's Designee must verify that:

1. The undocumented person was a victim of a severe form of human trafficking (e.g., labor or sex trafficking).

2. Derivative applicants may include the victim's spouse, children, parents, or unmarried siblings under specific age and relationship criteria outlined by federal law.

3. The victim must demonstrate cooperation with law enforcement efforts to investigate or prosecute the trafficking case.

E. Timelines and Documentation

1. Certification requests shall be completed within 30 business days of receipt.

    a. For applicants in immediate removal proceedings, certifications shall be completed within 5 business days of receipt.

b. Exceptions may apply during states of emergency or other extraordinary events impacting MPD operations.

2. Completed certifications will be returned to the victim or their representative. The Chief's designee shall not send the certification directly to DHS; this is the responsibility of the victim or their representative.

3. In cases where certification is denied, the Chief's designee shall document the decision in the case file and notify the victim or their representative of the decision.

4. All approvals and denials of certifications shall be tracked in an internal log maintained by the U Visa unit.

10-101 Crime Scene Supervision

(02/22/05) (05/13/05)

(A-B)

Crime scene processing will begin after incident stabilization of the scene. Incident command priorities of life safety, search and rescue, and security precede crime scene preservation and processing. (05/15/96)

Only the Watch Commander or on-scene investigative supervisor can relinquish a scene to another investigative agency.

After incident stabilization, the on-scene ranking investigative officer, or designee is in charge of a crime scene within the yellow tape. The on-scene ranking patrol supervisor or designee is in charge of the scene outside the yellow tape. Until an investigative officer arrives, the on-scene patrol supervisor will be responsible for the entire scene. The on-scene patrol supervisor is also in charge of the entire scene when the investigative supervisor leaves the scene. The on-scene supervisor will communicate to the patrol supervisor when they are relinquishing the scene.

Scene security shall remain in place until the Crime Lab personnel have finished processing the scene. Officers working security may only be released from an active scene on agreement between Crime Lab personnel and the on-scene supervisor.

The following log shall be used at all major crime scenes including Critical Incidents and Operation 100's.

Crime Scene Entry Log:

The Crime Scene Entry Log (MP-9011) is available to MPD personnel on the MPD's intranet page under "Forms." All uniformed officers shall have a supply of forms with them.

Immediately after a crime scene has been secured using yellow crime scene tape, it is the on-scene supervisor's responsibility, or their designee's to designate a point of entry and exit into the crime scene. All personnel shall enter and exit the crime scene at the designated point of entry.

The on-scene supervisor shall designate an officer to start and maintain the Crime Scene Entry Log. The officer responsible for the log shall be placed at the point of entry. The officer will record his/her name and badge number, case control number, location, date and time at the start of the log. The officer will then record the names, employee/badge number, date, time in, time out, and the reason for entering the scene of all officers or other personnel that enter the scene

past the yellow tape. All personnel recorded on the log must make a CAPRS statement prior to the end of their shift.

The on-scene patrol supervisor, in consultation with the on-scene investigative supervisor, will designate and set up a staging area outside the yellow crime scene tape for media and other non-MPD staff.

Once all MPD personnel have cleared the scene, the designated officer in control of the log will property inventory the log under the incident case control number.

Red Crime Scene Tape:

Crime Lab Unit personnel will maintain rolls of red crime scene tape. The red tape will be placed around portion(s) of the scene that need to be processed by the Crime Lab Unit. Only Crime Lab Unit personnel and Car 710 will be allowed to cross the red tape. Red tape usage will be at the discretion of the Crime Lab Unit. Once the Crime Lab Unit is finished processing the scene, Crime Lab Unit personnel will remove the red tape.

10-101.01 Crime Scene Supervision – Critically Ill or Injured Children

(12/15/98)

(A-C)

When responding to a call of a child under the age of five, who is DOA or has become suddenly or unexpectedly ill or injured, protocol shall be:

1. Officers shall notify Car 710 and a supervisor, who shall respond to the scene. (06/22/05)

2. Officers shall gather information from the caretaker/parents as to the circumstances surrounding the illness or injury. If more than one parent/caretaker is present, officers should attempt to separate the individuals and gather the information while they are apart. If a parent/caretaker is not at the scene, officers shall attempt to contact them by phone as soon as possible. (06/22/05)

3. Officers shall identify everyone at the scene, including full name, date of birth, address, phone number, etc.

4. If possible, officers shall obtain Fire Department and EMS run numbers, employee names, and ambulance or station number for the offense report.

5. Car 710 or the on-scene supervisor shall make the determination of whether Car 9 should be notified. (06/22/05)

6. Car 710 or the on-scene supervisor may contact the Family Violence Unit for more direction or assistance if needed. (06/22/05)

7. Car 710 or the on-scene supervisor shall make the determination whether the scene should be photographed by Crime Lab personnel. (06/22/05)

8. After clearing the scene, officers shall immediately enter a CAPRS report entitled "DOA, HLTWEL, CHLDAB, or another appropriate CAPRS code."

9. The on-scene supervisor shall determine which officers must make a supplement in the CAPRS report. (06/22/05)

10. Officers shall always err on the side of protecting the child victim or siblings. If other children are in the home, officers must consider their safety and well being. These children may have to be placed on a Health and Welfare hold. Officers shall attempt to place the child(ren) in the care of a responsible relative or another responsible person if the legal parent/guardian agrees to the placement. (06/22/05)

For children five years of age or above, officers may also be called to the scene if paramedics determine that circumstances surrounding the injury or illness are suspicious.

It is important to remember that in these types of cases, things are not always as they appear. It is imperative that officers at the scene balance the need to protect the child's and the parent's rights. Officers shall not openly accuse the caretaker/parent of child abuse.

Officers shall limit their questioning of the child to just getting the basic facts of what occurred. The child may be interviewed at Corner House at a later date, and detailed questioning by police or others may impede the investigation. If possible, separate the child and other child witnesses from the parent if circumstances dictate. (06/22/05)

Notify Child Protection by phone at (612) 348-3552 or fax a copy of the report to (612) 348-9095. (06/22/05)

10-102 Initial or Preliminary Investigations

(A-B)

Preliminary investigations by a responding officer may be very restricted or may constitute the entire investigation of the crime. In a particular crime, the preliminary investigation may be limited by investigative policy, and in all cases it is limited by an officer's assignment workload. An officer should not continue a preliminary investigation to the point where the investigation will jeopardize other job responsibilities or duties.

10-103 Follow-Up Investigation by Uniformed Officers

(A)

Uniformed officers may conduct a follow-up investigation upon approval of their superior officer when there is a reasonable chance of apprehending the suspect, when there is a need for obtaining additional information for the preliminary investigative report, or when there are other compelling circumstances.

10-104 Recommendation Upon Completion of Initial Investigation

(A)

Uniformed officers, upon completion of their initial investigation, will conclude the Offense/Incident Report, if one is required, with one of the following comments:

Recommendation: Case Continued Pending Further Investigation or Leads

This will be used if the decision is not to recommend further use of police investigative resources.

Recommendation: Further Investigation

This will be used if the decision is to recommend further use of police investigative resources.

The recommendation will be expressed in all capital letters and will appear as the last entry in the body of the original Offense/Incident Report double spaced from the offense/incident narrative, if possible.

10-105 Case Closed by Arrest - Misdemeanors

(A)

Uniformed officers, upon completion of their initial investigation, shall close by arrest or citation all Offense/Incident Reports when the following elements are present:

- The crime is a misdemeanor; and
- All known suspects are arrested or issued citations; and
- Victims and witnesses have been interviewed; and
- There is no further investigation required.

The narrative of the Offense/Incident Report must reflect investigative findings supporting the recommended disposition and also the following:

- The full name and date of birth of the suspect.
- Charges, statute or ordinance numbers.
- Citation number, if one is issued.

Example: Case Closed – By Arrest - Citation (#92-99910)
Officer John Doe, Badge #010101
4th Precinct, Squad 410

10-106 Assistance From Crime Lab

(03/14/03) (7/31/07)

The decision to summon Car 21 and/or other Crime Lab personnel to a crime scene shall be made by a supervisor, or lacking a supervisor, the senior officer at the scene. Officers will provide the Crime Lab with the information they require. Requests for assistance from the Crime Lab shall be made via dispatch. MECC shall notify Car 21 for all Critical Incidents and Homicides at the time Car 710 is notified. (12/14/07)

Scene security shall remain in place until the Crime Lab personnel have finished processing the scene. Officers working security may only be released from an active scene upon agreement between Crime Lab personnel and the on-scene supervisor.

Evidence identified at any crime scene which is not photographed or collected by the Investigator or Crime Lab personnel must be identified and documented in a supplemental report as to the reasons why the evidence was not collected or photographed at the scene.

10-107 Notification of Investigators

(07/17/01)

(A-C)

On-duty investigators and the on-duty Watch Commander shall be notified immediately in the following situations:

- Homicides
- Assault with injury on a public safety officer (police, fire, ambulance) or any MPD employee
- All suicides and DOA's - on-duty investigators (04/01/93)
- All suicides and *suspicious* DOA's - Watch Commander
- Serious felonies where suspects are known or apprehended
- Aggravated assaults – with great bodily harm
- Business robberies
- Any robbery where there is serious injury, large loss, the possibility of immediately locating the suspect(s), or when an arrest has been made regarding the robbery
- A case with complex information available at the time of the initial response
- Any serious incident

When practical, requests for investigators and/or the on-duty Watch Commander shall be made by telephone. If the request is made by radio, an officer shall remain in contact with MECC until an investigator or the Watch Commander is contacted.

When uniformed officers are relieved at the scene by investigators, and based on staffing levels, the supervisor shall direct officers to complete all CAPRS reports.

10-108 Death Determination

The primary responsibility of an officer in any situation is to take all steps necessary to preserve life. Except when a person is obviously deceased, it shall be the responsibility of a physician or Emergency Medical Services (EMS) personnel to determine if death has occurred. EMS shall be requested at the scene of an apparent death unless a physician is present or there is not even a remote possibility that the person is alive. (07/17/01)

10-109 Homicide or Suspicious Death Scene

(07/17/01)

The first officer to arrive at a death scene shall notify his/her immediate supervisor. The supervisor shall notify MECC who will then notify Car 710. If a death is suspicious in nature, Car 710 shall make the decision on whether or not to call Car 21 to the scene. (12/14/07) (08/19/15)

If a suspicious death occurs while Car 710 is off duty, Car 9, the on-scene supervisor or MECC shall notify the Commander of the Violent Crimes Investigation Division. The Commander will make the decision on whether or not to call investigators or Car 21 to the scene. (08/19/15)

The supervisor shall also notify the on-duty Watch Commander by telephone, when possible. (12/14/07)

- Request assistance in securing the scene.
- Secure the area where the crime was committed and where the body was found. For an indoor scene, seal off all points of entry and exit. For an outdoor scene, use crime scene tape to immediately rope off the area, securing the largest area possible. Efforts should be made to protect evidence from the elements. Be aware of the possibility of multiple scenes.
- Do not allow any unauthorized persons to enter or leave the scene. Identify any unauthorized persons attempting to enter the scene and relay this information to the on-scene investigator(s). No one shall be permitted to approach the scene until investigators arrive.
- Do not allow anything to be touched or moved at the scene. Do not move a weapon unless it presents an immediate danger. Do not cover the body with anything or allow anyone else to cover the body. If possible, and without disturbing evidence, create a secure environment around the body so that it is not in plain view of the public until the arrival of Homicide or Crime Lab personnel. (12/14/07)
- Homicide investigators or Crime Lab personnel shall be responsible for placing a barrier around the body. The decision of whether or not to cover a body shall only be made by Crime Lab personnel, Homicide investigators or the Commander of the Homicide Unit. (12/01/03) (11/03/06) (12/14/07) (08/19/15)
- If covering the body is not possible, the Commander at the scene will use other methods that might be available, i.e., a vehicle, bus, etc. placed to obstruct viewing by the public. (12/01/03)
- If the decision to cover a body has been made, the deceased will be covered with a sterile sheet provided by the Medical Examiner's Office. Car 21 and all Homicide cars have a supply of pre-packaged sheets. The sheet will be property inventoried. (12/01/03) (08/19/15)
- If anything is touched or moved, inform investigators and document it in the CAPRS report. Do not remove anything from the scene unless instructed by investigators.
- Identify and isolate all witnesses as soon as possible. Identify witnesses by name, date of birth, home address, telephone number, business address, business telephone and business hours. All witnesses will be transported to the Homicide Unit at the direction of

the investigator(s) and/or Watch Commander. If a witness refuses to go to the Homicide Unit, inform the investigator(s) or Watch Commander.

- Eliminate sightseeing at the scene, including police. Do not discuss the incident; direct all requests for information to the on-duty Watch Commander.
- Upon arrival, investigators shall be in charge of the scene. The supervisor shall report to the investigator(s) in charge at the scene and shall provide assistance as needed. When released from the scene and based on staffing levels, the supervisor shall direct officers to complete all CAPRS reports. All police personnel present at the scene shall make a statement unless instructed otherwise by investigators.

The Arson Unit will respond to the scene of fire deaths in the City of Minneapolis and file reports related to the origin and cause of the fire. Follow-up investigations of the fire death shall be performed by the Homicide Unit. (06/10/13)

Photographs at homicide or suspicious death scenes shall only be taken by Crime Lab personnel or by persons authorized by the Homicide Unit investigators. (11/03/06) (12/14/07) (06/10/13) (08/19/15)

At non-suspicious death scenes officers may use department-issued digital cameras to take photographs when approved by a supervisor. Under normal circumstances Car 21 does not collect any type of evidence at a suicide scene; all evidence is collected by the Hennepin County Medical Examiner's Office. (06/10/13) (08/19/15)

All photographs taken at death scenes are the property of the Minneapolis Police Department and shall be inventoried in the Property and Evidence Unit or retained in the Crime Lab. (06/10/13)

10-110 Notification of the Medical Examiner

(07/17/01)

(A-B)

In the event of a homicide or suspicious death, an on-scene Homicide investigator shall notify the Medical Examiner's office as soon as possible.

In all other deaths, officers shall notify the Medical Examiner's office by telephone, even if a qualified physician is present. Personnel from the Medical Examiner's office will determine whether they will investigate the scene or release the body to a funeral home.

10-111 Searching Dead Bodies

(B-D)

Officers shall prevent anyone other than investigators or personnel from the Medical Examiner's Office from searching dead bodies. A witness, preferably a family member, shall be requested to remain at the scene and shall be identified in the Offense/Incident Report. Any personal effects taken from the deceased by anyone shall be documented in the report. Death weapons or other property of the deceased, when taken for evidence, shall be itemized and signed for by the officers when so requested by the Medical Examiner.

10-112 Transportation of Dead Bodies

(B-C)

A dead body shall only be moved after the Medical Examiner's Office directs the removal. Dead bodies under the jurisdiction of the Medical Examiner will be removed by Medical Examiner personnel.

10-113 Dead Bodies – Offense/Incident Reports

(A)

When officers are assigned a dead body call and there are no suspicious circumstances, the officers shall make an Offense/Incident Report titled "DOA" (Dead On Arrival). The report shall include all pertinent information regarding identification, probable cause of death, name of doctor and removal of the body.

If the identity of the body cannot be established after the medical examiner arrives, officers shall use "unknown" for the victim's name on the report. A complete description of the victim shall be included.

It is expected that officers will give reasonable aid and comfort to the family members present and ensure that they are able to make necessary arrangements. Services of an MPD Community Chaplain or other clergy may be offered. (07/21/16)

10-114 Notification to Relatives

(A)

It is the legal responsibility of the Medical Examiner's Office to make proper notification to relatives of the deceased. Officers may at times assume this responsibility when it might be helpful to the investigation. Officers shall inform the Medical Examiner of these special circumstances. (01/28/94)

10-115 Predatory Offender Registration

(08/21/00) (04/18/08)

(A-D)

Per Minnesota State Statute 243.166, offenders are required to register their address with local law enforcement within 5 days prior to changing addresses. This may be done between the hours of 0800 and 1600, Monday through Friday, at the MPD Sex Crimes Unit which is located in City Hall Room 124.

All registration data is **Private Data** to be used for law enforcement purposes only.

Any questions may be directed to the Sex Crimes Unit at 673-3081.

10-115.01 Predatory Offender Community Notification

(08/11/99) (04/18/08)

(A-D)

All convicted predatory offenders released from prison, and required to register with their local police department under MN State Statute 243.166s1, will be given a risk assessment by the Department of Corrections. The risk assessment levels and required notifications are as follows: (04/18/08)

Level I - Low risk of re-offense. The Department may notify other law enforcement agencies where the offender is likely to be encountered and shall notify any victims of or witnesses to the offense committed by the offender. Notification shall be made to victims who requested disclosure. No community notification required.

Level II - Moderate risk of re-offense. Notification as in Level I. Additionally, the fact sheet may be disclosed to the staff members of public and private educational institutions, daycare facilities and other establishments and organizations that primarily serve individuals likely to be victimized by the offender, based on the offender's victim preference or pattern of offending.

Level III - High risk of re-offense. Notification as in Levels I and II. Community notification meetings shall be held per MN State Statute 244.052s4. Alternative notification methods may be used in certain circumstances.

If the offender is assessed at Level II or III, and is residing in a residential treatment facility for offenders, no disclosure shall be made to any person, agency, or organization other than those notified under Level I until the offender is released from the treatment facility.

Information on Registered Predatory Offenders can only be released to the public in the following circumstances: (04/18/08)

- The offender has been given a 'Level Three' classification by the State of Minnesota, OR
- The offender is assigned any other level and has been listed as "Non-Compliant" by the MN Bureau of Criminal Apprehension (BCA) for over 30 days.

No information can be released to the general public in regards to offenders who do not meet these criteria.

The Community Notification Coordinator shall distribute fact sheets of convicted predatory offenders to each precinct/command. Each precinct/command shall maintain a file of the predatory offender fact sheets.

Each precinct may also utilize the Intranet to collect the most up-to-date information about Level I, II and III predatory offenders. The data provided via the Intranet is strictly confidential and for MPD use only.

The precincts/command shall provide the public information of Level III offenders per MN State Statute 224.052s4 to individuals requesting information under the Community Notification Law. Intranet data shall be updated and maintained by the Community Notification Coordinator. The Community Notification Coordinator shall be responsible for the timely management and maintenance of a Level III Predatory Offender Information Website.

10-116 Officer-Involved Shootings
(10/03/88)

(B)

The On-Duty Watch Commander and a member of the Police Administration shall be notified by the Emergency Communications Center of all officer involved shootings. The On-Duty Watch Commander shall proceed to the scene of the shooting. Attendance at the scene by a member of the Police Administration shall be at the discretion of the Chief or one of the Bureau Heads. (02/27/89)

The ranking investigative officer present is in charge of the crime scene.

10-117 Evidence Processing
(04/18/08) (05/03/13)

All evidence that is collected by MPD personnel shall be property inventoried per MPD Policy and Procedure Manual, Section 10-400 Property and Evidence, prior to submitting any requests for forensic analysis.

All evidence shall be processed by the MPD Crime Lab if the requested service is a discipline that the MPD Crime Lab is equipped and trained to provide. No evidence shall be taken to any outside agency for analysis without the prior written approval of the MPD Crime Lab Commander or his/her designee.

Evidence to be processed by the MPD Crime Lab shall be submitted to the MPD Crime Lab using the Investigator's Request for Service Form (MP-9010). All work requests will be screened and logged by the Crime Lab Unit.

If investigators have evidence that the MPD Crime Lab does not have the capability to process (i.e. DNA, trace evidence, questioned documents), but can be processed by the Minnesota Bureau of Criminal Apprehension (BCA) Forensic Laboratory, the requesting investigator shall bring the evidence to the BCA to be analyzed. (05/03/13)

10-117.01 Surveillance Video Collection and Forensic Video Analysis
(03/10/09)

Officers and investigators shall make a reasonable effort to collect pertinent surveillance video recordings while on-scene at a crime scene, if the video can be retrieved and downloaded immediately. Video evidence shall be property inventoried in accordance with Section 10-400, Property and Evidence.

In the event of a homicide or Critical Incident, Car 21 will collect surveillance video recordings, complete necessary Crime Lab work orders, and notify Crime Lab Unit (CLU) Forensic Video Analysis personnel of immediate video analysis needs. If immediate retrieval is not possible, the CLU Forensic Case Coordinator shall be responsible for completing the documentation and work

orders necessary for later collection of video evidence from a specified location/scene by CLU personnel.

If an incident (other than a homicide or Critical Incident) just occurred and the immediate identification of additional evidence or leads is vital, video evidence can be brought directly to the Crime Lab Unit (CLU) and will be prioritized per CLU policy. If a Forensic Video Analyst is not available or if the equipment is in use and cannot be interrupted, the investigator will be advised so other options can evaluated and pursued as necessary.

Note: A recent homicide, Critical Incident or request from Police Administration will be given immediate priority by CLU Video Analysts and take precedence over any other case awaiting analysis by an investigator or attorney.

To obtain Forensic Video Analysis services, case investigators shall complete an "Investigator's Request for Service" Form (MP-9010) and ensure the following information is provided:

1. Case Control Number;

2. Investigator contact information (name and phone numbers, including desk and cell);

3. Location of surveillance video evidence (if applicable);

4. Mark the "other" box and include comments describing what service is needed (i.e. copy of video, still photos printed, retrieval from specific address/location, immediacy, etc.) and

5. A description of specific evidentiary information to identify on video (i.e. suspect including clothing, specific actions, time frame of incident, etc).

If it is determined that the processing/analysis services required are not available in the MPD Crime Lab, prior written approval for the use of outside services must be obtained from the CLU Director or his/her designee.

Forensic Video Analysts will contact investigators for further information as needed.

10-117.02 Statements Regarding Surveillance Video Identifications and Comparisons

(03/10/09) (05/24/13)

Only a qualified Forensic Video Analyst can make, and testify to, comparisons done using video. Case reports and supplements must not state that persons or suspects have been positively identified or preliminarily identified from surveillance media by anyone other than trained forensic video analysts. (05/24/13)

This does not preclude employees from developing a description of an individual (e.g. clothing appeared similar, suspect appeared similar to, etc.) based on video evidence and using that

description as reasonable suspicion to stop and investigate an individual fitting that description. (05/24/13)

10-201 Allocation of Resources

(A-C)

Priority of investigation and allocation of resources must be based upon the relative seriousness and solvability of each reported crime. Reported crimes will be investigated to the fullest extent possible without regard to the status of the victims or the areas of the City in which the crime occurs. (04/01/93)

10-202 Plainclothes Officers and Undercover Operations

(05/26/04) (08/16/04) (06/29/16) (11/23/22)

I. Purpose

The Department may use plainclothes officers in details or in undercover operations, to obtain information and evidence regarding criminal activities.

II. Definitions

"John": An individual who engages in prostitution by hiring, offering to hire or agreeing to hire another individual to engage in sexual contact.

Plainclothes Detail: Plainclothes details use plainclothes officers to perform overt law enforcement activities, where the officers involved are wearing attire other than a sworn officer uniform. Plainclothes details may involve officers in "soft" uniforms (with "Police" markings), Class "D" uniforms (P&P 3-115), or officers in civilian attire.

Plainclothes Officer: A plainclothes officer performs law enforcement activities in attire other than a sworn officer uniform. When operating in an undercover operation, a plainclothes officer may wear attire to pose as a criminal or to conceal their identity as a police officer during in-person encounters.

Prostitute: An individual who engages in prostitution by being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual contact.

Prostitution: Hiring, offering to hire, or agreeing to hire another individual to engage in sexual contact, or being hired, offering to be hired, or agreeing to be hired by another individual to engage in sexual contact.

Sex Trafficking: Sex trafficking means:

1. Receiving, recruiting, enticing, harboring, providing or obtaining by any means an individual for prostitution; or

2. Receiving profit or anything of value, knowing or having reason to know it is derived from an act of prostitution.

Undercover Operation: Undercover operations use plainclothes officers to perform covert activities in criminal investigations, to gather evidence against individuals or groups engaged in criminal activity.

III. Policy

A. No Entrapment

Plainclothes officers shall not intentionally engage in entrapment.

Entrapment is when a person to commits an act or engages in conduct otherwise criminal, if the criminal design does not originate with the person, but is conceived in the mind of a government agent, and the person is by coercion, persuasion, deceitful representation, or inducement lured into committing an act the person otherwise would not have committed and had no intention of committing.

B. Undercover Status for Data Protection Purposes

1. The Chief of Police or the Chief of Police's designee determines the undercover status of any officer.

   a. Officers do not self-designate their undercover status.

   b. The person approving the undercover status shall communicate this approval in writing to the Commander overseeing the Records Information section so the proper data practices protections can be put in place.

2. An officer with undercover status needs their identity as a police officer to remain covert on an ongoing basis, and the officer's ability to constantly conceal their identity as a police officer is fundamental to that officer's ability to fulfill their job assignment which includes being a third-party observer of illegal activity or posing as a criminal to catch others engaging in illegal activity. An officer with undercover status must maintain cover or an alias on a long-term or ongoing basis.

3. Officers with undercover status that willfully identify themselves publicly as police officers in situations including but not limited to: performing off-duty law-enforcement-related jobs in or out of uniform, appearing in media stories or publicly engaging in social media in a manner in which the officer is identifiable as a police officer, will no longer be considered to have undercover status.

IV. Procedures/Regulations

A. Supervisor Responsibility

1. Supervisor approval

   A supervisor shall approve all planned plainclothes details or undercover operations.

2. Supervisor presence

   Some plainclothes details and undercover operations also require that a supervisor be present for the detail or operation (in addition to supervisor approval). These include, but are not limited to, controlled buys of illegal contraband or firearms, prostitution stings, and search warrants of structures (in accordance with P&P 9-301).

B. Undercover Operations Involving Prostitution

This section is intended to provide guidance for officers conducting undercover operations involving prostitutions. Investigations of this nature can be extremely difficult to conduct and are often closely scrutinized by the media, the public and the courts. To protect the integrity of the officer and the agency and to ensure successful prosecution of these cases, it is essential that these guidelines are followed and that officers conduct themselves in a professional manner during such operations.

1. It is the policy of the Minneapolis Police Department that officers shall not engage in sexual contact, expose their genitals, or commit other criminal offenses, to convince others that they are not associated with law enforcement.

   a. A plainclothes officer in a decoy role shall not expose their private body parts, including female breasts, to a john or a prostitute, and shall not touch the private body parts, including female breasts, of a john or a prostitute.

   b. A plainclothes officer in a decoy role shall document in their report any unsolicited touching of the officer's private body parts by a john or a prostitute.

      i. The officer shall immediately disengage from the unsolicited touching and document how that was accomplished in the report.

2. All complaints of prostitution or sex trafficking occurring in a "massage parlor" shall be referred to Regulatory Services for licensing investigation.

C. Response to Calls and Identification of Plainclothes Officers

The quick and effective recognition of plainclothes officers is important for the safety of plainclothes officers, uniform officers responding to a scene, and the public.

1. Response to calls for service

   a. Plainclothes officers should only respond to calls for service when the responding plainclothes officer can be clearly recognized as a police officer, unless a non-response by the plainclothes officer would likely result in injury to another.

   b. Plainclothes officers should always assume they are not identifiable or recognized by other responding officers. They should always announce their non-uniformed response to an incident by notifying MECC Dispatch, and give a general description of themselves and their squad or vehicle.

2. Display identification

   When taking police action in plainclothes, officers shall display their badge or department-issued identification card. Whenever feasible, plainclothes officers should be wearing identifiable police jackets or vests when taking police action or at a crime or incident scene.

3. Obey orders by other officers

   Due to the possibility that plainclothes officers are often not recognized by other officers, they shall obey all orders given to them by other officers, including orders to disarm themselves, place their hands in the air or assume other non-threatening positions.

4. Uniformed response

   When circumstances permit, the use of uniformed officers is required to make arrests, traffic stops, or investigatory stops.

   a. In accordance with the policy on Search Warrants (P&P 9-301), a uniformed officer shall be present when executing a search warrant.

   b. All non-uniform officers participating in the execution of a search warrant shall wear an outermost garment with the word "POLICE" on it.

10-203 Confidential Informants

(11/23/22)
Revisions to prior policies: (07/06/06) (01/31/02)

I. Purpose

The purpose of this policy is to establish procedures and protocols so employees take the necessary precautions concerning the recruitment, control and use of confidential informants.

Additionally, MN Statute section 626.8476 Subd. 3 requires the MPD to establish and enforce a written policy governing the use of confidential informants.

II. Definitions

CI File*:* A file maintained to document all information that pertains to a confidential informant (CI).

Compelling Public Interest*:* For purposes of this policy, a compelling public interest applies to situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for people, property, or public safety and therefore demand action.

Source of Information: A general term used to describe a person or piece of technology that provides information to law enforcement related to criminal activity.

Cooperating Defendant (CD): A person who has been charged with a criminal offense and the matter has not been adjudicated or otherwise been resolved by the Court. The information provided by a CD and the identity of a CD may or may not be considered confidential, depending on the circumstances. There are additional specific requirements that must be met before a CD can be considered a Source of Information. Decisions about CDs must be made in conjunction with the appropriate prosecutorial agency.

Confidential Source (CS): A person or piece of technology that provides information to law enforcement related to criminal activity, where the identity is confidential or unknown.

Citizens:

Anonymous Citizen: A person who has come forward on a voluntary basis and is willing to provide information about a crime but does not disclose their identity. This person is not willing to be identified in police reports and will not testify voluntarily in any criminal proceedings.

Confidential Citizen: A person who has come forward on a voluntary basis and is willing to provide information about a crime with the understanding that their identity will only be known to law enforcement officials. This person is not willing to be identified in police reports and will not testify voluntarily in any criminal proceedings.

Tipster: A person who contacts a crime tip-line and provides information for either a current or inactive investigation. The identity of a tipster is generally assumed to be unknown or confidential.

Informants:

Confidential Informant (CI): A person who cooperates with a law enforcement agency confidentially in order to protect the person or the MPD's intelligence gathering or investigative efforts, and;

1. Seeks to:

    a. Avoid arrest or prosecution for a crime; or

    b. Mitigate punishment for a crime in which a sentence will be or has been imposed; or

    c. Receive a monetary or other benefit;

and

2. Is able, by reason of the person's familiarity or close association with suspected criminals, to:

    a. Make a controlled buy or controlled sale of contraband, controlled substance, or other items that are material to a criminal investigation; or

    b. Supply regular or constant information about suspected or actual criminal activities to a law enforcement agency; or

    c. Otherwise provide information important to ongoing criminal intelligence gathering or criminal investigative efforts.

Confidential Reliable Informant (CRI): A person providing information to the MPD at the direction of an MPD Handler over time that has been useful in the furtherance of a criminal investigation or has resulted in the recovery of contraband.

Information provided by a CRI is recognized by the Court as more reliable than that of a CI, which has resulted in the Court allowing law enforcement greater latitude when using CRI information.

Non-Confidential Sources (NCS): A person or piece of technology that provides information to law enforcement related to criminal activity, where the identity is known and can be identified in documents or proceedings.

Identified Citizen: A person who has come forward on a voluntary basis and is willing to provide information about a crime. This person is willing to be identified in police reports and will testify in any criminal proceedings that may arise from the information they have provided. Prior to using this information, the following shall occur;

1. Positively identify the citizen using a valid government identification card or other form of official picture identification.

2. Document the citizens phone number(s), e-mail, home address and place of employment.

Identified Technology: A piece of technology or information system that provides information used by law enforcement related to criminal activity, where the technology or system is identified in documents or proceedings. The information provided by Identified Technology is generally considered reliable. Examples include, but are not limited to:

- Shotspotter
- Video or audio recordings
- Open-source media platforms

Controlled Buy: The purchase from a target offender of contraband, controlled substances, or other items that are material to a criminal investigation, where the purchase is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a CI.

Controlled Sale: The sale to a target offender of contraband, controlled substances, or other items that are material to a criminal investigation, where the sale is initiated, managed, overseen, or participated in by law enforcement personnel with the knowledge of a CI.

Custodian of Records: The person designated by the Chief, who is responsible for tracking and maintaining CI records.

Forms:

CI Suitability Report: A report compiled by the Handler regarding the risks and benefits of using the person as a CI, including sufficient detail so that a sound determination can be made. The form number is MP-9103.

Initial Suitability Report: A Suitability Report compiled prior to use of the person as a CI by the MPD.

Continuing Suitability Report: A Suitability Report compiled every six months, at a minimum, to evaluate the ongoing risks and benefits of continuing to use the person as a CI.

CI Cooperating Agreement: The agreement signed by a person before they can take on the role of a CI for the MPD, specifying conditions and acknowledgements. The form number is MP-2802.

CI Special Approval Consultation Form: The form used to document consultation with the Chief or the Chief's designee and the prosecutor or count attorney that is required prior to using juveniles, people obligated by legal privilege of confidentiality or government officials as CIs. The form number is MP-9104.

CI Receipt for Services or Contraband: The form used to document each use of a CI, the exchange of funds or contraband, and the required screening in the case of buys or sales of controlled substances. The form number is MP-2801.

CI Deactivation Form: The form used when a person's role as an MPD CI is deactivated, specifying conditions and acknowledges regarding the deactivation. The form number is MP-9105.

Handler*:* The employee primarily responsible for supervision and management of a CI.

Mental Harm: A psychological injury that is not necessarily permanent but results in visibly demonstrable manifestations of a disorder of thought or mood that impairs a person's judgment or behavior.

Target Offender: The person suspected by law enforcement personnel to be implicated in criminal acts by the activities of a CI.

Unreliable CI File: A file containing information pertaining to a person who has failed at following the established written CI Cooperating Agreement and has been determined to be generally unfit to serve as a CI.

III. Policy

A. Follow Procedures

1. CIs shall not be used without authorization of the MPD through procedures identified in this policy.

2. CIs shall be managed in accordance with the MPD Managing Confidential Funds & Informants Manual.

B. Training Required

1. In accordance with MN Statute section 626.8476 Subd. 4, the MPD shall provide in-service training in the recruitment, control, and use of CIs to every peace officer employed by the MPD who the Chief determines is involved in working with CIs given the officer's responsibilities. The training shall comply with learning objectives based on the policies and procedures of the model policy developed and approved by the board.

2. Employees shall not recruit, control or use CIs unless they have received the required training.

C. Employee Relationships with CIs

1. Employees shall not knowingly maintain a social relationship with a CI, or otherwise become personally involved with a CI beyond actions required in the performance of duty.

2. Employees shall not solicit or accept gratuities from or engage in any private business transaction with a CI.

D. Assets of the MPD

CIs shall be treated as assets of the MPD, not the individual Handler.

E. Preferential Treatment or Consideration

CIs will sometimes offer to exchange information for immunity, consideration in sentencing, or for their release from criminal charges.

1. No promises or guarantees of preferential treatment within the criminal justice system shall be made to any CI without prior approval from the prosecuting authority.

2. Any employee seeking to make an agreement to exchange information for release from arrest or for requesting special charging or sentencing consideration from the prosecuting authority or court, shall have the prior approval of the employee's Commander or Inspector.

3. Agreements shall be documented in accordance with the MPD Managing Confidential Funds & Informants Manual.

F. Purposes of Information

CIs shall not be used to gather information purely of a political nature or for other information-gathering efforts that are not connected with a criminal investigation.

G. No Entrapment

CIs are prohibited from engaging in actions or activities that could be deemed entrapment.

Entrapment is when a person to commits an act or engages in conduct otherwise criminal, if the criminal design does not originate with the person, but is conceived in the mind of a government agent, and the person is by coercion, persuasion, deceitful representation, or inducement lured into committing an act the person otherwise would not have committed and had no intention of committing.

H. No Guarantee of Anonymity

While all reasonable efforts will be taken to protect a CI's or confidential citizen's identity, law enforcement cannot guarantee that the name will not be released.

IV. Procedures

A. Initial Suitability Determination

An initial suitability determination shall be conducted on any person being considered for a role as a CI. The initial suitability determination includes the following:

1. Initial Suitability Report

   a. Report required

      i. An officer requesting use of a person as a CI shall complete an Initial Suitability Report (using the CI Suitability Report form, MP-9103).

      ii. The report shall be submitted to the appropriate person or entity, as determined by the Chief, to review for potential selection as a CI.

      iii. The report shall include sufficient detail regarding the risks and benefits of using the person so that a sound determination can be made.

   b. Report elements

      The following information shall be addressed in the report, where applicable:

      i. CI demographics

         - Name, aliases, and date of birth
         - Height, weight, hair color, eye color, race, sex, scars, tattoos, or other distinguishing features
         - Employment status
         - Marital status and number of children

      ii. CI contact information

         - Current address and phone number
         - Emergency contact information
         - Current employer, position, address, and phone number

      iii. CI record

         - Prior record as a witness
         - Prior or current service as a CI with this or another law enforcement organization
         - Criminal history, to include whether the person is the subject of a pending investigation, is under arrest, or has been charged with a crime
         - Consultation with the person's probation, parole, or supervised release agent, if any

iv. CI relationships

- Affiliation with legitimate businesses and illegal or suspicious enterprises
- Relationship with the target of an investigation
- Relationship to anyone in law enforcement
- Gang affiliations or other organizational affiliations

v. CI motivation

- Motivation in providing information or assistance

vi. Information provided

- Extent to which provided information can be corroborated
- Briefs of information provided by the CI and the CI's subsequent reliability (if applicable)

vii. Impact on other investigations

- Extent to which potential information, associations, or other assistance could benefit a present or future investigation
- Risk of adversely affecting an existing or future investigation

viii. Risks involved

- Risk to the public
- Risk of flight by CI
- Risk of physical harm to the potential CI or their immediate family or relatives for cooperating with law enforcement
- Consideration and documentation of the person's diagnosis of mental illness, substance use disorder, traumatic brain injury, or disability; and consideration and documentation of the person's history of mental illness, substance use disorder, traumatic brain injury or disability
- Documentation and special consideration shall be made of the risks involved in engaging a prospective or current CI in the controlled buy or sale of a controlled substance if the person is known, or has reported, to have experienced a drug overdose in the previous 12 months

ix. Other CI information

- Residential addresses in the last five years
- Social media accounts
- Vehicles owned and their registration numbers
- Places frequented
- Special skills and hobbies
- Special areas of criminal expertise or knowledge

2. Supervisor review and determination

   Prior to a person's use as a CI, a supervisor or other designated authority shall review the Initial Suitability Report and determine if the person is authorized to serve as a CI.

3. Exclusion from buys and sales

   a. Any prospective or current CI shall be excluded from engaging in a controlled buy or sale of a controlled substance if the prospective or current CI:

      i. Is receiving in-patient treatment or partial-hospitalization treatment administered by a licensed service provider for a substance use disorder or mental illness.

         or

      ii. Is participating in a treatment-based drug court program or treatment court.

         Except that:

   b. The prospective or current CI may provide confidential information while receiving treatment, participating in a treatment-based drug court program or treatment court.

4. Referral to services

   a. Any prospective or current CI who is known to abuse substances, or is at risk for abusing substances, should be provided referral to prevention or treatment services.

   b. Any prospective or current CI that has a physical or mental illness that impairs the ability of the person to understand instructions and make informed decisions should be referred to a mental health professional or other appropriate medical professional, or a case manager or social worker from the county social services agency, or other substance use and mental health services.

5. Special approval for certain people

   Certain people who are being considered for use as a CI require special review and approval.

   a. In all instances, the Chief or the Chief's designee and the office of the prosecutor or county attorney shall be consulted prior to the use of the following people as CIs:

      - Juveniles
      - People obligated by legal privilege of confidentiality
      - Government officials

      i. The Handler shall document the consultation, including the positions and people consulted, on the CI Special Approval Consultation form (MP-9104).

b. Additionally, use of a juvenile under the age of 18 for participating in a controlled buy or sale of a controlled substance or contraband may be undertaken only with the written authorization of the person's parent(s) or guardian(s).

i. Authorization for such use shall only be granted when a compelling public interest can be demonstrated.

aa. A compelling public interest applies to situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for people, property, or public safety and therefore demand action.

ab. The Handler shall document the compelling public interest on the form.

ii. A juvenile may provide confidential information without authorization of the parent(s) or guardian(s), when provided as an Anonymous Citizen, Confidential Citizen or Tipster.

c. Juveniles under the guardianship of the State shall not be used as a CI.

B. Exigent CIs

In certain circumstances a person who has been arrested is willing to immediately cooperate and perform investigative activities under the direction of a Handler.

1. In these circumstances, the initial suitability determination can be deferred and a person may be used as a CI for a period not to exceed 12 hours from the time of arrest if all of the following apply:

a. The person is **not** excluded from use as a CI under [IV-A-3] of this policy.

b. There is compelling public interest or exigent circumstances exist that demand immediate utilization of the person as a CI and any delay would significantly and negatively affect any investigation.

i. A compelling public interest applies to situations in which failure to act would result or likely result in loss of life, serious injury, or have some serious negative consequence for people, property, or public safety and therefore demand action.

c. A supervisor has reviewed and approved the person for utilization as a CI under these circumstances.

2. Upon the conclusion of the 12-hour window, or at any time before, an initial suitability determination shall be conducted before the person engages in any further CI activities.

C. Continuing Suitability

1. Each CI's suitability shall be reviewed every 6 months, at a minimum, during which time the CI's Handler shall submit a Continuing Suitability Report (using the CI Suitability Report form, MP-9103), completing all of the elements and requirements of an Initial Suitability Report.

2. Any information that may negatively affect a CI's suitability during the course of their use shall be documented in the CI's file and forwarded to the appropriate authorized personnel as soon as possible.

D. Supervisor Review in CI Management Process

1. Supervisors shall review CI files regularly with the Handler.

2. Supervisors shall attend debriefings of CIs periodically as part of the CI management process, every six months at a minimum.

3. If a CI is active for more than 12 months, a supervisory meeting with the CI shall be conducted **without** the Handler.

E. Inactive Status

1. CI contracts shall be terminated, and the CI file placed in inactive status when the CI has not been used for 6 months or more.

2. An initial suitability determination shall be conducted on a reactivated CI regardless of the length of inactivity.

F. CI Agreement

1. All CIs shall sign and abide by the provisions of the MPD's CI agreement (CI Cooperating Agreement, form MP-2802).

2. Any physical or mental illness that impairs the CI's ability to knowingly contract or otherwise protect the CI's self-interest shall be taken into consideration before the CI signs the agreement.

3. The CI's Handler shall discuss each of the provisions of the agreement with the CI, with particular emphasis on the following:

   a. CIs may voluntarily initiate deactivation, whereupon a CI Deactivation form shall be completed (per section [IV-M]).

   b. CIs are not law enforcement officers. They have no arrest powers, are not permitted to conduct searches and seizures, and may not carry a weapon while performing activities as a CI.

c. CIs found engaging in any illegal activity beyond what is authorized by the MPD and conducted while under the supervision of a Handler, may be subject to prosecution.

d. CIs are prohibited from engaging in actions or activities that could be deemed entrapment. The meaning of the term and implications of such actions shall be explained to each CI.

e. CIs are prohibited from engaging in self-initiated information or intelligence gathering without MPD direction and approval. The CI must not take any actions in furtherance of an investigation without receiving specific instructions from the Handler or MPD.

f. Every reasonable effort shall be taken to ensure the confidentiality of the CI but, upon judicial order, the CI may be required to testify in open court.

g. CIs may be directed to wear a listening and recording device.

h. CIs shall be required to submit to a search before and after a controlled purchase.

i. CIs who participate in unplanned or unanticipated activities or meet with a subject under investigation in a location outside of the jurisdictional boundary of the MPD must promptly report that activity or meeting to their Handlers.

G. Confidentiality About CI and CI Safety

1. Safety procedures

   a. Reasonable efforts and precautions shall be made to help protect the identity of a CI during the time the person is acting as a CI.

   b. Procedures shall be instituted to assist CIs with concealing their identity and maintaining their safety.

   c. Care should be given not to expose CIs to unnecessary safety risks.

2. Meetings

   a. Meetings with a CI shall be conducted in private with another officer or agent present and with at least one officer or agent of the same sex, except when not practical.

   b. The meeting location should minimize the potential for discovery of the CI's cooperation and provide sufficient space to complete necessary administrative duties.

   c. The meetings shall be documented and subsequently entered into the person's CI file. Documentation shall include the date, time and location, attendees, and subject of the meeting. The documentation shall be provided to the Custodian of Records for inclusion in the file.

3. Communications plan

    a. Handlers shall develop and follow a communications strategy and plan with the CI that minimizes, to the greatest extent possible, the risk of discovery or compromise of the relationship between the MPD and the CI.

    b. This plan should also aim to prevent the detection, compromise, or interception of communications between the Handlers and the CI.

4. Risk or threat of harm

    a. Reasonable protective measures shall be provided for a CI when any MPD employee knows or should have known of a risk or threat of harm to a person serving as a CI and the risk or threat of harm is a result of the CI's service to the MPD.

    b. Handlers shall:

        i. Evaluate and document the criminal history and propensity for violence of target offenders; and

        ii. To the extent allowed, provide this information to the CI if there is a reasonable risk or threat of harm to the CI as a result of the CI's interaction with the target offender.

5. Omit CI name in warrant affidavit

    The name of a CI shall not be included in an affidavit for a warrant unless judicial authority is obtained to seal the document from the public record or the CI is a subject of the investigation upon which the affidavit is based.

6. Screen CI for buys and sales

    Preceding or following every buy or sale of controlled substances, Handlers shall screen the CI for any personal safety or mental health concerns, risk of substance abuse, or potential relapse in any substance abuse recovery.

    a. At the request of the CI, or if the Handler deems it necessary, reasonable efforts should be taken to provide the CI with referrals to substance abuse or mental health services.

    b. Handlers shall document the following on the CI Receipt for Services or Contraband form (MP-2801), per section [IV-N-3]:

        i. The screening of the CI,

        ii. Any referral to services provided to, or requested by, the CI, and

iii. Any refusal by the CI to participate in the screening and any refusal by the CI to accept referral to services. Reasons for the CI's refusal shall be documented, where applicable.

c. No part of this subsection supersedes MN Statute section 253B.05, Subd. 2 regarding Emergency Admission (see P&P 7-809).

7. Continue confidentiality and safety

a. People leaving employment with the MPD have a continuing obligation to maintain as confidential the identity of any CI and the information the CI provided unless obligated to reveal such identity or information by law or court order.

b. All reasonable efforts shall be taken to maintain the safety and anonymity of the CI after deactivation.

H. Confidentiality From CI

1. Officers shall take the utmost care to avoid conveying any confidential investigative information to a CI, such as the identity of other CIs, surveillance activities, or search warrants, other than what is necessary and appropriate for operational purposes.

2. Under no circumstances shall a CI be allowed access to restricted areas or investigators' work areas within a law enforcement agency.

I. Information provided by CI

1. Whenever possible, officers shall corroborate information provided by a CI and document efforts to do so.

2. Handlers are responsible for ensuring that information of potential value to other elements of the MPD is provided promptly to authorized supervisory personnel or other law enforcement agencies as appropriate.

J. CI Activity Outside MPD Jurisdiction

1. Handlers of CIs who will be engaging in operational activity in locations outside the jurisdictional boundaries of the MPD shall coordinate with counterparts in law enforcement agencies that have jurisdiction in that location where the CI will operate before any activity occurs, unless the Chief or the Chief's designee has approved otherwise.

2. If unanticipated activity occurs outside the jurisdictional boundaries of the MPD and is brought to the attention of the Handler, they shall coordinate in a timely manner after with counterparts in law enforcement agencies that have jurisdiction in that location.

3. The Chief or the Chief's designee may review and approve a decision to delay notification to or coordination with an outside agency having jurisdiction in the area where a CI has or may operate. The Handler shall document the decision and approval.

K. Establishment of a CI File System

A CI file system shall be established as follows:

1. The Chief shall designate a file supervisor who shall be responsible for developing and maintaining master CI files and an indexing system.

2. A file shall be maintained on each CI deemed suitable by the MPD.

3. Each CI shall have an information identification control number assigned when they are initially registered as a CI.

4. An additional Unreliable CI File shall be established for CIs deemed unsuitable during initial suitability determinations or at a later time.

5. Each file shall be coded with the assigned CI identification control number within the indexing system and shall include the following information, where applicable:

   a. The Initial Suitability Report and any Continuing Suitability Reports, including the required attachments and information.

   b. The CI Special Approval Consultation Form (if applicable).

   c. A copy of the signed CI Cooperating Agreement.

   d. The CI Deactivation Form (if applicable).

6. CI files shall be maintained in a separate and secured area.

7. The file supervisor shall ensure that information concerning CIs is strictly controlled and distributed only to officers and other authorities who have a need and a right to such information.

L. CI File Review

1. Sworn personnel may review a person's CI file only upon the approval of the Chief or the Chief's designee.

2. The requesting officer shall submit a written request explaining the need for review. A copy of this request, with the officer's name, shall be maintained in the person's CI file.

3. Officers shall not remove, copy, or disseminate information from the CI file.

4. CI files shall be reviewed only in designated areas of the law enforcement facility and returned as soon as possible to their secure file location.

5. All disclosures or access to CI files shall be recorded by the file supervisor, to include information such as the requesting officer or agency, the purpose of access or disclosure, the information conveyed, and the date and time of access or dissemination.

6. No portion of a person's CI file shall be entered into any other electronic or related database without controls sufficient to exclude access to all but authorized personnel with a need and a right to know.

M. Deactivation of CIs

When deactivating a CI, the Handler shall complete a CI Deactivation Form (MP-9105) that includes, at minimum, the following:

1. The name of the CI.

2. The control number of the CI, where applicable.

3. The date of deactivation.

4. The reason for deactivation.

5. Whether the CI can or should be reactivated if the need arises. If not, the reason(s) why.

6. A notification that contractual agreements regarding monetary re-numeration, criminal justice assistance, or other considerations, specified or not, are terminated.

7. A notification that the MPD will provide and assist the CI with referrals to health services for assistance with any substance use disorder or physical, mental, or emotional health concerns, as requested or accepted by the CI.

8. A signature by the CI or documentation indicating the reason(s) why the CI was unable or unwilling to sign the form.

9. A signature by the Handler.

N. Recording CI Use

1. Each time a CI is used, the Handler shall complete the CI Receipt for Services or Contraband form, MP-2801. The form is required even if no monetary payment is made.

2. If the amount is greater than zero, one copy shall be provided to the Handler's supervisor for recording in the ledger, and one copy shall be provided to the Custodian of Records.

3. If the use of the CI will include a buy or sale of controlled substances, the Handler shall screen the CI per section [IV-G-5], and shall document the screening on the form.

O. Monetary Payments

Monetary payments shall be managed as follows:

1. All monetary compensation paid to CIs shall be commensurate with the value of the information or assistance provided to the MPD.

2. All CI payments shall be approved in advance by the officer in charge of confidential funds.

3. Officers shall provide accounting of monies received and documentation for confidential funds expended. Any documentation of monies paid or received should not contain the true identity of the CI but should use the CI's control number.

4. Two officers shall be present when making payments or providing funds to CIs.

5. The appropriate person, as designated by the Chief, shall ensure that the process for authorization, disbursement, and documentation of CI payments, as well as the accounting and reconciliation of confidential funds, is consistent with MPD policy.

6. If a CI is authorized to work with another law enforcement or prosecutorial agency, financial payments shall be coordinated between the agencies in a manner that is proportionate to the assistance rendered to each agency and consistent with provision [IV-J] of this policy.

7. Written records of receipts shall be retained, or justification for the exception shall be documented when a written receipt is not available.

10-205 Interviewing Suspects in Hospital

(A)

When officers interview suspects who have been admitted to any hospital, prior permission must be obtained from the Administration Office of the hospital, the doctor in charge of the patient, or the head nurse. This does not pertain to suspects in emergency rooms being contacted by officers on immediate follow-up investigations.

Juveniles may be interviewed in hospitals with the hospital's permission, but only after an attempt has been made to also contact the parents for their permission. (04/01/93)

10-206 Electronic Recording of Custodial Interrogations/Interviews

(01/30/95) (09/13/04)

(A-C)

Officers shall electronically record all custodial interrogations/interviews of suspects when the questioning occurs at a place of detention, i.e., Hennepin County Adult Detention Center (HCADC), Juvenile Detention Center (JDC), or a MPD vehicle that is equipped with Mobile

Video Recording (MVR) equipment, etc. Interrogation includes any information about rights, any waiver of those rights, and all questioning.

Upon completing an electronic recording of a custodial interrogation/interview, the tape(s) shall be property inventoried according to department procedures.

For further information regarding audio recordings of suspect interrogations/interviews in MVR-equipped vehicles, see Section 4-218 - Mobile Video Recording Equipment.

10-207 Eyewitness Identification

(02/01/21)

I. Purpose

The purpose of this policy is to establish guidelines for eyewitness identification procedures involving show-ups, photo arrays, and line-ups. Erroneous eyewitness identifications have been cited as a factor frequently associated with wrongful convictions. Therefore, in addition to eyewitness identification, all appropriate investigative steps and methods should be employed to uncover evidence that either supports or eliminates the suspect identification.

II. Definitions

Administrator: The officer conducting the identification procedure.

Independent Administrator: A person who does not know the identity of the suspect.

Functional Equivalent: When an independent administrator is unavailable, a functional equivalent method must be used. Functional equivalent means that the administrator cannot see and does not know the order of the photos and that the witness knows the administrator does not know the order.

Blind Presentation: During a blind presentation, no one who is aware of the suspect's identity should be present during the administration of the photo array.

Blinded Presentation: When the administrator may know the identity of the suspect but does not know which photo array member is being viewed by the eyewitness at any given time.

Confidence Statement: A statement in the witness's own words taken immediately after an identification is made stating their level of certainty in the identification.

Confirmatory Photograph: An identification procedure in which a single photograph of an individual is shown to a witness or victim to authenticate the identity of a person.

Eyewitness: A person who has observed an event and can provide a first-hand report of what was seen.

Filler: A live person, or a photograph of a person, included in an identification procedure who is not considered a suspect.

Line-up: The process of presenting live individuals to an eyewitness for the purpose of identifying or eliminating suspects.

Photo Array: A means of presenting photographs to an eyewitness for the purpose of identifying or eliminating suspects.

Sequential: Presentation of a series of photographs or individuals to a witness one at a time.

Show-up: The presentation of a suspect to an eyewitness within a short time frame following the commission of a crime to either confirm or eliminate the suspect as a possible perpetrator. Show-ups, sometimes referred to as field identifications, are conducted in a contemporaneous time frame and proximity to the crime.

Simultaneous: Presentation of a series of photographs or individuals to a witness all at once.

III. Policy

A. Officers shall adhere to the procedures for conducting eyewitness identifications set forth in this policy, in order to maximize the reliability of identifications, minimize erroneous identifications, and gather evidence that conforms to contemporary eyewitness identification protocols.

- Exceptions to this policy include instances in which a person, acting independent of law enforcement, spontaneously identifies a person as being the perpetrator of a crime or identifies a suspect via social media prior to meeting with an MPD employee.

B. Photo arrays and line-ups shall be conducted by displaying the suspect and fillers sequentially using a blind or blinded administration.

C. Employees shall complete a supplemental Police Report if they:

1. Coordinated, assisted, or witnessed a show-up.

2. Acted in the capacity of the line-up administrator.

3. Were designated as the assigned investigator or otherwise considered to be assisting in the investigation.

D. All eyewitness procedures shall be recorded by either BWC, MVR or audio recording devices. See P&P 4-223 for BWC P&P 4-218 for MVR.

E. The use of a confirmatory photograph is limited in scope to those instances in which the person being identified is previously known by or an acquaintance of the person viewing the photograph.

F. Any photo line-up that is viewed electronically shall be printed for documentation and inventoried or saved to an electronic file.

G. Employees **shall not** request an eyewitness to represent their response in the form of a percentage. For example, if the witness positively identifies a suspect, employees should not then ask them to give a percentage of how certain they are that the person they identified is the suspect.

IV. Procedures

A. Show-ups

1. The use of show-ups should be avoided whenever possible in preference to the use of a lineup or photo array procedure.

2. If circumstances require the prompt presentation of a suspect to a witness, the following guidelines shall be followed to minimize potential suggestiveness and increase reliability:

    a. Document the witness's description of the perpetrator prior to conducting the show up.

    b. Conduct a show-up only when the suspect is detained within a reasonable time frame after the commission of the offense and within a close physical proximity to the location of the crime.

    c. Do not use a show-up procedure if probable cause to arrest the suspect has already been established.

    d. If possible, avoid conducting a show-up when the suspect is in a patrol car, handcuffed, or physically restrained by officers, unless safety concerns make this impractical.

    e. Caution the witness that the person they are about to see may or may not be the perpetrator, and it is equally important to clear an innocent person. The witness should also be advised that the investigation will continue regardless of the outcome of the show-up.

    f. Do not conduct the show-up with more than one witness present at a time.

    g. Separate witnesses and do not allow communication between them before or after conducting a show-up.

    h. If one witness identifies the suspect, use a line-up or photo array for remaining witnesses.

    i. Do not present the same suspect to the same witness more than once.

j. Do not require show-up suspects to put on clothing worn by, speak words uttered by, or perform other actions of the perpetrator.

k. Officers should scrupulously avoid words or conduct of any type that may suggest to the witness that the individual is or may be the perpetrator.

l. Ask the witness to provide a confidence statement.

m. Remind the witness not to talk about the show-up to other witnesses until police or prosecutors deem it permissible.

n. Document the following information:

i. The time and location of the show-up.

ii. The officers present.

iii. The full name and contact information of the eyewitnesses.

iv. The suspect's clothing appearance, from head to toe. Photographs should be taken to fully capture the details of the suspect's clothing and appearance.

v. Environmental and physical circumstances that could include but are limited to:

- Lighting,
- Weather,
- Approximate distance between the eyewitness and suspect,
- Whether the suspect was handcuffed, and
- Time that transpired between the suspects detention and the eyewitness' identification.

vi. The result of the procedure.

B. Line-up and Photo Array Procedures

1. Line-ups should not typically be used for investigations, unless conducting a photo array is not possible.

2. Whenever possible, a blind presentation shall be used. In cases where a blind presentation is not feasible for a photo array, a blinded presentation should be used.

3. Live line-ups must be conducted using a blind presentation.

4. Basic Procedures for Conducting a Line-up or Photo Array:

a. The line-up or photo array should consist of a minimum of six individuals or photographs, with a minimum of five fillers and only one suspect.

b. Fillers should be reasonably similar in age, height, weight, and general appearance and be of the same sex and race, in accordance with the witness's description of the offender.

c. Create a consistent appearance between the suspect and the fillers with respect to any unique or unusual feature (e.g., scars, tattoos, facial hair) used to describe the perpetrator by artificially adding or concealing that feature on the fillers.

d. If there is more than one suspect, include only one in each line-up or photo array.

e. During a blind presentation, no one who is aware of the suspect's identity should be present during the administration of the photo array. However, during a line-up, the suspect's attorney should be present.

f. Place suspects in different positions in each line-up or photo array, both across cases and with multiple witnesses in the same case.

g. Witnesses should not be permitted to see or be shown any photos of the suspect prior to the line-up or photo array.

h. The witness shall be given a copy of the following instructions prior to viewing the line-up or photo array and the administrator shall read the instructions aloud before the identification procedure.

   i. You will be asked to look at a series of individuals.

   ii. The perpetrator may or may not be present in the identification procedure.

   iii. It is just as important to clear innocent persons from suspicion as it is to identify involved parties.

   iv. Either:

      aa. I don't know whether the person being investigated is included in this series (if administered by an independent administrator); or

      ab. I do not know the order of the photos (if administered by a functional equivalent).

   v. Sometimes a person may look different in a photograph than in real life because of different hair styles, facial hair, glasses, a hat or other changes in appearance. Keep in mind that how a photograph was taken or developed may make a person's complexion look lighter or darker than in real life.

   vi. You should not feel that you have to make an identification. If you do identify someone, I will ask you to describe in your own words how certain you are.

   vii. The individuals are not configured in any particular order.

viii. If you make an identification, I will continue to show you the remaining individuals or photos in the series.

ix. Regardless of whether you make an identification, we will continue to investigate the incident.

x. Since this is an ongoing investigation, you should not discuss the identification procedures or results, particularly with any other potential witnesses.

i. The line-up or photo array should be shown to only one witness at a time.

j. Officers should separate witnesses prior to and during viewing so they will not be aware of the responses of other witnesses. Once the viewing is completed the eyewitness should be told not to discuss the procedure or their response with any other eyewitness.

k. Multiple identification procedures should not be conducted in which the same witness views the same suspect more than once.

l. Officers should scrupulously avoid the use of statements, cues, casual comments, or providing unnecessary or irrelevant information that in any manner may influence the witnesses' decision-making process or perception.

m. Following an identification, the administrator shall ask the witness to provide a confidence statement and document the witness's response.

n. The administrator shall ask the witness to complete and sign an Eyewitness Identification Procedure Form.

C. Photographic Arrays

1. Creating a Photo Array

a. Use contemporary photos.

b. When compiling photographs, employees shall only view databases or case files in which they have been granted access.

c. Do not mix color and black and white photos.

d. Use photos of the same size and basic composition.

e. Never mix mug shots with other photos.

f. Ensure the images are consistent in photo appearance and in appearance with the suspect, which includes but is not limited to the following;

- Skin tone

- Complexion
- Hairstyle
- Facial hair
- Build
- Glasses
- Eye color
- Background
- Photo sizing

g. Do not include more than one photo of the same suspect.

h. Cover any portions of mug shots or other photos that provide identifying information on the subject; and similarly cover other photos used in the array. This includes jail markings, booking information, or other personal identification markings that would specifically identify the suspect.

i. Where the suspect has a unique feature, such as a scar, tattoo, or mole or distinctive clothing that would make them stand out in the photo array, filler photographs should include that unique feature either by selecting fillers who have the same features themselves or by altering the photographs of fillers to the extent necessary to achieve a consistent appearance.

j. Fillers should not be reused in arrays for different suspects shown to the same witness.

2. Conducting the Photo Array

a. The photo array should be preserved, together with full information about the identification process as part of the case file and documented in a report.

b. If a blind administrator is not available, the administrator shall ensure that a blinded presentation is conducted using the following procedures.

i. Place the suspect and at least five filler photos in separate folders for a total of six (or more depending on the number of fillers used).

ii. The administrator will take one folder containing a known filler and place it to the side. This will be the first photo in the series. The administrator should then shuffle the remaining folders (containing one suspect and the remainder of fillers) such that they cannot see how the line-up members are ordered. These shuffled folders will follow the first filler photo. The stack of photos is now ready to be shown to the witness.

iii. The administrator should get in a position so that they cannot see inside the folders as they are viewed by the witness.

c. The witness should be asked if they recognize the person in the photo before moving onto the next photo. If an identification is made before all of the photos are shown, the administrator should tell the witness that they must show the witness all of the photos and finish showing the sequence to the witness, still asking after each photo if the witness recognizes the person in the photo.

d. If possible, the array should be shown to the witness only once. If, upon viewing the entire array the witness asks to see a particular photo or the entire array again, the witness should be instructed that they may view the entire array only one additional time. If a second viewing is permitted, it must be documented.

D. Line-ups

1. Conducting the Line-up

   a. Live line-ups shall be conducted using a blind administrator.

   b. Ensure that all persons in the line-up are numbered consecutively and are referred to only by number.

2. The primary investigating officer is responsible for the following:

   a. Scheduling the line-up on a date and at a time that is convenient for all concerned parties, to include the prosecuting attorney, defense counsel, and any witnesses.

   b. Ensuring compliance with any legal requirements for transfer of the subject to the line-up location if they are incarcerated at a detention center.

   c. Making arrangements to have persons act as fillers.

   d. Ensuring that the suspect's right to counsel is scrupulously honored and that they are provided with counsel if requested. Obtaining proper documentation of any waiver of the suspect's right to counsel.

   e. Allowing counsel representing the suspect sufficient time to confer with their client prior to the line-up and to observe the manner in which the line-up is conducted.

   f. Taking and preserving a still photograph of each individual in the line-up.

10-208 Issuance of Wanted Bulletins

(A-B)

Wanted bulletins will only be issued for probable cause or on warrant. The following are the requirements:

1. Approval of the commanding officer or a designee prior to issuance.

2. Bulletins can be issued for a maximum of sixty days.

3. Bulletins will be self-canceling on the expiration date.

4. Extension of a bulletin may be obtained from the Chief or Deputy Chief of Investigations with a signed approval.

5. When a Probable Cause Arrest Bulletin (MPD-3003) is issued, a copy of the Probable Cause statement justifying its issuance must be attached to the copy of the bulletin that is filed in the Transcription Unit. It is the responsibility of the officer issuing the bulletin to ensure that the Probable Cause statement is attached to it. (12/18/92)

10-208.01 Temporary Wanted Person File – Felony Only

(08/05/92)

(A-B)

A temporary felony wanted person record may be entered into the CJIS/NCIC system to establish a "wanted person" record. This file may be used when prompt action is needed to apprehend a person (including a juvenile) who has committed, or the requesting officer has reasonable grounds to believe has committed, a felony.

Requests for entries shall be restricted to MPD Watch Commanders, investigators, and precinct lieutenants. It is the requesting officer's responsibility to supply the MECC supervisors with all available information for entry utilizing the Request for Temporary Felony or Vehicle Want Entry - CJIS/NCIC form (MP-6449).

A temporary felony want record must be specifically identified as such. A warrant for the arrest of the individual must be obtained as soon as possible and thereafter, the temporary want record must be canceled. A temporary felony want record will be automatically removed from the file after a period of 48 hours.

10-208.02 Temporary Felony Vehicle File

(08/05/92)

(A-B)

Any vehicle used in the commission of a felony may be immediately entered into the CJIS/NCIC stolen vehicle file providing the whereabouts of the vehicle is unknown. The unrecovered felony vehicle record will remain on file for a maximum of thirty (30) days, after which the entry will be removed from the file by MECC personnel.

Requests for entries shall be restricted to MPD Watch Commanders, investigators, and precinct lieutenants. It is the requesting officer's responsibility to supply the MECC supervisor with all available information for entry utilizing the Request for Temporary Felony or Vehicle Want Entry - CJIS/NCIC form (MP-6449).

10-209 Maintenance of Files and General Distribution of Wanted Bulletins

(A-B)

The issuing authority will maintain a file of all active bulletins issued by them. This active file will be reviewed daily by the commanding officer or a designee.

Requests for distribution of copies will be the responsibility of the issuing authority. Distribution shall be made by the Transcription Unit.

10-210 Review of Wanted Bulletins

(A-B)

"Probable Cause" wanted bulletins shall be reviewed by the issuing authority at least five days prior to expiration to determine if it should be allowed to expire, if it should be reissued in the form of a warrant or if there is a need for an extension.

"Warrant" wanted bulletins shall be reviewed at least once every four months to determine if information should be added, corrected or deleted or if the bulletin should be canceled.

10-211 Cancellation of Wanted Bulletins

(A-B)

Request for distribution of cancellation of wanted bulletins is the responsibility of the issuing authority. Distributions shall be made through the Transcription Unit.

10-212 Administrative Subpoenas

(01/26/90)

The county attorney has the authority to subpoena records relevant to law enforcement investigations. Records may be obtained from telephone companies, utilities, chemical suppliers, hotels and motels and businesses engaged in transportation, storage and delivery. (Minn. Stat. §388.23)

Guidelines to utilize this Administrative Subpoena power for cases under investigation have been provided to the department by the Hennepin County Attorney. See the section titled Requests for Normal and After-Hours Administrative Subpoenas.

For Qwest Communications subpoena processing information, see section titled Qwest Communications Subpoenas, Search Warrants and Court Orders. (11/06/07)

10-212.01 Request for Normal & After-Hours Administrative Subpoenas

(01/26/90)

Procedures for requesting an Administrative Subpoena are as follows:

1. Complete a Request for Administrative Subpoena form (MP-3605).

2. Complete the Administrative Subpoena form (MP-3404).

3. **Normal Subpoena:** Present the Request for Administrative Subpoena and the Administrative Subpoena forms to a senior attorney in the Hennepin County Attorney's Office. The attorney who signs the subpoena will retain the original request form and a copy of the issued subpoena.

   After-Hours Subpoena: Call one of the senior attorneys authorized to approve an after-hours subpoena. (Investigative unit supervisors have a list of attorneys.) Advise the attorney of the situation and provide all necessary information. The attorney, upon satisfaction that the statutory requirements are met, will authorize the subpoena, over the telephone. **The Officer Must Note the Authorization** on the Administrative Subpoena by noting both the officer's and attorney's names, the date and time, and the fact that it was authorized by telephone on the subpoena. The next working day a completed copy of both the Request for Administrative Subpoena form and the Administrative Subpoena must be delivered to the senior attorney who authorized it.

   Telephonic (after-hours) Administrative Subpoena authorization is limited to those situations that cannot wait until the next business day. Also keep in mind that most records available through an Administrative Subpoena will only be accessible during normal business hours.

4. Present a copy of the subpoena to the person or business that has custody of the records to be subpoenaed.

5. If necessary, at the time of service, the original signed subpoena may be used to display the signature, and then must be placed in the investigative file.

6. If the person or business subpoenaed refuses to provide the subpoenaed records, contact the Hennepin County attorney who signed the subpoena. That attorney will then prepare a court order to compel production of the records.

Request for Administrative Subpoenas (MP-3605) and Administrative Subpoena (MP- 3404) forms may be obtained from MPD Stores.

10-212.02 Qwest Communications - Subpoenas, Search Warrants, Court Orders (01/26/90)

Qwest Communications requires an Administrative Subpoena, Search Warrant or Court Order prior to the release of any non-published customer record information. (11/06/07)

To secure non-published customer record information in an emergency situation, a properly executed Administrative Subpoena, Search Warrant or Court Order may be presented or faxed to the Qwest Communications Security Office. (Investigative unit supervisors have a listing of normal and after hours contacts.) When an After-Hours Administrative Subpoena or other document is faxed, a copy of the document must be mailed to the Qwest Communications Security Office the next business day. (11/06/07)

Note: Qwest Communications will continue to provide information in connection with an emergency 911 trace. (11/06/07)

10-213 36-Hour Hold and 48 Hour Hold Rules

(04/01/93)

(A-B)

The 36-hour rule means that an arrested party must have been charged or released from custody no more than 36 hours from the time he was arrested. The 36 hours exclude the day of the arrest, Sundays and holidays. The clock for the 36-hour rule starts running at 0001 hours on the day following the arrest. The County Attorney, in extremely significant cases, may be able to petition to the court to extend the 36-hour rule. This extension can only be authorized through the County Attorney's Office.

The 48-hour rule means that all warrantless arrests on "Probable Cause" must have a judicial review within 48 hours of the arrest if we are going to continue to detain the arrestee. The 48-hour rule goes into effect at the instant the suspect is notified of being placed under arrest (not the time of the booking or time the reports are made). This rule does not replace the 36-hour rule; it is a separate rule and both rules must be followed. Investigators should note that in some cases, the 36-hour hold period is longer than the 48-hour period.

If, in the normal course of an investigation, an investigator presents the case to the County Attorney's Office, a complaint is drafted, sworn to and signed before the Court, within the 48 and 36-hour period, no separate judicial review is required.

If, however, a judicial review of "Probable Cause to Detain" becomes necessary as a result of the 48-hour rule, it is the investigator's responsibility to bring this to the attention of the County Attorney's Office and to supply them with the documentation needed to support the "Probable Cause" for the arrest and continued detention.

During business hours, as soon as an investigator realizes that the judicial review of the "Probable Cause" for arrest is necessary under the 48-hour rule, to continue detention through the duration of the 36-hour rule period, he/she shall deliver to the Hennepin County Attorney's Office supporting documentation. The Hennepin County Attorney's staff will obtain judicial review of these cases and fax copies back to the investigator of the Court's decision. If the Court makes a finding of "Probable Cause" and approves continued detention, it is the responsibility of the investigator to notify the Hennepin County Jail. If the court does not find "Probable Cause" and will not approve continued detention, the investigator shall release the arrestee as appropriate (no charge, pending complaint, tab charge, etc.).

On Saturdays, the Investigative unit representative and the duty officer will evaluate all "Probable Cause" holds. On Sundays and holidays, the Day Watch Watch Commander will conduct the review of "Probable Cause" holds. In juvenile cases, juvenile investigators have exclusive responsibility for handling the arrest and all "Probable Cause" determinations.

It is the responsibility of the Juvenile Division investigator to notify the Hennepin County Juvenile Detention Center of the continued detention or release of a suspect after the "Probable Cause" hearing.

10-214 Use of DNR / Trap and Trace Device

(03/21/95) (11/06/07)

All officers and investigators needing to have a Dialed Number Recorder/DNR (pen register) or Trap and Trace device utilized as a resource for an ongoing investigation shall notify the Organized Crime Unit Technical Support Section of their intent before a court order is signed. This will allow Technical Support Section personnel to obtain the proper equipment before the court order is activated, and will serve to keep a record of the unit to be billed.

Prior to a DNR (pen register) or Trap and Trace order, the officer/investigator shall subpoena the phone company of record to ensure the proper company is served with the Trap and Trace order.

The officer/investigator shall forward a copy of the signed court order to the Technical Support Section prior to the DNR (pen register) or Trap and Trace being installed.

After being contacted, the Technical Support Section will furnish the officer/investigator with the requested reports.

10-215 State Administrative Forfeiture

(03/01/11)

I. Policy

It shall be the policy of the Minneapolis Police Department (MPD) that all employees of this agency, all MPD employees assigned to another law enforcement agency's task force and all employees assigned from an outside law enforcement agency to a task force in which the MPD serves as the fiscal agent, shall follow all state and federal laws pertaining to the processing of property seized for forfeiture.

Training will be provided by the MPD in consultation with the prosecuting authority to officers who may exercise the use of administrative forfeiture in the performance of their assigned duties. Such training is to be conducted whenever the agency policy is changed or modified based upon administrative directives, legislative statutes changes and/or relative court decisions. Training may include, but not be limited to: agency policy, directives, electronic or traditional classroom education.

II. Definitions

Cash: Money in the form of bills or coins, traveler's checks, money orders, checks or other forms of electronic money or stored value cards, including but not limited to gift cards, debit

cards, gift cards/certificates or other negotiable financial instruments. Does not include personal checks.

Conveyance Device: A device used for transportation and includes but is not limited to a motor vehicle, trailer, bicycle, snowmobile, airplane or vessel and any equipment attached to it. The term "conveyance device" does not include property, which is, in fact, itself stolen or taken in violation of the law.

Firearms/ammunition/firearm accessories: A device that projects either single or multiple projectiles at high velocity. Ammunition is a term meaning the assembly of a projectile and its propellant. Accessories include but are not limited to holsters, gun cases, fire arm optics, suppression devices, cleaning supplies, etc.

Forfeiture: The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture/Seized Property Reviewer: An Agency employee responsible for reviewing all forfeiture cases and is the liaison between the Agency and prosecutor's office.

Forfeiture Submission form: Form mandated by state statute, completed by officers and submitted to the Forfeiture/Seized Property Reviewer.

Notice of Seizure and Intent to Forfeit Property form: Form completed by officers at the time of property seizure; to be distributed as directed on the form. Notice of Seizure and Intent to Forfeit Property forms are available for seizures made specific to: Controlled Substance Crime, Impaired Operation, Prostitution, Drive by Shooting and Fleeing Police Officer.

Jewelry/Precious Metals/Precious Stones: The term "precious metals/precious stones" includes items of jewelry such as rings, necklaces and watches that reasonably appear to be made of precious metals or precious stones. Precious metals include but are not limited to gold, silver, platinum, iridium and palladium. Precious stones, often referred to as gemstones, include but are not limited to diamonds, emeralds and rubies.

Property Inventory form: Form completed upon property inventory at the Property and Evidence Unit. Original copy is maintained by the Property and Evidence Unit.

Property Receipt form: Triplicate form completed by officers at the time of property seizure; to be distributed as directed on the form.

Seizure: The act of law enforcement officials taking property, including cash, vehicles, etc. that has been used in connection with or acquired by illegal activities.

III. Procedures / Rules / Regulations

A. Administrative Forfeiture Procedure – Controlled Substance Crimes

1. The following property may be seized and is presumed under MN Stat 609.5314 Administrative Forfeiture of Certain Property Seized in Connection With a Controlled Substances Seizure to be subject to administrative forfeiture if the item has a retail value of greater than $300.00 and less than $50,000.00:

   a. All money, precious metals and precious stones found in proximity to controlled substances;

   b. All conveyance devices containing controlled substances with retail value of $100 or more if possession or sale of the controlled substance would be a felony under MN Stat Chapter 152, Drugs, Controlled Substances.

   c. All firearms, ammunition and firearm accessories found:

      - in a conveyance device used or intended for use to commit or facilitate the commission of a felony offense involving a controlled substance;
      - on or in proximity to a person from whom a felony amount of controlled substance is seized; or
      - on the premises where a controlled substance is seized and in proximity to the controlled substance, if possession or sale of the controlled substance would be a felony under MN Stat Chapter 152.

2. When any property as described in the above section is seized, the peace officer making the seizure must prepare the following documents for each person whom property is being seized from:

   - The **"**Notice of Seizure and Intent to Forfeit Property - Controlled Substance Crimes" form. This form must be completed to include the following:

     - a list describing each item seized
     - the name of the individual served with the Notice
     - location of seizure
     - date of seizure
     - agency case number
     - signature, date, and location where notice was served (written by the peace officer conducting the seizure).

   - Property Receipt Form. This form must be completed in detail in its entirety. (In addition to the Page 5, when applicable.)
   - Forfeiture Submission Form. This form must be completed in detail in its entirety. Note: Referencing a report is not enough.

- CAPRS report and supplement explaining probable cause for the seizure to include type and weight of controlled substance and result of field test(s). (*See also,* ***H. Administrative Forfeiture - Report Writing Requirements***)

3. The individual whom property is being seized from must be given an opportunity to sign the seizure notice form.

    - If the person refuses, the peace officer conducting the seizure must check the appropriate box indicating the refusal to sign.

4. A copy of the Notice of Seizure and Intent to Forfeit Property Controlled Substance Crimes form and a copy of the Property Receipt shall be given to the individual served.

5. All property subject to and being processed for forfeiture through the agency must be held in the custody of the agency.

6. The officer conducting the seizure shall forward the following to the Forfeiture/Seized Property Reviewer within 5 days of seizure:

    - Notice of Seizure and Intent to Forfeit Property Controlled Substance Crimes form (original and pink copies)
    - Property Receipt form (original and pink copies)
    - Forfeiture Submission form

B. Administrative Forfeiture of Cash Procedure – Controlled Substance Crimes

1. Cash will not be seized if it has an aggregate value less than $300.00 unless pre-recorded buy funds are included in the cash seized.

2. Officers shall examine all cash seized to determine whether it contains any buy funds. When buy funds are recovered:

    a. Photocopy the recovered buy funds and property inventory the photocopy.

    b. Return recovered buy funds to the appropriate unit's buy fund account.

    c. Document in the CAPRS report under correct CCN that buy funds were recovered.

3. Cash shall be recounted and the amount verified by another employee of the MPD. The cash envelope and/or inventory receipt shall then be co-signed.

    - If a discrepancy is found, the Notice of Intent to Forfeit Property Controlled Substance Crimes form and the Property Receipt form must be reissued.

4. All forfeitable cash seized will be property inventoried at the Property and Evidence Unit in accordance with Policy and Procedure Manual *Section 10-401 Responsibility for Inventory of Property and Evidence*.

a. If cash is seized from multiple individuals, a Property Inventory form will be completed for each individual.

b. The Property Inventory form shall specify the total amount of cash seized from each individual.

c. The Property Inventory form shall also contain a detailed description of all checks, money orders and/or travelers checks or other financial instruments.

C. Administrative Forfeiture of Property other than Cash – Controlled Substance Crimes

1. Seized jewelry, precious metals and/or precious stones shall be property inventoried at the property/evidence room in accordance with Policy and Procedure Manual *Section 10-401 Responsibility for Inventory of Property and Evidence.*

2. Forfeiture of Conveyance Device

   a. Upon seizure for forfeiture, all conveyance devices shall immediately be either taken to a secure designated area or to an agency approved impound facility.

   b. Officers shall inventory the conveyance device and its contents in accordance with applicable MPD policies.

   c. If the driver, who received a seizure notice, is not the registered owner according to MN DVS, the Forfeiture/Seized Property Reviewer will serve the registered owner a seizure notice via certified mail pursuant to MN STAT 169A.63 subd. 8(b) Vehicle Forfeiture, Administrative Forfeiture Procedure.

3. Seized firearms, ammunition or firearms accessories shall be property inventoried in accordance with Policy and Procedure Manual *Section 10-400 Property and Evidence*.

D. Administrative Forfeiture Procedure – Prostitution

1. Vehicles may be seized and are presumed under MN Stat 609.5312 Forfeiture of Property Associated With Designated Offenses to be subject to administrative forfeiture if the vehicle was used to commit or facilitate, or used during the commission of a violation of MN Stat. 609.324 Patrons; Prostitutes; Housing Individuals Engaged in Prostitution; Penalties.

2. Seizure of the vehicle in prostitution offense may be seized only if registered owner of vehicle is present.

3. When a vehicle is seized for prostitution, the peace officer making the seizure must complete the “Prostitution Arrests - Notice of Seizure of Motor Vehicle” form. This form must be completely filled out and issued immediately.

4. The individual from whom the property is being seized must be given an opportunity to sign the seizure notice form.

- If the person refuses, the peace officer conducting the seizure must acknowledge on the form, the refusal to sign.

5. The form shall be immediately distributed as directed on the form as the vehicle owner is entitled to a hearing within 96 hours, per MN STAT 609.5312 subd 3(b) Forfeiture of Property Associated With Designated Offenses, Vehicle Forfeiture for Prostitution Offenses.

    - Fax to Minneapolis City Attorney's office
    - Fax to Minneapolis Property and Evidence Unit
    - White copy to Forfeiture/Seized Property Reviewer
    - Yellow copy to registered owner of vehicle

6. If the driver, who received a seizure notice, is not the registered owner according to MN DVS, the Forfeiture/Seized Property Reviewer will serve the registered owner a seizure notice via certified mail pursuant to MN Stat 169A.63 subd. 8(b) Vehicle Forfeiture, Administrative Forfeiture Procedure.

E. Administrative Forfeiture Procedure – Impaired Operation (DUI)

1. Vehicles may be seized and are presumed under MN Stat 169A.63 Subd 2 Vehicle Forfeiture, Seizure to be subject to administrative forfeiture incident to a lawful arrest for the violation of a designated drinking and driving offense.

2. When a vehicle is seized for impaired operation, the peace officer making the seizure must complete the "Impaired Operation - Notice of Intent to Administratively Forfeit Vehicle" form. This form must be completely filled out.

3. The individual from whom the property is being seized must be given an opportunity to sign the seizure notice form.

    - If the person refuses, the peace officer conducting the seizure must acknowledge on the form, the refusal to sign.

4. The form shall be distributed as directed on the form.

    - White and Pink copies to Forfeiture/Seized Property Reviewer
    - Yellow copy to driver of vehicle

5. If the driver, who received a seizure notice, is not the registered owner according to MN DVS, the Forfeiture/Seized Property Reviewer will serve the registered owner a seizure notice via certified mail pursuant to MN Stat 169A.63 subd. 8(b) Vehicle Forfeiture, Administrative Forfeiture Procedure.

F. Administrative Forfeiture Procedure – Flee in Motor Vehicle

1. Vehicles may be seized and are presumed under MN Stat 609.5312 Forfeiture of Property Associated With Designated Offenses to be subject to administrative forfeiture if the vehicle was used to commit or facilitate, or used during the commission of a violation of MN Stat. 609.487 Fleeing Peace Officer; Motor Vehicle; Other.

2. When a vehicle is seized for fleeing a police officer, the peace officer making the seizure must complete the "Notice of Seizure Motor Vehicle Fleeing Police Officer" form. This form must be completely filled out and issued immediately.

3. The individual from whom the property is being seized must be given an opportunity to sign the seizure notice form.

    - If the person refuses, the peace officer conducting the seizure must acknowledge on the form, the refusal to sign.

4. The form shall be immediately distributed as directed on the form as the vehicle owner is entitled to a hearing within 96 hours, per MN Stat 609.5312 subd 4(b) Forfeiture of Property Associated With Designated Offenses, Vehicle Forfeiture for Fleeing Peace Officer.

    - Fax to Hennepin County Attorney's office
    - Fax to Forfeiture/Seized Property Reviewer
    - Copy to driver of vehicle

5. If the driver, who received a seizure notice, is not the registered owner according to MN DVS, the Forfeiture/Seized Property Reviewer will serve the registered owner a seizure notice via certified mail pursuant to MN Stat 169A.63 subd. 8(b) Vehicle Forfeiture, Administrative Forfeiture Procedure.

G. Administrative Forfeiture Procedure – Drive by Shooting

1. Vehicles may be seized and are presumed under MN Stat 609.5318 Forfeiture of Vehicles Used in Drive-By Shootings to be subject to administrative forfeiture if the vehicle was used to commit or facilitate, or used during the commission of a violation of MN Stat. 609.66 subd. 1(e) Dangerous Weapons, Felony; Drive-By Shooting.

2. When a vehicle is seized for drive by shooting, the peace officer making the seizure must complete the "Notice of Seizure Motor Vehicle Used in Drive by Shooting - Vehicles Used in Violation of MN Statues, Section 609.66 Subd. 1E" form. This form must be completely filled out.

3. The form shall be distributed as follows:

    - White and pink copies to Forfeiture/Seized Property Reviewer
    - Yellow copy to driver of vehicle

4. If the driver, who received a seizure notice, is not the registered owner according to MN DVS, the Forfeiture/Seized Property Reviewer will serve the registered owner a seizure notice via certified mail pursuant to MN Stat 169A.63 subd. 8(b) Vehicle Forfeiture, Administrative Forfeiture Procedure.

H. Administrative Forfeiture - Report Writing Requirements

1. The Officer/Investigator seizing property shall complete a CAPRS supplement under the appropriate CCN.

2. The supplement(s) must include a description of:

   - the items seized,
   - where the property is inventoried,
   - the name(s) of the individual(s) served,
   - the date the seizure form was served,
   - the name of the serving peace officer and
   - Whether or not the individual(s) signed the Notice of Seizure and Intent to Forfeit Property form.

3. When practical, all reports dealing with seized property shall be completed within 24 hours of the seizure.

10-216 Witnesses

(11/07/22)

I. Purpose

A. Witnesses provide an important public duty by helping discover the truth in an investigation. They may be providing their time and, in some cases, may be risking their safety to give evidence.

B. The purpose of this policy is to ensure that witnesses are approached and handled in a respectful and constitutional manner.

II. Policy

A. Detention

1. Witnesses shall not be subjected to a detention or otherwise seized, solely because they are a witness to a crime (regardless of how serious), except pursuant to a warrant or court order.

2. Employees requesting to speak to a witness or potential witness shall inform the person that they are not detained and are free to depart at any time.

3. Investigative stops and other detentions shall follow the search and seizure policies in P&P 9-200. Any investigative detention must be temporary and last no longer than is necessary to effectuate the purpose of the detention.

4. If a potential witness was detained in accordance with P&P 9-201, but is determined to not be under suspicion of criminal activity, they shall be informed that their cooperation is voluntary and they are free to depart at any time.

B. Identification

1. Witnesses shall not be compelled to provide identification, solely because they are a witness to a crime.

2. Identification can be requested from a witness or potential witness, in accordance with other policies and procedures, but witnesses cannot be required to provide it.

C. Voluntary Cooperation

Employees can secure voluntary cooperation from witnesses, by applying procedural justice principles (in accordance with P&P 5-104):

1. Introducing or identifying themselves to the citizen and explain the reason for the contact as soon as practical (P&P 5-104).

2. Asking for the person's cooperation.

3. Offering information on what will happen next.

4. Providing transportation as necessary.

D. Interview Location

1. If a citizen witness consents to an interview, an investigator may request that the interview be done in a monitored and recorded interview room, if applicable to the situation.

2. If an off-scene interview is not applicable, or if the witness prefers, the interview shall be conducted on scene (such as inside or outside a squad).

3. If conducting an interview off-scene, the investigator shall arrange for transportation to and from the interview location, as needed by the witness.

4. Investigators shall ensure the witness has access to restrooms, water or other things they may need, as the situation allows.

	Minneapolis Police Department Policy and Procedure Manual	Number: 10-300 Date: 01 April 1993
Volume Ten - Investigations		
Investigative Case Management		

10-301 Use of Case File

(A)

Officers doing an investigation shall use a case file consisting of the following:

- Manila folder with fastener and clip attached.
- Witness and court date information format on outside cover.
- Checklist form attached to the inside of the front cover.
- All the various reports contributing to the case attached to the inside of the folder with a fastener and clip.

All reports and/or entries shall be in the exact order specified on the case file cover page and checklist form.

All reports and/or entries for a particular line item shall be in chronological order.

In instances where the case is too large to house within a standard manila case file folder, a three ring binder may be substituted. In these instances, the case file cover page and checklist form shall be the first (top) page in the binder.

10-302 Supplementary Report Preparation

(A)

All investigative personnel will make the following notations on their supplementary reports in the manner described below. Case status phrases must appear as the very last statement on each supplement and must be typed in all capital letters.

1. **Case Continued - Open:** Phrase indicates that the investigation is being pursued.

   Example: Case Continued – Open
   Sgt. John Doe, Badge #:4758
   Robbery Unit

2. **Case Continued – Pending Further Information or Leads:** Phrase indicates that investigation is **not** being pursued until such time as additional information or leads are received.

   Example: Case Continued – Pending Further Information or Leads
   Sgt. Jane Doe, Badge #:5748
   Robbery Unit

3. **Jurisdiction Change:** Narrative must reflect investigative findings supporting the following elements:

   a. Reason for the change.

   b. Date and time of transfer.

   c. Full title of agency and investigator case sent to.

   Example: Jurisdiction changed to the Federal Bureau of Investigation, Special Agent John Wall, on 12/01/92, 1500 hours.
   Sgt. John Doe, Badge #:4857
   Robbery Unit

4. **Case Closed - Exceptionally:** Narrative must reflect investigative findings supporting the following elements:

   a. Suspect ID known.

   b. Sufficient information to arrest, charge and locate suspect.

   c. Reason why suspect cannot be arrested, charged and located.

   Example: Case Closed – Exceptionally
   John L. Jones, DOB: 05/08/55, identified as suspect by witness, died on 12/10/92 in car crash.
   Sgt. Jane Doe, Badge #:5748
   Robbery Unit

5. **Case Closed – By Arrest/Complaint:** Narrative must reflect investigative findings supporting the following elements:

   a. Date and time case submitted; and

   b. Prosecutor and agency (city or county); and

   c. Whether or not a complaint was issued; and

   d. Name of judge complaint was submitted to for signature; and

   e. Suspect's full name, DOB, MPD#; and

   f. Charge, statute/ordinance number.

   Example: On 12/01/92 at 1400 hours, case was presented to Assistant County Attorney, Jane Roe, who issued complaint charging Don Doe, DOB: 01/11/48, MPD#: 12345 with First Degree Criminal Sexual Conduct, 609.342. Complaint was signed by Judge Roe Doe and filed in the Clerk of District Court's Office at 1530 hours, 12/01/92.

6. **Property Disposition:** Narrative must reflect the following disposition elements:

   a. Property Inventory Number; and

   b. Line item number; and

   c. Disposition, i.e., release, hold, destroy and by whom, and

   d. The name of the person to whom the property is to be released.

   This information does not have to be reflected in the narrative if all the information listed above, including a name of an individual person for each specific item to be released, is listed on the Property Disposition Screen of the CAPRS System. (04/01/93)

   Example: Property disposition P.I. #10,000-85 Lines 1 through 9 to be held Until final disposition in court.
   Lines 1 through 8 after disposition may be returned to Don Edward Doe.
   Line 9 is to be destroyed by the City of Minneapolis after disposition.
   P.I. #10,001-85 Line 1, currency in the amount of $75.00 may be returned to Don Edward Doe upon request.
   Signed: Sgt. Jane Doe, Badge #:4857
   Robbery Unit

7. **Case Closed - Unfounded:** Narrative must reflect investigative findings supporting one of the following disposition elements:

   a. No offense

   b. No attempt

   c. False report

   d. Baseless

   Example: Case Closed – Unfounded
   False report
   Sgt. John Doe, Badge #:5748
   Robbery Unit

The commanding officer, or proper designee, is responsible for review of all case closures assuring that cases are completed in an accurate and timely manner. (04/01/93)

When the original offense is changed for any reason, that change must be noted in a Supplementary Report written on that case. The change also must be made in the CAPRS system by entering the change on the LOC screen. (04/01/93)

10-401 Property and Evidence

(09/01/21)
Revisions to prior sections: (05/06/91) (04/01/93) (06/11/94) (11/03/96) (02/11/00) (11/09/00) (01/11/01) (02/19/02) (12/22/03) (11/23/05) (12/08/05) (12/14/07) (12/22/08) (04/16/12) (06/10/13) (08/05/13) (01/23/14) (06/27/14) (01/13/16)

I. Purpose

The purpose of this policy is to establish the requirements and processes for documenting and submitting evidence and other property, and the guidelines for item disposition and disposal or release.

II. Definitions

Chain of Custody: Documentation of every person that has had custody of an item from the time it was collected until its final disposition.

Evidence: Documents, oral statements and material objects admissible as testimony in a court of law. Any item that comes into the custody of a police department employee that may prove or disprove the commission of a crime, or the identity of a suspect, pursuant to an official criminal investigation.

Expiration of Sentence: Length of time imposed by the court as the sentence on a convicted person.

Found Property: Any item of no known evidentiary value, which comes into the custody of a police department employee, and whose rightful owner may, or may not, be known to the finder or the department.

1. Found by Agency

   Items found by police department employees in the regular course of their duties that do not include items seized during search warrants, searches of vehicles or searches of persons or any other search involving a seizure. Items found by police department employees would generally have an unknown owner.

2. Found by citizen

   Items found by citizens may or may not have a known owner. Different rules may apply to items found by citizens regarding release or disposal.

Non-Evidence: Any material object, tangible or intangible, to which an owner has a legal right. Items of no known evidentiary value (as described above) which come into the custody of a police department employee that is not a part of a criminal investigation, and whose rightful owner may or may not, be known.

Property: Any material object of value, however slight, tangible or intangible to which an owner has a legal right.

Safekeeping: Any item of no known evidentiary value surrendered to an employee of the department for temporary custody. The person surrendering the property has the legal right to do so, and the property will be returned to the rightful owner(s), unless disposition by the department, in a manner prescribed by law.

Statute of Limitations: Length of time allowed by law for charging an individual with a crime. Does not apply for crimes where a conviction has occurred.

III. Policy

A. Responsibility for Setting Property and Evidence Submittal Standards

1. Property and Evidence unit supervisors will set standards for receiving, documenting, securing and disposing of all items submitted. These standards will be based on Minnesota State Statutes, Forensics Division requirements and nationally recognized best practices.

2. The Property and Evidence unit Packaging Manual will be the guideline used by the department for recommendations related to packaging when submitting property or evidence.

    a. The Packaging Manual outlines the required manner for packaging and labeling of evidence or property submitted to the unit for storage.

    b. The Packaging Manual is available in the areas of all temporary lockers and will be made available in other designated locations as requested or approved.

    c. This manual will be reviewed on an annual basis and updated as necessary.

B. Right of Refusal

1. All property and evidence inventoried at the MPD Property and Evidence unit is subject to verification by unit personnel prior to inventory.

2. All items of property or evidence that are not correctly submitted will be refused as inventory until correctly submitted.

3. Officers and their supervisors will be notified to correct submitted items as soon as practical by Property and Evidence unit personnel.

C. Property Found During Work Assignment

1. Employees who retain or discover IDs or cell phones that are Non-Evidence shall make reasonable efforts to notify the owner.

    a. If the items cannot be returned to the owner, they shall be documented and inventoried according to the other requirements in this policy and the efforts made shall be indicated in the narrative text of the case report.

    b. If the items are returned to the owner in the field, the employees shall describe the items and the circumstances in the case report or the field contact report. Items returned should be described in text sections, and not inventoried in the property report (PR). Employees may use a Property Release Form (MPD 9096) to document release of the property. The completed form should be scanned and attached to the case.

2. Employees shall not retain for personal use any property or evidence that has come into their possession through the course of their official duties.

D. Report Required for Inventory

Officers shall submit an offense report and a property report for all property that will be inventoried (including non-evidence). Property cannot be inventoried without the associated case number.

E. Personal Property at Booking

1. Officers shall request that the personal property in possession of arrestees at the time of booking be stored at the Jail.

2. If the Jail refuses the individual's personal property, officers will inventory personal items with the Property and Evidence unit prior to the end of the shift.

F. Purchasing at Public Auction

The Professional Code of Conduct (P&P 5-105) places limits and prohibitions on purchasing or owning property from a City auction.

IV. Procedures/Regulations

A. Authorized Admittance to the Property and Evidence Unit

1. Only individuals who have valid MPD business are allowed entry into the Property and Evidence unit.

    a. All individuals entering the Property and Evidence unit shall sign in and sign out on the designated access log.

b. All individuals shall be escorted by Property and Evidence unit personnel while in the unit.

2. In the event of an unauthorized entry the following procedures shall be followed:

a. Call 911. A uniformed officer shall be dispatched to take a Police Report.

b. Notify the Property and Evidence unit Supervisor and the on-duty Watch Commander.

c. All evidence pertaining to the unauthorized entry shall be immediately identified and documented. (Locations of surveillance video, witness statements, etc.)

B. Responsibility to Inventory Property and Evidence

1. Inventory in PIMS

a. All MPD employees taking possession of property, whether evidentiary or non-evidentiary, shall properly document the items in PIMS prior to the end of their shift.

b. Each item inventoried shall have the owner listed in PIMS whenever known.

c. Officers shall update the Evidence Continuity in PIMS with the actual location secured for all property or evidence.

2. Physical custody and storage

a. All MPD employees taking possession of property, whether evidentiary or non-evidentiary, shall properly store and secure such items prior to the end of their shift.

i. Properly storing and securing means:

aa. Delivering the property directly into the custody of Property and Evidence unit staff.

ab. Evidence Continuity reflects the actual location of items.

ac. Storing and securing the property in secure facilities according to directions in this policy (such as the Blood Room, secure lockers, etc.), or

ad. Storing and securing the property according to directions from Property and Evidence unit staff or Forensics Division staff.

ii. If circumstances require storage or handling not consistent with this policy:

aa. The items shall be secured prior to the end of the shift.

ab. Evidence Continuity shall reflect the actual location of items.

ac. Evidentiary items shall be handled consistent with best practices.

ad. Transfer of custody shall be made to the Property and Evidence unit as soon as practical.

ae. A statement shall be included in the narrative text for the case explaining the circumstances, and the Evidence Continuity in PIMS shall be updated accordingly.

b. This applies to items seized regardless of whether an arrest has been made and this applies to sworn employees working off-duty employment.

c. If Forensics Division personnel retain property or evidence for immediate review or processing, they are responsible for securing the items and ensuring that the Evidence Continuity in PIMS is updated accordingly.

3. Evidence Created During an Investigation

Investigative personnel shall inventory all relevant evidence created during the course of an investigation as soon as practical given the nature of the case. This applies to paper or electronic work product generated through the investigation. This clause does not supersede requirements for seized evidence or property.

C. Packaging Evidence

1. All MPD employees will submit property or evidence in accordance with the recommended guidelines for packaging and labeling outlined in the Property and Evidence Unit Packaging Manual. All items shall meet Forensics Division requirements, established Property and Evidence unit guidelines, and nationally recognized best practices for packaging.

a. MPD employees may mark or label evidence recovered from a scene or involved persons with additional information to aid case investigators, provided the standard packaging and labeling requirements are met.

b. MPD employees may mark or label items using markers, tape, tags, containers or envelopes. Items shall not be marked in such a way as to ruin the evidentiary value or render the items useless. The employee marking the item shall retain custody until it is submitted to the Property and Evidence unit.

c. All property or evidence inventoried at the MPD Property and Evidence unit is subject to verification by unit personnel. Envelopes, bags, packages, etc. may be opened for verification as needed.

2. Upon inventory, Property and Evidence unit personnel shall determine the appropriate method for packaging and storage of all property and evidence, based on available information regarding circumstances of the case.

3. Refer to the Property and Evidence unit Packaging Manual for guidelines for packaging property or evidence.

4. Appropriate packaging containers and items will be made available in limited quantities to MPD personnel for use at the Property and Evidence unit.

5. Precincts should stock the necessary components through the standard ordering process.

6. Items that are wet shall be inventoried according to Property and Evidence Blood Room procedures.

    a. For items that are suspected of having biohazard contamination, the packaging shall be marked as "Contaminated" or "Caution" or labeled with a “Bio-Hazard” sticker.

    b. Items contaminated by significant amounts of liquid, bodily fluids or unknown substances shall not be placed in evidence lockers.

D. Special Circumstances and Temporary Storage

1. Blood Room Access and Use

    a. Clothing or other items which are wet due to environmental conditions or bodily fluids must be completely dried before storage.

    b. Access to the Blood Room shall be made through the temporary locker area at the Property Warehouse.

    c. The following procedures shall be followed when placing items in the Blood Room:

        i. Evidence Continuity shall list “Blood Room.”

        ii. Paper shall be placed under any items to be dried.

        iii. Items shall be hung from clean hangers or placed flat to dry. Hanging dividers are provided to separate items by case number and then by person.

        iv. Leave space between items that are drying so that air can circulate around them.

        v. Barcode labels shall be placed with the items.

        vi. Urine kits, DNA kits, SAE kits or any other item needing refrigeration shall be placed in the evidence refrigerator in the Blood Room.

2. Inventory of Evidence or Property Obtained from a Hospital

    a. Hospital staff may remove clothing and personal items from an individual being evaluated or treated. Sworn employees assigned the call shall take custody of such items when they are considered evidence, unless directed otherwise by a supervisor.

b. Employees receiving custody shall inventory all evidence at the Property and Evidence unit. If circumstances do not allow for the transfer of evidence immediately, the hospital may retain the evidentiary items for an investigator, their designee, or Property and Evidence unit personnel to pick up and inventory at a later time.

c. Items received from a hospital shall be opened, pockets shall be searched, and all items properly documented, except in cases of sexual assault or homicide.

d. If items received into custody are wet, they must be placed into the Blood Room to dry, in accordance with the section on Blood Room Access and Use. Such items must be removed from bags and placed on hangers.

3. Precinct Lockers and Public Service Building Lockers- Temporary Storage

a. Temporary secure lockers are provided at each Precinct location and the Public Service Building for the storage of evidence or property recovered by MPD personnel related to Misdemeanor arrests or citations, or items held for safekeeping to be returned to an owner.

b. No firearms, discharged cartridge casings (DCCs), drugs, money or jewelry are to be placed in the temporary lockers. These items must be brought to the Property Warehouse before the end of the shift.

c. Evidence Continuity shall read "P[1,2,3,4,5] Locker" or "PSB Locker" and shall include the locker number as appropriate. Use the slotted locker for smaller items as much as possible.

d. If specialty units retain property or evidence, the Evidence Continuity must reflect the actual location of the items. These units are responsible for securing items while in their custody. A narrative text shall be added to the case detailing the retention of the items.

e. MPD personnel assigned to the Public Service Building (PSB) may use temporary lockers for submission of evidence and return of evidence. Firearms, discharged cartridge casings (DCCs), drugs, money, and search warrant evidence should be brought directly to the Property Warehouse.

E. Procedures for Specific Items

1. Items used to identify a suspect

a. Clothing or personal items used to identify an arrested person or suspect shall be inventoried as Evidence.

i. If there is no legal basis to continue holding the items, the investigator shall immediately authorize release of the items using PIMS.

ii. Items authorized for release will be processed by Property and Evidence unit staff.

b. Clothing or personal items that are not needed as evidence shall be returned to the individual or stored by the jail whenever possible. If not possible, the items shall be inventoried as Safekeeping.

c. Identification documents (ID, DL, Passport, Green Card, etc.) that are not needed to prove a crime shall be returned to the individual or stored by the jail whenever possible. If not possible, the documents shall be inventoried as Safekeeping.

2. Alcoholic Beverages and Containers

a. For alcoholic beverages and their containers, a case report shall be created in accordance with MPD policy, including a Property Report for both the original container (line 1) and the sample (line 2) taken.

b. In cases involving homicide, sexual assault, or assault where the container was used as a weapon:

i. A photo of the original container (line 1) showing the label and the sample (line 2) shall be taken by the officer.

ii. The empty original container and sample of the suspected alcoholic beverage (if liquid was present) shall be submitted to the Property and Evidence unit.

iii. If the empty original container is held for prints or DNA, this shall be indicated on the Property Report.

c. For all other offenses involving a suspected alcoholic beverage:

i. The officer shall list the beverage sample (line 1) and container (line 2) together in the inventory.

ii. The photo of the sample and the original container including the beverage shall be taken and attached to the case.

iii. After the photo is taken, the remainder of the liquid and the original container may be properly disposed.

iv. The sample container will be inventoried.

3. Bicycles

a. Bicycles confiscated by the Minneapolis Police Department will be stored at the Property and Evidence Warehouse.

b. A bicycle can be delivered to the Property and Evidence unit, or temporarily stored in a designated space at the precinct to be picked up by the Property and Evidence Warehouse.

c. When temporarily stored at a precinct, the bicycle shall have a tag with a barcode label affixed to the handlebars.

d. Property and Evidence unit staff will be dispatched to retrieve the bicycle indicated. Bicycles without the proper labels will not be collected by the Property and Evidence unit.

4. Biological Specimen Collection Kits

Biological Specimen Collection Kits include: Sexual Assault Examination Kits (SAE), Urine Kits, Biological Specimen (Blood) Kits, and other appropriate containers.

a. Biological Specimen Collection Kits will be maintained in accordance with storage laws of the State of MN, guidelines from NIST, NIJ and the BCA, and national best practices.

b. Biological Specimen Collection Kits obtained by MPD employees will be kept refrigerated until tested at the BCA.

c. In accordance with P&P 7-349, all untested Sexual Assault Examination Kits (SAE Kits) should remain in storage until the kit has been submitted for testing or otherwise explicitly authorized for removal by the Lieutenant of the Sex Crimes unit.

d. No Sexual Assault Examination Kit shall be destroyed for any reason regardless of date, disposition or any previous case directive, unless directed by State law.

e. All other biological specimens (not kits) or items containing DNA evidence will be maintained in accordance with storage laws of the State of MN, guidelines from NIST, NIJ and the BCA, and national best practices.

5. Cash and Coin

a. All cash or coin shall be put in the custody of the Property and Evidence unit prior to the end of the shift. No cash or coin shall be stored at the precincts or at other MPD evidence locker locations.

b. All amounts of US currency shall be accounted for and submitted to the Property and Evidence unit. Employees submitting US currency shall list the denominations and document the amount of currency inventoried in the corresponding property report.

c. Foreign currency shall be placed in a separate envelope and listed as having no value. Canadian currency and coin are considered foreign currency for the purposes of inventory.

d. Cash envelopes containing more than $200.00 shall have the signature and employee number of a supervisor on the envelope. Sworn employees may issue an MPD Receipt for Currency (Form MP-3414) to the person from whom the cash was obtained.

e. For special circumstances that exist (latent prints, DNA or special handling), employees submitting currency shall indicate the circumstances in the Property Report and on the envelope or packaging.

f. For coin or currency evidence with a bio-hazard present, a "Bio-Hazard" sticker shall be applied to the outside of the packaging.

6. Cash- Counterfeit

a. All suspected counterfeit currency shall be put in the custody of the Property and Evidence unit prior to the end of the shift. No counterfeit currency shall be stored at the precincts or at other MPD evidence locker locations.

b. All suspected counterfeit currency shall be inventoried separate from other currency and detailed by denomination of the bill including serial numbers. Suspected counterfeit currency shall be recorded as an Article in PIMS.

c. If suspected counterfeit currency is determined to be authentic, the Property and Evidence unit shall make the proper notifications and release the currency to the rightful owner listed in the report.

d. Counterfeit currency will be transferred to the US Secret Service as soon as practical.

i. If counterfeit currency is needed as evidence for pending charges or a pending case, the investigator shall request the Property and Evidence unit hold the items.

ii. If counterfeit currency has been transferred to the US Secret Service and is needed as evidence for pending charges and a pending case, the items may be returned by the US Secret Service upon request.

7. Cell Phones

a. Cell phones shall be put in the custody of the Property and Evidence unit as soon as practical.

b. Cell phones should be placed in "airplane" mode or powered off if possible.

c. Owner information must be included with the cell phone.

d. If a cell phone is taken by the Forensics Division or an investigator the Evidence Continuity must reflect the actual location of the item.

e. Cell phones should be released to the rightful owner immediately if not needed for evidence in a case.

8. Clothing

    a. In accordance with the section above on items used to identify a suspect, clothing submitted to the Property and Evidence unit should be inventoried as Evidence if needed to prove identity of a suspect or hold evidence of a crime.

    b. Items of clothing submitted related to a case, but which have no evidentiary value should be listed as Safekeeping so they can be returned to the owner promptly.

    c. Submitting officers shall go through all pockets before inventorying clothing. If items are located in pockets, these items should be inventoried. Depending on the type of case, clothing items may be packaged in paper bags separately or together. Consult with Forensics Division personnel for specific guidance.

    d. Clothing or personal items that are not needed for a case shall be returned to the individual or stored by the jail whenever possible. If not possible, the items shall be inventoried as Safekeeping.

    e. See Blood Room Procedures for how to dry clothing.

9. DNA and Latent Print Evidence

    a. Latent prints (e.g. fingerprints, palm prints, footprints) recovered at crime scenes by trained precinct officers or investigators shall be inventoried in the Property and Evidence unit and noted in the report.

    b. Employees collecting items containing potential latent print or DNA evidence shall wear protective gloves during the evidence collection and inventory processes and avoid touching areas most likely to have been handled by suspects.

    c. Any item reportedly handled by a suspect or arrestee during any type of assault or threatened assault shall be collected using protective gloves and held for latent print or DNA processing.

    d. The reporting officer shall note in the report that the item was handled in such a manner to protect latent prints or DNA evidence, and that the item is held for latent print or DNA processing.

    e. MPD personnel shall advise Property and Evidence unit personnel when items are to be held for latent print or DNA evidence processing through the Property Report and by marking the packaging appropriately.

    f. Items not documented to be held for latent print or DNA processing will not be processed by the Forensics Division.

10. Electronic Media or Digital Evidence

    a. Items of evidence submitted on electronic media (thumb drives, CDs, DVDs, flash drives, etc.) or digital storage devices should be submitted in a protective sleeve, cover, or container that will offer protection for the media or device.

    b. Electronic or digital evidence envelopes or packaging will be sealed to maintain integrity of the evidence.

11. Explosives, Fireworks and Hazardous Chemicals

    a. Explosives, fireworks and hazardous chemicals will not be received in the Property and Evidence unit. The Bomb unit should be contacted to handle the materials.

    b. When sworn employees encounter a situation involving suspected explosives, hazardous or potentially hazardous chemicals at a scene, they shall notify MECC who in turn will notify and advise Bomb unit personnel of the circumstances. Bomb unit personnel shall determine the appropriate response.

    c. Commercially packaged household chemicals may be received into the Property and Evidence unit.

    d. Temporary storage of hazardous chemicals, flammables, and fireworks may be done at the Property Warehouse. Absolutely no explosives will be accepted. Contact the Property Warehouse for specific instructions.

12. Firearms

    a. All firearms and discharged cartridge casings (DCCs) shall be put in the custody of the Property and Evidence unit prior to the end of the shift. No seized or recovered firearms or discharged cartridge casings (DCCs) shall be stored at the precincts or at other MPD evidence locker locations.

    b. Loaded or jammed firearms shall not be brought into the Property and Evidence unit past the locker room, with exception of sworn employees' duty weapons.

        i. If a firearm cannot be verified as unloaded, may be jammed, or is not able to be unloaded safely, it shall be secured in an evidence locker at the Property Warehouse along with an associated printed label. The condition of the firearm must be indicated on the label. A notification shall be placed with the firearm inside the locker in such a way as to notify personnel of the firearm's condition.

        ii. Firearms suspected of being loaded or jammed will remain secured until cleared by MPD Range staff.

    c. Firearms will be secured in such a manner as to prevent firing. The use of the safety, cable ties, trigger locks, or other devices which prevent firing are acceptable.

d. MPD employees submitting firearms shall attach a tag to the trigger guard with the barcode label applied.

e. Any required documentation of firearms in the corresponding report shall be completed by the officer.

f. When any firearm is taken into the possession of MPD, whether as evidence or safekeeping, officers shall list RECGUN as an offense code. This is in addition to any other offenses that may be included and applies in cases with no charges.

g. Entry of firearms into or clearance of firearms from NCIC will be handled by the Property and Evidence unit staff only for compliance with BCA requirements.

13. Food or Perishable Items

a. Items of food or other perishable items are not accepted into evidence unless there is a clearly articulated reason related to a criminal investigation.

b. Officers who encounter food or perishable items in personal property shall take photos of all items and then dispose of the items appropriately. The photos should be attached to the case, along with narrative text describing the actions.

14. Jewelry

a. Items of jewelry shall be put in the custody of the Property and Evidence unit prior to the end of the shift. No jewelry shall be stored at the precincts or at other MPD evidence locker locations.

b. Jewelry shall be itemized and documented in PIMS and described in a narrative text. Descriptions shall be limited to color and style versus type of metal and quality of stone. Example: gold colored ring with clear colored stones.

c. A photo of all jewelry items submitted shall be taken by officers and included in PIMS.

15. Narcotics or Controlled Substances

a. Narcotics or controlled substances shall be put in the custody of the Property and Evidence unit prior to the end of the shift. No narcotics or controlled substances shall be stored at the precincts or at other MPD evidence locker locations.

b. If substances are suspected to contain fentanyl or carfentanyl they shall be secured in a locker. A “Bio-Hazard” sticker shall be applied to the packaging.

c. All drugs shall be packaged separately by type (Marijuana in one package, cocaine in one package, heroin in one package, etc.). The BCA will not accept drugs of different types packaged together. Prescription medications may be put into one package.

d. Drug paraphernalia shall be submitted as an Article in PIMS and shall not be put in the same packaging as narcotics unless they cannot be separated. Glass pipes, dugouts, metal pipes, etc. should be packaged in paper envelopes.

16. Needles, Syringes and other Sharps

a. Needles, syringes and other sharps shall only be inventoried when containing suspected narcotics or when use is suspected in a serious crime. When kept as evidence these items shall be photographed and packaged in puncture-proof containers. Employees should not disassemble needles or syringes. The Property and Evidence unit has Syringe Safety Kits available for use when submitting syringes.

b. When needles, syringes and other sharps do not contain suspected narcotics and are not suspected as being used in a serious crime, they shall be photographed and disposed of by the officer. This shall be documented in the case report.

c. When submitting sharp items in secure lockers, a notification must be displayed that there is a sharp item. This can be done on the outside of the envelope or by a separate notice placed in the locker with the items.

d. Bio-Hazard stickers should be used if there is a suspicion of a hazard present.

17. Personal Containers

Personal containers may include (but are not limited to): Backpacks, duffle bags, purses, wallets, safes, suitcases, and other items that contain personal property.

a. Personal containers that are locked or secured

i. Due to facility and personal safety concerns, the Property and Evidence unit will not accept personal containers with unknown contents unless a search warrant to open or examine the personal container is obtained. This includes, but is not limited to, locked safes, briefcases and luggage. MPD personnel should contact the Property and Evidence unit before submitting these types of items.

ii. Items held for safekeeping that are locked or secured and containing unknown contents will be opened immediately.

b. Personal container contents

Officers submitting personal containers are responsible for going through the bag or container to locate any items of value, money, drugs, weapons, or other notable items. Officers shall itemize all items removed from the personal container.

F. Viewing or Signing Out Items

1. Chain of custody

   a. Recording

      All persons viewing or taking custody of items from the Property and Evidence unit shall record the Evidence Continuity in PIMS.

   b. Responsibility for items

      The employee taking custody of items is responsible for those items until they are turned over to the court, returned to the owner or returned to the Property and Evidence Warehouse.

   c. Items not returned

      Items checked out of the Property and Evidence Warehouse and not returned to the unit will be documented in the following manner:

      i. Items submitted to court

         The investigator shall notify the Property and Evidence unit that the items will be submitted to court. The disposition for the items shall be updated as "To court" in Evidence Continuity.

      ii. Items returned to the rightful owner

         aa. Items returned to a rightful owner should be completed by Property and Evidence unit staff and will be documented in PIMS with an original signature.

         ab. Investigators returning items in the field to the rightful owner shall:

            - Document the items in PIMS through a narrative text.
            - Attach a scanned signature from the owner to the case report.
            - Fill out a Property Release form (MPD-9096) with the owner, including the owner's signature. The Property Release form shall be scanned and attached to the case report.

      iii. Items transferred to another agency or organization

         The Disposition for the items shall be updated to "Transfer," and the "Remarks" field shall be updated with the agency information. Any documentation received from the agency or organization shall be scanned and attached to the case report.

2. Evidence requiring testing or analysis

   All persons who are not MPD employees must have authorization from the case investigator or Commander of the assigned unit to sign out items for testing or analysis.

   a. The investigator or Commander giving authorization shall record that authorization in the "Remarks" field.

   b. This includes evidence being transferred to outside agencies for testing (ATF, DEA, FBI, etc.).

3. Items for trial

   a. All items checked out from the Property and Evidence unit for trial must be returned by the end of the day, unless retained by the court as an exhibit.

   b. If items are retained by the court as an exhibit, the person who checked the items out must enter a narrative text in the case report prior to the end of the day.

      i. Investigators shall be responsible for ensuring the narrative text is entered.

      ii. Property and Evidence unit staff may enter the narrative text when notified directly by the City Attorney's Office.

   c. Items left at court for trial shall remain in the custody of the court until disposition is made by order of the court.

4. Original video evidence

   a. Original digitally recorded media of potential video evidence may be checked out from the Property and Evidence unit by Investigators, Records unit staff and paralegals. This applies to media items such as CDs, DVDs, USB flash drives, memory cards, hard drives, etc. This does not include original VHS recordings.

      i. When media is checked out, the original media shall not be altered or deleted, and data shall not be added to the original component.

      ii. If an investigator has removed video evidence from the Property and Evidence unit for viewing purposes and was not able to successfully view the data contained on the item, the investigator should return the item to the Property and Evidence unit. A Crime Lab Video Section Request for Services form (see Crime Lab Request for Service- Video Forensics under Forms on CityTalk) can be completed for Forensic Video Analyst (FVA) personnel to conduct an analysis of the media.

   b. Original VHS recordings of potential video evidence may only be removed from the Property and Evidence unit by authorized Forensics Division personnel unless a court order is presented stating that the original recording is required for court purposes.

i. A copy of an original VHS recording may be requested by completing a Crime Lab Video Section Request for Services form.

ii. If there is an immediate investigative need to view an original VHS recording before a copy is made Car 21 should be contacted to initiate a callback of Forensic Video Analyst personnel.

c. Privately owned video recording systems that have been inventoried may be released after forensic video analysis has been completed and the case investigator has authorized the release in PIMS.

5. Checking out Narcotics or Controlled Substances

a. No narcotic drug or controlled substance shall be checked out from the Property and Evidence unit without documented authorization. Exceptions to this policy are:

- Signing out narcotics or controlled substances as evidence for court.
- Signing out narcotics or controlled substances for analysis by the BCA or other recognized scientific organization.
- Transfer of narcotics or controlled substances to another recognized law enforcement agency.

b. Any transfer of narcotics or controlled substances for training (internal or otherwise) must be authorized in writing by the Chief or Police or their designee and coordinated with the Manager of the Property and Evidence unit.

G. Disposition of Property or Evidence

1. Disposition of evidence

a. Assigned case investigators and other assigned personnel are responsible for providing the disposition of evidence and property.

i. If there is no assigned investigator for a case, Property and Evidence unit manager or supervisors may enter disposal information.

ii. These dispositions will be based on the listed "Retention Guidelines" information.

b. Investigators are responsible for researching the outcome of assigned cases and entering appropriate disposal or release dates. Property and Evidence unit manager or supervisors are authorized to provide disposal orders for items of property or evidence according to the following outcomes:

Retention Guidelines

i. Acquitted: Dispositions for all items of evidence or property shall be entered in a timely manner.

ii. Closed by citation: All items that will help to prove the case should be retained for at least 180 days.

aa. If a warrant is issued, then items should be held until the warrant is closed and court is completed.

ab. If the items need to be retained longer, the investigator or attorney should notify the Property and Evidence unit with the expected timeline.

iii. Convicted: All items that will help to prove the case should be retained until the expiration of the sentence.

iv. Declined or Deferred: The investigator will receive direction from the prosecuting attorney as to what is needed to move forward with prosecution. Items should be retained for the statute of limitations as an open case.

v. Dismissed: Dispositions for all items of evidence or property shall be entered in a timely manner.

vi. Open: The investigator should retain all evidence for the statute of limitations for the type of case.

c. Hennepin County Model Evidence Retention Policy Guidelines may also be considered in disposal efforts. Reference the full document for specific rules.

i. Uncharged/Unsolved Cases: All felonies should be held for at least 6 years.

ii. Convicted Cases: Retain all evidence until the expiration of sentence.

iii. Acquitted Cases: Dispose with the consent of the prosecutor.

2. Auctions or sales

a. The Property and Evidence unit shall be responsible for the public auction or sale of surplus items in the custody of the MPD (except vehicles). Items may include:

- Things remaining unclaimed by owners
- Items that may not be returned to owners
- Items that are ordered by the court to be sold
- Items that cannot be associated with any criminal or civil case
- Items that otherwise would be destroyed but are in usable condition

b. Notification of public auctions or sales will be made at least 30 days in advance and be published in the official journal used by the City of Minneapolis.

c. Public auctions or sales may be published using social media or other methods to promote the event.

d. Auctions or sales shall be conducted in accordance with City Ordinances, MN Statutes and Federal Laws.

H. Release of Firearms

1. The firearms release process coordinator is designated by the Commander of division that oversees firearms investigations (and is generally the Lieutenant of the Firearms Release Unit). The coordinator has the authority to authorize the release of firearms inventoried in the Property and Evidence unit.

   a. The release given by the coordinator is validation that the firearm is no longer needed for evidentiary purposes in connection with the criminal investigation, and has not been forfeited by court order.

   b. Validation shall be documented by adding a narrative text to the associated and original reports. The disposition of all items shall be updated accordingly.

2. In accordance with MN Statutes, firearms will only be released after a background check is completed (this includes firearms held as evidence and firearms held for safekeeping). Firearms cannot be released to an ineligible person (MN Statute section 624.713).

3. After firearm release has been authorized and background checks are completed, the release of the firearm to the owner shall be arranged through the Property and Evidence unit.

   a. Firearms shall be released from the Property and Evidence unit Warehouse location by appointment only.

I. Release of Non-Evidence or Personal Items

1. Items of Safekeeping

   a. Property and Evidence unit personnel are able to immediately release items of safekeeping (determined by the submitting officer and assigned investigator).

   b. Property and Evidence unit personnel have the authority to send a notice to the known owner or conclude that an owner cannot be determined after research.

2. Known owner

   a. Property and Evidence unit personnel will only release property to the true owner or their designee, unless the owner waives their ownership of the property.

   b. When the owner is known or discovered, a notice shall be sent to the last known address in the records management system.

      i. This notice shall be sent by US Mail.

ii. The proper field shall be updated in PIMS to reflect that a notice was sent including the date sent and employee number.

iii. If the notice is returned, the proper field shall be updated in PIMS to reflect that the notice was returned, including the date returned and employee number. The returned notice shall be scanned and attached to the case.

c. Owners may authorize another party to retrieve property on their behalf by submitting a notarized letter establishing the authorization and authorized party.

3. Unknown owner or ownership waived

a. When the owner is unknown to the department, the owner has waived title, or it has been determined that the property has been abandoned, the property shall be disposed of according to unit policies or directives.

b. When property is found by a member of the general public and no known owner is determined after reasonable research, the property may be released according to the following standards:

i. Bicycles may be released to a finder with an MPD case number at their request, after thirty (30) days have elapsed (this excludes MPD sworn or civilian employees, and other City of Minneapolis employees acting within the scope of their employment at the time the property was found).

ii. All property other than bicycles may be released to a finder with an MPD case number at their request after six (6) months have elapsed (this excludes MPD sworn or civilian employees, and other City of Minneapolis employees acting within the scope of their employment at the time the property was found).

c. Per Minneapolis City Ordinance 490.70 (Sale of Impounded Bicycles), any bicycle lawfully coming into the possession of the city and remaining unclaimed by the owner for a period of at least thirty (30) days may be sold to the highest bidder at public auction or sale following reasonable published notice.

4. Property released that was not submitted to the Property and Evidence unit

a. Any MPD employee releasing property not documented by the Property and Evidence unit shall enter a narrative text in the report or scan and attach a completed Property Release Form (MPD-9096) to the case.

b. The narrative text must include:

- An itemized list of those things being released
- The name and address of the receiving individual
- The signature of the individual above their printed name
- The ID number and type provided by the individual

5. Property with the serial number removed or altered

    a. All property which has the serial number removed or altered, with the exception of firearms, shall be disposed of in the most appropriate manner determined by the Property and Evidence unit.

    b. Firearms with the serial number removed or altered shall be destroyed during the regular disposal process.

J. Authority of Internal Affairs for Confiscated Property or Evidence

1. Items of property or evidence may be confiscated at any time by investigators from the Internal Affairs Unit or other law enforcement agency acting on behalf of the MPD.

2. The Internal Affairs unit Commander, or their designee, has the authority to place a hold on any property including firearms and other weapons that are seized in connection with an administrative investigation or an internal criminal investigation.

3. Property that is placed on such a hold may only be released with the authorization of the Internal Affairs unit Commander or their designee. The release given is validation that the property is no longer needed for evidentiary purposes in connection with an investigation.

K. Converting Property or Evidence for Department Use

1. The MPD may convert for department use evidence or found property that is not needed in a judicial proceeding when there is no known owner, or the owner no longer has a legal right to the items. Property shall only be converted for department use after a thorough, documented investigation and approval process has occurred.

2. A Precinct, Unit, or Division wishing to acquire evidence or found property for department use shall complete an MPD Property and Evidence Unit Request Form (MP-8000), available from the Property and Evidence unit manager. The form, complete with appropriate signatures, shall be forwarded to the Property and Evidence unit.

3. Requests will be fulfilled on a first-come, first-serve basis. The Property and Evidence unit, upon receiving the request will determine if the requested items are in inventory. If such items are located, Property and Evidence unit personnel shall verify the property:

    - Is not needed in a judicial proceeding,
    - Is not listed as a missing or stolen item,
    - Does not have a known owner with a legal right to the property.

4. Upon completion of the research, Property and Evidence unit personnel will notify the requestor that the items are available.

5. If the requested items are not available, the request will be placed on file on a waitlist.

6. Once an item becomes available, the requestor will be notified to make arrangements for the transfer. The item's disposition shall be updated as "Transfer" and the transfer shall be described in a narrative text with the case.

7. A list of items converted for use by the MPD will be maintained by the Property and Evidence unit. The list will be reviewed on an annual basis by a supervisor in the Property and Evidence unit. Items that are no longer in use by the requesting unit shall be returned for disposal as soon as practical.