



Minneapolis Police Department Policy and Procedure Manual

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Volume Two – Personnel Administration

Misconduct Prevention, Reporting, and Investigation

2-103 MPD Complaint Reporting

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I. Purpose

It is critical to have robust and well-functioning accountability and oversight systems in which Minneapolis Police Department (MPD) members are held to the highest standards of integrity. A culture of accountability also promotes member safety and morale and improves the effectiveness of MPD operations. Procedural justice also plays an important role in enabling MPD members to have confidence in the legitimacy of the system that holds them accountable.

In order to foster public trust, receive critically important community feedback, and promote confidence in MPD, MPD will maintain an accessible process to all people who wish to file complaints about MPD members allegedly violating MPD policy or the law.

II. Policy

A. Responsibility of All Members to Accept Complaints

1. All MPD members shall courteously accept complaints from any person. All complaints will be documented, even if the complainant could not identify the MPD member's name or badge number.
 - a. Members shall refer to the following guides for direction on receiving a complaint.
 - Complaints - Accepting a Complaint.
2. MPD members shall never refuse to accept a complaint, discourage any person from lodging a complaint, or provide false or misleading information about filing a complaint.
 - a. Members shall not make or send any communications to complainants or witnesses that contain any language that could reasonably be construed as discouraging participation in a complaint investigation, such as a warning against making false statements.
 - i. This does not preclude requiring complainants and witnesses to agree that what they share is truthful and accurate to the best of their knowledge and belief (such as the message on the complaint form).

- b. Members who refuse to accept a complaint, discourage the filing of a complaint, or provide false or misleading information about filing a police misconduct complaint, may be subject to discipline. Internal Affairs and other misconduct-related investigative entities, shall accept, document, and investigate such allegations.
3. MPD members shall not intimidate, coerce, direct an adverse action, or retaliate against any person for filing a complaint or participating in a complaint investigation. (See P&P 2-104 regarding retaliation against members)
4. Internal Affairs shall also courteously and respectfully accept any and all complaints of misconduct against any member of MPD, regardless of the manner in which the complaint is received (anonymous complaints, complaints via email, complaints reported by a third party, etc.). Internal Affairs shall refer complaints to the appropriate investigative agency (such as the Office of Police Conduct Review (OPCR) or Human Resources) as required by the Minneapolis Police Misconduct Investigations Manual.
5. Any person (internal or external) may make a complaint alleging member misconduct by letter, email, phone, or online or in person to any member in any area of MPD (including Internal Affairs), OPCR, or Human Resources.
 - a. Any member who becomes aware of a person who expresses an interest in filing a complaint regarding a member's conduct, shall promptly provide the person with information about how to file a complaint. The member shall read the information on the Complaint Card verbally to the person wanting to make a complaint and then provide the person with the Complaint Card. If the person is making a complaint by phone and would like to receive a copy of the Complaint Card by mail or email, the member shall ensure a copy is sent to the person. The member shall also provide a Complaint Form to the person wanting to make a complaint.
 - b. All MPD sworn members shall carry Complaint Cards (Yellow Card) and Complaint Forms in their vehicles and provide them upon request.
 - c. Complaint Forms for members of the community to file a complaint shall also be available at each MPD precinct and at Minneapolis City Hall in both Internal Affairs (Room 112) and the Office of Police Conduct Review (Room 239).
 - d. The Complaint Form for members of the community to file a complaint is also available online in English, Spanish, Somali, Hmong, Lao, Oromo, and Vietnamese at:
<https://www.minneapolismn.gov/report-an-issue/police-officer-complaint/>
 - i. For additional information, OPCR also has a webpage available describing the complaint review process:
<https://www2.minneapolismn.gov/government/departments/civil-rights/opcr/complaint-review-process/>

6. Members making an internal complaint about another member can use the internal complaint portal to file a complaint with Internal Affairs. Filing an internal complaint does not relieve a member of their duties to report under P&P 2-101. Members must follow the procedures in P&P 2-101 regardless of whether they file a complaint.
 - a. Internal Affairs has a webpage with information on the complaint review process for complaints filed by MPD members or City of Minneapolis employees available online at:
<https://www.minneapolismn.gov/government/departments/police/professional-standards/employee-complaint-process/>
7. At no time shall any member, including supervisors, handle a complaint about themselves. If someone wants to initiate a complaint about the member to whom they are speaking, the member shall provide the person the Complaint Card. The member shall also offer to request their supervisor (at a rank higher than themselves) to respond to the scene, if the complainant prefers to discuss their complaint in person. If the member is speaking to the complainant over the phone, the member shall request that their supervisor take the call and accept the complaint.

B. Minneapolis Police Misconduct Investigation Manual

1. The Minneapolis Police Misconduct Investigation Manual outlines procedures for receiving complaints made against a member or the Department, and for how complaints are processed. The Minneapolis Police Misconduct Investigation Manual is available to all MPD members on the MPD internal site.
2. Complaints shall be processed by the investigative entity according to procedures outlined in the Minneapolis Police Misconduct Investigation Manual.
3. All Internal Affairs members shall follow the investigation procedures that are outlined in the Minneapolis Police Misconduct Investigation Manual.

C. Complaints about the Chief

1. Complaints about the Chief shall be handled by the Office of Community Safety (OCS) in accordance with the OCS policy.
2. MPD members may file a complaint of misconduct against the Chief of Police to the OCS by email sent to MPDChiefComplaints@minneapolismn.gov or in person by delivering a physical copy of the complaint to the OCS located at City Hall, room 115.
3. If Internal Affairs receives a complaint regarding the conduct of the Chief of Police, Internal Affairs shall close the complaint and refer it to OCS.

D. Members as Criminal Suspects

1. If any MPD member is alleged to be a suspect in a police call for service or a criminal case, regardless of the jurisdiction, they shall immediately make notification to their supervisor as required in P&P 2-101.
2. Following supervisor notification to Internal Affairs (per P&P 2-101), the Commander of Internal Affairs shall immediately notify the Deputy Chief of Internal Affairs. The Deputy Chief of Internal Affairs shall make any required notifications to the Chief of Police regarding the allegation.
3. The Commander of Internal Affairs, in consultation with the Deputy Chief of Internal Affairs, shall determine if an immediate physical response by Internal Affairs is required (P&P 2-109). Regardless of any immediate physical response, the Commander of Internal Affairs, in consultation with the Deputy Chief of Internal Affairs, will ensure an investigation is immediately started.
4. The Commander of Internal Affairs, in consultation with the Deputy Chief of Internal Affairs, shall immediately gather information about the allegation to provide the Chief of Police so that the Chief can make a determination as soon as feasible regarding any interim measures, including, but not limited to, potential reassignment or relieving a member from duty (P&P 3-406). Such determinations are made on a case-by-case basis, by the Chief or the Chief's designee, based upon the circumstances and information available.
5. If any MPD member is a suspect in a criminal case, or the development of a case leads to an MPD member being a suspect within the jurisdiction of MPD, the original receiving investigative entity (e.g., Internal Affairs) shall refer the potential criminal conduct out, in consultation with the City Attorney's Office, to the appropriate agency for investigation. The original receiving investigative entity shall administratively investigate all potential policy and procedure violations related to the criminal case.
 - a. Where a criminal investigation is taking place at the same time as the corresponding administrative investigation by Internal Affairs, the Commander of Internal Affairs shall promptly notify the City Attorney's Office of the criminal case for its review prior to taking any investigatory action in the administrative case (such as MPD member interviews).
 - b. To the extent the case falls within MPD's jurisdiction, any criminal investigation into potential MPD member misconduct will be performed by an impartial and competent investigator from an outside agency. MPD shall consult with the City Attorney's Office on potential conflicts.
6. Any criminal investigations regarding MPD member involvement in a critical incident (P&P 7-810) or regarding criminal sexual conduct shall be referred out to the MN Bureau of Criminal Apprehension (BCA) for handling.

7. Officer-involved shootings and other critical incidents will be handled in accordance with P&P 7-810 and applicable labor agreements.

E. ADH&R Complaint Reporting

All complaints of workplace discrimination, harassment, and retaliation shall be handled in accordance with P&P 2-106 and the City's Anti-Discrimination, Harassment, & Retaliation Policy ("ADH&R Policy").

Glossary

Internal Complaint: Complaints initiated by MPD members or City of Minneapolis employees regarding allegations of MPD P&P violations by MPD members.

Misconduct: A violation of MPD Policies or Procedures, including but not limited to, as specified in those Policies and Procedures: violations of federal, state, or local criminal or applicable civil laws, criminal or civil constitutional violations, violations of administrative rules, or violations of regulations.

Retaliation: The action of treating a person differently, or engaging in acts of revenge or intimidation against the person, because the person has engaged in an exercise of rights, has fulfilled their duty to report or duty to intervene, or participated in an investigation. Examples of acts that may be retaliatory include, but are not limited to:

1. Making threats or engaging in verbal or physical abuse.
2. Maliciously or fraudulently filing a complaint or claim of discrimination.
3. Workplace retaliation, including but not limited to:
 - Blocking advancement (e.g., promotion or transfer requests).
 - Giving punitive, demeaning or unnecessary work assignments.
 - Authoring unsupported negative evaluations.
4. Conducting a stop, search, or arrest without basis.
5. Stalking a person or their place of residence.
6. Intimidation.
7. Any other conduct deterring exercises of rights.