



Minneapolis Police Department Policy and Procedure Manual

Number:
2-100

Volume Two – Personnel Administration

Misconduct Prevention, Reporting, and Investigation

2-105 Complaint Investigation Processes Overview

(xx/xx/xx)

I. Purpose

This policy provides a summary of MPD's Internal Affairs and the OPCR's misconduct investigation processes. Each investigative entity operates independently.

II. Internal Affairs and OPCR

Internal Affairs and the Office of Police Conduct Review (OPCR) follow the procedures outlined in the Minneapolis Police Misconduct Investigations Manual regarding filing complaints, intake procedures and investigation. Below is a summary of the process to increase awareness and transparency of misconduct investigations by Internal Affairs and the OPCR. Each investigative entity operates independently in their processes.

A. Complaint Filed

1. Any person who has knowledge of alleged misconduct by an MPD sworn member may file a complaint with the City by means of any readily available method approved by the OPCR or Internal Affairs. The OPCR and Internal Affairs shall endeavor to facilitate the complaint filing process by providing multiple accessible avenues for the filing of complaints.
2. Complaints are accepted by Internal Affairs and the OPCR via email, mail, phone, in-person, online public portals, or online internal portals, and may also be received at police precincts or via 311. Each investigative entity receiving complaints or referrals conducts its own independent complaint filing process.
3. The investigative entity shall notify the MPD chain of command for any allegation of serious misconduct as defined in the Minneapolis Police Misconduct Investigation Manual.
4. Complaints regarding misconduct during a critical incident can be investigated by both departments simultaneously if both an internal complaint and an external complaint are received regarding the same incident.

B. Signed Complaints

1. Complaints will be considered signed if they are submitted through email or an online portal and include a complainant name. If required by law to take a sworn member's formal statement, the OPCR Director or Internal Affairs Commander may substitute their own signature to constitute a signed complaint.
2. OPCR or Internal Affairs shall make reasonable attempts to obtain a signed complaint form from the person within 30 days of receiving the complaint. Such attempts will reasonably accommodate the complainant's disability status, language proficiency, and incarceration status.
 - a. If OPCR or Internal Affairs staff are unable to obtain a signed complaint, the staff member will refer it to the OPCR Director or Internal Affairs Commander for an assessment of whether an investigation would uncover misconduct by an MPD member. If so, the OPCR Director or Internal Affairs Commander shall initiate a signed complaint.

C. Administrative Closures

After a complaint is filed, cases that are not within the jurisdiction of Internal Affairs or OPCR shall be administratively closed. Cases may be administratively closed for the following reasons:

1. Lack of jurisdiction

Cases that do not involve an MPD member and include an involved outside agency that is unable to be identified by the intake investigator, shall be administratively closed. OPCR and Internal Affairs do not have jurisdiction to handle these matters. Cases involving outside agencies that can be identified are handled through the referral process ([II-F-4]). Complainant outcome notifications shall be made ([II-L]).

2. Failure to state a claim

Cases when all allegations (taken as true) and obtainable information fail to indicate potential violation of a City policy or an MPD policy shall be administratively closed. Complainant outcome notifications shall be made ([II-L]).

3. Duplicate

For duplicates of a previously received complaint, any new information from the duplicate complaint will be added to the file of the previously filed complaint. Complainant outcome notifications shall be made ([II-L]).

D. Categorization and Classification

1. Each complaint received shall be thoroughly reviewed by a supervisor in the investigative entity who shall determine the appropriate classification and categorization in accordance with the Minneapolis Police Misconduct Investigations Manual.
2. Classification and categorization shall be based solely on the nature of the facts and allegations available at the time the complaint is received.

E. Intake

1. The intake process consists of evidence gathering and review, often including conducting complainant interview(s), to allow for an initial routing decision.
2. During the intake process, intake staff will identify the most specific, appropriate allegations that cover the alleged incident and identify all parties involved, including non-member witnesses, witness MPD members, and focus members. Every non-duplicative policy allegation will be added to the Misconduct Investigation Routing Document, including those found during the evidence gathering and review stage that were not alleged in the original complaint.
3. Intake staff will locate all readily accessible and perishable evidence, as outlined in the Minneapolis Police Misconduct Investigations Manual.
4. The entire intake process shall be completed within 30 calendar days from the date of receipt.
5. Intake investigators will present their findings to the Commander of Internal Affairs or the OPCR Director, who will review the proposed Misconduct Investigation Routing Document. The Commander or the OPCR Director makes the final decision for the routing of a case and shall sign and approve it before it moves forward.

F. Case Routing Decisions

After the completion of the intake process, a case can be routed in the following ways:

1. Administrative investigation

- a. Cases where the outcome could lead to disciplinary action shall be routed for an administrative investigation, unless routed for expedited disposition.
- b. If a case is routed for administrative investigation, the focus member and the focus member's Inspector or Commander will be notified of the open case with a Notification of Administrative Investigation Letter sent via email by the investigative entity. This notification is different from interview notifications ([II-G-3]).

- c. Focus members are prohibited from discussing the case with anyone other than their union representative or attorney.

2. Expedited disposition

- a. Cases involving a violation supported by clear and objective factual support and low likelihood of factual dispute are eligible to be routed for expedited disposition. In order for the case to go through the expedited disposition process, the focus member would still need to agree that they have violated MPD policy or procedures. However, a case may be routed for expedited disposition prior to obtaining the focus member(s) agreement to go through the expedited disposition process.
 - An expedited disposition occurs when a member agrees that they have violated MPD policy. An expedited investigation will still obtain and include the clear and objective factual support. The expedited process will result in a more timely arrival at the imposition of corrective action, consistent with the Corrective Action Matrix in effect at the date of incident.
- b. If a case is routed for expedited disposition, the focus member will be notified of the open case with an Expedited Disposition Eligibility Letter sent via email by the investigative entity. The focus member will have 7 calendar days to complete the eligibility letter.
- c. If a complaint has any of the following allegations listed in their case, the complaint is not eligible for expedited disposition:
 - i. Truthfulness.
 - ii. Use of force that is prohibited (including any force that was not objectively reasonable, necessary and proportional).
 - iii. Discrimination, including violations of the City of Minneapolis' Anti-Discrimination, Harassment and Retaliation Policy ("ADH&R Policy").
 - iv. Failure to report potential misconduct (P&P 2-101).
 - v. Failure to intervene (P&P 2-102).
 - vi. An intentional and knowing violation of MPD policy that resulted in physical or non-physical harm to another.

3. Non-disciplinary corrective action

This section applies to cases that contain only Category A policy allegations, and the available non-disciplinary corrective actions for Category A policy allegations.

- Category A solely includes conduct that, while against policy, is isolated in nature and either has or risks having a negligible negative impact on public safety, community trust of MPD, or on MPD's overall operations or professional image.
- Category A may include conduct that is not repeated, and is not willful, meaning unavoidable infractions, inadvertent infractions, or infractions where the member reasonably believed either that they were complying with policy or that they were acting in the best interest of the community and consistent with MPD's mission. Such conduct may include, for example, improper attire or appearance or failure to properly inspect a vehicle.
- Category A shall not include conduct that involves the use of force, untruthfulness or false statements of any material facts, investigative detentions, traffic stops, searches, citations, or arrests that violate policy, acts of bias, discrimination, or retaliation as described in MPD policy, failure to intervene with or report prohibited force (P&P 2-102 and P&P 2-101), or alleged policy violations when interacting with members of the community at First Amendment events.

a. Coaching

- i. Cases that only contain Category A policy allegations, according to the MPD Corrective Action Matrix in effect at the incident date, may be eligible for coaching. Coaching is an interactive process between a member and their supervisor. It should be used as a non-disciplinary performance improvement tool.
- ii. If a case is routed for coaching, the focus member does not receive a notification of the routing from the investigative entity. Instead, a template Non-Disciplinary Corrective Action Coaching Form is sent to the focus member's Inspector or Commander. The focus member's Inspector or Commander will assign a supervisor to complete the coaching with the focus member.

b. Training

- i. Cases that only contain Category A policy allegations, according to the MPD Corrective Action Matrix in effect at the incident date, may be eligible for training. Training is a formal process between a member and an MPD instructor. It should be used as a non-disciplinary performance improvement tool.
- ii. If a case is routed for training, the focus member does not receive a notification of the routing from the investigative entity. Instead, a template Non-Disciplinary Corrective Action Training Form is sent to the MPD instructor. The MPD instructor will complete the training with the focus member.

4. Referral

a. Referral to another City investigative entity

Cases can be referred to another investigative entity in MPD or the City of Minneapolis, including but not limited to, Internal Affairs, the OPCR, OCS, and/or HRIU, that has appropriate jurisdiction to investigate the case if the original receiving investigative entity does not have jurisdiction to investigate. For example, if an external complaint is received by Internal Affairs the complaint should be referred to the OPCR.

b. Referral to an outside agency

Cases can be referred to an outside agency with appropriate jurisdiction to investigate if the original receiving investigative entity does not have jurisdiction to investigate. For example, complaints regarding employees of an agency other than MPD that can be identified should be referred to that employee's agency.

5. Dismissal

a. No basis

Cases can be dismissed as no basis when all allegations are established as false by irrefutable evidence. If no clear evidence exists to show that the allegations are unsubstantiated, the investigation will continue. The review by the Commander of Internal Affairs or the OPCR Director ([II-E-5]) will include a review to confirm that the evidence is irrefutable.

If a case is routed for a no basis dismissal, the focus member and the focus member's Inspector or Commander will be notified of the closed case with a Closed- No Discipline Letter sent via email by the investigative entity.

b. Cleared by exception

Cases can be dismissed as cleared by exception when the focus member is no longer employed by MPD, except when the case contains any of the following allegations:

- Prohibited uses of force (including any force that was not objectively reasonable, necessary and proportional).
- Discriminatory behavior in policing.
- On-duty impairment of an MPD member or intoxication of an MPD member.
- Pursuit or emergency driving conduct that results in injury.
- Failure to report level 2 or 3 reportable force.
- Untruthfulness.
- Negligent or reckless handling of a firearm resulting in a discharge likely to cause bodily injury or death.

- False arrest.
 - False search or planting evidence.
 - Unwarranted threats of harm.
 - Work-related sexual misconduct.
 - Improper handling of money, narcotics, or evidence.
 - Work-related sexual harassment, protected class status harassment and related retaliation.
 - Criminal conduct in the course of duty.
 - Policy violations with respect to members of the community at First Amendment events.
 - Failure to comply with the duty to intervene or the duty to report related to any above-listed allegation.
 - Allegations involving level 3 reportable force.
- i. For the above cases, Internal Affairs will continue thoroughly processing and investigating the complaint to reach a finding, if feasible. This provides MPD the opportunity to identify failures or gaps in policy, trends, and needs for greater supervision or training.

G. Investigation

1. During this phase, a primary case investigator shall be assigned to the case to conduct a comprehensive investigation. The investigation process consists of evidence gathering and review, interviewing involved parties, and drafting an investigative summary report (ISR).
2. All investigations shall be completed within 180 calendar days of the receipt of the complaint.
 - a. Timeline extensions may be granted by the Deputy Chief of Internal Affairs or the OPCR Director and, requests for extensions will be documented properly in the case file with a short explanation of the reason for granting or denying any extension request.
 - b. An investigation may be tolled if the focus members or pertinent witness members are on protected leave. Tolling temporarily stops the 180-calendar day deadline until the members are no longer on protected leave. Tolling will be documented properly in the case file, including the start and end dates and the reason.
3. The investigator will schedule and conduct interviews for all witnesses (MPD and non-MPD), focus members, and complainants. The investigator shall send Notice of Interview letters for upcoming interviews to MPD members (witness or focus) and the members' Inspectors or Commanders. Interviews shall be conducted in accordance with P&P 2-104 [IV-D].

4. At the conclusion of each misconduct investigation, the Internal Affairs or OPCR investigator shall prepare an ISR in accordance with the Minneapolis Police Misconduct Investigations Manual, including recommended findings of fact related to each factual allegation investigated.

H. Investigative Summary Report and Case File Review

1. Timeline

The entire case file review process, including the review by the investigator's direct supervisor, the City Attorney's Office assigned attorney, and the OPCR Director or Internal Affairs Commander, shall take a maximum of 15 calendar days from the completion of the drafted ISR. The review process shall follow the steps outlined in the Minneapolis Police Misconduct Investigation Manual.

2. Case routing

After supervisory review, the case can be routed in the following ways:

a. Further investigation needed

The unit head may request the primary case investigator to conduct further investigation if the ISR and case file are deficient. This returns the case back to the investigation process. The unit head must clearly explain to the primary case investigator in writing what further investigation is needed. This does not grant the case a new 180 calendar day timeline and reverts the case back to the original 180 calendar day timeline. If further investigation is needed and will likely go past the original 180 calendar day timeline, a timeline extension request shall be requested by the investigator, including the date by which the additional investigation will be completed. The investigator shall complete the requested further investigation and will submit an updated ISR with all newly gathered evidence for review and approval.

b. Refer to Police Conduct Review Panel

- i. The unit head may determine that the ISR and case file are sufficient, complete, and ready for review by the Police Conduct Review Panel. This advances the case to the review panel process.
 - aa. Based on their review of the completed and approved ISR, the Internal Affairs Commander or OPCR Director, respectively, shall evaluate the incident for policy, training, tactical, or equipment concerns, and, based upon the findings of fact in the report, make a recommendation for each allegation of a policy violation as detailed below in section [II-J-6], in accordance with the Minneapolis Police Misconduct Investigations Manual.

- ii. If any redactions to the case file or the ISR are required, the redactions shall be completed prior to the referral to review panel.

c. Refer to Chief

- i. For non-sworn members, the unit head may determine that the ISR and case file are sufficient, complete and ready for review by the Chief.
- ii. If any redactions to the case file or the investigative summary report are required, the redactions shall be completed prior to the referral to Chief.

I. Police Conduct Review Panel

1. The Police Conduct Review Panel process aims to provide a fair and thorough examination of police misconduct complaints, involving both non-MPD oversight and internal police review to maintain public trust and integrity in law enforcement, and follows the steps in the Minneapolis Police Misconduct Investigations Manual. The OPCR is responsible for completion of the review panel steps, unless otherwise noted below. Each review panel shall be composed of three (3) panelists, who must have completed the required training (in accordance with the Minneapolis Police Misconduct Investigations Manual). One (1) of the panelists shall be a sworn member of MPD holding the rank of Lieutenant or higher, drawn from a pool assigned by the Chief of Police or the Chief's designee, and two (2) panelists shall be assigned by the Director of Civil Rights or the Director's designee from the pool of commissioners from the Community Commission on Police Oversight.
2. The Police Conduct Review Panel shall convene within 30 calendar days of the approval of the ISR.
3. Panel members review the case file, including the ISR, and issue recommendations. The panelists meet to discuss their review of the case file and make a majority recommendation in addition to their individual recommendations. A Police Conduct Review Panel Recommendations Form shall be completed by the review panelists within 3 business days for each allegation against each focus member and sent via email to the OPCR Director.
4. Within seven (7) calendar days of receipt of the Police Conduct Review Panel recommendation, the OPCR Director will review and provide to the Chief of Police the review panel's recommendations and the case file.
5. The recommendations include options detailed in the Chief's decision section [II-J-6].

J. Chief's Review and Decision**1. Overview**

- a. The Chief of Police is the decision-maker regarding policy violation determinations and corrective actions for misconduct complaint investigations.
- b. Cases that have reached final disposition of discipline will be posted publicly with redactions as necessary to comply with state law.

The Minnesota Government Data Practices Act dictates when a disciplinary action reaches final disposition. Generally, a disciplinary action reaches final disposition when any grievance and arbitration process concludes, unless the process is waived.

2. Chief's designee

- a. The Deputy Chief of Internal Affairs (sworn or non-sworn) is the Chief's designee for reviewing misconduct investigation files to assist the Chief in making decisions. The Deputy Chief of Internal Affairs, acting as the Chief's designee, will be presented with completed cases for their review. A case is ready for review once it is approved by the Commander of the Internal Affairs Division (for Expedited Disposition cases), or a Police Conduct Review Panel recommendation has been received (for which an administrative investigation was completed).

3. Expedited dispositions

- a. A complaint referred for expedited disposition must be approved for such disposition by the Chief, taking into account mitigating and aggravating circumstances, if any, including the presumed cooperation by the focus member in the expedited disciplinary process and must result in a proposed disciplinary outcome to the focus member that is consistent with the MPD Corrective Action Matrix in effect at the incident date.
- b. The Chief or their designee shall review the case file and send a proposed disciplinary decision to the focus member's union for review on the focus member's behalf. The Chief may hear input from the focus member's union regarding mitigating or aggravating factors and methods to fulfill the corrective action. The Chief is not required to accept and implement any suggested input. The expedited disposition process is not a negotiation. This process shall be completed within 30 calendar days.

If the focus member does not want to continue the expedited disposition process or does not accept the finalized corrective action decision, the case shall be routed for an administrative investigation conducted by the original investigative entity.

4. Remand for further investigation

- a. The Chief of Police or their designee has 15 calendar days from the day they receive the Police Conduct Review Panel Recommendations Form and case file to remand the case for further investigation, if needed.
 - i. The Chief designates the Deputy Chief of Internal Affairs as having the authority to return an investigative file for additional investigation.
- b. For any case that is remanded for further investigation by the Chief or their designee, the case shall be re-routed back to the same investigative entity that conducted the initial investigation for further investigation.
- c. The Chief or their designee shall complete the Remand Memorandum by explaining the reasons for the remand and send the memorandum to the unit head via email.
- d. The reasons shall be written clearly and with a full explanation of the thought process so the unit head and case investigator understand what the purpose and scope of the additional investigation will be.

5. Loudermill Hearing (if necessary)

For cases that the Chief or designee has determined from initial review that will likely result in discipline and a Loudermill hearing is required, a Loudermill hearing shall be scheduled and completed prior to the Chief issuing a disciplinary decision. The Deputy Chief of Internal Affairs shall be responsible for coordinating the completion and documentation of the Loudermill hearing, in accordance with the Minneapolis Misconduct Investigations Manual.

6. Chief's decision

- a. If the Chief does not remand the case for additional investigation, then within 30 calendar days of receiving the Police Conduct Review Panel Recommendations Form and the case file, the Chief shall issue a decision, unless the time period is tolled under law. In cases tolled by law, the 30-calendar day period begins on the day following the conclusion of the protected leave. The Chief or their designee shall document any tolling in the case management system.
- b. Chief's decisions include whether to impose corrective action and what corrective action to impose, following complaint investigations for MPD members. Corrective actions are based on the facts and circumstances of the situation and reflect the seriousness of the misconduct. Disciplinary actions are described in the Corrective Action Matrix.
- c. All policy allegations shall be considered and addressed individually for the purpose of determining corrective action. If the same conduct results in overlapping policy

violations, the highest policy violation may be considered for determining corrective action.

- i. Where an allegation of police misconduct contains multiple separate potential policy violations, even if the most serious allegations are “not sustained,” such a determination will not preclude the imposition of discipline, training, or other non-disciplinary corrective measures for “sustained” findings of less serious misconduct stemming from the same set of allegations.
- d. The Chief shall make corrective action determinations based solely on the information contained in the case file, investigative findings, the facts and circumstances of the situation, the presence of mitigating or aggravating factors, and the application of any progressive corrective action policy. The Chief is prohibited from considering the member’s legally-protected status(es) in the final decision.
- e. Any departures from the presumptive corrective action must be justified based on the facts and circumstances of the situation and documented in writing by the Chief.
- f. Departures from the corrective action range established by the Corrective Action Matrix must be supported by aggravating or mitigating circumstances not included in the Matrix and which necessitate the departure to achieve a fair outcome. All proposed downward departures from the Corrective Action Matrix shall first be sent to the Office of Community Safety Commissioner for review and approval.
- g. The Chief shall not impose only non-disciplinary corrective action where, based on the individual facts and circumstances of a case, the Corrective Action Matrix calls for discipline.
- h. Chief’s decisions include the following for each allegation:
 - i. Sustained.

The Chief determines by a preponderance of the evidence that misconduct occurred which violated MPD or City policy.

Preponderance of the evidence: the fact finder is convinced by the evidence that there is a greater than a 50% chance that the allegation(s) is true.

- ii. Not sustained.

The Chief is unable to determine by a preponderance of the evidence whether the alleged misconduct occurred.

- iii. Unfounded.

The Chief determines by clear and convincing evidence that alleged conduct did not occur or did not involve the focus member.

Clear and convincing evidence: the fact finder is presented with evidence that gives them a firm belief that it is highly probable the factual contentions of the allegation(s) is unfounded. This is a higher standard than preponderance of the evidence, but does not require proof beyond a reasonable doubt.

iv. Exonerated.

The Chief determines by a preponderance of the evidence that the alleged conduct occurred but did not violate policy.

aa. The Chief will identify a “policy failure” where the Chief determines that the focus member is “exonerated” of an allegation, but the Chief would like to examine the policy for a potential revision.

i. The Chief shall issue a Chief’s Corrective Action Decision Memo for all decisions by the Chief. The memo shall include:

- A short summary of the incident and allegations.
- The Chief’s decision for each allegation.
- Any imposed corrective action for each “sustained” allegation.
- Any recommendations from the Internal Affairs Commander or the OPCR Director.
- Any recommendations from the Police Conduct Review Panel.
- An explanation of the reasoning for the corrective action decision, which includes the presumptive range of corrective action under the Corrective Action Matrix and any mitigating or aggravating factors applied when corrective action is imposed.
- Where applicable, an explanation of reasoning for any departure from the recommendations from the Internal Affairs Commander or the OPCR Director and from the Police Conduct Review Panel.

j. The focus member receiving the imposed corrective action will receive a notice letter outlining the violations and the related corrective action.

k. For cases determined to be “not sustained,” “exonerated,” or “unfounded” by the Chief after investigation, a Notice of Outcome Letter will be sent to the focus member.

K. Grievance/Arbitration

The grievance process is dictated by the collective bargaining agreement between the City and the member’s union (for most sworn members the union is the Police Officers’ Federation of Minneapolis).

L. Complainant Notifications and Publication

1. After a case has been closed with no discipline or has reached final disposition of discipline (as described in [II-J-1], Internal Affairs shall close the case and send out case closure letters as appropriate.
2. The complainant shall be notified regarding the closure and any applicable corrective action decision, in accordance with the Minneapolis Police Misconduct Investigations Manual.
3. If discipline is imposed for a policy violation, the basis for the Chief of Police's decision is made public.
4. If discipline is not imposed for a policy violation, the decision is not made public according to applicable state laws.
5. If non-disciplinary corrective action is imposed, the decision is not made public according to applicable state laws.

III. Human Resources**A. Overview**

Complaints that fall under the City's ADH&R policy are generally investigated by the Human Resources Department, in coordination with Internal Affairs (P&P 2-106).

B. Investigative Process

1. The Human Resources Department investigative process will comply with procedures established by the Human Resources Department and the City's ADH&R policy, which may not include the Police Conduct Review Panel or other Internal Affairs or OPCR processes listed above.
2. Human Resources will exercise decision-making authority independent of MPD's Internal Affairs and the Office of Police Conduct Review over whether to dismiss or investigate any complaint within its jurisdiction and the scope of any such investigation.
3. The complainant will be notified by Human Resources when their complaint is closed.

Glossary

Corrective Action: Any employment action taken in response to a complaint of misconduct. This includes both disciplinary action and non-disciplinary corrective action.

Corrective Action Matrix (Matrix): A written, consistent, progressive, and transparent policy that provides ranges of disciplinary actions and non-disciplinary corrective actions for different types of misconduct.

Disciplinary Action: Disciplinary actions are those actions taken to address misconduct that are identified as discipline under the applicable Labor Agreement: written reprimand, suspension, demotion, discharge. Disciplinary actions are based on the facts and circumstances of the situation, reflect the seriousness of the misconduct, and are described in the Corrective Action Matrix.

External Complaint: Complaints initiated by members of the community regarding allegations of MPD P&P violations by MPD members.

Impairment of an MPD Member: A physical, psychological, medical, or emotional condition that may impair the member's ability to perform essential job functions.

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

Intoxication of an MPD Member: The state of being under the influence of any drugs or alcohol that may impair the member's ability to perform essential job functions and is prohibited by MPD P&P 5-102 and labor agreements.

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.

Misconduct Investigation Routing Document: The formal allegation document (also referred to as Form 3401) that is used throughout the entire course of a misconduct complaint, intake, investigation, and review process. It includes the following information:

- Focus members.
- The MPD policy numbers that are alleged to have been violated by each focus member.
- Complainant information.
- Reasons that the document was amended, if it was amended.
- Reasons why a case is being referred or dismissed.
- Case routing decision.
- Current status of the document.
- Internal Affairs Commander/OPCR Director signature.

Non-Disciplinary Corrective Action: Department actions not disciplinary in nature, taken to correct behavior where there is a policy violation, in accordance with the Corrective Action Matrix. Examples of non-disciplinary corrective action include coaching and training.

Protected Class Status: A person'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 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.

Sexual Harassment: Any unwelcome sexual advances, request for sexual favors, or other verbal or physical acts of a sexual nature when one of the following apply:

- Submission to such conduct is made either explicitly or implicitly a term or condition of a person's employment.
- Submission to or rejection of such conduct by a person is used as basis for employment decisions affecting such person.
- Such conduct has the purpose or effect of unreasonably interfering with a person'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 a person because of gender even though no behavior of a sexual nature occurred.