



Minneapolis Police Department Policy and Procedure Manual

Number:
2-100

Volume Two – Personnel Administration

Misconduct Prevention, Reporting, and Investigation

2-107 Retaliation

(09/26/22) (xx/xx/xx)

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

I. Purpose

Good faith interventions and reporting are considered a protected activity. As an essential counterpart to the duty to report misconduct (P&P 2-101) and to the duty to intervene (P&P 2-102), the Minneapolis Police Department (MPD) is committed to protecting people from retaliation, including those who report or seek to report violations of law or policy, those who intervene, or seek to intervene to prevent or stop misconduct, and those who participate in an investigation.

This commitment is part of MPD's commitment to providing a culture in which members are free from workplace harassment and retaliation of any kind.

P&P 2-106 covers workplace retaliation specifically connected to workplace discrimination or workplace harassment.

II. Policy

A. Retaliation Prohibited

1. Retaliation against any person for any reason is prohibited. This includes, but is not limited to retaliation against:
 - People who make complaints of misconduct against a member.
 - Members who fulfill their duty to report by making notifications (P&P 2-101).
 - Members who intervene or seek to intervene to prevent or stop misconduct (P&P 2-102).
 - Members and other complainants or witnesses who participate in an investigation.
 - People engaged in First Amendment-protected activities.
2. Retaliation is a serious form of misconduct, will result in investigation, may result in disciplinary action, up to and including termination, and may be a violation of Federal, State, and local laws.

B. Reporting Retaliation

1. Any member who believes that they have been subjected to or observed retaliation shall promptly report such conduct in accordance with P&P 2-101.
2. Supervisors shall immediately refer any acts of retaliation to Internal Affairs in accordance with P&P 2-101.

Glossary

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.

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.

Workplace Discrimination, Harassment, and Retaliation: Conduct that includes workplace discrimination, workplace harassment, or workplace retaliation.

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

Workplace Harassment: Any unwelcome communication or other activity that occurs based upon a person'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.

Workplace Retaliation: The imposition of adverse job consequences on a member because the member initiated or participated in an investigation of a bona fide discrimination, harassment, or retaliation complaint. Examples include, but are not limited to:

- Blocking advancement (e.g., promotion or transfer requests).
- Giving punitive, demeaning or unnecessary work assignments.
- Authoring unsupported negative evaluations.