



Minneapolis Police Department Policy and Procedure Manual

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Volume Five – Code of Conduct and Use of Force

Code of Conduct

5-109 Procedural Justice and Professional Policing

(xx/xx/xx)

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I. Purpose

Procedural justice refers generally to the actual or perceived fairness and professionalism of encounters with police. Research shows that people's perceptions of law enforcement encounters are more influenced by the way people are treated during the interaction than the outcome of the interaction. Perceptions of the encounter can affect not just views of the specific interaction but also of police legitimacy within the community. Procedural justice practices help ensure people are treated fairly and with proper respect as human beings, and help foster positive interactions, establish and maintain public confidence, public trust, and police legitimacy, which are critical to protecting and serving the public effectively.

II. Principles of Procedural Justice

The LEED model describes the principles of procedural justice:

Listen: Listen actively and allow people to share their perspective during the encounter.

- Listening to a person's perspective is important to conducting a fair and neutral decision-making process.
- Engaging and using active listening with community members prior to reaching a conclusion leads to more informed decision-making and increases community members' acceptance of the resolution.
- Giving people a voice makes them feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

Explain: Provide clear and understandable explanations for a member's actions and decisions, explain what the person can or cannot do, and explain what is going to happen.

- Ensuring people know why and how decisions are made fosters understanding and cooperation with the decision-making process and outcome.

Equity: Ensure police actions are fair, free of bias, and demonstrate consideration of the person's input.

- Procedural justice is ultimately about fairness and consistency in both the process and outcomes of policing interactions. When the public perceives interactions as fair, these interactions contribute to public trust and police legitimacy.
- Making transparent, neutral decisions based only on relevant information, and conducting law enforcement encounters and actions (including voluntary contacts, field interviews, investigative stops, weapons pat-downs, vehicle stops, searches, interrogations, citation issuance, and arrests, among others) in strict accordance with Minneapolis Police Department (MPD) policy, demonstrates neutral decision-making and fair treatment, and helps avoid accusations or perceptions of discriminatory policing or bias.

Dignity: Treat everyone with respect and dignity, regardless of the situation.

- Being professional and courteous throughout the interaction, with concern for people's rights, demonstrates respect and dignity.

III. Policy

- A. It is the policy of the Minneapolis Police Department (MPD) that every aspect of service must demonstrate a commitment to professional policing and procedural justice, which means listening to people, explaining members' actions, using neutral decision-making rooted in equity, and treating people with dignity.
- B. Members shall treat all people with courtesy and dignity that is deserving of every person as a human being. Members shall act, speak, and conduct themselves with a high degree of ethics and professionalism at all times, maintaining professional demeanor in all contacts with the public.

IV. Procedures/Regulations

- A. All members shall use the following measures while conducting law enforcement actions and professional service interactions:
 - 1. Introduce or identify themselves to the person by rank, last name, and agency, as soon as reasonable, practical, and safe.
 - 2. Explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of members or other people.
 - a. For a person who was stopped for a traffic stop or investigative detention, this includes informing the person of the reason why they were stopped.
 - b. Members shall not ask a person stopped for a traffic stop if they know why they have been stopped.
 - 3. Inform people during interactions that they are being recorded by a BWC and by in-car camera equipment (when applicable), unless doing so would be unsafe, impractical, or

not feasible. This requirement applies regardless of whether the person asked. (P&P 4-223)

4. Attempt to answer any relevant questions that the person may have regarding the interaction, including relevant referrals to other agencies when appropriate, unless doing so would jeopardize a legitimate investigative purpose.
 5. If multiple parties are involved, gather information from all involved parties before taking action (when feasible), and engage in neutral decision-making.
 6. Explain actions throughout the encounter.
 7. Ensure that the length of any detention is no longer than reasonably necessary to take appropriate action for the known or suspected offense.
 8. Ensure reasonable delays are explained to the people involved.
 9. Provide victims or people in professional service interactions with the victim assistance card (“blue card”), including the member’s rank, last name and badge number, in accordance with P&P 4-608.
 10. For any person who a member stopped or detained, the member shall provide the person with a victim assistance card (“blue card”) that includes the member’s first and last name, badge number, and the case number. Members may also meet this requirement by providing this information on their business card or a similar card.
 11. Upon request by any other person, members shall provide the person with a victim assistance card (“blue card”) that includes the member’s first and last name and badge number. Members may also meet this requirement by providing this information on their business card or a similar card.
 12. If the reasonable articulable suspicion for the stop is dispelled or the stop was made in error (P&P 9-201), members shall immediately release the person, explain the reason for the stop and the release, thank the person for their patience, ask if they have any questions related to the interaction, and apologize for any inconvenience.
 13. If asked, provide the procedures for filing a complaint about police services or conduct, in accordance with P&P 2-104.
- B.** Exigent circumstances (e.g., a suspect fleeing police) may make it impracticable to immediately implement the above steps. In such cases, members shall implement the steps when practical.
- C.** When people express or clarify names and pronouns appropriate to their gender identity, members shall address the person, refer to the person in documentation, and use honorifics for the person that match the names and pronouns expressed or clarified by the person, regardless of the person’s recorded gender identity on an identification card.

- D. Members shall use de-escalation techniques and tactics whenever feasible, in accordance with P&P 7-802, which can help gain people's voluntary compliance and safely resolve a situation.
- E. Members shall ensure the safety of all people in their encounters, including during placement in custody, searches, arrests, processing and transports, in accordance with P&P 9-100, P&P 9-200 and P&P 9-300.

Glossary

Police Legitimacy: The public's belief that the police can be trusted to act properly and in the public interest.

Professional Policing: Treating people with dignity, humanity, and respect, regardless of background or circumstances, while protecting their rights and freedoms and adhering legal boundaries. Professional policing is a service-oriented philosophy rooted in integrity, and is demonstrated through competence, empathy, and impartiality.

Professional Service Interaction: When a member is assisting a community member during an in-person encounter, and the member will be out of service for more than a short time or is using MPD tools or resources to provide assistance (including a squad). This does not include providing basic verbal assistance (such as giving directions).