

**MINNEAPOLIS POLICE DEPARTMENT
INTERNAL AFFAIRS COMPLAINT FORM #3401**

COMPLAINT INFORMATION

INTERNAL AFFAIRS CASE NUMBER: 14-03765	CCN: N/A	DATE OF INCIDENT: 2/10/2014	TIME OF INCIDENT: 20:00
LOCATION OF INCIDENT: 1925 Plymouth Av N, Minneapolis MN 55411	DATE OF COMPLAINT 02/26/2014	REFERRAL METHOD: Internal	
COMPLAINANTS NAME (LAST, FIRST MIDDLE): [REDACTED]	SEX: M <input type="checkbox"/> F <input type="checkbox"/>	RACE:	DATE OF BIRTH:
HOME ADDRESS: 350 S. 5th Street, Room-112	CITY / STATE / ZIP:	TELEPHONE: X2945	

POLICY INFORMATION

POLICIES ALLEGED TO BE VIOLATED:

**1-403 COMPLIANCE WITH LAWFUL ORDERS (B-D)
5-105 PROFESSIONAL CODE OF CONDUCT (A-D)**

ACCUSED EMPLOYEE(S)

NAME/BADGE:

Officer Mukhtar Abdulkadir # 0047

COMPLAINT ALLEGATIONS

On 2/10/2014, Officer Mukhtar Abdulkadir reported to the 4th Police Precinct Range to attend 2014 Handgun Qualification. Officer Mukhtar Abdulkadir did not obtain a passing score for the course of fire. MPD Range Staff was in charge at the range. It is alleged that Officer Mukhtar Abdulkadir was upset and argumentative with MPD Range Staff as a result of the failure to qualify. Sgt. Steven Mosey was on-scene and made the observations that Officer Mukhtar Abdulkadir was in a, "fit of rage, losing control of his emotions and possibly his actions." Officer Mukhtar Abdulkadir asked for a Supervisor. Sgt. Mosey identified himself to Officer Mukhtar Abdulkadir in an attempt to calm the situation. Sgt. Mosey instructed Officer Mukhtar Abdulkadir that he needed to listen to range staff. In response, Officer Mukhtar Abdulkadir pointed his finger at Sgt. Mosey and stated, "NO YOU NEED TO LISTEN TO ME." Lt. Scott Zierden was on scene and spoke to Officer Mukhtar Abdulkadir about the event.

RECOMMENDATION

(Preliminary Cases Only)

- ☐ Reckoning Period Expired Before Complaint was Filed
- ☐ No Basis for Complaint
- ☐ Closed Pending Further Information
- ☐ Refer to Precinct with Coaching Documentation
- ☐ Exceptionally Cleared
- ☐ Policy Failure
- ☐ Other

13.43 - Personnel Data

DATE

DATE

3-18-14



MINNEAPOLIS POLICE DEPARTMENT

Internal Affairs Unit

Administrative Case #14-03765

IAU Investigator: Sgt. Thomas Wheeler

12/19/2014

CASE BACKGROUND

On 2/10/2014, Officer Mukhtar Abdulkadir reported to the 4th Police Precinct Range to attend 2014 Handgun Qualification. Officer Mukhtar Abdulkadir did not obtain a passing score for the course of fire. MPD Range Staff was in charge at the range. It is alleged that Officer Mukhtar Abdulkadir was upset and argumentative with MPD Range Staff as a result of the failure to qualify. Sgt. Steven Mosey was on-scene and made the observations that Officer Mukhtar Abdulkadir was in a, *"fit of rage, losing control of his emotions and possibly his actions."* Officer Mukhtar Abdulkadir asked for a Supervisor. Sgt. Mosey identified himself to Officer Mukhtar Abdulkadir in an attempt to calm the situation. Sgt. Mosey instructed Officer Mukhtar Abdulkadir that he needed to listen to range staff. In response, Officer Mukhtar Abdulkadir pointed his finger at Sgt. Mosey and stated, *"NO YOU NEED TO LISTEN TO ME."* Lt. Scott Zierden was on scene and spoke to Officer Mukhtar Abdulkadir about the event.

13.43 - Personnel Data

13.43 - Personnel Data

CASE INVESTIGATION

SUMMARY STATEMENT OF OFFICER MUHKAR ABDULKADIR

On 5/22/2014 I met with Officer Abdulkadir at MPD Internal Affairs for a recorded statement taken under Garrity. Lt. Robert Kroll from the Federation was present for the interview.

Officer Abdulkadir's duty assignment was working in the 3rd Precinct [REDACTED] Workforce Director Records were reviewed with Officer Abdulkadir. On 2/10/2014, he was assigned to work squad 8310. His work partner for the shift was Officer Abubakar Muridi. Officer Abdulkadir was assigned to attend range qualification from 2000-2100 hours. Officer Abdulkadir articulated the range qualification was MN Post mandated and he acknowledged receipt of an email training announcement that was issued on or about 12/19/2013 (number TA14-002) by the MPD Range Master, Sergeant Steven Boyer.

Officer Abdulkadir reported he drove to the 4th Precinct range. He parked the squad, he left his partner in the parking lot and his partner did not enter the range. Once inside the range, Officer Abdulkadir reported he had his blood pressure taken as part of the gas mask fit test then he proceeded into the gun range.

Officer Abdulkadir reported that Officer Michael Jezierski was in charge at the range. Officer Abdulkadir reported Officer Lawrence Peterson was a range instructor. Officer Abdulkadir could not identify any other range staff members by name. He could not independently identify any other officers by name that took part in the handgun qualification. Officer Abdulkadir signed in at the range for the qualification.

Officer Abdulkadir reported that a range staff member completed a safety check on his handgun prior to the course of fire. He did not know the officers name that

completed the weapon inspection. He reported that his handgun was a Sig Sauer P226, 9mm. Officer Abdulkadir reported his handgun was working properly and staff did not identify a mechanical problem with his handgun.

During the qualification, Officer Abdulkadir reported that the line of shooters was full and the commands were given from Officer Michael Jezierski. He reported Officer Jezierski gave the range commands from the range booth that had glass walls.

Officer Abdulkadir reported he fired the first course of fire and he did not qualify. He thought that Officer Jill Loonsfoot and or Officer Lawrence Petersen scored the range targets and he was told he would need to shoot again. Officer Abdulkadir attempted a second qualification qualify by shooting additional targets and again he did not qualify. Officer Abdulkadir shot a third qualification course and he reported he did not qualify.

Officer Abdulkadir reported that Officer Jezierski called the first course of fire from the range booth over the speaker system. He did not remember who gave him commands for the second or third attempt to qualify. Officer Abdulkadir remarked, *"You gotta understand I went through this so many times, so I don't really know if that was particularly that day or not."*

I asked Officer Abdulkadir if he was singled out for any other reason on 2/10/2014 between 2000-2100 hours other than his inability to qualify. Officer Abdulkadir reported that all officers on the course of fire were treated the same. Officer Abdulkadir's range scores were 55.6, 66.4 and 66.8. He reported that the course of fire was a 50 round course and he needed a score of 80 or better to pass.

Officer Abdulkadir was informed by Officer Petersen to meet at the range office. Once at the range office (lobby area,) Officer Abdulkadir reported he spoke with Officer Jezierski. Officer Abdulkadir made several requests to re-shoot the qualification course and he was denied. Officer Abdulkadir remarked that he knew he would sit at a desk for failing to qualify.

In response to repeated requests to re-shoot, Officer Abdulkadir reported that Officer Jezierski stated, *"No, you're not gonna... We're not gonna fuckin' do it because you, uh, you haven't been showing up for your open shoots. And at this time, you know, he's raising his voice and I'm raising my voice and there are a lot of people in the lobby. And then I said, Okay. If you're gonna... So you're gonna say that," and he'd be like he was upset and I said, Okay."* Officer Abdulkadir stated he raised his voice as well as Officer Jezierski.

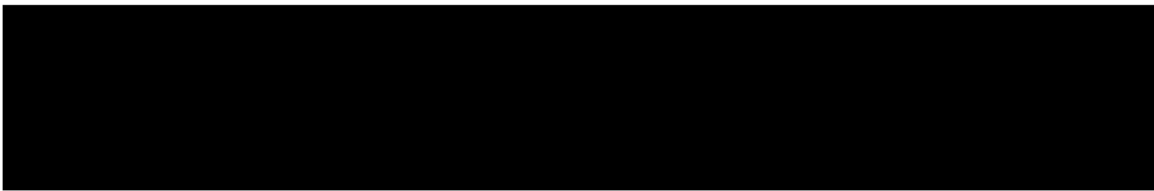
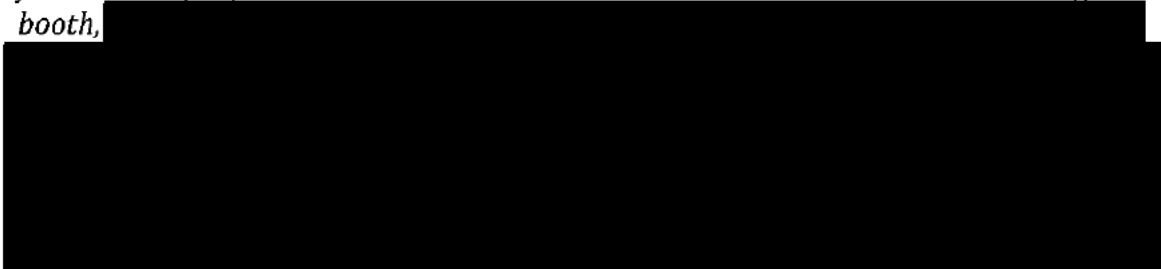
Officer Abdulkadir explained that he has been the subject of past rumors when placed on a desk job, for that reason he plead with Officer Jezierski, so he did not have to sit at the desk. He articulated he was concerned about his personal reputation, as an officer.

I had Officer Abdulkadir view a copy of the failure to qualify notice that was issued to him by Officer Petersen. When asked if Officer Jezierski had the discretion to allow him another opportunity to re-shoot, Officer Abdulkadir stated no, however he was looking for lenience.

Officer Abdulkadir reported that his failure to qualify was a, "training issue" and he did not believe that the range staff manipulated targets and each shooter on the range was treated the same and read the "script" for the handgun qualification.

During the conversation with Officer Jezierski, Officer Abdulkadir asked to speak to a sergeant. Officer Abdulkadir reported, *"I thought...I thought Sgt. Boyer was there because I said, 'Can I at least talk to a Sergeant, so I can plead, you know.' Because I... (inaudible), and I...I said, 'Okay.' He goes, (inaudible). 'Okay, no.' The sergeant steps in, someone introduce himself as a Sergeant, said, 'I'm a Sergeant here.' Umm...He didn't say his name, he said, 'I'm a Sergeant here. We're done here.' And I said, 'Are you gonna let...Are you gonna let him talk to me like that like say the F-word to me you know?'"* Officer Abdulkadir reported that he learned later that the sergeant he was speaking to was Sgt. Mosey.

Officer Abdulkadir reported he spoke with Lt. Zierden. Officer Abdulkadir stated, *"Uhh...I think he took us to...to, uh, both of us to a different room, umm, and Officer Jezierski and, uh, and I went to and met this Lieutenant in the...in the...in the Range booth,"*



Officer Abdulkadir reported he left the 4th Precinct Range after he was issued the failure to qualify notice. He was driven back to the 3rd Precinct by his partner. Once at the 3rd Precinct, Officer Abdulkadir met with Sergeants Casey and Ploeger to tell them he did not qualify for the range.

Officer Abdulkadir reported about his historical performance at the range and remedial training. He reported that the MPD Range staff worked with him after the 2/10/2014 qualification date. He was able to qualify with his handgun on 2/20/2014.

I asked Officer Abdulkadir about training notes that were drafted by Sgt. Boyer dated 2/20/2014. Sgt. Boyer drafted a memo that read, in part, *"He stated to me that he's going to the doctor, he's going to his doctor. He feels that something is physically wrong with him when he comes to the Range that causes him to fail. He then pointed at his chest."* Officer Abdulkadir responded, *"I did say that to him, but I didn't say I was gonna...I meant it in a frustration of when I passed, I was excited at first, for like I couldn't believe that I passed. And I said, 'You know what?' – in a joking manner, it was...I was joking, it was off-the-cuff, it wasn't serious. So I said, 'Sir, I think something wrong with me, I should go to the doc next time, I mean I get nervous here when I come down here.' Which every officer gets nerve...you know, told me they get nervous, but there's nothing wrong with me."*

Officer Abdulkadir reported he was hired in 2009. He participated in remedial gun range training in the past. Officer Abdulkadir's range records were reviewed and he reported no specific recollection of his range scores. He summed up his performance by reporting, *"I struggled at the Range sir, I'm not denying that."* Officer Abdulkadir reported he did not have a memory of the number of times he participated in *"open shoot"* range practice.

Officer Abdulkadir reported on his conduct at the range on 2/10/2014. He stated he thought he treated Officer Jezierski and Sgt. Mosey with respect and he followed orders.

13.43 - Personnel Data

Officer Abdulkadir was asked the following question and he provided a response:

Q: Do you think that when the Police Department mandates training, that that's being punitive and punishing you? Are you being punished by being made to go to training?

13.43 - Personnel Data

13.43 - Personnel Data

13.43 - Personnel Data

During follow-up questions, Officer Abdulkadir reported the following in relation to the 2/10/2014 range qualification:

Q: Does this Firearms Simulation training, does that relate directly to this specific Course of Fire in which you got in this verbal back-and-forth with our Range staff? Is that...Is that what brought this on?

A: Officer Jezierski probably has a...that...that connection with me that before that he had, uh, I'm sure it was based on his use of language that day, that's what it's emanating from that's normal officer that does not know you will probably not use that kind of word against you.

Q: Did Officer Jezierski influence your shooting at all during your initial Course of Fire? Other than his voice over the PA system, calling...calling the Course?

A: Uhh...Yes or no, because I'm always nervous when I go there, [REDACTED]

Q: Sir, you can't answer a question - Yes or no. Answer the question. When Officer Jezierski was in charge of the Range on 02/10/2014, when he was inside the glass booth, did he influence your shooting, your individual performance, in any way?

A: I never accused him of that, sir. I don't think so. No, he did not.

13.43 - Personnel Data

Officer Abdulkadir reported that he was participating in a 90 day Performance Improvement Plan and he described that he has been singled out for this training as a result of the 2/10/2014 handgun qualification. However, he reported, *"The Federation told me it's not a disciplinary action."*

13.43 - Personnel Data

SUMMARY STATEMENT OF OFFICER STEVEN MOSEY

On 02/28/2014, Sgt. Steven Mosey was interviewed in MPD IAU. Sgt. Mosey provided a statement under Garrity. Sgt. Mosey reported he was present at the MPD Range for 2014 Range Qualification. He was serving as a part-time Range Instructor assisting full time staff identified as Officer Michael Jezierski and Officer Larry Peterson. Officer Mark Bohnsack and Officer Jill Loonsfoot were working as part time range instructors as well.

Sgt. Mosey was a veteran of the police department with over 15 years of range instruction. Sgt. Mosey was a former SWAT range instructor on the MP5 rifle. Sgt. Mosey was a member of MPD SWAT for 22 years. Sgt. Mosey reported he was a certified firearms instructor.

MPD Officer Abdulkadir and others attended the 4th Precinct Range for the 2014 Qualification. Sgt. Mosey was the range staff member that assisted by scoring targets for the qualification. Officer Jezierski was in charge of the range and ran the "electronic range." The passing score was 80. Officer Abdulkadir failed the range with a score of 55.6. After the initial course of fire, Sgt Mosey left the shooting floor and went the armory to issue new ammunition to officers. Sgt Mosey reported that full time staff (Officer Jezierski and Officer Peterson) remained on the shooting floor with Officer Abdulkadir to re-shoot targets.

Sgt. Mosey was aware that Officer Abdulkadir failed to qualify after 2 more attempts. After the course of fire, Officer Jezierski was attempting to give orders about how to proceed. Sgt. Mosey reported the following verbatim, *"Officers Jezierski and Peterson came back to the Range lobby area along with Officer...with Mukhtar. And I could hear basically arguing from that point on. Officer Jezierski stepped into the Range area through the off...through the door and Mukhtar, Officer Mukhtar stayed outside the window. And they were basically talking about the fact that Mukhtar had failed on all three tries and they were trying to go through the process of what happens next. And basically Officer Peterson was try...or Jezierski was trying to explain to him that he had failed three times and that per policy, he would have to be assigned to a non-enforcement position. And he continued to try to explain the process to Mukhtar."*

Sgt. Mosey reported, *"Officer Abdulkadir became belligerent, was screaming the whole time, and refused any advice or any instruction from Officer Jezierski. Sgt. Mosey reported, "In my opinion he was disrespectful and he was extremely enraged, even though Officer Jezierski was calm and tried to explain the whole process to him. It was*

like he was in a fit of rage and he would not listen. Then he started blaming Officer Jezierski for the fact that he failed."

Sgt. Mosey reported it was not Officer Jezierski's fault that Officer Abdulkadir did not pass the qualification course. Officer Abdulkadir made the claim that Officer Jezierski "had it out for him" and caused him stress. Sgt. Mosey reported Officer Jezierski was not on the range floor for the qualification, he was in the glass booth and the range targets were automated. Moreover, Officer Jezierski only used the loud speaker to announce instruction for the group. Sgt. Mosey reported that Officer Abdulkadir was not single out; all the officers on the course of fire were treated the same.

Sgt. Mosey reported he was 6 to 10 feet away from the verbal exchange when Officer Abdulkadir asked for a supervisor. Sgt. Mosey identified himself, *"I introduced myself as 'Sgt. Mosey,' I even went so far as to say that I had 20 years on as a supervisor and that I worked at the 4th Precinct. I told him that I was a part-time Range Instructor, and I said that since he asked for a supervisor, I said that I was available."*

Sgt. Mosey reported that Officer Abdulkadir was yelling at him, he was interrupting and not listening to him. Officer Abdulkadir had lost complete control of his thought process, emotions and self-control. Sgt. Mosey reported, *"I even looked at other officers, thinking the point that I was very uncomfortable that he had a weapon in front of him at that point, and I was thinking of options in case he decided to ramp things up with his weapon."*

Sgt. Mosey reported he had over 27 years of police experience. Sgt. Mosey summed up the conduct of Officer Abdulkadir, *"On that night, it's my opinion that Officer Mukhtar was going 'Code Black' - he was completely out of control. He lost his own control and he was separated by a wall between myself and the Range inst...the other Range Instructors. That night I talked to the other Range Instructors after the incident and we all had the same idea in our head - that at any given point, he was so out of control and so...a loss of his senses, we believed that he might actually try to use his gun against us. That's the look that I saw in his face. I guess I've only seen that look a few times, and once, you know, you see it on TV actually, and I've seen it on a few SWAT operations; and that night I truly believed that at any time he could grab his weapon, load it, and use it against officers. That's how in a fit of rage and 'Code Black' that I believe he was in. I believe that this was a sterile, like you say, a sterile environment; it was warm, it was dry, there was no crowd, there was no extra circumstances involved - it was just Officer Mukhtar dealing with two or three people in a calm manner. And he lost such control, that I can only imagine that if he were working the street in a stressful situation with a crowd, with other ex...with other circumstances, that he would completely lose control of everything and harm himself, other officers, or the public - just by his behavior and his total blackout."*

Lt. Zierden walked into the room and Sgt. Mosey removed himself from the situation.

13.43 - Personnel Data

SUMMARY STATEMENT OF OFFICER LAWRENCE PETERSEN

On April, 14th, 2014 Officer Lawrence Petersen was interviewed in MPD IAU. A recorded interview was completed under Garrity. Officer Petersen was a full-time MPD Range Instructor. On 02/10/2014 Officer Petersen was working as an instructor during the time slot of 1500 to 0100 hours.

Officer Petersen reported that Officer Jezierski ran the control booth for the range qualification and Officer Jezierski was in-charge. Officer Petersen recalled the full time range staff was assisted by part time range instructors (Sgt. Mosey, Officer J.

Loonsfoot and Officer Bohnsack.) Officer Petersen reviewed his range resume' and he agreed that his range instructor training was up to date.

Officer Petersen reported that Officer Abdulkadir and other MPD officers singled in at the range to shoot the 2014 qualification course. The qualification course was pre-scripted and the same for all officers. The course of fire was a 50 round course; the passing score was 80 percent.

Officer Petersen reported the following observations during the course of fire, *"I was watching the line for safety and I was watching specifically Officer Abdulkadir, because it looked like he was, umm, what we call "anticipating" his shots, He was, umm, shooting quite poorly, umm, from...at all of the targets that were given to him. He just stood out because he was having a very difficult time hitting the target."*

Officer Petersen reported that Officer Abdulkadir failed to qualify with an initial range score of 55.6. Officer Abdulkadir attempted a second and third attempt to qualify. Officer Petersen reported that Officer Abdulkadir failed to obtain the minimum passing score on the two additional attempts. Officer Abdulkadir made a request to shoot a fourth time and he was not allowed to shoot.

13.43 - Personnel Data

Officer Abdulkadir wanted to speak to a supervisor and Sgt. Mosey was present and identified himself. Officer Petersen reported, *"It did not seem that Officer Abdulkadir was calming down, it seemed like he was becoming more agitated. And at that point, I was extremely happy that I recovered the ammunition because I...I was unsure, you know, he was pretty upset."*

Officer Petersen reported that Officer Bohnsack left the range area to retrieve Lt. Zierden. Lt. Zierden arrived on scene and spoke with Officer Abdulkadir. After the meeting with Lt. Zierden, Officer Abdulkadir was issued a Failure to Qualify Notice.

Officer Petersen reported that he was directly involved with Officer Abdulkadir's remedial training that occurred days after the 02/10/2014 attempt to qualify, working one on one with him.

13.43 - Personnel Data

SUMMARY STATEMENT OF OFFICER MICHAEL JEZISKI

On April 14th 2014, I interviewed Officer Michael Jeziski in MPD IAU. A recorded statement was taken under Garrity. Officer Jeziski was assigned full time at the Minneapolis Police Range. He was a certified range instructor and had a wide variety of experience with weapons and training from SWAT school, armor schools, to training/certification on various guns. Officer Jeziski's resume was on file with MPD training that documented his certification.

On 02/10/2014, Officer Jeziski was in charge at the range for the night qualification course. He was assisted by an additional full time range instructor, Officer Lawrence Petersen. In addition they were assisted by part time range officers (Sgt. Mosey, Officer Bohnsack and Officer Jill Loonsfoot.) The staff was on hand for 2014 handgun qualification that took place at the 4th precinct in-door range. Officer Jeziski's role in the qualification was to work in the, "booth" calling the line of fire and overseeing the qualification. Officer Jeziski reported the "script" for the qualification was set up by the full time range master (Sgt. Steve

Boyer.) The "script" corresponds to the P.O.S.T. (Peace Officer Standards and Training) mandates.

Officer Jezierski described the "booth" area at the range. *"The booth is, basically it's...It's the area away from the Range, but there's a...It's kind of like an egress window to a point, where I can see out onto the Range floor, I could see everything that's out there, but it's...I'm not actually in the Range, I could turn the volume down and it's quiet in there. And inside of there I have a com...I have a computer with two different screens where I can run all the targets. Also back in there, there is a light panel, so I can control the lighting inside of the room. There is a speaker system, where I can turn up and talk through the PA and I can also have it turned up so I can hear what they're talking about out on the line in between, if they have questions or concerns. But I have...When I sit up inside of the...the booth, I can see the whole line in front of me, so part of my job, even though I'm up in the booth calling the line and setting up the next Course of Fire, I'm kind of an over-watch - where I'm sitting and watching the whole line to see what everybody's doing.*

Officer Abdulkadir and other two other officers attended the range qualification. Officer Jezierski reported that Officer Petersen was the, "line boss." This term was explained by Officer Jezierski, *"We'd call him a 'Line Boss' and in layman's terms, he was the other full-time staff member who was out on the line itself. And he's kind of directing and watching, he's watching the line for safety and for concerns or problems or issues. But he's also directing the part-time staff of what he needs to be done and who he needs to have watched."*

During the qualification course, Officer Jezierski reported that he gave directions from the booth and was watching officers. The range public address system was used for giving those directions. At the conclusion of the standard qualification (50 round course,) Officer Jezierski reported that Officer Petersen raised his hand and signaled that there was one person that did not qualify. Officer Jezierski reported he went out to the range floor.

Officer Jezierski reported that he looked at Officer Abdulkadir's target to obtain a score. Officer Jezierski reported the following, *"With the first set, his original score would have been...it was 55.6 percent - he needed 80 percent to pass the qualification course. So at that point it was determined, Officer Petersen and I sat and we looked at which targets we could use - there was three targets for him to use - we determined, or we tried to figure out which targets we could use to get him the best, the closest to 80 percent to pass the course."* Officer Jezierski reported, *"We determined that there was two Courses of Fire we would have him shoot to see if we could raise his score to an 80 percent to have him pass. It looks like we picked a...the...a distance target and target number two. I'm not sure for sure...for sure if it's target number two or not, but we picked two different Courses of Fire to have him shoot."*

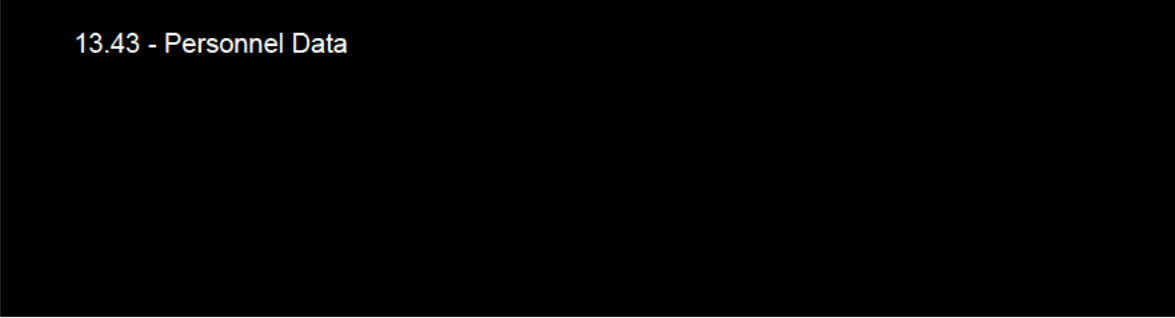

Officer Jezierski reported he went back to the control booth and observed. Officer Petersen and Officer Abdulkadir were one on one. Verbal instructions and the

course of fire were verbalized on the firing line. After the second course of fire, Officer Jezierski reported, *"He raised his score from 55.6 percent to 67.8 percent. So generally...Not generally, what we've done in the past at that point is you give him a third chance to shoot the whole Qualification Course in its entirety, one-on-one with an instructor."*

Officer Jezierski determined that Officer Abdulkadir would shoot a third course of fire. Officer Jezierski reported, *"The third Course of Fire is still the same basic Course of Fire that they shot originally the first time. We have a copy that's up in the booth where I'm sitting and running from the command post...not the command post, but the control center. There is also...The same Course of Fire is on a clipboard on the outside, so if someone has to shoot one-on-one, an instructor has to shoot one-on-one with a person...an officer, it's the exact same Course of Fire out on the line, so they can grab it and have the clipboard in front of them and they can read off exactly the Course of Fire."* In this instance, Officer Jezierski explained that the instructor (Officer Petersen) turned the targets manually and kept time, using a stopwatch. Officer Abdulkadir's third attempt to qualify was scored at 66.4. Officer Jezierski reported that he advised Officer Petersen to have Officer Abdulkadir check in with him.

Officer Jezierski went into the range lobby, then into the armor room that has an open window attached to the lobby. Officer Abdulkadir had his handgun holstered. He was reported to be dressed in street clothes. Officer Abdulkadir was informed that he did not pass the course of fire and Officer Petersen began completing the Notice of Failure to Qualify.

Officer Jezierski reported on the reaction of Officer Abdulkadir, *"He became very irate and he...He looked at me and he said, he goes, 'You can't...You can't do this, that's embarrassing, I can't work the desk.' And I...Just going off of what I remember, I told him, I said, 'I don't enjoy sending a police officer without a gun back to work.' I said, 'I don't enjoy it. I've only had to do this two times. I don't enjoy putting someone on the desk and not letting them work.' And he goes, 'You can't do this, this is embarrassing to me. It's embarrassing to me. He became very agitated and became very animated in his movements. Umm...He just kept asking for, 'One more chance, one more chance, one more chance. Can you give me one more chance? Give me one more chance.' And I said, 'We've given you three chances, that's what we do. We can't do it anymore.'"*



13.43 - Personnel Data

I asked Officer Jezierski to describe Officer Abdulkadir's tone of voice. Officer Jezierski reported, *"He was constantly, the whole...the whole time during the conversation, he was...he had his finger...He had his hand raised, I would say kind of in a fist, but he was like pointing - he had his thumb and his first finger, pointer finger, together and he kept pointing it at me. He was very aggressive as far...and assertive, and every time I would try to give him an answer of the reason why we were doing this, he would talk over the top of me. He would...He didn't want to hear anything I had to say and he was...he was trying to control everything. He was...He was aggressive."*

Officer Jezierski reported that Officer Abdulkadir was not following instructions and not treating him with respect, being civil or courteous. There were other police officers present. The conversation ended when Sgt. Mosey identified himself as a supervisor. Officer Jezierski reported his observations between Officer Abdulkadir and Sgt. Mosey, *"I stepped back as Sgt. Mosey began to talk to him, he seemed to automatically shift his anger towards Sgt. Mosey and he...Same gestures - his fist was closed, but he had his finger and his thumb together and he kept pointing at Sgt. Mosey when he was speaking. I remember him seeing...hearing him say several, several times, 'No,' Sgt. Mosey had identified himself as being a supervisor and Officer Abdulkadir, I remember him saying specifically, 'No, you listen to me. No, you listen to me. No, you listen to me.'" Officer Jezierski reported that Officer Abdulkadir did not treat Sgt. Mosey with respect, nor was he courteous or civil with Sgt. Mosey.*

Officer Jezierski reported that Officer Bohnsack left the range lobby area and came back with Lt. Zierden. Lt. Zierden left the immediate area with Officer Abdulkadir and came back about 5 minutes later. Officer Abdulkadir was issued the failure to qualify notice. Officer Jezierski contacted Sgt. Ploeger at the 3rd Precinct to inform him that Officer Abdulkadir was to be placed in a non-enforcement capacity. Officer Jezierski contacted the Ranger Master, Sgt. Boyer, by phone about the failure to qualify. Officer Jezierski informed me that the paper targets used by Officer Abdulkadir for the qualification were saved.

Officer Jezierski ended the interview by reporting that Officer Abdulkadir had not attended *"open shoot"* practice. He and other range staff have been available to department members and he reported, *"If we have open time at the Range, we work things out. If you want to come in and work one-on-one with one of the Range staff, whether there's an Open Shoot or not, if we have...if there's nothing scheduled, you can come in and we'll shoot one-on-one with you."*

13.43 - Personnel Data

SUMMARY STATEMENT OF LIEUTENANT SCOT ZIERDEN

On 4/01/2014, Lt. Zierden was interviewed in MPD IAU. He was read Garrity and signed the data practices advisory. Lt. Zierden's full time assignment was working for MPD In-Service Training.

On 02/10/2014, Lt. Zierden was working at the MPD range; he was assisting with the gas mask fit testing as part of the 2014 handgun qualification during the 2000 to 0000 time slot. The range qualification was done at the 4th Precinct indoor range facility.

Lt. Zierden was inside the 4th Precinct checking in with staff. Officer Mark Bohnsack was working as a part-time range instructor at the MPD range. Officer Bohnsack

notified Lt. Zierden in-person that there was a problem inside the range. Lt. Zierden walked to the range.

Upon arrival at the range, Lt. Zierden reported hearing loud voices. Lt. Zierden observed Officer Jezierski and Officer Abdulkadir were talking in the lobby of the range. Officer Jezierski informed Lt. Zierden that Officer Abdulkadir failed to qualify on the range 3 times and Officer Abdulkadir wanted to shoot the qualification course one more time.

13.43 -
Personnel
Data

Officer Abdulkadir appeared to be visibly upset. Lt. Zierden spoke with Sgt. Mosey about the incident. Lt. Zierden reviewed the targets in the control booth of the range along with Officer Jezierski and Officer Abdulkadir. Lt. Zierden and Officer Abdulkadir returned to the range lobby area.

Lt. Zierden reported that Officer Abdulkadir failed to qualify and he was issued the failure to qualify notice by range staff. Lt. Zierden reported that Officer Abdulkadir was quiet, but agitated; he refused to sign the failure to qualify notice. Officer Abdulkadir he was removed from, "law enforcement duties" and sent back to his precinct to report to a sergeant.

Lt. Zierden reported that Officer Abdulkadir was agitated at first, and then he calmed down. Lt. Zierden characterized or described Officer Abdulkadir's appearance as "*heavy frustration*." Lt. Zierden reported that Officer Abdulkadir followed his instructions as ordered during his interaction with him. Lt. Zierden reported that the full time range master was off-duty and Officer Michael Jezierski was in charge at the range for the qualification course. Officer Jezierski was positioned in the range booth, calling the course of fire over the loud speaker. Officer Jezierski had no direct contact with Officer Abdulkadir during the course of fire for the 2/10/2014 range qualification.

Lt. Zierden reported he reviewed the training record for Officer Abdulkadir. Lt. Zierden reported that Officer Abdulkadir has been employed for 5 years and had never qualified, "*the first time*." Lt. Zierden reported that training records were on file at the range and available for the case.

Lt. Zierden reported Officer Abdulkadir treated Officer Jezierski with a, "*great amount of disrespect*." The allegation of

13.43 - Personnel Data

Lt. Zierden reported that Officer Abdulkadir was re-trained for 3 days (2 days of skills and 1 day to qualify) of remedial training after the 2/10/2014 qualification. Officer Abdulkadir was given another chance to qualify. Lt. Zierden reported that Officer Abdulkadir scored a 79 and did not pass the range qualification. Command staff directed MPD Range staff to allow Officer Abdulkadir an opportunity to re-shoot some targets. Officer Abdulkadir's new range score was 80.2 and he was, "deemed to pass."

As a result of the range qualification, Lt. Zierden reported that Officer Abdulkadir was placed on a 90 day performance improvement plan with support from Officer Abdulkadir's Inspector Michael Sullivan, shift Lieutenant Danny May, and shift Sergeant Michael Frye and Minneapolis Human Resources (Destiny Xiong.) Lt. Zierden reported that the overall goal of the performance improvement plan was to improve Officer Abdulkadir's handgun proficiency. Lt. Zierden reported that Officer Abdulkadir refused to sign-off on the performance improvement plan; however Officer Abdulkadir had MPD Federation representation at the time the improvement plan was presented and put in place.

SUMMARY STATEMENT OF SERGEANT STEVEN BOYER

On 5/12/2014, I interviewed Sgt. Steven Boyer at MPD IAU. A recorded statement was taken under Garrity. Officer Dan Ungarian from the Police Federation was present for the interview. Sgt. Boyer was assigned to the MPD Range. Sgt. Boyer was the Range Master for the Minneapolis Police Department. Sgt. Boyer was the Range Master for 7 years. Sgt. Boyer had 24 years of police experience and he was a certified range instructor, certified through the National Rifle Association in the use of handguns, shotguns and rifles. Sgt. Boyer reported that the police department range staff attended firearms certification courses to remain current with training certifications.

On 2/10/2014, Sgt. Boyer was working from 0600-1600 hours; he was not present at the 4th Precinct indoor range for the night qualification. Sgt. Boyer reported that two of his full time staff worked the range for the night shoot qualification (Officer Jezierski and Officer L. Peterson.) Sgt. Boyer reported that Officer Jezierski was in charge for the night shoot/qualification.

Sgt. Boyer reported that the 2014 MPD range qualification was, *"a fifty round handgun course. It's designed to meet Post standards so officers can maintain their Peace Officer's License. Shooting a fifty round handgun course and passing it is an annual requirement for licensed Peace Officers to keep their licenses valid."* This qualification was posted on a department wide memo 6 weeks prior to the start and was the same course for all Minneapolis Police Officers.

Sgt. Boyer outlined the lesson plan that he designed for the 50 round course of fire. He reported that the lesson plan served as a "script" that was used by range staff for the course of fire. Copies of that script were located at the range, in the range booth and on the range line.

During the range qualifications, there was a mixture of full-time range staff and part-time range staff. Sgt. Boyer reported, *"Since my full-time staff is split in half, since we're running two shifts each day on these qualification dates, I need to supplement my crew with part-time staff members to assist them. Officer Bohnsack, Officer Loonsfoot, that's Jill Loonsfoot, and Sgt. Mosey were the part-time Instructors working that night."* Sgt. Boyer reported that he was notified by phone at home on 2/10/2014. He stated, *"I was at home, I was actually sleeping, and I believe first Officer Jezierski called me and...to let me know that Officer Abdulkadir was having trouble qualifying."*

13.43 - Personnel Data

Sgt. Boyer reported he instructed Lt. Zierden to issue a failure to qualify notice, *"The Notice of Failure to Qualify form - If we have an officer that comes in and they're unable to pass their Handgun Qualification after three attempts, we fill out a Failure to Qualify form and then they are prohibited from carrying a handgun on-duty until they can come back to the Range and get a passing score on the Qualification Course."* Moreover, he stated *"Because his score was below 70%, he was not allowed to have duty ammunition any longer, so we have to pull their ammunition if they can't obtain a 70% score or higher."*

Sgt. Boyer reported that Officer Abdulkadir has attempted to qualify using a Sig Sauer P-226 .9mm handgun. Sgt. Boyer was not aware of any mechanical problems with the officer's handgun and it was not tested as a result of the failure to qualify. However, prior to any shooting at the range, Sgt. Boyer reported, *"The staff members go through and ensure that everybody has an unloaded firearm and then they inspect the firearms to make sure that everything is functioning properly on the guns."*

The range targets were re-scored by Sgt. Boyer and he verified that Officer Abdulkadir failed to qualify. Sgt. Boyer reported the following explanation for range qualification failures, *"Generally what we do is if an officer fails the Qualification Course, say we have three targets we're gonna shoot during the Qualification Course - If there is one or two targets that didn't have enough holes in it, we'll just re-shoot that portion of the event and give them another chance to get it over 80%. So these next attempts, apparently they tried to get Officer Abdulkadir over 80%. Usually they'll give the officer a little coaching on what they might be doing wrong and let them re-shoot the targets to see if they can get a higher score and pass."*

Sgt. Boyer was the Range Master for the MPD when Officer Abdulkadir was attending the pre-service academy in 2009. Sgt. Boyer provided a historical perspective about Officer Abdulkadir's range performance. Sgt. Boyer reported,

"When Officer Abdulkadir was in the Academy, I had some seriously...serious concerns about his abilities to shoot and his abilities to make deadly force situations. While he was on the Range floor during the first day or two of his Range training, all the other recruits were getting their targets when they were working with the Instructors and Officer Abdulkadir was shooting the floor and the wall and the ceiling in the Indoor Range. I was concerned enough where I had the Training Unit come out and actually make a video of his shooting to see if it would be safe for him to continue Range Training."

Sgt. Boyer drafted a memo dated March 13th, 2009, 9:22am. I asked Sgt. Boyer to read me that memo. Sgt. Boyer reported, *"The subject is 'Abdulkadir.' The email states, 'Recruit Abdulkadir passed his Qualification Course today after three weeks of remedial training. He shot an 80% and an 86%. I strongly recommend that you carefully observe his weapons handling and decision-making when he attends the simunitions training scheduled for the end of April. At that point a decision will have to be made as to whether or not you feel he has enough training to go on the street. I will be glad to assist you in any way I can.'" Sgt. Boyer further stated, "I should clarify that recruits in the Academy need two scores above 80% to pass. They have to shoot the course twice at over 80%."*

Sgt. Boyer reported he was contacted by his supervisor, Lt. Zierden after Officer Abdulkadir's failure to qualify at the range on 2/10/2014. Sgt. Boyer reported he was asked to draft a memo about Officer Abdulkadir's past performance at the Range.

13.43 - Personnel Data

Sgt. Boyer reported that Officer Abdulkadir is currently working with him and his staff on a performance improvement plan.

I asked the following question of Sgt. Boyer and he provided an answer:

Q: Was Officer Abdulkadir singled out for any other reason other than his performance at the Range and his performance as a police officer during training?

A: No. Officer Abdulkadir has spent a lot of time with the Range staff over the years. He's probably received more remedial training than anybody on the Department that I'm aware of. And he's always been very receptive to the training and usually has a very good attitude, but he became upset this time when, you know, he failed to qualify

13.43 - Personnel Data

Q:

A:

Q:

A:

SUMMARY STATEMENT OF OFFICER JILL LOONSFOOT

On April 10th 2014, Officer Jill Loonsfoot was interviewed in MPD IAU. A recorded statement was taken from Officer Loonsfoot under Garrity. Officer Loonsfoot was assigned full time to the 3rd Precinct Community Response Team. She was assigned part time as a MPD Ranger Instructor. On 02/10/2014, Officer Loonsfoot assisted full time range staff at the 4th Precinct with 2014 handgun qualification. She worked 1500-0100 hours. Officer Loonsfoot reported she was working with Officers Petersen, Jezierski, Bohnsack and Sgt. Mosey. Officer Peterson reported that three officers arrived at the range to qualify on 2/10/2014 from 2000-2100 hours. Those officers were identified as Officers Tresbesch, Stewart and Abdulkadir.

Officer Loonsfoot reported that Officer Jezierski called the line of fire. Officer Jezierski was located inside the glass walled, range master's booth. Commands for the course of fire were given from a loudspeaker. Officer Loonsfoot reported her range duties were to watch for safety concerns, remove/replace targets and score targets. Prior to and during the course of fire, no officer was singled out. The script for the qualification was the same for all officers.

Officer Loonsfoot reported she participated in scoring Officer Abdulkadir's targets. At the conclusion of the qualification, he scored, "in the fifties" and failed to qualify. Officer Loonsfoot reported she notified Officer Petersen about the score and Officer Abdulkadir was allowed two additional attempts to qualify.

Officer Loonsfoot reported she has been a range instructor since June 2007. She attended yearly updates to maintain her certification. Officer Loonsfoot has assisted

full time staff during handgun, shotgun and recruit training. Officer Loonsfoot reported her training records were up to date.

After Officer Abdulkadir failed to qualify, Officer Loonsfoot was present in the lobby of the range. Officer Loonsfoot reported, *"Officer Jezierski was behind the window, umm, and he was explaining the paperwork to him, trying to, you know, tell him that he did not get a passing score. And Mukhtar got very angry, umm, started yelling at Officer Jezierski, pointing his finger at him, stating, 'You just don't get this! I can do this!' [REDACTED] And several times he said, 'No, you listen to me!' while pointing his finger. He was yelling and I actually got a little nervous."*

Moreover, Officer Loonsfoot reported the following observation of Officer Abdulkadir, *"It was getting heated and he was not listening. Umm...I didn't know what was gonna happen, and he just wasn't...he wouldn't actually sign the piece of paper. He says, 'No, you'll...you'll let me pass! This is embarrassing; I come to all the open shoots!' Umm...And just yelling very loudly."* [REDACTED]

13.43 - Personnel Data [REDACTED]

Officer Loonsfoot observed Sgt. Mosey step in. She reported, *"Sgt. Mosey was there. Umm...He stepped in, trying to explain, you know, everything to him. Sgt. Mosey was...he even pointed at him, saying, 'No, you listen to me!' He wasn't taking responsibility. They were trying to say, you know, 'We can set something up for you to come back in. We'll get you qualified as soon as possible.' And that paper, I don't know when it was handed to him, but I know he would not sign it for a very long time - if he ever did sign the piece of paper."*

As a result of the conduct that Officer Abdulkadir displayed, Officer Loonsfoot reported that she retrieved her duty handgun and armed herself. Officer Loonsfoot stated, *"I was scared that he was gonna shoot one of us. Umm...I actually went to where my duty gun was and put it in the back of my waistband. Umm...He seemed to be out of control, he was angry, umm, he didn't want to listen to Officer Jezierski - just bypassed him, bypassed Sgt. Mosey. Umm...I didn't know what was gonna happen in that Range."*

Officer Loonsfoot did not remember if Officer Abdulkadir was armed, if he had ammunition or if any range staff completed a safety inspection of Officer Abdulkadir's handgun after the attempt to qualify.

The following were policy questions given to and verbatim responses by Officer Loonsfoot:

- 13.43 - Personnel Data [REDACTED]

- [REDACTED]
- Q: [REDACTED]
- [REDACTED]
- Q: According to our Policy, 5-105; Professional Code of Conduct, In part it states, "Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another when on-duty, in the presence of other employees, or the public." Did Officer Mukhtar Abdulkadir treat fellow employees and officers and sergeants with respect and was he courteous and civil?
- A: No, he was not.

SUMMARY STATEMENT OF OFFICER BOHNSACK

On April 11th, 2014, I interviewed Officer Mark Bohnsack in MPD IAU under Garrity. The interview was audio recorded. Officer Bohnsack's permanent assignment was to work 4th Precinct [REDACTED]. He was a part time range instructor for the department. On 2/10/2014, Officer Bohnsack was working at the MPD range at the 4th precinct. Officer Bohnsack was a part time range instructor since 2007. He was assisting full time officers with the 2014 handgun qualification. On 2/10/2014, Officer Bohnsack's role was to staple and score targets. Officer Bohnsack reported that Officer Jezierski and Officer Petersen were in-charge at the range. Officer Bohnsack reported that Sgt. Mosey and Officer Jill Loonsfoot were the other part time range instructors present for the qualification.

On 2/10/2014 from 2000 to 2100 hours, Officer Bohnsack reported that Officer Abdulkadir was present to shoot the handgun range qualification. During the course of fire, Officer Jezierski was in the, "booth." Officer Bohnsack reported that the course of fire for the qualification was the same for all officers and was consistent. The course of fire started with dry firing and firing while wearing a gas mask. This part of the course of fire was not part of the qualification.

Officer Bohnsack characterized the course for fire, *"For the most part it was just a normal qualification course. Rounds get fired by the officers attending and then when necessary we change targets when distances change. Your average course - there is targets that are changed at least three times. as you more than likely know, so that's what goes on. After everything is tallied up as far as scores, then the final scores are...are totaled up."*

Officer Bohnsack reported he had no direct contact with Officer Abdulkadir and he did not score his targets. Officer Bohnsack went to the lobby area of the range after the course of fire was completed. The following were his observations, *"I remember learning that he did not pass at 80 percent or greater after three attempts. I remember being...I don't remember if I went across to the 4th Precinct side - Either way, I came back and I could see that he was in a heated discussion with Officer Jezierski. Officer Abdulkadir was shouting at Officer Jezierski. Officer Abdulkadir was at the window on the outside in the lobby area and Officer Jezierski was in the...in the shop area behind."*

Moreover, Officer Bohnsack reported, *"At first I don't remember, or at first I just...it was the loud, just talk...screaming at him and I...I specifically recall that he told Officer Jezierski that, he said"*

13.43 - Personnel Data

informing him that he should try to attend Open Shoots, which are available for all officers, and I recall Officer Abdulkadir saying that he goes to them and that was followed by Officer Jezierski saying, "I don't remember you being at the last one, I was there for the Open Shoot." And I'm...I also remember Officer Abdulkadir saying that Officer Jezierski was a "liar" for saying that he was not there. Uhh...After that, after Abdulkadir, Officer Abdulkadir continued with an elevated voice, he demanded a supervisor. Sgt. Mosey was present, he is also a Range Instructor, has been for many years. I remember him saying, "I'm a Sergeant, I'm a Supervisor." He was the sergeant on scene. Even though he is a part-time Range Instructor, he's still a Minneapolis Police Sergeant."

13.43 -

Personnel Data

Officer Jezierski "called" the course of fire from the range control booth, behind glass doors, providing verbal commands over the intercom system to officers.

Officer Bohnsack knew that Lt. Zierden was somewhere in the building. Officer Bohnsack walked to find Lt. Zierden and Lt. Zierden was notified in person of the situation at the range. I asked Officer Bohnsack to state how he responded to the behavior of Officer Abdulkadir. Officer Bohnsack reported,

13.43 - Personnel Data

It was a shock. I was concerned because of the raised voice. And after they told him they were gonna take his ammunition, he was demanding ammunition; however, at some point I remember seeing him, I don't remember what hand it was, but had some live ammunition in one of his hands and it was duty ammo. This course of fire, we were supposed to shoot our duty ammo, we were supposed to use all of our duty ammo; and I remember seeing silver-colored brass, live ammunition - which is not our target ammo and that's just regular brass case. Our duty ammo is nickel-plated brass, which is silver in color. I felt concerned, uh, I hate to say it, but fearing that something was gonna happen based on his demeanor. I was afraid because he was demanding

ammunition, because he had a...he had a handgun. Should something happen as far as him wanting to take it several notches higher and possibly, you know, the work...a workplace shooting type incident, I retrieved my sidearm from a secured location in the back office of the Range and just kept it in my pocket at that time, I did not have my duty belt or a holster on because we normally don't carry guns while we're in the Range." Officer Bohnsack reported he did not know if Officer Abdulkadir had ammunition loaded in his handgun.

Officer Bohnsack drafted a memo about his observations of Officer Abdulkadir that was forwarded to the MPD Range master, Sergeant Steve Boyer.

SUMMARY STATEMENT OF OFFICER JOSHUA STEWART

On 4/23/2014, I met with Officer Stewart in MPD IAU for a recorded interview taken under Garrity. He responded to a notification letter that I sent to him dated 4/14/2014. Officer Stewart reported that his current assignment was working patrol in 3rd Precinct Dogwatch.

On 2/10/2014, Officer Stewart reported to the 4th Precinct Range with his partner Officer Trebesch for range qualification. Officer Stewart reported that when he was at the range, *"Everything was neat and organized and ready to go for qualification."* Two other officers participated in the course of fire, Officer Trebesch and Officer Abdulkadir. The qualification was from 2000-2100 hours.

Upon arrival at the range, Officer Stewart was in the lobby area and he reported there was nothing that stood out that occurred and he did not remember having any conversations with anyone at the range. Officer Stewart reported he went into the range. He reported he did not know who was in charge. He stated, *"Officer Moose"* (Officer Mike Jezierski) called the line of fire from the range booth (glassed-in area.) Officer Stewart reported he did not know the names of the full time range staff. Officer Stewart reported that he observed part time range instructors, Officer Jill Loonsfoot and Officer Bohnsack. He did not remember seeing Sgt. Mosey.

Officer Stewart reported the following information, *"It was the standard operating procedure where it's over the loudspeaker, the same way it's always been done every time I've qualified for the Range."* Officer Stewart reported that no-one was singled out during the course of fire or after the course of fire. Officer Stewart reported he qualified shooting his duty ammo, picked up spent brass, picked up new rounds in the range armory, went to a room for a gas mask fit test then he went to the gun cleaning room at the range.

Officer Stewart reported he observed Lt. Zierden and Officer Abdulkadir talking. However, he did not hear the conversation. I asked Officer Stewart if Officer Abdulkadir was singled out in any way? Officer Stewart reported, *"No, I felt that the range staff was extremely professional, as in my experience they always are. I didn't see them single anyone out."*

- LOCATION: 4th Precinct Indoor Range.
- DATE - HOURS: January 21st through February 10th, 0700-0100.
- COURSE DESCRIPTION: 50 Round POST Board mandated Handgun Qualification and Gas Mask Fit Testing.
- ENROLLMENT PROCEDURES: Supervisors may enroll personnel through

MPD RANGE QUALIFICATION ("RANGE SCRIPT")

The MPD Range used a type written, "script" for the MPD Qualification Course. The "script" was developed by the MPD Range staff. It served as a lesson plan for the course of fire for the 2014 handgun qualification course.

MPD HANDGUN QUALIFICATION LOG

The MPD Range utilized an officer sign-in log. The log documented the name of the officer, employee number, POST #, assignment, make, model, caliber, and score for the course of fire that took place on 2-10-2014. The log sheet was provide by the MPD Range (Sgt. Boyer.) Officer Abdulkadir signed in on the log.

FAILURE TO QUALIFY (FORM-MP-6454)

A failure to qualify notice was issued to Officer Abdulkadir on 2/10/2014. The form indicated Officer Abdulkadir scored below 70% and he was prohibited from carrying while on or off duty. The form was signed by Officer Lawrence Petersen.

SERGEANT STEVEN MOSEY MEMO

An email memo drafted by Sgt. Mosey was sent through the, "chain of command" on 2/11/2014 at 17:37 hours. The subject line of the memo read, "Range incident 02-10-2010."

MPD RANGE TARGETS

The range targets used by Officer Abdulkadir on 2/10/2014, 2/11/2014 and 2/20/2014 were obtained from the MPD Range (Sgt. Boyer.) The 2/20/2014 targets were used for the remedial training and the targets contained a passing score.

REMEDIAL TRAINING PLAN (2/18/2014 to 2/20/2014)

After the 2/10/2014 failure to qualify, Sgt. Boyer (MPD Ranger Master,) drafted a

"qualification training plan." The memo contained instruction on shooting technique, live fire exercises and review of deadly force statute. The end of the training memo outlined the 50 round "January 2014 Handgun Qualification" course.

METRO TRANSIT POLICE RANGE TRAINING MEMO

Sgt. Mario Ruberto of the Metro Transit Police was contacted on April 3rd 2014. Officer Abdulkadir is a part-time officer with MTC Police. Sgt. Ruberto provided me with Officer Abdulkadir's range training for 4/17/2013 to 4/03/2014.

13.43 - Personnel Data

PERFORMANCE IMPROVEMENT PLAN (PIP)

Officer Abdulkadir was placed on a Performance Improvement Plan. The written PIP was obtained from Destiny Xiong (City of Minneapolis Human Resource Generalist.) Destiny Xiong sent me an email dated April 2nd, 2014, along with an email string from Lt. Zierden, Lt. Danny May and Commander Jason Case. In addition, Destiny Xiong sent me a copy of the PIP that was to be completed in 90 days from the date of issue. In addition to the PIP, an internal memo title, "2014 Abdulkadir Remedial Training Plan" was included in the email attachments.

The PIP trainer was Officer Lawrence Petersen. Officer Petersen completed training memos dated 2/10/2014, 4/02/2014, 4/24/2014, 6/02/2014, 06/09/2014, and 6/24/2014.

The PIP training notes on 6/24/2014 confirmed that Officer Abdulkadir completed the F.A.T.S. and the MPD Range Qualification at 1600 hours. Officer Petersen worked the "floor," serving as the safety officer and replaced targets. Officer Petersen scored all targets. Sgt. Tony Caspers (Range Master) was present for the scoring of the targets and the final qualification score was 80.5.

SUMMARY OF ALLEGATIONS

Allegation [REDACTED] (Officer Mukhtar Abdulkadir): *It is alleged that Officer Mukhtar Abdulkadir reported to the 4th Police Precinct Range to attend 2014 Handgun Qualification on 2/10/2014. Officer Mukhtar Abdulkadir did not obtain a passing score for the course of fire. MPD Range Staff was in charge at the range. It is alleged that Officer Mukhtar Abdulkadir was upset and argumentative with MPD Range Staff as a result of the failure to qualify. Sgt. Steven Mosey was on-scene and made the observations that Officer Mukhtar Abdulkadir was in a, "fit of rage, losing control of his emotions and possibly his actions." Officer Mukhtar Abdulkadir asked for a Supervisor. Sgt. Mosey identified himself to Officer Mukhtar Abdulkadir in an attempt to calm the situation. Sgt. Mosey instructed Officer Mukhtar Abdulkadir that he needed to listen to range staff. In response, Officer Mukhtar Abdulkadir pointed his finger at Sgt. Mosey and stated, "NO YOU NEED TO LISTEN TO ME." If the allegation is true the conduct would be in violation the following Minneapolis Police Department policies.*

13.43 - Personnel Data

5-105 PROFESSIONAL CODE OF CONDUCT (#12)

- ❖ **Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.**

Investigative Facts:

- Officer Abdulkadir reported he was informed by Officer Petersen while on the handgun range, that he failed to qualify on the handgun course. Officer Abdulkadir met with Officer Jezierski in the range lobby where a verbal exchange occurred about the failure.

- Officer Jezierski reported he was the "acting range master" and informed Officer Abdulkadir that he failed to qualify during the course of fire. Officer Jezierski reported that Officer Abdulkadir was argumentative and was not following his direction.
- Officer Abdulkadir reported Officer Jezierski would not give him another chance to qualify. Officer Abdulkadir reported, "I pleaded to Officer Jezierski to give me a chance to shoot again so I could just...so I can...I not sit at that desk. It would cause me unnecessary pain, umm, and uninvited rumors."
- Officer Petersen reported his observations, "Officer Abdulkadir was at that point standing in the window, umm, arguing with Officer Jezierski, pleading again that he wanted to qualify again because he had just qualified with the MTC Police and that he should be able to qualify again. Umm...After reading, again I'm kind of back-tracking here, after reading that he was not allowed to have ammunition, I kinda tried to gather the ammunition from him, because he's not allowed to carry it, so I obtained that while he continued to be argumentative and upset at Officer Jezierski."
- Sgt. Mosey reported he was working the range as a part time instructor when Officer Abdulkadir made the request to talk to a supervisor.
- Sgt. Mosey reported he introduced himself to Officer Abdulkadir. Sgt. Mosey recalled Officer Abdulkadir was screaming. Sgt. Mosey reported, "I just went right down the line in a calm manner and I asked him if he failed his first qual - and he stated he did. I then asked him if he was given three full chances to pass the qual - and he stated he had been given three chances. I asked him if he failed all three chances - he stated he did fail all three times."
- Sgt. Mosey reported, "As I'm asking him these questions, he's interrupting me, he's basically...He's enraged at this point and he's not really listening, and he's not wanting to listen. But at that point, still in a calm manner, I stated that since he failed all three times that he would need to listen to the full-time Range staff and they would give him instructions on what to do further. At that point it looked like he wanted to come through the window, because he reached through the window and he pointed his finger at my face and he stated, "No, you need to listen to me." Sgt. Mosey stated Officer Abdulkadir was completely out of control.
- Officer Bohnsack reported he was in the lobby area of the range and he reported, "Officer Jezierski informing him that he should try to attend Open Shoots, which are available for all officers, and I recall Officer Abdulkadir saying that he goes to them and that was followed by Officer Jezierski saying, "I don't remember you being at the last one, I was there for the Open Shoot." And I'm...I also remember Officer Abdulkadir saying that Officer Jezierski was a "liar" for saying that he was not there." Moreover, Officer Bohnsack stated, "It made me quite concerned, because I've never witnessed that with any officers - with police officers. Yeah, I've seen some arguments over the years, but it's never come to something like this," 13.43 - Personnel Data

- Officer Jill Loonsfoot was working as a part time range instructor and she reported her observations on the lobby of the range. Officer Loonsfoot stated, *"That was like, we'll call it the Range office area, where there's an open window. Officer Jezierski was behind the window, umm, and he was explaining the paperwork to him, trying to, you know, tell him that he did not get a passing score. And Mukhtar got very angry, umm, started yelling at Officer Jezierski, pointing his finger at him, stating, 'You just don't get this! I can do this!' [REDACTED] And several times he said, 'No, you listen to me!'" while pointing his finger. He was yelling and I actually got a little nervous.*
- Officer Loonsfoot stated that Officer Abdulkadir pointed his finger at Sgt. Mosey after Sgt. Mosey was talking. Officer Loonsfoot stated, *"Officer Abdulkadir was not taking responsibility or following instructions of staff. Uhh...After that, after Abdulkadir, Officer Abdulkadir continued with an elevated voice, he demanded a supervisor. Sgt. Mosey was present, he is also a Range Instructor, has been for many years. I remember him saying, I'm a Sergeant, I'm a Supervisor. He was the sergeant on scene. Even though he is a part-time Range Instructor, he's still a Minneapolis Police Sergeant."*
- Lt. Zierden reported being approached by Officer Bohnsack about an issue that was occurring at the range with Officer Abdulkadir. Lt. Zierden reported, *"I simply reiterated what the Range had told him – That he was being removed from law enforcement duties because of his low score, it would be below a 70. 80 is the passing score – he got below a 70; and that he was to return to the 3rd Precinct and talk with his sergeant about what his assignment would be at that point."*

13.43 - Personnel Data



Case Finding Memorandum IAU Case #14-03765

To: Assistant Chief Arneson

From: Inspector Michael Kjos (Panel Chair)

Subject: Internal Affairs Case #14-03765 (Case Finding Memorandum)

Involved Employee(s):

1. Officer Abdulkadir, Badge 0047

Date: 9/24/2015

Alleged MPD Policy Violations:

Officer Abdulkadir:

5-105 Professional Code of Conduct, #12 Category Range A-D

Discipline Panel Members:

Inspector Michael Kjos (Panel Chair)
Lieutenant Ray Witzman
Lieutenant Erick Fors

Document Clarification:

This case involves [REDACTED] with separate alleged policy violations [REDACTED]. The IAU investigation was extensive and created a significant amount of documentation including 13.43 - Personnel Data [REDACTED]

in regards to Officer Abdulkadir (pages 2 through 5) [REDACTED]



Summary of the Case and IAU Investigation: (Officer Abdulkadir)

Discipline Panel Preliminary Findings:

Discipline Panel met on August 18th, 2015 at 1600 hours in the 1st Precinct Inspectors Office to discuss the alleged violations against Officer Abdulkadir. Prior to this panel taking place all three panel members had an opportunity to review the (3) Internal Affairs Unit investigative files on this case.

Panel members discussed the investigative findings as reported in the IAU case file:

Discussion Points:

1. Magnitude of the investigation
 - a. Extensive interviews and material
 - b. 3 case files, range targets
2. Policies Alleged to have been violated (Officer Abdulkadir)
 - a.

13.43 - Personnel Data

- b. 5-403 Professional Code of Conduct, Subsection 12
 - i. Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.

3.

13.43 - Personnel Data



13.43 - Personnel Data

5. Case information regarding the [REDACTED] alleged violation of the professional code of conduct, subsection 12.
- Specifically the first two sentences: Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another.
 - It appears from all accounts, even Officer Abdulkadir's own admissions that this exchange was heated, with elevated voices and talking over each other. Officer Abdulkadir spoke over the range instructor Officer Jezierski and a department supervisor, Sergeant Mosey.
 - During the exchange many witnesses described Officer Abdulkadir pointing his finger at or near Officer Jezierski and Sergeant Mosey, and at times directed at their faces.
 - Additionally, Officer Abdulkadir's demeanor is described by several witnesses as having been enraged, agitated or completely out of control.
 - Sgt. Mosey describes his behavior as the worst he has ever seen in 21 years of supervising officers. He said Officer Abdulkadir's reaction following his failure to qualify was threatening, disrespectful and worse than any behavior he has witnessed from an officer in 27 ½ years as a police officer (not a quote as this was included over several paragraphs of Sgt. Mosey's statement).
6. The Panel determined this to be disrespectful behavior directed at fellow employees including individuals in a supervisory role and sustained this violation.

The panel determined the facts presented in this case met the standard of "preponderance of the evidence" to move forward with a Sustained Violation for one of the two alleged violations.

Panel Preliminary Finding: (Officer Abdulkadir)

[REDACTED]
5-105 Professional Code of Conduct, #12

[REDACTED]
Sustained at Category Level (B)

On August 19th, 2015, written notice of a Loudermill hearing was delivered to Officer Abdulkadir listing the sustained allegation including the Category Level by Inspector Michael Kjos. This was delivered in person with verbal explanation of the process and next steps. A copy was provided as well.



Loudermill Hearing: (Officer Abdulkadir)

Loudermill hearing took place on September 3rd, 2015 at 1622 hours, in the 1st Precinct Inspector's Office. All three panel members were in attendance along with Officer Abdulkadir and his Federation Representatives Sgt. Sauvageau and Officer O'Connor.

Inspector Kjos conducted the meeting and recorded it on a digital recorder. Officer Abdulkadir was informed this meeting was convened for IAU Case #14-03765 and involves a Category (B) violation.

Officer's Statement:

Officer Abdulkadir was extremely apologetic and said what happened that night does not represent the person he is. He has felt bad over that incident and has corrected his behavior following that night. Under his own admission he said he should have spoken to both Officer Jezierski and Sgt. Mosey in a more respectful manner. Officer Abdulkadir said he has worked very hard since this incident to maintain his shooting skills and has gone to the open shoots to practice even on his own time. He has volunteered with community events and has represented the police department in a professional manner to the public. Officer Abdulkadir apologized several times throughout his statement and assured the panel this type of behavior has not happened since and will not happen again.

Federation Statement:

Sgt. Sauvageau spoke on Officer Abdulkadir's behalf. He spoke about his personal observations of Officer Abdulkadir as his immediate supervisor following since this incident. He said Officer Abdulkadir has represented the department in a professional matter to the public and has been very respectful to his supervisors and fellow employees. He also stated that Officer Abdulkadir accepts responsibility for self-correcting his behavior and has continued to take steps to improve his skills by attending additional training on his own time. Sgt. Sauvageau requested that we consider a lesser discipline than the baseline considering his behavior since this incident over a year before.



Panel Review Following Loudermill:

Panel discussed the statements of Officer Abdulkadir and Sgt. Sauvageau in addition to the mitigating factors listed below:

Mitigating Factors:

1. Professional Public Representation of MPD
 - a. Volunteers for community engagement events
 - b. PAL Coach for a highly successful soccer program
 - c. Participated in Youth Dialog Sessions in Cedar Riverside Neighborhood
 - d. PERF Outreach Officer in Cedar Riverside and the Somali Community
 - e. Attends several monthly community meetings in his beat area.
 - f. Agreeable to on-camera interviews – has done several this year.
2. Performance Review – excellent last year and expected to be similar this year.
3. Rank is Officer
4. Circumstances – on duty, work related business.
5. Culpability – accepts responsibility for his actions, does not blame anyone but himself.
6. Employee Attitude – apologetic and accepting of discipline. Continues to work hard and represents MPD in a positive manner to the public.
7. Training – has continued to attend open shooting sessions to improve or at least maintain his shooting level to pass qualifications.
8. Prior Discipline – Officer Abdulkadir has no prior discipline for a code of conduct violation within the reckoning period to be considered in regard to this incident.

Panel Findings on Policy Violations regarding Officer Abdulkadir relative to IAU Case# 14-03765:

13.43 - Personnel Data

5-105 Professional Code of Conduct, #12

Sustained at Category Level (B)

Panel Recommendation for Discipline: (Officer Abdulkadir)

Upon review of the MPD discipline matrix this (B) category violation has a 10 hour suspension as the baseline and a Written Reprimand when there is Mitigating Factors.

This Discipline Panel recommends Officer Abdulkadir receive a **Letter of Written Reprimand** for this violation. Officer Abdulkadir has clearly worked hard to rectify his behavior and holds only himself in contempt for this incident. The panel believes this discipline will ensure he stays on this positive path and is in line with maintaining public trust and accountability.



Police Department

Janeé L. Harteau
Chief of Police

350 South 5th Street - Room 130
Minneapolis, MN 55415-1389

612 673-2735
TTY 612 673-2157

October 21, 2015

Officer Mukhtar Abdulkadir
Juvenile Outreach and Diversion
Minneapolis Police Department

Officer Abdulkadir,

RE: IAU Case Number #14-03765
LETTER OF REPRIMAND

The finding for IAU Case #14-03765 is as follows:

13.43 - Personnel Data

MPD P/P 5-105 Professional Code of Conduct #12.....SUSTAINED (Category B)

You will receive this Letter of Reprimand. This case will remain a B violation and can be used as progressive discipline for three years until 2/10/2017, which is from the date of incident.

The case will remain in the IAU files per the record retention guidelines mandated by State Law.

Be advised that any additional violations of Department Rules and Regulations may result in more severe disciplinary action up to and including discharge from employment.

Sincerely,

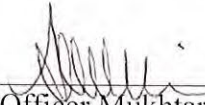
Janeé Harteau
Chief of Police

BY:

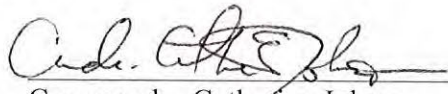
Assistant Chief
Kristine Arneson



I, Officer Mukhtar Abdulkadir, acknowledge receipt of
this Letter of Reprimand.



Officer Mukhtar Abdulkadir 10/28/15
Date of Receipt



Commander Catherine Johnson 10/28/2015
Date

CC: Cmdr. Catherine Johnson
Personnel
IAU