

Exhibit K

- 1) 12/20/2013
- 2) 0232 hours
- 3) 13-420636
- 4) Caldwell, Donia
- 5) BuyBack
- 6) 335099

Date of Incident
Approximate Time Image Captured
CAPRS CCN
Defendant's Name
Regular duty or BuyBack?
Video Number on L3

The screenshot displays the Flashback Player 3.5.6.7 interface. The main window shows a video feed from a camera inside a vehicle, likely a police car, showing the driver's side and the dashboard. The interface includes a menu bar (File, Image, View, Help) and a sidebar with various controls:

- Audio:** VLP1, VLP2, and In-Car Audio are checked. A volume slider is present.
- Triggers:** Lights, Siren, Brakes, Aux1, and Aux2 are unchecked.
- Cameras:** "Switch to Camera 2" is selected. "Enable PIP" and "Large PIP" are unchecked. "Move to Corner" has four directional buttons.
- GPS:** Latitude: 0.0000, Longitude: 0.0000, Speed: 0 MPH, Heading: 0° - N.
- General:** Cause: (empty), Record Button, Officer: No Name.
- DVR Name:** MPD CHEM1.
- Radar:** Target: 0 MPH, Patrol: 0 MPH.

The video player controls at the bottom include a progress bar, media time (02:32:48), current time (00:07:31), and available time (00:07:31). The date/time range is from 2013-12-20 02:19:53 to 2013-12-20 02:40:19. The L3 communications logo and "Mobile-Vision, Inc." are visible in the bottom right corner. The status bar at the bottom left indicates "Video Mode: Playing".

Exhibit L

- | | |
|-------------------------------|---------------------------------|
| 1) 11/20/2013 | Date of Incident |
| 2) 0327, 0332, and 0334 hours | Approximate Time Image Captured |
| 3) 13-386528 | CAPRS CCN |
| 4) Zimmerman, Abby | Defendant's Name |
| 5) Regular | Regular duty or BuyBack? |
| 6) 324528 | Video Number on L3 |

L1

Flashback Player 3.4.5.36

File Image View Help

Audio

- VLP1
- VLP2
- In-Car Audio

Volume

Triggers

- Lights
- Siren
- Brakes
- Aux 1
- Aux 2

Cameras

- Switch to Camera 2
- Enable PIP
- Large PIP
- Move to Corner

General

Cause:

Record Button

Officer:

No Name

DVR Name:

MPD CHEM1

Radar

Target: 0 MPH

Patrol: 0 MPH

Lock: 0 MPH

Media Time

Current Time: 03:27:50

Available Time: 00:45:12

Date/Time

Start: 2013-11-20 03:26:56 End: 2013-11-20 04:13:02

Top Scale Tick Marks are Play Time 1 Minute Apart

L3 communications
Mobile-Vision, Inc.

Video Mode: Playing

Flashback Player 3.5.6.7

File Image View Help

Audio

- VLP1
- VLP2
- In-Car Audio

Volume

Triggers

- Lights
- Siren
- Brakes
- Aux1
- Aux2

Cameras

- Switch to Camera 2
- Enable PIP
- Large PIP
- Move to Corner

General

Cause:

Record Button

Officers:

No Name

DVR Name:

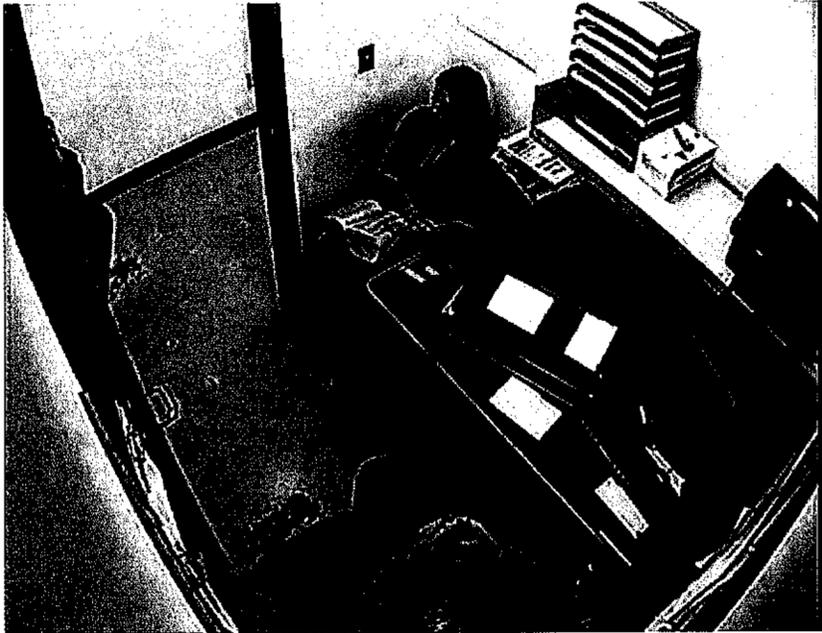
MPD-CHEM1

Radar

Target: 0 MPH

Patrol: 0 MPH

0



Media Time

Current Time: 03:32:39

Available Time: 00:40:23

Date/Time

Start: 2013-11-20 03:26:56

End: 2013-11-20 04:13:02

Top Scale Tick Marks are Play Time 1 Minute Apart

L3 communications
Mobile-Vision, Inc.

Video Mode: Paused

Flashback Player 3.5.6.7

File Image View Help

Audio

- VLP1
- VLP2
- In-Car Audio

Volume

Triggers

- Lights
- Siren
- Brakes
- Aux1
- Aux2

Cameras

- Switch to Camera 2
- Enable PIP
- Large PIP
- Move to Corner

General

Cause:

Record Button

Officer:

No Name

DVR Name:

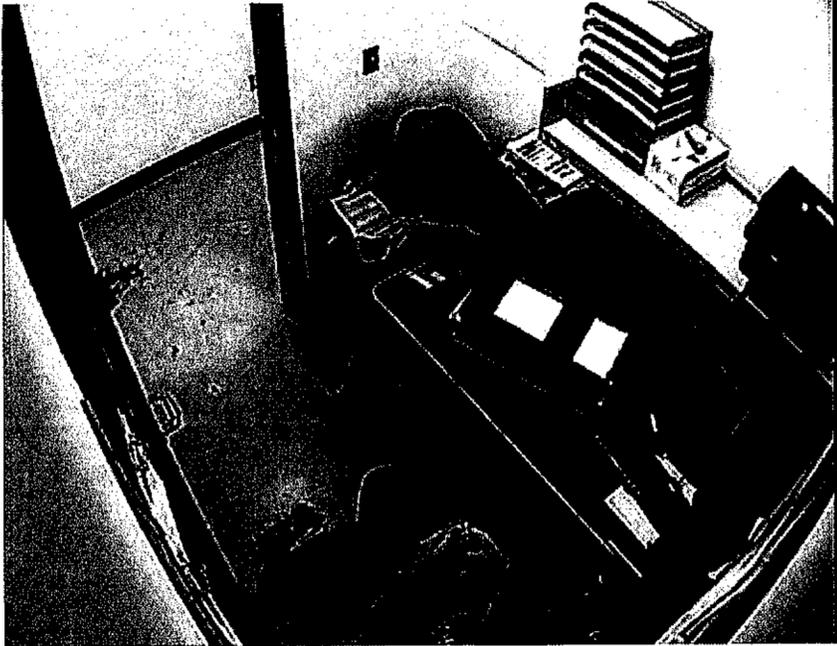
MPD CHEM1

Radar

Target: 0 MPH

Patrol: 0 MPH

0



Media Time

Current Time: 03:34:20

Available Time: 00:38:42

Date/Time

Start 2013-11-20 03:26:56 End 2013-11-20 04:13:02

Top Scale Tick Marks are Play Time 1 Minute Apart

L3 communications
Mobile-Vision, Inc.

Video Mode: Paused

Exhibit M

- | | |
|----------------|---------------------------------|
| 1) 10/24/2013 | Date of Incident |
| 2) 2138 hours | Approximate Time Image Captured |
| 3) 13-354171 | CAPRS CCN |
| 4) Dupre, Drew | Defendant's Name |
| 5) Regular | Regular duty or BuyBack? |
| 6) 314478 | Video Number on L3 |

The screenshot displays the Flashback Player 3.5.6.7 interface. The main video window shows a black and white image of a police officer in a vehicle. The interface includes the following sections:

- Audio:** VLP1, VLP2, and In-Car Audio are checked. A volume slider is present.
- Triggers:** Lights, Siren, Brakes, Aux1, and Aux2 are unchecked.
- Cameras:** A 'Switch to Camera 2' button is visible. 'Enable PIP' and 'Large PIP' are unchecked. 'Move to Corner' has four directional buttons.
- General:** 'Cause:' is empty. 'Record Button' is present. 'Officer:' is 'No Name'. 'DVR Name:' is 'MPD CHEM1'.
- Radar:** 'Target:' is '0 MPH'. 'Patrol:' is '0 MPH'.
- Media Time:** 'Current Time: 21:38:52', 'Available Time: 00:05:08'. A playback control bar with buttons for play, pause, stop, and other functions is shown.
- Date/Time:** 'Start: 2013-10-24 21:31:25', 'End: 2013-10-24 21:44:00'.
- Logo:** L3 communications Mobile-Vision, Inc.
- Status:** 'Video Mode: Paused' at the bottom left.

Of the above incidents, nine of the arrestees were male and four were female.

Administrative Announcement AA12-019 regarding using cell phone/recording devices to capture evidence was issued on 08/14/2012. This Administrative Announcement discussed that it is not prohibited by the Minneapolis Police Department to voluntarily use personal cell phones to capture evidence (photos, videos, or audio recordings), but if done, the cell phone **shall be** property inventoried to be processed by the Crime Lab. It goes on to state, "All electronic data that could be considered evidence, captured by a personal or MPD owned cell phone or other recording device, while the employee is on-duty becomes property of MPD and may only be distributed in accordance with department policy. Refer to 4-501 Confidential Department Records, Reports and Information." This complete Administrative Announcement will be contained in this case file.

Special Order S13-047 was issued on 12/10/2013. The subject of this Special Order was "Release of Non-Public Data and Employee Signature Required." Here is this Special Order:

MINNEAPOLIS POLICE DEPARTMENT			
SPECIAL ORDER			
BY ORDER OF THE CHIEF OF POLICE			
DATE ISSUED: December 10, 2013	DATE EFFECTIVE: December 10, 2013	NUMBER: S13-047	PAGE: 1 of 3
TO: Distribution "A"			RETENTION DATE: Until Rescinded
SUBJECT: Release of Non-Public Data and Employee Signature Required			APPROVED BY: Chief J. Harteau

Release of Non-Public Data

This communication requires prompt action by all personnel.

Personnel are reminded that the release of data is governed by MPD policy and state and federal laws. The improper disclosure of data that is not public can interfere with the integrity of an investigation or obstruct the legal process. Therefore, employees must follow MPD procedure and comply with laws regarding the release of data. To emphasize the importance of protecting data, Chief Harteau will consider such disclosures to be extremely serious violations of MPD policy.

An employee who improperly accesses or discloses data may be subject to civil and criminal penalties. The MPD will refer violations for review of criminal charges and seek prosecution when appropriate. Additionally, failure to comply with MPD policy may result in discipline, up to and including discharge.

Only authorized personnel are allowed to communicate with non-MPD personnel regarding critical incidents, traumatic incidents, misconduct investigations or media requests. Employees also must not communicate or disclose protected data with other MPD employees, unless it is on a "need to know" basis and a requirement of their job duties. To avoid data breaches, obtain permission from your supervisor prior to the disclosure. Sworn personnel must review Article 16 Section 16.6 of the labor agreement between the city of Minneapolis and the Police Officers' Federation.

You remain accountable for knowing and abiding by all policies and procedures in the Minneapolis Policy and Procedure Manual. This communication requires you to immediately review the following:

- 4-501 Confidential Department Records, Reports and Information
- 4-503 Access To Criminal Records
- 4-504 Legal Process Involving the Production or Inspection of Evidence or Records in Court
- 4-505 Inspection of Records and Reports by the Media or Public
- 4-505.01 Use of Victim Photographs/Videos
- 4-506 Openness in Government
- 5-101.01 Truthfulness
- 5-102.01 MN Law Enforcement Code of Ethics
- 7-116 Cellular Phones
- 10-423 Employee Cell Phones and Recording Devices Used to Capture Evidence
- 7-119 Social Networking
- City's Electronic Communication Policy

Chief Harteau requires that all MPD employees date and sign the attached Acknowledgment no later than January 3, 2013. See the attached Acknowledgement for further instructions.

This Special Order was accompanied with an acknowledgement page which Officer James Goltart signed on 12/12/2013.

The Minneapolis City Attorney's Office had requested assistance from the Minneapolis Police Department in facilitating the preservation of any photos or video taken of DWI arrestees by Officer Golgart with his cell phone. Because of this request, Inspector Todd Loining and Lt. Melissa Chiodo called Officer James Golgart into the office for a meeting. After this meeting, Inspector Loining typed up the following report.

Officer Golgart

Cell Phone Evidence Concerns

June 2nd, 2014

On June 2nd, 2014 at approximately 2010 hours, LT Chiodo and I met with Officer Golgart in my office (Inspector's) at the Fifth Precinct. I explained to Officer Golgart that the Department received information that last November 2013 during the course of a DUI arrest in the MPD Chem Test Unit that he allegedly utilized his personal cell phone to take a picture of the defendant; CCN #13-386,528.

I explained to him that I needed to collect his cell phone because we were concerned that his phone contained Government data (evidence). He handed his phone to me and provided me with his PIN/password number. He advised Lt Chiodo and I that he purchased a new cell phone approximately 2 ½ to 3 weeks ago at a Verizon store located on Lake Street. Last week on Thursday, May 29th his new cell phone camera system "Crashed" and was no longer working properly so he brought the cell phone back to Verizon. Verizon provided him with a brand new cell phone last Friday May 30th and kept the one that was not working. His cell phone that he had prior to these two phones he owned for approximately 9 months to 1 year and he turned that phone back into Verizon when he received a new phone.

The data from the SIM Card from the original cell phone was transferred to his new phones by Verizon. This past weekend he downloaded all of the data to his home computer and cleared his new SIM Card so it did not contain any data/pictures older than May 31st, 2014.

Officer Golgart stated that in the past he has taken pictures of defendants in Chem Test and has forwarded them via "Snap Chat" using his cell phone. According to Officer Golgart once he sends a picture via Snap Chat the picture disappears/erases within a predetermined amount of time. He stated that he does not have any pictures of defendants on his new cell phone or home computer.

Officer Golgart was ordered to stop taking pictures of any defendants, crime scenes, etc with his personal cell phone. He stated that he fully understood. He was provided with a copy of MPD Policy & Procedure #10-423 and the Administrative Announcement #12-019.

Respectfully Submitted,

Inspector Todd Loining #4215

Case Statements

Statement of Lt. Melissa Chiodo

Lt. Chiodo provided a statement for this investigation 08/18/2014 in the Internal Affairs office in City Hall. Here is a summary of her interview.

Lt. Chiodo stated that she was informed of the allegations against Officer Golgart by Inspector Loining. Inspector Loining and Lt. Chiodo made plans to meet with Officer Golgart to see if Officer Golgart still had evidence of the DWI arrests on his cellphone. If Officer Golgart did have evidence on his cell phone, they would have to property inventory his cell phone as evidence.

Officer Golgart met with Inspector Loining and Lt. Chiodo on 06/02/2014. They referred to the Minneapolis Police Department Policy and Procedure and an Administrative Announcement related to use of personal cell phones for work related business. Officer Golgart admitted that he had used his cell phone to Snapchat some people, but the cell phone used to Snapchat had crashed very recently. According to Officer Golgart, he now had a new cell phone, and this new cell phone did not contain anything work related on it. For this reason, Inspector Loining and Lt. Chiodo did not access or collect Officer Golgart's personal cell phone. Officer Golgart also informed them that he did not have any information from his cell phone back-up on his home computer that would be evidence.

Statement of Inspector Loining

Inspector Todd Loining provided a statement for this investigation on 08/18/2014.

Inspector Loining stated that, in late May of 2014, he had been made aware of the allegation that Officer Golgart was using his personal cell phone to take a picture of a defendant. He stated that he believed that this cell phone was Officer Golgart's personal cell phone because patrol officers are not issued cell phones. Inspector Loining had been directed to call Officer Golgart in to ask him some basic questions about the allegations and to ask him if his personal cell phone had any pictures of defendants on it. If the cell phone did have pictures on it, Inspector Loining was going to collect the cell phone as evidence.

On 06/02/2014, Inspector Loining and Lt. Chiodo met with Officer Golgart. According to Inspector Loining, Officer Golgart was very cooperative and willing to assist in any way possible. Officer Golgart had given his cell phone to Inspector Loining along with his PIN/password, but Inspector Loining did not access the cell phone.

Officer Golgart told Inspector Loining and Lt. Chiodo that in the past he has taken pictures of defendants in the Chem Test Unit and has forwarded them via "Snapchat" using his cellphone. Since then, his cell phone had crashed and was replaced. He also told them that his new cell phone did not contain any pictures of defendants, nor did his home computer which was used to back-up his cell phone. After this discussion with Officer Golgart, the decision was made to not collect Officer Golgart's cell phone as evidence. Inspector Loining also stated that Officer Golgart was ordered to stop taking pictures of any defendants, crime scenes, etc., with his new or his personal cellphone.

Statement of Officer James Golgart

Officer Golgart was called in to provide a statement to Internal Affairs regarding this investigation. He did so on 09/18/2014 in the IAU office. Also present with Officer Golgart was Sgt. Stenerson from the Police Officers Federation of Minneapolis.

Officer Golgart has been with the Minneapolis Police Department for approximately eight years. At the time of this interview, Officer Golgart was assigned to the 5th Precinct

13.43

Prior to the start of this interview, Officer Golgart and his union representative were shown the above mentioned videos and stills printed by the Crime Lab of the thirteen defendants allegedly photographed or videotaped by Officer Golgart.

At the start of this interview, Officer Golgart was asked why we were here. He answered, "Um, I used my cellphone in a application called Snapchat to take pictures of people, um, during the process of DWIs." When asked why, he stated, "Um, there's really no excuse. I guess, uh, just kind of pass the time. I would see something that I thought was funny and send it to somebody." He estimated that he had captured images of DWI arrestees between 20 and 25 times, stating that he had captured still pictures of these arrestees and possibly videos. He stated that he had used his personal Verizon Samsung Galaxy S4 cell phone to capture these images and Snapchat them to others. Officer Golgart stated that he has since upgraded his cell phone, and his new cell phone does not contain any images of defendants. He also does not believe that his home computer contains any images of defendants.

Officer Golgart explained what Snapchat is, "Snapchat is an application where you take a picture or video of whatever, um, and you can, um, pick a duration of time anywhere from one second to ten seconds. Once you send it, um, it goes away on your phone, and then once the person views it, it goes away on their phone." He affirmed that the person receiving the image could take a screenshot of the image and make it permanent. Snapchat also has a feature called Stories, and Officer Golgart explained Stories as, "The story is where you, again, take the picture and then you add it to your story, and it can be seen for 24 hours." He stated that he might have posted images or recordings of defendants to his Story, but he doesn't recall if he did or not.

Through further questioning, Officer Golgart relayed the following information:

- There was no law enforcement need to take these pictures.
- He distributed these pictures to people on his contact list, which included law enforcement friends, family, and civilian friends.
- He has never been trained to take pictures of arrestees.
- He has never been ordered to take pictures of arrestees with his personal cell phone.
- He never mentioned these photos or image recordings in any CAPRS reports.
- He does not believe that Snapchat is a secure private way of exchanging photographs or recordings.
- There is no data privacy information that is sent with the images on Snapchat stating that it is confidential information.
- He hadn't thought about the impact of sending these images to people via Snapchat until after his meeting with Inspector Loining and Lt. Chiodo.
- He had no knowledge of this activity impacting any criminal proceedings.
- He did know that he was on video in the Chem Test Unit, and he explained how he manually starts the video recording himself.
- He confirmed that that he has seen Administrative Announcement 12-019, and he signed the acknowledgement receipt (page 3 of AA12-019).
- During his meeting with Inspector Loining and Lt. Chiodo, he had handed over his cell phone, but they never looked through it. He also confirmed that he was ordered not to take any more pictures (of defendants).
- He stated that he has not taken any pictures for personal use or Snapchat while at work since his meeting with Inspector Loining and Lt. Chiodo.
- He never used any other application other than Snapchat to distribute these pictures, and he never saved any of the pictures on his phone by means of just taking a regular picture and leaving it in his photo album.
- Officer Golgart answered "no" to the question, "is there any time that you would capture an image with Snapchat and not distribute it?"
- When asked if he took these pictures in a manner in which the subject being photographed and/or the other police personnel in the area were not aware of him taking the picture, Officer Golgart answered, "Correct."

Each instance where Officer Golgart appears to capture an image(s) of DWI arrestees/defendants was then discussed one at a time. Officer Golgart was shown corresponding Workforce Director time sheets, CAPRS reports, still images from the videos printed by the Crime Lab, and the videos themselves for each "exhibit" discussed. For efficiency, only the portion of each video showing the alleged images/recordings being captured by Officer Golgart was viewed.

When asked to describe what he saw in each video after each instance where it appears Officer Golgart captures an image of the defendant, Officer Golgart gave the below answers.

Exhibit A:

A: We're sitting in Chem Test, and I had just taken a picture on my cellphone and now scrolling through the contact list.

Q: Um, the picture you took with your cellphone, do you know-, can you tell from the video what you did with it?

A: I sent it using the Snapchat application.

Exhibit B:

A: I had just taken a picture of him.

Q: And can you see what you're doing with that picture?

A: I'm typing something on the screen.

Q: What application do you believe you are using?

A: Snapchat.

Exhibit C:

C1:

A: I took a picture using Snapchat application.

C2:

A: I took a picture using the Snapchat application.

Q: I noticed that you, uh, had the subject of your photo in the frame of your picture-, or your phone for a long time. Is it possible you were taking a video there?

A: Um, if we can replay it, I mean I guess it's possible.

Q: We certainly can replay it. [pause to review video again] Can you tell if you're taking a still image or a video?

A: I think I just had the screen up...

Q: OK.

A: and was just panning back and forth, um, and it appeared to be right there it looks like it's a still image.

Exhibit D:

A: And I had just taken a picture using that application.

Exhibit E:

A: I took a picture of the person using the Snapchat application.

Exhibit F:

A: I just took a photo of a male using the Snapchat application.

Exhibit G:

A: I just used the Snapchat application to take a picture.

Exhibit H:

H1:

A: I just used the Snapchat application to take a picture.

H2:

A: I took a picture of the male using the Snapchat application.

Exhibit I:

I1:

A: I took a picture of the male using the Snapchat application.

I2 and I3:

Q: Thank you. And, uh, the second still for Exhibit I occurs at 0057 hours, which is already past. Did you-, how many pictures did you see yourself taking in that video?

A: Of this one?

Q: Yeah. Would you like to see it again?

A: Uh, yeah, I wasn't watching, sorry.

Q: Pardon?

A: I saw the one. This one.

Q: We're gonna go right back to 0057. And the third one, uh, we have here is 0058, so for the next two minutes we'll just watch here. [pause to view video] OK. Could you please, uh, tell me how many times do you see yourself in the video taking a picture of this defendant?

A: Possibly two or three times.

Exhibit J:

J1:

A: I used the Snapchat application to take a picture.

J2:

Q: And, uh, there's another still at 0404 hours, so I'll just let it play here. [pause to view video] During that video segment, how many images did you see yourself capture?

A: Two.

Exhibit K:

A: I took a picture using the Snapchat application.

Exhibit L:

L1:

A: I took a picture of the female using the Snapchat application.

Q: Did you notice anything, um, different about this particular photo that you took?

A: Mm, no. If you wanna replay it.

Q: Absolutely. [pause to review video again] I'll ask you again. Did you see anything unique about this particular picture?

A: It appears as if I zoomed in.

Q: And can you tell what you were zooming in on?

A: Not from this angle, no.

Q: Do you recall this incident?

A: This particular DWI, no, I don't.

Q: OK. It appears to me you're zooming in on her cleavage. Does it appear that way to you?

A: Uh, if we could watch it one more time?

Q: Absolutely. And for the record, could you describe the defendant, please?

A: White female, jean, black shirt.

Q: Would it be fair to say that she has a low-cut V neck on?

A: Her shirt is low-cut, yes.

Q: [pause to review video again] After watching the video a third time, what does it appear that you're zooming in on?

A: Her torso area. I mean I can't tell from this angle of the video.

L2:

A: I took a picture of the female using the Snapchat application.

L3:

Q: OK. The third still here, Exhibit L3, comes from 0334 hours, which is probably coming up here shortly, so I'll just play it. [pause to view video] During that last segment, did you see yourself take another picture of this female?

A: Uh, I believe, yeah, there's the three total.

Q: OK. Is there anything in, in particular about this defendant that caused you to take pictures of her?

A: No, sir.

Exhibit M:

A: I took a picture of the male using the Snapchat application.

In each of the above instances, Officer Goltart did not recall who he sent each Snapchat to. He stated that he had sent these Snapchats to people that were on his contact list, which included some law enforcement friends, family, and civilian friends. He did, however, name Jeremy Foster, Mark Hibbard, Gordon Shank, and Mike Lee as potential recipients. Jeremy Foster is a Minneapolis police officer, and the others named are members of the State Patrol.

When asked if there was anything in particular about these defendants that caused him to take their pictures, Officer Goltart answered "no." After being asked this question during the discussion about Exhibit A, he stated, "Um, again, there's no reason. It was just something stupid."

At the end of this interview, Officer Goltart was asked if there was anything else that he would like to add to this statement that he had not been asked, to which he responded, "A: Yes, just a few things. Um, the people that I sent the snaps to they never once objected to 'em or thought they were inappropriate; otherwise, I would've stopped sending them. Um, I never meant to bring discredit to the police department. It was more or less killing time when I was waiting for the DMT to process or waiting for them to finish up on their cellphone, um, attorney time. And, um, while I was doing it, I wasn't willfully or thinking about policy or about policies I could've been breaking as I was doing it; otherwise, I definitely would not have done it."

Statement of Officer Jeremy Foster

Officer Foster was interviewed in the Internal Affairs office on 11/06/2014. Officer Golgart had identified Officer Foster as one of the recipients of Snapchats.

Q: All right. Officer Foster, did you ever receive any pictures sent by Officer Golgart of DWI arrestees during the timeframe I had mentioned?

A: Yes.

Q: OK. And do you recall how you received them?

A: Yes.

Q: Could you explain that?

A: Uh, through a program-, an application, uh, called Snapchat.

Q: And was this on your personal phone or a City cellphone?

A: Uh, it was on my personal phone.

Q: OK. And what did you do with these photos?

A: Um, I, um, I looked at them.

Q: OK. Did you ever forward them on to anyone else?

A: Uh, I did not forward them on to anybody else.

Q: Did you ever take screenshots to capture the image beyond the Snapchat time allotment?

A: Uh, there was a few that I did screenshot, yes.

Q: Do you still have any of these photos?

A: No, I do not.

Q: Could you tell me how you disposed of them?

A: Um, I deleted them from my phone.

Q: Were they ever backed up to your computer or anything?

A: No.

Q: And once again, I'll ask you. Did you ever forward those on to anyone else?

A: Uh, no, I did not.

Q: OK. I have no further questions. Are there any facts concerning this incident that you have knowledge of, but have not disclosed?

A: Um, yes. Um, I just wanted to bring up the fact that, uh, there was one instance, um, I confess where I did Snapchat somebody. Um, I just wanna put that on the record.

Snapchat

Snapchat is a social media application (app) for smartphones. The description of this app on <https://itunes.apple.com> is:

Description

Enjoy fast and fun mobile conversation! Snap a photo or a video, add a caption, and send it to a friend. They'll view it, laugh, and then the Snap disappears from the screen - unless they take a screenshot!

You can also add a Snap to your Story with one tap to share your day with all of your friends.

The best conversations happen when both friends are present, so we'll let you know if your friend is Here in your Chat so that you can give each other your full attention. And if you're both Here, simply press and hold to share live video - and Chat face-to-face!

Happy Snapping!

Please note: even though Snaps, Chats, and Stories are deleted from our servers after they expire, we cannot prevent recipient(s) from capturing and saving the message by taking a screenshot or using an image capture device.

The complete "Terms of Use" and "Privacy" policies from Snapchat are included in this case file. When Officer Gorgart was asked during his Internal Affairs interview if he believed Snapchat to be a secure private way of exchanging photographs or recordings, he answered "no."

Criminal Case Dispositions

The criminal case disposition of each of the thirteen defendants in Exhibits A through M above was checked 12/12/2014. Each defendant, with the exception of Charles Redding whose trial is scheduled for 01/06/2015, pled guilty and/or was convicted of DWI. These dispositions are included in this case file.

SUMMARY OF ALLEGATIONS

Allegation # 1: It is alleged that Officer Golgart used his personal cell phone to capture electronic images of DWI arrestees during the chemical testing process between 06/09/2014 and 10/24/2013. If this allegation were found to be true, it would violate the following:

5-105 PROFESSIONAL CODE OF CONDUCT (A-D)

(15) **Employees shall be decorous in their language and conduct. They shall refrain from actions or words that bring discredit to the Department.** They shall also not use words or terms which hold any person, group or organization up to contempt. The use of such unacceptable terms is strictly forbidden. (04/01/93)

Investigative Facts

- The Minneapolis City Attorney's Office contacted Minneapolis Police Department Deputy Chief Travis Glampe regarding this alleged misconduct. In an email to Deputy Chief Glampe, the Minneapolis City Attorney's Office mentions that a defense attorney told them that Officer Golgart took a picture of his client on his personal cell phone and was texting that picture to others. Attached to this email was a still image from Chem Test video showing Officer Golgart capturing a digital image of Defendant Drew Dupre on 10/24/2013.
- On 05/29/2014, the Minneapolis City Attorney's Office again emailed Deputy Chief Travis Glampe informing him that another defense attorney alleged that Officer Golgart was using a cell phone to take "cleavage shots" of his client during the DWI Chem Test process. According to this email, this defense attorney was trying to use the officer's alleged behavior to broker a better deal for his client. The defendant in this case was Abby Zimmerman, and the arrest date was 11/20/2013.
- Chem Test video between 06/09/2014 and 10/24/2013 contained footage that appears to show Officer Golgart capture twenty known images and/or videos of thirteen known defendants. Additionally, Officer Golgart was present in 48 Chem Test videos that did not show him using his personal cell phone to capture images of DWI arrestees/defendants.
- During his Internal Affairs interview on 09/18/2014, Officer James Walter Golgart Jr. admitted to capturing images of DWI arrestees / defendants an estimated 20 to 25 times.

- During this same interview, Officer Golgart viewed Chem Test video footage and admitted that he took approximately 20 pictures of the thirteen known defendants discussed in Exhibits A through M above. These Exhibits included defendants Drew Dupre and Abby Zimmerman.
- In the Chem Test video of Abby Zimmerman, Officer Golgart appears to be zooming in on Abby Zimmerman with his cell phone camera. Officer Golgart agreed, during his Internal Affairs interview, by stating, “It appears as if I zoomed in.” This “zooming in” appears to be focused on Abby Zimmerman’s cleavage. When this was stated to Officer Golgart and he was asked what he was zooming in on, Officer Golgart responded, “Her torso area. I mean I can’t tell from this angle of the video.”
- In his Internal Affairs interview, Officer Golgart was asked why he took photos and videos of DWI defendants. Officer Golgart responded, “Um, there’s really no excuse. I guess, uh, just kind of pass the time. I would see something that I thought was funny and send it to somebody.”

Allegation # 2: It is alleged that Officer Golgart used his personal cell phone to capture and forward 20 electronic images and/or videos of DWI arrestees during the chemical testing process between 06/09/2014 and 10/24/2013. If this allegation were found to be true, it would violate the following:

**4-501 CONFIDENTIAL DEPARTMENT RECORDS, REPORTS AND INFORMATION
(06/21/02)**

Numerous official files, documents, records, reports and information held by the MPD or in the custody or control of MPD employees are regarded as non-public and/or confidential. Employees shall not access, disclose or permit the disclosure or use of such files, documents, reports, records, or information except as required in the performance of their official duties and consistent with State and Federal law related to data practices. If an employee is uncertain of the status of any document, he/she should consult with the MPD Data Practices Specialist or supervisor of the Records Information Unit. (04/22/09) (11/15/13)

Employees shall only access Department of Motor Vehicle (DMV) records for official business-related reasons. (04/22/09)

The identity of a juvenile suspect or arrestee can only be released with an order from a Hennepin County Juvenile Court Judge.

Investigative Facts

- On Chem Test videos, Officer Goltart appears to be capturing and distributing twenty images or videos of DWI arrestees / defendants. This capturing and distributing was done with a cellular phone.

- In his Internal Affairs interview, Officer Goltart:
 - 1) Admitted to using his personal cellular phone to capture and distribute images and/or videos between 20 and 25 times using the Snapchat application. He also confirmed that the twenty known instances seen on Chem Test videos were showing him capturing images or video with the Snapchat application.
 - 2) Stated that it is possible that he took video of the DWI defendants using the Snapchat application.
 - 3) Stated that he “might have” posted images or recordings on his Snapchat Story, which makes the image or recording viewable for 24 hours on the Snapchat account.
 - 4) Answered “no” to the question, “Is there any time that you would capture an image with Snapchat and not distribute it?”
 - 5) Answered “no” to both “Have you ever been trained to take pictures of arrestees?” and “Have you ever been ordered to take pictures of arrestees?”
 - 6) Answered “No, sir” to the question, “Was there any law enforcement need to take these pictures?”
 - 7) Answered “Um, no” to the question, “And again, there’s no reason for sending it to any of these other law enforcement members?”
 - 8) Stated that he had sent these Snapchats to people that were on his contact list, which included some law enforcement friends, family, and civilian friends.

- Also, in his Internal Affairs interview, Officer Goltart admitted to sending Snapchats to Officer Jeremy Foster of the Minneapolis Police Department. In a subsequent Internal Affairs interview with Officer Jeremy Foster, Officer Foster admitted to having received Snapchats from Officer Goltart and also to capturing screenshots of a few of these Snapchats.

- Minneapolis Police Department Administrative Announcement AA12-019 regarding using cell phone/recording devices to capture evidence was issued on 08/14/2012. This Administrative Announcement discussed that it is not prohibited by the Minneapolis Police Department to voluntarily use personal cell phones to capture evidence (photos, videos, or audio recordings), but if done, the cell phone **shall be** property inventoried to be processed by the Crime Lab. It goes on to state, “All electronic data that could be considered evidence, captured by a personal or MPD owned cell phone or other recording device, while the employee is on-duty becomes property of MPD and may only be distributed in accordance with department policy. Refer to 4-501 Confidential Department Records, Reports and Information.”