

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

COMPLAINT INFORMATION

INTERNAL AFFAIRS CASE NUMBER: 14-17829	CCN: N/A	DATE OF INCIDENT: 08/15/2014	TIME OF INCIDENT: 2121 hours
LOCATION OF INCIDENT: 4th Precinct	DATE OF COMPLAINT 08/15/2014	REFERRAL METHOD: Internal	
COMPLAINANTS NAME (LAST, FIRST MIDDLE) 13.43 - Personnel Data	SEX M <input type="checkbox"/> F <input type="checkbox"/>	RACE:	DATE OF BIRTH:
HOME ADDRESS: [REDACTED]	CITY / STATE / ZIP:	TELEPHONE: [REDACTED]	

POLICY INFORMATION

POLICIES ALLEGED TO BE VIOLATED:

13.43 - Personnel Data

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

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.

7-112.01 AUDIT OF RADIO, MOBILE DATA TERMINAL OR MOBILE DATA COMPUTER (MDC) COMMUNICATION (A-C)

ACCUSED EMPLOYEE(S)

NAME/BADGE:

Officer William Gregory, badge #2450

COMPLAINT ALLEGATIONS

It is alleged that Officer William Gregory, while working in the 4th Precinct on the evening of 08/15/2014, sent out an MDC message to P4, which includes all squads and personnel in the 4th Precinct. This MDC message specifically addressed Squad 470 and questioned their work ethic, who they are, where they are, and whether they were just pretending to be real cops. This message was sent out in a clandestine manner by signing onto an MDC in an unused squad as "**13.37**," which is a Radio Shop username.

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

COMPLAINT:

13.43 - Personnel Data

DATE

03-26-15

COMMANDER REVIEW:

DATE

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

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HOME ADDRESS: [REDACTED]	CITY / STATE / ZIP:	TELEPHONE: [REDACTED]	

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13.43 - Personnel Data

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7-112.01 AUDIT OF RADIO, MOBILE DATA TERMINAL OR MOBILE DATA COMPUTER (MDC) COMMUNICATION (A-C)

Any communication that may be considered "discriminatory, derogatory, biased, inappropriate or use of prohibited words" shall not be permitted on the radio or MDT/MDC at any time.

ACCUSED EMPLOYEE(S)

NAME/BADGE:

Officer William Gregory, badge #2450

COMPLAINT ALLEGATIONS

It is alleged that Officer William Gregory, while working in the 4th Precinct on the evening of 08/15/2014, sent out an MDC message [REDACTED] 13.43 - Personnel Data [REDACTED] This MDC message specifically addressed squad 470 and questioned their work or lack thereof, who they are, where they are, and whether they were just pretending to be real cops. This message was sent out to all squads in the 4th Precinct, including dispatchers for the 4th Precinct, in a clandestine manner by signing onto the MDC as "13.37. [REDACTED] 13.37 - Security & Trade Secret [REDACTED]"

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

10-16-14

COMMANDER REVIEW:

DATE



MINNEAPOLIS POLICE DEPARTMENT

Internal Affairs Unit
Administrative Case #14-17829
Sgt. Jason Walters
Date Submitted 3/26/2015

CASE BACKGROUND

This administrative investigation was initiated after Minneapolis Police Department Internal Affairs was notified of an inappropriate message sent out via MDC to all 4th Precinct squads and dispatchers on 08/15/2014. The MDC message read:

-----Original Message-----

From: RAD01
Sent: 08/15/2014 21:21:43
To:
CC:
Subject: 470?!?!?

has anyone seen 470???

rumor has it that this is their 2nd day of OT, making good money, but doing NOTHING.

has anyone seen them on a call helping out? or even taking a call?

has anyone seen them doing anything proactive??

does anyone even know WHO they are? do they have street time? or just pretending to be real cops?

somebody find out if they have done any reports this year, or made any arrests, or issued any tags, maybe it will help us find 470!!!

or, just wait until the NEXT rollcall for OT, and find them their, before they disappear while the rest of us do policework!

check all the gas stations that they frequent, or, find them at a OTL spot.

BOLO for 470. check their portables and challenge them to make an arrest. just one. for once.

CASE INVESTIGATION

This investigator was assigned to investigate this case on 08/29/2014. [REDACTED]

13.43 - Personnel Data

Memorandum from Lt. Friestleben

On 08/23/2014, Lt. Michael Friestleben of the 4th Precinct [REDACTED] 13.43 - Personnel Data notified the Minneapolis Police Department Internal Affairs Unit of this MDC message via email. Lt. Friestleben had attached a statement regarding this MDC message and his investigation into this message.

He stated that he was working in the 4th Precinct the night that this message was sent out to P4. He received and read this message on his MDC. He contacted an MECC Supervisor in order to determine who had sent the message. He was told that "13.37" is designated to the [REDACTED] 13.37 - Security & Trade Secret had closed at 2000 hours. He was also told that "13.37" had been logged onto the MDC of marked squad 468.

Lt. Friestleben determined that marked squad 468 had been parked in the parking lot on the north side of Plymouth Ave across from the 4th Precinct.

Lt. Friestleben sent an MDC message to P4 asking who had sent the message, but he received no response. Soon after, Lt. Friestleben responded to a person with a gun call. While at this call, he conversed with Officer William Gregory. It was at this time that Officer Gregory told Lt. Friestleben that he had sent the MDC message. Lt. Friestleben instructed Officer Gregory to stop.

Officers Kou Vang and Blake Moua had been working Squad 470 at the time the message was sent. Later conversations between Lt. Friestleben and Officers Vang and Moua revealed that Officers Vang and Moua were upset about the MDC message and felt that other officers were now looking at them differently. They wanted to know who sent the message, but Lt. Friestleben did not identify the sender. Officer Vang told Lt. Friestleben that he was going to go to Internal Affairs regarding this MDC message.

Further information provided to Lt. Friestleben by MECC showed that Officer William Gregory, Squad 442, was stationary in the area of Plymouth Ave and Morgan Ave N at the time this MDC message was sent. AVL data showed other squads at the 4th Precinct station.

On 08/17/2014, Lt. Friestleben advised Officers Vang and Moua that he would be documenting this event and forwarding it to Internal Affairs.

Attached to Lt. Friestleben's email were AVL documents showing squad locations and documentation of this MDC message.

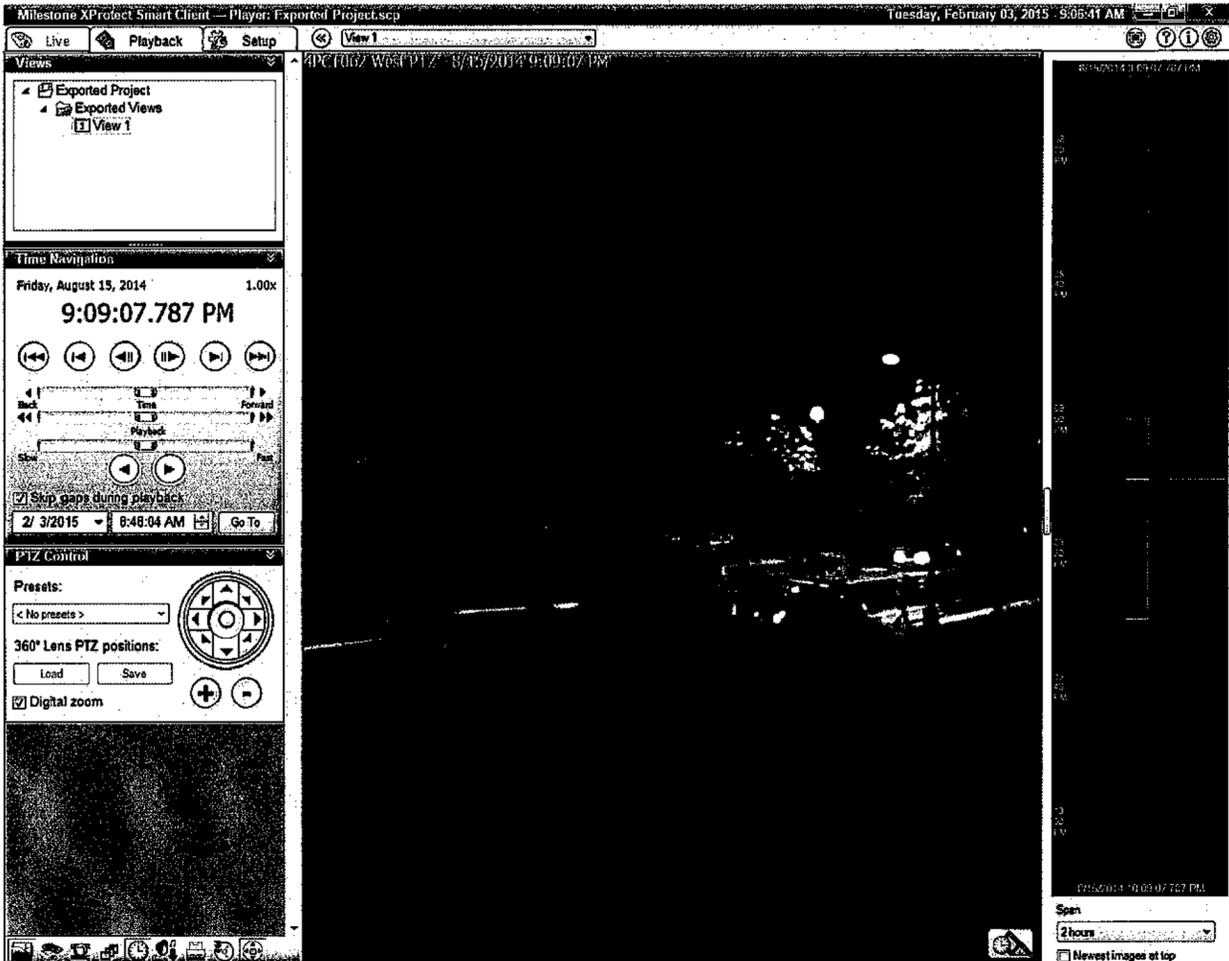
13.43 - Personnel Data

4th Precinct Video

This investigator obtained video footage from Milestone Safe Zone cameras at the 4th Precinct Station. This footage was contained on one CD. In order to view this video, double click into the main file "IAU # only-14-17829." This will display folders for the three cameras at the 4th Precinct. Click into the folder of your choice, and then double click the "SmartClient-Player." This player may take several minutes to load. All video footage is from 9pm to 9:30pm on 08/15/2014 (the video timestamp is not displayed in military time). The below summaries of this footage include still images captured from

this video footage. It should be noted that the MDC message in question was sent at 21:21:43 hours.

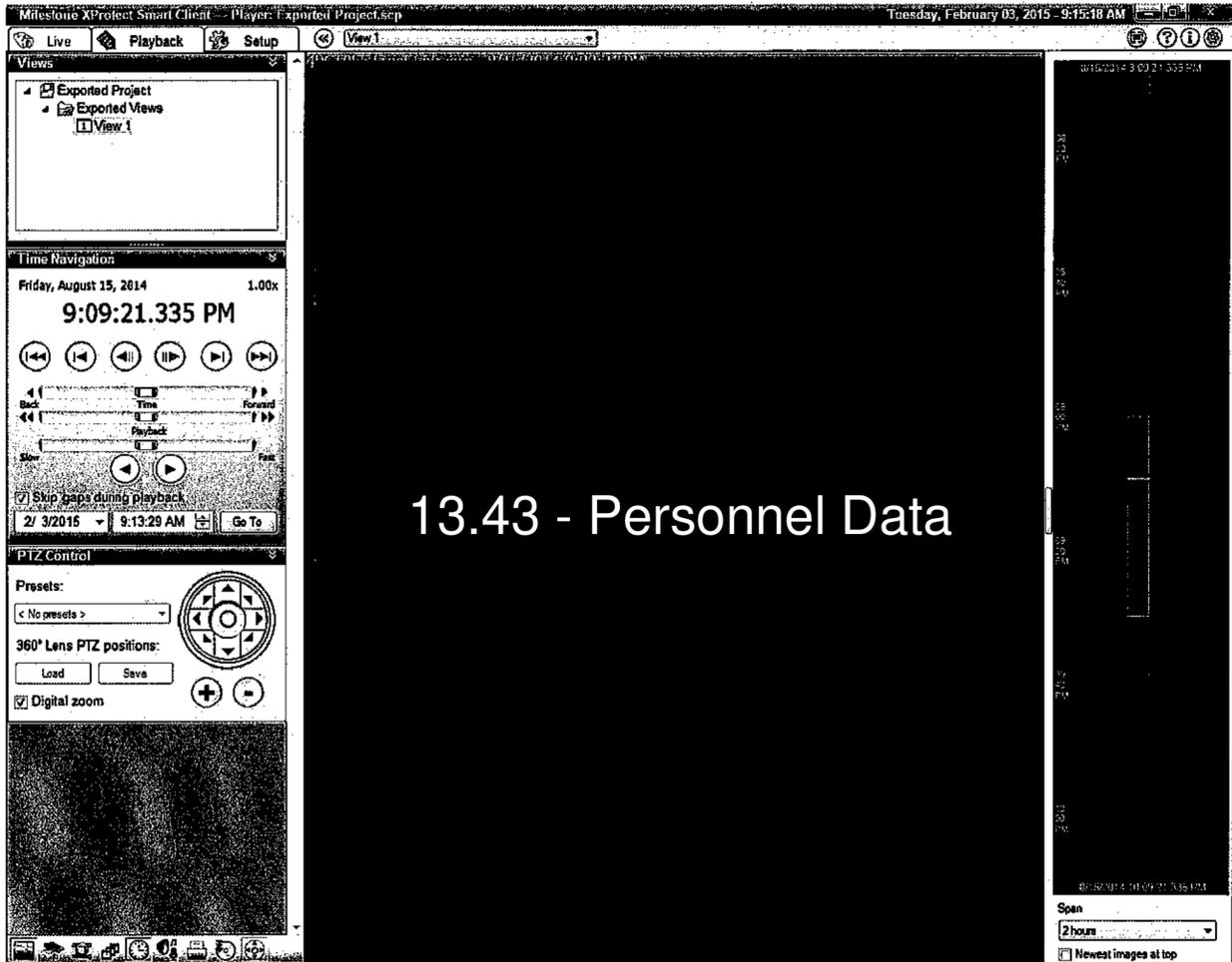
On the "West PTZ" camera, you can see eastbound down Plymouth Ave from the west end of the 4th Precinct station. This view includes some of the sidewalk in front of the 4th Precinct station, the sidewalk in front of the main front entrance to the 4th Precinct station, Plymouth Ave, and the parking lot on the north side of Plymouth Ave across from the 4th Precinct station. At 09:08:41 PM, an Minneapolis Police Department SUV squad can be seen travelling westbound on Plymouth Ave, making a u-turn in front of the 4th Precinct station, and parking on Plymouth Ave in front of the 4th Precinct station. The driving officer exits the SUV marked squad and walks to the front entrance of the 4th Precinct station.



At 9:11:04 PM, an officer appears from the front entrance of the 4th Precinct station, gets into the driver's seat of the Minneapolis Police Department SUV marked squad parked at the curb, and then the SUV marked squad drives into the parking lot on the north side of Plymouth Ave across from the 4th Precinct station where a few Minneapolis Police Department fully marked squad cars are parked. The officer can be seen parking the SUV squad, getting out of the SUV squad, walking to a parked squad car in the lot, and

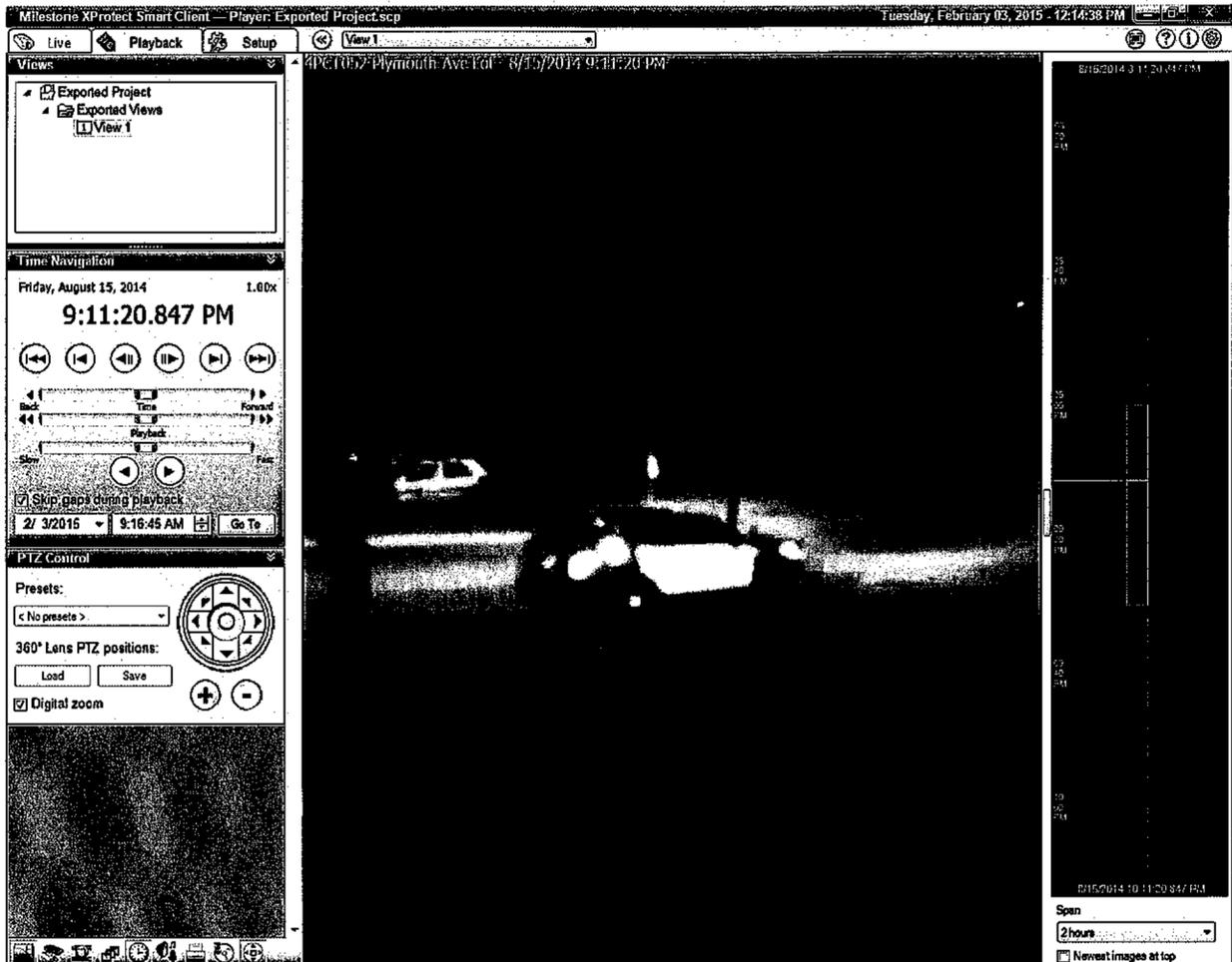
getting into the driver's seat of the parked squad car at 9:11:47 PM. At 9:21:59, the officer exits the parked squad car, walks back to the SUV squad, and the SUV squad then leaves the parking lot heading eastbound on Plymouth Ave.

On the "Front Entrance" camera, Officer William Gregory can be seen walking into the 4th Precinct station at 09:09:17 PM.



Officer William Gregory can then be seen leaving via this same front entrance door at 09:10:53 PM.

On the "Plymouth Ave Lot" camera mounted on the 4th Precinct station, footage shows the parking lot on the north side of Plymouth Ave across from the 4th Precinct station. At 9:11:20, the SUV marked squad drives into this parking lot.



The officer can be seen parking the SUV squad, getting out of the SUV squad, walking to a parked squad car in the lot, and getting into the driver's seat of the parked squad car. At 9:21:59, the officer exits the parked squad car, walks back to the SUV squad, and the SUV squad then leaves the parking lot heading eastbound on Plymouth Ave.

VisiNet Records

VisiNet records show that Officer William Gregory, badge #2450, signed onto Squad 442 **13.43 - Personnel Data** He was the only officer to sign onto Squad 442 for that shift.

AVL (Automatic Vehicle Location) data in these records also show that Squad 442:

- Was travelling westbound on Plymouth Ave from Knox Ave N to Morgan Ave N during 21:08 hours.
- Was at Plymouth Ave and Morgan Ave N from 21:08 hours to 21:22 hours.
- Left Plymouth Ave and Morgan Ave N travelling eastbound on Plymouth Ave at 21:22 hours.

This AVL data correlates with the video footage from the 4th Precinct station's cameras.

Workforce Director Records

Workforce Director records show that Officer William Gregory was working OT (overtime) for the "2014 Summer Crime Initiative" from 1600 to 0330 hours on 08/15/2014.

Workforce Director records also show that Officers Vang and Moua were working BBK (buyback) for the "Precinct 4 **13.43**" from 1600 to 0200 hours on 08/15/2014.

Call Sign RAD01

This investigator contacted the Minneapolis Police Department Radio Shop and spoke with Foreman Dan Gottwald. He stated that "**13.37 - Security & Trade Secret** call sign used to sign onto CAD via MDC.

"P4" Distribution List

This investigator contacted Scott Peterson, an I.T. Tech in MECC, to get a list of call signs that would receive an MDC message sent to "P4." Scott Peterson provided the entire P4 member group that would receive the MDC message if signed onto the CAD system. Here is that list:

13.37 - Security & Trade Secret

This investigator then asked I.T. Tech Scott Peterson for a list of all members of the P4 group that were signed on at the time the MDC message was sent. Peterson provided the

13.37 - Security & Trade Secret

It should also be noted that MDC messages are public information and are subject to public disclosure.

CASE STATEMENTS

The below interview summaries focus on the portions of the interviews that are relevant to the alleged Minneapolis Police Department Policy and Procedure violations. Questions were asked by [REDACTED] this investigator. [REDACTED]

13.43 - Personnel Data

Statement of Officer Kou Vang

Officer Kou Vang provided a statement for this investigation on 10/01/2014 in the Minneapolis Police Department Internal Affairs office. This statement was given under Garrity. Here is a summary.

Officer Kou Vang stated that:

- He was working overtime for the 4th Precinct [REDACTED] 13.43 as part of the [REDACTED]
- He was working with his partner, Officer Blake Moua, on Squad 470.
- He was about to exit his squad car to have lunch at around 2120 hours when Officer Moua alerted him to the MDC message.
- He saw the MDC message from Radio One to the entire 4th Precinct. This message was about a half page long, was referring to squad 470, and was "telling us that, uh, you know, we're not doing our job, you know, we're just working for the money, um, and are we really police officers, how much time we have on, do we even have street, you know, time like that."
- He felt that the MDC message in its totality was challenging his career in general, not his work that particular night. He stated, "I mean he doesn't say just for that particular night. He's challenging to find out who I am and if I have ever done any arrests. To me, that's kind of a lot."
- He immediately contacted Channel 7 in order to determine who Radio One was, but they weren't able to tell him.
- He call Lt. Kroll, who was in-charge of the overtime, by phone. Lt. Kroll was already aware of the message and was talking to Lt. Friestleben to figure out what's going on.
- He spoke with Lt. Friestleben who informed him that he would write up this matter and forward it to Internal Affairs.
- About a week later, Officer Vang and Officer Moua brought this matter to the attention of Internal Affairs. [REDACTED]

- He told [REDACTED] that he was offended by the MDC message, he felt that the MDC message was putting his reputation on the line, and he did not know who sent it.
- He believed the sender waited until [REDACTED] signed on so that [REDACTED] would also get the MDC message.
- He said that his friends were calling him to ask about the MDC message, and he'd been approached by officers at the 4th Precinct that night and the next day when he worked the BBQ in north Minneapolis.
- He said that when he worked the BBQ on 08/16/2014, the day after the MDC message, "I feel, yeah, some, some of the officers was avoiding me in way because I know who they are. Most of the officers that come and work at the barbeque I know them for years, but that particular day no one was talking to me. I sense something was up, but, you know, I'm not going to say anything. Maybe they're just having a bad day or whatever, but all this officers that work in that unit most of them came on with me- -and, and knows me. And normally, we, we, we conversate, you know, talk. When we meet, we shake hands. But that particular day, you know, they walk by me, but they just say, hey, hey Vang, how you doing. That's-, and then they walk away. I just sensed-, you know, I, I sense a little different. That's all. You know."
- He also stated, "A few days later, you know, some, some, some my friend from the Fifth Precinct -- I don't know how they was made aware of it -- but they just asked what's going on. Heard there's a little incident and I said I don't know what you talking about..."
- When asked for his best guess about why they were quieter than usual, he stated, "You know, a lot of people knows about this message because like I said he sent to all the whole preci-, you know, how they talk I have no idea. It just that-, I just had a sense that most of the people that I know are friend of mine. But I understand because if they do know that there's, there's something going on they, yeah, they don't wanna talk to you. I, I would do the same because it's still under investigation. You know, so I'm not saying that-, you know, I'm not saying that they just avoid me like because they don't like me. I think if they are aware of the situation they just say, you know, best, best not to talk."
- He stated that he and Officer Moua were [REDACTED] working that shift that particular night, and everyone that was working would have been at the roll call to know who they were.
- He worked Squad 470 with Officer Moua the day prior to the MDC message as well.
- He is assigned to **13.43 - Personnel Data** [REDACTED] which is a plain clothes position out of the Special Operations Center at 4119 Dupont Ave N.
- The only time he works the street is overtime, and the day in question was only the second time he had worked out of the 4th Precinct that year.
- He hasn't worked the 4th Precinct for many years, but he did know the majority of the Minneapolis Police Department officers working the 4th Precinct on 08/15/2014. Other officers included State Troopers and Metro Transit Police, and he did not know these officers.

- He wondered why they (470) were singled out, and why no other officers were targeted.

13.43 - Personnel Data

- He stated that this is the only incident in his whole career that has come up challenging his work ethic and to say something falsely about what kind of officer he is.
- He stated that part of their duty that night, as directed by Inspector Kjos, was to make contact with the business corridor on Lowry Ave if they were not busy. He stated, "It wasn't that busy that night, so we had most of our time was spent walking/talking to all of the, you know, different community-, I mean business on the corridor. But when it's busy, you know, our job is to just take care of the shots, shots call, - Priority One. When they don't have that and when we have-, when we have our downtime, then we take care of business, but that's part of our job because there's different overtime that night. There's two different overtime. One for the JET for people to come in and work and then this one is, you know, with-, this one was recruited by Inspector Kjos. He asked us to work, so that's why we say, yeah, we can work. We'll take care of it." He later added, "We're out there walking. We're just doing it."
- He stated that he and Officer Moua had been asked by Inspector Kjos to focus their attention on the Lowry business corridor during their downtime, but Lt. Friestleben and Lt. Kroll were not aware of this.
- He stated that there are a lot of [REDACTED] businesses along Lowry, and his normal assignment on [REDACTED] involves working with this community.
- He stated that approximately 10 officers that were working buyback that night had been in roll call with the 4th Precinct [REDACTED] 13.43 - Personnel Data There were two different buyback programs being worked by these officers.
- He described that any officer can see on the MDC the line-up of names and badge numbers of all officers working in the precinct at any given time.
- He stated that, through the process of elimination, he had narrowed down a list of potential officers that may have sent the MDC message, but he doesn't know these officers.
- Since the incident, he has been working his own unit, so everything is normal because his unit doesn't know about the situation. He hasn't been back to the 4th Precinct.
- Officer Vang stated that he has worked in the [REDACTED] at the SOC for under three years. His core hours are during the daytime, 0700 – 1700 hours. He also stated that he has only worked two buyback shifts the whole year. When asked if his [REDACTED] position offers him a lot of interaction with the actual patrol unit at the 4th Precinct, he answered, "Yes and no, uh, from the street. You know, people that I see that works patrol I see them and we, we do interact, but only the officers that are friend of mine." He agreed that it would be fair to say that he doesn't have a lot of interaction with those that work patrol at night in the Fourth Precinct.

- Prior to working in [REDACTED], he worked [REDACTED] in the 5th Precinct for seven to eight years.
- Prior to working in the 5th Precinct, he worked in [REDACTED] which was located in downtown Minneapolis. He worked there for six or seven years.
- Prior to [REDACTED] he worked in the 4th Precinct. He agreed that that was roughly between 14 and 16 years ago. When ask if he could conclude that there are a lot of personnel at the 4th Precinct who have no idea who he is, he answered, "Yeah, I think so."

Statement of Officer Blake Moua

Officer Blake Moua provided a statement for this investigation under Garrity on 10/2/2014. Here is a summary.

Officer Moua stated:

- He was working [REDACTED] buyback in the 4th Precinct on the evening of 08/15/2014.
- Duties for this [REDACTED] buyback included assisting with Priority 1 calls, working hot spots, being visible to the community, and doing business checks. Inspector Kjos had requested that he do business checks along the Lowry corridor during downtime.
- At around 2120 hours, he (and his partner, Officer Kou Vang) received an MDC message from Radio One. He stated, "It, it started as it was a joke, you know, but after we read it, it was a whole paragraph and it got worse and worse. And we look at the audits and it was targeted-, or it was sent to was basically the whole precinct, uh, and at the time, both shift were on. Uh, [REDACTED] came on around 2000 hours, so they were on, too, and Dispatch also got the message, so pretty much everyone got the message. And our, our squad name was actually on the-, on the messages that appear on their screen. So, when Vang and I reviewed it, we looked it over and over and it hit us hard. It was like, who is this guy, why is he targeting us, you know, cause he basically-, I don't know if you guys have a copy of it."
- He felt that this MDC message was detrimental to his reputation.
- Lt. Kroll was the [REDACTED] supervisor that evening. Lt. Friestleben was the lieutenant working the regular shift, and Lt. Friestleben might have been the acting Inspector because Inspector Kjos was on vacation. Both were contacted regarding the MDC message.
- Officer Moua wanted to find out who wrote the MDC message and see if they could resolve this issue internally so that the sender would stop.
- Officer Moua and Officer Vang learned that Radio One had been signed on using the MDC in Squad 468.
- Lt. Friestleben took a couple of days to look into this matter.

- Officer Moua stated, "Lt. Friestleben called me back and said he, he had tried talking to the guy. He wouldn't give me the name. He tried talking to the guy, uh, and tried to work something out where, you know, getting him to apologize to us. And, you know, my opinion was maybe just apologize by writing out a memo to the officers to let them know that you were the one that did it and, you know, just a sincere apology is what we were looking for, you know. Accountability, you know. If you did it, just say you did it, you know. No big deal. It's not going to go anywhere. But he could-, you know, Friestleben called me back and said, uh, the guy is not sincere. He's not going to come out and apologize. And so, he said, well, I'm gonna have to push it-, the paperwork to IA."
- Officer Moua and Officer Vang later went to Internal Affairs to make sure that the matter had been forwarded to Internal Affairs.

13.43 - Personnel Data

- Officer Moua felt that the sender of the MDC message didn't know him.
- Officer Moua stated, "But, um, you know, he had all the intent in his mind to carry out this, especially if you looked at the actions that he did to go into another squad, sign-on-, turn on the computer, sign-on, send that out, you know, and then log off, and then go resume his own duty, and try to avoid everything."
- He had asked Lt. Friestleben for the sender's identity, but Lt. Friestleben would not identify the sender.
- Officer Moua was working part-time at a car show in north Minneapolis later in the month with Officer Craig Crisp and Officer Will Gregory. Officer Moua encountered Lt. Friestleben on a call that day, and Lt. Friestleben "kind of hinted out to me" that one of the officers he was working this part-time with may be the sender of the MDC message. Officer Moua stated, "Me and the other officer were mingling and talking throughout the part-time. We're, you know, our normal routine, which we, you know, chit chat a lot, uh, but this other officer was avoiding confrontation with me or avoiding talking to me. And so, you know, he went to a gas station, he went across to the library, you know. So, it was kind of awkward, but I didn't pick it-, pick it up until--but, you know, when Friestleben came in and said well, you know, this-, it was the officer that you were working part-time with. Of course. He's the only guy. He's the only guy from north side, so."
- When asked which of these two officers he ultimately came to believe was the sender of the MDC message, he stated, "Well, Craig Crisp is from the Second Precinct, so my assumption -- now again, it's not concrete -- but my assumption is Will Gregory. He was working that evening with us." He also stated that Officer Will Gregory was the officer that was avoiding him during the car show part-time job.

- Officer Moua stated that he has never worked with William Gregory in the past, there has never been an incident between them in the past, and he hadn't even heard of William Gregory until working the buyback shifts.
- Officer Moua recalled recent in-service training in which he learned about bullying, and he felt that this MDC message was "like indirect bullying, you know, cause we don't know who the guy is, but he's indirectly bullying us by sending this message and not putting his face to it, you know."
- He said that the incident has caused emotional stress.
- He stated that a few people on the north side have stopped and asked him about the MDC message. This weighed heavily on his shoulders, so that's why something had to be done about it.
- Officer Moua worked the MPD BBQ in north Minneapolis the day after the MDC message was sent. He was originally assigned to a foot patrol at the BBQ because being a Community Liaison and meeting with the community is one of his normal duties. At the BBQ, however, he was reassigned to stand on a street corner and look for protestors. He felt like he was isolated perhaps because of what happened the night before. He felt that some officers were trying to avoid him. He did not know if Lt. Friestleben was involved in this reassignment in order to prevent further interaction or conflict with the MDC message sender, or if Sgt. Roering who gave the line-up had been the one to reassign him.

13.43 - Personnel Data

- Officer Moua didn't know if Officer William Gregory had been working at the BBQ.
- Officer Moua stated that he currently works in the 4th Precinct [REDACTED] which is on the second floor of the 4th Precinct station. He has worked there since June of 2014. His core hours are 1000 to 2000 hours. He has a lot of interaction with 4th Precinct patrol officers, but he has not come across Officer William Gregory.
- Prior to working in the 4th Precinct [REDACTED] he worked in [REDACTED] for approximately three years. [REDACTED] is located at the Special Operations Center, 4119 Dupont Ave N, which is in the 4th Precinct but not at the 4th Precinct station.
- Prior to working in [REDACTED] he worked in the 1st Precinct for one and a half years.
- Officer Moua has never been assigned to the 4th Precinct (patrol).
- Officer Moua knew that squad 468 is usually parked in the parking lot across the street from the 4th Precinct station. He knows this because the officer assigned to this squad car is his partner in CCP/SAFE, and this officer (Officer Killebrew) purposely parked the squad in the lot across the street so that other people don't use it for part-time or off-duty work.
- Officer Moua stated that they did not complete a log of their activities on 08/15/2014 because the information is on VisiNet.