

saying something to the effect of, "why, the suspect's gone, this is just a report call anyway."

13.43 - Personnel Data did not know what conversation Officer Gregory was having with Officer Griffin, stating, "...I know from prior, you know, working with Officer Gregory that he usually has all kinds of different things to talk about. Subjects that are not anything I'm aware of, uh, or involved in, um, that he wants to talk about with people."

13.43 - Personnel Data

13.43 - Personnel Data

NO SHOW Interview w/Officer Gregory on 12/01/2014

On 11/18/2014 @ 2:22:56 PM, Officer Gregory was sent a notification letter via E-mail regarding a Focus Officer Interview with this investigator, scheduled for 12/01/2014. Officer Gregory received the E-mail on 11/18/2014 and read the E-mail that included the attached notification letter, on 11/18/2014 @ 3:35:31 PM.

On 12/01/2014, Officer Gregory did not show for his scheduled interview, nor did anyone representing Officer Gregory show. This investigator waited until 1735 hours before inquiring about his whereabouts. This investigator, with the use of VisiNet, located Officer Gregory and called MECC, requesting them to send a message to Officer Gregory to call this investigator immediately. At 1745 hours, Officer Gregory called, and when asked if he was aware of his scheduled interview @1700 hours, he casually replied, "Was that today? Sorry man...I thought it was the 8th or 9th." Officer Gregory did not offer an apology or legitimate explanation regarding his dismissal of his scheduled interview.

Officer Gregory was then ordered to appear on 12/09/2014 @ 1700 hours for his rescheduled interview and notified that a new notification letter would be sent to him. His new notification letter was sent to him as an attachment in an E-mail, sent on 12/02/2014 @ 7:38:47 PM. Officer Gregory received the E-mail and read it on 12/02/2014 @ 7:53:28 PM.

Statement #1 of Officer William Gregory

Officer William Gregory, Badge #2450, was interviewed for this investigation at the MPD Internal Affairs Unit on December 9, 2014. Officer Gregory failed to show for his scheduled December 1, 2014 interview, resulting in a Second Notification Letter being sent to him, advising him that if he did not appear for the second scheduled interview on 12/09/2014, he would be in violation of MPD P/P 1-403, Compliance with Lawful Orders. Officer Gregory has been with the Minneapolis Police Department since 09/05/2006 and was assigned as a 4th Precinct **13.43** **13.43** when this investigation was assigned. The following is a summary of Officer Gregory's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations. Also present, and representing Officer Gregory, was POFM Representative Lt. Robert Kroll.

- When asked how he prepared for his interview, Officer Gregory stated, "I guess I can't really say that I prepared...I looked at the VisiNet to remind myself of the incident." He stated he did talk to his union rep, but "just to set up our meeting."
- Officer Gregory acknowledged on October 4, 2014, he was working Squad 430, with **██████████**, but did not recall who was Able (driver) officer or Baker (passenger) officer.
- Officer Gregory acknowledged that he was aware that he **██████████** **██████████** had been dispatched an assault in progress call at 20:15:16 hours, as he was the one that acknowledged the call on his portable radio; Officer Gregory didn't know if **██████████** was aware of the call details, but he was standing next to Officer Gregory at the time, so he assumed **██████████** **██████████** was aware of the call.

- Officer Gregory's understanding of an ASLT in progress call is that it is a "Priority One" call, and the expected response time is immediate/without delay.
- Officer Gregory stated when he [REDACTED] 13.43 - Personnel Data [REDACTED] were dispatched the ASLT in Progress call, they were located at McNair Avenue/Penn Avenue (Broadway Liquor Outlet) checking on [REDACTED] Officer Michael Griffin. Officer Gregory further stated, "it's routine for us to stop at locations where officers are working [REDACTED], but because he is a friend of ours it turned into more of a social thing."
- When asked to explain, in as much detail as possible, what took place in the approximate 33 minute timeframe he was inside BLO, Officer Gregory stated, "Nothing more than standing inside the liquor store socializing...I don't remember any detail about what we were talking about...something that had my attention, obviously."
- Officer Gregory stated he was distracted and "I just had a mental lapse in judgment and nothing more than that", when asked why he did not stop conversing with officer Griffin, and respond to the call.
- Regarding him having any concerns of his delayed response to the assault in progress call, Officer Gregory stated "To be honest, I don't remember hearing the details of the call. Inside the business, it was loud and we were conversating, and I either didn't hear dispatch. I didn't hear any details of it. I knew we had been dispatched to a call and I just continued on with my conversation for some reason. I was-, we were engaged in something that had my attention for some reason."
- Officer Gregory stated whatever had his attention involving his conversation with Officer Griffin, it was not more important than responding to the call that he [REDACTED] were dispatched to.
- Officer Gregory acknowledged that being in a loud environment or having outside distractions were not valid reasons for not checking up or following up on their dispatched call immediately.

- Officer Gregory didn't recall **13.43** ever making an attempt to alert him to stop what he was doing, so that they could respond to the call, stating "I don't recall any details like that. I assume I probably would have if he would've said something...I don't remember any specific details inside the liquor store."
- Officer Gregory stated, "I think it was the dispatch asking our ETA if I remember right...in response to what eventually did prompt him to leave BLO and respond to the call."
- Officer Gregory stated once he **[REDACTED]** got to their squad, "well, we definitely hurried once we got to the car and we could see that they asked for the ETA a couple of times" and "I think we made mention that, hey, they had been waiting for us and ambulance left, we better hurry up."
- Officer Gregory acknowledged that Sgt. Liotta called him into her office later on the night of the incident, and that someone else was present at the meeting, but he could not remember who it was, but he believed it must have been another sergeant.
- Officer Gregory stated Sgt. Liotta asked him for the reason of the delayed response to the assault in progress call, to which he stated, "I told her I didn't have a reason, that I basically screwed up...I wasn't thinking, this never happened before and won't happen again. She said OK and that was it. I don't think it lasted more than 90 seconds."
- Officer Gregory acknowledged that Sgt. Liotta asked him open ended questions as to what happened, and did give him opportunity to explain his actions; he stated "...there's nothing more to explain other than I made a mistake because I was distracted. It's as simple as that."
- With regards to **[REDACTED]** addressing his concerns with his (Officer Gregory) actions specifically related to the delayed response, Officer Gregory stated, "I think later on when we got in the squad, I could see that he was upset about us getting called into the office, cause that's not how we work...It's not something that's normal for us...And again, not quoting, but to paraphrase, he said something along the lines of I don't like this, I don't like

the sergeants looking at us like this, or I don't like being in this kind of limelight, or something along those lines, but he made it pretty clear that he wasn't happy with the situation that we put ourselves in."

- Officer Gregory stated he responded back to [REDACTED] 13.43, telling him, "I agree...we screwed that one up."
- When asked if [REDACTED] had any responsibility in the delayed response to the call, Officer Gregory stated, "I was the senior officer in the car...I'm a veteran officer so to speak...I know how to listen to the radio, I know how to do my job...I'm not going to say he's at fault, but we're both professionals. We worked in a partner capacity...you know, it's no secret that either one of us could have grabbed the other one and yanked each other out the door...I'm just as guilty of not doing that as he is, but I'm the senior officer and I'm the one that acknowledged the radio, and I'm the one that didn't take the proper steps to make it happen like I should've..."
- Officer Gregory denied [REDACTED] or any other officers prior to this incident, ever addressing him with concerns regarding his actions on other calls that were same/similar to this one.
- Officer Gregory acknowledged that EMS has to wait for "CODE 4" from police before they can arrive onto an incident scene, so that EMS knows the scene is safe enough for medical to respond.
- Regarding some of the consequences of not responding to an assault in progress call in a timely manner, Officer Gregory stated, "...I suppose you could lose evidence, you could lose witnesses and suspects...you know, if you don't Code 4 it in time, EMS has a tougher time doing their job..."
- Officer Gregory's couldn't remember why they traveled the route from North Memorial Hospital, down to the north side of the 5th Precinct area, and then back to the 4th Precinct Station; he vaguely remembers driving down Theodore Wirth Parkway; he didn't recall if the route they drove was in direct relation to anything he had talked about earlier with Officer Griffin.

- Officer Gregory stated if placed in a same/similar situation like this again, "I would do what I've done every other time for my-, the rest of my career and I would get to the call in a timely manner and do my job appropriately."
- Officer Gregory stated he did take into consideration the position he had put **13.43 - Personnel Data** in and said, "...if I haven't, I do owe him an apology and I hope he knows that this isn't like me. He should know it's not like me. We've worked together for years and it's not something we've ever made a habit of."

Statement #2 of Officer William Gregory

Officer William Gregory, Badge #2450, was interviewed a second time for this investigation at the MPD Internal Affairs Unit on January 13, 2015. **13.43 - Personnel Data**

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13.43 - Personnel Data Officer Gregory has been with the Minneapolis Police Department since 09/05/2006 and was assigned as a 4th Precinct **13.43 - Personnel Data** when this investigation was assigned. The following is a summary of Officer Gregory's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations. Also present, and representing Officer Gregory, was POFM Representative Lt. Robert Kroll.

- When asked how he prepared for his interview, Officer Gregory stated, "I looked over my CAPRS supplement and I also had a conversation with an employee in the Business Technology Unit trying to get an understanding as to how the technological aspect of uploading cases and supplements works."
- Officer Gregory stated he talked to Pam Capp and asked if there was a way to look up which squad -- which computer specifically -- a report was done from, so that he could find the proof of where, when, and how he completed his supplement, along with when and where the supplement was originally completed.

- Officer Gregory was provided a copy of CAPRS Report #14-353203 and acknowledged that he had time to review it and that everything in it was accurate to the best of his knowledge.
- Officer Gregory was provided a copy of his Workforce Director timesheet from 10/04/2014 and acknowledged he had worked his regularly scheduled shift from [REDACTED]

13.43 - Personnel Data

13.43 - Personnel Data

- [REDACTED]
- [REDACTED]
- Officer Gregory stated he was the one who entered the report details of CAPRS Report #14-353203 on October 4, 2014, at 2150 hours.
- CAPRS Report #14-353203 was returned on October 5, 2014, but Officer Gregory stated he didn't recall the report ever being sent back to him. He looked at the CAPRS report and acknowledged that the report was sent back to him, but stated "I don't specifically recall that."
- Officer Gregory also didn't recall making any changes to CAPRS Report #14-353203. He stated, "...I see that the supervisor was Sgt. Carter which tells me he's the one that sent it back, but again I don't specifically remember being told anything was wrong or making any changes."
- Officer Gregory was directed to his supplement in CAPRS Report #14-353203, which was authored by him on 10/6/2014 at 2349 hours. When asked if that information was correct, Officer Gregory stated, "That is what it says, yes."
- Regarding his reason why his supplement was not added to the CAPRS report prior to the end of his shift on October 4, 2014, Officer Gregory stated, "I have no idea how to answer that. [REDACTED] I completed my supplement as I had told Sgt. Liotta that I would complete it within 15 minutes. I know it wasn't completed within 15 minutes because it took me longer to actually sign on to the computer and get it going, but I do know that I typed out my supplement that night on an MDC and whatever technological errors or whatever occurred that night, I can't speak for. I don't know if I

uploaded it to the wrong case number. I don't know if it got stuck in the computer. I can't speak to that, but I know that my supplement was typed out by me on that night."

- Officer Gregory continued and stated his supplement was typed on the MDC in a marked squad (Squad 423) with P#76416.

- [REDACTED] 13.43 - Personnel Data

- [REDACTED]

- When asked for clarification if Sgt. Liotta authorized him to go ahead and finish his supplement [REDACTED], Officer Gregory stated, "For a lack of better terms, yeah. Like I said, I did tell her it would be done within 15 minutes. That was my best estimate as to how long it would take me to get the computer turned on and type up my supplement, and it-, I know for a fact, it took me longer than that, but I did make the effort to get it done."

- When asked if his supplement was done prior to him leaving [REDACTED], Officer Gregory stated "Yes...and I typed it out on Microsoft Word, and like I said, from that point forward, I can't speak as to what occurred."

- When asked if he typed his supplement in Microsoft Word or directly into CAPRS, Officer Gregory stated, "Into Microsoft Word. I always type my supplements into Microsoft Word and then I copy and paste it after I do my proofread and stuff like that." Officer Gregory stated he did copy and paste

his supplement into CAPRS the night of 10/04/2014, and his understanding was that Sgt. Liotta was okay with that, otherwise she would have told him that he couldn't leave until it had been completed.

Statement #2 of Sergeant Wendy Liotta

Sergeant Wendy Liotta, Badge #0491, was interviewed a second time for this investigation at the MPD Internal Affairs Unit on February 4, 2015. Sgt. Liotta has been with the Minneapolis Police Department since 11/01/1999 and was assigned and working as a 4th Precinct **13.43 - Personnel Data** when the alleged incident occurred. The following is a summary of Sgt. Liotta's statement taken by Sgt. Schmid and shall not be considered verbatim unless indicated by the use of quotations. Also present, and representing Sgt. Liotta, was POFM Representative Lt. John Delmonico.

- [REDACTED]

- Sgt. Liotta could not remember any conversation she had with Officer Gregory with regards to being notified by him that he would complete his supplement [REDACTED]
- Sgt. Liotta stated if she did say anything to Officer Gregory, it would have been, "either get the report done before you leave or get the report done tonight. I would not have given him authorization to do it two days later."
- Sgt. Liotta stated there wasn't anything that led her to believe Officer Gregory would not complete his supplement or CAPRS report by the end of his shift on 10/04/14.
- Sgt. Liotta stated she had no knowledge if Officer Gregory had ever in the past failed to complete a CAPRS report or supplement by the end of his shift.

SUMMARY OF ALLEGATIONS

Allegation # 1: It is alleged that on 10/04/2014, at approximately 2015 hours, Officer Gregory and [13.43 - Personnel Data] were working Squad 430 and were dispatched to a Priority One call located at 4531 Camden Ave. N. regarding an Assault in Progress (with injuries). Squad 430's location at the time the call was originally dispatched was McNair Ave./Penn Ave. N. (Broadway Liquor Outlet). Squad 430 remained stationary at McNair Ave./Penn Ave. N. and did not begin a mobile response until approximately 2048 hours, a 00:32:45 delayed response time. If this allegation were found to be true it would violate the following:

5-106 ON-DUTY CODE OF CONDUCT (A-D)

1. Officers shall respond without delay to calls for police service unless otherwise directed by proper authority. Emergency calls for service shall take precedence. However, all dispatched calls shall be answered as soon as possible consistent with departmental procedures. If officers need to temporarily go out-of-service on a detail or otherwise be unavailable for calls, they shall notify their immediate supervisor and request permission for such details.

Investigative Facts

- On 10/04/2014, Officer's William Gregory and [REDACTED] were assigned to Squad 430.
- Squad 430 was dispatched at 20:15:16 hours, to a Priority One call located at 4531 Camden Ave. N., regarding an Assault in Progress (with injuries); Call remarks stated "M WITH CUT HEAD FM BOTTLE."
- VisiNet's Unit Activity Log (including AVL Data) indicates Squad 430's location being at McNair Ave./Penn Ave. N. (Broadway Liquor Outlet) when the original ASLT in Progress call was dispatched.
- Both [REDACTED] and Officer Gregory acknowledged that they were aware they had been dispatched the assault in progress call.

- Both 13.43 - Personnel Data and Officer Gregory acknowledged their understanding that an assault in progress call is a "Priority One" call, and response to such a call is immediate/without delay.
- [REDACTED] stated Officer Gregory was talking to Officer Griffin at Broadway Liquor Outlet when the call was dispatched to them, remembering at some point making it known to Officer Gregory that they needed to respond; [REDACTED] recalled Officer Gregory saying something to the effect of, "why, the suspect's gone, this is just a report call anyway."
- Officer Gregory stated he was standing inside Broadway Liquor Outlet, socializing with Officer Griffin, when dispatch assigned them to the assault in progress call; he did not recall what he and Officer Griffin were talking about, but he was engaged in something that obviously had his attention.
- Between 20:15:16 hours and 20:43:41 hours, while Officer Gregory was conversing with Officer Griffin inside BLO, the 911 caller (Witness/Rogers), EMS Crew #733, North Memorial EMS Dispatch, and MECC Dispatch, all communicate concerns (via audio recordings) regarding the delayed police response to 4531 Camden Ave. N.
- At 20:35:22, MECC relayed to North Memorial EMS Dispatch, information that Squad 430 still had not arrived, but the suspect was no longer at the scene. This information was then passed along to EMS Crew #733, who had already arrived and was staged near the incident address waiting for police to arrive and CODE 4 the scene. EMS Crew #733 made the decision, along with MFD, to respond to 4531 Camden Ave. N. prior to Squad 430's arrival/CODE 4 in order to attend to the victim's injury.
- EMS Crew #733 advised North Memorial Dispatch they were transporting the victim to North Memorial Hospital CODE 2; North Memorial Dispatch notified MECC to advise police to respond to the updated secondary location.
- MECC updates/dispatches Squad 430 to North Memorial Medical Center at 20:43:41 hours; VisiNet's Unit Activity Log indicates Squad 430's location still being stationary at McNair Ave./Penn Ave. N. (*Time lapsed from initial dispatch time = 00:28:25*)

- Squad 430 initiates first mobile response at 20:48:01 hours from Penn Ave N/25th Ave N to NMMC. (Time lapsed after updated secondary response notification = 00:04:20; Total time lapsed from initial dispatch time = 00:32:45)
- Squad 430 arrives at North Memorial Hospital at 20:50:14 hours. (Total time lapsed from initial dispatch time to time of arrival at NMMC = 00:34:58)

13.43 - Personnel Data

- Officer Gregory didn't recall **13.43 - Personnel Data** ever making an attempt to alert him to stop what he was doing, so that they could respond to the call, stating, "it's no secret that either one of us could have grabbed the other one and yanked each other out the door...I'm just as guilty of not doing that as he is, but I'm the senior officer and I'm the one that acknowledged the radio, and I'm the one that didn't take the proper steps to make it happen like I should've..."
- Officer's Gregory and **13.43** acknowledged that they each were called into Sgt. Liotta's office and met individually with her in order to provide explanation regarding their delayed response to their call.

13.43 - Personnel Data

- Officer Gregory stated in his meeting with Sgt. Liotta, that he told her he didn't have a reason for the delayed response to the call, stating "I screwed up...I wasn't thinking...this never happened before and it won't happen again."
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13.43 - Personnel Data

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13.43 - Personnel Data

I confirm that the information I provided in this case is true to the best of my knowledge.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Thomas Schmid".

Sgt. Thomas Schmid

Internal Affairs Unit

**NOTICE OF DISCIPLINE
(Amended - Settlement Agreement)**

March 13, 2017

Officer William Gregory
Fourth Precinct
Minneapolis Police Department

RE: #14-21688

Officer William Gregory,

As a result of the Settlement Agreement following grievance #16-3, the final discipline for IAU Case #14-21688 is as follows:

<u>Policy Number</u>	<u>Sub-Section</u>	<u>Policy Description</u>	<u>Category</u>	<u>Disposition</u>
5-106	(1)	On Duty Code of Conduct	C	<u>SUSTAINED</u>

13.43 - Personnel Data

13.43 - Personnel Data

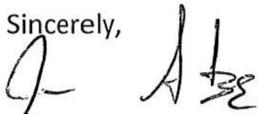
one Category C violation; 60 hours unpaid suspension. 13.43

13.43 - Personnel Data

This case will remain in 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.

Sincerely,



Jason Case
Commander
Internal Affairs Division

CC: Personnel file
IAU
Deputy Chief of Professional Standards

MINNEAPOLIS POLICE DEPARTMENT

Deputy Chief Travis Glampe
Office of Professional Standards
Room 130-City Hall
350 South Fifth Street
Minneapolis, Minnesota 55415
612 673-2445



MEMORANDUM

11-16-2015

Officer Gregory

I agree with sustaining 5-106 (1)-On Duty Code of Conduct. This policy requires officers to respond to their calls without delay. I disagree with sustaining it at a "B" level. Due to the nature of the call and the fact that medical care was delayed because of Officer Gregory, I am recommending that this be sustained at a "C".

In reviewing the discipline Matrix, this violation has a baseline discipline of a 40 hour suspension. In looking at the aggravating and mitigating factors listed by the precinct, I also present the following:

13.43 - Personnel Data

2-This was a priority-one assault call, where a person was waiting for medical attention for a head injury due to Officer's Gregory lack of response.

3-This wasn't a small delay. It took Officer Gregory 35 minutes to respond.

13.43 - Personnel Data

**IN RE:
THE MATTER OF**

THE CITY OF MINNEAPOLIS
(Minneapolis Police Department)

and

**Settlement Agreement
(Grievance # 16-3)**

**POLICE OFFICERS' FEDERATION
OF MINNEAPOLIS**
(William Gregory, Grievant)

This Settlement Agreement ("Agreement") is made and entered into by and between the City of Minneapolis ("City"), the Police Officers' Federation of Minneapolis ("Federation") and Sergeant William Gregory, Badge No. 2450 ("Grievant").

RECITALS

A. The City and the Federation are parties to a collective bargaining agreement ("Labor Agreement") that governs the relationship between them.

B. The Grievant is employed by the City in its Police Department ("MPD").

C. The Federation is the Grievant's sole and exclusive certified bargaining representative.

D. The MPD suspended Grievant William Gregory without pay **13.43** for a Category C violation of the MPD's Policy and Procedure Manual under Section 5-106, On Duty Code of Conduct [REDACTED]

[REDACTED]

[REDACTED]

E. The Federation grieved the suspension, Grievance # 16-3, citing a violation of "Section 4.1."

F. Article 5, Section 5.4 of the Labor Agreement states: "The Chief of Police shall have the full authority of the City Council to resolve the grievance."

G. The Federation and the City wish to resolve this matter amicably and without resort to arbitration.

NOW THEREFORE, the City and the Federation agree as follows:

AGREEMENT

1. The Federation withdraws Grievance # 16-3, with prejudice.

2. The City shall impose and the Federation, on behalf of the Grievant, shall accept a 60 hour suspension for a Category C violation of the MPD's Policy and

Procedure Manual under Section 5-106, On Duty Code of Conduct **13.43**

13.43 - Personnel Data

13.43 - Personnel Data

3. [REDACTED]

[REDACTED]

[REDACTED]

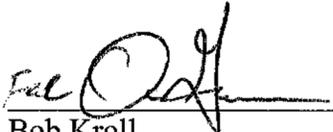
4. The Federation, as an entity and on behalf of its members individually, agrees that the Federation, its bargaining unit members and the grievant are bound by this Agreement as if they had entered into this Agreement individually.

5. The City and the Federation agree that this Agreement is without prejudice or precedent to any future matter involving any City employee, other than the Grievant; That the circumstances of this case and the discussions leading toward this Agreement will not be referred to, directly or indirectly, in any future arbitration, hearing, trial, appeal or other proceeding involving any City employee, other than the Grievant; and,

That this Agreement shall be of no value as evidence, and shall not be submitted or received as evidence, in any arbitration, hearing, trial, appeal or other proceeding involving any City employee, other than the Grievant.

ACCEPTED AND AGREED TO:

FOR THE FEDERATION:



Bob Kroll
President, Police Federation

Date: 01/13/17

FOR THE CITY OF MINNEAPOLIS
Janeé Harteau
Chief of Police

Date: _____