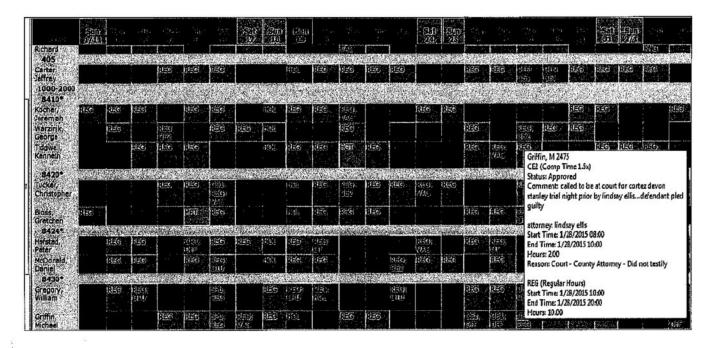
- Officer Griffin stated "I don't normally check my email when I'm off." Officer Griffin also stated he didn't remember the conversation.
- I asked Officer Griffin to tell me how he prepared for the court case before arriving for court on January 28th. Officer Griffin stated "How I prepared? Probably off memory."
- I asked Officer Griffin what time he arrived for court on Wednesday, January 28th,
 2015. The answer below is taken from Officer Griffin's Q & A statement:

```
Q: Officer Griffin, at what time did you arrive for court on Wednesday, January
28
     28, 2015?
29
    A: I, I can go off of the time we put in.
30
     Q: On...which time are you talking about? I'm sorry.
31
32
    A: Whatever it's documented-
33
34
     Q: On the ...
35
    A: -time that I ...
36
     Q: On CAPRS...or - I'm sorry - CAPRS...on Workforce?
37
    A: I think you guys had it somewhere that I actually arrived at 9:10 or something?
38
39
40
     Q: Correct.
41
    A: That's all I can go off of. I don't know exact time.
42
     Q: OK. So, you...is it accurate that you arrived to court at 9:10 on 1/28...on
43
44
     Wednesday, the 28th, 2015, for court?
     A: Probably sounds about right.
45
```

- I asked Officer Griffin if there was any reason that he didn't arrive at 08:30 hours as instructed. Officer Griffin stated "Yeah, cause I probably overslept."
- I asked Officer Griffin if he remembered oversleeping and he stated "We're talking about a while ago, so I don't remember specifics, but."
- Officer Griffin stated he had no idea if the County Attorney had to change the witness order because of his tardiness.
- I asked Officer Griffin if he knew the outcome of the court case. Officer Griffin stated "Uh, if I remember correctly, they didn't need me to testify, and after I was not there that morning so, I, I didn't get the outcome."
- Officer Griffin stated that he didn't think being late for court had any effect on the outcome of the trial.

 I showed Officer Griffin Workforce director for January 28th, 2015 and a comp time entry from 08:00 hours to 10:00 hours. A snap shot of the entry with comments is below:



- I asked Officer Griffin why he started the comp time at 08:00 hours when he arrived at 09:10 hours for court. Officer Griffin stated "I'm trying to rack my brain. I'm...is, is it possible she called me that day and got me up at 8:00?"
- I asked Officer Griffin if he remembers getting a call from Lindsay before 09:00 hours and he stated that he was parking. Officer Griffin stated "Yeah, because she called me several times that day and, and I said I had to get dressed."
- Officer Griffin also stated "I, I think I remember talking to her that day cause I know she had called my phone several times- and I spoke to her several times. And that might've been when I said the sleeping cause I don't remember the conversation or anything the day before--but I do remember her calling me that day."
- I asked Officer Griffin again why he entered the comp time at 08:00 hours if he didn't show up for court until 09:00 hours or 09:10 hours. Officer Griffin stated "I probably, I, I probably entered it wrong. I don't know."
- Officer Griffin also stated "It could've been my understanding of the subpoena. It could've been my time driving in from, from the...from home. I don't know."

- I asked Officer Griffin if he was aware that Officers weren't compensated for travel time for court and he stated "Oh, no, I didn't know that. No, there's a lot of, you know, silly things that I'm just now learning about...this comp time stuff for court now."
- I also asked Officer Griffin if he was aware that there was a policy that states Officers are supposed to be up to date with the Minneapolis Police Department policy and procedure Manual. Officer Griffin stated "Yeah, but they're so in depth with their...with that missed court it's so confusing. I have no idea."
- Officer Griffin stated he wasn't aware, until today, that when you're under subpoena
 for standby it remains in effect until the case is over or you are excused by a member of
 the County Attorney's Office or Judge.
- I asked Officer Griffin if he thought court was a necessary function of his duty as a Minneapolis Police Officer, to which he stated yes.
- I asked Officer Griffin if he takes court seriously and he stated yes.
- I asked Officer Griffin how he took this court case seriously and he stated "How I took this court case seriously? I...what do you...can you give me more? What do you mean by how I took it seriously?"
- I then asked Officer Griffin did he prep for court or review his reports and he stated "I,
 I don't remember what I did for this case."
- Sergeant Walters asked Officer Griffin to articulate and paint a picture of how Officer Griffin took this seriously. Officer Griffin stated "Well, I'll be glad to clarify. I always take, uh, court cases seriously, and I do prepare, and, uh, I don't know if maybe this seems like I don't, but because it was such a significant incident I was able to remember off hand what happened on the day of that...on that situation. So, I, I don't know in reference to what's making it seem like I didn't prepare. I, I didn't necessarily need to read my report because I understand how court goes, and if an attorney asks me a question and it something I don't know or whatever, I can ask to...for the...to look at my, my report at the time. So, everything that I felt was significant for the case, I knew in my head because it was etched in there."
- I asked Officer Griffin if he knows that trials can be different and Attorneys might have something in the case they may need to prep an Officer for. Officer Griffin agreed.

- Officer Griffin was asked again to articulate how he took this seriously. Officer Griffin stated "Uh, that's, that's hard for me to understand exactly what you're asking me because how I took it seriously is just so open-ended. I, I take my job seriously period."
- I asked Officer Griffin if he paid attention to the phone call with Lindsay on the 27th.
 Officer Griffin stated "Well, I might have at the time. I just don't remember now what we said. I, I...there's no way I can remember a conversation that long ago"
- Sergeant Walters told Officer Griffin he entered his time wrong, he doesn't' remember the phone conversation and that doesn't paint a picture of taking the case serious. Sergeant Walters then asked Officer Griffin to rebut that and Officer Griffin stated:

"Well, I'm thinking...I'm believing that you're interpreting everything the way you want it to be because in my opinion that doesn't mean I didn't take it seriously because a mistake was made. You're making it seem like I can't make a mistake. I made a mistake. I entered time in my belief that you enter it at 8:00 is because that's probably the time she probably called me. I can't tell you exactly right now, but that's probably what happened because that's my knowledge of how this situation was that you get called, you're on standby. If you get called in, you go from that time you're getting called in. I didn't know it was from the time you arrived."

- I asked Officer Griffin if there is anything that he would like to add to his statement that I have not asked him, to which Officer Griffin responded:

"Just like to clarify again, my understanding...I'm, I'm not trying to steal any time or take any time that I didn't think I earned. That was my belief. I entered the time. Uh, regarding what the conversation was, whether or not there was prep time set up or anything, I don't recall any of that. I didn't put it in. I didn't put in that she called me for trial prep or anything like that. I was told to be in there the next day. That's what I put into Workforce and that's what I did when she called me."

On July 2nd, 2015, I sent Officer Griffin two identical copies of his Q & A statement to review for discrepancies or corrections. Officer Griffin sent back one copy and initialed each page on the bottom. Officer Griffin made handwritten corrections and remarks to his statement. Officer Griffin's Q & A statement with handwritten corrections and remarks is included in this report.

C) I called Hennepin County Attorney Judith Hawley who tried court case number 27-CR-14-4063. I left her a voice mail stating I wanted to talk to her reference this court case and Officer Griffin's alleged tardiness. Judith Hawley called me back and left a voicemail stating she doesn't specifically recall any problems with Officer Griffin and the case. I called Judith back and left a voicemail stating to call me if she remembered any specifics about this court case and Officer Griffin's tardiness to call me. I never heard back from Judith Hawley.

D)

13.43 - Personnel Data

SUMMARY OF EVIDENCE

Based on a review of the evidence gathered during the Minneapolis Police Department Internal Affairs administrative investigation, the following occurred:

- Officer Griffin was assigned to the 4th Precinct 13.43 Personnel Data on January 28th, 2015.
- Court case number 27-CR-14-4063 was a Critical Incident, where Officer Griffin's partner discharged his firearm while on duty (MPD CCN 14-045443).
- Officer Griffin was issued a subpoena for court case number 27-CR-14-4063, dated Monday, January 26th, 2015, 09:00 hours, Standby day two from 10:00 hours to 12:00 hours.
- Officer Griffin signed, wrote his cell phone number on the acknowledgement of service and returned the subpoena.
- 5. The following are incoming and outgoing phone calls from Lindsay's phone line (612-348-8728) to Officer Griffin's cell phone 13.43:

В	C	D	E
Date and Time of Call	CallingPartyNumber	Original Called Party Number	finalCalledPartyNumber
1/27/15 11am-6pm			1
1/27/15 4:21 PM	3488728	13.43	Personnel Data
1/27/15 4:24 PM	13.43	348872	
1/27/15 5:04 PM	3488728	13.43 -	Personnel Data
1/28/158am-10am	1 0 10 10 00 000	and the state of t	
1/28/15 9:52 AM	3488728	13.43	- Personnel Data
1/28/15 9:56 AM	13.43	348872	

- Lindsay Ellis contacted Officer Griffin on January 28th, 2015 in the morning reference this court trial.
- 7. Officer Griffin arrived for court on January 28th, 2015, at 09:10 hours.
- 8. Officer Griffin entered comp time earned on January 28th, 2015 from 08:00 hours to 10:00 hours and was compensated for the time.
- Comments entered for comp time earned on January 28th, 2015, were "called to be at court for cortez devon stanley trial night prior by lindsay ellis...defendant pled guilty."
- 10. On January 28th, 2015 at 10:42 hours, Lindsay Ellis sends an email and Hennepin County Attorney's Office Report of Officer Non-Compliance with court process to court liaison Officer Angie Hayden reference Officer Griffin's alleged missed trial prep and tardiness.
- 11. Defendant for court case number 27-CR-14-4063, Cortez Devon Stanley, entered a guilty plea on 01/28/2015.

DISCUSSION

The Minneapolis Police Department's Policy and Procedure Manual states in part:

❖ Allegation # 1: It is alleged that on January 28th, 2015, Officer Michael Griffin was late for trail prep and court, after being instructed to arrive at 08:30 hours on January 28th, 2015, by Lindsay Ellis. It is alleged that Officer Griffin arrived at 09:10 hours on January 28th, 2015. The witness order had to be changed due to Officer Griffin's tardiness.

If this allegation is found to be true it would violate the following department policy:

3-712 EMPLOYEES LATE OR FAILING TO APPEAR FOR COURT (A-B)

Court Liaison personnel monitor court appearances and case dispositions for the MPD. Employees unable to attend court for legitimate reasons shall notify the agency issuing the Subpoena or Trial Notice on the first business day the conflict is known to exist. Unacceptable absences may include, but are not limited to, off-duty employment, local training, or childcare issues.

Unexcused tardiness or absences from court appearances that result in the dismissal of a case or generate a written complaint will be documented on a Policy and Procedure Inquiry (PPI) and forwarded to the employee's Commander.

Court Liaison personnel will not issue any court-related overtime to employees late for court if the case has been dismissed due to the employee's tardiness.

- In her formal Internal Affairs interview Lindsay Ellis stated she filled out a Hennepin County's Office Report of Officer Non-Compliance reference Officer Michael Griffin's tardiness for court case number 27-CR-14-463, related MPD CCN 14-045443.
- Lindsay Ellis also wrote an email to Court Liaison Officer Angie Hayden, reference Officer Michael Griffin's tardiness for court case number 27-CR-14-463.
- Officer Griffin was issued and received a Subpoena from the Hennepin County Attorney's Office for court case number 27-CR-14-463. The Subpoena was for standby day two from 10:00 hours to 12:00 hours and the date for trail was Monday, January 26th, 2015, at 09:00 hours.
- In his formal Internal Affairs interview Officer Griffin stated he signed and wrote his phone number on the bottom portion of the Subpoena (Acknowledgement of Service).
- In her formal Internal Affairs interview Lindsay Ellis stated she first contacted Officer Griffin reference this court case on Tuesday, January 27th, by phone and she called the

number Officer Griffin provided on the Subpoena (Acknowledgement of return). This phone call was made during the noon break. Lindsay Ellis left a message stating the court case was going to be a trial and Officer Griffin would be needed for court on Wednesday, January 28th.

- In his formal Internal Affairs interview Officer Griffin stated he believes he was first contacted on January 27th, reference this subpoena.
- In her formal Internal Affairs interview Lindsay Ellis stated she called Officer Griffin back between 16:00 hours and 16:30 hours on January 27th, 2015. Lindsay asked Officer Griffin if he would be able attend a trial brief for the court case the following morning, January 28th, at 08:15 hours.
- In her formal Internal Affairs interview Lindsay stated there was a lot of "Pushback" and Officer Griffin stated he wouldn't be able to attend the 08:15 hours trail prep on January 28th, 2015.
- In her formal Internal Affairs interview and email to court liaison Officer Angie Hayden,
 Lindsay Ellis stated Officer Griffin told her he "needs to sleep" and that was Officer
 Griffin's reason for not being able to prep at 08:15 hours on January 28th, 2015.
- In his formal Internal Affairs interview I asked Officer Griffin if he remembered saying he "needs to sleep." Officer Griffin stated "That could've been when I met her at the...when I came in?" Officer Griffin stated he couldn't remember their conversation on the phone from the 27th.
- In her formal Internal Affairs interview and email to court liaison Officer Angie Hayden, Lindsay Ellis stated that Officer Griffin agreed to come in at 08:30 hours on January 28th, 2015.
- In his formal Internal Affairs interview I asked Officer Griffin if he remembered agreeing to show up for court at 08:30 hours and Officer Griffin stated "I most likely probably told her I'll be there."
- In her formal Internal Affairs interview and email to court liaison Officer Angie Hayden,
 Lindsay Ellis stated she emailed Officer Griffin a copy of his CAPRS supplement to review prior to his trial prep with the attorneys.

- In his formal Internal Affairs interview I asked Officer Griffin if he remembered receiving a copy of his CAPRS supplement on January 27th, from Lindsay Ellis. Officer Griffin stated "I don't normally check my email when I'm off."
- In his formal Internal Affairs interview I asked Officer Griffin how he prepared for this court case and he stated "How I prepared? Probably off memory."
- In her formal Internal Affairs interview Lindsay Ellis stated that Officer Griffin told her that he was working the night before. Per workforce director Officer Griffin was assigned to the 4th Precinct 13.43 Personnel Data on 01/27/2015.
- In his formal Internal Affairs interview Officer Griffin stated he did not work in any capacity the night of the January 27th, 2015.
- I ran a query of Officer Griffin's badge number in VisiNet to see if he logged onto work at any part time jobs. The query came back with no results.
- I went to MECC and made copies of the "Part time line ups" for January 27th, 2015. I looked to see if Officer Griffin called in to work any part time and I did not see his badge number on the logs.
- I went to the 4th Precinct and made a copy of the marked squad sign out sheet for January 27th, 2015. I did not observe Officer Griffin's badge number on the log.
- In his formal Internal Affairs interview I asked Officer Griffin if he remembered anything about the conversation on the January 27th, with Hennepin County Victim Witness personnel. Officer Griffin stated "I don't even remember this whole thing until we got called here."
- In his formal Internal Affairs interview I asked Officer Griffin if he remembered Lindsay Ellis calling him on January 27th, to tell him it was a trial, which he would be needed for on Wednesday the 28th. I also asked if he remembered Lindsay stating she would call him at the end of the day with more information. Officer Griffin stated "I saw in there...I think I entered that in the, in the Workforce that she called me the day prior". Officer Griffin also stated "No, I don't remember the conversation at all."
- In his formal Internal Affairs interview I asked Officer Griffin what time he arrived for court on Wednesday, January 28th, 2015. The answer below is taken from Officer Griffin's O & A statement.

```
27
     Q: Officer Griffin, at what time did you arrive for court on Wednesday, January
28
     28, 2015?
29
     A: I, I can go off of the time we put in.
30
31
     Q: On...which time are you talking about? I'm sorry.
32
     A: Whatever it's documented-
33
34
     Q: On the...
35
     A: -time that I...
36
37
     Q: On CAPRS...or -- I'm sorry -- CAPRS...on Workforce?
38
     A: I think you guys had it somewhere that I actually arrived at 9:10 or something?
39
40
     Q: Correct.
41
     A: That's all I can go off of. I don't know exact time.
42
43
     Q: OK. So, you...is it accurate that you arrived to court at 9:10 on 1/28...on
44
     Wednesday, the 28th, 2015, for court?
     A: Probably sounds about right.
45
46
                                              9
```

- In his formal Internal Affairs interview I asked Officer Griffin if there was any reason why
 he didn't arrive at 08:30 hours as instructed and Officer Griffin replied "Yeah, cause I
 probably overslept."
- In his formal Internal Affairs interview I asked Officer Griffin is he remembered oversleeping and he stated "We're talking about a while ago, so I don't remember specifics, but."
- In his formal Internal Affairs interview Officer Griffin also stated he wasn't aware, until today, that when you're under subpoena for standby it remains in effect until the case is over or you are excused by a member of the County Attorney's Office or Judge.
- I obtained phone tolls from Lindsay's phone line (612-328-3534) and requested calls to and from Officer Griffin's phone 13.43. These records were obtained from Chris Droege, Hennepin County Digital Forensic Team and email is included in a separate tab. Chris Droege redacted phone numbers not pertinent to this investigation. A Snap shot of Excel spreadsheet Chris sent is below.

С	D	E
ingPartyNumber	OriginalCalledPartyNumber	finalCalledPartyNumber
3488728	13.43	- Personnel Data
13.43	34887	28
3488728	13.43	- Personnel Data
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3488728	13.43	- Personnel Data
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	13.43 3488728 3488728	3488728 13.43 13.43 34887 3488728 13.43 3488728 13.43

❖ Allegation # 2: It is alleged that on January 28th, 2015, Officer Griffin entered Comp Time Earned (CTE) for court case number 27-CR-14-4063 from 08:00 hours to 10:00 hours, on 01/28/2015. It is also alleged that Officer Griffin was compensated for the entered 70 minutes of CTE, even though he arrived at 09:10 hours, on January 28th, 2015.

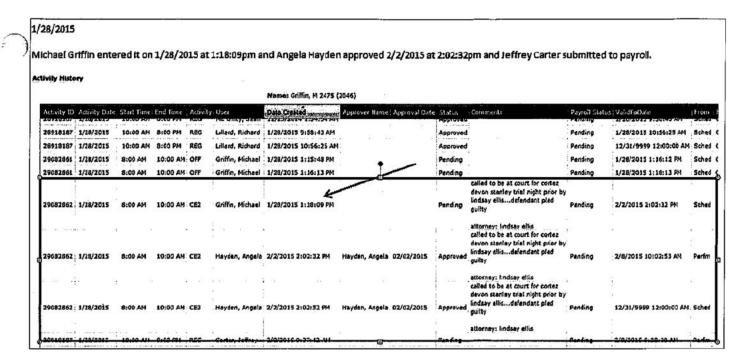
If this allegation is found to be true it would violate the following department policy:

5-102 CODE OF ETHICS

(A-D)

All sworn and civilian members of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the department. Employees shall abide by the City's Ethics in Government Policy, Chapter 15.

- I contacted Lisa Charpentier from Intellectual Properties and requested an audit for Officer Griffin's Workforce Director entries on January 28th, 2015.
- Lisa Charpentier sent me an email on April 20th, 2015, which showed that on January 28th, 2015, Officer Griffin entered Comp Time at 13:18 hours and court liaison Officer Angela Hayden approved the time on February 2, 2015. Sergeant Jeffrey Carter submitted the entry to payroll. A snap shot of email from Lisa below:



- In his formal Internal Affairs interview I asked Office Griffin why he entered Comp Time at 08:00 hours when he arrived at 09:10 hours for court. Officer Griffin stated "I'm trying to rack my brain. I'm...is, is it possible she called me that day and got me up at 8:00?"
- In his formal Internal Affairs interview I again asked Officer Griffin why he entered the Comp Time at 08:00 hours if he didn't show up until 09:10 hours and he stated "I probably, I, I probably entered it wrong. I don't know."
- In his formal Internal Affairs interview Officer Griffin also stated "It could've been my understanding of the subpoena. It could've been my time driving in from, from the...from home. I don't know."
- In his formal Internal Affairs interview I asked Officer Griffin if he was aware that we are not compensated for travel time for court and he stated "Oh, no, I didn't know that. No, there's a lot of, you know, silly things that I'm just now learning about...this comp time stuff for court now."
- In his formal Internal Affairs interview Officer Griffin also stated "You're making it seem like I can't make a mistake. I made a mistake. I entered time in my belief that you enter it at 8:00 is because that's probably the time she probably called me. I can't tell you exactly right now, but that's probably what happened because that's my knowledge of how this situation was that you get called, you're on standby. If you get called in, you go from that time you're getting called in. I didn't know it was from the time you arrived."

 I asked Officer Griffin in his formal Internal Affairs interview if he would like to add anything to his statement concerning the incident and Officer Griffin stated the following:

"Just like to clarify again, my understanding...I'm, I'm not trying to steal any time or take any time that I didn't think I earned. That was my belief. I entered the time. Uh, regarding what the conversation was, whether or not there was prep time set up or anything, I don't recall any of that. I didn't put it in. I didn't put in that she called me for trial prep or anything like that. I was told to be in there the next day. That's what I put into Workforce and that's what I did when she called me."

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

24

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

05-20-2016

I agree with the panel regarding the policy violation for appearing late for court.

13.43 - Personnel Data code of ethics violation. You do not get compensated for travel time to court. Griffin knowingly put in for 70 minutes of time for which he should not have been compensated for. When asked about it, he considered this to be a "silly thing" that he is just learning about.

I would recommend that this be sustained at a "C" level with a 10 hour suspension.



350 S. Fifth St. - Room 130 Minneapolis, MN 55415 TEL 612.673.3000

www.minneapolismn.gov

May 23, 2016

Officer Michael Griffin Internal Affairs Unit Minneapolis Police Department

RE: IAU Case Number #15-02681

Notice of Suspension (20 hours suspension without pay)

Officer Griffin,

The finding for IAU Case #15-02681 is as follows:

As discipline for this incident you are suspended for 20 hours without pay.

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 disciplinary action up to and including discharge from employment.

Sincerely,

Janee Harteau Chief of Police

By: Kristine Arneson

Assistant Chief

Page 2 Officer Griffin Suspension Letter

ORIGINAL

I, Officer Michael Griffin, acknowledge receipt of this Notice of Suspension

Officer Michael Griffin

Date of Receipt

Commander Case

Date

CC: Personnel Commander Case IAU