

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

COMPLAINT INFORMATION

INTERNAL AFFAIRS CASE NUMBER: 15-06300	CCN: 14-212381	DATE OF INCIDENT: 06/21/14	TIME OF INCIDENT: 2108 hrs.
LOCATION OF INCIDENT: Hennepin County District Court, 300 S. 6th Street	DATE OF COMPLAINT 3/21/2015	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:	

POLICY INFORMATION

POLICIES ALLEGED TO BE VIOLATED:

MPD 3-706: SUBPOENAS OR TRIAL NOTICES - EMPLOYEE RESPONSIBILITY (A-B)

Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing.

ACCUSED EMPLOYEE(S)

NAME/BADGE:

Officer Karl Sauskojus, #6254

COMPLAINT ALLEGATIONS

It is alleged Officer Sauskojus failed to show up for a scheduled court appearance in regards to a criminal case on March 20th, 2015. On February 26th, 2015 at 0855 hours, MPD Court Liaison Officer Hayden e-mailed Officer Sauskojus a subpoena notice for this case. The case was in regards to MPD CCN 14-212381. Officer Sauskojus did not show up for his court appearance, nor did he contact the City Attorney's Office about his absence.

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

COMPLAINANT SIGNATURE

13.43 - Personnel Data

DATE

DATE

4-2-15



MINNEAPOLIS POLICE DEPARTMENT

Internal Affairs Unit
Administrative Case #15-06300
Sgt. Michael Heyer
Date: June 9th, 2015

CASE BACKGROUND

On June 21st, 2014 at approximately 2108 hours, Officer Sauskojus conducted a traffic stop near 740 Lowry Ave. N. The driver of the vehicle, identified as Joseph NMN Imhoede Jr., D.O.B. 4/26/82, was cited and released for Marijuana in a Motor Vehicle and for the Possession of Drug Paraphernalia. The citation number was 271114211306. The MPD case number was 14-212381.

Officer Angie Hayden, of the Police-Court Liaison department, sent an e-mail to Officer Sauskojus on February 26th, 2015 at 0855 hours. The subject of the e-mail was to notify Officer Sauskojus that he had been subpoena for March 20th, 2015. The case was in regards to MPD case number 14-212381. The defendant was Joseph Imhoede. The e-mail asked for Officer Sauskojus to respond immediately to her notice. Attached to Officer Hayden's e-mail was a copy of the subpoena.

On April 2nd, 2015 at approximately 0835 hours, I contacted Officer Angie Hayden, the MPD Court Liaison. I told her about the case I was investigating. She stated Officer Sauskojus did not respond to her e-mail in regards to this matter.

Officer Haden provided me with a Minneapolis City Attorney's Office Report of Officer Non-Compliance with Court Process. The report stated that Officer Sauskojus did not appear for Court in response to a subpoena.

Per MPD Policy and Procedure, 3-706 SUBPOENAS OR TRIAL NOTICES – EMPLOYEE RESPONSIBILITY: Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing.

CASE INVESTIGATION

On April 2nd, 2015, I received this case from Lt. Halvorson for investigation. I received a Minneapolis City Attorney's Office Report of Officer Non-Compliance with Court Process form. The prosecuting attorney listed in the report was Matthew Wilcox.

The report listed Minneapolis Police Officer Karl Sauskojus as not appearing for court on March 20th, 2015 at 0830 hours. The defendant listed was Joseph NMN Imhoede. The court case number was listed as: 27CR1420502. The MPD case

number was listed as 14-212381. The report stated there was no standby status; Officer Sauskojus was to appear at the time and date noted for the hearing.

I also received a copy of an e-mail sent from Officer Angie Hayden, of the Police-Court Liaison department. The e-mail was sent to Officer Sauskojus on February 26th, 2015 at 0855 hours. The subject of the e-mail was to notify Officer Sauskojus that he had been subpoenaed for March 20th, 2015. The case was in regards to MPD case number 14-212381. The defendant was Joseph Imhoede. The e-mail asked for Officer Sauskojus to respond immediately to this notice.

On April 2nd, 2015 at approximately 0835 hours, I contacted Officer Angie Hayden, the MPD Court Liaison. I told her about the case I was investigating. She stated Officer Sauskojus did not respond to her e-mail in regards to this matter and provide the required information.

On April 6th, 2015, I left a phone message for City Attorney, Matthew Wilcox. In the message, I informed Matthew Wilcox who I was and that I was investigating an allegation that Officer Sauskojus did not appear for court on March 20th, 2015.

On April 7th, 2015, I received a voice message from Matthew Wilcox. In the message Wilcox stated that on March 20th, 2015 at 0830 hours, there was a Rasmussen hearing scheduled for the case involving the defendant, Joseph Imhoede. Wilcox stated Officer Sauskojus did not show up for court on March 20th, 2015. Wilcox was

not contacted by Officer Sauskojus prior to the court date about a conflict with the date and time. Wilcox was not contacted by Officer Sauskojus on March 20th, 2015, about not being able to be present for court. Wilcox stated the case against Imhoede was dismissed. Wilcox stated he was later contacted by Officer Sauskojus. Officer Sauskojus informed him that he had forgotten to put the court date on his calendar.

On May 6th, 2015 at 2100 hours, Officer Sauskojus was scheduled to give me a recorded statement at the I.A.U. The interview was rescheduled for June 2nd, 2015 at 2100 hours.

On June 2nd, 2015 at approximately 2050 hours, Officer Sauskojus, came to the MPD Internal Affairs Unit to give a recorded statement. Officer Sauskojus did not bring a Minneapolis Police Federation representative or attorney.

Officer Sauskojus was advised about Garrity and stated that he understood. Officer Sauskojus read and signed the Data Practices Advisory otherwise known as the Tennessen Warning.

Officer Sauskojus was again informed that the purpose of this statement related to an internal investigation and specifically an administrative review that was being conducted and that he had been accused of violating:

MPD 3-706: SUBPOENAS OR TRIAL NOTICES – EMPLOYEE RESPONSIBILITY (A-B)

Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing.

It was alleged Officer Sauskojus failed to show up for a scheduled court appearance in regards to a criminal case on March 20th, 2015. On February 26th, 2015 at 0855 hours, MPD Court Liaison Officer Hayden e-mailed Officer Sauskojus a subpoena notice for this case. The case was in regards to MPD CCN 14-212381. Officer Sauskojus was not present for his court appearance, nor did he contact the City Attorney's Office about his absence.

Officer Sauskojus was informed that he was being called to explain the circumstances regarding this event.

Officer Sauskojus was given a copy of an offense report. The CCN was 14-212381. The report listed him as the reporting officer. The date and time of the incident was listed as June 21st, 2014 at 2108 hours. Officer Sauskojus stated this was correct.

Officer Sauskojus was asked on the night in question, if he was on-duty or working a part-time job. He stated he was on-duty, working alone and in full, MPD uniform.

Officer Sauskojus was shown a booking photograph. He was asked if this was the individual that he had cited and released on the night in question. He stated it was.

It should be noted that the booking photograph, shown to Officer Sauskojus was of AP/Joseph Imhoede.

The offense report listed the charges as Marijuana in a M.V., citation number 271114211306 and Possession of Drug Paraphernalia, citation number 271114211306. Officer Sauskojus stated this was correct.

I informed Officer Sauskojus that the records showed that he had been issued a subpoena in regards to this incident. The subpoena was e-mailed to him on Thursday, February 26th, 2015 at 0855 hours. The e-mail was sent to him by Officer Angie Hayden. Officer Sauskojus was asked if he had received the e-mail. He stated he had.

Officer Sauskojus was asked if he recalled when he received this e-mail. He stated he did not recall the exact date, but he remembered receiving it around that date.

Officer Sauskojus was informed that Workforce Director showed that he was working on February 26th, 27th and the 28th of 2015. He was asked if he had checked his e-mails on any of those nights. He stated he checked his e-mail on his scheduled work days.

Officer Sauskojus was shown a copy of the subpoena and the e-mail from Officer Hayden. He stated he recalled the material. I read some of the content of Officer

Hayden's e-mail. Officer Sauskojus was asked if he did what was instructed of him and replied immediately to this e-mail and provided the requested information. He stated he did not recall if he replied to the e-mail and provided the requested information. He was asked why he did not do what was asked of him. He stated he uses a "day planner" to record his schedule. He believed that he made a mistake and did not correlate the e-mail and the "day planner" and mistakenly did not respond to the e-mail request.

Officer Sauskojus was asked if he spoke with anyone at the City Attorney's Office about this case, before the scheduled court appearance. He stated he did not.

Officer Sauskojus was asked if he had appeared in Court on March 20th, 2015, in regards to this case. He stated he did not.

Officer Sauskojus was asked if he had a reason for why he did appear for Court on March 20th, 2015. He stated since he failed to put the Court date in his "day planner," he did not realize that he had Court that day. He stated when he woke up that day; he discovered two voice messages on his phone. The messages were inquiring about why he had not been present for Court that day. He believed he awoke at approximately 1400 to 1500 hours.

Officer Sauskojus believed one of the voice messages was from Officer Haden. He believed the other message may have been from someone from the City Attorney's

Office. Officer Sauskojus was asked if he returned any of the phone calls on Friday, March 20th, 2015. He stated he did not.

Officer Sauskojus was asked if he had contacted City Attorney Matthew Wilcox about the case. He stated he did. Officer Sauskojus believed he contacted Wilcox, on March 23rd, 2015; the following Monday. Officer Sauskojus stated he apologized to Wilcox about missing the Court appearance and explained to him why he had been absent. He stated Wilcox was understanding and told him the Court date would be rescheduled.

Officer Sauskojus was asked if he was familiar with MPD Policy and Procedure 3-706: SUBPOENAS OR TRIAL NOTICES – EMPLOYEE RESPONSIBILITY (A-B) Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing. Officer Sauskojus stated he was.

Officer Sauskojus was asked from what we had just discussed if he had violated this policy. He stated he had. Officer Sauskojus took responsibility for his actions.

Officer Sauskojus was asked if there were any facts concerning this incident that he had knowledge of, but had not disclosed. He stated there were not.

Officer Sauskojus was asked if there was anything else that he would like to add to this statement that I had not asked him. He stated he had nothing to add.

Officer Sauskojus was asked if this was a true and accurate statement. He stated it was.

Officer Sauskojus was advised PER MPD POLICY AND PROCEDURE, SECTION 5-107.8, THAT HE WAS NOT TO DISCUSS THIS INTERVIEW OR CASE INVESTIGATION WITH ANYONE OTHER THAN HIS FEDERATION/UNION REPRESENTATIVE OR ATTORNEY. He acknowledged this. The statement was concluded shortly thereafter.

On June 4th, 2015, I inter-office mailed Officer Sauskojus two copies of our recorded interview. Also enclosed was a letter asking him to review the statement for accuracy and to make any corrections. On June 9th, 2015, I received a signed copy of the statement from Officer Sauskojus.

A copy of Officer Hayden's e-mail to Officer Sauskojus, a copy of the subpoena, the Minneapolis City Attorney's Office Report of Officer Non-Compliance with Court Process, the CAPRS report and the Notification Letters, will be included in the case file.

SUMMARY OF ALLEGATIONS

If this allegation is found to be true, Officer Sauskojus would be in violation of the following Department policy:

- MPD Policy and Procedure 3-706 Subpoenas or Trial Notices – Employee Responsibility: Upon notification, by Subpoena or otherwise, employees shall make all scheduled appearances for court, trial, implied consent hearings and complaint signing. (A-B)

Investigative Facts

- The alleged incident occurred on March 20th, 2015. On that date, Officer Sauskojus failed to appear for Court. The Court appearance was in regards to MPD CCN 14-212381.
- In a recorded statement, Officer Sauskojus stated he failed to report for a Court appearance on March 20th, 2015.
- Officer Sauskojus acknowledged he had complete understanding of MPD Policy and Procedure: 3-706 SUBPOENAS OR TRIAL NOTICES – EMPLOYEE RESPONSIBILITY. Officer Sauskojus took responsibility for his actions.

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

Respectfully Submitted,

Sgt. Michael Heyer

Sgt. Michael Heyer

Internal Affairs Unit

6/09/15

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

02-10-2016

After reviewing the case file, I determined that the following facts exist:

- On 02-26-2015 Officer Sauskojus was sent an email notifying him that he was required to be in court on 03-20-2015.
- As part of the notification process, Officer Sauskojus was required to respond to the Court Liaison, Officer Hayden, that he received the notice.
- Officer Sauskojus did not respond to Officer Hayden.
- Officer Sauskojus acknowledged that he received this email notice.
- Officer Sauskojus did not appear in court as required.
- As a result of Officer Sauskojus' failure to appear in court, the criminal charges against the defendant were dismissed.

I agree that the panel properly determined that MPD policy 3-706-Subpoenas and Trial Notices should be sustained.

This policy violation falls on the discipline matrix as a "B" level violation with a baseline discipline of a 10 hour suspension.

I would concur with the panel's recommendation of issuing a letter of reprimand. [REDACTED]

13.43 - Personnel Data [REDACTED] He did take responsibility for this incident. He has no other similar sustained violations on his record. I would also note that crimes in this case were minor in nature (marijuana in a motor vehicle and possession of drug paraphernalia).

February 22, 2016

Officer Karl Sauskojus
Fourth Precinct
Minneapolis Police Department

Officer Karl Sauskojus,

RE: IAU Case Number #15-06300
LETTER OF REPRIMAND

The finding for IAU Case #15-16300 is as follows:

MPD P/P 3-706 Subpoenas or trial Notices – Failure to Appear in Court

.....**SUSTAINED** (Category B)

You will receive this Letter of Reprimand. The case will remain in the IAU files per the record retention guidelines mandated by State Law.

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

Sincerely,

Jane Harteau
Chief of Police

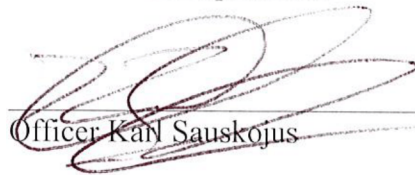


BY:

Assistant Chief
Kristine Arneson

Page 2
Officer Karl Sauskojus
Letter of Reprimand

I, Officer Karl Sauskojus, acknowledge receipt of
this Letter of Reprimand.


Officer Karl Sauskojus

03/03/2016
Date of Receipt


Inspector Michael Friestleben

3-3-16
Date

CC: Inspector Friestleben
Personnel
IAU