

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

COMPLAINT INFORMATION

INTERNAL AFFAIRS CASE NUMBER: 10-133	CCN:	DATE OF INCIDENT: 7-5-2010	TIME OF INCIDENT: 2300
LOCATION OF INCIDENT: 8402 Pines End RD Webster, WI	DATE OF COMPLAINT: 7-6-2010	REFERRAL METHOD: Internal	
COMPLAINANTS NAME (LAST, FIRST MIDDLE) 13.43	SEX M <input type="checkbox"/> F <input type="checkbox"/>	RACE:	DATE OF BIRTH:
HOME ADDRESS: 13.43	CITY / STATE / ZIP:	TELEPHONE:	

POLICY INFORMATION

POLICIES ALLEGED TO BE VIOLATED:

13.43 - Personnel Data

ACCUSED EMPLOYEE(S)

NAME/BADGE:

Robert Schnickel 6223

COMPLAINT ALLEGATIONS

It is alleged that on 7-5-10 while off-duty you were at 8402 Pines End Rd Webster, WI. At approximately 2300 hrs. a female, **13.43**, telephoned the Burnett County Sheriff's office and reported that she was involved in an altercation **13.43 - Personnel Data**. Deputies responded to the scene and upon investigation determined that probable cause existed that you, Officer Schnickel, had been involved in a **13.43** altercation with **13.43 - Personnel Data** **13.43 - Personnel Data**. Upon your return to this address Deputies returned and placed you under arrest and you were charged with **13.43 - Personnel Data** **13.43 - Personnel Data**.

If this allegation is found to be true it would violate the above MPD Policy and Procedure.

RECOMMENDATION

(Preliminary Cases Only)

- ☐ Reckoning Period Expired Before Complaint was Filed
- ☐ No Basis for Complaint
- ☐ Suspended Pending Further Information
- ☐ Refer to Precinct with Coaching Documentation
- ☐ Exceptionally Cleared
- ☐ Policy Failure
- ☐ Other

COMPLAINANT SIGNATURE:

13.43 - Personnel Data

DATE

09-14-10

DATE



MINNEAPOLIS POLICE DEPARTMENT

Internal Affairs Unit
Administrative Case #10-133
Sgt. D. N. Denno
Date 9-24-10

CASE BACKGROUND

On July 6, 2010 Officer Schnickel telephoned and advised the 13.43 - Personnel Data

13.43 that he had been arrested in Burnett County Wisconsin for an incident stemming from a 13.43 - Personnel Data. The arrest had occurred in the early morning hours of 7-6-10. I was assigned the case that day.

On 7-7-10 I hand delivered a letter to Officer Schnickel notifying him that he had been placed on "Relieved of Duty with Pay" status. The letter detailed the conditions of his employment pending the outcome of this investigation and was issued and signed by Deputy Chief Robert Allen.

CASE INVESTIGATION

On 7-6-10 I contacted the Burnett County Sheriff's Office and confirmed that Officer Schnickel had in fact been arrested and booked for 13.43 - Personnel Data

13.43. Officer Schnickel had posted bond and had been released.

A copy of the arrest report was requested and was immediately faxed to me. I spoke with Detective Finch in the investigative unit and learned that absent aggravating circumstances, cases of this level are automatically forwarded to the Burnett County District Attorney's Office for consideration of charges on the information contained in the police report and no further investigation was anticipated.

Incident Report 10-0793 (Burnett County Sheriff's Office)

This report was filed by Deputies Thiex and Wiltout. On 7-5-10 at approximately 2300 hours the Deputies were dispatched to [REDACTED] 13.43 - Personnel Data in Burnett County in response to [REDACTED] 13.43 in progress. [REDACTED] 13.43 - Personnel Data

[REDACTED] 13.43 - Personnel Data

[REDACTED] 13.43 - Personnel Data

[REDACTED] 13.43 - Personnel Data

[REDACTED] 13.43 - Personnel Data

Upon arrival at the scene Deputy Thiex spoke with [REDACTED] 13.43. He notes throughout his report that she was not very cooperative and told them they could leave. He observed an injury near her left eye. [REDACTED] 13.43 - Personnel Data the Deputies found an MPD uniform shirt with a name tag "R. Schnickel" on it. The Deputies had their dispatcher contact MPD to confirm if an Officer Schnickel works for MPD.

The Deputies determined that a fight had occurred between [REDACTED] 13.43 and "Bob", later identified to be Officer Schnickel, over [REDACTED] 13.43 - Personnel Data

[REDACTED] 13.43 - Personnel Data. [REDACTED] 13.43 told the Deputies that she may have pushed Bob during the

argument. Later in their contact with them (after Officer Schnickel's return [REDACTED] 13.43) Deputy Thiex reports that [REDACTED] 13.43 told them she had hit him first. Deputy Thiex notes in his report that the injury to [REDACTED] 13.43's face was changing in appearance during his contact with her. She refused to allow him to photograph her injury.

Receiving little cooperation from [REDACTED] 13.43 the Deputies checked with the next door neighbors and then drove to several nearby locations in an attempt to locate the vehicle they believed Officer Schnickel may have left in. A short time later they were dispatched back to the scene as neighbors had called saying the vehicle had returned.

The Deputies returned [REDACTED] 13.43 and saw Officer Schnickel inside [REDACTED] 13.43. They knocked on the door and [REDACTED] 13.43 responded but refused to let them in. They heard Officer Schnickel tell her to let them in saying "they have a job to do". After further questioning both [REDACTED] 13.43 and Officer Schnickel the Deputies placed him under arrest and the report details that he was cooperative with the deputies. [REDACTED] 13.43 - Personnel Data

13.43 - Personnel Data

13.43 - Personnel Data

Officer Schnickel was booked into the Burnett County Jail.

Charges

Officer Schnickel was formally charged with the following:

13.43 - Personnel Data

13.43 Disorderly Conduct Statute 947.01 **13.43**

13.43 - Personnel Data

Disposition of Charges

On 9-8-10 Officer Schnickel appeared in court in Burnett County. According to Court documents he **pled guilty to an amended charge** **13.43 - Personnel Data**

13.43 - Personnel Data :

13.43 - Personnel Data

13.43 - Personnel Data **Disorderly Conduct** Statute **BC947.01** Forf. U.

I contacted the Burnett County District Attorney's Office for an explanation of the outcome of the case. **13.43 - Personnel Data**

13.43 - Personnel Data Officer Schnickel pled guilty to a Disorderly Conduct statute with a Forfeiture/Fine status which was explained to be a Civil designation under Wisconsin Law. This places it in the same category as a traffic violation where the only "penalty" is paying a fine to the court. A plea/conviction under this statute is non-criminal in nature and does not entail further consequences **13.43**

13.43 - Personnel Data

I was told the case is resolved and no further action will be taken.

Summary of Officer Schnickel's interview

Officer Schnickel said that he and 13.43 - Personnel Data were at 13.43 - Personnel Data in Burnett County. 13.43 - Personnel Data

13.43 - Personnel Data

He said that he discovered 13.43 - Personnel Data and confronted her about it 13.43 - Personnel Data. She became angry and began to hit him. He said that he defended himself by pushing/slapping her to get her away from him. He demonstrated how he did this by thrusting his right arm out towards Lt. Kroll (Federation representative present). As he demonstrated, he had his hand open and the palm turned towards Lt. Kroll. He said that he directed this maneuver towards her face/head. He characterized this as strictly a defensive maneuver.

When asked if he believed he had caused the injury near 13.43's eye by pushing/slapping her he said that he normally wears a large ring on that hand and he acknowledged that it may have caused the injury.

After the initial confrontation he said that **13.43 - Personnel Data**

13.43 - Personnel Data phoned 911 "hysterically". He said he thought she was kidding about calling 911 and he walked out.

When the Deputies came back after he returned he said that he had to tell **13.43** to let them into **13.43**.

Officer Schnickel took exception to some of the details in the Deputies' report. He feels that they omitted pertinent information and he felt that the information they received from the neighbors who heard the argument was exaggerated or misunderstood. He expressed concern that no mention was made of **13.43** saying she hit him first. However in checking Deputy Thiex' statement **13.43**'s admission to striking him first is noted in the second paragraph on p. 2 of his supplement.

Officer Schnickel said that on advice of his legal counsel he pled guilty in court to **13.43 - Personnel Data** Disorderly Conduct under a civil statute. He said that he had to detail for the court his actions that night in order to satisfy the court that he was in fact guilty of the offense he pled to. **13.43 - Personnel Data** He said the case has been completed.

SUMMARY OF ALLEGATIONS

Allegation # 1

It is alleged that on 7-6-10 Officer Robert Schnickel, while off-duty, was arrested by Burnett County (Wisconsin) Sheriff's Deputies [REDACTED]. That after investigating [REDACTED] Deputies determined that probable cause existed to show that Officer Schnickel had struck [REDACTED] and that his actions were a violation of Wisconsin State Statutes.

If the evidence shows this allegation is true it would be a violation of the following MPD Policy and Procedure:

13.43 - Personnel Data

Investigative Facts

- On 7-6-10 Officer Robert Schnickel was arrested by Deputies of the Burnett County Wisconsin Sheriff's Department [REDACTED].
- The Burnett County District Attorney's Office formally charged Officer Schnickel with [REDACTED] one count of Disorderly Conduct. [REDACTED]

13.43 - Personnel Data

- Burnett County dispatch received a call from a female screaming “stop hitting me” and dispatched deputies to the address.
- The responding Deputies talked to [REDACTED] 13.43 and noted an injury near her left eye that changed in appearance during the time of their contact. This would tend to indicate a fresh injury.
- The Deputies determined that a [REDACTED] 13.43 - Personnel Data had occurred and eventually identified [REDACTED] 13.43 Officer Schnickel who had left prior to their arrival.
- [REDACTED] 13.43 - Personnel Data [REDACTED] 13.43

13.43 - Personnel Data

- [REDACTED] 13.43 was uncooperative with the Deputies telling them they could leave and refused to allow them to photograph her injuries. She also declined to fill out paperwork offered to her by the Deputies relating to [REDACTED] 13.43 - Personnel Data.
- The Deputies left and made a search of the area for Officer Schnickel and his vehicle.
- A short time later neighbors called 911 and reported the vehicle had returned and the Deputies returned to the address.
- Deputies found Officer Schnickel [REDACTED] 13.43 - Personnel Data. They talked to him and [REDACTED] 13.43 and determined they had Probable Cause to arrest Officer Schnickel [REDACTED] 13.43.
- During their investigation [REDACTED] 13.43 told the Deputies she had hit Officer Schnickel first. This is noted in Deputy Thiex's supplement.

- During Officer Schnickel's interview he stated **13.43 - Personnel Data**

13.43 - Personnel Data

13.43 - Personnel Data. He had also told the Deputies this information which is in their report.

- He stated she became angry and hit him.
- He stated that he "pushed/slapped" her with an open hand in her head/face area in order to get her away from him.
- He categorizes this strike as defensive in nature.
- He stated he was wearing a ring on the hand he pushed/slapped her with.
- He acknowledges the ring may have caused the injury near her eye.

13.43 - Personnel Data

- On 9-8-10 Officer Schnickel pled guilty to **13.43 - Personnel Data** Disorderly Conduct in Burnett County Circuit Court.
- Officer Schnickel states he admitted in open court to behavior that the court accepted established his guilt under the statute.
- The plea was made under a civil statute and carries no criminal record.

13.43 - Personnel Data

- The statute Officer Schnickel pled to carries no restrictions **13.43**

13.43 - Personnel Data on possession of firearms.

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, appearing to read "Sgt D. N. Denno".

Sgt D. N. Denno

Internal Affairs Unit



Police Department

Timothy J. Dolan
Chief of Police

350 South 5th Street - Room 130
Minneapolis MN 55415-1389

Office 612 673-2853
TTY 612 673-2157

January 4, 2010 ^{2011 JE}

Officer Robert Schnickel
Internal Affairs
Minneapolis Police Department

RE: IAU Case Number #10-133
Notice of Suspension (20 hours suspension without pay)

Officer Schnickel,

The finding for IAU Case #10-133 is as follows:

MPD P/P 5-103 Use of Discretion...SUSTAINED (Category C)

As discipline for this incident you are suspended for 20 hours without pay. This case will remain a "C" violation and will remain on file until 7/5/2015, which is five years from the date of incident. 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 from employment.

Sincerely,

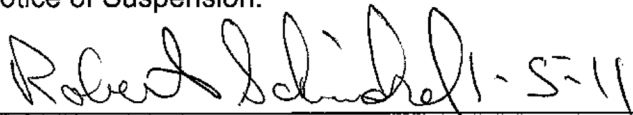
Timothy J. Dolan
Chief of Police

By: Scott Gerlicher
Deputy Chief



Page 2
Officer Robert Schnickel
Suspension Letter

I, Officer Robert Schnickel, acknowledge receipt of this
Notice of Suspension.



Officer Robert Schnickel Date of Receipt

TJD:mar
CC: Personnel
IAU