



Minneapolis
City of Lakes

Police Department

Janeé L. Harteau
Chief of Police

350 South 5th Street - Room 130
Minneapolis, MN 554 15-1389

612 673-2735
TTY 612 673-2157

December 16, 2015

Officer Roderic Weber
Fifth Precinct
Minneapolis Police Department

RE: OPCR Case Number #14-22048
Notice of Suspension (40 hours suspension without pay)
Letter of Reprimand

Officer Weber,

The finding for OPCR Case #14-22048 is as follows:

13.43

MPD P/P 7-314 Domestic Abuse – Failure to Arrest Marvin Penn for Violation of OFP
.....SUSTAINED (Category C)
MPD P/P 7-317 Removing Personal Effects.....SUSTAINED (Category B)

As discipline for this incident you are suspended for 40 hours without pay.

In addition, this letter will also serve as a Letter of Reprimand for 7-317 Removing Personal Effects. This case will remain a "C" violation and will remain on file until 10/15/2019, 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,

Janeé Harteau
Chief of Police

By: Kristine Arneson
Assistant Chief



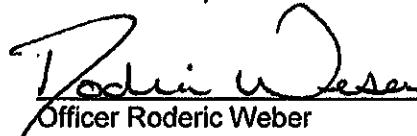
City Information
and Services

www.ci.minneapolis.mn.us


Affirmative Action Employer

Page 2
Officer Weber
Suspension/LOR Letter

I, Officer Roderic Weber, acknowledge receipt of this
Notice of Suspension/LOR.


Officer Roderic Weber

12-23-15
Date of Receipt


Inspector Loining

12-23-15
Date

CC: Personnel
Inspector Loining
OPCR



DISCHARGE, SUSPENSION OR INVOLUNTARY DEMOTION FORM

Please enter the requested information directly into the form and provide a copy to the employee once completed and signed.

Employee Name: Roderic Weber	Employee ID: 007612
Job Title: Officer	Job Code:
Department: Minneapolis Police Department	
Is this employee a Veteran? <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown	
Has this employee passed probation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

NATURE OF TRANSACTION:

☐ Discharge: Effective Date: At ☐ a.m. ☐ p.m.

☐ Probationary Release: Effective Date: At ☐ a.m. ☐ p.m.

☒ Suspension without pay: Total Working Days (or hours): 5 (40 hrs.) Beginning on: 1-7-2016 Ending on: 1-13-2016

☐ Demotion:

☐ Permanent - Effective Date:

☐ Temporary - Beginning on:

Ending on:

Demoted to:

Title: Job Code: at the following hourly rate of pay or annual salary: \$

REASON(S) FOR THIS ACTION: (Attach Letter of Determination)

☒ Violation of Civil Service Commission Rule 11.03 - Subdivision: B-18

☐ A. Substandard Performance

☒ B. Misconduct

☒ Violation of the following Department Rule(s), Law(s), Ordinance(s), or Regulation(s): 7-314

NOTICE TO CLASSIFIED EMPLOYEES OF LEGAL RIGHTS

DISCHARGE AND PROBATIONARY RELEASE AND SUSPENSION AND INVOLUNTARY DEMOTION

Probationary Non-veteran Employees - Employees who have not passed probation and are not eligible veterans do not have a right to a hearing before the Civil Service Commission (CSC).

Veteran Employees (Probationary and Permanent) - Any classified employee, holding a position by appointment or employment with the City or Park Board of Minneapolis, and who is a veteran separated from the United States military service under honorable conditions, has a right to a hearing prior to discharge, probationary release, involuntary demotion, or disciplinary suspension in excess of 30 days. No City employee who is a veteran can be removed or demoted except for incompetence or misconduct shown after a hearing, upon due notice, and upon stated charges presented in writing. Temporary employees who are veterans do not have a right to a hearing.

Permanent Non-Veteran Employees have a right to a hearing by the CSC upon written request. Non-veterans who have passed probation are permanent employees.

Disciplinary Suspension or Demotion - Employees may be suspended without pay for disciplinary reasons for periods not to exceed 90 calendar days. Suspensions of 31 to 90 calendar days may be appealed by the employee to the CSC.

Employees may be demoted for disciplinary reasons and/or for substandard performance, either temporarily (up to 180 days) or permanently. Permanent employees may appeal any permanent demotion and/or salary decrease.



DISCHARGE, SUSPENSION OR INVOLUNTARY DEMOTION FORM

NOTICE TO CLASSIFIED EMPLOYEES OF LEGAL RIGHTS continued

REQUESTING A HEARING

IMPORTANT: The employee should refer to the Civil Service Rules and/or the appropriate labor contract to determine what, if any, appeal rights he or she may have. The employee may choose whether to appeal this action through the CSC or through processes available through a labor contract, but may not appeal through both.

Requesting a Hearing: Non-Veterans - A written request for hearing must be mailed to the CSC within 10 calendar days of when this notice was served in person or was receipted for at the employee's last known address. The 10 days are counted from the first day after the notice was personally served or the date the notice was receipted by certified mail. If the tenth day falls on a Saturday, Sunday, or legal holiday, the request may be served on or before the following business day. The date of postmark must be within that 10-day period. The request for a hearing may be accompanied by the employee's statement of his or her version of the case.

Requesting a Hearing: Veterans - A written request for hearing must be mailed to the CSC within 60 calendar days of when the notice was served in person or was receipted for at the employee's last known address. The 60 days are counted from the first day after the notice was personally served or the date the notice was receipted by certified mail. If the 60th day falls on a Saturday, Sunday, or legal holiday, the request may be served on or before the following business day. The date of postmark must be within that 60-day period. The request for a hearing may be accompanied by the employee's statement of his or her version of the case.

ALL REQUESTS FOR A HEARING AND APPEALS SHOULD BE MAILED WITHIN THE REQUIRED TIMELINES TO:

Minneapolis Human Resources Department/Civil Service Commission
250 South 4th Street, Room 100
Minneapolis, MN 55415

NOTIFICATION TO EMPLOYEE:

☒ The employee was given an opportunity to respond to the written charges at a pre-determination meeting held on: Date: September 9, 2015.

☐ The employee failed to appear at the pre-determination meeting.

☒ A copy of this form and relevant accompanying information was given to the employee on 12-23-15.
☐ A copy of this form and relevant accompanying information was sent by US mail, to the employee's address of record provided by employee.

Signature of Department Head: AC Krohn 12/21/2015
Date:

Signature of Person Mailing/Delivering Notice: T. J. [Signature] #4215
Date:

Entered into HRIS By: _____ Date: _____

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

After reading the file, I agree with the OPCR review panel and the Discipline Panel. I agree that 7-314 was violated in that the suspect should have been arrested for violating the OFP. I also agree that 7-317 was violated in that the ownership of the computer was in dispute and should have been left on site.

I am recommending a change in the discipline as listed by the discipline panel. In reviewing the discipline matrix, "Failure to Take Appropriate Police Action" under 5-105.2 is a B-D level violation with a baseline discipline of 40 hours. 5-105.2, as listed below, requires officers to take appropriate action. It is my recommendation that an officer failing to make a mandatory arrest under 7-314, did not take appropriate action. Thus I would utilize this section of the discipline matrix as guidance in discipline.

5-105 PROFESSIONAL CODE OF CONDUCT

(A-D)

2. On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances. (02/28/93)

I would recommend Officer Weber receive a 40 hour suspension for a "C" level violation of 7-314 and a letter of reprimand for a "B" level violation of 7-317.



Police Department 5TH Precinct • 3101 Nicollet Ave S • Minneapolis, MN 55408

Inspector Todd Loining

Contact Information:

Office Phone: 612-673-2755

Email: todd.loining@minneapolismn.gov

TO PROTECT WITH COURAGE; TO SERVE WITH COMPASSION

TO: Assistant Chief Arneson, Patrol Bureau Head

DATE: November 6th, 2015

SUBJECT: Loudermill Hearing OPCR Case #14-22048

OPCR Case #14-22048.

IAU Case Investigation involves Officer Roderic Weber #7612 and Officer Daniel McDonald #4558.

This OPCR Case Investigation involves the following allegations of misconduct against Officer Weber:

- **MPD Policy & Procedure #5-105(14) Professional Code Of Conduct – Language (Category A-D).**
 - The victim, 13.82 [REDACTED] alleges that Officer Weber called her a, “Liar”, after she told him that the lap top computer was not in the apartment.
- **MPD Policy & Procedure #7-314 Domestic Abuse – Failure to investigate Domestic Assault allegations (Category A-D).**
 - Officer Weber did not thoroughly investigate allegations of domestic violence and take appropriate law enforcement action.
- **MPD Policy & Procedure #7-314 Domestic Abuse – failure to arrest the suspect, Marvin Penn, for Violation of an OFP (Category A-D).**
 - Officer Weber did not take appropriate action and arrest the suspect when notified of a violation of an active Order for Protection. Criminal Laws will be enforced without regard to the relationship of the parties involved.
- **MPD Policy & Procedure #7-317 Removing Personal Effects (Category A-D).**
 - Officer Weber searched for, located, and allowed Marvin Penn to take possession of a laptop computer even though the ownership of this property was disputed.

13.43

13.43



OPCR Panel Review

On July 23rd, 2015 an OPCR Panel (comprised of 2 LTs & 2 civilians) met, discussed the case facts, and made the following recommendation involving Officer Weber to Chief Harteau.

13.43



- Failure to provide adequate protection [OFP non-arrest] – Panel recommended Merit.
- Removing personal effects [Laptop] – Panel recommended Merit.

On the same date (7-23-15), the OPCR Panel met, discussed the case facts, and made the following recommendation involving Officer McDonald to Chief Harteau.

13.43



Loudermill Panel Members

- Inspector Loining #4215
- Lieutenant Gross #2492
- Lieutenant McGinty #4591

Prior History

Officer Weber has the following prior sustained IAU cases on his Blue Card:

- 6-26-03, IA Case #IA03-20, Code of Conduct violation for failure to obey a lawful order/Insubordination, sustained category B with suspension, case is closed.

13.43



Case Background

On October 15th, 2014, at 0752 hours, Officer Weber and Officer McDonald were assigned to the Fourth Precinct 13.43 and were working squad 410 together when they were dispatched to a call of a Disturbance at 13.82. The complainant filed a formal complaint with OPCR and the following is a summary of the allegations:

- Complainant states that her boyfriend stole her purse and violated an OFP.
- Complainant states that her boyfriend called and told her that her missing purse was in their residence near the mattress. When the complainant returned home, her boyfriend "popped" out of a closet holding a knife and threatened to stab her. She then called 911.
- When Officers Weber and McDonald arrived, the complainant allegedly told them that her boyfriend threatened her with a knife and showed the officers a copy of a current Order for Protection that she has against her boyfriend. The complainant stated that during the assault her shirt was torn. Officer Weber engaged with Ms. Brown and Officer McDonald engaged with Mr. Penn. From everything that I read in the case, Officer Weber was the veteran officer and he took the lead at the call.
- Mr. Penn [suspect] told the officers that [redacted] [complainant] allegedly stole his lap top computer. The complainant argued that she owned the computer and told the officers that the computer was not in the apartment. The complainant alleges that Officer Weber assisted her boyfriend by searching for the computer. Officer Weber lifted up a mattress and located the computer and then gave the computer to the suspect. The complainant told the officers that she owned the computer. When Officer Weber located the computer he allegedly called the complainant a, "Liar".
- The officers cleared this call after sending the suspect, Mr. Penn from the residence; no arrests had been made, and no reports were completed.
- Within a few hours, the complainant 13.82 went to the 4th Precinct Station and made a complaint about the incident to Sergeant Lillard. 13.82 was upset that Mr. Penn had not been arrested. She alleged that she had told the officers that Mr. Penn had threatened her with a knife and she had shown officers an active OFP that she had against Mr. Penn. She was also upset that the officers had search for, located, and gave her laptop computer to Mr. Penn.
- According to Sergeant Lillard's statement, when asked if Officer Weber admitted to him that he made the decision to not arrest, Officer Weber answered him by stating, "Yes". Officer Weber did admit to seeing the OFP.
- Sergeant Lillard instructed the officers to complete a CAPRS report and to arrest the suspect if they were to see him again. The officers completed a 5th Degree Domestic Assault Report, CCN #14-110,030.

- According to Officer Weber's IA statement he stated that 13.82 told the officers that she did not want Mr. Penn arrested but just wanted him to leave.
- 13.43
- According to Officer Weber's IA statement he denied ever calling a liar.
- 13.43

Pre-Loudermill Hearing Meeting

Prior to conducting the Loudermill Hearing, the panel members met on August 26th, 2015 at 1300 hours to discuss the case. All three panel members thoroughly reviewed the entire case file.

The panel members agreed that the allegations of misconduct by Officer Weber were as follows; which is also consistent with the OPCR Panel's recommendation.

13.43

- MPD Policy & Procedure #7-314 Domestic Abuse – failure to arrest the suspect, Marvin Penn, for Violation of an OFP – Sustained Category C.
- MPD Policy & Procedure #7-317 Removing Personal Effects – Sustained Category B.

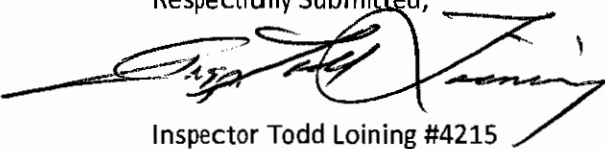
13.43

Loudermill Panel Hearing

On September 9th, 2015 at 0830 hours, I held a Loudermill Hearing in the Fifth Precinct Inspector's Conference Room. The Loudermill Panel consisted of Lieutenant Gross, Lieutenant McGinty, and I (Inspector Loining). Officer Weber attended the hearing along with Federation Representative Sergeant Stenerson. I chaired the Loudermill Hearing and advised Officer Weber of the IAU case facts and findings. The entire hearing was digitally recorded, with the exception of the period when Officer Weber was requested to temporarily step out of the room so the panel could discuss the case and make our recommendation of discipline to Chief Harteau. The panel is respectfully recommending the following discipline to Chief Harteau for Officer Weber:

- **MPD Policy & Procedure #7-314 Domestic Abuse – failure to arrest the suspect, Marvin Penn, for Violation of an OFP – Sustained Category C, with 20 hours of suspension without pay.**
 - Aggravating circumstances are as follows: (1) There was an active OFP order, (2) The complainant [victim] handed Officer Weber a copy of the OFP, however Officer Weber did not completely read the OFP because the complainant took it from him, (3) Officer Weber should have follow-up, completely read, understood, and enforced the OFP, (4) Officer Weber is a veteran officer who is also a FTO and he is expected to fully understand and enforce the Domestic Assault Laws.
- **MPD Policy & Procedure #7-317 Removing Personal Effects – Sustained Category B with a Letter of Reprimand.**
 - Aggravating circumstances are as follows: Officer Weber is a veteran officer who is also a FTO and he is expected to completely understand and follow the MPD Policy and Procedure involving when ownership of property is disputed the property must remain in possession with the current holder.

Respectfully Submitted,



Inspector Todd Loining #4215

Minneapolis Police Department

Fifth Precinct



Office of Police Conduct Review

Civilian Unit

350 S. Fifth St. - Room 239
Minneapolis, MN 55415
TEL 612.673.5500

Internal Affairs Unit

350 S. Fifth St. - Room 112
Minneapolis, MN 55415
TEL 612.673.3074
www.minneapolismn.gov

July 28, 2015

13.82

Re: 14-22048

13.82

This letter is to inform you of the status of your complaint. Two civilian and two sworn members of the Police Conduct Oversight Panel met to hear your complaint. The panel has recommended to the Chief of Police that the following allegations in your complaint do not have merit:

13.43

Within fifteen (15) days of receipt of this letter advising you of the hearing panel's no-merit recommendation, you may submit a written request for reconsideration. Supervisory staff from the Office of Police Conduct Review will review your request for reconsideration.

If the Supervisors determine that evidence was discovered or removed from the scene, the case will be remanded to OPCR staff.

Sincerely,


MICHAEL J. PFEIFFER
Director - Office of Police Conduct Review

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

13.82

COMPLETE THIS SECTION ON DELIVERY

13.82

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

3. Service Type

- ☒ Certified Mail® ☐ Priority Mail Express™
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ Collect on Delivery

4. Restricted Delivery? (Extra Fee) ☐ Yes

2. Article Number:
(Transfer from service label)

7014 1820 0000 2305 0650

PS Form 3811, July 2013

Domestic Return Receipt



Department of Civil Rights
350 South 5th Street - Room 239
Minneapolis, MN 55415-1314

Affirmative Action Employer

13.82

CERTIFIED MAIL®



7014 1820 0000 2305 0650

7014 1820 0000 2305 0650

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

Postmark
Here

Sent To
Street & Apt. No.,
or PO Box No.
City, State, ZIP+4

PS Form 3800, June 2014

See Reverse for Instructions

The Office of Police Conduct Review

Review Panel Session

Sign-in Sheet

Case #1 **14-22048**

Date July 23, 2015

Time 10 a.m.

Location City Hall Room 239, Civil Rights Department

<i>PANELISTS</i>	<i>NAME</i>	<i>SIGNATURE</i>
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Civilian 1	Donald Bellfield	
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Donald Bellfield

Civilian 2	Michelle Monteiro	
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Michelle Monteiro

Sworn 1	Lt. Erick Fors	
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Erick Fors

Sworn 2	Lt. Jonathon Kingsbury	
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Jonathon Kingsbury

Chair is: **CIVILIAN**

Chair's Name: Donald Bellfield

Complaint Number 14-22048

Complainant: **13.82**

Officer: Roderic Weber, Badge #7612

Jurisdiction: M.C. O. §§ 172.20

Date of Incident: October 15, 2014

Date Filed: October 29, 2014

Date of Panel: July 23, 2015

Panelists in Attendance (Sign below)

Panelist 1

Don Bellfield

Civilian 1

Panelist 2

Michelle Monteiro

Civilian 2

Panelist 3

Lt. Erick Fors

Sworn 1

Panelist 4

Lt. Jonathon Kingsbury

Sworn 2

The Chair is

Don Bellfield

Civilian/Sworn

13.43

Allegation 3

Failure to Provide Adequate Protection

Civilian 1 Vote	Merit
Civilian 2 Vote	Merit
Sworn 1 Vote	Merit
Sworn 2 Vote	Merit

Allegation 4

Violation of the P&P Manual

Civilian 1 Vote	Merit
Civilian 2 Vote	Merit
Sworn 1 Vote	Merit
Sworn 2 Vote	Merit

Incident Summary

On 10/15/2014 at 0752 hours, Officer Roderic Weber was dispatched to a domestic Abuse in Progress call at **13.82**. The caller, Stephen Delong, was reporting this domestic between **13.82** and Marvin Penn. When Officer Weber arrived, the suspect, Marvin Penn, was still on scene. Officers cleared this call after sending Marvin Penn from the residence; no arrests had been made, and no reports were written.

Within a few hours, 13.82 [REDACTED] went to the 4th Precinct Station and made a complaint about the incident to Sgt. Richard Lillard. 13.82 [REDACTED] was upset that Marvin Penn had not been arrested; she alleged that she had told the officers that Marvin Penn had threatened her with a knife, and she had shown officers an active Order for Protection that she had against Marvin Penn. She was also upset that officers had searched for, located, and gave her laptop computer to Marvin Penn. 13.82 [REDACTED] also alleged that when she told the officers that the laptop was hers, one of the officers told her that she was lying.

Sgt. Lillard addressed the matter with Officer Weber. Sgt. Lillard forwarded 13.82 [REDACTED] complaint to the Internal Affairs Unit.

Allegations

13.43 [REDACTED]

4. **Violation of Policy and Procedure:** that Officer Weber searched for, located, and allowed Marvin Penn to take possession of a laptop computer even the ownership of this property was disputed.

13.43 [REDACTED]

13.43 [REDACTED]

13.43 [REDACTED]

13.43 [REDACTED]

13.43



**MINNEAPOLIS POLICE DEPARTMENT
INTERNAL AFFAIRS UNIT**

**DISCIPLINE WORKSHEET
Category B-C Violations**

Officer Roderic Weber, Badge #7612

10/15/2014

14-22048

Employee's Name and ID Number

Date of Incident

OPCR Case Number

STEP 1 - CHARGES

Policy Number	Description	Category (A-D)
5-105(14)	13.43	
7-314		
7-314	DOMESTIC ABUSE - failure to arrest Marvin Penn for Violation of OFP	A - D
7-317	REMOVING PERSONAL EFFECTS	A - B

STEP 2 - PRECINCT PANEL HEARING

Compose Findings Letter

8-26-15
Date of Hearing

1300
Time of Hearing

5th Precinct
Location of Hearing

Policy Number	Description	Category	S	NS	E	U	P
5-105(14)	13.43						
7-314							
7-314	DOMESTIC ABUSE - failure to arrest Marvin Penn for Violation of OFP	C	X				
7-317	REMOVING PERSONAL EFFECTS	B	X				

S = Sustained

NS = Not Sustained

E = Exonerated

U = Unfounded

P = Policy Failure

Commander's Signature/Employee Number

Date

Panel Member in Attendance

☒ Concur ☐ Not Concur

Panel Member in Attendance

☒ Concur ☐ Not Concur

Minneapolis Police Department
Internal Affairs Unit
Disciplinary Worksheet, page 2 of 3

STEP 3 – LOUDERMILL HEARING

Compose Discipline Letter

9-9-15 0838 5th Precinct
Date of Hearing Time of Hearing Location of Hearing

Was the employee present at the hearing? ☒ Yes ☐ No

AGGRAVATING AND/OR MITIGATING FACTORS

PLEASE see the Loudermill Summary Report

Policy Number	Description	Category	S	NS	E	U	P
5-105(14)	13.43		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-314			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-314	DOMESTIC ABUSE – failure to arrest Marvin Penn for Violation of OPP	C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-317	REMOVING PERSONAL EFFECTS	8	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

S = Sustained NS = Not Sustained E = Exonerated U = Unfounded P = Policy Failure

Recommended Discipline #7-314 Sustained "C" with 20 hours suspension
#7-317 Sustained "8" with a Written Reprimand.

Has the employee been advised of the final recommendation? ☒ Yes ☐ No

[Signature] #4215 9-9-15
Commander's Signature/Employee Number Date

H. Todd Gross
Panel Member in Attendance

☒ Concur ☐ Not Concur

[Signature]
Panel Member in Attendance

☒ Concur ☐ Not Concur

**Minneapolis Police Department
Internal Affairs Unit**

Disciplinary Worksheet, page 3 of 3

STEP 4 – BUREAU HEAD REVIEW

Policy Number	Description	Category	S	NS	E	U	P
5-105(14)	13.43		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-314			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-314	DOMESTIC ABUSE – failure to arrest Marvin Penn for Violation of OFP	C	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
7-317	REMOVING PERSONAL EFFECTS	B	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

S = Sustained NS = Not Sustained E = Exonerated U = Unfounded P = Policy Failure

Comments See Memo

[Signature]

11-16-15

Bureau Head Signature/Employee Number

Date

STEP 5- CHIEF- FINAL DISPOSITION

13.43				
7-314	" "	fail to arrest	sustained - C	Category - 40 Hour Suspension
7-317	Removing Personal Effects		sustained B	Letter of Reprimand

[Signature]

Chief of Police Signature
MP-1408 (Revised 12/13)

12-9-15

Date

TABLE OF CONTENTS

OPCR Case #14-22048

00- Discipline Worksheets

01- Table of Contents

02- Complaint Form #3401

03- Memorandum From Sgt. Richard Lillard

04- Case Summary

05- Statement of Officer Roderic Weber

06- 13.43

07-

08-

09-

10- Marvin Penn

11- Stephen Delong

12- Order For Protection MS 299C.46

13- CAPRS Report 14-366268

14- CAPRS Reports – Relationship Between 13.82 **and Marvin Penn**

15- VisiNet Reports

16- Workforce Director Records

17- 911 Audio and Dispatch Audio CD

18- Officers' Photographs from Workforce Director

19- MSS 518B.01 Domestic Abuse Act

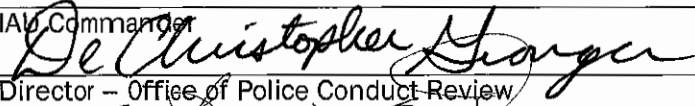
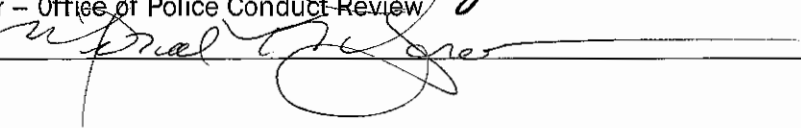
20- MPD Policy and Procedure

21- Employee Profile

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
14-22048	4	14-366268	October 15, 2014	7:52 AM	UKN
Location of Incident		City/State/Zip		Date of Complaint	
				October 15, 2014	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
			Female	UKN	UKN
Home Address		City/State/Zip		Primary Telephone	
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
		13.43			
		OPCR Ord. § 172.20(8) - Violation of the P&P Manual			
Roderic Weber (7612)		MPD P&P § 7-314(II)(A) - Domestic Abuse (domestic violence) MPD P&P § 7-314(II)(B) - Domestic Abuse (Order For Protection violation) MPD P&P § 7-317 If the ownership of property is disputed, the property shall remain at its original location.			
ALLEGATION SUMMARY					
<p>Complainant states Officers McDonald and Weber responded to a domestic assault at her residence. Complainant states that her boyfriend stole her purse and violated an OFP. Complainant states her boyfriend called and stated her purse was near a mattress at the residence. When Complainant returned to her room, her boyfriend popped out of a closet with a knife and threatened to stab her. When Officers arrived Complainant told them that her boyfriend threatened her with a knife, and showed officers a copy of the restraining order. Complainant states her shirt was ripped from the assault. Complainant's boyfriend then told officers Complainant stole his laptop. Complainant states Officers assisted the boyfriend in searching for the laptop. When it was located it was given to the boyfriend. Complainant states she told the officers it was her computer, and was told she was lying. Complainant states she attempted to show Officers a receipt for the laptop but they did not want to see it. The Complainant is upset because the Officers treated her unfairly, called her a liar, the Officers illegally searched her residence, and gave away her property. Complainant states that she is upset that her boyfriend was not arrested for violating the OFP, and because the Officers did not complete a report.</p>					

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

SUPERVISOR ASSESSMENT	
MEDIATION <input type="checkbox"/> Refer to Mediation COACHING <input type="checkbox"/> Refer to Precinct INVESTIGATIONS <input type="checkbox"/> Preliminary Investigation: Investigator <input type="checkbox"/> Admin Investigation: Investigator	DISMISS <input type="checkbox"/> Reckoning Period Expired <input type="checkbox"/> No Basis <input type="checkbox"/> Failure to State a Claim <input type="checkbox"/> Failure to Cooperate <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Lack of Jurisdiction <input type="checkbox"/> Withdrawn <input type="checkbox"/> Duplicate
FINAL APPROVED INVESTIGATIVE REPORT <input checked="" type="checkbox"/> Refer to Panel	
IAW Commander 	Date 6-2-2015
Director – Office of Police Conduct Review 	Date 6-2-2015

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
14-22048	4	14-366268	October 15, 2014	7:52 AM	UKN
Location of Incident		City/State/Zip		Date of Complaint	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
[REDACTED]			Female	UKN	UKN
Home Address		City/State/Zip		Primary Telephone	
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Roderic Weber (7612)		13.43 [REDACTED]			
		OPCR Ord. § 172.20(8) - Violation of the P&P Manual			
		13.43 [REDACTED]			
		[REDACTED]			
		MPD P&P § 7-314 (IV)(D) - Domestic Abuse and Domestic Violence - Reporting Requirements. MPD P&P § 7-317 If the ownership of property is disputed, the property shall remain at its original location.			
ALLEGATION SUMMARY					
Complainant states Officers McDonald and Weber responded to a domestic assault at her residence. Complainant states that her boyfriend stole her purse and violated an OFP. Complainant states her boyfriend called and stated her purse was near a mattress at the residence. When Complainant returned to her room, her boyfriend popped out of a closet with a knife and threatened to stab her. When Officers arrived Complainant told them that her boyfriend threatened her with a knife, and showed officers a copy of the restraining order. Complainant states her shirt was ripped from the assault. Complainant's boyfriend then told officers Complainant stole his laptop. Complainant states Officers assisted the boyfriend in searching for the laptop. When it was located it was given to the boyfriend. Complainant states she told the officers it was her computer, and was told she was lying. Complainant states she attempted to show Officers a receipt for the laptop but they did not want to see it. The Complainant is upset because the Officers treated her unfairly, called her a liar, the Officers illegally searched her residence, and gave away her property. Complainant states that she is upset that her boyfriend was not arrested for violating the OFP, and because the Officers did not complete a report.					
SUPERVISOR ASSESSMENT					

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

MEDIATION <input type="checkbox"/> Refer to Mediation COACHING <input type="checkbox"/> Refer to Precinct INVESTIGATIONS <input type="checkbox"/> Preliminary Investigation: Investigator <input checked="" type="checkbox"/> Admin Investigation: Investigator <i>Walters</i>	DISMISS <input type="checkbox"/> Reckoning Period Expired <input type="checkbox"/> No Basis <input type="checkbox"/> Failure to State a Claim <input type="checkbox"/> Failure to Cooperate <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Lack of Jurisdiction <input type="checkbox"/> Withdrawn <input type="checkbox"/> Duplicate
FINAL APPROVED INVESTIGATIVE REPORT <input type="checkbox"/> Refer to Panel	
<i>Christopher Horgan</i> IAU Commander	Date <i>3-9-15</i>
<i>[Signature]</i> Director - Office of Police Conduct Review	Date <i>3.9.15</i>

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
14-22048	4	14-366268	October 15, 2014	7:52 AM	UKN
Location of Incident		City/State/Zip		Date of Complaint	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
			Female	UKN	UKN
Home Address		City/State/Zip		Primary Telephone	
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Roderick Weber (7612)		13.43			
		OPCR Ord. § 172.20(8) – Violation of the P&P Manual			
		13.43			
		MPD P&P § 7-314 (IV)(D)(1) - Domestic Abuse and Domestic Violence – Reporting Requirements. In all cases of domestic violence or alleged acts of domestic abuse, a CAPRS report and supplement shall be completed immediately.			
ALLEGATION SUMMARY					
<p>Complainant states Officers McDonald and Weber responded to a domestic assault at her residence. Complainant states that her boyfriend stole her purse and violated an OFP. Complainant states her boyfriend called and stated her purse was near a mattress at the residence. When Complainant returned to her room, her boyfriend popped out of a closet with a knife and threatened to stab her. When Officers arrived Complainant told them that her boyfriend threatened her with a knife, and showed officers a copy of the restraining order. Complainant states her shirt was ripped from the assault. Complainant's boyfriend then told officers Complainant stole his laptop. Complainant states Officers assisted the boyfriend in searching for the laptop. When it was located it was given to the boyfriend. Complainant states she told the officers it was her computer, and was told she was lying. Complainant states she attempted to show Officers a receipt for the laptop but they did not want to see it. The Complainant is upset because the Officers treated her unfairly, called her a liar, the Officers illegally searched her residence, and gave away her property. Complainant states that she is upset that her boyfriend was not arrested for violating the OFP, and because the Officers did not complete a report.</p>					
SUPERVISOR ASSESSMENT					

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

MEDIATION <input type="checkbox"/> Refer to Mediation COACHING <input type="checkbox"/> Refer to Precinct INVESTIGATIONS <input checked="" type="checkbox"/> Preliminary Investigation: Investigator <i>Sworn</i> <input type="checkbox"/> Admin Investigation: Investigator	DISMISS <input type="checkbox"/> Reckoning Period Expired <input type="checkbox"/> No Basis <input type="checkbox"/> Failure to State a Claim <input type="checkbox"/> Failure to Cooperate <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Lack of Jurisdiction <input type="checkbox"/> Withdrawn <input type="checkbox"/> Duplicate
FINAL APPROVED INVESTIGATIVE REPORT <input type="checkbox"/> Refer to Panel	
IATU Commander <i>De Christopher Hargen</i>	Date <i>11/3/14</i>
Director - Office of Police Conduct Review <i>[Signature]</i>	Date <i>11/3/14</i>

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
14-22048	4	14-366268	October 15, 2014	7:52 AM	UKN
Location of Incident		City/State/Zip		Date of Complaint	
				October 15, 2014	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
			Female	UKN	UKN
Home Address		City/State/Zip		Primary Telephone	
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Roderick Weber (7612)		13.43			
		13.43			
		MPD P&P § 7-314 (IV)(D)(1) - Domestic Abuse and Domestic Violence – Reporting Requirements. In all cases of domestic violence or alleged acts of domestic abuse, a CAPRS report and supplement shall be completed immediately.			
ALLEGATION SUMMARY					
<p>Complainant states Officers McDonald and Weber responded to a domestic assault at her residence. Complainant states that her boyfriend stole her purse and violated an OFP. Complainant states her boyfriend called and stated her purse was near a mattress at the residence. When Complainant returned to her room, her boyfriend popped out of a closet with a knife and threatened to stab her. When Officers arrived Complainant told them that her boyfriend threatened her with a knife, and showed officers a copy of the restraining order. Complainant states her shirt was ripped from the assault. Complainant's boyfriend then told officers Complainant stole his laptop. Complainant states Officers assisted the boyfriend in searching for the laptop. When it was located it was given to the boyfriend. Complainant states she told the officers it was her computer, and was told she was lying. Complainant states she attempted to show Officers a receipt for the laptop but they did not want to see it. The Complainant is upset because the Officers treated her unfairly, called her a liar, the Officers illegally searched her residence, and gave away her property. Complainant states that she is upset that her boyfriend was not arrested for violating the OFP, and because the Officers did not complete a report.</p>					
SUPERVISOR ASSESSMENT					

**CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW**

MEDIATION

☐ Refer to Mediation

COACHING

☐ Refer to Precinct

INVESTIGATIONS

☐ Preliminary Investigation: Investigator

☒ Admin Investigation: Investigator Sgt. Walters

FINAL APPROVED INVESTIGATIVE REPORT

☐ Refer to Panel

DISMISS

☐ Reckoning Period Expired

☐ No Basis

☐ Failure to State a Claim

☐ Failure to Cooperate

☐ Exceptionally Cleared

☐ Lack of Jurisdiction

☐ Withdrawn

☐ Duplicate

IAU Commander

De Christopher Hanger

Date

2/26/15

Director - Office of Police Conduct Review

Date

2.27.15