

**MINNEAPOLIS PI, 1CEDEPARTMENT
INTERNAL AFFAIRS UNIT**

**DISCIPLINE WORKSHEET
Category B-D Violations**

Officer Blake Moua #4882

02/16/2015

15-06226

Employee's Name and ID Number

Date of Incident

IAU Case Number

STEP 1 - CHARGES

Policy Number	Description	Category (A-D)
4-401	Vehicle Responsibility	A-D
5-102	Code of Ethics	A-D
2-106	Complaint Investigations - Garrity Decision	D

STEP 2 - PRECINCT PANEL HEARING

Compose Findings Letter

1-11-17

1:00

Room 136

Date of Hearing

Time of Hearing

Location of Hearing

Policy Number	Description	Category	S	NS	E	U	P
4-401	Vehicle Responsibility	C...	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5-102	Code of Ethics	J	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2-106	Complaint Investigation - Garrity Decision	f)	<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

CG) Ka...
Commander's Signature/Employee Number

01-11-16
Date

CG) Ka...
Panel Member in Attendance

Concur Not Concur

Anderson
Panel Member in Attendance

Concur Not Concur

**Minneapolis Police Department
Internal Affairs Unit**

STEP 4- CHIEF- FINAL DISPOSITION

Policy Number	Description	Category	S	NS	E	U	P
2-106	Garrity Decision						
5-102	Code of Ethics						
4-401	Vehicle Responsibility						

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

*Concur w panel
see memo*

[Handwritten Signature]
Chief of Police Signature

3/16/16
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

02-01-2016

On 01-29-2016 a Loudermill Hearing was held with Officer Blake Moua regarding OPCR #15-15-06226. The Loudermill panel was composed of Assistant Chief Kris Arneson, Deputy Chief Bruce Folkens and I. Officer Moua attended the hearing along with Federation representative Officer Fitch.

Following a review of the investigation, the contents of the investigative file, and the information presented at the hearing, the panel finds the following facts:

- On February 16, 2015 Officer Moua met a female (reporting party) at the MPD Special Operations Center (SOC) to assist her with a mock interview. Officer Moua was scheduled as off-duty on a holiday, as it was President's Day.
- After assisting with the mock interview, Moua drove the reporting party to lunch and then drove her to a motel in Mounds View to have sexual intercourse. Moua used a MPD vehicle assigned to the Community Engagement Team (CET) to transport them.
- Moua was assigned to the 4th Precinct 13.43
- On April 25, 2016 Moua was called into Internal Affairs (IA) to provide a Garrity statement in this matter.
- While under Garrity Moua stated that he and the reporting party drove separately to the restaurant and motel. He said that he drove his personally owned 13.43. When asked if he drove a MPD vehicle he said "Absolutely Not".
- Moua was presented with photographic evidence that showed the CET vehicle at the motel. Moua continued to deny having used this vehicle to drive to the motel on February 16-2015.

-On June 19, 2015 Moua was called back in for a second Garrity statement. In that statement he admitted that he used the MPD vehicle on February 16, 2015 to drive himself and reporting party.

The panel finds the following policies to be sustained as a result of Officer Moua's actions:

2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION

MPD employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court). (01/15/08)

All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals. (09/19/08)

All statements of involved police employees shall be signed and sworn. Any employee found to have intentionally given a false statement shall be subject to MPD disciplinary procedures, up to and including dismissal.

Moua had sexual intercourse with the reporting party twice in February of 2015. He was called into Internal Affairs two months later to explain the February 16, 2015 encounter. Prior to giving his IA statement on April 25th, he was read the Garrity advisory which states:

YOU ARE BEING ORDERED TO GIVE A COMPLETE AND TRUTHFUL STATEMENT PERTAINING TO THE SCOPE OF YOUR EMPLOYMENT, OR FITNESS FOR DUTY. IT IS A COMPELLED STATEMENT PURSUANT TO MPD POLICY AND PROCEDURE.

UNDER THE GARRITY DECISION ANY STATEMENT PROVIDED IN THIS INVESTIGATION CANNOT BE USED IN A CRIMINAL PROCEEDING AGAINST YOU, EXCEPT IN THE CASE OF ALLEGED PERJURY. HOWEVER, THESE STATEMENTS MAY BE USED AGAINST YOU IN RELATION TO EMPLOYMENT ALLEGATIONS.

I AM ADVISING YOU THAT IF YOU REFUSE TO ANSWER, GIVE A FALSE OR INTENTIONALLY INCOMPLETE STATEMENT, OR INTENTIONALLY OMIT INFORMATION THAT IS PERTINENT TO THIS INVESTIGATION, YOU WILL BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING SUSPENSION OR DISCHARGE.

During this April 25th Internal Affairs statement, Moua was unequivocal, that he had not used a MPD vehicle to transport the reporting party and himself to lunch and then to a motel in Mounds View.

Moua was called back in on June 19th for a second IA statement. After being confronted with a violation of the policy on Garrity, he admitted that drove the MPD vehicle during the February 16th encounter.

The panel also determined that Moua provided a second untruthful statement while under Garrity, when he stated that he obtained the key for the MPD vehicle from Officer Kou Vang.^{13.43}
[REDACTED]^{13.43} the key for this vehicle is kept in the PAL office at the SOC. The panel determined that Moua obtained the key from the PAL office and did not receive the key from Vang.

The panel was unconvinced by Officer Moua's claim that these were emotional events and he couldn't put together a chronological order of events. The panel determined that it was not plausible to have no recollection of a detail as major as using a City vehicle to drive to Mounds View to engage in sexual intercourse.

5-102 CODE OF ETHICS

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.

The panel determined that using a MPD vehicle to travel to a motel, outside of the City to engage in sexual intercourse would tarnish and offend the ethical standards of the department.

4-401 VEHICLE RESPONSIBILITY (07/26/02)

Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them.

Police vehicles shall only be operated by authorized personnel in a safe and lawful manner. A valid driver's license is required for anyone operating an MPD vehicle. (05/24/13)

The panel determined that Officer Moua was not assigned to the Community Engagement Team at the time he used this car, and therefore was not authorized to use it. The panel also determined that driving a citizen to a motel to engage in sexual intercourse would not be a proper use of the vehicle even if he was authorized to use it.

Final Recommendations

The Garrity violation is contained on the Discipline Matrix as follows:

		Level	Mitigating	Baseline	Aggravating
2-106	Garrity violations	D		Termination	

The Discipline Matrix is crystal clear on this matter. A sustained violation of the Garrity Policy has one outcome; Termination. Nothing contained in the investigation would allow for a deviation from the matrix.

The panel notes the code of ethics and vehicle responsibility violations do not fall on the discipline matrix. Had Officer Moua been honest about the use of the MPD vehicle, the panel would have been limited to examining the code of ethics and vehicle responsibility violations. If these were the only two policy violations, the panel would recommend a 40 hour suspension.

Summary

2-106 Garrity Violation-Sustained D Level

5-102 Code of Ethics-Sustained D Level

4-401 Vehicle Responsibility-Sustained C Level

Officer Moua's conduct irreparably damaged the trust the MPD must have in its officers. Officer Moua's decision to be untruthful violated the very foundation of trust required for a police officer. The panel finds that in no way acceptable and we are recommending that Officer Moua's employment be terminated.



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: Blake Moua	Employee ID: 004882
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: March 23, 2016 At 2¹⁵ a.m. p.m.
- Probationary Release: Effective Date: At a.m. p.m.
- Suspension without pay: Total Working Days (or hours): Beginning on: Ending on:
- Demotion:
 - Permanent – Effective Date:
 - Temporary – Beginning on: Ending on:

Demoted to:

Job 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): 2-106

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 received 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 received 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 received 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 received 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: January 29, 2016

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 March 23, 2016

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: Jamie T. Hutson 3/23/16
Date:

Signature of Person Mailing/Delivering Notice: Jamie T. Hutson 3/23/16
Date:

Entered into HRIS By: _____ Date: _____



MEMORANDUM

To: File
CC: Chief Janeé L. Harteau
From: Chief Janeé L. Harteau
Date: 03/16/16
Re: OPCR Case #15-06226

Upon reviewing the case in detail, I fully support the panel's recommendation of termination of Officer MOUA.

Officer MOUA's actions in violating the Garrity Decision by providing untruthful testimony in two separate interviews were not consistent with the Minneapolis Police Department's core values and are in direct conflict with how a law enforcement professional should act under the MN Law Enforcement Code of Ethics.

Public trust and procedural justice is vital in our ability to effectively protect and serve, and as a result I have lost all confidence in Officer MOUA's ability to serve the citizens of Minneapolis due to his poor judgment and his lack of integrity.

CONFIDENTIAL

Glampe, Travis

From: Glampe, Travis
Sent: Thursday, January 28, 2016 08:03
To: Fitch, Cory (Federation)
Subject: RE: Blake Moua Panel

We have rescheduled it to Friday at 10:00. We will not be sending him a new notification. Unless you state differently I am assuming you are his Federation rep. and will be notifying him of the change.

-----Original Message-----

From: Cory Fitch [<mailto:CFitch@mpdfederation.com>]
Sent: Wednesday, January 27, 2016 15:49
To: Glampe, Travis
Subject: Re: Blake Moua Panel

Deputy Chief,

We would like to move the panel to Friday. Thank you for your consideration in this matter.

Cory Fitch
Sent from my iPhone

> On Jan 26, 2016, at 9:00 AM, Glampe, Travis <Travis.Glampe@minneapolismn.gov> wrote:

>

> I will need you to confirm that you are representing Officer Moua in this matter and have his permission to reschedule this hearing.

>

> I have spoken to AC Arneson and DC Folkens and we are able to move it to Friday at 10:00. Please advise if this time will be acceptable for Officer Moua.

>

> -----Original Message-----

> **From:** Cory Fitch [<mailto:CFitch@mpdfederation.com>]

> **Sent:** Monday, January 25, 2016 19:07

> **To:** Glampe, Travis

> **Subject:** Blake Moua Panel

>

> Chief,

>

> May we please reschedule Blake Moua's Thursday Loudermill hearing to another date? We have Federation meetings that day during the panel.

>

> Thank you for your consideration in this matter,

>

> Cory Fitch

> POFM Secretary

>

> Sent from my iPhone

AWARDS & COMMENDATIONS

SECTION

For: Mova, Blake 004882

MacDonald, Kimberlee S.

From: Doree, Nina
Sent: Friday, July 16, 2010 12:47 PM
To: Arneson, Kristine
Cc: MacDonald, Kimberlee S.
Subject: MPD Commendation

As an FYI, I am sending you the attached e-mail that was submitted on the City's web site. Copies will be placed in the employee's personnel file (if applicable); you may also want to recognize your employee (s).

*There is no need to respond to this e-mail or to the sender.

From: MPD Awards
Sent: Friday, July 09, 2010 9:57 PM
To: Doree, Nina; Gerlicher, Scott; MacDonald, Kimberlee S.
Subject: FW: MPD Commendation

From: egovernment@ci.minneapolis.mn.us[SMTP:EGOVERNMENT@CI.MINNEAPOLIS.MN.US]
Sent: Friday, July 09, 2010 10:14:30 PM
To: MPD Awards
Subject: MPD Commendation
Auto forwarded by a Rule

This is an email generated from the City of Minneapolis web site.

If there is no entry following a label, the user chose not to supply the information.

A guy tried to break into my apartment building when I was coming home from Target with a butcher knife and I kicked him out. I called 911 and they dispatched officers for a report but the officers were given incorrect information that the break in was in progress. Regardless, Officers Joseph Kilmek and Moua Blake were here immediately and took the information and I gave them a picture from the security camera as I am also the Assistant Manager of the building. They were professional and supportive of documenting the incident and I appreciate their response and the response of the Mpls Police Department in protecting my neighborhood. Thanks You!

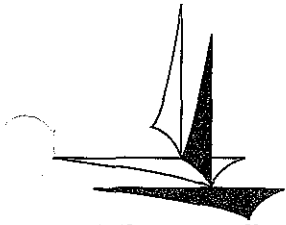
Details:

ne: Robert Schroeder
E-mail: sfobob@sfobob.com

8/9/2010

Filed By	<i>RS</i>
Date	8/27/10

Phone: (612) 870-4343 home
Address: 330 Oak Grove St 329 W. 15th st entry
City: Minneapolis
State: MN
Zip Code: 55403



Minneapolis
City of Lakes

NOTICE OF DISCIPLINE PANEL MEETING

Police Department

Janeé L. Harteau
Chief of Police
350 South 5th Street - Room 130
Minneapolis, MN 55415-1389
612 673-2735
TTY 612 673-2157

January 11, 2016

Officer Blake Moua
Minneapolis Police Department
4th Precinct
1925 Plymouth Avenue North
Minneapolis, MN 55411

Officer Moua:

Re: OPCR Case Number 15-06226

This letter is to inform you the Discipline Panel has reviewed OPCR Case #15-06226 and recommends the finding(s) as follows:

- MPD 4-401 Vehicle Responsibility, Category (C).....Sustained.**
- MPD 5-102 Code of Ethics, Category (D).....Sustained.**
- MPD 2-106 Complaint Investigations-Garrity Decision, Category (D)...Sustained.**

The Discipline Panel will meet on Thursday, January 28, 2016, at 1130 hours in the Chief's conference room 130 City Hall, 350 South 5th Street. At this time, you will be given an opportunity to address the Discipline Panel. If you choose not to attend the Discipline Panel meeting you are ordered to notify the panel chair in writing by January 27, 2016.

You may have a union/federation representative or an attorney present during the meeting. You are also entitled to review this case file prior to your Discipline Panel Meeting. Contact Internal Affairs for further information at 612-673-3074.

Sincerely,

Travis Glampe, Panel Chair
Deputy Chief
Minneapolis Police Department



City Information
and Services CC:

www.ci.minneapolis.mn.us

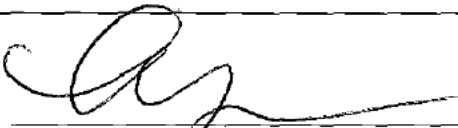
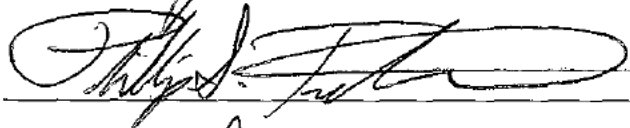
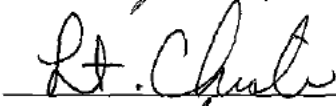

Affirmative Action Employer

Assistant Chief Arneson
Deputy Chief Folkens
Police Federation
Internal Affairs Unit

The Office of Police Conduct Review Review Panel Session

Sign-in Sheet

Case #1 15-06226
Date December 29, 2015
Time 10:00 a.m.
Location City Hall Room 239

<i>PANELISTS</i>	<i>NAME</i>	<i>SIGNATURE</i>
Civilian 1	Ngoc Nguyen	
Civilian 2	Philip Trebatoski	
Sworn 1	Lt. Chiodo	
Sworn 2	Lt. Gross	

Chair is: **CIVILIAN**

Chair's Name: Phillip Trebatoski

Complaint Number 15-06226

Complainant: Joint Supervisors
 Officer: Blake Moua, Badge #4882
 Jurisdiction: M.C. O. §§ 172.20
 Date of Incident: February 16, 2015
 Date Filed: March 31, 2015
 Date of Panel: December 29, 2015

<u>Allegation 1</u>	
Violation of the P&P Manual	
Civilian 1 Vote	Merit
Civilian 2 Vote	Merit
Sworn 1 Vote	Merit
Sworn 2 Vote	Merit
<u>Allegation 2</u>	
Violation of the P&P Manual	
Civilian 1 Vote	Merit
Civilian 2 Vote	Merit
Sworn 1 Vote	Merit
Sworn 2 Vote	Merit
<u>Allegation 3</u>	
Violation of the P&P Manual	
Civilian 1 Vote	Merit
Civilian 2 Vote	Merit
Sworn 1 Vote	Merit
Sworn 2 Vote	Merit

Panelists in Attendance (Sign below)

Panelist 1

Phillip Trebatoski

Civilian 1

Panelist 2

Ngoc Nguyen

Civilian 2

Panelist 3

Melissa Chiodo

Sworn 1

Panelist 4

Todd Gross

Sworn 2

The Chair is

Phillip Trebatoski

Civilian/Sworn

Incident Summary

It is alleged that on February 16, 2015, Officer Blake Moua met an individual by the name of [REDACTED] at the S.O.C., located at 4119 Dupont Ave N. On February 16, 2015, Officer Moua was not listed as "On Duty" in Workforce Director. For that day, officer Moua was listed as using a "Holiday." [REDACTED] was a civilian that Officer Moua agreed to meet at the S.O.C. Officer Moua agreed to assist [REDACTED] with an up-coming job interview she had.

13.82 stated she and Officer Moua left the S.O.C. on February 16, 2015, in a City of Minneapolis vehicle, 13.82 Officer Moua drove with 13.82 to a restaurant in North East Minneapolis for Lunch.

Using the same City of Minneapolis vehicle, Officer Moua then drove the two of them to the Sky Line Motel, located at 4889 Old Hwy 8, Mounds view and checked them into room #34.

13.82 and Officer Moua had sexual intercourse.

13.82 claimed to have taken several pictures of the identification number of the City of Minneapolis vehicle that Officer Moua operated on February 16, 2015. One of the pictures was taken from inside of the City of Minneapolis vehicle and had the Sky Line Motel in the background. 13.82 claimed to have taken the pictures while Officer Moua was checking them into the motel. 13.82 sent these pictures along with the e-mail to A.C. Clark.

Officer Moua came to the internal Affairs Unit on April 25, 2015 and gave a recorded statement. Officer Moua was advised of Garrity. After that interview, additional information was discovered about the case.

Officer Moua came to the Internal Affairs Unit again on June 19, 2015 and gave a recorded statement. Officer Moua was advised of Garrity. Officer Moua gave conflicting answers from his previous interview. Officer Moua admitted that he had been untruthful in answering some of the questions asked of him on April 25, 2015.

Allegations

1. Violation of the Policy and Procedure Manual § 4-401 Vehicle Responsibility: That Officer Moua used the City of Minneapolis vehicle in an improper way.
2. Violation of the Policy and Procedure Manual § 5-102 Code of Ethics: That Officer Moua engaged in on or off-duty conduct that would tarnish or offend the ethical standards of the department.
3. Violation of the Policy and Procedure Manual § 2-106 Complaint Investigations – Garrity Decision: That Officer Moua was not truthful in his interview with the Internal Affairs Unit.

Allegation #1: Violation of the Policy and Procedure Manual § 4-401 Vehicle Responsibility

That Officer Moua's use of the City of Minneapolis vehicle violated MPD Policy.

Supportive Findings:

The panel finds merit with this allegation. Officer Moua admitted to using the City of Minneapolis vehicle when he was not "On Duty." The statement and the photographic evidence provided by the complainant also support this allegation.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REMAND <input type="checkbox"/>	SPLIT <input type="checkbox"/>
<i>This allegation has merit.</i>	<i>This allegation does not have merit.</i>	<i>Remand to investigation for additional information.</i>	<i>There is no majority vote.</i>

Allegation #2: Violation of the Policy and Procedure Manual § 5-102 Code of Ethics That Officer Moua engaged in on or off-duty conduct that would tarnish or offend the ethical standards of the department.

Supportive Findings:

The panel finds merit with this allegation. Officer Moua used a City of Minneapolis vehicle for personal reasons. While representing the City of Minneapolis he offered to mentor the complainant and used his position of authority as a means to engage in a personal, sexual relationship with the complainant.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REMAND <input type="checkbox"/>	SPLIT <input type="checkbox"/>
<i>This allegation has merit.</i>	<i>This allegation does not have merit.</i>	<i>Remand to investigation for additional information.</i>	<i>There is no majority vote.</i>

Allegation #3: Violation of the Policy and Procedure Manual § 2-106 Complaint Investigations – Garrity Decision

That Officer Moua was not truthful in his interview with the Internal Affairs Unit.

Supportive Findings:

Panel finds merit with this allegation. Officer Moua admitted to being untruthful in his interview with the Internal Affairs Unit.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	REMAND <input type="checkbox"/>	SPLIT <input type="checkbox"/>
<i>This allegation has merit.</i>	<i>This allegation does not have merit.</i>	<i>Remand to investigation for additional information.</i>	<i>There is no majority vote.</i>

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

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
15-06226			February 16, 2015		
Location of Incident		City/State/Zip		Date of Complaint	
4720 Central Ave. NE		Columbia Heights, MN 55421		March 31, 2015	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
13.43 [REDACTED]					{?}
Home Address		City/State/Zip		Primary Telephone	
{?}{?}		{?}, {?} {?}			
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Blake Moua #4882		<p>OPCR Ord. § 172.20(8) Violation of the P&P Manual MPD P&P § 4-401 VEHICLE RESPONSIBILITY. Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them MPD P&P § 5-102 CODE OF ETHICS. 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. MPD P&P § 2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION. All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.</p>			
ALLEGATION SUMMARY					
Joint Supervisors learned a woman had a sexual relationship with officer and the officer allegedly drove her to a hotel in an undercover squad car.					
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					
IAU Commander				Date	
[Signature]				12/1/15	
Director - Office of Police Conduct Review				Date	
[Signature]				12/1/15	

TABLE OF CONTENTS

O.P.C.R. Case #15-06226

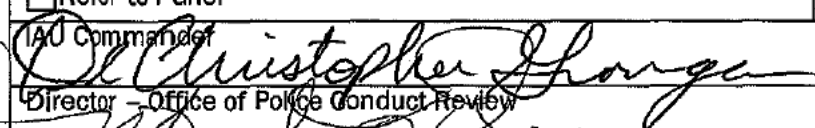
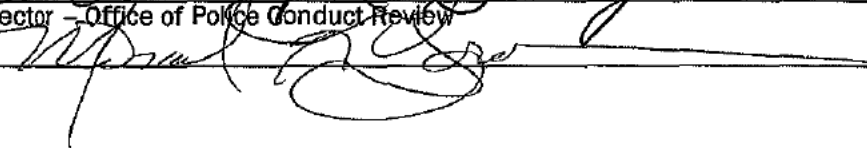
- 00- Discipline Worksheets
- 01- Table of Contents
- 02- Complaint Form #3401 for April 25th, 2015, I.A.U. Interview
- 03- Complaint Form #3401 for June 19th, 2015, I.A.U. Interview
- 04- Case Summary
- 05- Statement by Officer Blake Moua taken on April 25th, 2015
- 06- Statement by Officer Blake Moua taken on June 19th, 2015
- 07- [REDACTED] 13.43
- 08- E-mails sent by Complainant 13.82 [REDACTED]
- 09- Photographs submitted by Complainant [REDACTED]
- 10- Photographs taken by Sgt. Michael Heyer
- 11- Officer Blake Moua's Workforce Director Schedule for February 8th, 2015 thru
March 7th, 2015
- 12- Officer Blake Moua's Employee Access Card Information for the S.O.C. for
February 2015
- 13- Fueling Records for City of Minneapolis Vehicle, [REDACTED] for the month of
February 2015
- 14- D.V.S. Data Request for [REDACTED] for the month of February 2015
- 15- Sky Line Motel Registration Form
- 16- Weather Report Information for February 16th, 2015

17- Notification of Request for Interview Letters

18- MPD Policy and Procedure

19- Employee Profile

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

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
15-06226			February 16, 2015		
Location of Incident		City/State/Zip		Date of Complaint	
4720 Central Ave. NE		Columbia Heights, MN 55421		March 31, 2015	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
13.82 [REDACTED]					(?)
Home Address		City/State/Zip		Primary Telephone	
(?) (?)		(?), (?) (?)			
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Blake Moua #4882		OPCR Ord. § 172.20(8) Violation of the P&P Manual MPD P&P § 4-401 VEHICLE RESPONSIBILITY. Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them MPD P&P § 5-102 CODE OF ETHICS. 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.			
ALLEGATION SUMMARY					
Joint Supervisors learned a woman had a sexual relationship with officer and the officer allegedly drove her to a hotel in an undercover squad car.					
SUPERVISOR ASSESSMENT					
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>Heyer - Sworn</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					
IAU Commander 				Date 4-9-15	
Director - Office of Police Conduct Review 				Date 4.9.15	

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

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
15-06226			February 16, 2015		
Location of Incident		City/State/Zip		Date of Complaint	
4720 Central Ave. NE		Columbia Heights, MN 55421		March 31, 2015	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
13.82					{?}
Home Address		City/State/Zip		Primary Telephone	
{?}{?}		{?}, {?} {?}			
BADGE/NAME		ALLEGED POLICY VIOLATIONS			
Blake Moua #4882		<p>OPCR Ord. § 172.20(8) Violation of the P&P Manual MPD P&P § 4-401 VEHICLE RESPONSIBILITY. Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them MPD P&P § 5-102 CODE OF ETHICS. 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. MPD P&P § 2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION. All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.</p>			
ALLEGATION SUMMARY					
Joint Supervisors learned a woman had a sexual relationship with officer and the officer allegedly drove her to a hotel in an undercover squad car.					
SUPERVISOR ASSESSMENT					
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>Michael Herfer</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 IAP Commander <i>Christopher George</i> Director - Office of Police Conduct Review			Date <i>6/2/15</i> Date <i>6.2.15</i>		

Office of Police Conduct Review Investigative Report

Complaint Number: 15-06226

Investigator: Sgt. Michael Heyer

Officer(s): Officer Blake Moua

Jurisdiction: M.C. O. §§ 172.20

Date of Incident: February 16th, 2015

Complaint Filed: March 3rd, 2015

CASE OVERVIEW

On March 5th, 2015, I received this case for investigation from Lt. Halvorson. Lt. Halvorson gave me a copy of e-mail correspondence that was sent from an individual who identified herself as [REDACTED] to Assistant Chief Matthew Clark. The e-mail was dated March 3rd, 2015 at 2204 hours.

A synopsis of the e-mail is as follows; [REDACTED] met Officer Moua and they instantly had a "cordial acceptance" of one another [REDACTED]. They developed a friendship and were in communication with each other. [REDACTED] stated that they met a couple of times for lunch/dinner. [REDACTED] stated that she shared with Officer Moua that she was in the process of looking for employment. Officer Moua offered to assist her by conducting mock interviews with her. She stated they scheduled an appointment to meet on Monday, February 16th, 2015 at the S.O.C., located at 4119 Dupont Ave. N.

[REDACTED] stated they did meet at the S.O.C. on February 16th, 2015 and conducted a mock interview. She stated they then went out for lunch. [REDACTED] alleges Officer Moua used an undercover squad car [REDACTED] to drive them away from the S.O.C.

[REDACTED] stated they had lunch and then Officer Moua drove them to the Sky Line Motel, located at 4889 Old Hwy 8, Mounds View and checked them into room #34. [REDACTED] and Officer Moua had sexual intercourse. [REDACTED] acknowledged she aware that [REDACTED]

[REDACTED] stated she met Officer Moua again on February 21st, 2015 at the Motel 6, located at 2300 Cleveland Ave. N., Roseville, room #324. [REDACTED] and Officer Moua again had sexual intercourse.

████████ stated she struggles with feelings of guilt, shame and forgiveness, over the acts.

████████ stated she was not calling attention to Officer Moua for any personal gain nor was she seeking legal action against him. She would like to see him no longer working directly with ██████████ where he may have access to ██████████ on a daily basis.

SUMMARY OF ALLEGATIONS

Allegation:

It is alleged that on February 16th, 2015, Officer Blake Moua met an individual by the name of ██████████ at the S.O.C., located at 4119 Dupont Ave. N. On February 16th, 2015, Officer Moua was not listed as "On Duty" in Workforce Director. For that day, Officer Moua was listed as using a "Holiday." ██████████ was a civilian that Officer Moua agreed to meet at the S.O.C. Officer Moua agreed to assist ██████████ with an up-coming job interview she had.

████████ stated she and Officer Moua, left the S.O.C. on February 16th, 2015, in a City of Minneapolis vehicle; ██████████ Officer Moua drove with ██████████ to a restaurant in North East Minneapolis for lunch.

Using the same City of Minneapolis vehicle, Officer Moua then drove the two of them to the Sky Line Motel, located at 4889 Old Hwy 8, Mounds View and checked them into room #34. ██████████ and Officer Moua had sexual intercourse.

████████ claimed to have taken several pictures of the identification number of the City of Minneapolis vehicle that Officer Moua, operated on February 16th, 2015. One of the pictures was taken from inside of the City of Minneapolis vehicle and had the Sky Line Motel in the background. ██████████ claimed to have taken the pictures while Officer Moua was checking them into the motel. ██████████ sent these pictures along with the e-mail to A.C. Clark.

Officer Moua came to the Internal Affairs Unit on April 25th, 2015 and gave a recorded statement. Officer Moua was advised of Garrity. After that interview, additional information was discovered about the case.

Officer Moua came to the Internal Affairs Unit again on June 19th, 2015 and gave a recorded statement. Officer Moua was advised of Garrity. Officer Moua gave conflicting answers from his previous interview. Officer Moua admitted that he had been untruthful in answering some of the questions asked of him on April 25th, 2015.

Officer Moua is alleged to be in violation of the following MPD policies and procedures:

4-401 VEHICLE RESPONSIBILITY: Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them.

5-102 CODE OF ETHICS: 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.

2-106: COMPLAINT INVESTIGATIONS – GARRITY DECISION: All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.

EVIDENCE

1. Statements

- a) Two, recorded statements were obtained from Officer Blake Moua.
- b) 13.43 [REDACTED]
- c) Complainant/[REDACTED] refused to give a recorded statement.

2. Records

- a) E-mails from Complainant/[REDACTED]
- b) Photographic evidence submitted by [REDACTED]
- c) Photographic evidence submitted by Sgt. Michael Heyer.
- d) Officer Blake Moua Employee Access Card information for the month February 2015 at the S.O.C.
- e) Workforce Director schedule information.
- f) Sky Line Motel registration information.
- g) Weather report for February 16th, 2015.

SUMMARY OF EVIDENCE

On March 5th, 2015, I received this case for investigation from Lt. Halvorson. Lt. Halvorson gave me a copy of e-mail correspondence that was sent from an individual who identified herself as [REDACTED] to Assistant Chief Matthew Clark. The e-mail was dated March 3rd, 2015 at 2204 hours.

A synopsis of the e-mail is as follows, [REDACTED] met Officer Moua and they instantly had a "cordial acceptance" of one another [REDACTED]. They developed a friendship and were in communication with each other. [REDACTED] stated that they met a couple of times for lunch/dinner. [REDACTED] stated she shared with Officer Moua

that she was in the process of looking for employment. Officer Moua offered to assist her by conducting mock interviews with her. She stated they scheduled an appointment to meet on Monday, February 16th, 2015 at the S.O.C.

██████████ stated they did meet at the S.O.C. on February 16th, 2015 and conducted a mock interview. She stated they then went out for lunch. ██████████ alleges Officer Moua used an undercover squad car ██████████ to drive them away from the S.O.C.

██████████ stated they had lunch and then Officer Moua drove them to the Sky Line Motel, located at 4889 Old Hwy 8, Mounds View and checked them into room #34. ██████████ and Officer Moua had sexual intercourse. ██████████ acknowledged she aware that ██████████

██████████ stated she met Officer Moua again on February 21st, 2015 at the Motel 6, located at 2300 Cleveland Ave. N., Roseville, room #324. ██████████ and Officer Moua again had sexual intercourse.

██████████ stated she struggles with feelings of guilt, shame and forgiveness, over the acts.

██████████ stated she was not calling attention to Officer Moua for any personal gain nor was she seeking legal action against him. ██████████ did not want Officer Moua to be working directly with ██████████ 13.43 ██████████

██████████ e-mailed several pictures that she claimed to have taken on the day she was at the Sky Line Motel with Officer Moua. One of the pictures appeared to have been taken from inside of a vehicle. The view was from someone inside a vehicle, taking a picture out of the front, driver's side window. In the picture was a sign that read "office," next to a glass door. The second picture was of a white sticker that had the numbers ██████████ on it. The third picture was out of focus, but appeared to be of the same numbered sticker on the dashboard area of a vehicle.

Copies of the e-mails correspondence and pictures will be included in the case file.

On March 6th, 2015, I called the phone number listed for ██████████. I left her a voice message informing her who I was, why I was attempting to contact her and that I was requesting to interview her in regards to this matter. An individual called me back on the same day and identified herself as ██████████ ██████████ agreed to come to the I.A.U. on March 13th, 2015 at 1000 hours for an interview. On the morning of March 13th, 2015, I received a voice message from ██████████ stating she would not be meeting with me for our scheduled interview. She further stated she was going out of town for an extended period of time and would be back in April. I left her a phone message, stating that I had received her message and asked her to contact me.

On March 19th, 2015, I received a copy of an e-mail that ██████████ had sent to A.C. Clark. ██████████ ██████████ was therefore not moving forward with a formal complaint against Officer Moua. ██████████ left me a message stating the matter had been resolved and that she would not be

giving me a statement.

A copy of this e-mail will be included in the case file.

On March 20th, 2015, I contacted Dahya Bhakta, a manager at the Sky Line Motel. I informed him who I was and that I was conducting an investigation. Bhakta was asked if an individual by the name of Blake Moua had checked into his motel on February 16th, 2015. Bhakta stated a Blake Moua did check in on that date. Blake Moua paid \$50.00, cash for one night's stay. He was assigned to room #34. I asked Bhakta if on the registration, if any vehicle information was listed for Blake Moua. Bhakta informed me there was not a license plate listed, but for the vehicle it stated, [REDACTED] No color was listed.

Bhakta was asked if the motel had security cameras. He stated there were cameras at the motel. I asked him if there may be any footage for February 16th, 2015. He stated there was not. He stated the system only stores footage for one week.

On March 20th, 2015, I contacted Elennie, a manager at the Motel 6, located at 2300 Cleveland Ave. N., Roseville, MN. I informed her who I was and that I was conducting an investigation. Elennie was asked if an individual by the name of Blake Moua had checked into her motel on February 21st, 2015. She stated a Blake Moua did check in on that date. She stated a Blake Moua paid \$61.66 cash, for one night's stay. He was assigned to room #324. I asked her if on the registration, if any vehicle information was listed for Blake Moua. She stated there was no make or model listed, but a license plate number was listed. The license plate was [REDACTED] I asked her if the motel had security cameras. She stated it did, but the cameras did not cover the motel parking lot.

On April 25th, 2015 at approximately 1500 hours, Officer Blake Moua came to the MPD Internal Affairs Unit for a recorded statement. Also present was Officer Cory Fitch of the Minneapolis Police Federation.

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

Officer Moua was 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: 5-102 CODE OF ETHICS; 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. 4-401 VEHICLE RESPONSIBILITY; Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them.

Officer Moua was informed that it was alleged that on February 16th, 2015, he brought [REDACTED] into the S.O.C., located at 4119 Dupont Ave. N. Later on that same day, he and [REDACTED] went to a

motel and had sexual intercourse. It was alleged that he used a City of Mpls. vehicle to transport 13.43. He then met with 13.43 again on February 21st, 2015 and again had sexual intercourse in a motel room.

Officer Moua confirmed that he was being called to explain the circumstances regarding these events.

Officer Moua was asked if he knew an individual by the name of 13.43. He stated he did. He was asked if he recalled the first time he met 13.43. He stated it was in the fall of 2014. He met her at an 13.43 meeting. He did not know the location, but stated that it was in North Minneapolis. I asked him if they had a personal or professional relationship. He stated it was personal.

I informed Officer Moua that I had copies of e-mails that 13.43 had allegedly composed. The e-mails contained documentation of her encounters with him. He was asked if he and 13.43 had a common background or upbringing. 13.43

13.43

Officer Moua stated 13.43 informed him she had an Order for Protection in place on her husband. Officer Moua stated she asked him for some advice on the matter. He stated he met with her on a few occasions over approximately one month. He stated 13.43 told him she had an ex-husband. However, 13.43 was still 13.43 informed him; she and her husband had been living apart for approximately one year.

Officer Moua stated 13.43 recommended that they sleep together. Officer Moua stated on the day of February 21st, 2014, 13.43 husband showed up at the Motel 6, in Roseville. The Order for Protection was still in effect. Officer Moua stated when the husband showed up; he called the Roseville Police Department to report the violation. Officer Moua believed this was the root of much of 13.43 anger.

13.43

13.43

Officer Moua was asked if he has been in contact with [REDACTED] since March 14th, 2014 and he stated he had not.

Officer Moua was asked if on either February 16th or February 21st of 2015; if anyone else had seen him and [REDACTED] together. He stated he was not aware of anyone else, other than her husband, who showed up at the Motel 6 on February 21st of 2015.

Officer Moua was asked if [REDACTED] was aware [REDACTED]
[REDACTED] He was asked if there were any promises made between them about where the relationship was headed. He stated there were not.

I informed Officer Moua that Workforce Director showed that on February 16th and 21st of 2015, he was not scheduled to be working. February 16th, 2015 was scheduled as a "Holiday." February 21st, 2015 was scheduled as "Off." He stated that was correct.

Officer Moua was asked if on February 16th, 2015, if he had offered to help [REDACTED] with an interview. Officer Moua stated he had agreed to help [REDACTED] with a mock interview at the S.O.C. Officer Moua did not recall the exact date of when they conducted the interview, but stated that it did not occur on either of the days when they went to a motel. He stated he believed the mock interview was conducted the week prior to the motel dates and that he was on-duty, when he helped her with the interview.

In regards to the mock interview, Officer Moua stated [REDACTED] was seeking a new job and asked him if he could help her by conducting a mock interview with her. He stated they agreed to meet at the S.O.C. to conduct the mock interview. Officer Moua stated [REDACTED] arrived separately; of her own accord. This occurred while he was still assigned to [REDACTED] Officer Moua stated after the mock interview, they went their separate ways. He stated they did not have lunch or go to a motel that day. Officer Moua was asked if anyone may have seen him and [REDACTED] together at the S.O.C. He believed that the mock interview took place in the morning and that there were people present at the S.O.C. He did not recall any specific names.

Officer Moua was asked about what transpired on February 16th, 2015. He stated he met [REDACTED] at the Columbia Restaurant in N.E. Minneapolis. He did not know the address of the restaurant, but stated it was on Central Ave., near the 2nd Pct. He stated they had driven to the restaurant separately. He stated they had lunch and that [REDACTED] informed him that she wanted to sleep with him. From the restaurant they went to the Sky Line Motel.

I informed Officer Moua I had called the motel and they confirmed that he had rented a room on that date. He had paid \$50.00 cash for the room and was assigned to room number 34. I asked Officer Moua if he and [REDACTED] had driven to the motel together or separately. He stated they had driven

separately. Officer Moua was asked what type of vehicle he had driven that day. He stated he had driven one of his personal vehicles; a [REDACTED] 13.43 [REDACTED]. Officer Moua was asked if he may have been using an unmarked, City of Minneapolis vehicle and he stated he absolutely had not.

Officer Moua was shown a picture of the Sky Line Motel, located at 4928 Old Hwy 8, N.W., Mounds View. He stated that was the motel he was at with [REDACTED] 13.82 [REDACTED] on February 16th, 2015.

Officer Moua was shown a picture of the Motel 6, located at 2300 Cleveland Ave. N., Roseville. He stated that was the motel he was at with [REDACTED] 13.82 [REDACTED] on February 21st, 2015.

Officer Moua was then shown the pictures that were allegedly taken by [REDACTED] 13.82 [REDACTED] on the day she was at the Sky Line Motel with him. I showed him three pictures. One appeared to have been taken from inside of a vehicle. The view was from someone inside a vehicle, taking a picture out of the front, driver's side window. In the picture was a sign that read "office," next to a glass door. The second picture was of a white, sticker that had the numbers [REDACTED] on it. The third picture was out of focus, but appeared to be of the same numbered sticker on the dashboard area of a vehicle.

I informed Officer Moua that [REDACTED] 13.82 [REDACTED] claimed she was in a City of Minneapolis vehicle, when she took these pictures.

Officer Moua looked at the first picture. He believed it was a picture taken of the office door of the Sky Line Motel.

Officer Moua stated this picture was not taken from inside of the vehicle he had driven to that location on February 16th, 2015.

We then looked at the second picture that had the number [REDACTED] on it. I informed Officer Moua that [REDACTED] 13.43 [REDACTED]. The vehicle was assigned to the [REDACTED]. Officer Moua stated he was not using that vehicle on February 16th or 21st of 2015. Officer Moua stated if I could obtain the motel video from either motel, it would not show him using a City of Minneapolis vehicle.

Officer Moua was asked what type of vehicle [REDACTED] was driving when she met him at the motels. He believed she was using a [REDACTED] 13.43 [REDACTED]. On February 16th, Officer Moua believed he was driving a [REDACTED]. Officer Moua stated he also owned a [REDACTED].

Officer Moua was asked if [REDACTED] ever entered his vehicle, when they arrived at the Sky Line Motel. He stated she did not. He did not know how she obtained the pictures we were looking at. When Officer Moua looked at the pictures again, he stated the one that showed the "office" sign in the background, may have been taken from inside of his personal vehicle or [REDACTED] vehicle. He stated he never saw [REDACTED] inside of his vehicle. He stated [REDACTED] may have gone inside his vehicle, when he was checking into the motel.

Officer Moua stated the picture with the number [REDACTED] was not taken on either of the dates in question. He stated [REDACTED] may have taken the two pictures with the [REDACTED] numbers on them, when [REDACTED] was riding with himself and Officer Kou Vang. He stated they had transported her once or twice in that City vehicle.

Officer Moua was again asked if he had ever used a City of Minneapolis vehicle for personal or off-duty reasons. He stated he had not.

Officer Moua was asked about the meeting he had with [REDACTED] on February 21st, 2015. He stated they had driven separately to the Motel 6. I informed him that I had contacted a manager at the motel. They informed me that a license plate had been recorded as part of the registration process. The license plate was [REDACTED]. Officer Moua stated that was the license plate for his [REDACTED] which he drove to that location.

Officer Moua was asked about the actions that took place, once he and [REDACTED] were at the motels. He stated the sexual intercourse was consensual. There was no force or coercion involved. He stated the encounters were [REDACTED] idea.

Officer Moua was asked about the motel security footage for the two days in question. He was asked if the footage from either motel would show him using a City of Minneapolis vehicle on either occasion. He stated in both videos it would show him using one of his personal vehicle and [REDACTED] using her personal vehicle.

Officer Moua was asked what he was wearing when he met [REDACTED] on February 16th, 2015. He stated he was in plain clothes. He was carrying his duty weapon and a badge. He was asked if he was carrying these items to intimidate [REDACTED] in any way. He stated he was not. Officer Moua stated he nearly always carries his gun and badge with him. He stated [REDACTED] had seen him dressed like this in the past. He stated once inside the motel room, they had sexual intercourse. He stated no "protection" was used. After the intercourse, they cleaned up and went their separate ways.

Officer Moua was then asked about the incident on February 21st, 2015. He stated [REDACTED] texted him and recommended that they meet at the Motel 6. Officer Moua stated he arrived at the motel before [REDACTED]. He could not say for certain, but believed she was driving a dark green, Toyota truck, when she met him on February 21st. Officer Moua paid for the motel room in cash, for one night's stay. He was again wearing plain clothes and was in possession of his duty weapon and badge.

Officer Moua stated if the motel security footage was located, it would show him in his personal vehicle [REDACTED].

Officer Moua was asked if he recalled if he filled out his vehicle information at either of the motels he checked into. He did not recall if he did at the Sky Line Motel, but believed he did at the Motel 6.

I informed Officer Moua that the manager at the Sky Line Motel informed me that for Blake Moua's

registration information, they had listed a [REDACTED] 13.82 for a vehicle, but no license plate number. I asked Officer Moua if he could explain why the motel would have that information. He believed it was a mistake on his part. Moua stated he may have thought he was driving a City vehicle, but on that day, he was not. Moua stated he was driving his [REDACTED] 13.43

Officer Moua was asked if he had any facts concerning this incident that he had knowledge of, but had not disclosed. He stated [REDACTED] 13.82 was the one who wanted the relationship and then later turned around and lied about it to him [REDACTED] 13.82. He stated [REDACTED] 13.82 later recanted the lies in [REDACTED] meetings with [REDACTED] 13.82. He believed the reason [REDACTED] contacted the MPD about their affair was because she was angry and frustrated with him.

Officer Moua was asked if there was anything else he would like to add to this statement that I had not asked him. He stated the motel videos would help clear any allegations against him. He acknowledged this was a true and accurate statement.

Officer Moua was then advised that: PER MPD POLICY AND PROCEDURE, SECTION 5-107.8, HE WAS NOT TO DISCUSS THIS INTERVIEW OR CASE INVESTIGATION WITH ANYONE OTHER THAN HIS FEDERATION/UNION REPRESENTATIVE OR ATTORNEY. The interview was then concluded.

On June 4th, 2015, I inter-office mailed Officer Moua 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 11th, 2015, I received an initialed and signed copy of the statement from Officer Moua.

I went up to the S.O.C. and found the possible City of Minneapolis vehicle involved in the case; P [REDACTED]. I looked at the windshield to see if there was a sticker in the top, driver's corner, of the windshield.

I observed a sticker in the top, driver's corner of the windshield. The sticker read; next service, date: 3-30-15, mileage: 66700 and oil grade. The same sticker, with identical information listed, appeared to be in the picture submitted by [REDACTED]

I photographed the vehicle and the sticker on the windshield. The sim card containing the pictures was later property inventoried.

I obtained the keys for [REDACTED]. I drove the vehicle to the Sky Line Motel, located at 4928 Old Hwy 8 N.W., Mounds View. I parked the vehicle near the office door located on the east side of the structure. From the front passenger seat, I took several pictures through the front, driver's side window. The office sign and door could be seen in the picture, along with the sticker located on the windshield. The sim card containing these pictures was later property inventoried.

I went into the office of the Sky Line Motel. I was met by Tarulatta Bhakta, an employee of the motel. I informed her who I was and that I was conducting an investigation. She retrieved the registration card

for Officer Moua's rental. The card listed the following information: Blake Moua, [REDACTED] and Blake Moua's signature. The room number was listed as #34, for check in date: 2/16/15, check out date: 2/17/15, total charges for the room: \$50.00. Bhakta allowed me to take the receipt; which was later property inventoried. The registration card did not list the time when Blake Moua checked in to the motel.

On May 11th, 2015, I brought the photographic evidence I had received from [REDACTED] to the Crime Lab Computer Forensics room. Officer Hoff processed the evidence. Officer Hoff informed me that he could not obtain a date or time stamp for the photographs. Officer Hoff was not given any information about the case or who was involved.

On May 12th, 2015, I left [REDACTED] a phone message. In the message I asked for her to contact me to address some issues I was having with the case. On May 12th, 2015, [REDACTED] called me back. I asked her about the pictures she had e-mailed to AC Clark. She stated she took the pictures on her iPhone. She stated she took the pictures on February 16th, 2015. I asked her if the pictures would be dated and or time stamped. She stated she did not know. I asked her if the pictures were still on her cell phone. She stated they were not. She stated near the end of April 2015, she "reset" her phone and that all of her pictures and text messages were gone. She stated she would get some technical advice and find out if any of the data could be recovered.

On May 13th, 2015, I spoke with and sent an e-mail to Geri Richart. Richart works for the City of Minneapolis Finance and Property Services Division. I informed Richart who I was and that I was conducting an investigation. I asked her to provide me with the access card information for Officer Blake Moua for the month of February 2015 at the S.O.C., located at 4119 Dupont Ave. N.

On May 13th, 2015, I received the data from Richart. The data provided to me for Officer Moua, showed that on February 16th, 2015, his access card was used at 0925 hours, 0929 hours, 0931 hours and 1840 hours at the S.O.C. The data listed at 0925 hours, 0929 hours and 1840 hours, indicated that access to the facility was at the north gate. The 0931 hours access was listed at the north west entry of the facility. A copy of this information will be included in the case file.

I called the S.I.C. and asked if there was any security cameras located at the S.O.C. I was told [REDACTED]

On May 15th, 2015, I contacted the Fleet Manager for the City of Minneapolis vehicles; Andy Williams. Williams was asked for the fueling records of the vehicle with [REDACTED], for the month of February 2015. I requested the identification numbers of the individuals who fueled the vehicle and the dates and times the fueling occurred.

I received e-mails from Andy Williams and Paul Thompson, from Fleet services. The e-mails contained the fueling records for the vehicle assigned to [REDACTED]. For the month of February, 2015, the records showed the vehicle had been fueled three times at a City of Minneapolis fueling station. The records

showed on February 2nd, 2015 at 1610 hours, badge number 4882, pumped 12.4 gallons of gasoline. The location was listed as fueling station #2710, which is located at 2710 Pacific St. N. Officer Blake Moua is assigned to badge number 4882. The records showed on February 11th, 2015 at 1122 hours, badge number 4882, pumped 11.6 gallons of gasoline. The location was listed as fueling station #2710.

The records showed the third fueling on February 18th, 2015. The fueling took place at 0804 hours. Badge number 7373, pumped 9.9 gallons of gasoline. The location was listed as fueling station #2710. Badge number 7373 is assigned to Officer Kou Vang.

These records will be included in the case file.

On May 19th, 2015, I called [REDACTED] to check on the status of the pictures she had taken on her iPhone. [REDACTED] stated she had not contacted her phone provider about the issue. I asked her if she would be willing to give me a recorded statement in regards to my investigation. She stated she did not want to provide me one.

I asked [REDACTED] if she could clarify a few things for me, while I had her on the phone. I asked her about what had transpired on February 16th, 2015. She stated she met Officer Moua at the S.O.C. on February 16th, 2015 at approximately 1030 hours. She drove to that location in her [REDACTED]. She stated she sent Officer Moua a text message when she arrived, to let him know that she was there. She stated Officer Moua let her in the door, near the "flag pole" of the facility.

Officer Moua gave her a quick tour of the facility and they then used a conference room to conduct the "mock" interview. I asked [REDACTED] she saw anyone else in the facility when they were there. She stated she did not. She stated they were at the S.O.C. for approximately one hour.

[REDACTED] stated she and Officer Moua, entered the vehicle that she took the pictures of on her cell phone. She and Officer Moua, left the S.O.C. together in that vehicle. She and Officer Moua then went to the La Columbia restaurant, located at 2205 Central Ave. N.E., Mpls. and had lunch. [REDACTED] believed they were at the restaurant from approximately 1200 to 1300 hours.

[REDACTED] stated she and Officer Moua drove together in the same vehicle that Officer Moua had taken from the S.O.C., to the Sky Line Motel in Mounds View. She believed they arrived at the motel at around 1330 to 1400 hours. She stated Officer Moua went into the motel office alone, to check them into a room. She stated, while he was doing this, she took the pictures of the vehicle and the one showing the "office" in the background. I asked her why she took these pictures. She stated she likes to take pictures. She also stated she likes to take pictures to preserve memories and events.

[REDACTED] believed that she and Officer Moua left the motel at around 1730 hours. [REDACTED]
[REDACTED]
[REDACTED]

[REDACTED] stated Officer Moua brought her back to the S.O.C. and dropped her off at her vehicle.

I asked [REDACTED] if she had been in the vehicle she had taken pictures of before. She did not know. The reason being was that Officer Moua had come to her job in the past and she had sat in a vehicle with him to talk.

[REDACTED] was asked if Officer Moua had driven that same vehicle to the Motel 6, on February 21st, 2015. She stated he did not. She believed he was in a [REDACTED] on February 21st, 2015.

[REDACTED] ended our conversation and stated that she may try to contact her phone company about the pictures she had taken on February 16th, 2015. I asked her if she would be willing to come to the I.A.U. with her phone and allow an officer in the Crime Lab Computer Forensics Unit to attempt to locate the pictures. She stated she would have to think about that and get back to me.

On May 22nd, 2015, I received a voice message from [REDACTED]. She stated she would not be allowing me to process her cell phone for possible data, relating to the pictures she allegedly took on February 16th, 2015. I called [REDACTED] back on the same day and was able to speak to her. She informed me that she would not be giving me a recorded statement. She stated she had contacted Apple about possibly retrieving the pictures on her cell phone. She was informed that the data was gone.

On May 20th, 2015, I spoke with Timothy Skarda, of the City Attorney's Office. I asked him if I could use D.V.S. (Driver Vehicle Services) to look up the vehicles that are registered to an officer that is involved in a case I was investigating. Skarda did not have a definitive answer for me, but said that he would do some research and get back to me with an answer as soon as possible. I was not contacted by Skarda.

On May 26th, 2015, I went to M.E.C.C. I obtained copies of the "off duty" jobs that were logged on to for the date of February 16th, 2015. Officer Blake Moua's, badge number 4882, was not recorded as being assigned to an "off duty" site on that date.

A Work Order was completed and e-mailed to the MPD Crime Lab to have the pictures processed that I had taken with a City camera. I later received a CD containing the pictures. The CD and pictures will be included in the case file.

I went on a weather history website and ran a report for February 16th, 2015. [REDACTED] stated her and Officer Moua arrived at the Sky Line Motel at approximately 1330 to 1400 hours on February 16th, 2015. The weather report stated that from 0745 hours to 1655 hours, there was "light snow" fall. In the picture that [REDACTED] provided me from allegedly inside an unmarked, City of Minneapolis vehicle, there appears to be light snow fall in the picture. The weather report will be included in the case file.

On June 17th, 2015, I contacted Gary Link with the MN Bureau of Criminal Apprehensions. I informed Link who I was and that I was assigned to the MPD Internal Affairs Unit. I inquired about a Data Request for any information his agency may have on [REDACTED], for the month of February 2015. Link sent me the information for my request. The information noted that

there had been no DVS access for that vehicle during that time frame. The report will be included in the case file.

On June 17th, 2015, I contacted Officer David Horvath, assigned to the S.I.C. I asked Officer Horvath questions in regards to the License Plate Recognition (L.P.R.) system. Officer Horvath informed me where the equipment was positioned and informed me that the data was stored for 60 days. Officer Horvath was not given any information or specifics about my investigation. I contacted Officer Horvath to see if I could obtain information about the City of Mpls. Vehicle that Officer Moua was alleged to have used on February 16th, 2015. The 60 day storage retention had expired.

I went to M.E.C.C. I contacted a supervisor and asked if I could obtain information for which officers had requested an "off-duty" number for February 16th, 2015. I obtained the records for all officers who had worked "off-duty" on that date. Officer Blake Moua was not on those records.

On June 19th, 2015 at approximately 1500 hours, Officer Blake Moua came to the MPD Internal Affairs Unit for a recorded statement. Also present was Officer Cory Fitch of the Minneapolis Police Federation.

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

Officer Moua was advised 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 Policy and Procedure, 2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION.

MPD employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court).

All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.

All statements of involved police employees shall be signed and sworn. Any employee found to have intentionally given a false statement shall be subject to MPD disciplinary procedures, up to and including dismissal.

Officer Moua was advised that on February 16th, 2015, he allegedly brought [REDACTED] into the S.O.C., located at 4119 Dupont Ave. N. Later on that same day, he and [REDACTED] went to a motel and had sexual intercourse. It was alleged that he used a City of Mpls. vehicle to transport [REDACTED]. And that he and [REDACTED] met again on February 21st, 2015 and had sexual intercourse in a

motel room.

Officer Moua was informed that since our interview on April 25th, 2015, additional information had been revealed. This information needed to be addressed in regards to possible truthfulness in his previous statement taken under the Garrity warning.

Officer Moua was given a copy of the initialed and signed statement that was conducted on April 25th, 2015. I also informed him that I had spoken to [REDACTED] since that interview.

Officer Moua was asked if he had an MPD Identification/Access card. Officer Moua stated he did. He was asked if he allowed others to use his employee access card. He stated he did not. He was asked if he had ever allowed anyone to use his employee access card and he stated he did not.

Officer Moua was asked if he had ever lost his employee access card. He stated he had not.

Officer Moua was shown a copy of the Workforce Director paperwork that covers the 28-day cycle of February 8th through March 7th of 2015. The schedule listed Officer Moua as using a "Holiday" on February 16, 2015. Officer Moua stated that was correct. On February 21st, 2015, he was listed as "Off." Officer Moua stated this was correct.

I confirmed with Officer Moua that he was not working on either of those days.

Officer Moua was asked if he had worked an off-duty/part-time job on February 16th, 2015. He stated he did not.

Officer Moua was asked if on February 16, 2015, was he ever inside the S.O.C. facility, located at 4119 Dupont Avenue North. He stated he was.

Officer Moua was asked why he was at the S.O.C., if he was not scheduled to work. Officer Moua informed me that he went back and rethought what had transpired on February 16th, 2015. He stated he either came in for a community event meeting or came in to do a mock interview, which was not on City time. Officer Moua then stated he went to the S.O.C. to meet with [REDACTED].

Officer Moua was informed that his access card information had been obtained. He was asked if he could recall at what times he had used that access card on February 16th, 2015. He did not recall exact times, but stated the mock interview was set up for early in the morning that day. He believed it was after 8:00 a.m.

Officer Moua was informed his access card information showed the card was used at 0925, 0929, 0931, and 1840 hours at the S.O.C. on February 16, 2015. The card was used to access two, separate entrances. For the times listed at 0925, 0929 and 1840 hours, the access was listed as the north gate to the S.O.C. The 0931 hours access was listed as the north west entry to the facility. Officer Moua stated he normally parked in the back lot of the S.O.C., which he would access through the north gate and

enter the facility via the north west door.

Officer Moua was informed that in our previous interview, I had asked him if he had conducted a mock interview at the S.O.C. on February 16, 2015, in an effort to assist [REDACTED] with an upcoming interview she had. I informed Officer Moua he had told me that the mock interview with [REDACTED] did not take place on February 16, 2015. I had Officer Moua refer to pages 8 and 9 of our interview on April 25th, 2015. I also informed Officer Moua that [REDACTED] had informed me that she was sure the mock interview took place at the S.O.C. on February 16th, 2015.

Officer Moua was asked if he had been untruthful with me in our April 25th, 2015 interview, when asked that question. He stated that he was not. He stated at the time of the interview, he could not recall the chronological order of the events and that is why he gave me that statement. Officer Moua stated after giving it more thought, the mock interview did take place on February 16th, 2015 and that was the truth.

Officer Moua was asked what had occurred to refresh his memory. He was reminded that he had told me in our previous interview that the interview with [REDACTED] had not occurred on the same day as their lunch date and their visit to the Sky Line Motel.

Officer Moua stated there was a lot of confusion going on at the first interview, in regards to the chronological order of what actually had happened and the things that were unplanned for that day. Officer Moua stated he was confused and his memory was "fuzzy."

Officer Moua stated he looked at his car; after viewing the photographs from our previous interview and looked at his schedule. He stated the windows did not resemble anything close to his own car. He stated the pictures brought back his recollection of what transpired. Officer Moua stated "basically, I was stupid."

Officer Moua stated after our previous interview, he thought about the pictures he had been shown, he inspected his own vehicles and came to the realization that the mock interview did occur on February 16th, 2015. He stated since [REDACTED] had been to the S.O.C. a couple of other times, that may have caused him to be incorrect and that things were "fuzzy at the time." Officer Moua stated it was not his intention to tell me any lies in our previous interview.

He stated he then recalled scheduling the mock interview for that day. Officer Moua acknowledged the timeline of events for February 16th, 2015; a mock interview at the S.O.C., lunch and then the motel.

Officer Moua was asked if on February 16, 2015, had he driven one of his personal vehicles to the S.O.C. to meet with [REDACTED] He stated he had. Officer Moua was asked which of his personal vehicles he had used. He did not recall.

Officer Moua was asked where he parked his personal vehicle at the S.O.C. He believed on the north side of the gated area of the facility. He stated he used his access card to enter the north entrance gate.

He believed he then entered the facility through the north west door.

Officer Moua was asked if he owned a [REDACTED]. He stated he did. He did not know the license plate numbers for the vehicles. He was asked if he owned any other vehicles. He stated there were two other [REDACTED] in his family. He was asked if either one was an [REDACTED]

Officer Moua was asked if he was using someone in his family's vehicle on February 16th, 2015 or his [REDACTED]. He believed he was using his [REDACTED]. Officer Moua stated he was not certain which vehicle he drove to the S.O.C. and did not want to lie to me and that he wanted to give me a true statement. I informed him that in our first interview, he believed he was driving the [REDACTED]

Officer Moua was asked if there was a reason why he would have been using a family member's vehicle that day (February 16th, 2015). He stated his family members share vehicles. He stated that was why, in our previous interview, he was not sure if it was his [REDACTED] that he and [REDACTED] drove to the motel in. Officer Moua stated he was sure that he had used his [REDACTED], to drive to the Motel 6 motel, on February 21st, 2015.

Officer Moua stated he did not know why, but the events were a blur to him. He initially thought he was using his [REDACTED] but after looking at the photos, and going back and looking at the facts and rethinking the event, he was not using the [REDACTED]. Officer Moua stated he was using a City vehicle. That was the transportation he used to get himself and [REDACTED] to the motel. Officer Moua stated, "It was stupid of me."

Officer Moua was asked again, if he left the S.O.C. on February 16, 2015, at any time in a City of Minneapolis vehicle. He stated he did. He was asked if the vehicle was [REDACTED]. Officer Moua did not know the identifiers of the City vehicle.

Officer Moua was asked where he had obtained the keys for that vehicle. He believed it was from Officer Kou Vang of the Community Engagement Team. Officer Moua did not recall when he obtained the keys from him, but it was prior to February 16th, 2015. I informed Officer Moua that I had obtained the keys for that vehicle from a key box in the P.A.L. office at the S.O.C. Officer Moua stated that he did not obtain the keys from that location.

Officer Moua was asked if on February 16, 2015, he had received authorization to use that City vehicle. He stated he did not.

Officer Moua was asked if [REDACTED] met him at the S.O.C. on February 16, 2015. He stated she did. Officer Moua was asked if he could recall what kind of vehicle she was driving on that day. Officer Moua stated he did not want to give me a false statement and informed me that he did not recall specifically, but it may have been a [REDACTED]. He stated [REDACTED] parked her vehicle outside the facility on the west side of Dupont Ave. N.

Officer Moua stated [REDACTED] contacted him about her arrival, but he was unsure if it was by telephone or by knocking on the door. I asked him if it was possible that she may have sent him a text message. Officer Moua stated that could be possible.

Officer Moua was asked what time [REDACTED] had arrived and contacted him that she was at the S.O.C. Officer Moua stated he did not remember, but it was probably around 1000 hours. He allowed [REDACTED] into the facility through the north east door. Officer Moua believed they were in the facility doing the mock interview for approximately 30 minutes to 1 hour.

Officer Moua was asked if he and [REDACTED] did anything in the facility, besides the mock interview. He stated they did nothing else. He was asked if anyone else was in the S.O.C. during that time or if anyone saw them together. He stated he did not recall seeing anyone else, but "it's blurry."

Officer Moua was asked if he was authorized to be in the SOC with a civilian at that time. He stated he had not received any authorization.

Officer Moua was asked if he left the S.O.C. on February 16, 2015, with [REDACTED] in a City of Minneapolis vehicle. He stated, "Yes. Yes, I did." The City vehicle being a [REDACTED]. He stated that sounded correct.

Officer Moua was asked where he and [REDACTED] went from the S.O.C. He stated they went to a Columbia restaurant over in North East within the jurisdiction of Minneapolis. I then showed Officer Moua a picture of the Columbia restaurant located at 2205 Central Avenue Northeast. He stated it was the same restaurant. Officer Moua stated that he parked the City vehicle on the restaurant (west) side of Central Ave.

Officer Moua was asked if he and [REDACTED] made any stops in between the S.O.C. and the Columbia restaurant. He stated they did not.

Officer Moua stated while they were having lunch, [REDACTED] suggested "let's go make out." Officer Moua and [REDACTED] left the restaurant in the same City vehicle and they then drove to the Sky Line Motel.

Officer Moua did not recall when they arrived at the Sky Line Motel, but stated it was after they left the restaurant. Officer Moua stated, "that's the part was a little fuzzy." He stated it could have been at approximately 1300 hours.

Officer Moua was again shown pictures of the Sky Line Motel. He stated that was the motel they went to on February 16th, 2015.

Officer Moua stated when they arrived at the motel; he parked the City vehicle in the front.

Officer Moua was shown the pictures allegedly taken by [REDACTED] on February 16th, 2015. He

acknowledged the location and that he in all likelihood, had parked where the picture showing the motel office sign on the door was taken. Officer Moua informed me that he went back to the motel and confirmed he had rented room 34. I informed him that was the room number listed on his registration card for February 16th, 2015.

Officer Moua stated [REDACTED] was left alone in the City vehicle, when he went inside to check-in at the motel. Officer Moua was asked if he believed that was when [REDACTED] may have taken the pictures from inside of the City vehicle. He stated, "yes, sir." Officer Moua was shown the pictures again from our April 25th, 2015, interview. The pictures showed a sign that read, "office," a sticker in the upper corner of the driver's side windshield and the [REDACTED].

I informed Officer Moua in our previous interview, I had asked him if he had picked [REDACTED] up to take her to lunch on February 16, 2015 and that he had told me he had not. I informed Officer Moua that he had told me that she had met him at the restaurant on that day. I had him refer to page 11, lines 7-15 and to page 12, lines 16-23 of our previous interview.

Officer Moua was asked if he had been untruthful with me in regards to that information. Officer Moua stated that if he had, it was not intentional.

Officer Moua stated, "Not intentionally. No, sir, I just...I couldn't add up the events. I even thought...you know, like I said to you, at the time, I thought that...I even thought the mock interview, uh, was on a different day until I looked at schedule, until after reviewing the photos that you showed me, went back and looked at my car, and then checked at the motel, and, uh, you know, things started coming back, you know, piece by piece."

Officer Moua was informed that in our interview on April 25th, 2015, I had asked him if [REDACTED] had driven separately to the Sky Line Motel after they had lunch. Officer Moua was informed that he had told me [REDACTED] had driven separately. Officer Moua was advised to refer to page 12, lines 25-32. Officer Moua was asked if he had been untruthful with me at that time. Officer Moua stated, "yes, sir, that, that was my answer at the time."

Officer Moua was informed in our interview on April 25th, 2015; I had asked him if he was using his personal vehicle or a City of Minneapolis vehicle on February 16th, 2015. During that interview Officer Moua stated he used his personal car. I advised him to refer to page 12, lines 40-42, for his answers that day.

Officer Moua was asked if he had been untruthful with me at that time. Officer Moua stated, "yes, sir."

Officer Moua was asked to refer to page 13, line 1 and 2, from our interview on April 25th, 2015. When asked if he had used an unmarked City vehicle, he had stated, "not at all. No." Officer Moua stated that was correct. On page 14, lines 4-15, he was asked if he had been using a City of Minneapolis vehicle and I referred to [REDACTED] [REDACTED] on February 16th or February 21st of 2015, and Officer Moua stated he had not. Officer

Moua acknowledged this was correct.

In our interview on April 25th, 2015, Officer Moua informed me, he and [REDACTED] had driven separately to the Sky Line Motel. Officer Moua was asked if he had been untruthful with me about that. Officer Moua stated that it was not intentional. He acknowledged on February 16, 2015, he arrived at the Sky Line Motel with [REDACTED] in City of Minneapolis vehicle [REDACTED].

Officer Moua was asked why he had answered my question in that manner. He stated he could not add up the events in the chronological order until he went back and revisited some of the sites and looked at his car. He also looked at his schedule. He stated it "basically was a blur."

Officer Moua was shown the Sky Line Motel registration slip for February 16th, 2015. Officer Moua was asked if it was his hand writing on the registration slip. He stated it was. He acknowledged filling out the paper work. He stated no one else wrote on the registration card. I had Officer Moua look at the vehicle section of the registration slip, where it was written [REDACTED]. He acknowledged writing that information.

Officer Moua was reminded that in our previous interview on April 25, 2015, he had told me he had driven either his [REDACTED] on February 16th, 2015. In our second interview, he informed me that was not the case.

Officer Moua was shown the pictures allegedly taken by [REDACTED]. Officer Moua acknowledged that they were probably taken by [REDACTED] while she was in the City of Minneapolis vehicle he was operating on February 16, 2015.

Officer Moua was asked if he wanted me to go over the comparison of the pictures submitted by [REDACTED] with the photographs I had taken. He stated he did not. He was asked if he wanted me to go over the sticker data observed on the windshield of the City vehicle in question [REDACTED]. He stated he did not. Officer Moua acknowledged the pictures were of the same vehicle and he had used that vehicle on February 16th, 2015.

I informed Officer Moua that I had gone to the S.O.C. to examine the vehicle in question, [REDACTED]. I showed him the photographs I had taken of the vehicle. Officer Moua was shown that the pictures contained the same information that [REDACTED] pictures depicted. He stated there was no doubt that it was the City vehicle. Officer Moua apologized for using the City vehicle and stated he did not mean to do that.

Officer Moua informed me that after they left the Sky Line Motel, he and [REDACTED] drove straight back to the S.O.C. Officer Moua's access card information stated that the card was used at 1840 hours. Officer Moua stated that seemed correct.

Officer Moua was asked if on February 16th, 2015, if he had ever mentioned to [REDACTED] that he needed to be home around a certain time, so as not to arouse suspicion from his wife. He did not recall saying

that to her.

Officer Moua was asked to explain to me why he had been untruthful, when answering some of the questions I had asked him in our first interview on April 25, 2015.

Officer Moua stated the following: "You know, Sarge, uh, so, so many emotional feeling went, went over-, went over me, uh, at the time that you were asking me. Um, like I mentioned to you, I dealt with her through [REDACTED]. Um, that first event, there was nothing...you know, I, I wasn't trying to intentionally tell you any lies. I just couldn't add up the, the chronological events and really, you know, it still piss me off that she, she would do something like this, and set me up from the beginning, and try to turn me in. And so, you know, there is-, there is a lot of emotional going, going on, you know, and, um, it's just...it's a fuck up on my part, you know. You know, I was stupid enough to, to use that and I, I guess, you know... This has never happened to me, you know. A lot things...a lot of emotional were going through me. I couldn't even add up the, the events. I thought the mock in... [REDACTED] and I met over at the SOC a couple times. I show her around to like the, the PAL Unit when they were having events, things like that, too. And I was overwhelmed with a lot of feelings and, you know, having [REDACTED] on the side also pressuring me at the same time. Just a lot to, to deal with. Uh, that may have been-, you know, that may have been the reason as to-, as to-, as to why that I made those, uh, statement to you at the first interview, but like I said to you I went back home, and rethought about it, went and check out the car. I even went back to the hotel to see if I can recollect what's going on...what happened on that day. I didn't plan to take her to the motel at first, uh, on the 16. Um, and up to this day, I can tell you, um, truthfully, it's still a blur to me, uh, what happened after the, the hotel. It, it all happened so quick, um, and we just basically got out of there, you know. And I just wanted out, but I didn't know she was gonna, you know, come back with this stuff."

Officer Moua was asked why he had used the City of Minneapolis vehicle on February 16th, 2015, instead of his personal vehicle. He stated he had used a City vehicle to go to community meetings in the past. On the day in question, there was not a community meeting, and Officer Moua stated that was not going to be his excuse. He stated he used it because he believed he and [REDACTED] were going to do the mock interview, go have lunch and then go back to the S.O.C. He stated he met her at the S.O.C. on good terms to help her and do a "good deed." He stated he did not know that she was going to stand him up and take pictures and turn him in. He stated he was very disappointed. He planned on just using the City vehicle on February 16, 2015, to take [REDACTED] over to the Columbia for lunch and then back to the S.O.C.

Officer Moua was asked why he had not told me that in our first interview on April 25th, 2015. He stated at that time, he could not tie all the events together.

Officer Moua was asked if he had spoken with [REDACTED] since our interview on April 25, 2015. He stated he had not.

Officer Moua was asked if he had spoken with [REDACTED] about this matter since our interview on April 25th, 2015. He stated he had spoken with them before our interview on April 25th,

[REDACTED], he was upset that she still made a complaint with the Department. He believed this was done to embarrass him and get him fired.

Officer Moua was asked if he had spoken to anyone [REDACTED] since he received a notification letter for our June 19th, 2015 interview. He stated he had not.

Officer Moua was asked if he had spoken to [REDACTED], since our earlier interview. He was asked if he had made any threats towards her or made any promises to her, in regards to this case. He stated he had not.

Officer Moua stated, "Uh, just in case-, you know, just in case. I, I have it here just in case for the record, you know. Uh, I, I know this is beyond what you guys do here, but, you know, like I said, see [REDACTED] you know, it's...but it's really disappointing to see that she would do something like this and, uh, would, would turn even against [REDACTED] for, for something like this where initially it was already handled [REDACTED]. And, um, there's a lot of stuff going on. I mean even, even, even now a day...you know, even right now I'm thinking about it. It's just...I'm...there still, still couldn't, couldn't really...you know, that, that, that incident that occurred on the 16th that really threw me off. That really threw me off, um, on what she-, on what she did to me and on what, what, what she...what her intention were. They didn't come out until, until a week or two after and, you know, when I knew where she was going, that's when I involved [REDACTED] and that's when we, you know, try to resolve this whole thing before it gets blown up, you know."

Officer Moua was asked if he was ever untruthful with me while under Garrity, in our previous interview that was conducted on April 25, 2015, in regards to any questions that I had asked him. Officer Moua stated, "Yes, sir, but not intentionally."

Officer Moua was asked to explain what he meant by, "unintentionally."

Officer Moua stated, "Honestly, a lot of-, a lot of emotion went through me at the time. I was under stress. I feel-, I feel pressure under...or the pressure. Um, uh, I have mixed feelings of upset, disappointed...or the...and, you know, you...I'm ashamed [REDACTED] to even know that's she doing this stuff to me and I don't want [REDACTED] to be included on this stuff. It's hard to face the [REDACTED], you know, it's, it's tough, so, you know, you get somebody like this trying to do this to, to you and being an employee-, you know, being an employee for the department, we're held to a higher standard. I mean I didn't know she was gonna carry something like this out and turn on me like this, you know, but, uh, but I do-, I do apologize, um, for using, using the City vehicle. My bad on...you know, it was my fault. I'll own up to it. I said to you it, it was an unplanned event, but, uh, you know, I, I like to find out the truth, too, and, um, after finding out the truth and, and going back to these places and visiting, and after seeing pictures and things like that, and rethought about it... Mm-hmm (indicating yes). I...um, yeah, I, I recollect and, uh, the, the some of the things that actually occurred

and just kind of pieced things together and that's how I came up with the-, with the facts and the statements that I've given to you today." "Initially, there was, there was not an intention to, to tell you lies or to give you false statements."

When I questioned his intention, Officer Moua responded, "No, sir, and still a lot of...I'm still, I'm still, I'm still very disappointed. I mean still very stress...you know, still very stressful thinking about this...all the stuff that actually occurred or happened."

Officer Moua was asked if there were any facts concerning this incident he had knowledge of, but had not disclosed. Officer Moua stated, "I think I gave you all the information even from on the [REDACTED], which is beyond, like I said, beyond what you guys do. Um, and I, I shouldn't have gotten myself involved, uh, in, in this, and, you know, uh, whatever the blame or whatever the fault is, uh, you know, I'm to be blamed for it, you know."

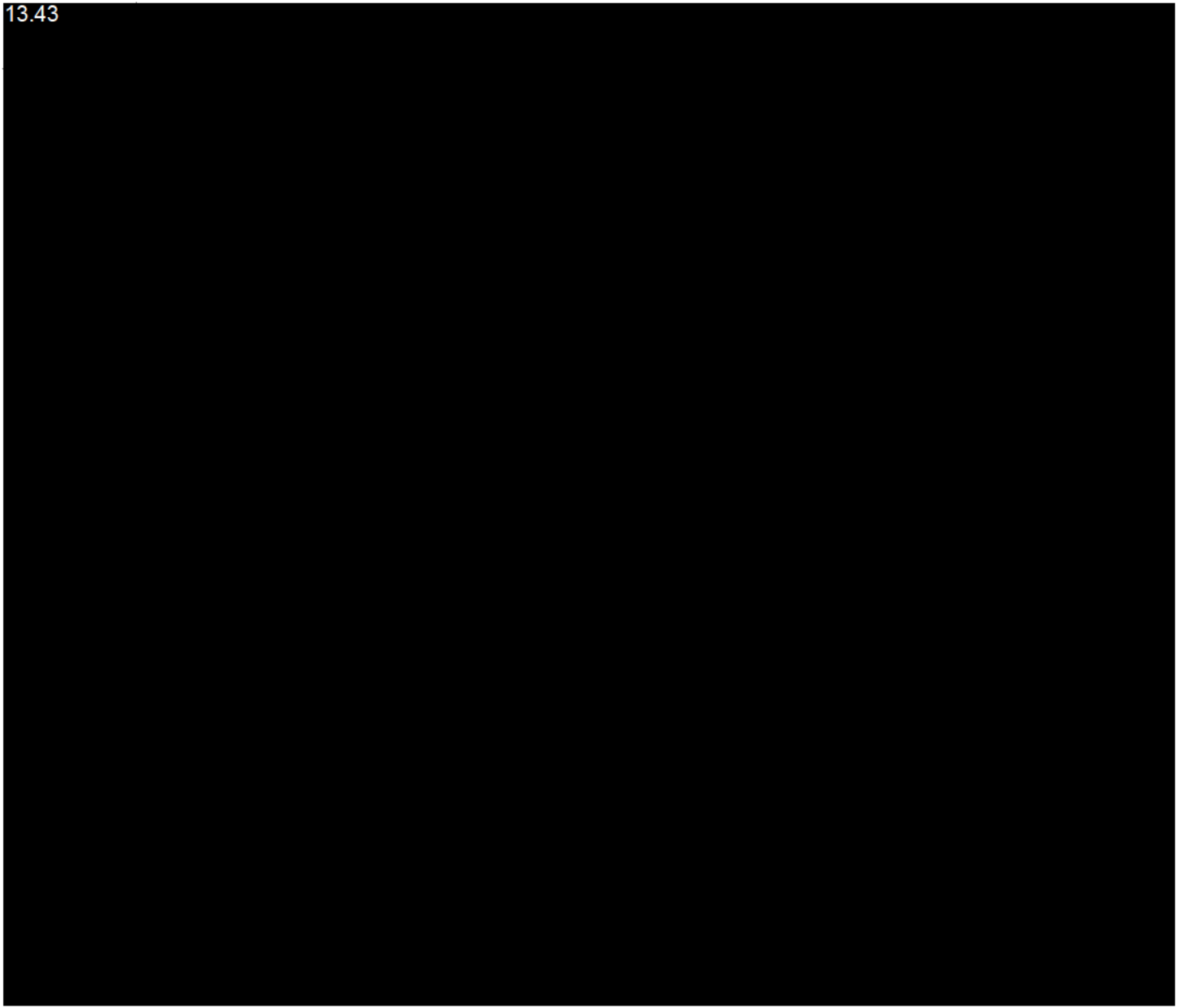
Officer Moua was asked if there was anything else he would like to add to this statement that I had not asked him. Officer Moua stated, "No, sir. I'll tell you this will not happen again."

Officer Moua was asked if this was a true and accurate statement. He stated, "It's true."

Officer Moua was then advised that: PER MPD POLICY AND PROCEDURE, SECTION 5-107.8, HE WAS NOT TO DISCUSS THIS INTERVIEW OR CASE INVESTIGATION WITH ANYONE OTHER THAN HIS FEDERATION/UNION REPRESENTATIVE OR ATTORNEY. The interview was then concluded.

On July 21st, 2015, I inter-office mailed Officer Moua 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 July 31st, 2015, I received an initialed and signed copy of the statement from Officer Moua.

13.43



Discussion

██████████ the complainant in this case contacted Assistant Chief Matthew Clark via e-mail. ██████████ gave an account of her relationship with Officer Blake Moua. ██████████ also sent A.C. Clark, pictures she allegedly took of an unmarked, City of Minneapolis vehicle. ██████████ claimed that on February 16th, 2015, Officer Moua transported her from the S.O.C., located at 4119 Dupont Ave. N., to a restaurant in N.E. Minneapolis. Officer Moua then used the same City of Minneapolis vehicle to drive the two of them to a motel in Mounds View, MN. Officer Moua used the vehicle to transport them back to the S.O.C.

██████████ e-mailed several pictures that she claimed to have taken on February 16th, 2015, while she was at the Sky Line Motel with Officer Moua. One of the pictures appeared to have been taken from inside

of a vehicle. The view appeared to be from someone inside a vehicle, taking a picture out of the front, driver's side window. In the picture was a sign that read "office," next to a glass door. The second picture was of a white, sticker that had the numbers [REDACTED] on it. The third picture was out of focus, but appeared to be of the same numbered sticker on the dashboard area of a vehicle.

The City of Minneapolis vehicle assigned to [REDACTED] was [REDACTED] [REDACTED] headquartered out of the S.O.C. I went to that location and observed the vehicle, parked on the north side of the secured parking lot. The vehicle assigned to [REDACTED] [REDACTED]. I observed a sticker near the top, driver's corner, of the windshield.

The sticker read the following; next service, date [REDACTED]. The same sticker, with identical information listed, appeared in the picture submitted by [REDACTED]

On April 25th, 2015, Officer Blake Moua came to the MPD Internal Affairs Unit for a recorded statement. On June 19th, 2015, Officer Blake Moua came in for a second interview to clarify some of the information he had given me in our April 25th, 2015 interview and to discuss information I had obtained since that previous interview. I will be noting the answers from April 25th and June 19th in a bullet point format for comparison purposes.

- On 4/25/15, Officer Moua was asked if he met [REDACTED] at the S.O.C. on February 16th, 2015. He stated that he did not meet with [REDACTED] on that day. Officer Moua stated on the day he and [REDACTED] met at the S.O.C., they had their meeting and when it was complete, they each went their separate ways. Officer Moua stated they did not have lunch or go to a motel together on the day they met at the S.O.C. Officer Moua stated on February 16th, 2015, he met [REDACTED] at the Columbia Restaurant, located in N.E. Minneapolis. Officer Moua stated that he and [REDACTED] had driven separately to the restaurant.

Officer Moua stated after lunch, he and [REDACTED] then drove separately to the Sky Line Motel. Officer Moua stated he had driven one of his personal vehicles. Officer Moua was asked if he may have been using an unmarked, City of Minneapolis vehicle that day and he stated he absolutely had not.

- On 6/19/15, Officer Moua stated he did meet [REDACTED] at the S.O.C. on February 16th, 2015. He acknowledged that he was not working that day. Officer Moua stated "he went back and rethought the whole event." When asked if he had been untruthful with me in our previous interview, Officer Moua stated he was not. He stated he had been confused and his memory was "fuzzy."
- On 4/25/15, Officer Moua was shown the pictures submitted by [REDACTED]. Officer Moua informed me that he and [REDACTED] had driven to the Sky Line Motel on February 16th, 2015 in separate vehicles. Officer Moua had driven one of his personal vehicles. When asked if he had been using an unmarked, City of Minneapolis vehicle, he stated he absolutely had not. Officer Moua stated the pictures taken by [REDACTED] were not taken from inside the vehicle he had driven

to the Sky Line Motel on February 16th, 2015. Officer Moua also stated if I could obtain video footage from the motel, it would not show him using a City of Minneapolis vehicle that day.

- On 4/25/15, Officer Moua stated [REDACTED] met him at the Sky Line Motel in her personal vehicle. He believed it was a [REDACTED]. Officer Moua believed he met her at the motel in his [REDACTED]. Officer Moua stated [REDACTED] did not enter his vehicle at the motel and did not know how [REDACTED] had taken the pictures that had been submitted. Officer Moua was asked again if he had ever used a City of Minneapolis vehicle for personal or off-duty reasons. He stated he had not.
- On 6/19/15, Officer Moua stated he initially believed that he had used his personal vehicle to get to the Sky Line Motel on February 16th, 2015. Officer Moua stated after viewing the photographs of the motel and the vehicle and looking at the facts and rethinking the event, he was not using one of his personal vehicles. Officer Moua stated he was using a City of Minneapolis vehicle. He stated that was how he and [REDACTED] drove to the motel. Officer Moua stated, "It was stupid of me."
- On 6/19/15, Officer Moua stated when he arrived at the Sky Line Motel with [REDACTED], in the City of Minneapolis vehicle on February 16th, 2015; he parked in the front of the motel. Officer Moua left [REDACTED] alone in the vehicle, while he went inside to check in. Officer Moua acknowledged this is when [REDACTED] took the pictures she submitted.
- On 4/25/15, Officer Moua was informed that his registration card for the Sky Line Motel on February 16th, 2015, had listed a [REDACTED] as the vehicle for the occupant of the motel room. Officer Moua informed me that was probably a mistake on his part. He stated he may have thought he was driving a City of Minneapolis vehicle, but on that day, he was not. Officer Moua again informed me that he was driving his [REDACTED]
- On 6/19/15, Officer Moua was informed that in our previous interview, I had asked him if he had picked [REDACTED] up and taken her to lunch on February 16th, 2015. In that interview he informed me he had not. Officer Moua had told me that [REDACTED] had met him at the restaurant on that day. Officer Moua was asked if he had been untruthful with me. He replied that if he had, it was not intentional.
- On 6/19/15, Officer Moua was informed that in our previous interview, I had asked him if on February 16th, 2015, if [REDACTED] had driven separately from the restaurant, where they had lunch to the Sky Line Motel. In that interview, Officer Moua stated [REDACTED] had driven separately to the motel. Officer Moua was asked if he had been untruthful with me. Officer Moua stated, "Yes, sir, that was my answer at the time."
- On 6/19/15, Officer Moua was informed that in our previous interview, I had asked him if on February 16th, 2015, if he had been using his personal vehicle or a City of Minneapolis vehicle. Officer Moua had informed me he had used his personal vehicle. Officer Moua was asked if he

had been untruthful with me. Officer Moua stated, "Yes, sir." Later in the interview on 4/25/15, Officer Moua was again asked if he had used an unmarked, City of Minneapolis vehicle on February 16th, 2015. Officer Moua stated, "Not at all. No."

- On 6/19/15, Officer Moua was informed in our interview on 4/25/15, he had told me that [REDACTED] had driven separately to the Sky Line Motel on February 16th, 2015. Officer Moua was asked if he had been untruthful with me. Officer Moua stated it was not intentional. He acknowledged that he did transport himself and [REDACTED] to the Sky Line Motel in the City of Minneapolis vehicle in question [REDACTED]).

In summary, the Complainant, [REDACTED] informed the Minneapolis Police Department of perceived misconduct by Officer Blake Moua. Officer Blake Moua gave an initial interview in regards to the allegations on April 25th, 2015. A second interview was conducted with Officer Moua on June 19th, 2015, to clarify information he had given in his first recorded statement.

Officer Moua's statements varied significantly in the facts he provided me, in regards to specific questions asked of him.

Both of the interviews I conducted with Officer Moua were recorded and Officer Moua was read the Garrity warning.

This investigation revealed that Officer Moua was not truthful or forthright, in answering several, direct questions asked of him, in the interview conducted on April 25th, 2015. A comparison of the two interviews gives credence to this conclusion.

From Officer Moua's own admissions he violated the following MPD Policies and Procedures:

5-102 CODE OF ETHICS; 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.

4-401 VEHICLE RESPONSIBILITY; Employees who are authorized to drive MPD vehicles are responsible for the proper use and parking of vehicles assigned to them.

2-106 COMPLAINT INVESTIGATIONS - GARRITY DECISION; MPD employees are required to give a statement when ordered to do so regarding matters pertaining to the scope of their employment and their fitness for duty. These statements or the fruits thereof, compelled as a condition of employment, cannot be then used in any criminal proceedings against the employee, except in cases of alleged perjury by the employee giving the statement (Garrity vs. New Jersey, 1967, U.S. Supreme Court).

All employees shall answer all questions truthfully and fully render material and relevant statements to a competent authority in an MPD investigation when compelled by a representative of the Employer, consistent with the constitutional rights of the individuals.

All statements of involved police employees shall be signed and sworn. Any employee found to have intentionally given a false statement shall be subject to MPD disciplinary procedures, up to and including dismissal.

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

Respectfully Submitted,

Sgt. Michael Heyer

Internal Affairs Unit

Sgt. Michael Heyer
OPCR Investigator

9/02/15
Date

1 THIS IS A RECORDED STATEMENT OF OFFICER BLAKE MOUA TAKEN ON
2 APRIL 25, 2015, AT APPROXIMATELY 1507 HOURS. WE'RE IN THE MPD
3 INTERNAL AFFAIRS UNIT. HE'S BEING INTERVIEWED BY MYSELF,
4 SERGEANT MICHAEL HEYER. ALSO, PRESENT IS OFFICER CORY FITCH
5 OF THE MINNEAPOLIS POLICE FEDERATION. TRANSCRIBED BY R.
6 METCALF.

7
8 RE: IAU Case Number #15-04538
9

10 Q: Officer Moua, can you state your full name and spell it out for me, please?

11 A: Sure. Full name is, um, Blake Zeb Moua. First name is spelled B-L-A-K-E.
12 Middle name Z-E-B. Last name M-O-U-A.

13
14 Q: And what is your present rank and work assignment?

15 A: Present rank is Officer working out of the [REDACTED] Fourth Precinct.
16

17 Q: And what is your employee number and date of appointment?

18 A: Employee number is 4882. Uh, date of appointment for sworn police officer
19 is, uh, December of 2009.
20

21 Q: OK. Thank you. Officer Moua,
22

23 YOU ARE BEING ORDERED TO GIVE A COMPLETE AND TRUTHFUL
24 STATEMENT PERTAINING TO THE SCOPE OF YOUR EMPLOYMENT OR
25 FITNESS FOR DUTY. IT IS A COMPELLED STATEMENT PURSUANT TO
26 MPD POLICY AND PROCEDURE.
27

28 UNDER THE GARRITY DECISION, ANY STATEMENT PROVIDED IN THIS
29 INVESTIGATION CANNOT BE USED IN A CRIMINAL PROCEEDING AGAINST
30 YOU, EXCEPT IN THE CASE OF ALLEGED PERJURY. HOWEVER, THESE
31 STATEMENTS MAY BE USED AGAINST YOU IN RELATION TO
32 EMPLOYMENT ALLEGATIONS.
33

34 Do you understand this warning?

35 A: I understand.
36

37 Q: I AM ADVISING YOU THAT IF YOU REFUSE TO ANSWER, GIVE A FALSE
38 OR INTENTIONALLY INCOMPLETE STATEMENT, OR INTENTIONALLY OMIT
39 INFORMATION THAT IS PERTINENT TO THIS INVESTIGATION, YOU WILL
40 BE SUBJECT TO DISCIPLINARY ACTION UP TO AND INCLUDING
41 SUSPENSION OR DISCHARGE.
42

43 Do you understand this?

44 A: I understand.
45

INT BM

1 Q: Is it correct that you have read, understood, and signed the Data Practices
2 Advisory, otherwise known as the Tennessen Warning?

3 A: Yes, sir.
4

5 Q: And in the notification letter I sent you, it informed you that the purpose of this
6 statement relates to an internal investigation, and specifically, administrative
7 review that is being conducted and that you're being accused of violating MPD 5-
8 102 Code of Ethics which states, "All sworn and civilian members of the
9 department shall conduct themselves in a professional and ethical manner at all
10 times and not engage in any on or off-duty conduct that would tarnish or offend
11 the ethical standards of the department. Employees shall abide by the City's
12 Ethics in Government Policy, Chapter 15." And 4-401 Vehicle Responsibility,
13 "Employees who are authorized to drive MPD vehicles are responsible for the
14 proper use and parking of vehicles assigned to them." Is that understood?

15 A: That's understood.
16

17 Q: OK. And it is alleged that on February 16, 2015, you brought [REDACTED]
18 into the SOC located at 4119 Dupont Avenue North. Later on that same day, you
19 and [REDACTED] went to a motel and had sexual intercourse. It is alleged that
20 you used a City of Minneapolis vehicle to transport [REDACTED]. You met with
21 [REDACTED] again on February 21, 2015, and again, had sexual intercourse at
22 a motel. Correct...or I mean is that understood?

23 A: That's understood.
24

25 Q: OK. And have I informed you that you're being called to explain the
26 circumstances regarding these events?

27 A: Yes, sir.
28

29 Q: All right. Officer Moua, do you know an individual by the name of [REDACTED]
[REDACTED]?

30 A: I do.
31

32 Q: And do you recall the first time you ever met her?
33

34 A: Fall of last year.
35

36 Q: OK. Do you remember where?

37 A: At, uh, 13.43 [REDACTED]. I don't remember their exact location.
38

39 Q: OK. Is that...is it Minneapolis or...?

40 A: Uh, it's Minneapolis Northside.
41

42 Q: OK.

43 A: Yep.
44

45 Q: Uh, and do you...and as far as you knowing her, is that personal or
46 professional relationship?

INT BM

1 A: It's a personal relationship.
2
3 Q: OK. [REDACTED]...um, I'm gonna refer to her just as [REDACTED] from here on out.
4 A: Sure.
5
6 Q: Uh, she documented some encounters she had with you in an email. Um, so,
7 do you have a common background or upbringing with her?
8 A: Uh, yes.
9
10 Q: OK. Can you describe that?
11 A: 13.43 [REDACTED]
12 [REDACTED]
13
14 Q: OK. I mean are you...I mean are we talking same age where you went to
15 school together or just common neighborhood?
16 A: Just common neighborhood.
17
18 Q: OK.
19 A: Yep.
20
21 Q: What's...what, what is her age?
22 A: Her age...she's, uh...I don't recall if she's older than me. No.
23
24 Q: OK.
25 A: Just...
26
27 Q: A year or two, or...?
28 A: About two or three.
29
30 Q: OK.
31 A: Yeah.
32
33 Q: All right. And did you talk to anyone about your affair with [REDACTED] ?
34 A: Uh, I have.
35
36 Q: OK. Do you wanna talk about that?
37 A: [REDACTED]
38 [REDACTED]
39
40 Q: OK. And I'm not familiar with that. So, if you can give me description or
41 details of that-
42 A: Yeah.
43
44 Q: -I'd appreciate it.

1 A: My run-ins with her has been-, uh, has been downhill. Uh, it's...it started out
2 as if, you know, she was, uh...basically, um, she had a order of protection. She
3 wanted some advice on it.

4
5 Q: OK. Not on you, on somebody else?

6 A: On somebody else, correct. And basically, we just kind of met over at...you
7 know, off and on, uh, through...met her through work, but I have a
8 personal...kind of personal relationship with her over, uh, course of about a
9 month or so. And then I brought the...and that was brought up because, uh,
10 her...at the time, she said was her ex-husband [REDACTED]
11 [REDACTED] Basically, she placed the order on this guy and
12 they'd been living apart for about a year. And so, she's just been seeking new
13 partners and stuff like that and, um, she recommended or she suggested, um,
14 that we go and sleep together. So, we had that, uh, incidence and, uh, the
15 second time, there was a run-in with, uh, with this...or with her husband who was
16 there, um, where I ended up having a...you know, my, my...what I learned from
17 her was she had an existing order of protection and, and it has been an issue for
18 her in the past in enforcing this, too. So, um, that same night, we...you know, I
19 call, uh, Rosedale PD that second night that we were over at Motel 6.

20
21 Q: Oh, so, on the 21st?

22 A: Yep.

23
24 Q: Saturday, February 21st.

25 A: And that's where the-...that's where all the-, all the issues...that's where all
26 the problems were arising from and that's where she, I guess, she had her
27 frustration...her anger started from that run-in with her so-called ex-husband at
28 the time, [REDACTED]

[REDACTED] before
37 she met me and Officer Kou Vang...before she ran into both of us and were
38 seeking, you know, just some kind of guidance or, or what her options were. Not
39 even advice, but what her options were and how she can go about the, the legal
40 system. [REDACTED]

[REDACTED] But because of the
44 misunderstanding because of the run-in with the [REDACTED]

[Redacted]

5

Q: OK.

6

A: [Redacted]

7

14

[Redacted]

[Redacted]

[Redacted]

[Redacted]

29

A: She, she outreach...uh, she tried to reached out to me through emails through, uh, Officer Kou Vang and, uh, basic...Kou Vang didn't know how we resolve the matter.

30

31

32

33

Q: OK.

[Redacted]

39

40

Q: OK. That's make sense.

[Redacted]

46

1 Q: OK.
2 A: Mm-hmm (indicating yes).
3
4 Q: All right. OK. Well, that makes sense. Thank you.
5 A: Yes.
6
7 Q: I, I wasn't aware of any of that.
8 A: Yeah.
9
10 Q: So, to go back then. So, on, on February...or February 16th or February 21st
11 of 2015, did anybody else see you two together?
12 A: Uh, the 25th...
13
14 Q: Or 21st.
15 A: The 21st? The 21st was, was her husband, her husband incident.
16
17 Q: OK. So, he actually showed up at the Motel 6?
18 A: He showed up, yeah.
19
20 Q: OK.
21 A: And he has a...at the time, he has an existing order of protection.
22
23 Q: How did he find out you two were there? Any idea?
24 A: From what...from my knowledge and what she had told me, he's been
25 tracking her through, uh...
26
27 Q: Through her phone maybe?
28 A: Through her phone. Uh, he's, he's put a bug on her phone.
29
30 Q: OK.
31 A: So, he's able to track her down, which was concerning her at the time which
32 was supposed to be one of her option was. He basically violated the order of
33 protection. You're not supposed to do that, but she didn't want to follow through
34 and didn't want to do any arrest, uh, or file for the violation of order of protection.
35 I...my understanding is she did lift the order of protection is what I was told, um,
36 in, uh, as of March of maybe 2000...uh, March 12th.
37
38 Q: OK.
39 A: Mm-hmm (indicating yes).
40
41 Q: So, on the 21st, I mean was there any kind of...uh, what happened between
42 you two? Anything happen?
43 A: The...
44
45 Q: Physical?
46 A: No. No, physical.

1
2
3
4
5
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
34
35
36
37
38
39
40
41
42
43
44
45
46

Q: OK.

A: Rose-, Roseville Police was called because I, you know, I learned from her that they got an order of protection. Basically, he wanted to know who I was and I said, no

Q: OK.

A: And so, um, we found out the truth was there was a order of protection. They were separated for about a year, but, uh...

Q:

A: Uh, she does have a order of protection against him, and at that the time that he was there, he, uh, basically did violate that order of protection, but she didn't wanna press forward with the order of protection. From what she had told me is basically she doesn't want him to pay child support...or she, she doesn't want him to be arrested and not pay child support.

Q: OK.

A: So, that was her theory at the time and I guess there were probably-, you know, there were probably anger coming from her side of the family, so that's probably what brought forth that email.

Q: OK.

A: And she did confirm that. If, if it was before March 14, then she did send the email and I was just behind on the ball, but as of, uh, March 14, 2015, there shouldn't be matters, uh, anymore existing between her and myself.

Q:

A:

Q: OK. And I'm just...

A: These, these...

Q:

INT Bm

1 A: Did she know, yes.
2
3 Q: Before the, the encounters?
4 A: Absolutely, yep.
5
6 Q: OK. All right. And she didn't have a problem with that?
7 A: Yeah. Yep.
8
9 Q: OK. Um, did...I mean did you make her any promises or come to any
10 agreements about your relationship?
11 A: No promises, no.
12
13 Q: OK. And according to Workforce Director on February 26th and the 21st of
14 2015, you were scheduled as off for both days. Is that correct?
15 A: That should be correct, yep.
16
17 Q: OK. And so, on February 26th, um, did you offer to help [REDACTED] with an
18 interview? Does that sound correct?
19 A: 26th?
20
21 Q: The 16th? So, that Monday, the 16th.
22 A: What kind of...
23
24 Q: Did you meet her...well...
25 A: What kind of interview?
26
27 Q: She mentioned in the-, in the email that she was, um...
28 A: Oh, mock interview.
29
30 Q: Yes.
31 A: Yes, I did.
32
33 Q: OK. So, that, that was Monday the 16th.
34 A: I wasn't...I'm not sure on the date.
35
36 Q: OK. Um, but that's the day that she saying that she...that you guys were at
37 the SOC. Does that ring a bell then the SOC to do the interview...or the mock
38 interview?
39 A: It does not...the timeline...or the date maybe...the date, I'm not sure, but as
40 far as the mock interview date and the same date that we went to the motel those
41 are separate. It should be separate dates.
42
43 Q: OK. Well, she made it sound like that on Monday the 16th.
44 A: Mm-hmm (indicating yes).
45
46 Q: That's February 16th.

1 A: Mm-hmm (indicating yes).
2
3 Q: You met at the SOC first or I'm not sure if you picked her up and brought her
4 - I'm gonna ask you that -- but went to the SOC to help her with this mock
5 interview, had lunch, and then went to the Skyline Motel. And then the following
6 Saturday, the 21st, is when you guys went to the Motel 6, and now, you're saying
7 that her husband confronted you there. Does that help? Does that sound
8 familiar?
9 A: I thought I did...uh, I'm trying to recall my memory here. I'm trying to re-~~click~~ collect
10 my memory. I think the mock interview was done a different day. I'm, I'm not
11 sure to be exact which day it was.
12
13 Q: OK.
14 A: Um, but, but the...as far as meeting her for lunch, uh, and then going to the
15 Skyline Motel-
16
17 Q: Yeah.
18 A: -those happened on the same day.
19
20 Q: The same. So, you think that might be different from the, the mock interview
21 day?
22 A: Absolutely.
23
24 Q: OK. Um, well, let's just go over the mock interview then.
25 A: Sure.
26
27 Q: Um, so, describe what, what she asked you. I mean did she bring this up or
28 how did this come, come about.
29 A: Yeah, she, she brought up, uh, to see if I can, uh, offer to help her conduct a
30 mock interview, uh, to help her. She's seeking a new job.
31
32 Q: Mm-hmm (indicating yes).
33 A: Basically, she is having run-ins with her previous job, uh, which is the reason
34 and that's how I knew her. That's how we knew her. That's how, uh, our
35 administration knew her was through there, too, and how she network with them
36 was through this same organization.
37
38 Q: OK. And what's the name of that organization you said?
39 A: 13.43
40
41 Q: OK. And that's when you say you met her last fall at that-
42 A: Yes.
43
44 Q: -at an event like that?
45 A: Yep.
46

1 Q: Excuse me one second. All right. OK. Keep...I'm sorry. Go ahead.
2 A: Yeah, so, you know, she, she asked for help, gave her a mock interview, and
3 that's basically it.
4
5 Q: OK.
6 A: Yep.
7
8 Q: And, and you...did you meet her at the SOC or did you pick her up and bring
9 her there?
10 A: I met her there. She, she actually came there on her own.
11
12 Q: OK.
13 A: Yep.
14
15 Q: And you don't remember what day that was, though?
16 A: I don't recall what day to be exact that, uh, when I did that mock interview.
17
18 Q: OK.
19 A: No.
20
21 Q: But was it during normal business hours at the SOC?
22 A: That...um, from what I recall, it was actually on my work day.
23
24 Q: OK.
25 A: That was, uh, basically when I was working with the community, so this was
26 more like a community, uh, you know, engagement deal.
27
28 Q: OK. Is this when you were assigned to [REDACTED]?
29 A: Yes.
30
31 Q: OK. So, this was...you think you were working that day?
32 A: I think I was working that day, yep.
33
34 Q: She came to the SOC on her own?
35 A: Yep.
36
37 Q: You did the interview?
38 A: To meet up, yep, and we did the mock interview.
39
40 Q: And that was it?
41 A: Yep.
42
43 Q: So, no lunch, no motel?
44 A: No lunch, no motel after that. The motel and the lunch that was a separate
45 day, and she may be correct on that, uh, that date, which is the 16th.
46

INT BM

1 Q: The 16th.
2 A: Yeah.
3
4 Q: OK.
5 A: Yeah.
6
7 Q: So, now, on the 16th, where did you guys... where do you think you met as far
8 as when you did the lunch and the Skyline Motel? Did you pick her up or...?
9 A: No, she met me. She met me, uh, for lunch. We met over at Northeast.
10
11 Q: OK. Do you remember the restaurant or...?
12 A: Uh, Columbia.
13
14 Q: That's the name of the restaurant?
15 A: Yep, it's Columbia.
16
17 Q: I don't know. I'm not familiar with that. Do you know about where that is?
18 A: Right by Second Precinct there.
19
20 Q: So, on Central Avenue?
21 A: On Central Avenue, yep.
22
23 Q: OK. So, you met there, had lunch. Oh, need a break?
24 OFFICER CORY FITCH (Herein referred to CF in transcribed statement): No.
25 Sorry.
26
27 Q: Oh, OK. Um, go ahead. So, you met for lunch. Go ahead and describe
28 what, what happened.
29 A: Met for lunch, and, uh, basically, she, she offered numerous time to basically
30 sleep together and that was it.
31
32 Q: OK.
33 A: So, we went and make out, and that was the end of it.
34
35 Q: OK. So, you went from lunch to the Skyline Motel?
36 A: Basically, yeah. Yep.
37
38 Q: And when I did call them, I mean you, you definitely did have a room that day
39 on the 16th. That's Monday the 16th, um, when I called the place. Um, do you
40 remember-, do you remember if you paid with cash or credit card? Do you
41 remember that?
42 A: Uh, I think it was cash.
43
44 Q: OK.
45 A: Mm-hmm (indicating yes).
46

1 Q: Do you remember the amount?
2 A: Like 40 or 50 to be exact. Yeah, right in that ballpark.
3
4 Q: 50 is what they told me.
5 A: 50? OK.
6
7 Q: OK.
8 A: Yep.
9
10 Q: Do you remember your room number or no?
11 A: Uh, I do not remember right now, no.
12
13 Q: OK.
14 A: I don't recall.
15
16 Q: And...OK. So, you met her for lunch.
17 A: Mm-hmm (indicating yes).
18
19 Q: So, you're saying that you each drove separately-
20 A: Yes.
21
22 Q: -to the Columbia?
23 A: Yep. Yep.
24
25 Q: Now, did you...when you went to the motel, was she in a car with you? Did
26 you just drive?
27 A: She was not in a car with me, no. We met-, uh, we met over there. I went in,
28 checked in, came out, and then we pulled over to the other side of the room. If
29 you pull the video, you should be able to see that.
30
31 Q: Two separate cars?
32 A: Two separate cars.
33
34 Q: OK.
35 A: That should copy-
36
37 Q: OK.
38 A: -the facts there, yeah.
39
40 Q: OK. And were you using your own personal car or were you using the City of
41 Minneapolis car that day?
42 A: I was using my personal car.
43
44 Q: OK.
45 A: Mm-hmm (indicating yes).
46

1 Q: So, absolutely not, not an unmarked City car?
2 A: Not at all. No.
3
4 Q: OK. And I showed you some pictures. So, this was the...does that look
5 familiar as far as the Skyline Motel? Just for the record, I'm showing you a
6 picture that I printed off.
7 A: Yes, this is correct.
8
9 Q: OK.
10 A: Yep.
11
12 Q: So, this was the motel you checked in on February 16th?
13 A: That was the motel, yep.
14
15 Q: OK. And for the record here, I'm gonna show him a picture of this Motel 6
16 located...and first of all...I'm sorry. I'll back up. The Skyline Motel, the address
17 is... What is the address? I thought I had it written down here. Uh, 4928 Old
18 Highway 8, Mounds View. Does that sound correct?
19 A: Sounds correct, yep.
20
21 Q: OK. And now, the motel you guys checked in on February 21st at Motel 6
22 2300 Cleveland Avenue North in Roseville?
23 A: Correct. Yep.
24
25 Q: OK. I'm gonna show you a picture. Does that look familiar?
26 A: That should be the one, yep.
27
28 Q: OK. Um, and I'm gonna show you a few pictures that [REDACTED] is claiming she
29 took and she's saying that this was the car that you were using. And for the
30 record, there's two different pictures or there's three here, but-
31 A: Mm-hmm (indicating yes).
32
33 Q: -one is, um, just for the recording here, looks like she is inside the car
34 passenger seat and there is a picture through the car through the driver side
35 window of a motel office. Does that look like it might be the Skyline Motel?
36 A: That is the Skyline Motel.
37
38 Q: OK.
39 A: That is their entrance, yep.
40
41 Q: OK. So, do you...does this look like the car you were in that day?
42 A: The car I was in was not this car.
43
44 Q: OK.
45 A: And I recall I was in one of my personal vehicle. It was not the City vehicle.
46

1 Q: OK.

2 A: No.

3

4 Q: And then, there's another picture here that shows a picture of a P#. It looks
5 like it is on the dashboard. Does that sound correct to you guys? And for the
6 record, uh, the number on the sticker is [REDACTED], which when I called, uh, Andy
7 Williams, the, the Fleet Manager of the vehicles for the City, that comes back to a
8 [REDACTED], um, with a Minnesota license plate number of [REDACTED]

9 [REDACTED] And you're saying you were not using the
10 [REDACTED] vehicle?

11 A: I was not using that vehicle.

12

13 Q: That day? Either day? Any...?

14 A: Either day.

15

16 Q: OK.

17 A: Yeah. If, if you pull the video, you should be able to see the two vehicle.

18

19 Q: OK.

20 A: From both, both, both motel. Should be able to concrete that.

21

22 Q: OK.

23 A: Yeah.

24

25 Q: And when...just to back up again. I know you said you drove separate-

26 A: Mm-hmm (indicating yes).

27

28 Q: -on the 16th. Do you know...what kind of car did she drive? Do you
29 remember?

30 A: She drove the-, uh, she drove the...it was the [REDACTED]
31 [REDACTED]

32

33

34 Q: [REDACTED].

35

36

37 Q: OK.

38 A: Yeah, that was the car that she was driving.

39

40 Q: And what car...what personal car were you using that day?

41 A: I was using either the [REDACTED] or my...or, uh, the [REDACTED] [REDACTED]. I only got the
42 two-

43

44 Q: What kind of van?

45 A: -but I don't recall the...you know, if I had the [REDACTED], so...but if
46 you pull the video you should be able to see either the [REDACTED].

1
2 Q: [REDACTED]
3 A: [REDACTED]
4
5 Q: OK. Do you know the...what kind?
6 A: [REDACTED]
7
8 Q: OK.
9 A: Yes.
10
11 Q: All right.
12 A: Mm-hmm (indicating yes).
13
14 Q: [REDACTED] I'm trying to think what...
15 A: [REDACTED]
16
17 Q: What's that? I can't picture what that looks like.
18 A: [REDACTED]
19
20 Q: Oh, so, both [REDACTED]
21 A: Yes.
22
23 Q: OK. So, and she parked her car on her own and then came in the motel. Did
24 she ever get into your veh...you know, I guess what I'm trying to say is did she
25 park her car and then get into yours at any time while you checked in or...?
26 A: No.
27
28 Q: No?
29 A: No, she...
30
31 Q: So, she couldn't have took a picture from within that vehicle?
32 A: I don't even know how she got that photo of that car with that, uh, window...I
33 mean with the entrance.
34
35 Q: Yeah.
36 A: That's what gets me. I, I don't even know how she got that.
37
38 Q: OK. So, that doesn't look like...I guess what I'm saying she never jumped in
39 to say either your [REDACTED]
40 A: Yeah, when I went in there, I don't know maybe that might be the...let me see
41 if that's even the [REDACTED] that I was driving. It could be the [REDACTED] It could
42 be that she jumped in when I went inside-
43
44 Q: OK.
45 A: -and took a picture of the [REDACTED]
46

1 Q: What you're saying this picture of the P# that's...
2 A: The P#, no. I, I don't know how she got that, but had she been in the-, in the
3 car when Kou and I were there. Yes, she's been...we transported her over to...
4
5 CF: What about that up there? It looks like an oil change sticker with mileage on
6 it. Can you read that?
7 A: Mmm, barely. The oil was changed...
8
9 CF: If you look at that picture, there's an oil change sticker in the upper window,
10 which wouldn't be on the City vehicle.
11 A: [inaudible] oil change in here. See, this is not even-, this is not even the
12 vehicle that I was in cause if you look at the mileage it shows differently.
13
14 CF: Do you have that on any of your vehicles?
15 A: No.
16
17 Q: Yeah. Do you have a sticker like that?
18 A: No.
19
20 Q: Yeah. I'm trying to read it, too.
21 CF: It looks like 60,000.
22
23 Q: OK. So, would she...so, to, to back up to what you said earlier, she has...
24 A: I think that could have been her car, too, because she was driving that, uh,
25 [REDACTED] uh...
26
27 Q: [REDACTED] you said?
28 A: Yeah.
29
30 Q: OK. And so, if, if she had access to this-, to this vehicle I'm talking
31 about...this [REDACTED]...
32 A: She's been in it before.
33
34 Q: She has been in that vehicle?
35 A: Yes.
36
37 Q: With, with you two? With you and Vang?
38 A: Me and Kou, yes.
39
40 Q: OK. Do you know how many times?
41 A: Probably once or twice. Twice at the most.
42
43 Q: OK.
44 A: We just kind of showed her around in the city, and basically, that was it.
45

INT BM

1 Q: OK. And you don't remember her taking pictures while she was in the car
2 with you guys. Was, was she sitting in the backseat?
3 A: Honestly, I don't know if she was snapping picture or not. I, I don't recall to
4 be exact.
5
6 Q: OK.
7 A: You know, she...apparently, she did. I mean if looking at the picture, yes, she
8 did.
9
10 Q: OK. All right.
11 A: Cause there's no other way she can take a-, take a picture of that, uh, P#
12 when it was marked like that if she...uh, yeah.
13
14 Q: OK. But you're clearly stating that you never used the City, City of
15 Minneapolis vehicle?
16 A: No.
17
18 Q: Off-duty, um, at any time?
19 A: No. Not even.
20
21 Q: Or to meet with her?
22 A: No.
23
24 Q: Any kind of duties?
25 A: No.
26
27 Q: No? OK.
28 A: Not outside of work, no.
29
30 Q: Mmm... And you don't recall what day you had her in the SOC, but you do
31 believe you were working that day?
32 A: For the mock interview?
33
34 Q: Yep.
35 A: Yep.
36
37 Q: OK. Did anybody see you...you two doing the interview together? Do you
38 know?
39 A: It should be in the morning, so there should be people around at the...that's
40 why we conducted it there.
41
42 Q: OK.
43 A: Yep.
44
45 Q: And do you...
46 A: [inaudible cross-talking]

1 Q: I mean do you remember what month? Was it back in February?
2 A: That'd be sometime in February there, yeah.
3
4 Q: OK.
5 A: But I don't recall the exact date. I might...
6
7 Q: Do you believe it was before the 16th, or after the 16th, or...?
8 A: It's, it's before.
9
10 Q: So, maybe...
11 A: Before the first, and, you know, before we both got over to that hotel where
12 we met.
13
14 Q: OK.
15 A: Yep.
16
17 Q: So, maybe the week before?
18 A: Yes.
19
20 Q: The week before the 16th?
21 A: It could be possible, yes.
22
23 Q: OK. OK. Um, and then to back up then on the 21st, did you also meet her in
24 two separate vehicles at that motel?
25 A: Yes, same incident.
26
27 Q: OK.
28 A: Yep.
29
30 Q: And on that occasion, when I called the motel...do, do you know the license
31 plates of either one of your cars or the one that you might have been using that
32 day? Cause the, the hotel...the Motel 6 on the 21st did document a license plate
33 that day.
34 A: That one I recall, um, was using the van.
35
36 Q: OK.
37 A: Because of the run-in, the incident, and all that.
38
39 Q: Do you know the plate on your van, though?
40 A: I don't know by heart, no.
41
42 Q: Even close? OK.
43 A: No...yeah.
44
45 Q: Does that...?
46 A: I, I remember the, the three digits [REDACTED]

INT BM

1
2 Q: [REDACTED]?
3 A: That is correct.
4
5 Q: OK. All right.
6 A: Yep.
7
8 Q: Um, and then you already went into what happened on that day?
9 A: Yep. Mm-hmm (indicating yes).
10
11 Q: Um, and just to clarify this, both incidents, February 16th and February 21st,
12 was it purely consensual, consensual sex? No coercion? No force?
13 A: Yeah, it's all-, it's all consensual. Actually, she even...she suggested it.
14 [laugh] So, if anything to, to put it the best was she suggested it and I just kind of
15 went along with it.
16
17 Q: OK. And you mentioned security footage, you know, and I will, too.
18 A: Yes.
19
20 Q: So, if I...if the security footage is, is pulled up, is it-
21 A: Yes.
22
23 Q: -is it gonna show you using this Minneapolis vehicle? This, uh, [REDACTED]
24 [REDACTED]. Is either incident gonna show
25 that vehicle?
26 A: Sergeant, you can pull that video and I would like for you to do that just to
27 concrete everything from what she's alleging me on.
28
29 Q: OK.
30 A: And go ahead and do it, uh, from both incidents. You're gonna see me with
31 my personal vehicle and her coming there on her own.
32
33 Q: OK.
34 A: Yep.
35
36 Q: Oh, let me back up, too, on one these. That when you met her on the 16th,
37 um, were you in uniform that day?
38 A: On the 16th, no, I was not.
39
40 Q: OK. Were you in maybe like a pseudo-uniform like say like this with a badge,
41 gun, handcuffs?
42 A: I always have my gun and badge with me.
43
44 Q: You always do?
45 A: Yep.
46

1 Q: OK. So, you did?
2 A: Yep.
3
4 Q: So, were you in street clothes then?
5 A: I was in plain clothes.
6
7 Q: I mean...that's what I meant. I'm sorry. Street-
8 A: Street, plain clothes.
9
10 Q: -plain clothes. Gun and badge?
11 A: Gun and badge.
12
13 Q: Cuffs?
14 A: Yep, no cuffs.
15
16 Q: No cuffs?
17 A: Gun and badge. Yep.
18
19 Q: OK. And do you think...did you ever use that to intimidate her in anyway?
20 A: No, absolutely not.
21
22 Q: OK.
23 A: Absolutely not.
24
25 Q: Is she used to seeing you wearing that?
26 A: Yes. Yes.
27
28 Q: OK. And, um, I know this is a little-, a little personal, but on the 16th, can you
29 just kind of describe what happened as far as, uh, you know, your encounter in
30 the room that day?
31 A: Well, I went there. She, she, she followed me and, uh...
32
33 Q: OK. So, you checked in?
34 A: I checked in. We went around to the room, basically, went in there, and just
35 had inter-, intercourse.
36
37 Q: OK.
38 A: And that's basically it. Nothing...I mean I can't put any better than that.
39
40 Q: OK.
41 A: Yeah, and it was all consensual.
42
43 Q: OK. Any protection used?
44 A: Any protection used, uh, no.
45
46 Q: OK. By you or her as far as you know?

1 A: No.
2
3 Q: OK. You say it was consensual. And afterwards, you got in your personal
4 car and drove away?
5 A: Afterward, we cleaned up and we just went separate ways.
6
7 Q: OK.
8 A: Yep.
9
10 Q: And then the 21st, describe what happen in there then?
11 A: 21st same deal. Um, she text me and, uh, wanted to meet up at the motel.
12 She actually recommended the Motel 6. If you check her texts, that's what you're
13 gonna see, her recommending all that. And then, uh, of course, I went there first
14 and then she came later, and we met.
15
16 Q: OK.
17 A: Same thing.
18
19 Q: So, you don't know what vehicle she was using that day then?
20 A: That day, she used the same vehicle.
21
22 Q: [REDACTED] again?
23 A: Yeah.
24
25 Q: OK.
26 A: [REDACTED] That day, I can still
27 recall correctly because we had that run-in with each other, and so, I kind of
28 remember more clearly than the, the first incident.
29
30 Q: OK.
31 A: Uh, and it was, uh, not too long ago. She was using [REDACTED]. If I recall
32 correctly, a [REDACTED]
33
34 Q: Do you remember the color?
35 A: Uh, [REDACTED]. It was darker color cause she met me there, it was...I think it
36 was already dark.
37
38 Q: OK.
39 A: Yeah.
40
41 Q: OK. And I'll ask you like I did the last time. Do you remember paying with
42 cash or credit card?
43 A: That time I think cash, too.
44
45 Q: OK.
46 A: Yes.

1
2 Q: Do you remember about how much?
3 A: I don't recall to be exact, should be right around 50, 55 or 60, somewhere
4 around there.
5
6 Q: 61.66?
7 A: OK.
8
9 Q: Does that sound right?
10 A: Sounds right, yep.
11
12 Q: OK. And both times just paid for one-
13 A: Yep.
14
15 Q: -one night, correct?
16 A: Yep.
17
18 Q: OK. Do you-, do you remember the room number of that...?
19 A: I don't recall the room number to be exact.
20
21 Q: OK. It was 324 if that rings a bell.
22 A: OK.
23
24 Q: OK. And then once again, security footage from that motel, will it show that
25 you were using the...a City car?
26 A: It should not that. It should show me using my personal car.
27
28 Q: OK.
29 A: That's what you'll see.
30
31 Q: OK.
32 A: Yep.
33
34 Q: And, and which personal car?
35 A: [REDACTED]
36
37 Q: [REDACTED]
38 A: [REDACTED]
39
40 Q: [REDACTED]
41 A: Yep.
42
43 Q: OK. Do you know what color is that?
44 A: [REDACTED]
45
46 Q: [REDACTED] how do you say it?

1 A: The...

2

3

4

5

6

7

8

9
10 A: Yes.

11

12 Q: OK. Um, and...yeah, do you recall filling out a registration card to either one
13 for vehicles at the motel? I know most of them ask you to. Cause on that one,
14 like I say, they had your plate. You recall the [REDACTED]

15 A: Yep, that one I, I...that one I filled the vehicle, but the other one I wasn't sure
16 if I filled out the, the vehicle part or not.

17

18 Q: OK. Cause the Skyline-

19 A: Yeah.

20

21 Q: -it didn't have a...it, it mentioned that on the Skyline registration from the 16th,
22 it just had listed a [REDACTED]

23 A: Hmm...

24

25 Q: So, you know why it would say [REDACTED] versus...cause you think you
26 were in the...which vehicle did you say you were in?

27 A: I probably thought I was driving the City vehicle, but I was not.

28

29 Q: OK.

30 A: [REDACTED] if anything was the one that I was using over there.

31

32 Q: OK.

33 A: Yeah, and if you pull this...if you pull the video, you should be able to see the
34 actual vehicle.

35

36 Q: OK. OK. And, and what...on the 21st, were you also wearing, um, plain
37 clothes?

38 A: Yes.

39

40 Q: Badge, gun?

41 A: Yep.

42

43 Q: OK. OK. I think we've covered pretty much everything, sir. Um, we covered
44 [REDACTED], um, and your contact with her since. Um, I
45 don't know. Are there any facts concerning this incident you have knowledge of,
46 but have not disclosed?

1 A: Uh, the facts of her talking negatively and, you know, and, uh, basically,
2 reaching out to us for, you know... Basically, she was the one that directed the
3 whole relationship is what I'm trying to get at and then turning the facts, and lying
4 to me, [REDACTED] And, uh, from what my knowledge
5 interacting with her is there has been numerous time where she's using -- this is
6 from her telling me -- where she has used authority before. Now, um...and, uh,
7 she recanted on all the stories, all the arrests that authority had made on her and
8 her, uh, spouse. And so, this, this I learned right after the run-in with the,
9 uh...her and her husband together.

10
11 Q: OK.

12 A: And, uh, knowledge from what she had told me is that she had made these
13 statements and made these arrests in the past, but all of it...you know, she
14 recanted on all of them. So, uh, this, this run-in with me and her it might be one
15 of those things where, uh, [inaudible] the way she might probably was just angry
16 at the time making, uh, nonfactual evidence up or, you know, bringing, uh, her
17 anger forward with allegations. I'm sure, uh, some-, something where she's not
18 per...you know, personally...uh, doesn't hold it per-, personal emotion against
19 me for anything like that. Just out of frustration, out of anger, I'm sure. Uh, that's
20 basically what she basically want to do is just get attention and then redirect all
21 that or just kind of let it all slide.

22
23 Q: OK.

24 A: Yeah.

25 [REDACTED]
26 [REDACTED]
27 [REDACTED]
28 A: This? Yes.

29
30 Q: -would you bring this up and...?

31 A: [REDACTED]
32 [REDACTED]
33 [REDACTED]
34 [REDACTED]
35 [REDACTED]

36
37 Q: Mm-hmm (indicating yes).

38 A: [REDACTED]
39 [REDACTED]

40
41 Q: Yep.

42 A: But anything that is after March 14 or any statement being brought forward
43 after March 14, basically, she has no responsible...responsibility of that for, uh, if
44 it's not from her directly. In the matter of her sending an email and reaching out
45 and trying to connect with me through Kou Vang, [REDACTED]
[REDACTED]

1 [REDACTED]

3

4 Q: With this?

5 A: With that, yeah.

6

7 Q: OK.

8 A: [REDACTED]

9

10 Q: OK.

11 A: Just leaving it up to...

12

13 Q: But could you do me a favor, though, and contact me-

14 A: Sure.

15

16 Q: -and let me know?

17 A: I will.

18

19 Q: [REDACTED]

[REDACTED]

26

27 Q: Mm-hmm (indicating yes).

28 A: [REDACTED]

33

34 Q: OK.

35 A: And so, I'll, I'll let you know how that goes and...

36

37 Q: OK. I would appreciate that.

38 A: Sure.

39

40 Q: It would help the case either way to clear this up.

41 CF: Yep.

42 A: Yeah.

43

44 Q: OK? All right. Is there...

45 A: Absolutely.

46


1 Q: You've said a lot. Is there anything else you would like to add to this
2 statement that I have not asked you?
3 A: No, that would be it. I mean my own suggestion is to grab the videos, review
4 the videos, and it would be [inaudible] and her photos. I don't even know where
5 she took that photo to be honest and how she got the...those photos.
6
7 Q: OK.
8 A: Um...
9
10 Q: And you did say that she had a couple opportunities to be in that car?
11 A: Absolutely.
12
13 Q: OK.
14 A: Yep.
15
16 Q: All right. Anything else?
17 A: No, nothing else.
18
19 Q: All right. Was this a true and accurate statement?
20 A: It is true.
21
22 Q: All right.

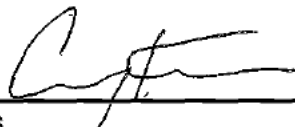
23
24 PER MPD POLICY AND PROCEDURE, SECTION 5-107.8, YOU ARE NOT TO
25 DISCUSS THIS INTERVIEW OR CASE INVESTIGATION WITH ANYONE
26 OTHER THAN YOUR FEDERATION/UNION REPRESENTATIVE OR
27 ATTORNEY.

28
29 Do you understand this?
30 A: I understand.

31
32 Q: All right. This will conclude our statement at 1557 hours. Thank you both,
33 gentlemen.

34
35
36 STATEMENT CONCLUDED AT 1557 HOURS

37
38 
39 _____ 6/9/15
40 Officer Blake Moua Date

41
42 
43 _____ 6/9/2015
44 Witness

45
46 Job #: 23979