



POLICE OFFICERS FEDERATION OF MINNEAPOLIS

1811 University Ave., N.E.

Minneapolis, MN 55418

612-788-8444 phone • 612-788-7135 fax 

February 19, 2019

Inspector Eddie Frizell
19 North 4th St
Minneapolis, MN 55401

Dear Inspector Frizell:

Enclosed, please find the grievance filed on behalf of Officer Alexander Brown regarding **13.43** resulting from IA Case 16-22845. I would request to meet with you at your earliest convenience regarding POFM Grievance #19-1. Additionally, I am requesting of you and Chief Arradondo to forgo steps in the grievance process and proceed directly to arbitration if mutually agreeable. Thank you.

Sincerely,

A handwritten signature in blue ink, appearing to read "Bob Kroll".

Lieutenant Bob Kroll

CC: Chief Medaria Arradondo
CC: Assistant Chief Mike Kjos
CC: Nina Doree, Police Admin Secretary
CC: Laura Davis, Labor Relations

PRESIDENT

Robert J. Kroll

SECRETARY

Cory H. Fitch

DIRECTORS

Steven C. Fogarty

Anna C. Hedberg

Mark A. Johnson

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Park Police Representative

VICE PRESIDENT

Sherral R. Schmidt

TREASURER

David A. Garman

**Police Officers' Federation of Minneapolis
Grievance Form**

Grievant: Alexander Brown Grievant's Rank: Officer

Grievant's Work Location: 1st Precinct Grievance Number: 19-1

Name & Title of Grievant's Immediate Supervisor: Inspector Eddie Frizell

Statement of Grievance: The City 13.43 Officer Brown without just cause.

Contract Violation(s): Section 12.01, Just Cause

Remedy Sought: Make whole.

Dated: February 19, 2019 Name of Federation Representative: Lt. Bob Kroll

Presented to: Inspector Eddie Frizell Date: February 19, 2019

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: Peter Brazeau	Employee ID: 000750
Job Title: Officer	Job Code:
Department: Minneapolis Police Department	
Is this employee a Veteran? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Unknown <i>TW PB</i>	
Has this employee passed probation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

13.43 - Personnel Data

REASON(S) FOR THIS ACTION: (Check applicable boxes below and attach Letter of Determination that includes specific violations)

☒ Violation of [Civil Service Commission Rule 11.03](#) – Subdivision: 19, 20

☐ A. Substandard Performance

☒ B. Misconduct

☒ Violation of the Department Rule(s), Law(s), Ordinance(s), or Regulation(s) 5-303

NOTICE TO CLASSIFIED EMPLOYEES OF LEGAL RIGHTS

DISCHARGE AND PROBATIONARY RELEASE AND SUSPENSION AND INVOLUNTARY DEMOTION

Probationary Employees – Employees, including veterans separated from the United States military service under honorable conditions, who have not passed an initial hiring probationary period do not have a right to a hearing before the Civil Service Commission (CSC).

Veteran Employees (Permanent) - Employees holding a permanent position with the City or Park Board of Minneapolis, and who is a veteran separated from the United States military service under honorable conditions and who has passed an initial hiring probationary period, has a right to a hearing prior to discharge from employment or involuntary demotion. Temporary employees who are veterans do not have a right to a hearing.

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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.

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 Civil Service Commission 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 postmarked or received by the Civil Service Commission within 15 calendar days from the date disciplinary action was provided to the employee. The 15 days are counted from the first day after the notice was provided to the employee. If the 15th 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 15-day period. The request for a hearing may be accompanied by the employee's statement of his or her version of the case.

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ALL REQUESTS FOR A HEARING AND APPEALS MUST 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:

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

☒ A copy of this form and relevant accompanying information was given to the employee on 12/23/19.
☐ 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: [Signature]

Date: 12-6-19

Signature of Person Mailing/Delivering Notice: [Signature]

Date: 12-23-19

Entered into COMET-HR by:

Date:

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: Alexander Brown	Employee ID: 000820
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	

13.43 - Personnel Data

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

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Date: 12-6-19

Signature of Person Mailing/Delivering Notice: [Signature]

Date: 12-23-19

Entered into COMET-HR by: _____ Date: _____

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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: August 14, 2018

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

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Signature of Department Head: _____

Date: February 15, 2019

Signature of Person Mailing/Delivering Notice: _____

Date: February 15, 2019

Entered into COMET-HR by: _____

Date: _____

DISCHARGE, SUSPENSION OR INVOLUNTARY DEMOTION FORM

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Employee Name: Peter Brazeau	Employee ID: 000750
Job Title: Officer	Job Code:
Department: Minneapolis Police Department	
Is this employee a Veteran? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Unknown	
Has this employee passed probation? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	

NATURE OF ACTION:

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

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

☒ Suspension without pay:

Total Working Days (or hours): 80 Hours

Beginning on: December 9, 2019

Ending on: December 20, 2019

☐ 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: (Check applicable boxes below and attach Letter of Determination that includes specific violations)

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NOTICE OF DISCIPLINE (Grievance Settlement Agreement)

December 9th 2019

Officer Alexander Brown
Minneapolis Police Department

RE: OPCR #16-22845

Officer Alexander Brown,

As a result of the Settlement Agreement following grievance #19-1, the final discipline for OPCR Case #16-22845 is as follows:

<u>Policy Number</u>	<u>Sub-Section</u>	<u>Policy Description</u>	<u>Category</u>	<u>Disposition</u>
5-303		Use of Force	D	<u>SUSTAINED</u>

Pursuant to the Grievance Settlement Agreement, the City shall **13.43 - Personnel Data** impose an 80-hour suspension for a Category D level violation of the MPD's Policy and Procedure Manual under Section 5-303, Authorized Use of Force.

This case will remain in OPCR files per the record retention guidelines mandated by State Law.

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

Sincerely,

Thomas Wheeler

Thomas Wheeler
Commander

13.43 - Personnel Data

CC: Personnel file
OPCR
Deputy Chief of Professional Standards

Rec'd. *AK 2* 12/23/19

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Is this employee a Veteran? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown	
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Signature of Department Head: [Signature]

Date: February 15, 2019

Signature of Person Mailing/Delivering Notice: [Signature]

Date: February 15, 2019

Entered into COMET-HR by: _____ Date: _____

From the desk of:
Medaria Arradondo
Chief
Minneapolis Police Department
350 South 5th Street, Room 130
Minneapolis, MN 55415
(612) 673-3550



February 15, 2019

Memo Re: OPCR #16-22845

MPD Officer Alexander Brown.

Date of Incident December 29th, 2016.

We must first do no harm.

On December 29th, 2016, at approximately 0200 hours, Officer Brown you identified and observed an adult male named Mr. Bern Day in downtown Minneapolis who you believed was intoxicated, belligerent and needed to be taken into *protective custody*. This particular incident's outcome involving yourself and Officer Brazeau neither provided protection to Mr. Day and custody was handled by paramedics as a result of the injuries Mr. Day sustained from the force used against him by you and your partner while he lay handcuffed on his back.

When a peace officer uses unreasonable force against those they took an oath to serve and protect it is one of the greatest singular acts that erodes the public trust, furthermore when that unreasonable force is used against a vulnerable handcuffed subject lying on his back it is a stain on our badge and our profession. As Chief I am proud of the fact that the MPD engages with our community through Procedural Justice. Giving others Voice, being Neutral in our engagements, treating everyone with Respect and building Trust. I expect every officer to treat our public in this manner.

Officer Brown after the actions of Mr. Day that involved a kick that did not cause any significant injury to you or your partner you proceeded to punch him in the face which medical records noted he suffered a broken nose along with other facial injuries. Your actions were unwarranted and unacceptable. Your taunting of Mr. Day is beneath common decency and would cause any reasonable person under the circumstances to believe that they might be subject to both harm and unfairness. Officer Brown you and your partner based upon your previous observations of Mr. Day on that evening could have utilized other options if in fact you were truly there to protect him from himself. Instead you and your partner treated Mr. Day in such a way that violated both department policy and the public trust.

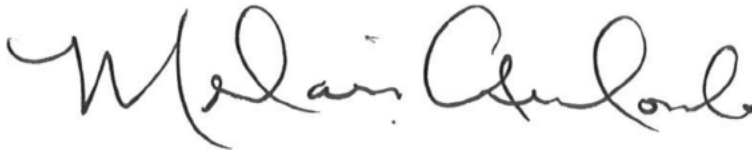
I will not allow these acts to define the men and women of the MPD who work so hard to build trust and good will with those we serve. The MPD's core values are Trust, Accountability and Professional Service. Officer Brown your actions on that day did nothing to advance this department's values.

After extensive review of the case file including video and your own statement when asked during your interview if given the opportunity is there anything you would have done differently and you replied no. Your response is both disturbing and telling. You intentionally inflicted unreasonable physical force on a vulnerable member of our community causing injury and yet you felt justified in your conduct. For those reasons stated

13.43 - Personnel Data

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Chief Medaria Arradondo

A handwritten signature in black ink, appearing to read "Medaria Arradondo", written in a cursive style.

Minneapolis Police Department