

MINNEAPOLIS

City attorney decides against defending ex-cop in federal lawsuit

Blayne Lehner, the fired officer, is accused of kicking a man in the face.

By Libor Jany (<https://www.startribune.com/libor-jany/6134700/>) Star Tribune |

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The Minneapolis city attorney's office's decision to not represent a former city police officer sued for kicking a handcuffed suspect during a 2012 arrest drew a strong rebuke Monday from police union officials.

The officer, Blayne Lehner, who was fired in January for unspecified misconduct, was accused in a federal lawsuit of using excessive force against Luis Daniel Garcia during a traffic stop in the Kingfield neighborhood, violating his civil rights. The suit, filed in 2015, alleges that Lehner kicked Garcia in the face and broke the 18-year-old's jaw and several teeth after he became combative in the back of a squad car.

Last fall, the city declined to provide representation or to indemnify Lehner, who appealed the decision. An administrative judge ruled in the city's favor earlier this month.

On Monday, the issue was presented to the City Council's Ways and Means Committee, which voted unanimously against having the city defend Lehner. The matter will go to the full City Council for approval.

Police union President Lt. Bob Kroll criticized the decision, saying it could have a chilling effect on officers who, without the city's legal backing, might become more passive for fear of being prosecuted or sued. Kroll also called the decision "direct retaliation because of his involvement" with the Police Officers Federation of Minneapolis, which represents the city's nearly 850 rank-and-file officers.

"He's obviously being treated differently than others," Kroll said.

Lehner sits on the federation's board, which is in the midst of contract negotiations with the city.

Assistant city attorney Susan Trammell declined to comment, citing confidentiality provisions on personnel matters and because many case details have been kept secret under a protective order issued by the court.

Lehner has faced other legal problems, including a 2012 excessive-force lawsuit that accused him of beating a suspect unconscious. He also was alleged to have assaulted a KSTP video journalist during an Occupy rally downtown.

Officials at police headquarters and in City Hall have been tight-lipped about the reason for Lehner's termination, although some have hinted that the latest suit was the final straw in the department's decision to fire him.



HANDOUT

Former Minneapolis Police Officer Blayne Lehner

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