

MINNEAPOLIS

Woman alleges excessive force used in 2016 traffic stop in Minneapolis

Driver alleges she was assaulted during a traffic stop in July 2016.

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

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A woman who was accused of resisting police during a traffic stop last summer has filed a federal lawsuit against the two Minneapolis officers who pulled her over, claiming that they used excessive force in making their arrest.

In a six-page lawsuit filed this week in U.S. District Court, Lenell McKenzie contends that she dialed 911 after being pulled over, fearing for her safety. The suit claims that she was talking to a dispatcher when the officers, Charles Cape and David Robins, began assaulting her without warning.

A message left for her attorney on Friday afternoon wasn't immediately returned.

The suit, which also names the city of Minneapolis as a defendant, says that as a result of the assault, McKenzie, 40, "suffered emotional trauma and distress, hearing loss, medical expenses, and lost wages," and that she hasn't been able to return to work.

The traffic stop at the center of the suit occurred in south Minneapolis last July 17.

McKenzie said that she had just dropped off a friend when she saw flashing lights in her rearview mirror and pulled over to the side of the road. She suspects that a neighbor called police to report her vehicle as suspicious, according to the lawsuit.

She said that she became nervous "as a result of the [officers'] words and actions" and sat down on the curb to speak with the 911 dispatcher.

As she did so, Cape, who spotted what he believed was a bag of crack cocaine in her glove compartment that actually turned out to be a small quantity of marijuana — ordered her to hand over her keys so he could search the car, the lawsuit said. When she didn't immediately respond, McKenzie was handcuffed, slammed against the squad car, thrown to the ground, then punched, kneed and elbowed in the face, the suit says.

She was later booked into the Hennepin County jail on charges of obstructing a police officer, but the charges were eventually dropped, online records show.

Lt. Bob Kroll, president of the Police Officers Federation of Minneapolis, said the officers used force only after the woman resisted arrest and began kicking them.

"The force use was minimal," said Kroll, adding that McKenzie was stopped for speeding and because her vehicle was parked too far away from the curb near a suspected drug house. "She was given clear and concise commands that she did not comply with," he said.

The officers weren't wearing body cameras, he said, but the encounter was captured on their squad's dashboard camera. He added: "The officers do not want any settlement or go-away money."

Robins is a three-year veteran of the force, while Cape has been with the department for about four years.

City attorney Susan Segal said through a spokesperson Friday that her office, which defends police officers accused of misconduct, was "gathering all relevant evidence and will be defending against this lawsuit."

Police officials on Friday didn't immediately respond to an e-mail requesting comment.

Libor Jany is the Minneapolis crime reporter for the Star Tribune. He joined the newspaper in 2013, after stints in newsrooms in Connecticut, New Jersey, California and Mississippi. He spent his first year working out of the paper's Washington County bureau, focusing on transportation and education issues, before moving to the Dakota County team.

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