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## Police to change review policy for dash cam videos

Brandt Williams Minneapolis August 21, 2009 8:26 p.m.



A booking photo taken of Derryl Jenkins after he was released from the hospital. He was arrested in February by the Minneapolis police after a traffic stop. A video camera showed Jenkins being violently subdued by several officers. Photo courtesy of the Minneapolis Police Department

Minneapolis police officials say they will make minor changes to the department's policy on videos recorded from police vehicles.

The updates are a response to a videotaped incident in which officers kicked and punched a man who they say resisted before he was arrested. The changes will mean more videos will get reviewed.

The Minneapolis police department has cameras in about 60 percent of its vehicles. Cameras are activated automatically when an officer turns on the car's overhead lights. They record video onto equipment that's locked in the trunk.

The video of a traffic stop recorded in February shows an officer struggling to wrestle 42-year-old Derryl Jenkins to the ground. Backup units arrive and several of those officers punch and kick Jenkins as they try to handcuff him. Jenkins sustained cuts and bruises and was briefly hospitalized.

Police spokesman Sgt. Jesse Garcia said the policy revisions will address situations like this.

"We are in the process of changing some things in the fact that if a suspect is hurt during a use of force incident or something similar, that along with the use of force review on the paper copy of the report, the videotape will also be reviewed - if there is one available," Garcia said.

Actually, the Jenkins arrest video already met review criteria spelled out in the department's policy manual. Because the event involved use of force, the video was reviewed by a supervisor and a watch commander. Garcia said the policy allows for supervisors to look at any video as a way to monitor how an officer is doing.



In this screen capture from a squad car video, Minneapolis Police Officer Richard Walker attempts to subdue a suspect. Provided by attorney Paul Edlund

"The supervisor does reserve the right to look through the tapes to see how the officer's performance is," he said. "If they do see something on there that is questionable they do have the option to forward that complaint on."

In the case of the Jenkins tape, the supervisor and watch commander did not use the tape to initiate disciplinary action against the officers. Instead, the tape was kept and used as evidence in assault charges against Jenkins. The County Attorney dropped the charges. And now - at the request of Minneapolis

Police Chief Tim Dolan - the video is being reviewed by the FBI.

This is one of the reasons why civil rights advocates like attorney Tom Johnson think cameras in squad cars are a good idea.

"The Jenkins case is a case in point," Johnson said. "Without cameras in squad cars, we wouldn't be at a point where we could examine whether or not the police conduct was proper."

Johnson is the former Hennepin County attorney and also director of the Council on Crime and Justice. In 2001, Johnson was the head of the 50-year-old social justice advocacy group, as they pushed for anti-racial profiling legislation at the state capitol.



Derryl Jenkins today. A February 19 police video shows Jenkins being beaten and arrested by six Minneapolis Police Officers. But Jenkins says the video shows he was the victim of an unprovoked attack. ■ MPR Photo/Brandt Williams

That year, legislators passed a measure that paid to install cameras in squad cars. In return, the police departments agreed to tally the race of drivers pulled over in traffic stops.

Hennepin County Sheriff Rich Stanek is a former Minneapolis police officer and served in the state legislature. He is also an advocate of cameras in police cars. As a Republican representative in the House, Stanek authored the 2001 racial profiling legislation. He said video helps officers justify charges, because it's an objective collector of evidence.

"Prior to the use of in-squad video cameras, sometimes all you had was an officer's account and a citizen's account," Stanek said. "Then you had

someone that would mediate or try to arbitrate what exactly happened or didn't happen. A lot of times it was simply based on misperception or miscommunication."

But some say the presence of cameras has not made it easier for people with complaints against police officers to get relief. Michelle Gross is a member of Communities United Against Police Brutality. She said getting a police video released takes time, and sometimes the department either loses or erases videos before they can be released.

"People need to realize that we pay for that video," Gross said. "These officers don't own this video. The police department doesn't own this video. We own this video. "

Minneapolis police Sgt. Jesse Garcia said the tapes are property of the police department. He said video tapes that are not being held as evidence are made public. However, the videos are recycled or erased every 90 days. Those that become evidence are kept indefinitely, or until the case is resolved.

## Gallery



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■ Photo courtesy of the Minneapolis Police Department

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