



Minneapolis  
Park & Recreation Board

HUMAN RESOURCES DEPARTMENT

2117 W. River Rd. | Mpls., MN 55411

Corrective Action/Discipline Documentation

Page 1 of 2

Revised: 1/1/2018

## Corrective Action/Discipline Documentation

Please type or print in ink. Attach additional pages for comments if necessary. Send signed and completed forms to HR.

### EMPLOYEE INFORMATION

Employee's Name: Richard DollEmployee's Job Title: Police Sergeant, ParksEmployee ID: 30217Supervisor: Lt. Mark SwansonUnion: POFM

### INCIDENT INFORMATION

Phone: 612-230-6561Date/Time of Incident: January 6, 2018Location of Incident: St. Anthony Pkwy/Central Ave, Minneapolis

#### Description of Incident:

While working a traffic assignment, Sgt. Doll attempted to stop a suspected impaired driver. The suspect-driver fled from Sgt. Doll and Sgt. Doll responded by pursuing the suspect-driver in violation of policy (due to having a ride-along). The pursuit ended when the suspect-driver crashed into a parked car. Afterwards, Sgt. Doll failed to review squad car video prior to submitting the case for charging. Sgt. Doll's reports of the incident did not accurately depict the vehicle pursuit.

Witnesses to Incident: Jason Phillips (ride-along) & Incident was captured on squad video

Was this incident in violation of MPRB Policy, Rules &/or Civil Service Rules? ☐ No ☒ Yes, policy(ies)/rule(s) violated:

#### 11.03A: Substandard Performance

- ☐ 1. Failure to perform job at minimum acceptable standards
- ☐ 2. Failure to meet or continue to meet established requirement of the position or are not qualified to perform the duties of the position

#### 11.03B: Misconduct

- ☐ 1. Tardiness and absenteeism
- ☐ 2. Sick leave abuse
- ☐ 3. Absence without leave
- ☐ 4. Insubordination
- ☐ 5. Willful or negligent damage of City property
- ☐ 6. Interference with the work of other employees
- ☐ 7. Harassment on the basis of any protected class
- ☐ 8. Misappropriation of City property, funds, or money
- ☐ 9. Violation of safety rules, laws, and regulations
- ☐ 10. Discourtesy to public or fellow employee
- ☐ 11. Violence, threats of violence, abusive behavior, abusive language, or mental harassment
- ☒ 12. Accepting gifts from the public in connection with performance of duties as a City employee
- ☐ 13. Criminal or dishonest conduct whether such conduct was committed while on duty or off duty
- ☐ 14. Reporting to work under the influence or in possession of alcohol or illegal drugs, or using such substance on the job
- ☐ 15. Soliciting or receiving funds for political purposes or personal gain during work
- ☐ 16. Using authority to influence or to compel an employee to become politically active
- ☐ 17. Use or threat of political influence on employment status
- ☐ 18. Making a false statement or the failure to disclose a material fact during an investigation to management
- ☒ 19. Violation of department rules, policies, procedures or City ordinances
- ☐ 20. Other justifiable causes:

Has the impropriety of the employee's actions been explained to the employee? ☐ No ☒ Yes, did the employee offer any explanation for the conduct? (Explain):

Sgt. Doll stated the incident unfolded quickly and he did not immediately recognize it to be a vehicle pursuit. He stated he reported the incident as he recalled it and that he had no intention of misleading or inaccurately reporting the incident.

PRE-DETERMINATION HEARING – only required if Suspension, Demotion, or Termination is recommended.

Employee was informed of alleged violations on (date) 2/20/2018. The employee was given the opportunity to respond at the pre-determination meeting held on (date) 2/22/2018.

☒ Attach copies of the notification of pre-determination hearing letter, documentation, & notice of final decision letter given to employee.

### CORRECTIVE ACTION PLAN

Plan for correcting the problem:

**CORRECTIVE ACTION TAKEN**

Supv and Frm/Mgr Approval Required:

- ☐ Verbal Warning
- ☐ Written Warning

Dir., Asst Supt, HR, and Superintendent Approval Required:

- ☒ Suspension (w/o pay) # of days hours, 16 served
- ☐ Demotion (Attach Hire/Job Change Form)
- ☐ Termination

**EFFECTIVE DATE(S) OF ACTION:**Permanent: effective date/time): \_\_\_\_\_ Temporary: beginning on 3/20/18 total working days \_\_\_\_\_Immediate Supervisor's Signature: Mark Swanson Date: 3-20-18

Foreman/Manager's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**EMPLOYEE ACKNOWLEDGEMENT**

I acknowledge that I have read &amp; understand this disciplinary documentation form &amp; the following notice of legal rights.

Employee's Signature: [Signature] Date: 3-20-18**SIGNATURES: Required for Suspension, Demotion, or Termination**Director's Signature: [Signature] Date: 2/27/2018

Assistant Superintendent's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Director, Human Resources Signature: Meel R. Brooks Date: 2-27-2018Superintendent's Signature: Mary Merrill Anderson Date: 2-27-18**Rule 11.06 Appeal Rights of Employees**

Disciplined employees may appeal to the Commission only as provided herein. An employee may appeal to the Commission a suspension of over thirty days, a permanent demotion (including salary decreases), or a discharge.

**Probation:** An employee removed or discharged during a probationary period may not appeal and is not entitled to a hearing under these rules. A veteran removed during an initial probationary period is not entitled to a hearing under these rules or to a Veteran's Preference hearing. The rights of a veteran are subject to Minnesota Statute §197.46.**Employee Request For Hearing:** Disciplined employees who are eligible to be heard may appeal a disciplinary action by requesting a hearing before the Commission. The request for hearing must be in writing and must describe the alleged breach of disciplinary rules and procedures by management. The request for hearing must be postmarked or received by the Human Resources Department/Civil Service Commission within 15 calendar days from the date the disciplinary action was provided to the employee. The 15 days are counted from the first day after the notice was served. If the 15th day falls on a Saturday, Sunday, or a legal holiday, the request may be served on or before the following business day. The date of the postmark must be within the 15 day period.**Veterans Request For Hearing:** Veterans who are eligible under Minnesota Statute §197.46 may appeal their removal or discharge by requesting a hearing before the Commission. A request for hearing must be in writing and may describe the alleged breach of disciplinary rules and procedures by management. A request for hearing from a veteran must be received by the Human Resources Department/Civil Service Commission within 30 days of receipt by the veteran of the notice of intent to discharge. The 30 days are counted from the first day after the notice was served. If the 30th day falls on a Saturday, Sunday, or a legal holiday, the request must be made on or before the following business day. The rights of a veteran are subject to Minnesota Statute §197.46.**All Requests for a Hearing & Appeals Should Be Submitted to:**Human Resources Department/ Civil Service Commission  
250 South 4<sup>th</sup> Street, Room 100  
Minneapolis, MN 55415-1339**Distribution:**

Original: Human Resources

Copy: Union \_\_\_\_\_

Copy: Supervisor \_\_\_\_\_

Copy: Employee \_\_\_\_\_

Logged by: \_\_\_\_\_

Date: \_\_\_\_\_

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

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In the Matter of:

POLICE OFFICERS FEDERATION OF  
MINNEAPOLIS,

Grievant Rick Doll

Union,

and

Minneapolis Park Police,

**GRIEVANCE SETTLEMENT AGREEMENT**

Employer.

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The Minneapolis Park Police and the Police Officers Federation of Minneapolis ("Federation"), are parties to a collective bargaining agreement under which the above-entitled grievance was filed, hereby enter into the following agreement:

Whereas, on or about 3/20/2018, the Minneapolis Park Police suspended the grievant, Rick Doll, or violation of the Vehicle Operations Policy and Investigative Procedures.

The Federation grieved the suspension, Grievance # 18-03, pursuant to Section 4.2 of the collective bargaining agreement, just cause for discipline.

Whereas, the Federation and the Park Police wish to resolve this matter amicably and without resort to arbitration;

NOW THEREFORE, the parties agree as follows:

1. Grievant will receive a      hour suspension. 16 of the hours have already been served :

Same or similar would be violations of the Vehicle  
Operation Policy and Investigative Procedures.


2.      The grievant will also be prohibited from having "ride-alongs" for a period of one year.

3.      This agreement shall not create or be used as precedent in any other grievance.

FOR THE FEDERATION:

  
Adam Swierczek

FOR THE MINNEAPOLIS PARK POLICE:

  
Jason R. Ohtto  
Park Police Chief



## Minneapolis Park & Recreation Board

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March 20, 2018

Sergeant Richard Doll  
Minneapolis Park Police Department  
2117 West River Road North  
Minneapolis, Minnesota 55411

Sergeant Doll:

A pre-determination meeting was held on February 22, 2018 at 1600 hours in the Bde Maka Ska Room at MPRB Headquarters. The meeting was attended by you, Officer Adam Swierczek from the Police Officers' Federation of Minneapolis, me and Rhonda Heryla from MPRB Human Resources. At the meeting, you were given the opportunity to respond to the incident that occurred on January 6, 2018.

This letter is to inform you the investigation of policy violations surrounding the January 6, 2018 incident (Case Control Number 18-006255) is **SUSTAINED**.

Your misconduct includes (summary):

*On January 6, 2018, you were working an overtime assignment focused on traffic enforcement. During your assignment you attempted to pull-over a suspected impaired driver. The suspect-driver did not stop when signaled and eventually crashed into a parked car. You had a civilian ride-along in your police vehicle.*

*After the suspect was arrested, you contacted Lieutenant Calvin Noble and, in summary, stated the suspect vehicle did not pull-over when signaled (lights and siren) but continued driving at low speeds. You described the incident as not being a vehicle pursuit (no evasive action). You did, however, include the offense code "FLEE" on the police report.*

*Lieutenant Noble conducted a pursuit review of the incident and alerted Chief Jason Ohotto to the squad car recording (MVR) of the incident. Chief Ohotto viewed the video and his initial assessment was that the video depicts a vehicle pursuit potentially in violation of policy (due to the ride-along).*

*The MPRB hired Susan Ellingstad to investigate these allegations.*

By your actions, you violated the following:

**Civil Service Rule 11.03 B-19 Violation of department rules, policies, procedures or City ordinances.**

- o Minneapolis Park Police Department Special Order 2017-03 Vehicle Operation – You initiated a pursuit while a non-MPPD employee was in the police vehicle. This was a violation of policy as you should not have engaged in a pursuit because the incident was not a homicide, 1<sup>st</sup> or 2<sup>nd</sup> degree assault, aggravated robbery, sexual assault involving use or threatened use of a dangerous weapon or kidnapping.
- o Minneapolis Park Police Department Memorandum regarding Investigative Procedures dated January 9, 2017 – In an earlier April 14, 2014 email from Chief Jason Ohotto and again the memorandum, investigators were instructed to review any and all evidence, including police squad car video footage for an investigative report. It has also been a recommended practice for officers to review the MVR video when submitting a case for charging to Hennepin County. You did not review the MVR video.

**The allegations of Civil Service Rule 11.02 A-1 Substandard Performance and Civil Service Rule 11.03 B-19 Violation of Department Rules (Untruthfulness) are NOT SUSTAINED.**

The MPD Discipline Matrix calls for a baseline suspension of 30 hours (or a suspension of 40 hours in aggravated circumstances) for failing to terminate a pursuit as required by policy. The MPD Discipline Matrix also calls for a baseline suspension of 10 hours for failing to comply with lawful orders in administrative and routine situations.

The following were considered as aggravating circumstances:

1. As a supervisor, the standard for performance is higher. A supervisor serves as an example to others. Your actions failed to demonstrate an expected level of competence for someone in your position;
2. You failed to consider important evidence (video), which likely impacted charging of the suspect;
3. Pattern of prior policy violations:
  - a. January 17, 2015 – 8-hour suspension; Civil Service Commission Rule 11.03 B.10 – Discourtesy to Public or Fellow Employees, MPPD 5-101 Code of Conduct Defined, MPPD 5-103 Use of Discretion, MPPD 5-104.01 Preventing Perception of Biased Policing
  - b. June 22, 2016 – Verbal Warning; Civil Service Commission Rule 11.03 B.19 Violation of Department Rules, Policies, Procedures or City Ordinance
  - c. March 17 – 19, 2017 – Verbal Warning; Civil Service Commission Rule 11.03 B.19 Violation of Department Rules, Policies, Procedures or City Ordinance

The following mitigating circumstances were considered:

1. The driver-suspect initiated the pursuit through felonious conduct.

Sincerely,

A handwritten signature in black ink, appearing to read "J. R. Ohotto", written in a cursive style.

Chief Jason R. Ohotto  
MINNEAPOLIS PARK POLICE DEPARTMENT

C: File  
President Robert Kroll, Police Officers' Federation of Minneapolis



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Jennifer B. Ringold

March 8, 2018

Sergeant Richard Doll  
Minneapolis Park Police Department  
2117 West River Road North  
Minneapolis, Minnesota 55411

RE: Determination Meeting Notification Letter

Sergeant Doll:

This letter informs you that your attendance is required at a meeting on Tuesday, March 20, 2018, at 1030 hours in the Park Police Conference Room of the MPRB Headquarters Building. The purpose of the meeting is review the outcome and potential discipline after considering the February 22, 2018, Predetermination Meeting.

You are allowed to have a Union representative present as permitted in your labor agreement. If you choose to have representation, it is your responsibility to make any arrangements for the presence of such a representative.

If you have any questions, you may call me at 230-6564.

Sincerely,

Chief Jason R. Ohotto

MINNEAPOLIS PARK POLICE DEPARTMENT

C: File







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February 20, 2018

Sergeant Richard Doll  
Minneapolis Park Police Department  
2117 West River Road  
Minneapolis, MN 55411

Subject: Predetermination Meeting

Sergeant Doll:

This letter informs you that your attendance is required at a meeting on Thursday, February 22, 2018 at 1600 hours in the Bde Maka Ska Conference Room of the MPRB Headquarters Building. The purpose of the meeting is to allow you the opportunity to respond to the charges listed below and to comply with the labor agreement between the Minneapolis Park and Recreation Board and the Police Officers' Federation of Minneapolis.

Summary of Incident

On January 6, 2018, you were working an overtime assignment focused on traffic enforcement. During your assignment you attempted to pull-over a suspected impaired driver. The suspect-driver did not stop when signaled and eventually crashed into a parked car. You had a civilian ride-along in your police vehicle.

After the suspect was arrested, you contacted Lieutenant Calvin Noble and, in summary, stated the suspect vehicle did not pull-over when signaled (lights and siren) but continued driving at low speeds. You described the incident as not being a vehicle pursuit (no evasive action). You did include the offense code "FLEE" on the police report.

Lieutenant Noble conducted a pursuit review of the incident and alerted Chief Jason Ohotto to the squad car recording (MVR) of the incident. Chief Ohotto viewed the video and his initial assessment was that the video depicts a vehicle pursuit potentially in violation of policy (due to the ride-along).

Lieutenant Noble confronted you with observations from the MVR squad car video, and you stated you never reviewed the video. Human Resources hired Susan Ellingstad to investigate these allegations.

Based on the information and documentation/reports we have gathered relating to the charges, it has been determined that you may have violated the Civil Service Commission rules and policies and procedures as cited below.

- Civil Service Rule 11.03 B-19 Violation of department rules, policies, procedures or City ordinances

- Minneapolis Park Police Department Special Order 2017-03 Vehicle Operation – You initiated a pursuit while a non-MPPD employee was in the police vehicle. This was a violation of policy as you should not have engaged in a pursuit because the incident was not a homicide, 1<sup>st</sup> or 2<sup>nd</sup> degree assault, aggravated robbery, sexual assault involving use or threatened use of a dangerous weapon or kidnapping.
- Minneapolis Park Police Department Memorandum regarding Investigative Procedures dated January 9, 2017 – In an earlier April 14, 2014 email from Chief Jason Ohotto and again the memorandum, investigators were instructed to review any and all evidence, including policy squad car video footage for an investigative report. It has also been a recommended practice for officers to review the MVR video when submitting a case for charging to Hennepin County. You did not review the MVR video.

At the meeting you will be given an opportunity to respond to the above charges and to explain any mitigating circumstances. You are allowed to have a union representative present as permitted by your labor agreement. If you choose to have a union representation, it is your responsibility to make any arrangements for the presence of such a representative.

Sincerely,



Chief Jason Ohotto

CC: Human Resources

**ATTORNEY CLIENT PRIVILEGED  
INVESTIGATION REPORT**

Prepared For Minneapolis Parks and Recreation Board  
Regarding Potential Violation of MPRB Policies of Sergeant Richard Doll  
February 16, 2018

Prepared by:

Susan E. Ellingstad  
Lockridge Grindal Nauen P.L.L.P.  
Suite 2200  
100 Washington Avenue South  
Minneapolis, MN 55401

## **I. SCOPE AND SUMMARY OF INVESTIGATION**

This investigation was initiated at the request of the Minneapolis Parks and Recreation Board ("MPRB") following a complaint and request for investigation from Minneapolis Park Police Chief Jason Ohotto. Chief Ohotto's complaint involves the conduct of Sergeant Richard Doll in stopping a suspected impaired driver on January 6, 2018.

On January 6, Sergeant Doll was working an overtime traffic assignment and had in his police vehicle a civilian ride-along, which was permitted by MPRB policy. Sergeant Doll observed a car driving slowly but erratically and attempted to get the driver to pull over. The driver did not stop, Sergeant Doll continued to follow the car, and it eventually crashed into a parked vehicle. Sergeant Doll subsequently described the incident to Lieutenant Calvin Noble and prepared a police report. In his verbal description and email to Lieutenant Noble, as well as his and written report of the incident, Sergeant Doll stated that the vehicle was slow to stop and drove for speeds between 20-30 miles per hour. Doll maintained to Lieutenant Noble that there had been no vehicle pursuit.

Park policy prohibits vehicle pursuits with a ride-along in the vehicle except in certain limited circumstances. Chief Ohotto subsequently reviewed the squad car recording of the incident and believed it depicted a vehicle pursuit.

He also noted that Sergeant Doll had not reviewed the MVR squad car video. Chief Ohotto requested an investigation for the purpose of determining whether Sergeant Richard Doll violated the MPRB policies prohibiting engaging in vehicle pursuits with a ride-along in the vehicle.

## **II. Persons Interviewed**

- Sergeant Richard Doll, Park Police (Interviewed in person on January 30, 2018)
- Lieutenant Calvin Noble, Park Police (Interviewed in person on February 1, 2018)

## **III. Documents and Video Reviewed**

- January 17, 2018 Memo from Chief Jason Ohotto to Rhonda Heryla regarding Employment Investigation
- January 9, 2017 Memo from Lt. Swanson regarding Investigative Procedures
- April 14, 2014 Email from Jason Ohotto to Police Supervisors regarding Review of Squad Video
- January 6, 2018 Pursuit Summary Review
- January 6, 2018 Ride-Along Program Release and Indemnity Agreement signed by
- January 7, 2018 Email from Richard Doll to Calvin Noble
- January 2, 2016 Police Report MP-18-006255

- MPRB Policies and Procedures
  - MPRB MVR Policy
  - Body Worn Camera Policy
  - Body Worn Cameras – Work Rules
  - Vehicle Operation – Revised
  - Code of Conduct (Sworn)
- MVR video of incident
- Body-cam video of incident

#### IV. **Relevant Policies**

##### A. Vehicle operation – Revised 7-405 (B-D)

Whenever any non-MPPD employees are in a police vehicle, officers may only initiate a pursuit under the following conditions:

- a. Homicide
- b. 1<sup>st</sup> and 2<sup>nd</sup> degree assault
- c. Aggravated robbery
- d. Sexual assault involving the use or threatened use of a dangerous weapon.
- e. Kidnapping.

However, the officers must terminate their participation in the pursuit upon the involvement of a squad that is able to take over as the primary pursuit vehicle.

##### B. 7-406.01 Role of Officers in the Primary Pursuit Vehicle

Officers in the primary pursuit marked squad shall:

1. Activate red lights and siren.
2. Turn up the radio and roll up the windows.
3. Notify dispatcher by radio of the location, speed, direction of travel, and reason for the pursuit.
4. Identify the occupants as completely as possible.
5. Call out the location and direction of the pursued vehicle as frequently possible.
- ...
8. Complete an offense/incident report entitled "FLEE" and all other necessary reports.

C. Investigative Procedures Memorandum dated 1/9/2017

NEW FOR 2017

**It is the job of an investigator to review all evidence related to a case.**

Investigators are reminded that they need to check and review any and all the [sic] Park Police squad car camera footage; and in the future any Park Police Officer body worn camera footage that is related to a case they are investigating. Investigators should enter a heading somewhere in their investigative supplement that is titled:

REVIEW OF PARK POLICE SQUAD CAR VIDEO FOOTAGE

And or:

REVIEW OF PARK POLICE BODY WORN CAMERA FOOTAGE

Investigators should give a short summary of what evidence is seen on the above video. I know that this is time consuming and may delay some in-custody investigation; but the charging attorneys are expecting to have these videos reviewed by an investigator so there are no surprises in the cases when they go to court. If you are working a complicated case and need assistance then request it from another investigator or the investigative Lieutenant.

...

**V. Summary of Interviews<sup>1</sup>**

**A. Sergeant Richard Doll**

Sergeant Richard Doll, Park Police, was interviewed in person on January 30, 2018. Sergeant Doll has worked at the Park Board for 25 years and as a police officer for 22 years. Since 2003 he has been an Investigative Sergeant. Sergeant Doll stated that on the evening of January 6, 2018 he was working a "TZD" or "Toward Zero Deaths" assignment. Under the TZD program, officers are tasked to look for drivers who are texting, driving under the influence, or not wearing their seatbelts. Sergeant Doll employs speed enforcement as a tool to detect drunk drivers. Sergeant Doll had brought a friend with him on this shift pursuant to the MPRB ride along policy.

At 8:26 p.m. on Central Avenue Northeast, Sergeant Doll was parked on the side of the road watching southbound cars. He noticed a car one block away driving close to the curb at a speed of 17 miles per hour in a 30 mile per hour (mph) zone. He observed the car engaging in "exaggerated driving," weaving in his lane toward the curb. Sergeant Doll turned on his body camera and squad car video, made a U-turn and started to follow the car. After one block he turned

<sup>1</sup> All witnesses signed the Tennessee warning.

his lights on and beeped the siren twice to get the drivers' attention. When the driver failed to pull over, Sergeant Doll put his siren on continuously. The driver still did not pull over and kept driving, but Sergeant Doll did not believe at the time that the car accelerated. Sergeant Doll continued to follow the car. He stated that at the time, he estimated the speed of the driver to be between 20-30 mph (and he subsequently reported those speeds to Lieutenant Noble and in his police report). Sergeant Doll now understands that the car accelerated and that Sergeant Doll's squad car reached a speed of 57 miles per hour. He maintains that after reaching the speed, which he now acknowledges was 57 mph, the driver "coasted" and the speeds decreased.

Sergeant Doll stated that the driver put on his right turn signal, causing him to believe the driver was trying to find a place to pull over. At that time, Sergeant Doll had followed the driver for a few blocks since turning on his lights and siren. Sergeant Doll aired to dispatch that the driver was slow to stop. The driver was proceeding south-bound on Central Avenue, where Sergeant Doll stated there was not much traffic. At the intersection at Lowry, the driver went into the left lane and made a left turn onto Lowry through a red light. Backup arrived from the Minneapolis Police Department. Sergeant Doll aired to dispatch that the driver had made a left turn onto Lowry and dispatch asked if the driver was fleeing. Until that point, Sergeant Doll said he had not considered the driver "a flee" but the question from dispatch made him think that the vehicle might be starting to flee. He aired to dispatch that he could not pursue because he had a passenger in the vehicle.

The driver turned from Lowry onto Polk Street after swerving into the lane of on-coming traffic and almost hitting another car. Sergeant Doll saw the Minneapolis police car behind him and decided that it could "take over." Sergeant Doll stated that the speeds on Polk were slow. He observed a place to turn off of Polk Street but before he got there, the driver "slid" into a parked car and stopped. Sergeant Doll stated it was ten seconds between the driver turning on to Polk and hitting the parked car. Sergeant Doll and the Minneapolis police officer ran to the car, pulled the driver out and arrested him. Sergeant Doll took the driver to the chemical test lab in his squad car.

Sergeant Doll defined a "flee" as a suspect speeding or taking evasive action. A "pursuit" means turning the lights and siren on and responding to evasive action. He said at the time of the incident "it had not triggered" that the driver had sped up. He maintained that the driver had taken no other evasive action. Therefore, he did not consider it a pursuit because no evasive action occurred until the driver turned on to Lowry. Shortly after that, the driver turned on to Polk but there was nowhere to pull over because there were cars on both sides. He planned to turn onto 24<sup>th</sup> street at the intersection, but the driver crashed. When asked why he reported in both the January 7, 2017 email to Lieutenant Noble and in his case report that the offense was a "FLEE," he again said that the idea of a flee did not occur to him until dispatch asked if it was a flee. He did not consider it a possible flee until the last few seconds when the driver turned onto Lowry and then Polk, at which time he was attempting to find an "out" on Polk, so that the Minneapolis Police Department could continue following the driver. Sergeant Doll did not have an opportunity to cease following the driver before the driver crashed and stopped.

Sergeant Doll said he reported to Lieutenant Noble that they were driving at slow speeds

MVR video before writing the CAPRS report.

Sergeant Doll did not review the

**B. Lieutenant Calvin Noble**

Lieutenant Calvin Noble, Park Police, was interviewed in person on February 1, 2018. Lieutenant Noble stated that he received a call from Sergeant Doll late on January 6, 2017. He stated that Sergeant Doll sounded nervous and told him about an arrest. Sergeant Doll said he was afraid he was in trouble and wanted to tell him about it first. Sergeant Doll described the suspect vehicle as "slow moving" and stated he did not believe he (Sergeant Doll) ever went over the speed limit except possibly at the very beginning when he did a U-turn to catch up to the vehicle, but the speeds slowed after that. Lieutenant Noble asked Sergeant Doll why he put "flee" in the police report and Sergeant Doll explained that it was possible for a "flee" to occur without a "pursuit." In other words, a driver could flee but the officer could decide not to pursue. Lieutenant Noble responded that if the officer is behind the suspect vehicle the entire time, start to finish, including when the suspect flees, then it's hard to argue that the officer did not engage in a pursuit. Lieutenant Noble asked Sergeant Doll to send him an email describing the incident, which he did at 2:08 a.m. on January 7, 2017. Lieutenant Noble spoke to Sergeant Doll in person on January 8, 2017, at which time Sergeant Doll reiterated his account of the incident.

At Chief Ohotto's request, Lieutenant Noble conducted a pursuit review of the incident. He reviewed relevant portions of the BWC (body worn cameras) video, the MVR (mobile video recording) video, and the CAPRS report written by Sergeant Doll. The BWC video did not reflect speeds that Sergeant Doll's squad car was driving. The CAPRS report was consistent with the description of the incident relayed to Lieutenant Noble by Sergeant Doll. The report stated that when Sergeant Doll first observed the driver vehicle it was traveling at 17 mph in a 30 mph zone. The report describes how Sergeant Doll followed the vehicle, which failed to stop for the activated lights and siren. In the report, Sergeant Doll estimated the speeds to be between 20-30 mph. Sergeant Doll detailed in the report how the driver turned on Lowry through a red light and then turned on Polk before striking a car. The report noted that when dispatch asked if the incident should be considered a pursuit, he advised dispatch that he could not pursue because he had a ride-along in the vehicle. The report noted that Sergeant Doll told the dispatcher that the vehicle's speeds were very slow, but the vehicle was not pulling over.

Lieutenant Noble then watched the MVR video and documented the times and key points during the incident. The video of the entire incident spans just under three minutes. Lieutenant Noble noted that the MVR video recorded the speeds of the squad car at various points. As documented by Lieutenant Noble, the speed of Sergeant Doll's squad began around 30 mph but



when the driver accelerated, increased from 32 mph to 57 mph in 7 seconds. After the top speed of 57 mph, the speeds ranged between 48, 45, 40, 35, 42, and 32 mph for the next 40 seconds. The vehicle signaled a right-hand turn during this period. The video shows the driver approaching the intersection at Lowry and turning left from the right-hand lane, moving eastbound. The driver almost strikes an oncoming car traveling westbound. At that time, dispatch asks if it is a pursuit and Sergeant Doll states that he cannot pursue because he has a ride-along in the car. Sergeant Doll is traveling at 30 mph at this point. The driver then turns onto Polk, Sergeant Doll also turns onto Polk, and approximately 10 seconds later the driver crashes into a parked vehicle. Sergeant Doll's squad is behind the suspect vehicle at this time. Sergeant Doll then stops his car and approaches the suspect vehicle along with the Minneapolis police officer and they take the driver into custody.

After viewing the video, Lieutenant Noble asked Sergeant Doll if he was aware that his speeds exceeded what he reported. Sergeant Doll responded that he had not watched the MVR video because the videos do not play on his computer, but he was surprised to hear the speeds because he thought they were much slower. Lieutenant Noble stated that if the video would not play on Sergeant Doll's computer, he could have asked for help and found an alternative way to view the video. Sergeant Doll contacted Lieutenant Noble again to inform him that the Hennepin county Attorney's Office had decided not to charge the driver with a FLEE. Lieutenant Noble stated that Hennepin County had a solid case on the DWI charge, so had no reason to add the FLEE charge.

Lieutenant Noble prepared a written analysis based on all of the information reviewed from the incident and in light of Park Board policies. Lieutenant Noble concluded that a pursuit began when the driver vehicle quickly accelerated after Sergeant Doll activated the lights and siren on his squad car. Sergeant Doll accelerated to 57 mph to catch up to the driver, and continued driving at speeds above 30 mph while following the driver through two turns until the driver crashed into a parked car.

Lieutenant Noble is concerned that Sergeant Doll (1) does not understand the definition of a pursuit and lacks an awareness of the speed at which he is driving;

Lieutenant Noble recommended further investigation.

## **VI. Factual Findings**

Chief Ohotto requested an investigation to determine whether Sergeant Doll violated Civil Service Rules and Park Police Department policies and rules.

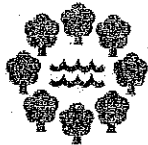
Sergeant Doll repeatedly represented that the speeds of the vehicles stayed between 20-30 mph throughout the duration of the incident. He repeatedly described the suspect vehicle as continuing to drive slow, being "slow to stop," and the speeds being "very slow." He represented that he thought the driver was looking for a place to pull over and that he did not take evasive maneuvers until the end, at which time Sergeant Doll was looking for a way to disengage.

The MVR video, on the other hand, shows that after Sergeant Doll activated his lights and his siren on constant, the driver sped up in what can only be characterized as an effort to flee Sergeant Doll. The acceleration was rapid; Sergeant Doll's squad car quickly reached 57 mph, almost double the speed limit. Not only does the video clearly show the driver accelerating and Sergeant Doll accelerating to keep up with him, but rapid acceleration can be heard on the audio. Although the driver's right-turn signal was blinking for an extended period of time, the video reflects no effort by the driver to pull over. Finally, the driver's actions in turning left through a red light at Lowry, weaving into oncoming traffic, and then turning right on Polk from the left side of the median, all appear to be evasive actions.

Based on the MVR video, I find that Sergeant Doll engaged in a pursuit as defined under Park Board policies and described by Lieutenant Noble. Because he engaged in a pursuit while having a passenger in his car, Sergeant Doll violated the Park Board policy prohibiting pursuits except in very specific circumstances, none of which apply here. As Lieutenant Noble explained, given that Sergeant Doll was behind the driver from the initial attempt to pull the driver vehicle over until it crashed into a parked car – including when the vehicle sped up and used evasive measures which constitute a FLEE – it is impossible that Sergeant Doll did not engage in a pursuit.

Finally, I find that Sergeant Doll did not comply with the Memorandum regarding Investigative Procedures dated January 9, 2017, which expressly instructed investigators to review any and all evidence, including police squad car video footage, for their investigative report. This Memorandum followed Chief Ohotto's directive set forth in an email dated April 14, 2014, which stated: "Investigators assigned to cases in which MVR video may provide evidence shall review the video and document findings in a supplement." Lieutenant Noble confirmed that it is a

recommended practice for officers to review the MVR video when submitting a case for charging to Hennepin County.



**Minneapolis  
Park & Recreation Board**

*Administrative Offices*  
2117 West River Road North  
Minneapolis, MN 55411-2227

*Operations Center*  
3800 Bryant Avenue South  
Minneapolis, MN 55409-1000

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*Superintendent*  
Jayne Miller

*Secretary to the Board*  
Jennifer B. Ringold



January 25, 2018

Sergeant Richard Doll  
Minneapolis Park Police Department  
2117 West River Road  
Minneapolis, MN 55411

Re: Notification Letter for Investigation

Sergeant Doll:

You are the subject of an investigation for alleged violations of Minneapolis Park and Recreation Board policy, Minneapolis Park Police policy, and/or Minneapolis Civil Service Commission Rules by a Minneapolis Park Police Department employee.

The alleged policy violations include:

- 4-600 Specific Report Policies and Procedures
- Minneapolis Park Police Department Special Order 2017-03 Vehicle Operation
- Civil Service Rule 11.03 A-1 Substandard Performance
- Civil Service Rule 11.03.B-19 Violation of department rules, policies, procedures or City ordinances

A summary of allegations is as follows. On January 6, 2018, Sergeant Doll was working an overtime assignment focused on traffic enforcement. During his assignment he attempted to pull-over a suspected impaired driver. The suspect-driver did not stop when signaled and eventually crashed into a parked car. Sergeant Doll had a civilian ride-along in his police vehicle. There is a policy prohibiting Park police employees from engaging in a vehicle pursuit with a ride-along unless the originating offense is homicide, 1<sup>st</sup> or 2<sup>nd</sup> degree assault, aggravated robbery, criminal sexual conduct involving the use or threatened use of a dangerous weapon, or kidnapping.

After the suspect was arrested, Sergeant Doll contacted Lieutenant Noble and, in summary, stated the suspect vehicle did not pull-over when signaled (lights and siren) but continued driving at low speeds. Sergeant Doll described the incident as not being a vehicle pursuit (no evasive action). Sergeant Doll did include the offense code "FLEE" on the police report.

Lieutenant Noble was instructed to conduct a pursuit review of the incident and alerted Chief Ohotto to the squad car recording (MVR) of the incident. Chief Ohotto viewed the video and his initial assessment was that video depicts a vehicle pursuit potentially in violation of policy (due to the ride-along).

Lieutenant

Noble confronted Sergeant Doll with observations from the MVR squad car video, and Sergeant Doll stated he never reviewed the video.

Human Resources has retained Susan Ellingstad to conduct an independent investigation into the complaint and whether any policy violations occurred. As the subject of the investigation, you are hereby ordered to provide a statement to the assigned investigator. Ms. Ellingstad is available to meet with you at 11:00 AM on Tuesday, January 30, 2018 in the Cedar Room at 2117 West River Road, Minneapolis, MN 55411.

This is an ongoing investigation and you are not to discuss this case or interview with anyone other than your union/Federation representative. You are entitled to be represented at this interview by a union/Federation representative or an attorney.

Sincerely,

A handwritten signature in black ink, appearing to read "J. Ohotto", with a long horizontal stroke extending to the right.

Chief Jason Ohotto

CC: Human Resources



**Minneapolis  
Park & Recreation Board**

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Minneapolis, MN 55411-2227

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*Superintendent*  
Jayne Miller

*Secretary to the Board*  
Jennifer B. Ringold



January 30, 2018

Lieutenant Calvin Noble  
Minneapolis Park Police Department  
2117 West River Road  
Minneapolis, MN 55411

Re: Notification Letter for Investigation

Lieutenant Noble:

You are a witness in an investigation for alleged violations of Minneapolis Park and Recreation Board policy, Minneapolis Park Police policy, and/or Minneapolis Civil Service Commission Rules by a Minneapolis Park Police Department employee.

The alleged policy violations include:

- 4-600 Specific Report Policies and Procedures
- Minneapolis Park Police Department Special Order 2017-03 Vehicle Operation
- Civil Service Rule 11.03 A-1 Substandard Performance
- Civil Service Rule 11.03.B-19 Violation of department rules, policies, procedures or City ordinances

A summary of allegations is as follows. On January 6, 2018, Sergeant Doll was working an overtime assignment focused on traffic enforcement. During his assignment he attempted to pull-over a suspected impaired driver. The suspect-driver did not stop when signaled and eventually crashed into a parked car. Sergeant Doll had a civilian ride-along in his police vehicle. There is a policy prohibiting Park police employees from engaging in a vehicle pursuit with a ride-along unless the originating offense is homicide, 1<sup>st</sup> or 2<sup>nd</sup> degree assault, aggravated robbery, criminal sexual conduct involving the use or threatened use of a dangerous weapon, or kidnapping.

After the suspect was arrested, Sergeant Doll contacted Lieutenant Noble and, in summary, stated the suspect vehicle did not pull-over when signaled (lights and siren) but continued driving at low speeds. Sergeant Doll described the incident as not being a vehicle pursuit (no evasive action). Sergeant Doll did include the offense code "FLEE" on the police report.

Lieutenant Noble was instructed to conduct a pursuit review of the incident and alerted Chief Ohotto to the squad car recording (MVR) of the incident. Chief Ohotto viewed the video and his initial assessment was that video depicts a vehicle pursuit potentially in violation of policy (due to the ride-along).

Lieutenant

Noble confronted Sergeant Doll with observations from the MVR squad car video, and Sergeant Doll stated he never reviewed the video.

Human Resources has retained Susan Ellingstad to conduct an independent investigation into the complaint and whether any policy violations occurred. As a witness in the investigation, you are hereby ordered to provide a statement to the assigned investigator. Ms. Ellingstad is available to meet with you at 2:00 PM on Thursday, February 1, 2018 in the Brownie Conference Room at 2117 West River Road, Minneapolis, MN 55411.

This is an ongoing investigation and you are not to discuss this case or interview with anyone other than your union/Federation representative. You are entitled to be represented at this interview by a union/Federation representative or an attorney.

Sincerely,

A handwritten signature in black ink, appearing to read "JR Ohotto", written over a horizontal line.

Chief Jason Ohotto

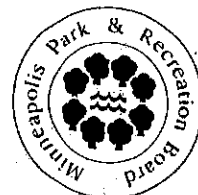
CC: Human Resources



# MINNEAPOLIS PARK POLICE DEPARTMENT

2117 West River Road North  
Minneapolis, MN 55411-2227

OFFICE: (612) 230-6550 ■ FAX: (612) 230-6508



To: Chief Jason Ohotto  
Re: Pursuit Summary Review  
Date 01/06/2018  
Officers Involved: Richard Doll  
CCN: 18-006255

## Summary of Incident:

On 1/6/2018 at approximately 2313 hours I received a phone call from Sergeant Rick Doll regarding a traffic arrest that he had made while working as a Towards Zero Deaths (TZD) squad. Doll advised me that he observed a suspected drunk driver on Central Avenue near Columbia Golf Course. The vehicle was going approximately 17mph in a 30mph zone and was driving erratically. Doll advised me that he attempted to stop the vehicle just past St. Anthony Pkwy with just his lights and then his lights and siren. The vehicle continued southbound on Central even while signaling to pull over. Doll stated that the driver's speeds were between 20-30mph. The vehicle then turned eastbound on Lowry through a red semaphore. Doll stated that he advised dispatch of the turn and dispatch asked him if it was a pursuit. Doll stated that he told dispatch that he had a ride along and was unable to pursue. Doll stated that he told dispatch that it really wasn't a pursuit but that the vehicle was slow to stop. A Minneapolis Police squad then pulled in behind Doll.

The suspect vehicle then turned onto Polk and drove slowly before crashing into a parked car. Doll stated that the driver was arrested for suspected DWI and that the driver had a previous conviction for a fatal DWI. I asked Doll if he had his lights and sirens on as required by policy and Doll told me that he did. I asked what his speeds were during the pursuit and Doll stated that he didn't think that he went over the speed limit during the entire incident. Doll then stated that he may have hit 40mph while turning around to initially catch up to the vehicle but that speeds slowed after that. Doll stated that he had a ride along as I knew and wanted to make sure that I knew the details of the incident so that it didn't appear that he violated the pursuit policy. I told Doll to send me an email outlining the incident and that I had been notified. Doll sent me an email at 0208 hours on 1/7/2018 (attached).

On 1/8/2018 at approximately 0900 hours I spoke to Doll in his office. Doll restated the above details and provided further information. Doll stated that when the vehicle turned onto Lowry and went through the red semaphore dispatch asked him if it was a pursuit. Doll stated that he was aware of policy and therefore advised dispatch that he was unable to pursue. He stated that the vehicle then turned onto Polk and appeared to slow. Doll thought the vehicle might be pulling over and advised dispatch that it wasn't really a pursuit but that the vehicle was slow to pull over. Doll stated that he began processing where to turn off the route but that the vehicle then crashed into a parked car and the incident was over. Doll and the Minneapolis Officer then pulled the driver out and placed him under arrest.

On 1/8/2018 at 0910 hours I received an email from Chief Ohotto asking me to review the pursuit.

On 1/8/2018 at approximately 1207 hours I reviewed the BWC footage. The audio and video captured on the body camera appeared to be mostly consistent with what Doll had told me. Doll can be heard narrating the reason for the stop, communication with dispatch, and the visual arrest of the suspected drunk driver. There appeared to be no force issues related to the arrest.



The squad's emergency lights are activated at 00:59 minutes of the video. Short siren bursts given at 01:05 minutes of the video. The siren is fully engaged at 01:13 minutes of the video. At 01:20 of the video the squad's engine can be heard quickly accelerating. At 01:31 Doll can be heard advising dispatch of the incident. Speeds during the incident are not known and require viewing MVR video. The full BWC video is 2:37:00. I did not review the entire video.

I then reviewed Doll's CAPRS report. The report was entered at 2329 hours, shortly after I spoke with Doll. Doll's report appears to be consistent with the description of facts that he told me. Doll wrote that he used his laser to determine that the vehicle was traveling 17mph in a 30mph zone. The vehicle continued to cross into other lanes of traffic and continued to drive slow at varied speeds. After following behind the vehicle, the suspect vehicle failed to stop for activated lights and siren. The vehicle then signaled to pull over but continued driving. Doll estimated the speeds to be between 20-30mph. The vehicle eventually turned eastbound on Lowry through a red semaphore and into the westbound lane. The vehicle then turned southbound on Polk before striking a parked vehicle. Doll detailed his response to dispatch when asked if the incident should be considered a pursuit and advised dispatch that he had a ride along and would be unable to pursue.

I then watched the MVR video:

- 20:25:32 – Video starts
- 20:26:10 – Turns around to get behind vehicle at St. Anthony Pkwy
- 20:26:26 – Activates emergency lights. Speed 31mph
- 20:26:32 – Short bursts of siren. Speed 27mph
- 20:26:40 – Activates siren. Speed 34mph
- 20:26:46 – Suspect vehicle begins to quickly accelerate. Speed 32mph
- 20:26:53 – Squad traveling at 57mph
- 20:27:01 – Suspect vehicle hits brake lights. Speed 48mph
- 20:27:02 – Suspect vehicle puts on right turn signal. Speed 48mph
- 20:27:04 – Begins advising dispatch that he is trying to pull a vehicle over that is slow to stop. "On Central, SB, passing 28<sup>th</sup>.... Kind of weaving all over the traffic lanes. Not sure if he's going to stop or not." Speed 45mph
- 20:27:11 – Suspect vehicle straddling both SB lanes. Speed 40mph
- 20:27:17 – Suspect vehicle still signaling right. Speed 35mph
- 20:27:20 – Vehicle accelerates then brakes. Speed 42mph
- 20:27:33 – Vehicle still signaling right. Speed 32mph
- 20:27:33 – Vehicle approaches traffic in left lane and moves to right lane. Speed 25mph
- 20:27:45 – Advises dispatch that they are coming up to Lowry. Speed 27mph.
- 20:27:48 – Vehicle goes through red semaphore at Lowry without stopping and heads EB. 21mph
- 20:27:56 – Vehicle in in WB lane on Lowry and almost strikes WB vehicle. Speed 27mph
- 20:27:57 – Dispatch asks if we should consider this a pursuit. Speed 30mph
- 20:27:59 – Doll advises dispatch I cannot pursue I have a ride along. Speed 30mph
- 20:28:04 – Doll advises dispatch that the vehicle has turned SB on Polk. Speed 20mph
- 20:28:14 – Vehicle strikes parked car. Speed 18mph.
- 20:28:18 – Squad comes to a stop. Suspect then taken into custody.

Doll stated that he had not watched the MVR video and

Doll also stated that MVR videos do not play on his computer.

On 1/8/18 at 1505 hours Doll advised me that he was contacted by the Hennepin County Attorney's Office and advised that the Office would not be charging for FLEE. Doll advised me that the Office did not believe they

had a strong enough case for a LEE charge and that they had a so case on the DWI with previous convictions.

### Analysis:

MPPD Policy 7-402 defines Emergency Driving as the following – *Emergency driving occurs whenever an officer intentionally drives in excess of the speed limit or in violation of any traffic control device. Emergency driving is authorized only when reasonably necessary in the performance of official duties.*

MPPD Policy 7-404 Pursuit Policy - *The MPD is committed to prevent crime, maintain order and protect the public from unreasonable danger wherever possible. Intrinsic to the nature of policing is the apprehension of criminals and the enforcement of law at every level. In order to enforce the laws of the city and state, officers are often called upon to pursue suspects who choose not to obey an officers lawful command to submit to arrest and flee, either on foot or in a conveyance.*

*Motor vehicles are the primary conveyance with which offenders attempt to elude the police. Recognizing that every vehicle has the potential to cause serious bodily injury to innocent third parties, officers shall use reasonable professional judgment in deciding when, where, and to what extent they will initiate pursuit of suspects in motor vehicles. The initiation and continuation of any pursuit are predicated on factors known to the officer such as the seriousness of the violation, the consequences of not apprehending the suspect, the probability of apprehending the suspect without undue risk to the public at large, and the potential for continued criminal activity, if not apprehended.*

*Officers shall always be aware of the inherent danger to the public and to themselves in vehicle pursuits or emergency responses. They shall continuously weigh the need and desirability for apprehension against the risk created for the officers and the general public. The officers must also take into account factors such as traffic volume, time of day, weather, circumstances of the emergency and the type of violation when becoming involved in pursuits.*

MPPD Policy 7-405 Initiating or Continuing a Pursuit - *A pursuit is justified after an offender has engaged in evasive tactics only when an officer knows or has reasonable grounds to believe that the fleeing offender committed an offense and there is a reasonable expectation of a successful apprehension of the offender...*

*...Whenever any non-MPD employees are in a police vehicle, officers may only initiate a pursuit under the following conditions: (05/03/02) (12/14/07)*

*Homicide*

*1st and 2nd degree assault*

*Aggravated robbery*

*Sexual assault involving the use or threatened use of a dangerous weapon*

*Kidnapping*

*However, the officers must terminate their participation in the pursuit upon the involvement of a squad that is able to take over as the primary pursuit vehicle.*

*Any officers involved in a pursuit have the right to decide whether or not to terminate their participation in a pursuit, or to transfer their responsibility to another squad. Officers will immediately take and acknowledge direction from the assigned pursuit supervisor.*

While an officer can engage in emergency driving while having a ride along under policy, they cannot engage in pursuits while having a ride along unless it meets one of the exceptions outlined in the policy. Given these definitions and policies, the pursuit begins at approximately 20:26:46 when the suspect vehicle engages in evasive tactics by quickly accelerating away from the squad which had emergency lights and siren activated. Doll then quickly accelerated up to 57 mph to catch up to the suspect vehicle and notified dispatch that he is attempting to stop the vehicle. The vehicle continues to drive down Central with squad speeds in excess of 30mph until the suspect vehicle approaches Lowry. The suspect vehicle then slows and goes around traffic, through a red semaphore, and turns into the WB lane of traffic on Lowry where the suspect vehicle almost strikes an oncoming vehicle. The suspect vehicle then turns down Polk where it crashes into a parked car midway down the block. This ends the pursuit at approximately 20:28:14.

Given that Doll had a ride along and the suspected traffic violation did not meet one of the exceptions outlined in the policy, Doll was not authorized to engage in a pursuit. Doll had three major opportunities to disengage from the pursuit:

- When the suspect vehicle initially sped away at a high rate of speed prior to notifying dispatch.
- After the suspect vehicle turned onto Lowry through a red semaphore and into oncoming traffic.
- After notifying dispatch that he had a ride along and would be unable to pursue, the vehicle turned onto Polk and Doll continued to follow.

The CAPRS codes in the police report written by Doll list the following titles:

- FLEE – Flee Police in MV
- DWI – Driving While Intoxc
- PD – Mv Accid Damage Rpt

A suspect vehicle can flee from a squad and not have the squad pursue. This can later result in charging of a crime. In this incident, however, Doll was behind the vehicle from the initial attempt to pull the suspect vehicle over until it crashed into a parked car. If the suspect vehicle did not flee from the squad, FLEE should not have been listed in the CAPRS report.

The MVR video does not appear to show a slow-moving vehicle that was slow to stop. The MVR video clearly shows a vehicle making evasive maneuvers to escape apprehension. While officers are not able to view squad speeds while reviewing MVR videos in the squad, a review of the video would have indicated that the incident was more than a vehicle slow to stop. Doll stated that he did not review the MVR video.

If that is not the case, the following concerns exist:

- Failure to understand the definition of a pursuit and/or recognize when a pursuit begins.
- Difficulty in identifying squad speeds while driving 20-30mph vs 57mph.
- Not reviewing evidence (MVR) prior to writing report.

### **Recommendation: Further Investigation**

Lieutenant Calvin Noble  
Minneapolis Park Police Department

2117 West River Rd. N.

Minneapolis, MN 55411

Phone: 612-230-6562

Email: [cnoble@minneapolisparcs.org](mailto:cnoble@minneapolisparcs.org)

## PARTICIPANT INFORMATION

Name (last, first and middle):		Birthdate:		Telephone Number:	
Street Address:		Apt #:	City:	State:	
Occupation: <u>Online Retail</u>					
Reason for or purpose of ride: <u>Observation</u>					
Signature of Participant:					Date: <u>1-6-18</u>

## IF PARTICIPANT IS UNDER 18 YEARS OF AGE, THE FOLLOWING SECTION MUST BE COMPLETED BY CUSTODIAL PARENT/LEGAL GUARDIAN

Name (last, first and middle):		Birthdate:		Telephone Number:	
Street Address:		Apt #:	City:	State:	
Occupation:					
Parent/Guardian approval signature:					Date:
MPD program name or, if exception, Chief/DC, patrol or designee's approval signature:					
MPD program supervisor's approval signature (includes validating parent/guardian's approval):					Employee Nbr:
MPD witness signature (other than above signature):					Employee Nbr:

## MPD REVIEW AND PERMISSION

Permission is hereby <input checked="" type="checkbox"/> granted <input type="checkbox"/> denied to the person named herein, and whose signature is affixed above, or if a minor under 18, the signature of the custodial parent or legal guardian, to be a passenger in a Police Department vehicle with the					
Precinct/Division/Unit, on the <u>6</u> Day of <u>January</u> 20 <u>18</u> From <u>1600</u> hr To <u>0200</u> hr					
Signature of MPD supervisor (includes review and permission): <u>[Signature]</u>		Date: <u>1/6/18</u>	Rank: <u>Lt</u>	Title or Assignment: <u>Patrol</u>	Employee Nbr: <u>32622</u>

## VOLUNTARY ACCEPTANCE OF RIDE-ALONG PARTICIPANT

I/we, the undersigned, do hereby accept as a participant in the Ride-Along Program the person described herein.					
Signature: <u>[Signature]</u>		Employee Nbr: <u>30217</u>	Signature:		Employee Nbr:
Date: <u>1-6-18</u>	Squad Assignment: <u>880</u>		Or Vehicle P Nbr:		

MPD Notes:

This form must be kept by the Minneapolis Police Department and filed according to department policy.

## RIDE-ALONG PROGRAM

Welcome to the Minneapolis Police Department's Ride-Along Program. All participants must read and sign the Release and Indemnity Agreement prior to going on a Ride-Along.

### RELEASE AND INDEMNITY AGREEMENT

WHEREAS, the undersigned participant, or the custodial parent or legal guardian on behalf of a person under age eighteen (18) has voluntarily elected to ride as a passenger in the Police Department vehicles of the City of Minneapolis, Hennepin County, Minnesota, and to accompany police officers of said City while engaged in the performance of their duties, to study and observe for participation's own benefit the functions and operations of the Minneapolis Police Department and its personnel; and

WHEREAS, the Minneapolis Police Department believes that it can be beneficial for persons under age eighteen (18) to participate in the ride-along program as part of an approved Department youth program with the approval of a custodial parent or legal guardian; and

WHEREAS, the Minneapolis Police Department and the party(s) to this Agreement understand that during the course of a ride-along, Department personnel may have to respond to an emergency situation requiring the performance of law enforcement duties which could expose the ride-along participants to a risk of personal injury; and

WHEREAS, such ride-along participant(s), or the custodial parent or legal guardian of a participant under the age of 18, understands the existence of such risk, even though department personnel will make a reasonable effort to minimize such risk to the participant(s); and

WHEREAS, the undersigned participant, or custodial parent or legal guardian if the participant is a minor under the age of 18, desires to participate in the ride-along program at the participant's own risk and recognizing the possible and inherent danger resulting therefrom; and

NOW, THEREFORE, in consideration of the value of the educational opportunity to participate in the ride-along program, and other good and valuable consideration, the undersigned participant, for himself (or herself), his wife, (or her husband), heirs, executor or administrator, and personal representatives; or the undersigned custodial parent or legal guardian on behalf of a participant under the age of 18, does hereby:

- (a) Assume full responsibility for any personal injury or damage to the participant or minor participant, or damage to the participant's personal property, which may occur, directly or indirectly, while in, on or about any such Police Department vehicle, the Police Department premises or any part thereof at the Minneapolis City Hall or the Hennepin County Courthouse, or any of the several precinct station houses of the Minneapolis Police Department, or while accompanying any police officers of the City of Minneapolis while in the performance of their duties;
- (b) Fully and forever release and discharge the City of Minneapolis, its agents and employees, from any and all claims, demands, damages, rights of action, or causes of action, present or future, whether the same be known, anticipated or unanticipated, resulting from or arising out of participation in the ride-along program, including, but not limited to, the participant or minor participant being in, on or about any such Police Department vehicle, or at any or all of the premises and places aforesaid, or while accompanying any police officers of the City of Minneapolis as aforesaid;
- (c) Indemnify and hold harmless the City of Minneapolis, its agents and employees, for any acts or conduct of the participant or minor participant of whatever kind or nature whatsoever, while in, on or about any such Police Department vehicle, or at any or all of the premises and places aforesaid, or while accompanying any such police officer as aforesaid;
- (d) Agree to defend and to pay any costs or attorney's fees as a result of any action brought by or against the City of Minneapolis, its agents and employees, while the participant or minor participant is in, on or about any such Police Department vehicle, or at any or all of the premises and places aforesaid, or while accompanying any such police officer as aforesaid;
- (e) State that the participant is as of the date of execution hereof, of the age of eighteen (18) years or that the person executing this Agreement on behalf of a minor participant is the custodial parent or legal guardian of the minor participant;
- (f) Agree that it is the intent of the undersigned participant, or custodial parent or legal guardian, that this Release and Indemnity Agreement be in full force and effect at any time after the execution thereof.

Release and Indemnity Agreement Prepared by Minneapolis City Attorney, February, 1992  
(Continued on reverse side)

**Noble, Calvin E.**

**From:** Doll, Richard D.  
**Sent:** Sunday, January 07, 2018 2:08 AM  
**To:** Noble, Calvin E.  
**Subject:** FW: 01/06/18 Night Bullets

Lt. Noble – this is the FLEE that I notified you about. As you know, I had a ride along with me tonight. This started out as a traffic stop for a suspected drunk driver. The vehicle was driving very slow and was weaving from right curb to left lane. I initiated my lights and after the vehicle failed to pull over I turned on my siren as well. The vehicle continued to drive at speeds I estimated to be between 20 and 30 mph. The vehicle went through a red light at Central/Lowry, drove in the oncoming traffic lane and then sideswiped a parked car at 24/Polk where the vehicle stopped. The driver was taken to chem test and booked for 1<sup>st</sup> degree DWI and Flee. The driver had a prior CVO – Fatal arrest in 2011.

**From:** Berdahl, Chad R.  
**Sent:** Sunday, January 07, 2018 1:19 AM  
**To:** Police Supervisors <PoliceSupervisors@minneapolispolice.org>  
**Subject:** 01/06/18 Night Bullets

18-006066 PI/DAR @ 3121 Cedar Ave S: Squad 830 (Ryan/Grimstad) came upon an accident while on patrol. It was a vehicle verses a pedestrian. Sounds like the pedestrian has some major injuries (fractured vertebra, broken wrist, lacerations), but nothing life threatening.

18-006202 SPEED/DAS @ Broadway/W. River Pkwy: Squad 810 (Pham/Randle) cited and released one for speeding and DAS.

18-006192 WT/CANCIP @ University/Broadway St: While assisting squad 262 on a cancelled IPS traffic stop, Officer Manelli identified the front passenger since he was not wearing his seatbelt. He was found to have 13 warrants.

18-006027 FLSTPS/DAR @ 12<sup>th</sup> Ave./27<sup>th</sup> St. E: Squad 830 (Ryan/Grimstad) stopped a vehicle that failed to stop for a stop sign by the park. Driver was cited for several offences. Report completed.

18-006400 UNSECB @ PK-Folwell: Squad 824 (Cannon/Brown) responded to an alarm call at 2220 hours. Officers found an open door on the east side of the building. Maintenance and the park director will be notified.

**IN-Custody\*\*\*18-006255 FLEE/DWI/PD @ 33/Central Ave:** While working TZD, Sgt. Doll attempted to stop a suspected D/K driver. He fled at very low speeds, until he finally crashed into a parked vehicle. He was twice the legal limit and was arrested for felony DWI and FLEE. Lt. notified of the in-custody.

Sgt. Doll and Officer Swierczek worked TZD tonight.

820 (Manelli) had one TLE/one ticket on St. Anthony Pkwy.

840 (Brown/Cannon) had 2 stops/2 tickets on Glenwood Ave/Wirth Pkwy for failing to stop for the stop sign.

Squad 851 had the MVR come off the windshield. Officer Klein said he will bring it down to be fixed on Monday.

Sergeant Chad R. Berdahl, Patrol Supervisor  
MINNEAPOLIS PARK POLICE DEPARTMENT

2117 West River Road North  
Minneapolis, Minnesota 55411  
Office Phone: 612-230-6551  
Email: [cberdahl@minneapolisparcs.org](mailto:cberdahl@minneapolisparcs.org)



Case Report with  
Supplements

Minneapolis Police Department

CCN: MP-18-006255

## Report Details

Reporting Officer:	030217: Richard Doll	Approval Status:	Approved
Assisting Officer:		Approval Date:	Jan 7, 2018
Supervising Officer:	103651: Chad Berdahl	Date Returned:	
Approving Supervisor:	103651: Chad Berdahl	Return Count:	0
Call/Sqd:	880	Date Printed:	Jan 17, 2018
Precinct:	02	Last Uploaded:	Jan 11, 2018
Related CCN:		Solvability:	100
Reported Date:	Jan 6, 2018 23:29	Primary Routed Unit:	4055 - Traffic
Entered By:	102162		

## Incident Details

Offense1: FLEE	Desc: Flee Police In Mv	Statute: 609.487	Attempted:
Offense2: DWI	Desc: Driving While Intoxc	Statute: 169A	Attempted:
Offense3: PD	Desc: Mv Accid Damage Rpt	Statute:	Attempted:
Address:	33 AV NE Minneapolis, MN 55418		
Intersection:	Central AV NE		
Occurred From:	01/06/2018 20:26	Dispatched:	00:00:00
Occurred To:	01/06/2018 20:29	Arrived:	20:26:00
Location:	Polk St Ne / 24 Av Ne	Cleared:	23:59:00
Minor Involved:	No		

## Public Data

Arrested Party (AP1) was booked HCJ for 1st degree DWI.

## RECOMMENDATION: FURTHER INVESTIGATION

JUDICIAL PROBABLE CAUSE: THE COMPLAINANT, BEING DULY SWORN, SWEARS THE BELOW FACTS ARE TRUE AND CORRECT TO THE BEST OF COMPLAINANT'S KNOWLEDGE AND BELIEF AND CONSTITUTE PROBABLE CAUSE TO BELIEVE THAT THE BELOW-NAMED ARRESTEE COMMITTED THE OFFENSE (S) DESCRIBED HEREIN.

COMPLAINANT'S SIGNATURE \_\_\_\_\_

NOTARY SIGNATURE AND STAMP \_\_\_\_\_

SUBMITTED UNDER OATH BY \_\_\_\_\_

SIGNATURE OF NOTARY \_\_\_\_\_

A.B., Peace Officer License Number \_\_\_\_\_, Hennepin County, Minnesota.  
My license expires on June 30, \_\_\_\_.

OFFICER OBSERVED THE LISTED VEHICLE TRAVELING SB ON CENTRAL, NEAR 33RD AV NE AT A SLOW RATE OF SPEED, APPROX 17 MPH IN A 30 MPH ZONE. THE VEHICLE CONTINUED DRIVING AT VARIED SPEEDS, NEARLY STRIKING THE RIGHT CURB AND THEN CROSSING OVER INTO THE LEFT LANE. OFFICER FOLLOWED THE VEHICLE FOR ABOUT A BLOCK BEFORE TURNING ON THE SQUAD EMERGENCY LIGHTS TO PULL THE VEHICLE OVER. THE VEHICLE CONTINUED TO DRIVE SLOWLY FOR

A FEW BLOCKS BEFORE OFFICER TURNED ON THE SIREN. THE OFFICER CONTINUED TO FOLLOW THE VEHICLE FOR SEVERAL BLOCKS AT SPEEDS THAT VARIED BETWEEN 20 AND 30 MPH. THE VEHICLE SIGNALLED RIGHT, AS IF IT WAS GOING TO PULL OVER, BUT CONTINUED DRIVING. WHEN THE VEHICLE GOT TO LOWRY AV, THE LIGHT WAS RED FOR SB TRAFFIC AND THE VEHICLE WENT THROUGH THE RED LIGHT, MADE A LEFT TURN TO EB LOWRY FROM THE RIGHT SB CENTRAL LANE. THE VEHICLE THEN DROVE EB ON LOWRY IN THE WB TRAFFIC LANE. THE VEHICLE WENT AROUND THE CENTER MEDIAN AND THEN MADE A RIGHT TURN ONTO SB POLK ST. THE VEHICLE SIDESWIPED A PARKED CAR NEAR 24TH AND POLK AND CAME TO A STOP. OFFICERS PULLED THE DRIVER FROM THE VEHICLE TO PREVENT HIM FROM TRYING TO CONTINUE TO DRIVE AWAY. THE DRIVER, ARRESTED PARTY (AP1), WAS THE ONLY OCCUPANT OF THE VEHICLE. OFFICER COULD SMELL THE ODOR OF AN ALCOHOLIC BEVERAGE COMING FROM THE VEHICLE AND NOTICED THAT AP1'S EYES WERE BLOODSHOT AND WATERY. AP1 WAS ALSO VERY UNSTEADY ON HIS FEET. AP1 WAS TRANSPORTED TO CHEM TEST WHERE HE WAS READ THE BREATH TEST ADVISORY AND STATED HE UNDERSTOOD. HE AGREED TO TAKE THE BREATH TEST, WHICH RETURNED A RESULT OF .16 AC. AP1 HAS A PRIOR DWI REFUSAL IN 2011 AND A PRIOR CRIMINAL VEHICULAR OPERATION/FATAL IN MARCH 2008. AP1 WAS BOOKED HCJ FOR 1ST DEGREE DWI AND FLEE.

**Arrestee**

Role / Role #:

Name:

MPD#:

0020010611

Residence:

Telephone:

Drv Lic #:

Date of Birth:

Race:

Sex:

Height:

Build:

Event Age:

Medical Treatment:

No

**Arrest Information**

Arrest Address:

Precinct:

02

Intersection:

Arrest Date:

9

Arrest Location:

Disposition:

Arresting Officer:

BOOKED COUNTY

030217: Doll, Richard D

Call/Sqd:

880

**Charges**

Status

Type

Charge Code

Statute

Citation

Related CCN

PC

Felony

DWI - Driving While Intoxc

169A

PC

Felony

FLEE - Flee Police In Mv

609.487

**Personal Description**

Category

Description

Related Offense

Comments

Appearance

Complexion

Cultural Ethnic

Employment Status

Eye Color

Force Used

Hair Color

Hair Length

Hair Style

PhyFeat-Marks

Speech

Teeth

**Victim**

Role / Role #:

Name:

Residence:

Telephone:

Drv Lic #:

Date of Birth:

Race:

Sex:

Event Age:

Height: 605  
Build: ME  
Victim of: PD

**Personal Description**

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Unknown		

**Alias**

Role / Role #: MPD#:  
Name:  
Residence:  
Telephone:  
Drv Lic #:  
Date of Birth:  
Race: Event Age:  
Sex: Medical Treatment: No  
Height:  
Build:

**Arrest Information****Personal Description**

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Unknown		
Force Used	No		

**Owner**

Role / Role #:  
Name:  
Residence:  
Telephone:  
Drv Lic #:  
Date of Birth: Event Age:  
Race:  
Sex:  
Height:  
Build:

**Personal Description**

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Employment Status	Unknown		

**Relationships**

<u>Subject</u>	<u>Relationship Type</u>	<u>Object</u>
A001		

**Modus Operandi**

<u>Category</u>	<u>Description</u>	<u>Related Offense</u>	<u>Comments</u>
Crime Elements	Accident		
Crime Elements	Arrest(s) Made		
Crime Elements	Alcohol		
Crime Location	Auto		
Crime Location	Street/Sidewalk		
Criminal Activity	Using/Consuming	DWI	
Type of Drugs	Alcohol	DWI	

**Non-Inventoried Property****Damaged Property**

**Property Type:** Auto Parts  
**Officer's Description:** DRIVER'S SIDE OF VEHICLE DAMAGED  
**Owner Role:** V001  
**Est. Value:** 1.00  
**Owner Name:** Overlie, Ryan

**Vehicle**

**Vehicle Number:** 1  
**Owner Role:**  
**Make:**  
**Model Year:**  
**Plate:**  
**Estimated Value:**  
**Owner Name:**  
**Model:**  
**VIN #:**  
**Plate Year:**

**Vehicle Status**

<u>Category</u>	<u>Date</u>	<u>Description</u>
Vehicle Damaged		Yes
Vehicle Impounded		Yes
Vehicle Seized		Yes
Vehicle Used In Crime		Yes

**Vehicle Description**

<u>Category</u>	<u>Description</u>	<u>Comments</u>
Exterior Features	Damage To Front	
Exterior Features	Damage To Side	
Vehicle Color Side	Beige/Tan	
Vehicle Color Top	Beige/Tan	
Vehicle Type	4 Door	

**Vehicle**

**Vehicle Number:** 2  
**Owner Role:**  
**Make:**  
**Model Year:**  
**Plate:**  
**Estimated Value:**  
**Owner Name:**  
**Model:**  
**VIN #:**  
**Plate Year:**

**Vehicle Status**

<u>Category</u>	<u>Date</u>	<u>Description</u>
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Vehicle Damaged

Yes

**Vehicle Description**

<u>Category</u>	<u>Description</u>	<u>Comments</u>
Exterior Features	Damage To Side	DRIVER'S SIDE
Vehicle Color Side	White/Cream	
Vehicle Color Top	White/Cream	
Vehicle Type	Pickup Truck	

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**Property and Evidence**

PI#	Item #	Description	Owner	Qty	Make/Mod/Ser #	Auth ID	Dsp Dt	Dsp Mnr
2018-746	1	OPEN BOTTLE ABSOLUT VODKA		1		030217		Hold For Adjudication
2018-746	2	ALCOHOL SAMPLE		1		030217		Hold For Adjudication

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**Case Supplements**

5 supplements begin on the following page.

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Supplement number: 1

CCN: MP-18-006255 Author:

101292 - Adam Swierczek

Supplement of Off A.Swierczek #101292 on 01/07/2018 00:31

On 1/6/2018 at approximately 2030 hours I was working marked squad 881, P#2518, when I responded to assist Squad 880 on his DWI traffic stop. Prior to my arrival squad 880 was Code 4 and had the suspect in the rear of his squad. The vehicle had struck a parked vehicle. I used my BWC to take video evidence of the accident damage. I located the owner of the parked vehicle, got insurance information from him and gave him case card information. I then filed a state accident report.

**END of Supplement 1**

Supplement number: 2

CCN: MP-18-006255

Author:

030217 - Richard Doll

Supplement of SGT R.Doll #030217 on 01/07/2018 00:32

TYPED BY SC, CCN 18-006255

On 1/6/18 at approx 2026 hours, I was working in uniform in a marked squad, assigned to the Toward Zero Deaths detail. I was stopped in the left turn lane, facing NB on Central Av NE, near 33rd Av NE. I observed a vehicle traveling SB on Central in the right SB traffic lane. The vehicle appeared to be about a block north of 33rd Av and appeared to be stopped or driving very slowly along the curb. I used my handheld laser unit to determine that the vehicle was traveling 17 mph in a 30 mph zone.

The vehicle continued driving SB and nearly hit the right curb, then veered to the left and crossed into the left SB traffic lane. I activated my squad's MVR, P#1962, and my Body Worn Camera and after the vehicle passed me, I turned around and followed.

I noticed that the vehicle continued to drive at slow and varied speeds and had a difficult time staying in one lane. I activated my squad's emergency lights in an attempt to pull the vehicle over. I followed the vehicle for a couple of blocks, thinking that it may be just slow to stop or pull over. I then activated the squad's siren and the vehicle continued to drive SB, but did not pull over. Again, our speeds varied and I would estimate that they were between 20 and 30 mph. At one point, the vehicle's right turn signal came on and I thought the driver might be pulling over, but he continued.

I notified dispatch that I had a vehicle that was slow to stop and I was SB on Central. When the vehicle came to Lowry Av NE, it was in the right SB traffic lane and made a left turn onto EB Lowry. The light for SB traffic was red at the time the vehicle went through the intersection. The vehicle then drove EB on Lowry in the WB traffic lane, on the north side of the center median. He then made a right turn onto SB Polk St NE.

The dispatcher asked if this should be considered a flee and I told the dispatcher that the speeds of the vehicle were very slow, but the vehicle was not pulling over. I also notified dispatch that I had a ride-along and I would be unable to pursue the vehicle, per policy. When the vehicle was just north of 24th Av NE on Polk, it sideswiped a parked vehicle on the west side of Polk St. The suspect vehicle became wedged into the parked vehicle and was unable to continue.

A MPD squad joined in behind me at Lowry Av NE and when the suspect vehicle was unable to continue, the MPD officer and I ran to the suspect vehicle and pulled the driver, who was the only occupant, out of the vehicle to prevent him from trying to continue to drive. The driver was later ID'd by MN DL as Arrested Party (AP1).

When I approached the vehicle, I could smell the odor of an alcoholic beverage coming from the vehicle. I also noticed that AP1's speech seemed to be slurred. Once AP1 was taken into custody and handcuffed, the MPD officer and I helped him off the ground and I noticed that AP1 was unsteady on his feet.

AP1 was placed in the rear of my squad and I noticed that his eyes were bloodshot and watery. Officer SWIERCZEK, squad 881, and Agent LITZNER, Unit 866, came to assist with towing the vehicle to the impound lot and completing the state accident report. The MPD officer that assisted at Lowry, I believe was Officer PAYNE, squad 222. Officer PAYNE assisted me with taking AP1 into custody and also assisted with an inventory search of the vehicle. Officer PAYNE handed me AP1's cell phone, wallet, and a partially consumed bottle of Absolut vodka.

I transported AP1 to the CHEM TEST UNIT. Sgt. BERDAHL, squad 806, met me a CHEM TEST to assist. I escorted AP1 to CHEM TEST room 2 and turned on the video in that room. I started to read the Breath Test Advisory. I read points one and two and AP1 said he understood them. I then read point three and AP1 told me he needed a translator.

I stopped reading the Breath Test Advisory and arranged for a translator to be on speaker phone while I read



the Breath Test Advisory. I was able to contact court translator

I read the Breath Test Advisory to AP1 through the translator and AP1 stated he understood the advisory. He stopped several times during the reading, as he had concerns about low blood sugar, that he needed some water, he had to go to the bathroom, he wanted to call his wife, his dentures were missing, etc.

AP1 stated that he wanted to consult with an attorney and then asked me why he would call an attorney if he had done nothing wrong. During the reading of the Breath Test Advisory, I had paramedics respond to check AP1's reported low blood sugar. HCMC ambulance responded and checked his blood, which returned a result in the 470 range, which is very high. The paramedics also called a doctor and confirmed that a blood sugar reading in this range would not result in his impaired driving and slurred speech. The paramedics also said that there was no immediate danger from this reading, but that AP1 should take his insulin when he could.

AP1 did state that he wanted to consult with an attorney so time was made available for him, but he never called any attorneys. AP1 did call his wife and when I tried to explain to her what had happened, he hung up on her. AP1 finally told me after repeatedly asking if he was done contacting an attorney that he was done. AP1 agreed to take the breath test.

In the first breath sample, AP1 provided a strong, steady breath. On the second sample, AP1 started with a strong sample, then stopped two or three times. I explained to AP1 that he needed to give a sample just like the first and he provided a strong, steady breath. The test returned a result of .16 AC.

AP1 has a prior DWI refusal in 2011 and a criminal vehicular operation/fatal in March 2008. When I was entering the data into e-charging, it indicated that AP1 has three prior DWIs in the past ten years.

I provided AP1 with a copy of the DMT test results, a copy of the notice and order of revocation, the notice and order of license plate impoundment, a temporary permit, notice of seizure and intent to forfeit vehicle, and a property receipt.

AP1 was booked HCJ for 1st degree DWI. He can also be charged with fleeing police in a motor vehicle. The bottle of Absolut vodka was inventoried at the property room.

**END of Supplement 2**

**Supplement number: 3      CCN: MP-18-006255      Author:      005497 - Daniel Payne**

---

Supplement of Off D.Payne #005497 on 01/07/2018 01:56

I was working in marked squad 222, P#76768, by myself as an Able squad. I heard on the radio that squad 880 was attempting to make a traffic stop on a vehicle but that it was slow to stop. Squad 880 stated he was driving southbound on Central AV NE crossing 29 AV NE.

I radioed that I would back Squad 880. I was at Lowry AV NE and Central AV NE when I observed Squad 880 with their emergency lights and siren activated following behind a      The listed vehicle turned EB on Lowry AV NE and Squad 880 followed. I then got behind squad 880. I observed the Camry swerve into the westbound lane of Lowry driving the wrong way and jumping the curb of the sidewalk and then swerved back into the eastbound lane. The vehicle then made a right turn onto Polk ST NE and headed southbound. The vehicle then crashed into another parked vehicle,      near the intersection of Polk ST NE and 24 AV NE.

I assisted Squad 880 with pulling the driver, later identified as A1/      out of the Camry. A1 appeared to be extremely intoxicated due to his slurred speech and delayed body movements. A1 would not obey Officer's commands to get out of vehicle. We pulled A1 out of the vehicle and placed him on the ground in the prone position so I could place handcuffs on him. After handcuffed, I assisted A1 to his feet and he was placed in the back of Squad 880.

I searched A1's vehicle and found a half empty bottle of Absolute Vodka on the floor in the back seat. I notified and gave Squad 880 the vodka that was found.

After I searched the vehicle I cleared the call.

**END of Supplement 3**

Supplement number: 4

CCN: MP-18-006255

Author:

127446 - Gage Litzner

Supplement of Agent G.Litzner #127446 on 01/07/2018 15:58

On 01/06/2018 at approximately 2035 hours, I was working unit 866 and arrived at Polk St NE & 24th Av NE, to assist Squad 880 with his traffic stop.

I completed a tow sheet and secondary inventory search on the vehicle.

Inside of the vehicle there was miscellaneous papers, cards, bank cards, phone cases, and other miscellaneous random/personal items. There were 3 prescription bottles, containing 29 pills in one, 15 pills in one, and 58 pills in one; along 1 prescription box. There was also a checkbook, with check numbers 104779611383-0183 through 104779611383-0210. These items were all left in the vehicle. The vehicle did not have keys, but was unlocked.

There was damage to the car on the driver side front bumper (broken, dented, scratched) and the passenger side front/side of the vehicle (broken pieces, dents, scratched).

While the tow truck was putting the vehicle onto the bed of it, the vehicle scraped against the pickup truck that it was up against, with the rear passenger side of the car.

The vehicle was towed by Lopez Towing, to the Minneapolis Impound Lot, held for forfeiture for the Park Police Department. The tow sheets were given to the driver, and one copy was placed in the "reports to be entered" box at the Minneapolis Park Police Department.

**END of Supplement 4**

**Supplement number: 5      CCN: MP-18-006255      Author:      125432 - Christopher White**

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Supplement of Agent C.White #125432 on 01/08/2018 13:00

On 01/08/2018 at approximately 1155 hours, I was working the front desk at the police department when I received a phone call from \_\_\_\_\_ stated that she was the owner of V1. \_\_\_\_\_ asked why V1 was on hold at the impound lot. I explained to her that the vehicle is being held for forfeiture. I told her that Sgt. Doll had placed the forfeiture information in the mail and that she would be receiving the information in the next few days. I also advised her if she wished to contest the forfeiture that she would need to follow the process outlined in that information. During the conversation, \_\_\_\_\_ said that \_\_\_\_\_ did not have permission to drive the vehicle.

\_\_\_\_\_ said that V1 has insurance through \_\_\_\_\_

**END of Supplement 5**

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**End of report for case MP-18-006255. Print ID: ebe056f3-1475-48b4-849c-83fd7d799631**

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**Ohotto, Jason R.**

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**From:** Ohotto, Jason R.  
**Sent:** Monday, April 14, 2014 10:11 AM  
**To:** Police Supervisors  
**Subject:** Review of Squad Video  
**Attachments:** SO2013-05.pdf

Supervisors:

Please make a point to review MVR squad video when officers are involved in significant incidents, use of force situations, and major crimes/arrests. If there is notable video evidence, please outline such in a supplement. Supervisors should also be reviewing and updating the retention category, as needed.

Investigators assigned to cases in which MVR video may provide evidence shall review the video and document findings in a supplement.

Sgt. Rowland (MVR coordinator) can assist with MVR operation and reviewing video.

Chief Jason Ohotto

**MINNEAPOLIS PARK POLICE DEPARTMENT**

Minneapolis Park and Recreation Board

2117 West River Road N | Minneapolis, MN 55411 | 612-230-6564 | [johotto@minneapolisarks.org](mailto:johotto@minneapolisarks.org)



**Minneapolis**  
Park & Recreation Board

**Ohotto, Jason R.**

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**From:** Ohotto, Jason R.  
**Sent:** Friday, February 02, 2018 10:38 AM  
**To:** Noble, Calvin E.  
**Subject:** FW: Investigative work rules for Park Police Investigators 2017  
**Attachments:** Investigative operating procedures Reissued January 2017.docx

See attached and e-mail.

Chief Jason Ohotto  
MINNEAPOLIS PARK POLICE DEPARTMENT  
2117 West River Road | Minneapolis, MN 55411-2227 | 612-230-6564 | [johotto@minneapolisparke.org](mailto:johotto@minneapolisparke.org)



**Minneapolis  
Park & Recreation Board**

**From:** Swanson, Mark S.  
**Sent:** Monday, January 09, 2017 9:26 PM  
**To:** Ohotto, Jason R. <[JOhotto@minneapolisparke.org](mailto:JOhotto@minneapolisparke.org)>; Noble, Calvin E. <[CNoble@minneapolisparke.org](mailto:CNoble@minneapolisparke.org)>  
**Subject:** FW: Investigative work rules for Park Police Investigators 2017

FYI

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**From:** Swanson, Mark S.  
**Sent:** Monday, January 09, 2017 9:25 PM  
**To:** Doll, Richard D.; Swanson, Mark S.  
**Subject:** Investigative work rules for Park Police Investigators 2017

Sgt. Doll and

I want to thank you for your hard investigative work in 2016. It was a good year.

Since we are starting off a new year, I am again reissuing the investigative work rules for Park Police Investigators as a reminder on how we do business. The rules can change from time to time and if you see something that needs to be changed, addressed or clarified as we go through the year please let me know.

I want to stress that the one thing we need to do is communicate with each other. In 2016 our communications were greatly improved and in 2017 we need to keep those skills up.

I have attached the 2017 work rules. They essentially the same as 2016 except for two new procedures outlined below.

**NEW FOR 2017**

It is the job of an investigator to review all evidence related to a case.

Investigators are reminded that they need to check and review any and all the Park Police squad car camera footage; and in the future any Park Police Officer body worn camera footage that is related to a case they are investigating. Investigators should enter a heading somewhere in their investigative supplement that is titled:

REVIEW OF PARK POLICE SQUAD CAR VIDEO FOOTAGE

And or:

REVIEW OF PARK POLICE BODY WORN CAMERA FOOTAGE

Investigators should give a short summary of what evidence is seen on the above video. I know that this is time consuming and may delay some in-custody investigation; but the charging attorneys are expecting to have these videos reviewed by an investigator so there are no surprises in the cases when they go to court. If you are working a complicated case and need assistance, then request it from another investigator or the investigative Lieutenant.

**FORMAL STATEMENTS**

Investigators are also expected to take formal witnesses and victim statements on most felony and gross misdemeanor cases. This is in order to give the charging attorneys an idea of what the victims and witnesses saw and thought; and also to lock them into a story in case they change their story at the time of trial.

Thank you for your good hard work in 2016. Please let me know if you need assistance anytime in 2017.

Sincerely,

Lt. Mark Swanson



**MINNEAPOLIS PARK POLICE DEPARTMENT**  
**MEMORANDUM**

**TO: Investigators**

**DATE: Reissued 1-9-17**

**FROM: Lt. Swanson**

**RE: Investigative Procedures**

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**Investigative operating procedures**

**Shift start time**

Investigators should start their daily shift between 07:00 and 09:00 hours unless cleared by a supervisor.

**Work Rules Pertaining to Extra Duty and Overtime**

See Order 2015-10

Additionally: No employee may work more than 16 hours (regular duty, extra duty, or overtime) in any 24 hour period unless exigent/emergency circumstances exist and continued duty is approved by a supervisor.

**Supervisor and patrol meeting attendance**

Investigators should adjust their work schedule and plan on attending supervisor and patrol meetings during their normal work day. Overtime for these meetings will only allowed with the approval of a supervisor.

**Case assignment**

Cases will be assigned in CAPRS and a copy of case will be placed in your mail box.

Generally speaking the cases should be investigated in the following priority:

1. Any type of In-custody cases
2. Crimes against persons (And specific cases prioritized by the chief)



3. TFMV
4. Property crimes
5. Misc cases

Felonies case should take priority unless there are extenuating circumstances with other cases.

\*Note: Depending on leads and case information, **crimes against person cases** should have investigative follow up made within three days after the case has been assigned to an investigator.

Initial investigative supplements should be written by the investigator which documents the status of the case, and the actions that the investigator has or will be taking in the future - if any.

If heavy caseloads prevent the timely entering of an investigative supplement, the approval of the investigative Lieutenant is needed; then case notes should be made and saved and entered at a later time.

If the status of the case is questioned then the supplements or the case notes can be checked.

If there is ever a question on the timely entering of a supplement or the follow up on a case, then consult with the Investigative Lieutenant.

### **NEW FOR 2017**

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## **FORMAL STATEMENTS**

Investigators are also expected to take formal witnesses and victim statements on most felony and gross misdemeanor cases, to give the charging attorneys an idea of what the victims and witnesses saw and thought, and to also lock them into a story in case they change their story at the time of trial.

### **Investigators working weekend duty**

Investigators should check the prior night's bullets to see if any in custody arrests were made.

Investigators should also check MPD CAPRS 7100 (Park Police) for any in custody cases routed to the Park Police for investigation. If in-custody case(s) are found then the investigator should self-assign the case and investigate it.

**\*Note:** This same procedure should be followed when there is no Investigative Lieutenant working or is on vacation. **CHECK IN-CUSTODY CASES EVERY DAY.**

### **General work rules**

- Upon completion of a case **the investigator should close the case** in CAPRS by using the closing codes. Arrest – 50, CCPFIL - 70 (Etc.)
- The cases should then be given to Investigative Lieutenant for review and filing.

- Cases submitted for charging consideration can be held by the investigator until a charging decision is made and the case is closed.
- If you work overtime on a case please send Investigative Lieutenant an email or a text message stating the reason for the over time.
- Please get together and plan your days off for the upcoming schedule. You are expected to work two Saturdays during the schedule block unless there are extenuating circumstances. Send the Investigative Lieutenant (One) copy of your combined schedule so it can be viewed and passed on for the final scheduling.

If differences about the weekend schedule cannot be worked out, then an investigator will be assigned to fill it and the next time there is a schedule conflict the alternate investigator will be assigned to work it. The Investigative Lieutenant is available to fill in some weekend duties but investigators will be the main workers for weekend duties.

- If you get a Complaint Denial or Complaint Referral, for additional investigation on a case, please inform the Investigative Lieutenant about it. Do not work on the case until it is discuss further. Do not call the attorney and complain about the charging decision or lack of charging decision.
- Please inform the Investigative Lieutenant if you are going to serve a search warrant on a house or apartment so the search warrant can be reviewed.
- If you issue a PC Pickup on a suspect, please send the Investigative Lieutenant a copy of the PC Supplement in your report.
- If your duties take you away from investigations, please let Investigative Lieutenant know as soon as possible. Examples would be last minute honor guard duties, extra duty planning etc.

- If you burn some comp time please send the Investigative Lieutenant an email. That is generally not a problem.
- The dress code is business casual unless other duties require you to dress down for the job. If you go to court, a uniform, jacket and tie or business suit is required. If you have any questions please ask the Investigative Lieutenant.

The intent is not to micro manage investigators, but the Investigative Lieutenant needs to know what you are working on. Communication has generally been very good and hopefully will remain that way. These are mostly the same rules we have been following in the past, but now they are in writing.

Thank you,  
Lt. Mark Swanson

Reissued 8-24-15