

OPINION AND AWARD

IN THE MATTER OF:

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Police Officers Federation of Minneapolis	)
Minneapolis, Minnesota	)
- And -	)
City of Minneapolis	)
Minneapolis, Minnesota	)

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GRIEVANCE ARBITRATION  
David Krajisa, Grievant  
BMS Case No. 94-PA-10

APPEARANCES

FOR THE CITY:

Joseph M. LaBat .....	Esquire, Assistant City Attorney
John Laux .....	Chief of Police
David Dobrotka .....	Deputy Chief

FOR THE UNION:

James P. Michels .....	Esquire
David Krajisa .....	Grievant
Alan Berryman .....	Sgt. Minneapolis Police Dept. and President of the Police Officers Federation
*Richard B. Schutz .....	Inspector of Police, Commander of 4th Precinct
Francis R. Dallman .....	Police Investigator

[\* On certain occasions in the Opinion and Award, Inspector Richard B. Schutz is referred to as Inspector Schultz due to the fact that his signature was indistinguishable.]

## JURISDICTION

The Arbitrator, Charles E. Swenson, was selected in accordance with Article 5, Grievance and Arbitration:

Section 5.03 - Arbitration Procedure. If a grievance has not been resolved by the foregoing procedure and the Federation has served its Notice of Intent to Arbitrate in accordance with Section 5.2 ("Step 3"), above, the Parties shall proceed as follows:

- A. The Parties shall attempt to agree upon an arbitrator within seven (7) calendar days after receipt of the Notice of Intent to Arbitrate; and if the Parties are unable to agree upon an arbitrator within said seven (7) calendar day period, either Party may request the Public Employment Relations Board of Minnesota to submit a panel of five (5) arbitrators. The City and the Federation shall alternately strike two (2) names from the panel. If the Parties cannot agree on the Party striking the first name, the decision shall be decided by a flip of a coin. The remaining person shall be the arbitrator.
- B. The arbitrator shall be notified of his selection by a letter from the City or the Federation requesting that he set a time and a place for hearing, subject to the availability of the City and Federation representatives.
- C. The arbitrator shall have no authority to amend, modify, nullify, ignore, add to or subtract from the provisions of this Agreement. He shall be limited to only the specific written grievance submitted to him by the City and the Federation and shall have no authority to make a decision on any other issue not so submitted to him. His decision shall be based solely upon his interpretation of the meaning or application of the express terms of this Agreement and the facts of the grievance presented. The decision of the arbitrator shall be final and binding.
- D. The arbitrator shall submit his written decision within ten (10) days following the close of the hearing or the submission of briefs by the Parties, whichever is later, unless the Parties agree to an extension thereof.

- E. The fees and expenses of the arbitrator shall be divided equally between the City and the Federation, but each Party shall be responsible for compensating its own representatives and witnesses.

The hearing was held on Tuesday, September 21, 1993, convening at 0900 hours in the Lincoln Center Building, Minneapolis, and closed the same day at 12:35 P.M.

Witnesses gave their testimony under oath and were subject to cross-examination.

Exhibits were entered on behalf of each party to substantiate their positions and testimony.

The parties gave oral summations in lieu of post-hearing briefs.

The hearing tapes produced 78 pages of testimony.

#### ISSUE

Is termination the appropriate disciplinary sanction?

#### BACKGROUND

From this point forward, Mr. David Krajcsa shall be referred to as the "grievant", the Police Officers Federation shall be referred to as the "Union", and the City of Minneapolis shall be referred to as the "Employer".

JOINT STATEMENT OF THE CASE - B.M.S. CASE NO. 94-PA-10

The grievant was appointed as a Minneapolis Police Officer on June 2, 1986.

On June 21, 1989, the grievant was suspended for 90 days without pay as a result of his involvement in an incident occurring in August, 1988, in which he and another officer took two brand new automobile batteries into their possession as recovered property. Rather than delivering the batteries to the Department's Property Inventory Room, each officer retained one battery and substituted a used battery which was then submitted to the Property Inventory Room.

Since that incident, the grievant has faced no other disciplinary charges, and his job performance evaluations have been above average.

From 1990 to the time of his termination, the grievant served as a Field Training Officer in addition to his regular patrol duties. As a Field Training Officer, he was responsible for training new recruits to the Police Department.

In 1991, the grievant was selected by Lt. Prentice to represent his shift on the Officers Advisory Committee.

In January, 1993, a supervisor informed the members of the grievant's shift that one of their fellow officers was involved in a personal matter that was being handled by the Richfield Police. After reporting for his shift on January 22, 1993, the grievant observed a manila envelope addressed to the officer,

crossed out the stamped return address and wrote in ink "Richfield P.D. Family Violence." The receiving officer complained about the incident to a sergeant on the shift and the matter was investigated.

Handwriting analysis suggested that the grievant was the author of the altered return address.

On March 9, 1993, the grievant was interviewed by the Internal Affairs Division regarding the incident. During his statement, the grievant denied being the author of the altered return address.

Based on the handwriting analysis and other evidence, the Internal Affairs investigator concluded that the grievant had altered the envelope and been untruthful during his statement. As a result, on March 22, 1993, the Internal Affairs Division (IAD) investigator prepared the findings/recommendations form charging the grievant with violating MPD Rules 5-104 and 5-103.

In accordance with departmental procedure, the case was returned to the precinct commander, Inspector Schultz, for his findings and disciplinary recommendation.

On or about April 8, 1993, Inspector Schultz met with the grievant and his Lieutenant, Tony Diaz, to discuss Schultz's findings and recommendation regarding the matter. Schultz began the interview by asking the grievant whether he had written the altered return address on the envelope. The grievant admitted

that he had altered the envelope and that he had untruthfully denied altering the envelope during his IAD statement.

During the discussion that ensued, the grievant expressed to Schultz and Diaz his remorse for his conduct and offered his resignation. The grievant also indicated to Schultz that he owed the officer an apology and was willing to offer his apology to the officer in Schultz's presence.

Upon reviewing this situation, Schultz did not accept the grievant's offer of resignation and instead recommended that he be suspended for two days for altering the envelope and four days for the untruthfulness to the Internal Affairs Division.

Upon receipt of Schultz's recommendation which detailed the grievant's admissions, the matter was returned to Internal Affairs for the purpose of taking an additional statement from the grievant and a statement from Inspector Schultz.

On May 18, 1993, the grievant gave his statement and admitted that he had altered the envelope and had been untruthful during his first statement.

On May 19, 1993, Inspector Schultz gave his statement to Internal Affairs.

On May 22, 1993, Deputy Chief Dobrotka made his written findings of fact and recommendations on the matter and recommended to Chief Laux that the grievant's employment be terminated primarily because of the grievant's untruthfulness on the initial IAD statement.

On or about June 4, 1993, the grievant was presented with the Recommendation for Discharge signed by Chief Laux and, pursuant thereto, his employment was terminated.

The City and the Federation are parties to a collective bargaining agreement. Section 21.1 of the Labor Agreement provides that the City will discipline employees who have completed the required probationary period only for just cause.

In addition to the collective bargaining agreement, disciplinary matters are governed by the Rules of the Minneapolis Civil Service Commission.

For the City

Deputy Chief David Dobrotka  
Officer D. Knutson  
Chief John Laux

For the Union

Officer David Krajisa  
Inspector Richard Schultz  
Sgt. Allen Berryman  
Other Supervising Officer

FOR THE EMPLOYER:

/s/ J M LaBat  
Joseph M. LaBat

FOR THE UNION:

/s/ James P. Michels  
James P. Michels"

RELEVANT PROVISIONS OF THE AGREEMENT

(AGREEMENT Between THE CITY OF MINNEAPOLIS -and- THE POLICE OFFICERS' FEDERATION OF MINNEAPOLIS)

THIS AGREEMENT is entered into between the City of Minneapolis, a municipal corporation incorporated under the laws of the State of Minnesota (hereinafter referred to as the "City", the "Employer" or the "Department"), and the Police Officers' Federation of Minneapolis (hereinafter referred to as the "Federation").

It is the purpose and intent of this Agreement to achieve and maintain sound, harmonious and mutually beneficial working and economic relations between the Parties hereto; to provide an

orderly and peaceful means of resolving differences or misunderstandings which may arise under this Agreement; and to set forth herein the complete and full agreement between the Parties regarding terms and conditions of employment except as the same may be established by past practices which are determined to be binding by an arbitrator and not included in this contract. The Parties hereto agree as follows:

ARTICLE 4  
MANAGEMENT RIGHTS

The Federation recognizes the right of the City to operate and manage its affairs in all respects in accordance with applicable law and regulations of appropriate authorities. All rights and authority which the City has not officially abridged, delegated or modified by this Agreement are retained by the City.

ARTICLE 5  
GRIEVANCE AND ARBITRATION

Section 5.1 - General Provisions.

- A. This grievance and arbitration procedure has been established to resolve specific disputes which may arise between the Parties concerning, and limited to, the interpretation or application of the provisions of this Agreement.
- B. The City shall pursue the resolution of grievances and conduct arbitration proceedings only with the properly designated representatives of the Federation.
- C. The Federation may file a grievance for an alleged violation which affects a class of employees. Class grievances shall be initiated at Step 2 of the Grievance Procedure and it, including all members of the class allegedly aggrieved, shall be subject to the time limitations specified therein. The resolution of such grievances shall be applied to all members of the class affected by the action which gave rise to the grievance.
- D. If the finding or resolution of a grievance proposed by the Employer at any step of the procedure is not properly appealed to a higher step in the grievance procedure within the prescribed time limits, or if it is accepted by the Federation, said grievance shall be considered resolved on the basis of the last response



submitted, and there shall be no further appeal or review. Should the City fail to respond within the prescribed time limits, the grievance shall proceed to the next step. The time limits established in this Article may be extended by the mutual written consent of both Parties to this Agreement.

- E. Except as may be provided for by applicable Minnesota law, the City and the Federation agree that when an employee has elected to pursue a remedy afforded by State or Federal statute, Minneapolis City Charter or Minneapolis City Ordinance before an Agency of competent jurisdiction for alleged conduct which may also be a violation of this Agreement, the employee shall not have simultaneous or subsequent resort to this grievance procedure, and the grievance then or thereafter processed shall be forever waived unless the forum so selected determines that it does not have jurisdiction, then a grievance may be filed within twenty (20) calendar days of such determination, provided the original action was taken within the time limits to file a grievance hereunder. Further, the Federation agrees that it shall not pursue additional or different remedies once a grievance has been resolved by the operation of the grievance and/or arbitration procedures contained herein.
- F. Except as may be provided for by applicable Minnesota law, the City and the Federation mutually agree that the grievance and arbitration procedures contained in this Agreement are the sole and exclusive means of resolving all grievances arising under this Agreement.

Section 5.03 - Already listed under "Jurisdiction" of this Award.

## ARTICLE 21 DISCIPLINE

Section 21.1. The City will discipline employees who have completed the required probationary period only for just cause.

Section 21.2. A suspension, written reprimand, demotion or discharge of an employee who has completed the required probationary period may be appealed through the grievance procedure as contained in Article 5 of this Agreement. In the alternative, where applicable, an employee may seek redress through a procedure such as Civil Service, Veteran's Preference, or Fair Employment. Except as may be provided by Minnesota law, once a written grievance or an appeal has been properly filed or submitted by the Employee or the Federation on the employee's behalf through the grievance procedure of this Agreement or another available procedure, the employee's right to pursue redress in an alternative forum or manner is terminated.

POSITION OF THE PARTIES

THE ARBITRATOR WILL USE EXACT STATEMENTS AND EXHIBITS AS HE DEEMS NECESSARY FROM THE DATA PRESENTED AT THE HEARING. BY DOING SO, THIS IS NOT TO BE CONSTRUED AS PLAGIARISM OR PARROTED INFORMATION. THE INTENT IS TO REFLECT THE CONCISE POSITIONS OF EACH PARTY.

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THE EMPLOYER CONTENDS:

(Employer's Statement of Position dated September 17, 1993)

The facts in this case are fully set forth in the Stipulated Facts and in the Exhibits jointly submitted. The sole issue to be decided is straight forward and agreed on by the parties. "Based on the facts and circumstances of the case and the employee's disciplinary record is termination the appropriate disciplinary sanction?" The employer strongly believes it is.

In this case Krajjsa not only created a hostile work environment for Officer Dani Browne but also lied on an Internal Affairs Division (IAD) Statement. The lie on the IAD Statement is the primary reason for his termination. A police officer is in a position of trust. Vulnerable citizens place their trust, property, and even person in the safekeeping of police officers on a daily basis. When a police officer demonstrates, as Krasja did, that he is undeserving of that trust he must be removed from that position of trust.

This is not Krasja's first demonstration of dishonesty. his theft of a battery in 1988, which was being retained as evidence, fully justified his 90 day suspension at that time. This second demonstration of dishonesty, tantamount to perjury, requires, according to the principles of progressive discipline, termination.

Even with Krajjsa's second IAD Statement admitting his lie he is not being fully truthful. He claims he lied to protect his shift. That is another transparent lie. By lying he tried to shift blame from himself onto the members of his shift and others. He attempted to protect himself and only himself. He has yet to admit the true motive for his dishonesty.

The harassment of Officer Browne by Krajjsa is unacceptable but the discipline for that action would certainly not have been termination. The lie on the IAD Statement would have, standing by itself, been cause to terminate. However, here we have an officer who in 1988 admitted criminal dishonesty (theft) and was disciplined. Now we have another incident of dishonesty and termination is the only just result.

Respectfully submitted,  
ROBERT J. ALFTON  
City Attorney  
Attorney Reg. No. 1119  
By  
/s/ J M LaBat  
JOSEPH M. LABAT  
Assistant City Attorney  
Attorney Reg. No. 59249  
Attorneys for Defendants

THE UNION CONTENDS:

(Summary of Union's Position dated September 18, 1993)

The employer admittedly has just cause to impose some form of discipline based on Krajjsa's conduct. However, termination is clearly excessive and inappropriate.

Under Minneapolis Civil Service Rule 11.04, discharge is appropriate "for persistent substandard performance, gross or repeated misconduct, or severe initial misconduct." In view of the past disciplinary practices of the Department, Krajjsa's conduct is neither gross nor severe initial misconduct which would result in termination.

The basis upon which the department seeks termination is that the conduct represents "repeated misconduct." See Deputy Chief Dobrotka's recommendation dated May 22, 1993 ("... based on the principles of progressive discipline, I am compelled to recommend that Officer Krajjsa's employment as a Minneapolis Police Officer be terminated."). Even applying the principles of progressive discipline, termination is not appropriate.

The prior conduct upon which the Department now relies as the basis for enhancing the present sanction against Krajjsa occurred four and one-half years prior to the conduct for which he is now charged. In view of the time that has passed and Krajjsa's performance in the interim, the prior charges should have little or no impact on the sanction for Krajjsa's present conduct.

The need for a time limitation on the consideration of past offenses is recognized even where the collective bargaining agreement does not expressly impose one. Elkouri and Elkouri, How Arbitration Works, 4th ed., p. 680. Citing Arbitrator John Larkin, the Elkouris state:

"In general we should say that in discharge cases the past conduct of the employee in question is of concern to the arbitrator called upon to review management's disciplinary action. . . . However, this does not mean that we are to consider everything that is introduced as having equal weight and significance. We sympathize with the position often taken by unions that there should be some limitation on how far back in the record one should be permitted to go in the matter of digging up old scores. Such historic incidents should be close enough in their relation to the problem involved in the immediate case to warrant consideration."

Krajisa's prior conduct is not sufficiently close in relationship to his present conduct in order to justify termination.

Since serving the suspension for the 1988 conduct, Krajisa has rehabilitated his career and taken positive steps to minimize the continuing impact of that suspension. The Department has acknowledged Krajisa's rehabilitation from the suspension by entrusting him with significant duties and responsibilities above and beyond those normally assigned to a patrol officer. Since 1990, Krajisa has served as a Field Training Officer and as such the Department used his abilities to train new recruits as to the manner in which they should carry out their duties. Krajisa was also selected to represent his shift on the Officers Advisory Committee. Since the suspension, Krajisa's performance evaluations have been very good and he has received numerous commendations. Having acknowledged that Krajisa's character and job performance warranted looking beyond his disciplinary record for purposes of assigning him additional duties and responsibilities, the Department cannot now argue that the same record should be used to enhance to the level of termination a disciplinary sanction which would otherwise be a short suspension.

Further, the nature of the conduct in the two situations is different. Under the practices of the Minneapolis Police Department, a prior disciplinary sanction does not enhance the sanction in a pending matter unless the prior conduct is of a same or similar nature to the present conduct. The prior change upon which the Department relies in applying the principle of progressive discipline is not sufficiently similar to the charge in the matter now before the arbitrator.

Krajjsa's prior conduct involved the theft of an automobile battery. As the investigation of those charges proceeded, Krajjsa was not untruthful as to his involvement. In fact, in his recommendation for discipline, then Deputy Chief Smith stated "Krajjsa's story was forthright and did not vary from his original statement." Theft and false statements are routinely considered separate offenses. See Elkouri and Elkouri, How Arbitration Works, 4th ed., p. 692-707. While both theft and false statements during an investigation of an employee's misconduct raise questions as to an individual's integrity, they are sufficiently dissimilar to preclude a blanket application of the progressive discipline principle.

An important goal in imposing discipline is to correct the employee's behavior. Minneapolis Civil Service Commission rule 1.01 states in part:

[The purpose of the Civil Service Rules is to] ensure a fair and effective system of personnel administration which is based upon the following merit principles: . . .

- D. Retaining employees on the basis of the adequacy of their performance, correcting inadequate performance, and separating employees whose inadequate performance cannot be corrected.

Krajjsa's conduct can be corrected. In fact he already acted to correct the situation when he admitted to Schultz that he had altered the envelope and been untruthful in his IAD statement. Inspector Schultz noted Krajjsa's remorse in his written recommendation and refused to accept Krajjsa's offer of resignation, thus clearly demonstrating that he (Schultz) believed that Krajjsa could correct his conduct and continue to be a valuable employee.

The termination of Officer Krajjsa would establish a bad precedent for the Department with regard to future circumstances involving similarly situated personnel. Following the investigation, the IAD investigator had concluded that Krajjsa had altered the envelope and been untruthful in his Internal Affairs Statement. Krajjsa was charged accordingly and the case was referred to Inspector Schultz for his findings and recommendation as to discipline. Had Krajjsa remained silent, he most likely would have received a short suspension.

However, because Krajjsa admitted his wrongdoing and expressed his remorse during his meeting with Inspector Schultz and Lt. Diaz, the Department now seeks to terminate Krajjsa. The Department should encourage its employees to be honest in all

circumstances, but especially in those situations in which an officer's initial statement was less than candid. By terminating Krajsa, the Department would be sending its employees the message that, if they have not initially been truthful, they are better off to remain silent and let the false statement stand rather than step forward and correct the record. Such a policy is contrary to the best interests of the Department.

The recommendation of Inspector Schultz reflects a careful consideration of all the elements that embody an appropriate disciplinary sanction: the nature of the conduct and the related facts and circumstances; the ability of the employee to be rehabilitated; the employee's past disciplinary record relative to the length of time between disciplinary charges and relative to the employee's intervening conduct; the value of the employee's services and abilities to the employer; the impact of the sanction on similarly situated employees; and consistency in imposition of discipline relative to the practices of the employer.

Accordingly, the Federation respectfully requests that the Arbitrator: find that the Department does not have just cause for terminating Officer Krajsa; determine a disciplinary sanction more consistent with that recommended by Inspector Schultz; and award the employee backpay from June 4, 1993 (less the period of suspension deemed appropriate by the Arbitrator) and the restoration of his seniority and benefits.

Respectfully submitted,  
BEST & FLANAGAN  
By: /s/ James P. Michels  
James P. Michels  
Attorney Registration No. 168749

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#### DISCUSSION, FINDINGS AND CONCLUSION

##### DISCUSSION:

Deputy Chief David Dobrotka has been employed by the Minneapolis Police Department for over twenty-five years, the last seven years as Deputy Chief. Being the Commander of the Patrol Bureau this case came to him as a normal practice. On May 22, 1993, he issued the following statement:

## FINDINGS OF FACT

1. Officer David KRAJSA reported for dog watch at the 4th Precinct on 1-22-93. He observed a manila envelope addressed to Officer Dani Browne, crossed out the stamped return address (Minneapolis Police Crime Analysis Unit), and wrote in red ink, "Richfield P.D. Family Violence." He then left the envelope where it would be found.
2. Officer Browne found the envelope on 1-23-93 and observed the altered return address. Due to personal problems that involved the Richfield PD (but not other MPD personnel), she felt that someone was harassing her. She reported the incident to Sgt. McKenzie who described her as being "quite upset" in a memo dated 2-6-93.
3. Karen Runyon, MPD Forensic Document Examiner, issued a report on 3-2-93 that, based on her analyses, identified Officer KRAJSA as the author of the altered return address.
4. Officer KRAJSA provided a "Garrity" statement to IAD on 3-9-93 in which he alleged seeing the manila envelope on the floor near the mail boxes when he reported for dog watch, alleged picking it up and putting it in a wire box, but denied being the author of the altered return address.
5. The case was forwarded to Inspector Schultz for review and a decision or recommendation. Sometime around 4-8-93 SCHULTZ conducted a meeting with KRAJSA; KRAJSA's Lieutenant, Tony Diaz, also attended. SCHULTZ began the interview by advising KRAJSA to be truthful and then asking him if he had written the altered return address on Officer Browne's envelope. KRAJSA admitted that he was the author and that he had lied to IAD when he denied the act. KRAJSA offered to resign. SCHULTZ recommended a 6-day suspension without pay.
6. The case was returned to IAD for purposes of documenting KRAJSA's dishonesty.
7. KRAJSA provided another "Garrity" statement to IAD on 5-18-93 in which he admitted being the author of the altered return address, and admitted being dishonest in his original IAD statement.
8. Inspector Schultz provided a statement to IAD on 5-19-93 that documented his meeting with KRAJSA referred to in #5.

## CONCLUSIONS

1. Officer KRAJSA did NOT uphold the principles of professional police service or advance the department's mission when he engaged in an act that was designed to harass and intimidate a fellow officer. In so doing, he created a hostile work environment for Officer Dani Browne. I find the charge that KRAJSA violated MPD 5-103 SUSTAINED.

2. KRAJSA's actions embarrassed, humiliated and shamed Officer Browne, again creating a hostile work environment for her. I find the charge that KRAJSA violated MPD 5-104 SUSTAINED.

3. KRAJSA willfully misrepresented the fact that he was responsible for the altered return address in his "Garrity" statement on 3-9-93, and then signed the false statement after being warned and put on notice that deceit would subject him to disciplinary action. I find the charge that KRAJSA violated MPD 5-106 SUSTAINED.

4. KRAJSA engaged in misconduct as defined by Civil Service Rule 11. He violated MPD rules, mentally harassed Officer Browne, and engaged in dishonest conduct unbecoming to a public employee. His status as a police officer makes his dishonesty even more reprehensible, especially in light of the fact that it was done in bad faith, i.e., his actions were designed to harass Officer Browne and he was intentionally deceitful.

## RECOMMENDATIONS

Prior disciplinary record: As a result of previous misconduct, as recorded in IAD case #88-106, KRAJSA pled guilty to a criminal offense and was suspended without pay. KRAJSA was identified as a thief when it was proven, and he admitted, that he stole property (two auto batteries) that he had recovered during police activities. He pled guilty to MSS 609.47 INTERFERENCE WITH PROPERTY IN OFFICIAL CUSTODY, and was fined \$100.00 court costs and placed on 2-years probation. He was charged administratively with violating 21 MPD rules/regulations, all of which were sustained by former Deputy Chief Doug Smith, and was suspended without pay for 90 days.

Recommendation: In the current case, not only does KRAJSA create a hostile work environment for Officer Dani Browne, but he also demonstrates an inability to tell the truth. Not only did he lie in his first IAD statement, it appears



he is not being totally honest in his second as well. He alleges he lied because he felt "somehow that my shift would be drawn into this...This incident was totally my responsibility and I did not want any one else blamed for it." Rather than tell the truth and accept responsibility so that NO one else would be blamed, he lied so that anyone, and everyone else could be suspect. He claims he was protecting the best interests of his shift by lying, and yet, in doing so, they were ALL suspects. He seems to want to imply that his lying had a noble purpose.

Police officers generally enjoy the public trust; however, actions of police officers such as KRAJSA's erode their faith and support. Officer KRAJSA has demonstrated that he no longer should be permitted to enjoy their trust. How badly have KRAJSA's actions tarnished or damaged every police officer's integrity in the eyes of the public? How badly has KRAJSA's conduct injured relationships within the police department? To what liability are we exposing the Minneapolis Police Department and, ultimately, the taxpayers of the City of Minneapolis if KRAJSA is retained? He is a liability we can no longer afford and, based on the principles of progressive discipline, I am compelled to recommend that Officer KRAJSA's employment as a Minneapolis Police Officer be TERMINATED.

Respectfully submitted,

DAVID A. DOBROTKA  
DEPUTY CHIEF OF POLICE"

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Chief John Laux a twenty-five year Veteran of the Minneapolis

Police Department, has been Chief since 1989. He has filled the positions prior to Chief of: Patrol Officer, Precinct Supervisor, Human Relations Administrative Assistant, Deputy Chief in Charge of Investigations and numerous other assignments. The Chief stated he was aware of the present case where the grievant was being terminated. As Chief he is responsible for the public's perception and reality of police in the City of Minneapolis. If he cannot walk out the door every day and say

we have a hard working police department, a department made up of wholesome people whose honesty can be counted on every time they open their mouths, I think I'd have a very difficult job trying to convince the public they were being well taken care of. When there is someone who has twice been involved in a dishonest Act the department cannot afford to keep that person as a member of the force because there's issues of integrity and there's issues of trust. If the public cannot be assured that each uniform, plain clothes officer that comes to their door is honest, forthright and a trusting person, they cannot be kept on the force. The grievant has twice been involved in dishonest acts. The Chief stated he was aware of Inspector Schultz's recommendation of a 6-day suspension, he objected to that and recommended termination.

Inspector Richard Schutz, Inspector of Police, Commander of the 4th Precinct with the Minneapolis Police Department has been on the force for over twenty-five years. He is responsible for four Lieutenants, some twenty Sergeants, and 123 Patrol Officers. He is responsible for all Law enforcement activities, community orientated policing activities and public safety for the 4th precinct and works directly for Deputy Chief Dobrotka.

The following was submitted by Inspector Schutz:

" MINNEAPOLIS POLICE DEPARTMENT

INTERNAL AFFAIRS CASE #93-06

Summary Statement and Recommendation

As Commander of the 4th Precinct, I was assigned IAD Case #93-06 involving the Accused Officer DAVID KRAJSA. All reports and records contained in this case were reviewed by me prior to making a determination on the two charges.

The Findings and recommendations for discipline are as follows:

MPD R/ 5-104 Professional Code of Conduct #13

SUSTAINED

2 Day Suspension

MPD R/ 5-103 Use of Discretion

SUSTAINED

4 Day Suspension

SUMMARY STATEMENT

After making a determination on this case, I conducted a meeting with Off. DAVID KRAJSA and his Lieutenant, Tony Diaz. He was informed that I had the case and had made a determination. But, before I sent the case back I wanted to talk with him and ask him a very important question and wanted a truthful answer.

Krajisa was shown the envelope addressed to Off. D. Browne and was asked if he had written on the envelope "Richfield P.D. Family Violence". He did not hesitate in his response and answered that he did write on her mail. He stated that he realized that he had made a stupid mistake in doing this and lied to Internal Affairs about this because he did not want to cause any further harm to other officers.

He expressed his remorse for having done it and stated that since an incident in 1988, he has made every effort to follow all rules and regulations, and in fact has not been the subject of either an IAD investigation or a CRA investigation. He stated that he understood that he would be disciplined and if I wanted, he would resign immediately. I suggested that he not make any premature decisions and wait for the final outcome of this case. He also stated that he owed Off. Browne an apology for his actions and was willing to offer this in my office.

In summary, I have recommended the above listed suspensions for his conduct and believe them to be fair consequences for his actions. I do not endorse any recommendation for his dismissal. He has made two major mistakes and should be held accountable for his behavior. Hopefully, he recognizes that harassment, in any form, is inappropriate and degrading, and that lying cannot and will not be tolerated. He has been functioning well as a patrol officer at the 4th Precinct and feels that he can continue here. But, if the issue of integrity and honesty surface again regarding this officer, termination of his employment should be seriously considered.

/s/ Insp. Richard B. Schutz

4/8/93

Richard B. Schultz

Date "

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Officer D. Knudsen, Internal Affairs Division, Minneapolis Police Department, submitted the following:

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SUMMARY

IAD CASE NUMBER 93-06

A memo dated 2/6/93 to Inspector Schultz from Sgt. T. McKenzie was received in Internal Affairs. This memo was regarding a large manila envelope Officer Dani Browne received at the 4th Precinct.

Officer Browne received a large manila envelope addressed to her that had a return address of Minneapolis Police Crime Analysis Unit. This return address had been crossed out using red ink and person(s) unknown had written, "Richfield P.D. Family Violence" also in red ink.

Karen Runyon, Forensic Document Examiner, from the B of I was given the envelope along with Motor Patrol logs from the 4th Precinct to compare handwriting analysis and stated, based on her observations, the writing on the envelope was similar to that of OFFICER DAVID KRAJSA. Ms. Runyon compared numerous Offense Reports written by OFFICER KRAJSA and Karen Runyon submitted a report to Internal Affairs stating that OFFICER KRAJSA is the author of the writing.

After discovering who the author of the writing was, OFFICER DAVID KRAJSA was notified and gave a two page statement. OFFICER KRAJSA stated that when he reported for duty to the 4th Precinct he noticed a brown manila envelope laying face down on the floor underneath the mail boxes and picked it up placing it in a news stand type wire box next to the mailboxes. He noticed later during his shift the envelope had been moved from the wire basket and placed on top of the mailboxes where it remained for a few days. He noticed it was addressed to Officer Dani Browne.

OFFICER KRAJSA was asked on three occasions during his statement if the writing on the envelope in question was his and stated it was not his writing but may be similar.

As for closing this case, I recommend that OFFICER KRAJSA have departmental violation MPD R/ 5-104 Professional Code of Conduct #3....Employee's shall not use any derogatory language or actions which are intended to embarrass, humiliate, shame a person or do anything intended to incite another to violence be found SUSTAINED.

I also recommend that OFFICER KRAJSA have departmental violation MPD R/ 5-103 Loyalty....Officers shall be faithful to their oath of office, strive to uphold the principles of professional police service, and advance the mission of the department be found SUSTAINED.

OFFICER KRAJSA admits to handling the envelope in question by placing it into a wire news stand box. I believe that OFFICER KRAJSA was not truthful in his Garrity statement based on the handwriting analysis and is clearly a violation of regulation.

Respectfully Submitted,  
/s/Officer D. Knudsen  
Officer D. Knudsen  
Internal Affairs Division  
Minneapolis Police Department"

\*\*\*\*\*

The Statement of the grievant given on May 18, 1993,  
reflects the following:

"Statement of Officer Krajisa given on 5/18/93 at 1400 hours in the MPD IAD office, being interviewed by Officer Knudsen, B. Spiess typing.

RE: IAD Case Number 93-06

Q: What is your full name and date of birth?

A: David A. Krajsa, 2/20/62.

Q: What is your present rank and duty assignment?

A: Patrol Officer, 4th Precinct, C shift.

Q: What is your employee number and date of appointment?

A: 3840, 6/86.

Q: YOU ARE BEING ORDERED TO GIVE A STATEMENT REGARDING MATTERS PERTAINING TO THE SCOPE OF YOUR EMPLOYMENT AND YOUR FITNESS FOR DUTY. THIS STATEMENT IS COMPELLED BY GARRITY AND CANNOT BE USED IN CRIMINAL PROCEEDINGS AGAINST YOU EXCEPT IN CASES OF ALLEGED PERJURY. DO YOU UNDERSTAND THIS WARNING?

A: Yes.

Q: I am advising you that should any of your answers in this statement be found untruthful that departmental disciplinary proceedings will be taken against you. Do you understand this?

A: Yes.

Q: Have I informed you that the purpose of this statement relates to IAD case number 93-06, in which Officer Dani Browne alleges her department mail was tampered with?

A: Yes.

Q. And, you previously gave a statement regarding this investigation on 3/9/93 in the Internal Affairs office?

A: Yes.

Q: At a later date, did you have a conversation with Inspector Schultz regarding this case?

A: Yes, I did.

Q: What did you discuss?

A: I can't remember the exact date, I was called in Inspector Schultz's office regarding this case. Inspector Schultz advised me that he had completed his investigation and was ready to make a ruling on the case, but he stated that first he wanted to ask me an important question. The inspector then held up a manila envelope of Officer Browne's which had been tampered with and asked me, "did you write on this envelope?" I told the inspector that I had written on the envelope. The inspector then asked me why I had not been truthful on my Internal Affairs statement. I told the inspector that on my first statement I felt some how that my shift would be drawn into this and I did not want this to

happen. This incident was totally my responsibility and I did not want any one else blamed for it. Inspector Schultz was puzzled at this and asked me to further explain my reasoning.

I told him that it was difficult to explain it was just a feeling that I had at the time, considering Officer Browne's prior law suits, I was afraid some how that my shift would get drawn into it.

Inspector Schultz advised me that I was in more serious trouble now than if I had been truthful initially, and I told him that I realize that. I also told him that in a way, in my mind, I was glad that it worked out this way because in my mind this incident would be pointed directly at me and involve no other person. The inspector was puzzled at this also but it was difficult for me to explain this feeling, and I added that I just wanted to make sure that no one else got blamed for my actions.

I also offered Inspector Schultz my resignation at this time but he declined to accept it. He wanted me to make sure that I realized the full impact of this situation and I told him that I had. He then stated that he would review the case once more and call me back in and advise me of his findings.

Q: In your first statement regarding this case and after being advised of the Garrity warning you stated that you were not the author of the writing on an envelope addressed to Officer Dani Browne. During your conversation with Inspector Schultz did you inform him that you did write on her mail?

A: Yes, I did.

Q: Is there anything that you would like to add to this statement that I have not asked you concerning this case and if so, what?

A: My writing on Officer Browne's envelope was a poor and unthinking practical joke. It was meant as no harm to Officer Browne. I realize by not being truthful in my first statement I am going to suffer more severe reprimands, which I am willing to accept and deserve. It is important for an officer to be honest in everything he does and I strive for that in my work, but by reviewing my employee file, it does not reflect my deep feeling for honesty. I have apologized to Officer Browne, which she has accepted and I am glad that the truth has come forward and that Inspector Schultz gave me the opportunity to do so. I also would like to thank Inspector Schultz for his support and recommendation on the issue. I am remorseful that I ever allowed myself to become placed in this situation, but it has happened and I am ready to accept my punishment.

Q: Is this a true and accurate statement?

A: Yes, it is.

STATEMENT CONCLUDED 1409 hours

/s/ Dave Krajisa            5/18/93            Officer D. Knudsen  
Officer D. Krajisa            Date                    Witness

I have received a copy of this statement consisting of two typed pages.

/s/ Dave Krajisa  
Officer D. Krajisa"

\*\*\*\*\*

Inspector Schutz's Memo is as follows:

"Statement of Inspector Schultz given on 5/19/93 at 1200 hours in the MPD IAD office, being interviewed by Officer Knudsen, B. Spiess typing.

RE: IAD Case Number 93-06

Q: What is your full name and date of birth?

A: Richard Bruce Schultz, 6/25/43.

Q: What is your present rank and duty assignment?

A: Inspector of Police, and Commander of the 4th Precinct.

Q: What is your employee number and date of appointment?

A: 6402, 1/8/68.

Q: YOU ARE BEING ORDERED TO GIVE A STATEMENT REGARDING MATTERS PERTAINING TO THE SCOPE OF YOUR EMPLOYMENT AND YOUR FITNESS FOR DUTY. THIS STATEMENT IS COMPELLED BY GARRITY AND CANNOT BE USED IN CRIMINAL PROCEEDINGS AGAINST YOU EXCEPT IN CASES OF ALLEGED PERJURY. DO YOU UNDERSTAND THIS WARNING?

A: Yes.

Q: I am advising you that should any of your answers in this statement be found untruthful that departmental disciplinary proceedings will be taken against you. Do you understand this?

A: Yes.

Q: Have I informed you that the purpose of this statement relates to IAD Case Number 93-06 involving Officer David Krajisa in which Officer Dani Browne alleges her department mail was tampered with?

A: Yes.



Q: After reviewing this IAD case did you have a conversation with Officer Krajjsa regarding this case?

A: Yes.

Q: What did you discuss?

A: Besides myself and Officer Krajjsa, Lt. Anthony Diaz was present during our discussion. We discussed the determination made by me regarding this case. I informed Officer Krajjsa that I had made a determination on the case based on the information provided to me by IAD. I told him that I was going to ask him a question and that I wanted him to take his time in answering and that I wanted a truthful response from him.

I then asked him if he had tampered with Officer Browne's mail and written the comment, "Richfield PD, Family Violence". He immediately responded that he had written on the envelope. When I asked him this question I displayed the envelope with the writing and he identified it as the item that he had written on.

I then asked the officer why he had lied in his statement to the Internal Affairs investigator and he responded that he did not want to cause other officers problems with this particular case. He felt that by denying it or his involvement that it would be over with.

Q: During your conversation with Officer Krajjsa did he informed you that he had in fact wrote on Officer Browne's mail?

A: Yes.

Q: Was Lt. Diaz present at this time?

A: Yes.

Q: Is there anything that you would like to add to this statement that I have not asked you concerning this case and if so, what?

A: Yes. As I wrote in the original response to this case, it is my understanding that Officer Krajjsa has not received any complaints investigated by either IAD or CRA since 1988. His performance at the Precinct has been very acceptable. I do not endorse any recommendation for dismissal of this officer, but should any future events occur concerning his truthfulness or integrity I would then recommend that progressive discipline be followed and the issue of termination should be looked at.

Q: Is this a true and accurate statement?

A: Yes.

STATEMENT CONCLUDED AT 1220 hours

/ Insp. Richard B. Schutz    5/19/93    Officer D. Knudsen  
Inspector Schultz                                  Date                                  Witness

I have received a copy of this statement consisting of two typed pages.

/s/ Insp. Richard B. Schutz  
Inspector Schultz"

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SUPPLEMENT/SUMMARY

IAD CASE NUMBER 93-06

2/8/93 A memo dated 2/6/93 to INSPECTOR SCHULTZ from SGT. T. MCKENZIE was received in Internal Affairs. This memo stated that OFFICER DANI BROWNE received a large yellow envelope addressed to her that had a return address of Minneapolis Police Crime Analysis Unit. This return address had been crossed out using red ink and person(s) unknown had written "Richfield P.D., Family Violence" also in red ink.

OFFICER DANI BROWNE believes someone is attempting to harass her.

LT. INDREHUS advised me to open an Internal Affairs investigation.

KAREN RUNYON, Forensic Document Examiner, from the B of I was given the envelope along with Motor Patrol Logs from the 4th Precinct to compare handwriting analysis.

2/9/93 KAREN RUNYON, Forensic Document Examiner, from the B of I returned the Motor Patrol Logs and envelope to Internal Affairs and stated that based on her observations the writing on the envelope was very similar to that of OFFICER DAVID KRAJSA.

2/16/93 KAREN RUNYON, Forensic Document Examiner, was given two Offense Reports to further compare handwriting analysis.

3/2/93 MS. RUNYON was given 11 more Offense Reports handwritten by OFFICER DAVID KRAJSA.

At 1530 hours KAREN RUNYON, Forensic Document Examiner, submitted a written report to IAD. The report states that OFFICER KRAJSA is the author of the writing submitted.

3/5/93 Notification letters sent to OFFICER BROWNE and OFFICER KRAJSA.

3/8/93 OFFICER DAVID KRAJSA contacted Internal Affairs and set up an appointment for a statement on 3/9/93 at 1200 hours.

3/9/93 OFFICER KRAJSA came into Internal Affairs and gave a two page statement. OFFICER KRAJSA stated that he came across a manila envelope addressed to DANI BROWNE, 4th Precinct. He walked in the back door of the 4th Precinct and went to the departmental mail boxes.

While at the mail boxes he noticed a brown manila envelope laying face down on the floor underneath the mail boxes. OFFICER KRAJSA stated that he picked up the envelope and placed it in a news stand type wire box that sits off the floor, directly underneath the mail boxes. He stated he then proceeded to the locker room to get ready for work.

OFFICER KRAJSA further stated that later in the shift he observed that the envelope had been moved from the wire box and had been placed on top of the mail boxes and was there a few days before being removed.

OFFICER KRAJSA stated that he noticed this envelope was addressed to OFFICER BROWNE. OFFICER KRAJSA stated the writing on the envelope may be similar but it was not his writing. OFFICER KRAJSA stated that he was not sure if other officers were around when he placed the envelope in the wire box and did not see anyone else write on this envelope.

3/11/93 KAREN RUNYON from the B of I completed a chart showing the Questioned and Known Material and brought a copy to Internal Affairs, which is attached to the case.

3/17/93 At 1350 hours I telephoned OFFICER DANI BROWNE at her home. she is currently IOD from a squad car accident. She stated she stopped into the 4th Precinct on Friday, January 22, 1993 after returning from New York. OFFICER BROWNE stated that she retrieved her departmental mail from her mailbox.

On Saturday, January 23, 1993 OFFICER BROWNE returned to work and found a large envelope addressed to her on top of the mailboxes. She took it down from on top of the mailboxes and a short while later noticed that the return address of Crime Analysis was crossed out and written below it was Richfield PD Family Violence. OFFICER BROWNE then notified SGT. MCKENZIE.

OFFICER BROWNE also stated that she checked log sheets from all shifts to compare handwriting and stated she found some similarities. However, she was not willing to state any names because she didn't want to accuse anyone.

3/22/93 Case to IAD Commander.

FEDERATION'S ATTORNEY COPY

4/8/93 Case presented to INSPECTOR SCHULTZ. INSPECTOR SCHULTZ submits a summary statement and recommendation regarding this case and submits the case to DEPUTY CHIEF DOBROTKA.

5/9/93 Case is returned to Internal Affairs. After receiving information from INSPECTOR SCHULTZ that OFFICER KRAJSA admitted to writing on OFFICER BROWNE'S mail and lied in his IAD statement it was determined that additional statements from OFFICER KRAJSA and INSPECTOR SCHULTZ would be needed.

5/10/93 Notification Letter sent to OFFICER KRAJSA for additional statement. Memo sent to INSPECTOR SCHULTZ regarding setting up an appointment for a statement regarding IAD case number 93-06.

5/14/93 OFFICER KRAJSA contacted Internal Affairs and set up an appointment for a statement on 5/18/93 at 1400 hours.

5/18/93 OFFICER KRAJSA came into Internal Affairs and gave a two page statement. OFFICER KRAJSA stated that he was not truthful in his original Internal Affairs statement and had in fact wrote on OFFICER DANI BROWNE'S department mail.

INSPECTOR SCHULTZ was also contacted and set up an appointment for a statement on 5/19/93 at 1200 hours.

5/19/93 INSPECTOR SCHULTZ came into Internal Affairs and gave a two page statement. INSPECTOR SCHULTZ stated that he had a discussion with OFFICER KRAJSA concerning this case and LT DIAZ was also present. INSPECTOR SCHULTZ told OFFICER KRAJSA that he was going to ask him a question and wanted him to take his time in answering and that he wanted a truthful response from him.

OFFICER KRAJSA admitted to INSPECTOR SCHULTZ that he had tampered with OFFICER BROWNE'S mail and written the comment "Richfield PD, Family Violence." INSPECTOR SCHULTZ also stated he asked the officer why he had lied in his statement to Internal Affairs and KRAJSA told INSPECTOR SCHULTZ that he felt by denying it or his involvement that it would be over with.

INSPECTOR SCHULTZ does not recommend OFFICER KRAJSA'S dismissal at this time but any future events concerning his truthfulness or integrity he would recommend that progressive discipline be followed and then the issue of termination should be looked at."

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Awards the grievant has received include:

"CRITERIA FOR AWARDS - DEPARTMENT MANUAL SECTION 5-400

MEDAL OF HONOR: The Medal of Honor may be awarded to a member of the department for an act of outstanding bravery or heroism by which the member has demonstrated the characteristics of unselfishness, personal courage and devotion to duty at the risk of death and/or serious physical injury to himself. This award may also be awarded posthumously to a member who gave his life in the performance of police service in acts or circumstances of heroism.

MEDAL OF VALOR: The Medal of Valor may be awarded to a member of the department for an act of bravery or heroism by which the member demonstrates an obvious self sacrifice and devotion to duty without regard for his own personal safety.

MEDAL OF COMMENDATION: The Medal of Commendation may be awarded to any department member for an outstanding police act or achievement which brings credit to the department and which involves performance above and beyond the performance normally required of the members assignment.

This award may also be awarded to a department member involved in outstanding performance which was highly recognizable to other officers, superior officers and/or citizens as having resulted in outstanding accomplishment or contribution to the community and the department.

COMMENDATIONS/AWARDS/LETTER OF APPRECIATION

NAME: Krajsa, David A. 3840  
Last First MI Employee #

No Award .....DATE: 4-21-87  
Letter D/C Lutz .....DATE: 4-28-88  
Medal of Commendation & Cert. 90-70 8/9/90  
Letter of Recognition 91-80 5/14/91  
Letter of Appreciation 6/2/92

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(Letter dated June 2, 1993 on Minneapolis Police Department Letterhead)

Mr. Stuart Robinson  
Detective  
Brooklyn Center Police Department  
6301 Shingle Creek Parkway  
Brooklyn Center, MN 55430

Dear Mr. Robinson:

Thank you for your letter of May 15, 1992 regarding the assistance given by Minneapolis Police officers in the apprehension of a stabbing suspect.

I'm happy to know that with their assistance and cooperation, the suspect was apprehended and charged. I strongly believe in assisting other agencies and in this case, it was successful.

Thanks again for writing and I will forward your comments to all the officers involved.

Sincerely,  
/s/ John T. Laux  
JOHN T. LAUX  
CHIEF OF POLICE  
MINNEAPOLIS POLICE DEPARTMENT

JTL/njw

CC: INSPECTOR JONES  
SGT. PRZYNSKI  
OFFICER MRAZ  
OFFICER HILLSTROM  
OFFICER KIST  
OFFICER WAYNE JOHNSON  
OFFICER KRAJSA  
OFFICER NUNEMACHER  
OFFICER SUTHERLAND  
OFFICER POMMERENKE  
PERSONNEL FILE"

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(On City of Brooklyn Center Letterhead - Letter dated May 15, 1992)

Chief John Laux  
Chief of Police  
Minneapolis Police Department

350 South 5th Street, Rm. 130  
Minneapolis, MN 55415

Dear Chief Laux:

I would like to take this opportunity to commend several of your officers for the assistance that they gave me during the apprehension of a stabbing suspect that I had located in your city in the early morning hours of 05-13-92.

On 05-12-92 at approximately 2040 hours, a fight occurred at Brookdale Center where one of the combatants suffered a stab wound to the abdomen and was later transported to North Memorial. A suspect was developed, along with a suspect vehicle. Shortly before 2400 hours on that date, I located the suspect vehicle at Lowery and Lyndale Avenues in the City of Minneapolis. Shortly after locating it, a lone suspect in the vehicle proceeded to 3909 Washington Avenue North. En route I had contacted your dispatch and requested assistance from marked squads in apprehending this individual.

As I detained the suspect in the driveway of a multiple dwelling, Sergeant Marie Przynski, Officer Mraz and his partner who were squad 460 that night, and several other squads from the 4th precinct arrived to assist me. The suspect was taken into custody without incident. Officers also located a second suspect that had been mentioned in a teletype in an apartment in the multiple dwelling. I learned from that second suspect what had happened, and he implicated the suspect that I had located in the stabbing. That interview and the information elicited from him would not have been possible, I do not believe, without the rapport and the assistance that Officer Mraz had with this party.

It should also be noted that Sergeant Przynski was an extremely big help, due to the fact that the girlfriend of the second subject was extremely verbal and upset about the police presence and the towing of what she claimed was her vehicle, which was the vehicle used in the crime. Sergeant Przynski continually talked to this woman in attempt to calm her down and keep the situation in hand, as it did have the potential for problems due to the fact that there was approximately a dozen people in the apartment where the second suspect was located alone, in addition to some people that had come by from the neighborhood to observe the situation.

The cooperation that those particular two officers, and the others whom I was not able to obtain their names, gave me that morning was instrumental in finding out the facts of this case

and being able to charge the suspect the following day. I hope that you will pass on my appreciation for their cooperation and good work.

Sincerely,  
/s/ Stuart Robinson  
Stuart Robinson  
Detective  
BROOKLYN CENTER POLICE DEPARTMENT

SR:dt

cc: Inspector Jones  
Sergeant Przynski  
Officer Mraz

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(RECOMMENDATION FOR AWARD FORM)

Employee Recommended for Award	Employee Number	Assignment
DAVID KRAJSA	3840	4th PRECINCT

Recommended By:	Date Recommended:	Case Control #:
SGT. AJ. DIAZ (020)	4-15-91	9104081670

TYPE OF AWARD RECOMMENDED (NOTE: CRITERIA FOR AWARDS PRINTED ON REVERSE SIDE)

<input type="checkbox"/> Medal of Honor	<input checked="" type="checkbox"/> Medal of Commendation
<input type="checkbox"/> Medal of Valor	<input type="checkbox"/> Department Award of Merit
<input type="checkbox"/> Unit citation Award	<input type="checkbox"/> Chief's Award of Merit

COMMENTS (DESCRIBE INCIDENT, GIVE DETAILS, ETC.-ATTACH DOCUMENTATION IF NECESSARY)

ON 4-12-91 AT APPROXIMATELY 2140 HRS. HENNEPIN CO. MEDICAL CENTER AMBULANCE #772 WAS BROADSIDED AT 14th AND LYNDAL NO. BY A RECKLESS DRIVER. THE PARAMEDICS SUSTAINED MINOR INJURIES. THE SUSPECT VEHICLE, A 77 OLDSMOBILE 4 DOOR FLED THE SCENE WESTBOUND ON 14th WITH ITS LIGHTS BLACKED OUT. THIS INFORMATION WAS GIVEN OVER THE AIR BY THE PARAMEDICS.

SQD. 440, OFFICERS KRAJSA AND WESEMAN, IMMEDIATELY RESPONDED AND INTERCEPTED THE SUSPECT VEHICLE AT 14th AND KNOX NO. THE OFFICERS FOLLOWED THE VEHICLE AFTER ACTIVATING THEIR SQD. EMERGENCY EQUIPMENT. IT SHOULD BE NOTED THAT IT WAS RAINING AND THE STREETS WERE VERY SLICK.



OFFICER KRAJSA DID AN EXCELLENT JOB OF DRIVING DURING THE CHASE KEEPING THE SQD. UNDER CONTROL. THE SUSPECT VEHICLE REACHED SPEEDS OF UP TO 50 TO 60 MPH. NEARLY STRIKING VEHICLES AND PEOPLE THROUGHOUT THE CHASE. OFFICER WESEMAN CALLED THE CHASE. HE WAS VERY CLEAR AND CALM OVER THE AIR AND THERE WAS NEVER ANY DOUBT OF THEIR LOCATION.

THE SUSPECT VEHICLE ENDED UP LOSING CONTROL AT MCNAIR AND THOMAS AV. NO. DRIVING UP ONTO THE BOULEVARD AND SIDEWALK. THE SUSPECT LATER IDENTIFIED AS JOHN WESLEY GLOVER, 5-30-49, RAN FROM THE VEHICLE. OFFICER WESEMAN CAUGHT CLOVER AFTER A ONE BLOCK FOOT CHASE. CLOVER ADMITTED TO OFFICER WESEMAN THAT HE FLED BECAUSE HE WAS INVOLVED IN AN ACCIDENT WITH AN AMBULANCE.

OFFICERS KRAJSA AND WESEMAN SHOULD BE RECOGNIZED FOR THEIR EXCELLENT TEAM WORK IN APPREHENDING THE SUSPECT WITHOUT ANY ADDITIONAL INJURIES OR PROPERTY DAMAGE. HENNEPIN CO. PERSONNEL WERE ALSO VERY PLEASED TO LEARN OF THE SWIFT APPREHENSION. THIS GOOD POLICE WORK BRINGS A POSITIVE IMAGE TO THESE OFFICERS AND THE DEPARTMENT.

Commanding Officer:	Date:	Remarks:
Insp. Wm. Jones	4/16/91	
Police Department		
Administration:	Date:	Award Number:
PL	4-22	91-80
Chief of Police:	Date:	Remarks:
Department Awards Committee:	Recommendation:	Date:
Awards Committee	Letter	5-14-91
Date Award Presented: by:	Date Placed in Personnel File:	
Placed in File by:		

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RECOMMENDATION FOR AWARD 90-70

Person Recommended For Award	Recommended By:
Off. David Krajisa #3840 Prect.	Sgt. DF Larson, 3rd

TYPE OF AWARD RECOMMENDED:

XX LETTER OF RECOGNITION

COMMENTS: (Describe incident, give details, etc. - attach documentation if necessary)

On 3-16-90 around 0840 hrs a robbery of person occurred at 33rd St & 3rd Ave. S. CCN 90-059055. Info was broadcast about the suspect in that case. The incident involved an apparent drug rip off or a robbery of one dealer by another. The suspect, known to the victim, was PURCELL DAVIS driving a 1990 Ford Taurus Blue, Lic #872DZP, descr. as BM, 35-40 yrs., 6-1, 240# short hair, blue jacket. He was accompanied by an IF, heavy set. He was armed with a black auto pistol.

Off. Schram was working a different sqd. that date and heard the above info aired. He recalled that he had checked out the above descr. veh. on 3-15-90, at 19th & Park, occupied by an IF named EUNICE CORBINE with the lic. #872-DPZ. He contacted the other sqd. and supplied additional info for their rpt. It appeared the car was an overdue rental unit from the airport.

Later, at approx. 1730 hrs, Off. Schram was working off duty with Off. Krajsa at PURSUIT HOMETEL at 1918 Park Ave. He rec'd a call from the clerk at the TOTAL MART store at Portland & Franklin, RICHARD SPAULDING. The clerk called Off. Schram at Pursuit because of prior contacts with him. The clerk informed Schram that a suspicious incident had just occurred at the store. A veh, lic. #872-DPZ had left the store at a high rate of speed. Left behind was a WM, acting nervous and upset. The clerk asked him if he was in trouble and was told that a NM, heavy set, with a grey red and blue coat, had picked him up nearby and driven him around. During that time the BM pulled a large cal. gun and pointed it at the head of the victim and took his money then dropped him off at the store. The clerk thought that he recalled the driver of the car to be a man called "BIG" who resided at Pursuit. Schram then went to the store to obtain more info but the victim had already left.

Continued;

Commanding Officer	Date	Award	Remarks
Insp. Strehlow	4-2-90	Commendation	
Respective Deputy Chief	Date	Award	Remarks
D Smith	4-4-90	Commendation	
Chief of Police	Date	Award	Remarks
John D Laux	4-4-90	Commendation	

AWARD

PRESENTED: 8/9/90 BY: Insp. Wm. Jones

PAGE 2 - Commendation Request.

Off. Schram recalled that "Big" was actually PURCELL DAVIS based on prior contacts. He also recalled the "robbery of Person" incident earlier in the day with the same car and occupant info.

Off. Schram then called MECC to have the info aired to all sqds. concerning these two robbery incidents. No report was made on the Total Mart incident because victim had left the scene.

At approx. 2040 hrs. Off. Schram and Off. Krajsa observed the above descr. veh. headed NB on Park from Franklin. They followed the veh. on foot and observed it park on 19th St. west of Park Ave. A BM exited the car, recognized by Off. Schram to be PURCELL DAVIS. There were several other occupants still in the car, including the IF ID as Eunice Corbine who matched the description of second suspect in the earlier robbery.

The two offs. approached the veh. and took all parties into custody and asked a citizen to call for assistance because the offs. were without a portable radio. Several sqds. arrived to assist and all were taken into custody without incident.

A search of the veh. turned up a large BB pistol which resembled a large cal. blued automatic pistol. Suspects were booked, clothes inventoried, car towed, etc.

The above described incidents involving the Offs. while they were "off duty" working a security job, shows great initiative and dedication to the police profession. Off. Schram has outstanding skills when it comes to recall of persons and events. It was because of these skills that these crimes were solved. (It was very courageous of the Officers to approach the suspect veh, which they had info indicating presence of firearms and possibly drugs, occupied by several persons. Especially without having a portable radio).

Since the arrest, the suspects have been linked to at least four such rip off robberies. It is unknown if prosecution will be possible because of the cooperation of the victims.

Sgt. Duane Larson  
3rd Precinct.

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Officer Schram knew approximately where these parties lived and both he and Officer Krajjsa went to that vicinity and located the second motorcycle involved. The original driver had falsified his identity and through the knowledge of officer Schram, this parties true ID was learned. Officer Krajjsa along with his partner, spoke with the mailman and caretaker of the location of where the 2nd cycle was parked and confirmed the description and residence of the driver. They then approached and apprehended this second felony suspect.

Because of Officer Krajjsa's concern for detail and assertiveness to follow through with the investigation, the second motorcycle/driver was apprehended. The qualities that officer Krajjsa possesses are those that should not go unnoticed by the administration, for they are the qualities that make for an outstanding police officer.

Commanding Officer:	Date:	Award:	Remarks:
Cpt.	8/25/87	Defer to Sgts.	Recommend.
Respective Deputy Chief:	Date:	Award:	Remarks:
Robert Lutz	10/18/87	Letter to file	
Chief of Police:	Date:	Award:	Remarks:
	10/19	No Award	Good job-psnel folder

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RECOMMENDATION FOR AWARD

Name of Person Recommended for Award:	Recommended By:
Officers Cozell Harris & David Krajjsa	87-2 Lt. Edward D. Nuquist

TYPE OF AWARD RECOMMENDED:

COMMENTS:

After reading the enclosed reports and resumes and being at the scene, I feel the team work and professional action taken by these Officers, which resulted in the apprehension of one of the burglars and the prevention of any of the victims property be taken warrants consideration for a commendation from the department for a job well done. Granted, our Officers are expected to respond to every noise and violation, but I strongly think that we should award our men, when that extra action and attention to duty results in apprehensions and recovery of victims property.

Commanding Officer:	Date:	Award:	Remarks:
Cpt. ..Pufahl	12/22/86	Letter of Recommendation as	Recommended
Respective Deputy Chief:	Date:	Award:	Remarks:
L V Bruicianni	12/23/86	Commendation	
Chief of Police	Date:	Award:	Remarks:
Anthony V. Bouga	1/21/87	No Award	Good Job - To Psnel Folder

AWARD

PRESENTED:	Date:	By:
	Denied	Sent W-01#-87 VW

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FINDINGS:

Sergeant Francis R. Dallman, a member of the Minneapolis Police Department for twenty-seven years, currently a police investigator, when questioned as to the grievant's performance and abilities as a Patrol Officer stated, "Exceptional."

Sergeant Alan Berryman, a member of the Minneapolis Police Department for twenty-three and one-half years, has worked as a uniform and plain clothes officer and is currently President of the Police Federation. He has held this position since May of 1988. His testimony related to what has taken place in the Minneapolis Police Department regarding violations and consequences over the past several years as they would relate to the current case.

Under direct questioning by Assistant City Attorney LaBat regarding his duties as President of the Police Federation, he stated, "I have a duty and moral responsibility to do what I can, a duty to speak for the grievant as well as every member in the precinct."

CONCLUSION:

Both advocates in their presentation of their respective position were outstanding and I commend them.

In making a decision regarding the outcome the Arbitrator must consider:

- 1) All of the sworn testimony given.
- 2) Carefully examine all of the exhibits presented.
- 3) Can the Arbitrator believe the grievant when he states, "He knows the problems he had in the past were inexcusable. He blames no one but himself and is embarrassed and humiliated by the things he has done. He knows not being truthful is totally wrong. He had no intention of causing any harm to Officer Browne and he did not realize that the incident would offend her so terribly. He believes if reinstated he can be an effective Police Officer and be able to live up to the high moral and ethical standards expected of a police officer."

It was stated that the grievant was a good police officer and had several commendations. It is hard to believe that an adult can put himself in such an awkward position.

After lengthy and careful consideration of all the sworn testimony and exhibits presented, the Arbitrator's decision is as follows:

The grievant (Officer David Krajsa) is to be returned to the Minneapolis Police Department under the following conditions:

1. Be returned to his employment the first Monday after the signing date of this Award - Return October 25, 1993.

2. No backpay.
3. If one (1) year from the date of this Award, Officer Krajsa has had no future problems, reference of the matter be removed from his personnel file and his seniority be restored.
4. Any further "just cause" complaints may result in immediate dismissal.

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Charles E. Swenson  
Arbitrator  
SS# 475-16-3863

Dated: This 18<sup>th</sup> day of  
October, 1993.  
New Brighton, Minnesota