

**STATEMENT OF**      **Officer Christopher Guelcher**  
**PLACE:**            Minneapolis Police Department, 1<sup>st</sup> Precinct, 19 N. 4th St., Minneapolis, MN 55401  
**DATE:**             April 6, 2013  
**TIME:**             2:30 p.m.  
5 **CASE NO:**        14-20461  
**INVESTIGATOR:**   Michael Grostyan  
**ALSO PRESENT:**   Lieutenant Robert Kroll, Minneapolis Police Federation

Q. This is a recorded statement of Officer Chris Guelcher. Did I pronounce it correctly?

10 A. Yes, you did.

Q. And it's April 6<sup>th</sup>. It's approximately 2:30 p.m. or 14:30 hours. We are actually not at the Civil Rights Department. We're at the 1<sup>st</sup> Precinct. What's the actual address here?

15 A. 19 North Fourth Street.

Q. Okay.

A. Minneapolis.

20 Q. The interview is being conducted by Investigator Michael Grostyan. This is regarding OPCR Case Number 14-20461. Um, Lieutenant Kroll of the Minneapolis Police Federation is present during this interview.

Q. Officer Guelcher, give me your full name, please.

A. Christopher Robert Guelcher.

25 Q. Your present rank and work assignment.

A. I'm a police officer in the Minneapolis Police Department in the 1<sup>st</sup> Precinct.

Q. What shift are you working?

30 A. I work **13.43**

Q. Okay. Your employee number and date of appointment?

A. 2513, June of 1994.

35 Q. Okay. You are being ordered to give a complete and truthful statement regarding matters pertaining to the scope of your employment or fitness for duty. It is a compelled statement pursuant to MPD Policy and Procedure. Under the Garrity Decision, any statement you provide in this investigation cannot be used in a criminal proceeding against you except in cases of alleged perjury. However, these statements may be used against you in relation to employment allegations. Do you understand this warning?

40 A. Yes, I do.

Q. Um, I'm advising you that if you refuse to answer, give a false or intentionally incomplete statement or intentionally omit information that is pertinent to the investigation, you will be subject to disciplinary action up to and including suspension or discharge. Do you understand this?

45 A. Yes, I do.

Q. Okay, now I'm going to give you the Tennessen Warning, have you read it and sign it and have the Lieutenant witness it.

A. Okay.

50 Q. So, is it correct that you have read, understood and signed the Data Practice Advisory, otherwise known as the Tennessen Warning?

A. Yes, it's true.

55 Q. And informed you that the purpose of this statement relates to an OPCR investigation and specifically an administrative review that is being conducted and that you specifically have been accused of inappropriate attitude and discrimination. Do you remember the scenario in Gold Medal Park?

A. Generally, yes, I recall it.

Q. Okay. Um, it occurred on August 15, 2014 at approximately 8 p.m. Um, just so you know. I'll give you a heads-up, there was a Park police officer that was there who I've not interviewed. He's refused to be interviewed. Um, there was... Erika Christensen was there.

5 A. Yes.

Q. I've interviewed her. Um, and then Sherry Appledorn I think.

A. Yes.

10 Q. I've interviewed her as well. Um, and I think that's the extent of it. Well, first I thought that Archer was there and then we clarified that he wasn't there. But just so... I've interviewed everyone that I think was there as a sworn officer.

A. Ah, wasn't Archer the Park police?

15 Q. You're right. I'm sorry. I got the name wrong.

A. Yeah, there was another sergeant who was on his way but was cancelled. Herron?

Q. Yeah, that's who I was thinking of. I'm sorry. Yes, Steven Herron.

A. Yeah, Steven and he was cancelled before he...

20

Q. So, Archer's the Park officer, yourself and then, I gotta look at the report here. Sherry Appledorn, Erika Christensen. It mentions two, ah, Somali officers and I asked both the, ah, Officer Christensen or Sergeant Christensen and Appledorn about them. They said that they were nearby but they really were not at the scene. Does that ring a bell to you?

25 A. I never saw them at the scene, so.

Q. Okay. Um, why don't you... were you working alone?

A. Yes, I was.

30 Q. Okay. Why don't you tell me what you... just give me your scenario as to what the deal was.

A. Well, this was right after Ferguson, Missouri.

Q. Okay.

A. Yeah, so there was a lot of tensions.

35

Q. I understand.

A. Nationwide. And I was working a buy-back.

Q. What does that mean?

40 A. Ah, it's where the department buys officers back to come in and work special shifts for special details.

Q. Oh, okay.

A. And that special detail was the Cedar Riverside neighborhood to be down there and provide some extra patrols because we were having some robberies.

45

Q. Okay.

A. Ah, down by the light rail. Had some assaults so, when I was working that evening, a fight call came out at Gold Medal Park.

50 Q. Okay.

A. And being that I was down at the Cedar Riverside neighborhood I was really the squad that was closest to it. So, I notified dispatch that I would be responding. And I believe the information in the call was several black males fighting in Gold Medal Park.

55 Q. Mmhmm.

A. When I arrived, I, ah, came, ah, northbound I believe it as on 11<sup>th</sup> and I looked to my left and there was a red car parked there along with a few other cars. And this was a very nice summer evening. I mean it was quite warm, beautiful evening, sun was just setting. And a lot of people out and about in the park. A lot of dogs.

Q. Now, is this the park that's kind of adjacent to the Guthrie there?

A. Yes. Yes. And I saw those Somali males all gathered by that red car and I didn't see them fighting but they were jaw-jacking each other.

Q. Okay.

A. And it looks like something had either gone on or was about to go on but I didn't see any fight. And I drove past and I got on the air and told dispatch. I said, "I'm not seeing anyone fighting here but I am gonna check the other side of the park." Because they have that huge hill right in the middle of the park.

Q. Right.

A. And I could see that there was some type of activity over on the other side of that hill but I couldn't get a good view of it. So, I turned my squad around and I said I'll go check the other side of the park just to make sure no one's fighting over there. As I was doing that, Officer Appledorn came on the radio. I heard that she was arriving and was gonna be out with those black males that I had seen by the red car.

Q. Okay. And she was working alone as well?

A. Well, she arrived. I wasn't sure if she was working with, ah, Sergeant Christensen, she might have been.

Q. Mmhmm.

A. But, they either both arrived at the same time or they were riding together at the same time. I can't remember for sure but, um, when they called out, I then did a U-turn and said okay, if they're gonna be out with 'em, I'll go back 'em up. I didn't see anyone fighting on the other side of the park.

Q. So, when you went around the other side, there was nothing there?

A. No.

Q. So, the complaint was based on the people by the red car and that was your assumption?

A. Yes. Yes.

Q. Okay.

A. But I didn't want to assume so that's why I checked the other side.

Q. Yeah.

A. And when I came back to where they were now out with these Somali males and, um. I think it was about that time that the Park Officer also arrived on scene or shortly thereafter and everyone, they had 'em being patted down and...

Q. Who was doing the patting down?

A. Ah, Officer Appledorn and I saw Officer Archer from Park Police patting 'em down I believe.

Q. Okay.

A. I didn't pat anyone down. By the time I got there, they were starting to sit them down on the ground.

Q. Was Sergeant Christensen involved in that process too?

A. I believe so from what... I believe so.

Q. Okay.

A. And I remember she was there and I remember that there was...as we got out of the squad and we came up on the...the red car was parked facing westbound on 1st Street.



Q. Okay.

A. It's curbside and next to, ah, there was a lot of prescription pills on the ground and...

Q. Scattered about or were they in bottles?

5 A. No, scattered.

Q. Okay.

A. It appeared to be that they were doing something with the prescription pills.

10 Q. Yeah.

A. Making some kind of drugs or something [INAUDIBLE 9:21]. And it was a rental car and so that's what Officer Appledorn started talking to them about was who's rental car was it and who had legal possession of it.

15 Q. Mmhmm.

A. And she, as I remember, did most of the talking. I was just kind of standing there watching 'em and just started running them, everyone got their ID's and I just stood there kind of keeping, you know, keeping watch over 'em.

20 Q. Okay.

A. And as I was, and they were sitting on the ground in the grass and they were...it was like a busy night in the park and there were lots of people walk, walking back and forth and dog walkin' and stuff and a couple of the Somali males started to kinda speak rather loudly. "They're only doing this because we're black. They're only doin' this because we're Somali." And I could tell that they were tryin' to get the attention of the passersby and to create some type of, ah, you know conflicts.

25

Q. Okay.

A. You know, and to get people's attention and at that point I just spoke up and I just said, I don't remember exactly what I said. I might have said, "That's a lot of crap." Or I said, "That's a bunch of..." I might have said, "That's a bunch of bullshit."

30

Q. Okay.

A. And we then got into...actually what I thought was actually a pretty good exchange of, of a debate about what was going on. I said, you know, told 'em that, "You know, we don't care if your black, white, red or yellow, you know, we got called here to a 9-1-1 call. We have a job to do." And I tried to explain the situation to them. And I remember Officer Appledorn came back and she too reaffirmed this. She said, "Yes, we don't care that you're, what race you are." Um, I remember I told them. I said, "Look where you are." I said, "You're in Gold Medal Park. This is the nicest park in...nicest newest park in downtown Minneapolis." I said, "Look around you." I said, "These are all high priced condos and apartments." I said, "And people walk the paths here. If you come here to do your s...you know, to deal drugs or whatever you're gonna do in spite that people are gonna call 9-1-1 on yuh..."

40

Q. Mmhmm.

A. And we have to come here and deal with that."

45

Q. Okay.

A. And that was basically the gist of the conversation about that nature. In fact, they told me, um, that they would rather deal with me than the Somali officers because they said you're...and we got to joking around a little bit and I said 'cause I "I'm sure you would because you can talk Somali and I don't understand what the hell you're sayin'..."

50

Q. Mmhmm.

A. (laugh) and I said, "Those guys know what you're sayin'." And so, and it actually got to a point of being, um, a decent conversation with 'em.

55

Q. Okay.

A. One had a warrant and, um, was arrested for the warrant.

Q. And didn't Officer Archer take the kid the warrant as a juvenile?

5 A. Yes, he did.

Q. Okay.

A. I'm pretty sure he did.

10 Q. So, when he... I assume that he went to the squad with this juvenile so he kind of removed himself from the rest of you at that point?

A. Yes.

15 Q. Okay. Now, what about Erika Christensen? Did she remain there as well or did... when I talked to her the reason I ask is I got the impression she was dealing with the rental car issue as well.

A. That was, that was primarily what Appledorn and Christensen were tryin' to ascertain as to who had legal possession of the rental car.

Q. Okay.

20 A. And, and then also running the people for warrants and stuff and they were looking at the rental agreement and they started asking him several questions about you know.

Q. How did it all end?

25 A. I, I believe that Officer Archer took the one juvenile into custody and the others were just sent from the scene.

Q. Okay so you dispersed them in other words?

A. Yeah.

30 Q. Um, and how, from the time you arrived there and saw them until you left and, you know checked back in, how much time had passed? Any idea? I mean I'm sure it's in VisiNet but any idea?

A. I would say at most we were probably there fifteen minutes.

35 Q. Okay. And towards the end of the scenario now, Archer removes himself from the scene. Do Sergeant Christensen and Officer Appledorn do they remain with you or are they somewhat removing themselves from the scene as well?

A. I remember they [INAUDIBLE 14:16] so we walked kind of in like a semi-circle.

Q. Okay. But were they reasonably close to you?

40 A. Yes. They were close to me. They were, yeah, they were easily within about, you know, five, ten feet.

Q. Okay.

A. So it's... we had to keep the scene contained.

45 Q. I'm gonna read the complaint to you. This was a citizen who called in, ah...

Complainant states that four police cars stopped a group of black youths in front of the Gold Medal Park sign. Complainant states one officer was yelling at them like, "I don't care what your name is. I have no way of knowing if you are a member of Al-Qaida or not."

50 Did you or any of the other officers or sergeant use the Al-Qaida terminology at the time?

A. I did.

Q. Okay.

55 A. Factitiously though.

Q. Okay.

A. That was... that's taken out of context.

5 Q. Okay and I think the next sentence may clarify that.

A. Okay.

Q. "I'm not prejudice because you are black. I don't care if you're green, if you break the law, I'm going to get in your face."

10 A. I didn't say that. I didn't say I'm going to get in your face. I said we got... something to the effect we've got a job to do. We got called here.

Q. Okay. And this citizen claims she heard one of the officers say, "So you don't have any drugs on you?" Complainant states after the youths were detained by the officers for about 45 minutes they were released.

15

That's the initial complaint. This is an expansion on that too.

The police had run back and forth.

20 I'm not gonna repeat what's already been said but I want to add some detail.

The police were running back and forth to their cars while two sit a few feet away from the kids. One police officer was yelling at them like, "I don't care what your name is. I have no way of knowing if you're a member of Al-Qaida or not. I am not prejudice because you are black. I don't care if you're green, if you break the law... That's redundant. I'm gonna get in your face." Okay so you don't have any drugs and left. In about 45 minutes the kids left.

25

Okay. Now, there were several complaints. Let me find the others. Archer had a ride-along. Do you remember that?

30 A. Yes. I don't, I don't remember who it was or I can't even remember if it was a guy or a girl or...

Q. The ride-along was the superintendent of Parks and Recreation for the City of Minneapolis.

A. Oh. Okay.

35 Q. She filed a complaint.

A. Okay.

Q. Um, Jane Miller is her name. I want to get the notes, notes, notes. This is an email from the Chief of Park Police Jason Ohotto.

40 A. Otto.

Q. Okay. To Heidi Ritchie. I don't know who that is but, um, your commander was copied on it and it says:

45

"Heidi, as we discussed, one of our officers, John Archer, did respond to the call to transport one of the parties involved to jail. On that evening, Superintendent Jane Miller was riding with him. Miller conveyed to me that she felt some of the behavior demonstrated by responding MPD officers was unprofessional. I don't believe the Park Officer is a subject of the concerns. Superintendent Miller would be happy to talk with someone about her experience."

50

Okay, this is Heidi Ritchie. This is to the chief. She must be an administrative assistant.

"Chief, I wanted to loop you in in the conversation concerning an incident that happened on August 15<sup>th</sup> at Gold Medal Park. Inspector Arradondol tells me the Park Police Officers were the arresting officers so I should check with you and make sure that you're aware that we have received a number of complaints about officer conduct."

55



Ah, and then we've got a councilmember that says:

"It appears that there had been a fight call." And that's so you know I've talked to a 9-1-1 caller.

A. Uh-huh.

Q. There was a fight.

A. Uh-huh.

Q. And that's what prompted his phone call. But he kept on walking and by the time the squads arrived, he could not overhear, you know, the exchange between you, okay?

Um, Park Police initially responded and then a few Precinct 1 squads responded as well. Here's another one:

"The incident was late Friday afternoon. We were walking our dog in Gold Medal Park. We noticed there was a group of four to eight young African American men. They were being rambunctious. Um, loud but having fun. After 25 minutes later, we saw police cars come to the park. One actually drove up on the grass. They stopped three or four of the young men and held them while they searched their car."

Was the car searched?

A. I don't, I don't know, probably. I, I didn't search it.

Q. During the search, two of the police officers were, in my opinion, disrespectful and provocative. They made statements such as, and I'll read these quotes to you. "You don't belong here in this nice neighborhood."

A. That's not true.

Q. Okay. "You can't bring your shit here."

A. I don't recall saying that but it's possible.

Q. "You could be Al-Qaida." We've already talked about that.

A. Right.

Q. In what context did you use that in?

A. We were...listen, they started out with stating, you know, they always do this to us, the Somalis, they always are harassing us. "They're only doing this because we're black." and that's when I said, "That's a bunch of crap." Or I might have said, "That's a bunch of bullshit." And, you know, then they said, "You know, you're always stopping us, you're always harassing us." I said, "We got called here on a 9-1-1 call, you know, we have a job to do and I said and we're gonna ID you. And I said, "Do I know who you are? Have I ever dealt with you?" I said, "I don't know you." Basically I said, "I don't know you from Adam. For all I know, you might be a member of Al-Qaida."

Q. Okay.

A. And, ah, you know, it wasn't, ah, and they started laughing and then, you know, it was kind of, it kind of got a little bit jovial after that. I mean, you know, I wasn't, ah, said in hostility or...

Q. These two other folks. "Is that your piece of shit friend?"

A. No, I never said that.

Q. "Do you think this is funny you piece of shit?"

A. No, I never said that either.

Q. And then they also, this complainant said that the word "fuck" was used repeatedly by the officers in dealing with these Somali youths.

A. Not by me.

Q. Okay. All right. I'm gonna go back. So we've got the Park Superintendent, we've got the woman who I read about or I read her complaint. She's the initial complaint then there was another couple who were walking their dog who complained as well. I didn't read all of them. There's really no, there is a police report, sorry. I think Archer wrote it up. Do you have the same thing that I have?

Officers were dispatched to the above location with physical fight several black males. Upon arrival, officers detained males believed to be fighting.

Is that what you have? It looks like you have more than I've got. Oh, here's another part. This one talks about Archer and the woman on the second page. Okay. You did not prepare a report, correct?

A. No, I did not.

Q. Okay. I'm gonna get to some of those specifics when we're finished. Okay, here's the woman who calls in the initial complaint I read to you. I asked her, "Did you hear anything verbally from the young men in terms of responding to what the officers were saying?" She says, "I did not. There clearly were some responses but I didn't hear them."

A. Mmhmm.

Q. Um, She said she overheard one of the officers saying, "I don't care what your name is."

A. I guess my question is that there were like three or four of us talking to them. Are they trying to say that I said all this or was it just one of the officers?

Q. Well, there's some specifics in here where they describe the officer as having gray hair, a male with gray hair.

A. Well, the other thing though is that I, if you've met Officer Appledorn...

Q. Yes, I have.

A. She has very short, gray hair too.

Q. Well, I'm aware of that.

A. Okay, so.

Q. And to be candid, she's made some concessions too about the comments that she made were similar to yours that you know, we don't the fact that you are black has nothing to do with this. So that's her. This is Park Superintendent here. Do you know? And I know this is a difficult question. Did she remain in Archer's squad or did she actually get out of the squad during the time?

A. I honestly don't remember. I wasn't really payin' attention to...I was sitting there watching.

Q. She says when she arrives there were two female officers, one male officer. Here's some specifics. She says John Archer was dealing with this kid and whether he's gonna be arrested or not. I was simply observing what was going on. A male officer was standing over this young man. I was appalled at what he was saying. He was treating them terribly. He said things like, "You don't belong here. If you don't like it here, go pack home, go back home. Don't bring your shit here. You're probably part of Al-Qaida."

A. No. That's wrong.

Q. Okay.

A. That's wrong. That's incorrect.

Q. She says, um, "...that the kids were polite when they interacted with you." It sounds like initially they weren't.

A. Yeah, really, I mean until they started the racism thing, I was silent. I didn't say anything.

Q. She says she was standing ten or fifteen feet away and then I asked her about the female officers. "I



remember the male officer using the word "fuck" several times. Ah, specifically she says, "Get the fuck out of here. What the fuck are you doing?" Do you remember saying anything like that?

A. No, I do not.

5 Q. Okay. You don't remember or you did not say it?

A. I don't believe I said that at all because like I said to me, the whole incident was that we actually left on good terms with the Somalis that it was not, that was not me who said that. They told me they would rather deal with me than with the Somali officers. We got to kind of joking about it.

10 Q. Mmhmm.

She talks about the tenor of your, of your voice here. She describes you to a tee as the male officer. I know what I was missing. They're walking his dog. The officers and he uses the word officer plural were constantly using the word "fuck." Some of the statements I recall him saying is "You don't belong here. This is a nice neighborhood. You can't bring your shit here. You're a piece of shit." He said I remember a female officer came back and told one of the young men, "Is that your piece of shit friend?" so she attributes that to a female. He attributes that to a female officer. She talks about the car being searched so the car obviously was searched. At one point they found what looked like a bottle of medication from the car. They brought it to the young man and again said, "I bet you don't think this is funny now do you, you piece of shit." Do you remember anything like that?

15 A. I never said that and I don't recall anybody who did.

Q. Do you remember ever confronting one of the kids with a container of pills?

A. No, I do not. I never did pick anything up.

25 Q. Nobody was ever cuffed, were they?

A. No.

Q. Okay. That's it. Let me finish the script here. Anything else about this incident that you have knowledge of that you haven't disclosed or you'd like to discuss further?

30 A. Only that I mean I thought at the end, we left on pretty good terms with the Somalian males, you know, had some joking around a little bit and talking about the current events that had happened in Ferguson and stuff like that.

Q. And so you know, as a matter of record, none of the Somalian males made a complaint.

35 A. Right.

Q. Okay.

A. And so that, ah, and yeah, I thought we left on pretty good terms with them and, and wasn't ah I don't think I was disrespectful.

40

Q. Okay.

A. I, ah, tried to explain the situation to them.

Q. Anything else you want to add that I haven't covered you think is important?

45 A. I think that if Sergeant Christensen had heard me speaking in such a tone, she would have had something to say about it.

Q. Okay. Was she your supervisor?

A. She is a 13.43 supervisor.

50

Q. Okay.

A. At the time.

Q. So, she obviously had rank on you.

55 A. Yes.

Q. Okay. Ah, everything you've told me is true and accurate?

A. Yes.

5 Q. Okay. Per MPD Policy and Procedure Sections 5-107.8, you are not to discuss this interview or case investigation with anyone other than your Federation Union Representative or attorney. Do you understand this?

A. Yes.

10 Q. The statement's concluded at 3:05 p.m. or 15:05 hours.

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

15 jmc



March 13, 2013

**Office of  
Police Conduct Review**

**Velma J. Korbel**  
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[policereview@minneapolismn.gov](mailto:policereview@minneapolismn.gov)

Chief Ohotto,  
3800 Bryant Avenue South  
Minneapolis, Minnesota

Re: Complaint No. # 14 - 20461

Dear Chief Ohotto,

The Office of Police Conduct Review requests your assistance in an ongoing police misconduct complaint investigation. Park Police Officer Archer was identified as a witness to the incident. The OPCR would like to conduct an interview with Officer Archer pursuant to a *Garrity* request by a representative from your agency. The OPCR can make any necessary accommodations that you request to complete this process. Please contact Commander Granger in the MPD Internal Affairs Unit at 612-673-2945, to advise him of your decision, and who our investigator should make contact with to schedule the interview if you approve. A notification letter is usually sent when an interview date / time is agreed upon. The OPCR Investigator assigned to the case is Michael Grostyan and is phone number is 673-5503. Thank you for your attention to this matter sir and please let Commander Granger know if you have any questions.

Sincerely,

Joint Supervisors  
Office of Police Conduct Review

MICHAEL K. BROWNE  
*Director -- Office of Police Conduct Review*

CHRISTOPHER GRANGER  
*Commander of Internal Affairs*



**STATEMENT OF**      **Officer John Archer**  
**PLACE:**            Minneapolis Park Police Department  
**DATE:**            May 19, 2015  
**TIME:**            4:30 p.m.  
5 **CASE NO:**        14-20461  
**INVESTIGATOR:**   Michael Grostyan  
**ALSO PRESENT:**   Lieutenant Mark Swanson, Minneapolis Park Police  
                         Sergeant Sherral Schmidt, Police Officer's Federation of Minneapolis

10 Q. This is Mike Grostyan taking a tape recorded statement of Officer Archer on May 19<sup>th</sup>, 2015 at approximately 4:30 p.m. or 16:30 hours. We're at the Minneapolis Park Police Department. What is the address here?

A. 2117 West River Road North.

15 Q. Okay. As I said earlier, the interview is being conducted by Investigator Grostyan. Um, also present is Lieutenant Mark Swanson of the Park Police. And please repeat your name and title please.

A. Sergeant Cheryl Schmidt with the Police Officer's Federation of Minneapolis.

20 Q. Okay. This is regarding Minneapolis OPCR Case Number 14-20461. Um, please give me your full name, officer.

A. It is John J-O-H-N Jacob J-A-C-O-B Archer A-R-C-H-E-R. I'm an Officer with Minneapolis Park Police.

Q. Your present rank and your work assignment?

A. Ah, Patrol Officer.

25

Q. And you're assigned to the parks. Any specific thing beyond that?

A. Ah, I usually work in the 5<sup>th</sup> Precinct.

Q. Okay. Your employee number and your date of appointment?

30 A. Employee number is 119909. Ah, date of employment was, ah, April 8<sup>th</sup>, 2013.

Q. Okay. So, I've got a script I have to read to you.

35 You are being ordered to give a complete and truthful statement regarding matters pertaining to the scope of your employment or fitness for duty. It's a compelled statement pursuant to MPD Policy and Procedure. Under the Garrity Decision, any statement provide in this investigation cannot be used in a criminal proceeding against you except in cases of alleged perjury. However, these statements may be used against you in relation to employment allegations. Do you understanding this warning?

A. Yes.

40

Q. I am advising you that if you refuse to answer, give a false or intentionally incomplete or intentionally omit information that is pertinent to this investigation, you will be subject to disciplinary action up to and including suspension or discharge. Do you understand this?

A. Yes.

45

Q. Okay. Here's the Tennessen Warning, but I'd like you to read and sign and then I'll witness it.

A. [NO AUDIBLE DIALOGUE]

50 Q. Okay. Have I informed you that the purpose of this statement...excuse me. Is it correct you have read, understood and signed the data practices advisory known as the Tennessean Warning?

A. Yes.

55 Q. Okay. Have I informed you the purpose of this statement relates to an OPCR investigation and an administrative review that is being conducted. You're a potential witness. There's nothing...no accusation against you, obviously.

Um, I want to give you a little bit of background as to the circumstances or scenario and then we can start

getting to the specifics of what some people are complaining about. This occurred back on August 15<sup>th</sup>, 2014 at Gold Medal Park. There was a radio call about some black youth congregating there or potentially fighting there and there was a 9-1-1 call as I say and, and squads responded. Accordingly, there were a number of officers there.

I want to be straightforward with you and tell you that I talked to Officer Appledorn who was there, Sergeant Christenson who was there, Officer Guelcher who was there and the 9-1-1 caller who initially made the call and four citizens who were either in the area, standing on their deck, walking their dog or something that...heard some things that, that, ah, prompted them to make a complaint. Okay? Um, so I'm going to read the allegation to you.

The initial complainant was a woman who lives nearby who said that four police cars stopped a group of black youths in front of the Gold Medal Park sign. She stated one officer was yelling at that, at them and she's quoting the officer. "I don't care what your name is. I have no way of knowing if you're a member of Al-Qaida or not. I'm not prejudice because you are black. I don't care if you're green. If you break the law, I'm gonna get in your face. Okay. So, you don't have any drugs on you." Complainant states after the youths were detained by the officers for 45 minutes, they were released.

I think there's some more detail. Um, what comes to mind right away. You had a ride-along with you, did you not?

A. Yes.

Q. And it was the Park Superintendent?

A. Yes.

Q. Jane Miller I think her name is?

A. Yeah.

Q. I've interviewed Jane. Um, you recall the scenario I assume?

A. Yes.

Q. Okay. Um, tell me what, you know, when you arrived, what you did and so forth and what your responsibilities were...how you reacted to the situation.

A. Yeah, ah, like you said, it was a call either a fight in progress assault in progress, ah, something like that.

Q. Mmhmm.

A. Um, I responded. Um, I had the ride-along, um, with me in the passenger seat. Um, we arrived and I think there was maybe like six or seven, um, I think they were all Somali males...

Q. What was going on when you arrived?

A. They were just kind of jumpin' around and horsin' around it looked like.

Q. Okay. All right. I'm sorry. Continue.

A. Um, a couple of the groups kind of, ah, split off. I went, after I think it was a couple of 'em, and just stopped them and, ah, you know, attempted to identify them, um, I think...I don't remember if it was one or two or how many there were, um...One of the guys that I stopped, ah, he had a, ah, misdemeanor warrant. I think it was...um, I can't remember what it was for but when I identified him, the warrant popped up and...

Q. He was a juvenile wasn't he?

A. Um, no, I think he was an adult.

Q. Oh, okay. Okay. I thought you took him to Juvie Hall. That's why I mentioned it.

A. No. Yeah, I took him to, to jail, or the Hennepin County Jail.

Q. Okay.

5 A. Um, so he was...so I detained him, um, the warrant had came up, arrested him, put him in the back. I think there's another male in the back with him that was also detained. Um and then the other officers that arrived had stopped another group that was nearby. Um, they were, I think, you know, identifying them and dealing with them. My ride-along, um, Miller, she was walkin' around just kind of, you know, and seein' what was goin' on.

Q. Were you the first officer to arrive there?

10 A. No. Ah, we all. I think a couple of the city squads...I think they arrived just in moments before me and then I arrived in the area just shortly thereafter.

Q. Okay. But there's, ah, as I mentioned earlier, there's Guelcher, there's Appledorn, there's Christensen, yourself...four officers. Do you recall any other officers being there?

A. Ah, no 'cause I, I don't know all the officers by name.

15 Q. Okay. Okay. Ah, were you all. I mean you obviously get out of your squad. Were you all in close proximity to one another or were you kind of spread out in the area?

A. Kind of spread out.

Q. Can you give me some idea in distances? Like, you said you approached one group.

20 A. Ah, I would say maybe like, probably like 20 yards or somethin' like that.

Q. Okay. Okay. All right. So, continue then. So you dealt with this...a couple kids I believe you said. One had a warrant so then continue what your role was from that point forward.

25 A. And then I spoke with the other officers to see anybody else had any, you know, issues with any of the other people or whatever. I think they just identified them and, and then, ah, once that was all done, then we just sent the group and then I took the one that had the warrant and took him to jail, released the other one that was in my car, um,

30 On the way to jail, the superintendent asked me if, um, you know, I knew any of the other officers and I said I didn't really know them. I, I've seen 'em before, um, and then she said that she had heard them say some stuff that, you know, was kind of upsetting to her, um. I don't know...

Q. Was she specific as to what she heard?

35 A. I don't remember. I don't remember exactly what she said.

Q. Okay.

A. She just...she brought it up to my attention to, you know, asked if I knew these guys or, you know, the other officers, and...

40 Q. I mean the accusation generally is inappropriate language, attitude, discrimination. Did you hear anything of the other officers yourself that you felt was in that category, inappropriate or discriminatory or obscene language, anything like that?

A. No, I didn't hear any of that.

45 Q. Okay. Did, um, Jane Miller say that she was gonna file a complaint when she was with you? Do you recall?

A. I don't think she said that, no. I think she just said that, you know, she was upset with what they said basically.

50 Q. Okay. I want to go a little bit further to be more specific. Let's see. There's a report here...officers were dispatched at above location for report of a physical fight. On arrival, officers detained males believed to be fighting. One of the males was an arrested party, as you said a misdemeanor warrant from Dakota County. You were right. Transported to Hennepin County Jail. I just wanted to let you know, too, that I've tried to approach these names that are referenced...the kids that were there or the adults, whatever...

55 A. Mhmm.



Q. And I haven't had much success reaching them. It's, you know...nobody answers the door or they've moved or whatever so I didn't have any success doing...and I did talk to the 9-1-1 caller. Um, I'll read another...

5 Upon arrival, assistant squads stopped a group of six Somali males at the corner of 2<sup>nd</sup> Street and 10<sup>th</sup> Avenue. I observed two of the Somali males walking away from the other group. I stopped the two males that appeared to be grabbing on to each other. The two males were identified. One of the males had a warrant. Transported to HCJ.

10 That's the extent of the reports per se. On VisiNet, there's the 9-1-1 caller's name. There's reference to a Somali officer, Mohamed Abduladi, but when I talked to the other officers, they said even though his name was referenced, he wasn't actually there. Do you know if there was a Somali officer there?

A. I don't remember if he was there or not.

15 Q. Okay. Okay...Mr. Guelcher. Stay with me. There's a lot of statements. I'm not gonna go over the police statements. I'm gonna go over the private citizens. And...here's the one that made the initial complaint.

20 Um, she says I can't testify to every word that was said but I remember one of the officers shouting, "Fine. We didn't find drugs on you this time. I don't care. How was I supposed to know you don't work for Al fuckin' Al-Qaida. I don't care if you're green, blue or purple, you're acting up, I'm gonna stop you."

Um, do you remember if the youths were interacting with the other officers? By that, I mean verbally communicating with them back and forth.

25 A. Yeah, I remember them. The officers were talking with them. Well, you know, when they're...had 'em sit on the ground and stuff like that but I don't remember the conversations they were having with them.

Q. Were all three of the other officers interacting or was one and then the others in another location? Or were they all three kind of equally involved so to speak?

A. Um, there was...I think there was a couple officers kind of standing by, you know, with the...

30 Q. Okay.

A. With the youths and I'm sure there's one in the, in the car, but, you know, everybody's movin' around. It's a...kind of a fluid scene so I don't remember exactly the, the layout.

35 Q. Okay. That's one witness. Here's Jane Miller right here. And I asked her if she got out of the squad car and she said, "Yes, I got out of the squad car. John was dealing with two of the males when we were there and then talked with the city officers. Um, during the exchange, I heard one of the officers say to the youths, "You don't belong here. If you don't like it here, go back home. Don't bring your shit here. You're probably part of Al-Qaida." Um, "The youths were responding with sir and ma'am. They were being polite." She said I remember remarking to John Archer, "John, this is unbelievable behavior." Do you remember her making a comment like that?

40 A. I remember her bringing it up, yeah.

Q. Okay.

45 A. It was in the car, yeah.

Q. She focuses on a male officer and said he was appalling as a police officer. "The next day I said something to our chief about how I was appalled with the behavior. Um, when I asked her how far away she was, she said probably about ten or fifteen feet. She says there were three officers apart from you. Two females and one male. Um, she says the male officer used the word "fuck" several times in fact he said, "Get the fuck out of here. What the fuck are you doing here?" Did you hear anything like that?

50 A. No.

Q. And you really didn't know the other officers, correct?

55 A. Yeah.

Q. You may recognize them but you don't...

A. I don't, I don't know 'em, yeah.

5 Q. Okay. She described the officer making these comments as older, gray hair, kind of a stocky build, probably in his mid to late 50's. Do you know who that would be?

A. From the names you gave me, it'd probably be, ah, um, Officer Guelcher.

Q. Mhmm.

10 A. I think.

Q. Okay. I've got one more I want to go through and then we'll wrap it up. Okay. Here we go. The fellow who was walking his dog.

15 "In my opinion, the officers were being provocative. They were trying to get some kind of reaction out of the young men. They were constantly using the word 'fuck.' Some of the statements I recall were, 'You don't belong here. This is a nice neighborhood. Don't bring your shit here. You're a piece of shit.'"

Did you hear anything like that?

20 A. No.

Q. Okay. One of the female officers said to one of the youths, "Is that your piece of shit friend?" and then they searched his car. Do you remember hearing that?

A. No, I do not.

25

Q. "At one point, one of the youths had a smile on his face and one of the officers went over to him and yelled, 'You think this funny?' and repeated the piece of shit comment multiple times."

Now, there was one issue about some...they searched the car and they found some meds or pills in the car. Do you know anything about that?

30

A. I don't remember that.

Q. Okay. There was an issue about the car being a rental car too and whether they had appropriate documentation for that. Were you involved in that at all?

35

A. Nah, I don't remember. I don't remember being there and there being a car cleaned out at that time either.

Q. Okay. Were the youths sitting down during most of this or were they standing or was it a combination? Do you recall?

A. It was a combination, yeah.

40

Q. Okay. And when you determined the youth had the warrant or the adult I should say, did you leave the scene or did you remain there until the whole situation, you know, was resolved?

A. You mean after, or, what do you mean exactly?

45

Q. Well, when you determined this youth or this...I keep saying youth. It's an adult who had a warrant. Did you, once you determined that, did you take him to jail immediately and the other officers remained there or did you stay there until the very end is my question?

A. Yeah, the male that was...the two males that I had stopped, one of 'em didn't have a warrant. The other one did. He was...the one that had a warrant, was placed in the car.

50

Q. Okay.

A. Um, you know, I, I talked to the, the officers after I determined that he had a warrant and he was already in custody in my car and told them well, you know, this guy's got a warrant and he's gonna go to jail, um, but I think I left pretty shortly after that.

55

Q. So the answer to my question is the other officers remained there even though after you left? Was that?

A. I don't know.

Q. But, when you left, were they still there?

5 A. I don't know if I... I don't know if they were there or leaving or...?

Q. Okay.

A. I don't know.

10 Q. Do you have any questions for me?

A. No. I don't think so.

Q. I'm going to ask you a question that may upset you but I'm gonna ask anyway. When I first contacted you to be interviewed, you asked me if you had to be... if you had to participate and if it was voluntary. I said no and you immediately declined. Can I ask you why?

15 A. No. I mean, there's no reason other than I just... those, it was a voluntary interview and...

Q. Okay. That's understandable.

A. Yeah.

20 Q. Why don't we close it out here. Any facts regarding this incident that you have knowledge of that have not disclosed?

A. Ah, no.

25 Q. Okay. Is there anything else you'd like to add to this statement that I've not asked concerning the incident?

A. No.

Q. Is this a true and accurate statement?

A. Yes.

30 Q. Okay. Per MPD Policy and Procedure Sections 5-107.8, you are not to discuss this interview or case investigation with anyone other than your federation union representative or attorney. Do you understand this?

A. Yes.

35 Q. The interview is concluded. It's, ah, 16:52 hours on May 19<sup>th</sup>.

40 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

jmc





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November 26, 2014

Jayne Miller  
3954 Bryant Avenue South  
Minneapolis, MN 55409

**RE: OPCR File #14-20461**

Dear Ms. Miller:

Enclosed are two copies of your statement given on November 18, 2014. Please review and initial any corrections you wish to make on your statement. Sign and return one copy of the statement to our office.

Thank you for your cooperation and feel free to contact me at 612-673-5503 if you have any questions.

Sincerely,

Michael A. Grostyan  
Case Investigator

MAG:jmc

Enclosures

**STATEMENT OF** Jayne Miller  
**PLACE:** Minneapolis Park and Recreation Office  
**DATE:** November 18, 2014  
**TIME:** 9:15 a.m.  
5 **CASE NO:** 14-20461  
**INVESTIGATOR:** Michael Grostyan

Q. This is a tape recorded statement of Jayne Miller on November 18<sup>th</sup>, 2014 at approximately 9:15 a.m. We're at the Minneapolis Park and Recreation Office. What is the address here, Jayne?

10 A. 2117 West River Road, Minneapolis.

Q. Okay and the interview is being conducted by Investigator Michael Grostyan. This is regarding OPCR Case Number 14-20461. Your full name, please?

A. Jayne Susan Miller. And it's...my first name is spelled J-A-Y-N-E.

15 Q. Okay. Your present address?

A. 3954 Bryant Avenue South, Minneapolis.

Q. And your phone number?

20 A. 734-845-0646.

Q. Your age and date of birth?

A. 56 years of age, date of birth is June 9<sup>th</sup>, 1958.

25 Q. You are being questioned as part of an official investigation into a complaint of police misconduct. The information you provide will be used in a fact-finding process as part of the total evidence to determine if such misconduct occurred and for assessing whether disciplinary action should be taken. The information you supply may also be used in a grievance hearing, arbitration or other appeal procedure. Other parties outside the Minneapolis Civil Rights OPCR Office may have access to the information you provide as part of the internal investigation.

At this time, I would like to ask you some questions concerning an incident that occurred on August 15, 2014. The location I have is, looks like First Street and Tenth Avenue or Second Street and Tenth Avenue near Gold Medal Park.

35 A. Yeah, it was actually in Gold Medal Park.

Q. Okay. So, are you willing to tell me what you know about this?

A. Absolutely.

40 Q. Go ahead. It's my understanding that you were a ride-along or something...

A. Correct.

Q. And that's why you were in the area at that time.

45 A. Yeah, I am the Superintendent of the Minneapolis Park and Recreation Board and as part of my job occasionally I'll do ride-alongs with our officers, Park Police Officers, of which I did on August 15<sup>th</sup>.

Q. Okay.

50 A. I was riding in Squad 850 with our Police Officer, John Archer and, um, he was responding to a call, um, that, about an incident at Gold Medal Park. When we arrived it was probably about 7 o'clock. When we arrived, City officers were already there. I think there were two squad cars, um, my recollection is, is there were two female officers...what I saw were two female officers and a male officer. Um, and, when, and we, when we approached it, it looked like there were six to eight East African young males. I would say late teens, early twenties that looked like they were just horsin' around.

55 Q. Were they actually in the park or on the grassy area or where did...

A. Um, when we approached, they were, ah, a combination. At the time we approached, they were combination just down the street and in, and on the, you know, the lawn extension of the park itself.

Q. Okay.

A. Um, and they were, um, a number of the young males were actually seated on the ground on the grass in the park.

Q. All right.

A. Ah, there was, ah, and there was some that were, you know, kind of, two or three that were still messin' around kind of in the street; just rambunctious. They weren't fighting but the call that we had gotten was that there was a fight at the park.

Q. I was gonna ask you, you heard the call?

A. Yes, yep. So the call was that there was a fight. When we got there...in fact I said to John Archer I said, "John, they're not fightin', they're screwin' around." You know, they're just bein' males kind of screwin' around because that was my perception and, um, the, um, we were there for quite a while. Um, I would say a good 45 minutes. Um, and I, um, as a part of the ride-along, I just observed what was goin' on both with our officers...

Q. Did you get out of the squad?

A. I got out of the squad car.

Q. Okay.

A. Um, and John was actually dealing with two of the males, ah, that were there and talked to the city officers, um, who had, who had been there before we were. It was clear from my perspective that the two females were, um, interacting with the young males as well as doing police, doing, communicating back and forth about issues. The male city officer was standing over the, the gentleman that was sitting on the ground.

Q. Okay.

A. And it almost felt like he was, you know, positioned there to keep an eye on them, make sure they didn't do anything. Um, we end up arresting one of them because a warrant had just been issued on one of the African Americans, ah, East Africans was there. We actually took him to, to the jail.

Q. All right.

A. Um, and during that exchange, as John Archer was dealing with, you know, the caller and figure out whether this kid needed to be arrested or whatever. I was just simply observing a lot of what was going on. And the male officer who was standing over these young men. I was appalled at what he was saying. He was treating them terribly. He said things like, um, "You don't belong here. If you don't like it here, go back home. Don't bring your shit here. You're probably part of Al-Qaida." Um, just treated them like and they were really polite. Um, they didn't try to get up and do stuff. They always referred to you as sir or ma'am, can I do this and, um, I just was really appalled at his language and the way that he treated them and in fact I said. When we left I said to John Archer. I said, "John that was unbelievable behavior."

Q. Mmhmm.

A. He was appalling as a police officer. Um, and I said something actually the next day to our chief about how appalled I was with his behavior.

Q. Okay. Who is your chief?

A. Jason Mohatto.

Q. Okay. Um, how far away do you think you were from that male officer when you were hearing his comments?

A. I was easily within ten or fifteen feet.

Q. Okay. Um, how about the females? Were there any verbal things coming from them?

A. They were talking but they were, um, I, uh, uh, they were, you know like here's, here's what I would describe. Here's the street. Here's the park.



Q. Mmhhh.

A. You know. Here's the sidewalk. Um, they were, the kids were sitting about here. Our car was over here. There was a city car here and there was a city car here. The officer that was standing was right here and the, the female officers kept goin' back and forth between the two cars. They were pretty close proximity and granted they were busy doin' stuff...

Q. Mmhhh.

A. But I would have been surprised they would not have overheard what he was saying 'cause there was relatively close proximity. Our car was actually furthest away.

Q. Now you mentioned the male officer was standing over one of the youths.

A. He was standing over all this group of boys that were sitting down.

Q. All of them?

A. All of them.

Q. Okay.

A. There were a couple youths that were over here that our officer was dealin' with.

Q. Okay.

A. Um, and one of those two is the one that we arrested but the rest of them were all congregated here that he was standing over them.

Q. All right. Um, so there's two squads there as best you can recall?

A. Yep.

Q. And a total of three officers, two female and one male?

A. That, yeah, I didn't, I wasn't, I didn't see a fourth officer.

Q. Okay. What time of the day is this approximately?

A. About 7 o'clock at night.

Q. Okay. So, it's still light out obviously.

A. Yep, yep.

Q. Um, beyond the comments that you, ah, overheard from the male officer, was there any profanity used?

A. Um, I am sure he used the word fuck several times.

Q. Okay.

A. Like, "Get the fuck out of here. What the fuck are you doin' here?" you know, that kind of...

Q. Okay. And the female officers were really not interacting with the youths? It was pretty much the male?

A. When I, what I was observant of, they, I'm sure they were interacting 'cause they were trying to deal with stuff but...

Q. Okay.

A. What I observed was the males as they were sitting here, the way he was treating them. It, it, and, I, I, you know, instinctively my first reaction was he was making sure they weren't gonna do anything but his tenor, his tone, his behavior was, I'm gloating over you. It was a very demeaning both it felt not right as an observer.

Q. Sure.

A. Not only his language but also the way in which he was doing it and I get as a police officer you gotta, you know, you never know what's gonna happen.

Q. Mmhmm.

A. But the tenor of his language and I've done ride-alongs with our officers before and even when you're in a difficult situation, you know, I mean I just thought it was appalling.

Q. Okay. Um, and I don't want to focus on this but again you did not hear anything in your opinion inappropriate from the female officers that were...

A. No and I, and I will have to say I wasn't, I think from my perspective when I started hearing him talk...

Q. Mmhmm.

A. I, I became very focused on just attentive to him.

Q. Sure.

A. And so if they were engaging with him I wasn't as focused on that.

Q. Did any of the youths become physically aggressive towards the officer or challenge him or become verbal with him while you observed?

A. They did. They were verbal but they were always very polite.

Q. But they weren't verbally challenging is what I meant to say.

A. No but I think he...this is an example. My take was it was a time when they asked him stuff he took that as if they were challenging him.

Q. Okay.

A. When I did not sense that at all in fact I think he used that as his opportunity to flex his muscles even more.

Q. Okay. All right. Well, let me look at the initial complaint here. This complaint was generated by a female citizen who was like standing on her balcony overlooking the area and this is kind of the genesis of everything. It says complainant states that four police cars stopped a group of black youths in front of the Gold Medal Park sign. She stated one officer was yelling at them like, "I don't care what your name is. I don't know if you're a member of Al-Qaida or not. I'm not prejudice because you are black. I don't care if you're green if you break the law I'm gonna get in your face. Okay, so you don't have any drugs on you." The complainant stated that after the youths were detained by the officers for about 45 minutes they were released. That's the initial complaint and I've interviewed her in more detail.

A. Okay.

Q. Um, and then there's a supplementary complaint. Let's see if there's anything here that's not redundant. This says one of the squad cars was actually parked up on the grass. Do you recall that?

A. Yep, that was this car.

Q. Okay. And did the cars have their, ah, in spite of it being daylight, did they have red lights on blinking and so forth do you recall?

A. I don't. I don't recall.

Q. Okay. How many kids were there altogether would you say approximately?

A. I would say there were between six and eight total.

Q. Okay. Now, I want to go to the police report. It says officers were dispatched to the above location for the report of a physical fight involving several black males. Upon arrival, the teen males believed to be fighting. When you got there, did you, as you said earlier, you didn't get the impression there was any fighting going on.

A. No, it was rambunctious.

Q. Okay.

A. You know, they were physical with each other but it was cor...my perception when we arrived was totally

A. Yeah. I would have been surprised if he wouldn't have.

Q. Okay. All right. And obviously Officer Archer witnessed or overheard some of the things that you did. I assume...

5 A. I don't, I don't know if he would have again because he was focused on working with the two kids that were over here and then...

Q. Okay.

10 A. And then when he ran, ah, records on these two, one of them had just been issued a warrant that morning and so he was dealing with an arresting that, that, the one young male. And so while John was dealing with all of that is when I, you know, I was letting him, you know, just do his work and decided to just sit and kind of observe what was goin' on.

Q. Sure.

15 A. And. You know, it took a while for him to do everything he needed to do so...

Q. So he had to return to the squad I assume to run the arrest.

20 A. Yeah, exactly, exactly so he may not have. He, I remember him walking back and forth and dealing with particularly the female officer who was in this car or going back and forth to this car. He may have overheard it. I don't know. But I know that when we left, um, after we, um, dropped the, um, went to the county jail I talked to him about how appalled I was at this officer's behavior.

Q. What was his reaction? Was his reaction such that he, you got the impression he may heard some of it or?

25 A. I don't, I don't know.

Q. Okay.

A. I honestly don't remember.

30 Q. Okay. Well, I'll probably proceed onward then because that procedure is when you interview witness officers as well.

A. Right. Right.

Q. All right. Um, anything else you'd like to add to the statement that we haven't talked about that you think is important?

35 A. My perception I guess what I would say is, is to the example of, um, it felt very racist to me. It felt very inappropriate. It felt very inappropriate the things he was saying.

Q. Okay. All right. So, everything you've told me is true and accurate?

40 A. Yes.

Q. Okay. This concludes the interview. The time is 9:33.

45 Signature: \_\_\_\_\_ Date: \_\_\_\_\_

jmc

**STATEMENT OF PLACE:** Jayne Miller  
Minneapolis Park and Recreation Office  
**DATE:** November 18, 2014  
**TIME:** 9:15 a.m.  
**CASE NO:** 14-20461  
**INVESTIGATOR:** Michael Grostyan

Q. This is a tape recorded statement of Jayne Miller on November 18<sup>th</sup>, 2014 at approximately 9:15 a.m. We're at the Minneapolis Park and Recreation Office. What is the address here, Jayne?

A. 2117 West River Road, Minneapolis.

Q. Okay and the interview is being conducted by Investigator Michael Grostyan. This is regarding OPCR Case Number 14-20461. Your full name, please?

A. Jayne Susan Miller. And it's...my first name is spelled J-A-Y-N-E.

Q. Okay. Your present address?

A. 3954 Bryant Avenue South, Minneapolis.

Q. And your phone number?

A. 734-845-0646.

Q. Your age and date of birth?

A. 56 years of age, date of birth is June 9<sup>th</sup>, 1958.

Q. You are being questioned as part of an official investigation into a complaint of police misconduct. The information you provide will be used in a fact-finding process as part of the total evidence to determine if such misconduct occurred and for assessing whether disciplinary action should be taken. The information you supply may also be used in a grievance hearing, arbitration or other appeal procedure. Other parties outside the Minneapolis Civil Rights OPCR Office may have access to the information you provide as part of the internal investigation.

At this time, I would like to ask you some questions concerning an incident that occurred on August 15, 2014. The location I have is, looks like First Street and Tenth Avenue or Second Street and Tenth Avenue near Gold Medal Park.

A. Yeah, it was actually in Gold Medal Park.

Q. Okay. So, are you willing to tell me what you know about this?

A. Absolutely.

Q. Go ahead. It's my understanding that you were a ride-along or something...

A. Correct.

Q. And that's why you were in the area at that time.

A. Yeah, I am the Superintendent of the Minneapolis Park and Recreation Board and as part of my job occasionally I'll do ride-alongs with our officers, Park Police Officers, of which I did on August 15<sup>th</sup>.

Q. Okay.

A. I was riding in Squad 850 with our Police Officer, John Archer and, um, he was responding to a call, um, that, about an incident at Gold Medal Park. When we arrived it was probably about 7 o'clock. When we arrived, City officers were already there. I think there were two squad cars, um, my recollection is, is there were two female officers...what I saw were two female officers and a male officer. Um, and, when, and we, when we approached it, it looked like there were six to eight East African young males. I would say late teens, early twenties that looked like they were just horsin' around.

Q. Were they actually in the park or on the grassy area or where did...

A. Um, when we approached, they were, ah, a combination. At the time we approached, they were combination just down the street and in, and on the, you know, the lawn extension of the park itself.



Q. Mmhhh.

A. You know. Here's the sidewalk. Um, they were, the kids were sitting about here. Our car was over here. There was a city car here and there was a city car here. The officer that was standing was right here and the, the female officers kept going back and forth between the two cars. They were pretty close proximity and granted they were busy doing stuff...

Q. Mmhhh.

A. But I would have been surprised they would not have overheard what he was saying <sup>because JSM</sup> ~~cause~~ there was relatively close proximity. Our car was actually furthest away.

Q. Now you mentioned the male officer was standing over one of the youths.

A. He was standing over all this group of boys that were sitting down.

Q. All of them?

A. All of them.

Q. Okay.

A. There were a couple youths that were over here that our officer was dealing with.

Q. Okay.

A. Um, and one of those two is the one that we arrested but the rest of them were all congregated here that he was standing over them.

Q. All right. Um, so there's two squads there as best you can recall?

A. Yep.

Q. And a total of three officers, two female and one male?

A. That, yeah, I didn't, I wasn't, I didn't see a fourth officer.

Q. Okay. What time of the day is this approximately?

A. About 7 o'clock at night.

Q. Okay. So, it's still light out obviously.

A. Yep, yep.

Q. Um, beyond the comments that you, ah, overheard from the male officer, was there any profanity used?

A. Um, I am sure he used the word fuck several times.

Q. Okay.

A. Like, "Get the fuck out of here. What the fuck are you doin' here?" you know, that kind of...

Q. Okay. And the female officers were really not interacting with the youths? It was pretty much the male?

A. When I, what I was observant of, they, I'm sure they were interacting <sup>because</sup> ~~because~~ they were trying to deal with stuff but...

Q. Okay.

A. What I observed was the males as they were sitting here, the way he was treating them. It, it, and, I, I, you know, instinctively my first reaction was he was making sure they weren't gonna do anything but his tenor, his tone, his behavior was, I'm gloating over you. It was a very demeaning <sup>going to JSM</sup> ~~both it felt not right as an~~ observer. <sup>didn't feel</sup>

Q. Sure.

A. Not only his language but also the way in which he was doing it and I get as a police officer you <sup>going to JSM</sup> ~~getta~~ you know, you never know what's <sup>have to</sup> ~~gonna~~ happen. <sup>JSM</sup>

rambunctious.

Q. Here's Officer Archer's report. I was working Squad 850. I was dispatched along with other officers to 1100 2<sup>nd</sup> Street South Gold Medal Park for report of a physical fight involving 6 to 8 individuals between the ages of 17 and 20 who were black males. Upon arrival, a systems squad stopped a group of 6 Somali males at the corner of 2<sup>nd</sup> Street and 10<sup>th</sup> Avenue. I observed two of the Somali males walking away from the other group. I stopped the two males who appeared to be grabbing onto each other. The two males were identified. Then he talks about one of them having a warrant on him. Um, I transported this individual to Hennepin County Jail and was booked on a Dakota County warrant.

A. Yep.

Q. Let's see if there's anything else here. And then here is an email that you sent to Mary Rainville?

A. Yes.

Q. Okay. <sup>because</sup> This is from the chief, Jason Ohotto.

A. Yeah <sup>because</sup> ~~cause~~ it was, <sup>because</sup> ~~cause~~ there was an exchange of <sup>emails</sup> ~~the amount~~ going back and forth from Counsel Member Fry's office.

Q. Um, I know what I wanted to look for. There's three male officers identified here. Um, that, you know, by tracking and reports. Could you physically describe the officer that was making these comments as best you can remember?

A. Um, I would say he was... could you stand up?

Q. Sure.

A. I think he was relatively your size.

Q. Okay.

A. Maybe a little shorter than you.

Q. Okay.

A. Gray hair, kind of stocky build, older officer. I would say he was easily in his late fifties.

Q. Okay. And his hair was noticeably gray?

A. Yes.

Q. Okay. Anything else about his appearance that was distinctive? Mustache or glasses or anything like that?

A. Not that I remember.

Q. Okay. All right. Let me look at the witness statement and see if there's anything here I would like to question you about. The officer that was making these comments, was his back turned to you so that it's possible he wasn't aware of your presence?

A. Um, you mean while I was standing there listening to him?

Q. Yes.

A. I would have been surprised if he wasn't aware of my presence <sup>because</sup> ~~cause~~ again this was our squad car and, and this is where we stopped the two males that were walking away. And I walked as John Archer was doing his work and dealing predominately with the officers that were in these two cars, I walked over here.

Q. Sure.

A. And I was probably over here and I don't think his back was to me but he was to the side.

Q. Mmhmm.

A. Um, I...

Q. You're saying it's likely that he would have picked up on your presence?

A. Yeah. I would have been surprised if he wouldn't have.

Q. Okay. All right. And obviously Officer Archer witnessed or overheard some of the things that you did. I assume...

5 A. I don't, I don't know if he would have again because he was focused on working with the two kids that were over here and then...

Q. Okay.

10 A. And then when he ran, ah, records on these two, one of them had just been issued a warrant that morning and so he was dealing with ~~an~~ arresting that, that, the one young male. And so while John was dealing with all of that is when I, you know, I was letting him, you know, just do his work and decided to just sit and kind of observe what was goin' on.

Q. Sure.

15 A. And. You know, it took a while for him to do everything he needed to do so...

Q. So he had to return to the squad I assume to run the arrest.

20 A. Yeah, exactly, exactly so he may not have. He, I remember him walking back and forth and dealing with particularly the female officer who was in this car or going back and forth to this car. He may have overheard it. I don't know. But I know that when we left, um, after we, um, dropped the, um, went to the county jail I talked to him about how appalled I was at this officer's behavior.

Q. What was his reaction? Was his reaction such that he, you got the impression he may heard some of it or?

25 A. I don't, I don't know.

Q. Okay.

A. I honestly don't remember.

30 Q. Okay. Well, I'll probably proceed onward then because that procedure is when you interview witness officers as well.

A. Right. Right.

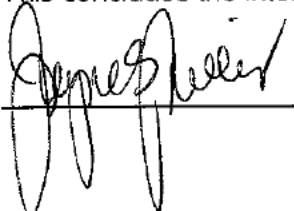
Q. All right. Um, anything else you'd like to add to the statement that we haven't talked about that you think is important?

35 A. My perception I guess what I would say is, is to the example of, um, it felt very racist to me. It felt very inappropriate. It felt very inappropriate the things he was saying.

Q. Okay. All right. So, everything you've told me is true and accurate?

40 A. Yes.

Q. Okay. This concludes the interview. The time is 9:33.

45 Signature:  Date: 1/2/2015  
jmc

Q. Mmhhh.

A. But the tenor of his language and I've done ride-alongs with our officers before and even when you're in a difficult situation, you know, I mean I just thought it was appalling.

Q. Okay. Um, and I don't want to focus on this but again you did not hear anything in your opinion inappropriate from the female officers that were...

A. No and I, and I will have to say I wasn't, I think from my perspective when I started hearing him talk...

Q. Mmhhh.

A. I, I became very focused on just attentive to him.

Q. Sure.

A. And so if they were engaging with him I wasn't as focused on that.

Q. Did any of the youths become physically aggressive towards the officer or challenge him or become verbal with him while you observed?

A. They did. They were verbal but they were always very polite.

Q. But they weren't verbally challenging is what I meant to say.

A. No but I think he...this is an example. My take was it was a time when they asked him stuff he took that as if they were challenging him.

Q. Okay.

A. When I did not sense that at all in fact I think he used that as his opportunity to flex his muscles even more.

Q. Okay. All right. Well, let me look at the initial complaint here. This complaint was generated by a female citizen who was like standing on her balcony overlooking the area and this is kind of the genesis of everything. It says complainant states that four police cars stopped a group of black youths in front of the Gold Medal Park sign. She stated one officer was yelling at them like, "I don't care what your name is. I don't know if you're a member of Al-Qaida or not. I'm not prejudice because you are black. I don't care if you're green if you break the law I'm gonna get in your face. Okay, so you don't have any drugs on you." The complainant stated that after the youths were detained by the officers for about 45 minutes they were released. That's the initial complaint and I've interviewed her in more detail.

A. Okay.

Q. Um, and then there's a supplementary complaint. Let's see if there's anything here that's not redundant. This says one of the squad cars was actually parked up on the grass. Do you recall that?

A. Yep, that was this car.

Q. Okay. And did the cars have their, ah, in spite of it being daylight, did they have red lights on blinking and so forth do you recall?

A. I don't. I don't recall.

Q. Okay. How many kids were there altogether would you say approximately?

A. I would say there were between six and eight total.

Q. Okay. Now, I want to go to the police report. It says officers were dispatched to the above location for the report of a physical fight involving several black males. Upon arrival, the teen males believed to be fighting. When you got there, did you, as you said earlier, you didn't get the impression there was any fighting going on.

A. No, it was rambunctious.

Q. Okay.

A. You know, they were physical with each other but it was cor...my perception when we arrived was totally



Q. Okay.

A. Um, and they were, um, a number of the young males were actually seated on the ground on the grass in the park.

Q. All right.

A. Ah, there was, ah, and there was some that were, you know, kind of, two or three that were still <sup>JSM</sup>messing around kind of in the street; just rambunctious. They weren't fighting but the call that we had gotten was that there was a fight at the park.

Q. I was gonna ask you, you heard the call? <sup>JSM</sup>

A. Yes, yep. So the call was that there was a fight. When we got there...in fact I said to John Archer I said, "John, they're not fighting, they're screwing around." You know, they're just being males kind of screwing around because that was my perception and, um, the, um, we were there for quite a while. Um, I would say a good 45 minutes. Um, and I, um, as a part of the ride-along, I just observed what was goin' on both with our officers...

Q. Did you get out of the squad?

A. I got out of the squad car.

Q. Okay.

A. Um, and John was actually dealing with two of the males, ah, that were there and talked to the city officers, um, who had, who had been there before we were. It was clear from my perspective that the two females were, um, interacting with the young males as well as doing police, doing, communicating back and forth about issues. The male city officer was standing over the, the ~~gentleman that was sitting~~ <sup>gentlemen that were</sup> on the ground. <sup>JSM</sup>

Q. Okay.

A. And it almost felt like he was, you know, positioned there to keep an eye on them, make sure they didn't do anything. Um, we end up arresting one of them because a warrant had just been issued on one of the African Americans, ah, East Africans was there. We actually took him to, to the jail.

Q. All right.

A. Um, and during that exchange, as John Archer was dealing with, you know, the caller and figure out whether this kid needed to be arrested or whatever. I was just simply observing a lot of what was going on. And the male officer who was standing over these young men. I was appalled at what he was saying. He was treating them terribly. He said things like, um, "You don't belong here. If you don't like it here, go back home. Don't bring your shit here. You're probably part of Al-Qaida." Um, just treated them like and they were really polite. Um, they didn't try to get up and do stuff. They always referred to you as sir or ma'am, can I do this and, um, I just was really appalled at his language and the way that he treated them and in fact I said. When we left I said to John Archer. I said, "John that was unbelievable behavior."

Q. Mmhmm.

A. He was appalling as a police officer. Um, and I said something actually the next day to our chief about how appalled I was with his behavior.

Q. Okay. Who is your chief?

A. Jason ~~Mohette~~ <sup>Ortiz</sup> <sup>JSM</sup>

Q. Okay. Um, how far away do you think you were from that male officer when you were hearing his comments?

A. I was easily within ten or fifteen feet.

Q. Okay. Um, how about the females? Were there any verbal things coming from them?

A. They were talking but they were, um, I, uh, uh, they were, you know like here's, here's what I would describe. Here's the street. Here's the park. <sup>I drew a picture (JSM)</sup>



November 20, 2014

**Office of  
Police Conduct Review**

**Velma J. Korbel**  
*Director*

*Department of Civil Rights*

**Civilian Unit**

350 S. 5th Street - Room 239  
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Office 612-673-5500

**Janeé L. Harteau**  
*Chief*

*Minneapolis Police Department*

**Internal Affairs Unit**

350 S. 5th Street - Room 112  
Minneapolis MN 55415  
Office 612-673-3074

[policereview@minneapolismn.gov](mailto:policereview@minneapolismn.gov)

**Officer Sherry Appledorn**  
**First Precinct**  
Minneapolis Police Department

**RE: OPCR Case Number # 14 - 20461**

**Officer Appledorn,**

You are being called as a **witness** in the above complaint. The specific policy(s) alleged to have been violated are:

List Policy Number – OPCR Ord.172.20 (2) inappropriate attitude, and  
OPCR Ord.172.20(3) - Discrimination

*Summary of allegations: It is alleged that on August 15, 2014 Officer Guelcher used profanity, and discriminated against a group of citizens..*

According to Workforce Director you are scheduled to work:

**Thursday, December 4, 2014.**

Your appointment to provide a statement to the Office of Police Conduct Review has been scheduled for **December 4, 2014 at 1600 hours, at the Office of Civil Rights, Room 239 in City Hall.** It is your responsibility to arrange for a Federation and legal representative if you wish to have one accompany you to the interview. If you have a conflict you must contact me by DATE to discuss an alternate date. I can be contacted by e-mail at [michael.grostyan@minneapolismn.gov](mailto:michael.grostyan@minneapolismn.gov) or phone at **612-673-5503** between the hours of 9:00 am and 5:00 pm, Monday through Friday.

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,

Michael Grostyan  
Investigator  
Office of Police Conduct Review

**STATEMENT OF**

**Officer Sherry Appledorn**

**PLACE:**

Minneapolis Department of Civil Rights, Office of Police Conduct Review – Room 239

**DATE:**

January 27, 2015

**TIME:**

3:00 p.m.

**CASE NO:**

14-20461

**INVESTIGATOR:**

Michael Grostyan

Q. This is a recorded statement of Officer Sherry Appledorn on January 27<sup>th</sup> at approximately 3 p.m. We're in the Minneapolis Civil Rights Office, Room 239. The interview is being conducted by Investigator Michael Grostyan. This is regarding OPCR Case Number 14-20461.

Um, your full name please?

A. Sherry Renee Appledorn.

Q. How are you spelling Sherry?

A. S-H-E-R-R-Y. Renee is R-E-N-E-E. Appledorn A-P-P-L-E-D as in David O-R-N.

Q. Okay and your present rank and work assignment?

A. I'm an Officer out of the 1<sup>st</sup> Precinct, Midwatch.

Q. Okay. Your employee number?

A. 30214.

Q. Your date of appointment?

A. March of '93.

Q. Okay. You are being ordered to give a complete and truthful statement regarding matters pertaining to the scope of your employment or fitness for duty. It is a compelled statement pursuant to MPD Policy and Procedure. Under the Garrity Decision, any statement provided in this investigation cannot be used in a criminal proceeding against you except in cases of alleged perjury. However, these statements may be used against you in relation to employment allegations. Do you understand this warning?

A. Yes.

Q. I am advising you that if you refuse to answer, give a false or intentionally incomplete statement or attempt to omit information that is pertinent to this investigation, you will be subject to disciplinary action up to and including suspension or discharge. Do you understand this?

A. Yes.

Q. Okay. And then I have the Tennessen Warning here that I would like you to read and sign and then I'll witness it.

A. Is it the 27<sup>th</sup>?

Q. 27<sup>th</sup>, yes.

A. I know.

Q. Get them out of the way. Is it correct that you have read, understood and signed the Data Practices Advisory, otherwise known as the Tennessen Warning?

A. Yes.

Q. Have I informed you that the purpose of this statement relates to an OPCR investigation and specifically an administrative review that's being conducted?

A. Yes.

Q. You're not being accused of anything. You're a witness officer specifically. Um, so I will try to explain the circumstances of an event. I'm gonna read the complaint to you to see if it jogs your memory. I don't know if you've done any reviewing or anything prior to getting here. Have you?

A. Yes, sir. I have.

Q. Okay. Good. So, the complaint was generated initially states the following. And this is from just from a private citizen.

Complainant states that four police cars stopped a group of black youths in front of the Gold Medal Park sign. The complainant states one officer was yelling at them like, "I don't care what your name is, I have no way of knowing if you're a member of Al-Qaida or not. I am not prejudice because you are black. I don't care if you're green. If you break the law, I'm going to get in your face. Ok so you don't have any drugs on you."

Complainant states after the youths were detained by the officers for about 45 minutes, they were released.

And then there's a supplementary complaint. Let's see if that has more specifics. I don't believe it does but let me scan it here. It does have a few more specifics. This is generated by the same person.

"In front of the Gold Medal Park sign, were four police cars. One up on the grass, all of them with the lights blinking and one of the cars was blocking 2<sup>nd</sup> Street. Seated on the ground in front of the sign were three black youths. The police were going back and forth to their cars while two stood a few feet away from kids. One police officer was yelling things at them like..." Pardon. This is redundant. I've already covered that. Um, "After about 45 minutes, the kids were let go and the police left."

Do you remember this situation?

A. Yes, I do.

Q. Okay. Ah, were you working a one-person car or did you have a partner at that time, do you remember?

A. No, I was Able. 160 Able.

Q. Okay. Who else was there that you remember?

A. Well, there was a park cop there. Officer Guelcher was there. I don't remember what his squad number was and, um, Sergeant Christensen showed up later.

Q. Okay. A Steven Herron is mentioned as one of the officers but actually when some, ah, request was sent to him, it was a mistake. He was not there.

A. No, he was not.

Q. Okay. Now, John Archer?

A. He was probably the park officer.

Q. Okay. And his number is different I think. So, what do you remember about this situation? Did you get the initial call or do you remember the initial call?

A. Yeah, it was a 9-1-1 call.

Q. Okay.

A. On a fight.

Q. Okay.

A. So, I find it interesting that your complainant wasn't even there for the beginning of the fight between the groups.

Q. Well, that's right...

A. It was a group of Somali males that were fighting and it was a resident that called.

Q. Okay. You're right. The complainant just talks about the presence of the police...

A. Exactly, so they weren't there from the beginning.

Q. All right. When you got there, were there, were there, was there a fight taking place or had...?

A. No, they had just finished up.

5 Q. Okay. Okay. Um, but to go back to my question and I'm not trying to be picky, did you get the 9-1-1 call yourself. I mean, do you remember specifically? It was a 9-1-1 call...

A. I don't. I don't remember if park got it because it's considered park property—Gold Medal.

Q. Okay.

10 A. So, I don't know if they got dispatched to it first or if we got the call first.

Q. All right. Well, that's fine.

A. Um...

15 Q. Did you...did all the officers actively interact with the youths? Did some of the officers stay by their car or remain in the car? Do you recall?

A. Ah, they...I talked to 'em. Officer Guelcher was there. We were just standin' by 'em.

Q. Mmhmm. How about Sergeant Christensen?

20 A. I don't even re...I, I think she was busy, um, she was on the phone with the rental company tryin' to figure out their rental agreement because they didn't have the proper rental paper. It was a rental car. So, they didn't have the proper...

Q. That was an issue. I remember that.

25 A. Yep. That's why it took so long. They didn't have the proper rental paper with them so we had to verify with the rental company if the one person, guy who claimed yes he could drive it but he wasn't on it so we had to call to make sure.

Q. Okay.

30 A. And then the park officer was dealing with one of 'em who actually had a warrant.

Q. Okay. And I remember that person was arrested.

A. Yes.

35 Q. You said earlier that Sergeant Christensen arrived later on. How much time do you think after you arrived did she arrive?

A. I'd have to go back and...

Q. I don't need an exact time I'm just trying to get some time reference.

40 A. Well, let's see. Squad 850, which would be the park officer...

Q. Okay.

A. He got it at 2017.

45 Q. Mmhmm.

A. I got it at the same time so it must, I must have just, ah, um, told him I was going with just to back 'em up.

Q. Mmhmm.

50 A. Um, let's see...Sergeant Christensen I believe she was 104. She didn't show up until about...she didn't get it assigned until 2021.

Q. Okay.

A. Um, she didn't show up until 23, 2023. Oh, I guess we all showed up about the same time varying seconds.

55 Q. And how about Guelcher? Does it state?



A. What was he workin'? Ah, he, he got it assigned later at 2024 and he showed up about the same time.

Q. Yeah, I've got Guelcher as 8163 here.

A. Yep.

Q. Okay. So he's 2024 also. Um...

A. Did you talk to his...to... did you talk to the off-duty officer 6180? Officer Abdulahi and Officer Ali? They were also assigned to the call.

Q. No, I haven't.

A. Okay.

Q. I've, I've spoken to, um, Sergeant Christensen.

A. Mmhmm.

Q. Determined Herron wasn't there.

A. Mmhmm.

Q. Um, you today obviously.

A. Mmhmm.

Q. I see that two other officers. They were working off-duty as security for the building nearby or what was that about?

A. No, they were workin' on another site. We just, um, got a hold of 'em because they were, you know our Somali officers and our deal that we were dealing with was Somali males and, um, the group was out of Saint Paul and we've been having problems with gang members out of Saint Paul comin' into Minneapolis...

Q. Okay.

A. And fighting with Minneapolis Somali males which was the deal that was going on.

Q. So, did these two officers that were nearby respond to the scene and interact just like you?

A. I don't think they did. I think, um, I, I don't know if I might have talked to him on the phone or just had him look at the call. I don't remember 'em showin' up.

Q. Can you remember if they were present?

A. I don't think so, no.

Q. So, I mean, the accusation obviously is the language used by...

A. I'm coming at a, I'm not sure what. Nobody swore.

Q. Well, we'll get to that.

A. Nobody called 'em racial...

Q. But the, ah, the two Somali officers, even though you communicated with them, they did not come to the scene so they, if there was something said they would not be able to address it 'cause they weren't there.

A. Yeah.

Q. Okay. I wanted to clarify that. Okay. So, I interviewed the witness who called in.

A. Mmhmm. Was that the 9-1-1 caller?

Q. No. I'm working on trying to identify the 9-1-1 caller...um, she says she's out walking her dog...

A. Yes.

Q. And her husband says you better look out and she convinces and her husband says you better look out the

window. "I saw two policeman standing outside their cars some African Americans in the grass and a lot of shouting was going on. Um, the officers were approximately six feet away. I went out on the balcony to see what's happening. I heard a lot shouting." Um, let's see what she says specifically regarding verbiage.

5 "I cannot testify to every word that was said but one thing I heard and it was shouted by the police officers was, 'We didn't find any drugs on you this time. I don't care. How was I supposed to know you don't work for Al fuckin' Al-Qaida. I don't care if you're green, blue, purple, whatever color, if you're acting up, I'm going to stop you.' Those are the main things I remember the officers saying." Did anybody say anything like that?

A. So, she doesn't remember the groups or anything?

10 Q. She's talking about the officers.

A. Mmhmm. I guess so.

15 Q. She doesn't talk about the groups. She says there's shouting going on and there's interaction going on but she doesn't specifically say what's being said by the...

A. Of course not.

Q. Okay. But do you remem...my question is do you remember any of the officers making comments that she's...

20 A. Nothing about Al-Qaida.

Q. Okay.

A. Ah, the green what was it?

25 Q. I don't care what color you are green, purple or blue, if you're acting up, I'm gonna stop you...

A. Nobody said that I'm act...the I'm acting up. I said the green, purple and blue.

Q. Okay.

A. And the reason behind that was...would you like to know, or...?

30 Q. Well, of course I'd like to know.

A. Because...

Q. Well, you see, you're being, you're being kind of defensive.

35 A. Well, I am because you only got a little bit and I find it interesting how a third or fourth party complainant who sits up on a balcony only wants to hear what an officer says but doesn't want to hear what the group and initially what the call was for.

Q. Well, maybe she didn't hear it and it wasn't...

40 A. It's interesting because they all started in on me being a racist bitch.

Q. Okay.

A. Callin' me a fucking racist bitch.

45 Q. Well, that's why you're here, okay?

A. And that's when I said, "How dare you." And this is right after Ferguson, so everybody assumed that because some white cops show up, we're gonna have problems.

Q. Okay.

50 A. And that's where the group started going in...the males.

Q. Okay.

55 A. Which they started in on that I was a bitch, I was a fucking bitch, I was racist and that's where I said I don't care if you're blue, green or red, your race has nothing to do with it. I went on to say I find it interesting how you personally attack me on being racist when I have a nephew and a niece who are black.

Q. Mmhmm.

A. And that's where it ended.

5 Q. All right. Let's see what else it says here. But, you don't recall a comment pertaining to Al-Qaida, correct?

A. No.

Q. Okay. Just let me go to...this is another witness whose name came up in interviewing the first witness who actually was the one who generated the complaint.

10 A. Okay.

Q. So, it's another resident that was nearby that was out walking.

A. Okay.

15 Q. Ah, let's see what he says. "So, we're out walking and we see police cars gathered again. Like you say, we came in after the fact. Um, the officers were being provocative. It seemed like they were trying to get a reaction out of the young men. They were using the word fuck constantly. Um, some of the statements I remember hearing were, "You don't belong here. This is a nice neighborhood. You can't bring your shit here. You're a piece of shit."

20 That's what one witness claims he heard one of the officers say. He can't identify the officer. Um, did you hear anything like that?

A. We asked them what they were doing at Gold Medal Park.

25 Q. Mmhmm.

A. Coming out of Saint Paul.

Q. Mmhmm.

A. And then we asked them why they were fighting.

30

Q. Okay. But as far as the derogatory terms, "You're a piece of shit." That kind of thing...

A. I don't re...no, I don't remember any of that.

35 Q. Okay. Um, and this fellow says that he got closer and one of the officers got in one of the black youth's face because they were smiling or something and he said, "So, you think this is funny?" and then repeated the phrase multiple times, "You're a piece of shit."

40 Um, at one point, one of the officers, a young man who had not been interacting with the young men, came and asked us, "Have you seen anything?" In other words, an officer approached these two people, a man and a wife, there was a claim about a fight and we called them, we've been here at the park but we didn't see a fight.

45 Um, I mean the complaint is all about verbiage, quite frankly. Okay. That's that. There's one more I believe. There it is. This was a ride-along with a park officer. That was John Archer like you said. Um, she said, "I got out of the car. I heard some of the officers say, "You don't belong here. If you don't like it here, go back home. Don't bring your shit here. You're probably part of Al-Qaida." Um, she says, "I'm 8 or 10, 10 or 15 feet away when I'm hearing these remarks from the officers." No other specifics other than that. Did you hear anything like that from any of the officers?

A. Well, there was questions being asked...why we're there.

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Q. Mmhmm.

A. Okay. What's taking place? And so we asked them. They're from Saint Paul, they have no, nobody at the park that they're going to see, no residence that they're going to see, they're parked in a no parking, they don't have the proper paperwork for a rental vehicle...

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