

tension in the voice, um, not standard, uh, radio conversation." Officer Sheneman recalled that the call was, "toned" and the call became an officer needs help call. The nature of the call was not specifically known prior to arrival.

Upon arrival on the call, Officer Sheneman reported seeing a minivan and the occupants were out of the vehicle. Officer Sheneman reported he arrived on the call just as it was called code 4 and he was not directly involved with the stop or detention of any people on the scene. When asked if the scene was under control, Officer Sheneman reported the following, *"I don't believe that it was. Uh, the first place that I went as I said was to, uh, the vehicle that was later determined to be the victim vehicle in the shots fired or the Assault 2. I'm not sure exactly what the charges were on the-, on the final case, but, uh, I spoke to the two females that I remember talking to. I asked them or one of them, I can't remember which one, if anybody was hurt. I didn't get an answer. I think it took two or three questions. The final question I ask is anybody shot and I asked it, uh, you know, kind of the way I just said it. Is anybody shot? Because I didn't know if we had a shooting victim on the scene yet or not, and they said no that, uh, they had not been shot. And then I spoke to one of the females and asked her, um, I can't-, I can't remember exactly what I asked her, but it became apparent to me that that was the victim vehicle. They, they had been shot at. Um, I talked to her briefly. She told me that, uh, the police had the suspect that had, um, shot at their vehicle. That, that he was in custody, and she pointed down the street toward the stop and said that the officers had the guy."*

Officer Sheneman reported squad 425 (Officer Haugland and Carlson) were involved in the stop of suspects and there was an additional scene a half block away that involved victims of an assault.

Officer Sheneman reported he did not hear any verbal commands given by officers to suspects at the scene. Officer Sheneman reported he did not provide any verbal commands to suspects at the scene. He reported he had no recollection of seeing officer Haugland or Officer Carlson search a male identified as Derrick Walker. Officer Sheneman reported he did not observe Officer Carlson use any force toward any male suspect on the scene.

Officer Sheneman viewed a screen shot image from squad P#76664. In that image, Officer Sheneman identified Officer Matt Kaminski, Officer Cory Fitch and Officer Carlson in the image. Officer Sheneman reported that a male suspect was in handcuffs in the screen shot with the officers. Officer Sheneman did not name the suspect.

Officer Sheneman reported Sgt. Montgomery arrived on the scene. Officer Sheneman stated he searched the block for a gun and heard Officer Haugland (on scene) state that he located a gun. Officer Sheneman reported he did not complete any reports for the call.

SUMMARY STATEMENT OF OFFICER CORY FITCH

On 7/24/2014, Officer Cory Fitch provided a recorded statement in IAU. The statement was taken under Garrity. Lt. Kroll was present from the Federation. Prior to the interview, Officer Fitch reviewed squad audio/video for squad P#76629 and P#76664. In addition, Officer Fitch viewed a screen shot image captured from squad P#76664. The image depicted three officers and a suspect. Officer Fitch reported he was assigned to the 4th Precinct 13.43.

Officer Fitch reported he responded to a shots fired call at 25th Av N and Aldrich Av N on 5/23/2014 at about 0144 hours. He was working squad 431 with his partner, Officer Chang. Officer Fitch reported he was dressed in the MPD uniform.

Prior to arriving on the shots fired call, Officer Fitch reported hearing squad radio transmissions. He stated it was not clear from the transmission if the officers were shot at or shooting at someone. The call was, "toned" and an officer needs help call was made by dispatch.

Upon arrival on the call, Officer Fitch reported, *"I remember when we arrived the scene was chaotic with two different scenes, two different groups of people, and Officer Chang and I had to split up to the different scenes to assist the officers that were already there."* One scene was a felony stop.

Officer Fitch responded to the following questions about the scene.

Q: According to dispatch records, the scene was, Code 4-, called Code 4 at about 1:46:52 or approximately 1:47 a.m. The officers on scene called Code 4; however, based on your observations, was the scene completely under control? You described two scenes. Did it take some time to get through the call or was it just immediately controlled?

A: I believe it was called Code 4 just to stop all the other squads from coming from across the city due to the fact that it was a help call to where we were still dealing with multiple parties and different groups at the scene.

Officer Fitch reported that he did not recall hearing verbal commands given by officers at the scene of the felony stop. Officer Fitch reported from viewing squad video, it "appeared" that both Officer Haugland and Officer Carlson participated in a search of a male suspect. However, Officer Fitch did not know the identity of the male suspect.

When asked to report his observations about what he observed when Officer Troy Carlson was searching a male outside of a squad car, Officer Fitch reporting the following during the Q&A:

Q: Do you have an independent memory of Officer Troy Carlson searching a male suspect alongside the squad car?

A: Vaguely.

Q: Tell me about that.

A: I just remember standing at the squad car after reviewing the squad footage.

Q: Was the male suspect in handcuffs?

A: Yes.

Q: Can you tell me about the use of force you observed at the scene by Officer Carlson?

A: Um, what use of force specifically?

Q: Did you observe any use of force by Officer Carlson at the scene?

A: I did not believe it was use of force. Uh, from what it appeared to be is Officer Carlson was attempting to put the subject in the back of the squad car.

Q: Describe that for me in detail what you observed. If it wasn't a use of force, what was it? What happened?

A: It appeared to be that Officer Carlson was attempting to possibly push the subject in the backseat of the squad car. I don't-, I could not tell if the party was resisting going into the squad car or not.

Q: When Officer Carlson was pushing the suspect into the squad car, what part of Officer Carlson's body was used to push the suspect and what part of the suspect's body was pushed?

A: Um, one of Officer Carlson's hands to some area in the upper portion of the subject's body.

Officer Fitch viewed the screen shot image that was taken from squad P#76664. Officer Fitch reported the following information during the Q&A:

Q: I'd like to have you take a look at the screen shot that we referenced and looked at prior to the interview and then I have it up on the computer now. There's three officers and a suspect that are next to a marked squad car. Based on the screen shot, do you recognize the officer on the far left?

A: No.

Q: Is the officer on the far left, Officer Kaminski?

A: I could not say for certain based off of this picture.

Q: The officer in the middle, do you recognize that officer?

A: I believe that is me.

Q: The officer on the right, do you recognize this officer?

A: [clears throat] I believe that is Officer Carlson.

Q: There's a suspect that's standing to the front of Officer Carlson between Officer Carlson and the squad car.

A: Yes.

Q: Do the suspect by name?

A: No.

Q: Was that the male suspect that you described Officer Carlson pushing?

A: Uh, yes.

Officer Fitch reported Sgt. Montgomery (squad 405) responded to the scene. Officer Fitch reported he did not complete any reports for the call. Officer Fitch estimated that he and his partner were on the call for about fifteen minutes.

At the conclusion of the interview, I asked Officer Fitch, Is there anything else you would like to add to this statement that I have not asked you concerning this incident?

Officer Fitch responded, *"Um, I'd just like to say that I don't believe anything, um, wrong occurred at the scene from what I observed to where if it would've been something out of line or against policy I would've-, I would've been obligated to report it. Uh, with the way the scene was going as far as stress level, uh, we handled the call and then moved on to other calls, and there is nothing during the call that, uh, stuck in my mind that made me believe this would go to Internal Affairs or that anything inappropriate had occurred."*

SUMMARY STATEMENT OF OFFICER JAMES BOYD

Officer Boyd responded to an IAU notification letter dated 7/28/2014. On 8/01/2014, a recorded statement was taken from Officer Boyd in MPD IAU. The statement was taken under Garrity.

Prior to the interview, Officer Boyd reviewed squad video P#76629 and P#76664, car to car radio traffic, and a screen shot image from squad video P#76664.

Officer Boyd reported that he was working on duty, in MPD uniform on 5/22/2014. He was working with his partner, Officer Michael Mays. The shift hours were 2015 to 0615 hours. Officers were working squad 421.

Officer Boyd reported he responded to a shots fired call at 25th Av N and Aldrich Av N on 5/23/2014 (1:45:46 hours.) Officer Boyd reported he heard (via squad radio,) Officers Haugland and Carlson (squad 425) call for assistance. Officer Boyd recounted that he overheard that shots had been fired, a vehicle was involved, *"taking off"* and there were people in the streets. While traveling to the call, Officer Boyd reported the call was updated or *"toned"* by dispatch. Officer Boyd stated that the scene was not under control. Officer Boyd reported that the voice inflection by officers was not normal for the officers and the voices sounded, *"pretty serious."*

Officer Boyd reported he arrived and went to assist Officer Carlson and Officer Haugland with the felony stop. Officer Boyd stated that four or more suspects were already on the ground and handcuffed. Officer Boyd referenced the squad video and he identified himself on the video.

Officer Boyd reported he did not hear verbal commands given by other officers at the scene to the suspects. Officer Boyd reported he went to the passenger side of the suspect vehicle to assist Officer Carlson. Officer Boyd took control of an adult black male suspect that had a dreadlocks hair style. Officer Boyd reported he escorted this male suspect to his squad car. After the male was secured, Officer Boyd was directed by Sgt. Montgomery to canvass nearby homes.

Officer Boyd reported he did not observe Officer Haugland or Officer Carlson search a male later identified as Derrick Walker. Officer Boyd reported he did not observe Officer Carlson use any force at the scene.

Officer Boyd viewed the screen shot image (P#76669) of three officers and a suspect near a marked squad car. When asked if he observed himself in the squad video (P#76669) screen shot, Officer Boyd responded, "I am not."

Officer Boyd reported he completed a supplemental report for the call. He reported he was informed that a handgun was located on scene along with shell casings.

Officer Boyd reported the scene was large, with separate groups of people. The canvass of the area, and the recovery of the firearm, took time. Officer Boyd reported there was no crime scene tape used and he was on scene for about one hour.

SUMMARY STATEMENT OF JAMI MCCALL

Jami McCall was listed on the 14-170465 CAPRS report as V-002. I sent Jami McCall a certified letter. McCall signed for the certified letter on 7/26/2014. I received a voice message from Jami McCall to contact her.

On 7/28/2014 at 0945 hours, I contacted Jami McCall via telephone for a recorded interview. She verbally identified herself to me and she provided me her biographical information.

McCall reported that she was not present at 25th Av N and Aldrich Av N on 5/23/2014 at 0144 hours. When asked to account for why her name was in the report, she provided an explanation. McCall reported that her sister Jaleena Marie McCall DOB 9/29/1991 likely was the person that was on the scene of the call.

Jami McCall reported that her sister has used her name in the past to identify herself. Jami McCall stated that reason for this. She reported her sister had a warrant for her arrest. Jami McCall reported that she did not give her sister Jaleena McCall permission to use her name.

IAU FORCE REVIEW

On 5/23/2014 at 08:08 hours, Sgt. Patrick Myslajek was the "Duty Sergeant" working in MPD IAU. Sgt. Myslajek reviewed the MVR for squad P#76629 and P#76664. Copies of the MVR were ordered through the MPD Crime Lab. The squad video showed Officer Troy Carlson used force on a handcuffed suspect. Per Commander Granger, the force review was not approved by IAU.

SGT. MARK MONTGOMERY MEMO

Sgt. Mark Montgomery drafted a memo to MPD IAU on 5/26/2014 at 8:42 hours. Commander Granger made the decision to open an IAU Administrative Case on 5/26/2014 and the CAPRS force report was not approved.

VISINET REPORT

The VISINET report for the call (CAPRS case 14-170465) was recovered. The report documented 18 separate MPD call signs were added to the call by MECC. The VisiNet report was cross referenced with the 911 audio for the call. There were citizen calls reporting shots fired in addition to squad 425's (Officer Haugland and Carlson) radio transmissions of "shots fired." In addition, 13.37 - Security & Trade Secret was documented on the VisiNet report. AVL (Automatic Vehicle Locator) data was reviewed associated with the VisiNet report.

911 Audio

MPD squad radio audio was recovered as well as citizen calls reporting "shots fired" in the area of 25th Av and Aldrich Av N, Minneapolis. The audio recording captured a "help call" that was toned by MECC in response to squad 425 asking for assistance on a "shots-fired" call at 25th and Aldrich Av N, Minneapolis. The recordings were saved to a CD. 4 audio files were saved to a CD for the case.

CAPRS REPORT & CAPRS FORCE REPORT

A CAPRS report (14-170465) documented an arrest that occurred on 5/23/2014, 01:44 hours at 25th Av N and Aldrich Av N, Minneapolis MN 55411. Officers John Haugland and Officer Troy Carlson called out to dispatch after hearing shots-fired. Officers called for assistance in making a stop. A "Help Call" was "toned" by dispatch and assisting officers converged on the stop location. Force was documented by

Officer Troy Carlson in supplement 5 of the CAPRS report. The subject of the force was listed as OT-1/ Derrick Walker in the report.

Officer Carlson documented his application of force, *"OT1 attempted to turn around while I was speaking and not fully attentive on him, OT1 then also tried to talk over me and answer the question, I was unsure of OT1's movements and I immediately reacted and struck OT1 one time in the head with an open hand to stop OT1 from moving and for him to be quiet so I could think and process the whole scene, as at this time we had still not located a gun. OT1 pretended to fall to the ground but was not injured. I asked him to stop acting and stood him up. At this point I became so frustrated with OT1, I had to place him in the squad car without completing my search as he would not be quiet and I was too distracted and wanted to be able to focus on the scene and helping other officers that came to assist me. It should be noted this was toned as a help call, and at the time of dealing with OT1 I was unsure if there were any shooting victims. It should also be noted that at the time I struck OT1 he was handcuffed. I used approximately 40-50% of my strength when I struck OT1."*

The supervisor's portion of the CAPRS force report was completed by Sgt. Montgomery. In the force review, Sgt. Montgomery documented that 13.43

13.43 - Personnel Data

13.43 - Personnel Data Sgt. Montgomery did not interview OT-1/Walker as the force was not reported to him until after the incident. Sgt. Montgomery was at the, "station" when he learned about the reportable force. Sgt. Montgomery reported in his force review, 13.43 - Personnel Data 13.43

SHOT SPOTTER

On May 23rd 2014, Sgt. Pat Myslajek (MPD IAU) was contacted via email by Officer J. Tuma of the MPD Strategic Information Center. Officer Tuma documented that two shot spotter activations occurred for the event. 13.37 - Security & Trade Secret

13.37 - Security & Trade Secret

13.37 - Security & Trade Secret Audio recordings and maps of the shots fired events were obtained. 2 Shot Spotter CD's were created for the case.

SQUAD VIDEO

On 5/23/2014 at 09:56 hours, the MPD Crime Lab was contacted and a work order for squad video was completed. Squad P#76664, P#76629 and P#76681 were saved as certified copies of the video. The squad recordings were both audio and video recordings.

- Squad 421 (P#76681) was the squad video for Officer Boyd and Officer Mays. P#76681 did not capture the stop. A male and female were detained in the back seat.
- Squad 430-Able was Officer David Mattsson. Officer Mattsson was assigned to squad P#76664. The squad video captured a portion of the stop.
- Squad 425 was Officer John Haugland and Officer Troy Carlson. The officers were assigned to squad P#76629. The squad video captured the stop.

SQUAD VIDEO SCREEN-SHOT (Squad video, P#76664)

A "screen shot" was captured on squad video, P#76664. In that video, three officers and one suspect were captured in the still frame. The officers in the screenshot (left to right were Officers Kaminski, Officer Fitch and Officer Carlson.) The subject of the use for force was identified in the CAPRS report as OT-1 DERRICK WALKER.

The "screen shot" was used in the IAU interviews to assist in identification of officers present during the force event.



13.43 - Personnel Data

SCENE VISIT

I compared the squad video for this case to Google images; it appeared that the location of the felony stop was in front of 2417 Aldrich Av N, Minneapolis.

On 5/30/2014, I check the AVL data on the VISINET reported to confirm the GPS position of the felony stop.

On 5/30/2014, Sgt. Michael Heyer and I went to the area of 25th and Aldrich Av N, Minneapolis MN 55412. Sgt. Heyer and I went to the area to canvas for potential cameras in the area. I walked the area, sidewalk to sidewalk, from 2600 to 2400 Aldrich Av N. I looked for video cameras in the area with negative results. I observed the street/sidewalk location in front of 2417 Aldrich Av N, Minneapolis. The area appeared consistent with what was captured on the squad video.

On 5/30/2014, I contacted MPD Strategic Information Center (Officer J. Tuma) and made an inquiry to check their camera system for any video evidence in the area of the felony stop that was made for CAPRS case 14-170465. I was informed there was no area video, as there were no MPD "pole cameras" in the area of the stop.

In checking the CAPRS report, images were taken of the "crime scene" by officers at the scene. Images for PI # 2014-16563 were ordered from the MPD Crime Lab. A CD of the images was obtained for the case. Images were printed out and were labeled A-G. The images captured evidence located at the scene.

ATTEMPTS TO LOCATE WITNESSES

DERRICK WALKER was listed as OT-1 in the MPD CAPRS REPORT. Derrick Walker was alleged to be the *subject of the force used by Officer Troy Carlson*. Walker was not able to contact for the case. The case will proceed without the input of Derrick Walker. The attempts (below) were made to contact Derrick Walker with negative results.

1. Phone calls to Derrick Walker were made after viewing previous CAPRS, MPD **MSS2**, Hennepin County Jail, and Bloomington Police Department records. The following telephone numbers were called; 612-302-8597, 612-285-2313, 612-618-5563, 612-588-7350, 612-604-6200 and 320-262-1740. Attempts to contact Walker by telephone were not successful.
2. A certified letter was sent via U.S. mail on 5/30/2014 to 1055 Devonshire Curve, Bloomington, MN 55441. This address was Derrick Walker's last known address. To date, Derrick Walker has not been contacted. The mailing was

returned unopened to MPD IAU on 6/25/2014. The mailing was stamped by the US Postal Service, "unclaimed, unable to forward."

3. On June 11th 2014, I went to 1055 Devonshire Curve, Bloomington, MN in an attempt to locate Derrick Walker. There was no response at the door. A letter was left at the home with instructions to contact me. The letter was taped to the fronted door of the home. The Bloomington MN address was the address listed on the most recent MPD CAPRS entry. I received no response to the letter.

- MPD CAPRS data showed [REDACTED] contacts with Derrick Walker. [REDACTED] MSS2 [REDACTED] MSS2.

- [REDACTED] MN Stat Sec 270B.171

Witness notification letters were mailed to the other 7 people listed in the MPD CAPRS report. Certified letters were mailed on 7/22/2014. None of the 7 people responded to my request to contact me. Copies of the certified letters and the receipt for the mailings were retained for the case file. The case will proceed without the input from the people listed in the MPD CAPRS report.

MDC MESSAGES

I contacted Mr. Scott Petersen (MECC IT) to inquire about MDC messages sent between squad 405,424.425 and squad 430. Mr. Petersen was the MECC Information Technology contact for "car to car" messages. I was provided with the messages and print-outs. No information was recovered within squad to squad messages related to the use of force or the stop made by officers other than, "thanks for the help...u bet nice work" comments.

DAILY ASSIGNMENT REPORT

The Daily Assignment reports for 5/22/2014 were printed out for the 4th Precinct Middle and [REDACTED] 13.43. The [REDACTED] 13.43 scheduled hours for the shift were 16:00-0200. The [REDACTED] 13.43 scheduled hours were 20:15-06:15 hours.

FELONY STOP INFORMATION

I contacted the MPD Recruit Academy, Sergeant Steve Bantle. I made a request for the printed instruction that the MPD has on file for High Risk Traffic Stops. Sgt. Bantle provided me with a 4 page print out of the current MPD standard that has been taught in the MPD Training Academy for "High Risk Stops."

CRIMINAL COMPLAINT-QUENTIN LEE DAVIS DOB 10/11/1986

The criminal case was investigated by Sgt. Dave Voss (retired MPD Sergeant.) One adult male was charged by the Hennepin County Attorney's Office. Quentin Lee Davis DOB 10/11/1986 was charged with Assault-2nd Degree-Dangerous Weapon. Reference

Court File 27-CR-14-14627. The case was signed and filed electronically on 5/27/2014 at 10:17 hours.

SUMMARY OF ALLEGATIONS

Allegations

Investigative Facts

Allegation # 1: It is alleged that Officer Troy Carlson used unreasonable force during the detention of a suspect. The suspect (OT-1/Derrick Walker) was detained while investigating a shots-fired event. It is alleged that Officer Troy Carlson slapped the suspect (OT-1/Derrick Walker) while he was handcuffed. The force event was captured on squad video and witnessed by assisting officers. If this allegation is found to be true, it would violate the following:

5-303 AUTHORIZED USE OF FORCE (10/16/02) (08/17/07)

Minn. Stat. §609.06 subd. 1 states, "When authorized...except as otherwise provided in subdivision 2, reasonable force may be used upon or toward the person of another without the other's consent when the following circumstances exist or the actor reasonably believes them to exist:

When used by a public officer or one assisting a public officer under the public officer's direction:

- In effecting a lawful arrest; or
- In the execution of legal process; or
- In enforcing an order of the court; or
- In executing any other duty imposed upon the public officer by law."

In addition to Minn. Stat. §609.06 sub. 1, MPD policies shall utilize the United States Supreme Court decision in *Graham vs Connor* as a guideline for reasonable force.

The *Graham vs Connor* case references that:

"Because the test of reasonableness under the Fourth Amendment is not capable of precise definition or mechanical application, its proper application requires careful attention to the facts and circumstances of each particular case, including:

- The severity of the crime at issue,
- Whether the suspect poses an immediate threat to the safety of the officers or others, and;

- Whether he is actively resisting arrest or attempting to evade arrest by flight.

The "reasonableness" of a particular use of force must be judged from the perspective of the reasonable officer on the scene, rather than with the 20/20 vision of hindsight.

The calculus of reasonableness must embody allowance for the fact that police officers are often forced to make split-second judgments - in circumstances that are tense, uncertain, and rapidly evolving - about the amount of force that is necessary in a particular situation."

Authorized use of force requires careful attention to the facts and circumstances of each case. Sworn MPD employees shall write a detailed, comprehensive report for each instance in which force was used

Investigative Facts

- Officer Troy Carlson and Officer John Haugland were working on duty, in MPD uniform on 5/22/2013 from 20:15 to 06:15 hours. The officers were assigned to work squad 425.
- Officer Carlson was the driver officer and Officer Haugland was the passenger officer. Both officers were on patrol. Both reported hearing the sound of gunfire in the area of 25th and Aldrich Av N, Minneapolis (5/23/2014, 01:44 hours.)
- Officer Haugland exited the squad and Officer Carlson remained "mobile" in the squad. Both officers began to canvass.
- Officer Haugland located a male suspect running toward a parked vehicle. Officer Haugland and Officer Carlson converged on a stop of the suspect and a high risk vehicle stop.
- The stop was captured on squad 425'S video, P#76629.
- An "Officer Needs Help" call was aired and additional squads responded to assist, including Officer David Mattsson, in marked squad 430-Able. Officer Mattsson arrived and the detention of OT-1 Derrick Walker was captured on the squad video (P#76664.)
- Officer John Haugland and Troy Carlson gave verbal commands to the four people during the initial stage of the stop (details covered in the next section under Code of Conduct.)
- Officer Haugland began a search of OT-1 Derrick Walker. Officer Haugland turned over the suspect to Officer Carlson and Officer Haugland walked off with another officer.
- Officer Carlson used his hand and he struck OT-1 Derrick Walker in the head area once. OT-1 Derrick Walker was struck while in handcuffs. The use of

force was captured on video (5/23/2014, 1:48:58.) OT-1 Derrick Walker momentarily went to the ground as a result of being struck.

- Officer Mathew Kaminski and Officer Fitch were present when Officer Carlson used force.
- Officer Carlson informed Sgt. Montgomery of his use of force at the 4th Precinct station after the call, later in the shift.
- In the use of force report, Officer Carlson reported that bodily force was used; he reported a slap was used and the force was directed to the head/neck. In the force report, Officer Carlson reported there was no injury.
- Officer Carlson admitted during the IAU interview that he struck OT-1 Derrick Walker once in the head, while handcuffed and the suspect went to his knees.
- Officer Kaminski reported (IAU interview,) asking Officer Carlson about a gun while he was searching OT-Derrick Walker. Officer Kaminski reported the suspect, "*spun around*" and Officer Carlson pushed the suspect to the ground. Officer Kaminski characterized the use of force as a, "*smack to the back of the head to draw his attention back to what was going on.*"
- Officer Fitch reported (IAU interview,) that he did not believe that Officer Carlson used force. Officer Fitch stated, "*It appeared to be that Officer Carlson was attempting to possibly push the subject in the backseat of the squad car. I don't, I could not tell if the party was resisting going into the squad car or not.*"
- After the scene was code 4, a handgun was located at the scene, spent shell casings were recovered, and victims of an assault two were located and identified.
- The criminal case was assigned to MPD Sergeant David Voss (retired) one adult male suspect was charged with 2nd Degree Assault and Unlawful Handgun Possession., reference Hennepin County Court File 27-CR-14-14627.

Allegation #2: It is alleged that Officer John Haugland and Officer Troy Carlson used profane and harsh language in the performance of their official duties. It was alleged that the language was used during the "felony stop" of suspects. The language was captured on squad audio/video after the suspects were stopped related to a shots-fired event. If the allegation is found to be true it would violate the following:

5-105 PROFESSIONAL CODE OF CONDUCT

(A-D)

1. All officers are required to take appropriate police action toward aiding a fellow officer exposed to danger or in a situation where danger may be impending.
2. On-duty officers shall, at all times, take appropriate action within their jurisdiction, to protect life and property, preserve the peace, prevent crime, detect and arrest violators of the law, and enforce all federal, state and local laws and ordinances.

(02/28/93)

3. Officers shall use reasonable judgment in carrying out their duties and responsibilities. They need to weigh the consequences of their actions. (04/01/05)

(05/03/05)

4. Employees shall not interfere with any criminal investigation being conducted by this department or any other law enforcement agency. Employees shall not knowingly communicate in any manner, either directly or indirectly, any information that may assist persons suspected or accused of criminal acts to escape arrest or punishment or which may enable them to dispose of evidence.

Employees shall not recommend a dismissal, reduction of charges, or other disposition of a pending criminal case which has been previously filed in any criminal court or before a grand jury except by written approval of their division commander. A copy of the approval will be kept in the case file.

Employees shall not interfere with the attendance of witnesses or their testimony through coercion, bribery or other means.

5. Employees shall not attempt to have any traffic citation reduced, voided, or stricken from the calendar for personal or monetary consideration. (See Dismissal of Traffic/Parking Charges and Citations)

6. Employees shall immediately report any violation of rules, regulations, or laws that come to their attention to the Internal Affairs Unit, regardless of the violator's assignment or rank within the Department.

7. Any employee charged, arrested, or cited for Driving Under the Influence (DUI) or a non-traffic violation, or notified they are being investigated for a criminal offense, shall immediately notify their chain of command and Internal Affairs or an on-duty supervisor, who will notify the Internal Affairs Unit. Notification shall consist of personal telephone communication (no voicemail messages) or written contact. Required information is the formal charge or allegation, date, time, and jurisdiction of alleged occurrence, and any special or relevant factors. (4/1/05)

Employees will also notify the Internal Affairs Unit of the disposition at the time the charge or case is disposed. (10/28/94) (03/12/99)

When an employee is notified that an Order for Protection (OFP), Restraining Order (RA), or a Harassment Order (HA) has been filed against him or her, the employee shall immediately notify Internal Affairs and provide a copy of the OFP, RA, or HA, and the date scheduled for hearing the allegations made in support of the request for the order. The information is required for department compliance with Federal Law 18 U.S.C. Sec. 922 (g)(8). (01/05/2000)

8. Sworn employees shall maintain a valid driver's license that is accepted by the State of Minnesota at all times as a condition of employment. Sworn employees shall immediately report loss or limitation of driving privileges to their supervisor and to the Internal Affairs Unit. (04/23/10)

9. Employees shall give their name and/or badge number to any person upon request.