

## INVESTIGATIVE REPORT

**Complaint Number: 18-14531**

**Investigator:** Liisa M Hill

**Officer (s):** Andrew Stender

**Case Type:** Administrative

**Date of Incident:** July 22, 2018

**Complaint Filed:** August 23, 2018

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### CASE OVERVIEW

It is alleged Sergeant Andrew Stender violated Minneapolis Police Department Policy and Procedure regarding accepting Gifts, Money and/or Property, while working extra hours (Buyback) in his capacity as an MPD Officer during the Taylor Swift concert at US Bank stadium.

### ALLEGATIONS

***Allegation 1:*** Sergeant Andrew Stender violated Minneapolis Police Department Policy and Procedure when he accepted Taylor Swift tickets while working as a City of Minneapolis employee and MPD Officer contracted to provide security at US Bank Stadium. MPD P&P §5-105(F)(6)(c)- PROFESSIONAL CODE OF CONDUCT: GIFTS, MONEY AND PROPERTY.

### CASE INVESTIGATION

#### I. Statement of Sergeant Andrew Stender

On January 9, 2019, Sergeant Stender was interviewed by Investigator Liisa M. Hill. Sergeant Stender stated his understanding of the Buy-Back program is that US Bank Stadium contracts with the City of Minneapolis for extra police services, K9 units, SWAT units, Homeland Security, and traffic detail. US Bank requests a certain, number of officers to work specific details and assignments that are requested by US Bank Stadium. The K9 unit, which performs bomb sweeps was done in connection with the Buy Back program. Usually Six (6) MPD K9 units would work US Bank Stadium on Buy-Back which means they're City of Minneapolis employees, working on behalf of US Bank Stadium. US Bank Stadium then reimburses The City for those work hours. The Buy Back are hours in addition to the officers normal MPD

on -duty hours. Those Buy-Back duties at US Bank Stadium were facilitated and overseen by Billy Langenstein, who is no longer employed by US Bank Stadium, or it's security company SMG.

On August 31 and September 1, 2018, Sergeant Stender stated he was working Buy Back at the Taylor Swift concert at US Bank Stadium. His primary duty was to perform K9 bomb sweeps and searches with the other K9 Officers. After completing their bomb sweeps which took a couple of hours, Sergeant Stender was asked by Billy Langenstein if he could assist with the escort of Taylor Swift to and from the venue. It is MPD Policy that the Department does not perform emergency escort duty. However, because of the number of threats and the numerous stalkers which follow Taylor Swift, Sergeant Stender agreed to perform this extra duty. Sergeant Stender stated he talked to the on-scene Commander Charlie Adams, who approved the escort duty due to the extenuating circumstances.

Sergeant Stender was asked if he was given any extra payment for performing this extra escort duty. Sergeant Stender replied he did not receive any extra pay. 13.43

Sergeant Stender stated one of the security people handed him Taylor Swift tickets and told Sergeant Stender if he had some friends that wanted to go, (to the concert) give them the tickets because their (security personnel) is always given a certain number of tickets. Sergeant Stender added he could not remember the name of the security person who gave him the tickets.

Sergeant Stender stated he took the tickets and gave them to another officer and his family. Sergeant Stender stated he was given four tickets August 31<sup>st</sup> and four tickets for September 1<sup>st</sup>, all of which he gave away. Sergeant Stender wanted to make it clear that he did not ask for the tickets, they were handed to him and he accepted them.

## II. Statement of Lieutenant Jonathon Kingsbury

On February 22, 2019, Lieutenant Jonathon Kingsbury was interviewed by Investigator Liisa M. Hill. Lieutenant Kingsbury stated he was Sergeant Sender's supervisor in the K9 Unit and SWAT for three months prior to the Taylor Swift concert. He was also Sergeant Sender's supervisor for five and a half years in Bomb Sweep Operations.

Lieutenant Kingsbury stated when officers are working Buy Back at US Bank Stadium, the officers work hours are coordinated by US Bank security personnel. The shifts and personnel are assigned for the day, and approved by him. The list is also given to dispatch. After their shift, the officer input their work hours into Work Force Director which Lieutenant Kingsbury then approves.

Lieutenant Kingsbury was asked if MPD Policy and Procedures allow MPD Officers to conduct Escort Duty. Lieutenant Kingsbury stated MPD Officers are precluded from conducting Emergency Escort Duty per Policy. Lieutenant Kingsbury stated he was made aware that Sergeant Stender escorted Taylor Swift to and from the venue, when Sergeant Stender submitted his time. Lieutenant Kingsbury stated he did question Sergeant Stender's escort duty, until the circumstances were known. Lieutenant Kingsbury stated that Sergeant Stender did not perform Emergency Escort, but a simple escort which was requested by US Bank security personnel.

Lieutenant Kingsbury stated he was made aware that Sergeant Stender was given Taylor Swift tickets after the concert event. 13.43

### III. US Bank (SMG Security)

Investigator Hill left a message for the Assistant Director of SMG, John Drum (US Bank's contracted Security Company). Investigator Hill was thereafter contacted by SMG's Human Resource Department. Investigator Hill notified HR of the information which would be pertinent to her investigation. Investigator Hill, to date, has not received a response from any SMG representative. Billy Langenstein, US Bank/SMG Security Liaison with MPD, no longer works with SMG, and no longer resides in Minnesota.

## **DISCUSSION**

The Minneapolis Police Department's Policy and Procedure Manual states in part:

### **MPD P&P §5-105(F)(6)(c)- PROFESSIONAL CODE OF CONDUCT: GIFTS, MONEY AND PROPERTY**

#### **F. Gifts, Money and Property**

1. Any money other than that received from unclaimed properties paid or sent to any employee as a result of on-duty police action shall be promptly forwarded to MPD Finance. (03/21/97)
2. All property received as a result of on-duty police action shall be forwarded to the Property and Evidence Unit. The Property and Evidence Unit shall dispose of unclaimed property according to their
6. Soliciting or accepting personal gifts: (05/23/07)
  - a. Employees shall not solicit or accept any gift from an interested person, lobbyist or principal who has a direct financial interest in a decision that that the employee is authorized to make.
  - b. Exceptions. The prohibitions in this section do not apply if the gift is:
    - i. A campaign contribution as defined in Minnesota Statutes, Section 10A.01, subd 11;
    - ii. A service to assist an official in the performance of official duties, including, but not limited to providing advice, consultation, information and communication in connection with legislation, or services to constituents;
    - iii. A service of insignificant monetary value;
    - iv. A plaque or similar memento recognizing individual services in a field of specialty or to a charitable cause;
    - v. A trinket or memento of insignificant value;
    - vi. Informational material of unexceptional value;
    - vii. Food or a beverage given at a reception, meal or meeting away from the recipient's place of work by an organization before who the recipient appears to make a speech or answer questions as part of the program;
    - viii. Given because of the recipient's membership in a group, and an equivalent gift is given to the other members of the group; or
    - ix. Given by an interested person, lobbyist, or principal who is a related person to the recipient, unless the gift is given on behalf of someone who is not a related person.
  - c. An employee who receives any gift prohibited by this section shall return, dispose of, or request that the city council accept the gift on behalf of the city.

Sergeant Stender stated he was offered and accepted 8 tickets to the Taylor Swift concert. He could not remember the name or who the security person was who gave him the tickets. Sergeant Sender stated he did not ask for nor did he solicit anyone for the tickets. The security person who gave the tickets to Sergeant Sender told him to find someone to give them too, or they would go to waste.

During Sergeant Sender's interview, his Federation Representative Lieutenant Bob Kroll stated "MPD has on going relationships with US Bank, Target Field and Target Center. When they do not sell out their specific venues, they give the extra tickets to the Fire and Police Unions." Many of the excess tickets, sometimes hundreds of tickets, and the rationale is 1) they appreciate public safety. There's no on-duty, you know, remuneration for this... there's no gifts or anything. Ah, there's no preferential services being exchanged for it but they do give them to the Police and Fire Unions. The thought process being the most expensive seat in the stadium they want occupied. And when they give 'em to cops and fireman, they know that they're gonna come and eat and drink. So, it's a way of pushing, you know, if, if you get 'em in there buying beer and burgers, um, it's... It's a business decision and we've got a longstanding relationship where we don't ask for it but they will call our office... and say we've got tickets for any one of those stadiums like that."<sup>1</sup>

### CLOSING

**1. Did Sergeant Stender violate Minneapolis Police Department Policy and Procedures when he was offered and accepted tickets to the Taylor Swift concert, while working for the City of Minneapolis, MPD?**

Sergeant Stender admitted that he was offered and accepted 8 tickets to the Taylor Swift concert while performing escort duty at the request of US Bank security personnel. Sergeant Sender stated he did not ask for the tickets, but was handed the tickets and told to give them to friends, which he did. (see Sergeant Sender statement, page 12, paragraph 10-15)

I confirm that the information I provided in this case is true to the best of my knowledge.



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Investigator: Liisa M Hill

March 08, 2019

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Date:

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<sup>1</sup> Statement of Lt. Bob Kroll contained in Sgt. Senders Statement page 11, para 25-50

## NOTICE OF DISCIPLINE

July 1, 2020

Officer Andrew Stender  
Pct. 3 Middlewatch  
Minneapolis Police Department

RE: OPCR Case Number 18-14531  
**Notice of Written Reprimand**

Officer Stender,

The finding for OPCR Case #18-14531 is as follows:

<u>Policy Number</u>	<u>Sub-Section</u>	<u>Policy Description</u>	<u>Category</u>	<u>Disposition</u>
5-105	(F)(6)(c)	Professional Code of Conduct – Gifts, Money & Property	B	Sustained

As discipline for this incident, you will receive this Letter of Reprimand.

This case will remain in the OPCR files per the record retention guidelines mandated by State Law.

Be advised that any additional violations of Department Rules and Regulations may result in disciplinary action up to and including discharge.

Sincerely,



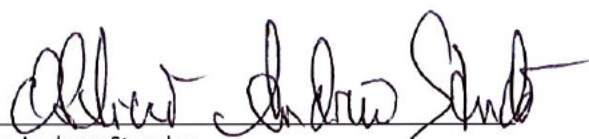
Medaria Arradondo  
Chief of Police

By: Michael Kjos, Assistant Chief of Police  
Henry Halvorson, Deputy Chief, Professional Standards Bureau

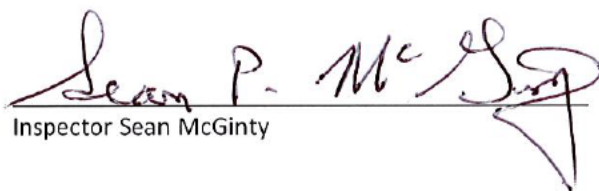
## NOTICE OF RECEIPT

Acknowledgement of receipt:

I, Andrew Stender, acknowledge that I have received my Notice of Discipline for OPCR Case #18-14531.

  
\_\_\_\_\_  
Officer Andrew Stender

7-8-2020  
Date of receipt

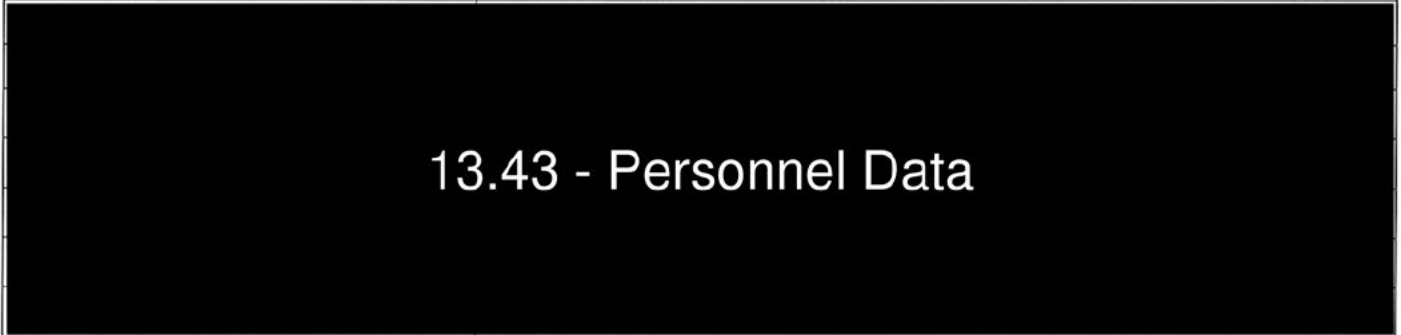
  
\_\_\_\_\_  
Inspector Sean McGinty

7-8-2020  
Date

CC: Personnel  
Inspector McGinty  
OPCR

**CITY OF MINNEAPOLIS  
OFFICE OF POLICE CONDUCT REVIEW**

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
18-14531	1		July 22, 2018	07:30 AM	No Preference
Location of Incident		City/State/Zip		Date of Complaint	
				August 23, 2018	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
Joint Supervisors					
Home Address		City/State/Zip		Primary Telephone	
JURISDICTION			CATEGORY		



**13.43 - Personnel Data**

6791 ; Stender, Andrew	“ “ “ MPD P&P § 3-801 (III)(D)(7) - RESTRICTIONS AND PROHIBITIONS
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<b>ALLEGATION SUMMARY</b>
Allegation that officers violated MPD policies regarding buy-back, 13.43

<b>SUPERVISOR ASSESSMENT</b>	
<b>INQUIRY (INTAKE - COMPLAINT FILED)</b> <input type="checkbox"/> <b>MEDIATION</b> <input type="checkbox"/> Refer to Mediation <b>COACHING</b> <input type="checkbox"/> Refer to Precinct <b>INVESTIGATIONS</b> <input type="checkbox"/> Preliminary Investigation <input type="checkbox"/> Civilian Investigator: _____ <input type="checkbox"/> Sworn Investigator: _____ <input checked="" type="checkbox"/> Admin Investigation: Investigator <u>Hill</u>	<b>3401</b> <input checked="" type="checkbox"/> Draft <input type="checkbox"/> Final approved <b>DISMISS</b> <input type="checkbox"/> Reckoning Period Expired <input type="checkbox"/> No Basis <input type="checkbox"/> Failure to State a Claim <input type="checkbox"/> Failure to Cooperate <input type="checkbox"/> Exceptionally Cleared <input type="checkbox"/> Lack of Jurisdiction <input type="checkbox"/> Withdrawn <input type="checkbox"/> Duplicate <input type="checkbox"/> Refer to Dispatch <input type="checkbox"/> Refer to EIS <input type="checkbox"/> Refer to: _____
<b>FINAL APPROVED INVESTIGATIVE REPORT</b> <input type="checkbox"/> Refer to Panel	
IAU Supervisor <u>L.T. De Wolf</u>	Date <u>8/27/18</u>
Director - Office of Police Conduct Review <u>[Signature]</u>	Date <u>8/27/18</u>