

SUMMARY OF ALLEGED CONDUCT

It is alleged that on March 19th 2023, Sergeant Benjamin Bauer was off-duty driving his personal vehicle on EB I-94 near Monticello, MN. Sergeant Bauer was clocked on the radar by a Minnesota State Patrol Trooper travelling 93 miles per hour in a 75-mile-per-hour zone. The Trooper also observed Bauer cross the center line multiple times. After initiating a traffic stop, the Trooper detected an odor of alcoholic beverage coming from Sergeant Bauer’s vehicle. The Trooper conducted Standardized Field Sobriety Tests on Sergeant Bauer which indicated chemical impairment. The Trooper administered a Preliminary Breath Test which registered a blood alcohol content of .09. Sergeant Bauer was placed under arrest and transported to the Wright County Jail, where he was read the Implied Consent Advisory and agreed to submit to a breath test to determine his blood alcohol content. The result of that test showed Sergeant Bauer to have a blood alcohol content of .08. Sergeant Bauer’s driver’s license was suspended and he was issued a 7-day temporary license. Sergeant Bauer was booked into Wright County Jail for 4th-Degree DWI. An additional charge for Careless Driving was added. Sergeant Bauer pleaded guilty to careless driving, and the 4th Degree DWI was dismissed. Sergeant Bauer was sentenced to 90 days in the Wright County Jail which was stayed for one year, and one year supervised probation. Sergeant Bauer was also fined \$200, assessed additional fees and surcharges totaling \$85 and ordered to pay those fines and fees by June 14, 2023. On May 22, 2023 Sergeant Bauer remitted payment for the total amount. On March 19, 2023 Sergeant Bauer paid a \$680 reinstatement fee for his driver’s license, and on 03/27/2023, Sergeant Bauer’s driver’s license was reinstated.

**IN RE:
THE MATTER OF**

THE CITY OF MINNEAPOLIS
(Minneapolis Police Department)

and

Expedited Disposition

**POLICE OFFICERS' FEDERATION
OF MINNEAPOLIS**
(Benjamin Bauer, Badge No. 0340)

This Expedited Disposition ("Agreement") is made and entered into by and between the City of Minneapolis ("City"), the Police Officers' Federation of Minneapolis ("Federation"), and Sergeant Benjamin Bauer Badge No. 0340 ("Member").

RECITALS

- A. The City and the Federation are parties to a collective bargaining agreement ("Labor Agreement") that governs the relationship between them.
- B. The Member is employed by the City in its Police Department ("MPD").
- C. The Federation is the Member's sole and exclusive certified bargaining representative.
- D. On 03/19/2023, the Member engaged in conduct resulting in a violation of Policy MPD P&P 5-102 Code of Conduct. Sgt. Benjamin Bauer was stopped for speeding; ultimately, he was placed under arrest for DUI, and Careless Driving was later added to his charges. The DUI charge was dismissed, and Sgt. Benjamin Bauer pled guilty to Careless Driving. Sergeant Benjamin Bauer complied with all the requirements of his guilty plea, paying all fines and fees, including the license reinstatement fee. Additionally, he completed DUI classes on his own.
- E. The discipline for the policy violation is a baseline of a 40-hour suspension, pursuant to the MPD Discipline Matrix in effect at the time of the policy violation.
- F. The Member wishes to admit to the violation and take responsibility.

G. By admitting to the violation and taking responsibility, the Member waives any statutory or contractual required investigation or process, including, but not limited to, compelled statement(s), a discipline panel, and a Loudermill hearing.

H. Sgt. Benjamin Bauer has been an exemplary employee since he joined MPD in 2008. Sgt. Benjamin Bauer has received several awards for excellent police work and is a respected leader. He has received the Chief's Award of Merit, a Lifesaving Award, and was named Officer of the Month twice as a Fourth precinct officer and twice as a Fifth precinct officer. Additionally, he has been awarded a Unit Citation award as a member of the Fourth Precinct CRT team and as a SWAT team member. Furthermore, he has no sustained discipline.

I. The Federation, through this agreement, waive any right to grieve or otherwise challenge the discipline imposed for violation of Paragraph D.


NOW THEREFORE, in recognition of the Member taking full responsibility for the Member's misconduct, the City, the Federation, and the Member agree as follows:

AGREEMENT

1. Based on the mitigating circumstances in paragraph H, the City shall impose the discipline of a sustained B violation and a 30-hour suspension (without pay).

ACCEPTED AND AGREED TO:

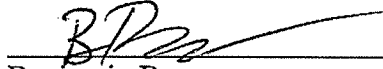
FOR THE FEDERATION:



Sherral Schmidt
President, Police Officer's Federation

Date: 3/28/24


FOR THE GRIEVANT:



Benjamin Bauer
Sergeant Minneapolis Police Department

Date: 03/27/2024

FOR THE CITY OF MINNEAPOLIS



Brian O'Hara
Chief of Police

Date: 03/27/2024