

Investigative Summary

Complaint Number: 19-11139
Investigator: Sergeant Aimee Linson
Officer: Officer Chou Moua, Badge #4891
Case Type: Administrative
Date of Incident: 07/14/2019
Complaint Filed: 07/30/2019

CASE OVERVIEW

The alleged policy violations were brought to the attention of the Minneapolis Police Internal Affairs Unit via a memo submitted to Lt. T. Wheeler by Lt. N. Torborg. Lt. Torborg is a supervisor assigned to 1st Precinct Mid-Power/Dogwatch.

Lt. Torborg noted that he had met with the Supervisor of the Special Care Unit at Hennepin Healthcare, who wished to discuss an incident that occurred outside of HCMC. The incident, which involved a Minneapolis Police Officer was witnessed by three of her staff.

ALLEGATIONS

13.43 - Personnel Data

Allegation 2: It is alleged that Officer Moua failed to report forced use and document said force. 5-306 *Use of Force-Reporting and Post Incident Requirements*

Allegation 3: It is alleged that Officer Moua violated 5-102.01 *Minnesota Law Enforcement Code of Ethics*.

CASE INVESTIGATION

On 07/17/2019, Ashley Dahlin of HCMC sent an email to Deputy Chief K. Waite in regards to an incident that had occurred outside of HCMC. Dahlin stated that her employees witnessed an Officer's behavior toward a nearly unconscious patient.¹ DC Waite forwarded the information to both Lieutenant B. Peterson and Lieutenant N. Torborg.

Dahlin emailed both Lieutenant Peterson and Torborg, advising them of the incident and the staff's concern. Dahlin stated there were multiple hospital staff that witnessed the incident, which was also caught on HCMC cameras.²

On 07/24/2019, Lieutenant Torborg sent an email to IA Lieutenant T. Wheeler summarizing the meeting with Dahlin. Lieutenant Torborg stated he viewed the video of the incident which shows Officer Moua "dragging a person out of the back of the squad head-first. Officer Moua then dragged the suspect the the sidewalk, where it appeared ther person's head struck the curb."³ Lieutenant Torborg noted that Officer Moua continued to drag the party a short distance further until he was assisted by HCMC staff.

Lieutenant Torborg stated he was unable to find a PIMS GO # that correlated to the incident.

I contacted Dahlin to request a copy of the video footage as well as the names of the employees who witnessed the incident. Dahlin interviewed her employees, obtaining statements from them which were needed for the HCMC report. Dahlin explained that three of the parties who witnessed the incident would be willing to speak with me. She provided their names, phone numbers, and a summary of their statements via email.⁴ Leja, Dickinson, and Hanlon's statements to Dahlin were consistent with what they told me during our interview.

A search of PIMS showed that an incident report/statement had not been completed by Officer Moua.

Review of Visinet

On 07/14/2019, at 0141 hours, Officer T. Anderson who was working off-duty, requested a squad for a transport. Officer Moua was assigned to the transport. At 0147 he added remarks that he was transporting 1 male to the Hampton Inn. At 0152 he added additional remarks

¹ Email String/Dahlin, Waite, Peterson, and Torborg, Page 5

² Email String Dahlin, Waite, Peterson, and Torborg, Page 2

³ Memo Lt. Torborg to Lt. Wheeler

⁴ Email, Dahlin to Walker, Page 1

stating that he was diverting to HCMC "male unable to care for self."⁵ Officer Moua cleared the call at 0224 hours.

Review of BWC Officer Moua

The party, Keith Jensen, needed assistance getting into the squad. Officer Moua asked Jensen for his name multiple times. Jensen did not answer him until he was asked several times.⁶

Officer Moua drove to the Hampton Inn, going inside to confirm if Jensen had a room there. The staff at the hotel stated they did not have a Keith Jensen registered at the hotel. Officer Moua went back to the squad to speak with Jensen. When Officer Moua was trying to get Jensen to answer him, Jensen's response was "shut the fuck up."⁷ Officer Moua transported Jensen to HCMC after Jensen became uncooperative.

Jensen can be heard speaking on BWC during the transport to HCMC. Most of what he is saying is inaudible from the footage. Jensen can be heard on the BWC footage saying, "break through this fucking window", "shut up", and "shut the fuck up."⁸ When they arrive at HCMC, Officer Moua tells Jensen that he needs him to cooperate.

Officer Moua opened the squad door, telling Jensen to put his hands behind his back. It appears that Officer Moua grabbed the area between the two handcuffs to pull Jensen out of the squad car.⁹ It is unclear on BWC which way Jensen was facing. Officer Moua pulled Jensen out of the squad car, with Jensen landing face down with his hands cuffed behind his back. Jensen's shorts were around his knees.¹⁰

Officer Moua asked Jensen if he was "ready to go", then drug him up to the sidewalk outside of HCMC.¹¹

Officer Moua was assisted by HCMC Security in getting Jensen onto a gurney.

Review of Mobile Video Recording (MVR), P#76754

The MVR on the squad was activated throughout the duration of the call.

⁵ Visinet Incident Report # 19-206157, Page 2

⁶ BWC Moua, 0030-0350

⁷ BWC Moua, 0843

⁸ BWC Moua, 2150-2212

⁹ BWC Moua, 2346

¹⁰ BWC Moua, 2348-2350

¹¹ BWC Moua, 2420-2423

Jensen can be seen in the rear of the squad. When Officer Moua attempts to get information from Jensen, Jensen responded with, "shut the fuck up...fuck you."¹² While enroute to HCMC, Jensen can be heard making the following comments: "You're fucking black. You're a fucking n [REDACTED] I'll fucking beat your ass. I'll fucking beat you priceless n [REDACTED]"¹³ Officer Moua remained quiet throughout most of the transport. Jensen continued to make comments about "black guys and n [REDACTED]"¹⁴ Jensen stated "I'll beat the fucking shit out of you. Open the fucking door."¹⁵

The MVR footage is too dark to definitively see what occurs when Officer Moua removed Jensen from the rear of the squad upon arriving at HCMC.

Review of HCMC Security Footage

R1 SC Ext Entrance (Footage #1)

Officer Moua can be seen (what appeared to be) dragging, Jensen facedown by what appeared to be his cuffs.¹⁶

P1 7th St EXT cam 31b

Officer Moua can be seen pulling Jensen out of the squad car, holding onto the cuffs. Jensen lands facedown with his hands cuffed behind his back, with his head facing toward the rear of the squad. Officer Moua took a hold of Jensen's right arm, spun him around to the left, with Jensen's head toward the squad, and partially drug/carried Jensen to the front bumper of the squad. In the image on the footage, it appeared that Jensen's torso was slightly off the ground.¹⁷

Review of Statement by Sarah Dickinson

Sarah Dickinson came to the MPD Internal Affairs Office on 08/28/2019 to make a statement in regards to the incident.

Dickinson stated she is currently an x-ray tech at HCMC, working 1900-0730 hours Fridays, Saturdays, and Sundays. Dickinson stated she was sitting on the curb, directly behind the squad car.

¹² MVR P#76754, 0159

¹³ MVR P#76754, 0205

¹⁴ MVR P#76754, 0206-0207

¹⁵ MVR P#76754, 0209-2010

¹⁶ HCMC Footage, Camera View #1

¹⁷ HCMC Footage, Camera View #2

I asked Dickinson to explain to me what she observed. Dickinson observed Officer Moua get out of the squad and go to the rear door. Dickinson stated Officer Moua seemed upset. ¹⁸She assumed he was handcuffing the person in the back. She stated that "he dragged him out of the car, kind of by one arm and then somehow, he had him by the back of his shorts and then maybe under an arm but he was holding him parallel to the ground."¹⁹ Dickinson stated his (Jensen's) head was facing toward her at this point. Dickinson stated that Officer Moua lifted him (Jensen) up and then dropped him on his face on the ground.²⁰

Dickinson stated she started to walk over to where Officer Moua and Jensen were. Dickinson stated Officer Moua grabbed him (Jensen) by the arm and started dragging him up towards the front of the building.²¹ Dickinson stated Moua turned Jensen around so his head was toward the building.

Dickinson stated the "kid picked up his head and turned it to the right and she noticed that he was just bleeding everywhere and he hadn't been when he first got there."²²

Dickinson stated Jensen was laying on the cement, not saying much of anything. She stated Jensen wasn't really talking back, he wasn't fighting, just very reserved.²³

I asked Dickinson what about Officer Moua's mannerisms made her think he was upset. She stated because the squad car came in so fast. She believed there was a medical emergency. Dickinson felt Officer Moua was tense.²⁴

I asked Dickinson to clarify where she was in position to the squad. Dickson stated she was directly behind the bumper²⁵, approximately 10-15 feet away.²⁶

I asked Dickinson to explain how Officer Moua took Jensen out of the car. Dickinson stated she thought Officer Moua was holding the back of his shorts with one hand; she wasn't sure if he was holding Jensen by the handcuffs or the arm. Jensen was parallel to the ground.²⁷

¹⁸ Statement Dickinson, Page 2, Lines 16-17

¹⁹ Statement Dickinson, Page 2, Lines 24-26

²⁰ Statement Dickinson, Page 2, Lines 32-34

²¹ Statement Dickinson, Page 2, Lines 41-42

²² Statement Dickinson, Page 3, Lines 9-11

²³ Dickinson Statement, Page 3, Lines 19-20

²⁴ Dickinson Statement, Page 4, Lines 18, 21-23

²⁵ Dickinson Statement, Page 4, Line 42

²⁶ Dickinson Statement, Page 5, Line 5 & 8

²⁷ Dickinson Statement, Page 5, Lines 25-26, 30

When I asked Dickinson how high off the ground she thought Officer Moua was holding Jensen, she stated, "It was like he pulled him out and it was almost like he was throwing him down."²⁸

Review of Statement by Rebecca Leja

Rebecca Leja came to the MPD Internal Affairs Office on 08/20/2019 to make a statement in regards to the incident.

Rebecca is currently a registered nurse working in the emergency room at HCMC. Rebecca confirmed that she was working the night of the incident.

Rebecca stated she was by the ambulance bay, outside of special care. Rebecca stated that she saw Jensen go to the ground, but she did not see how it happened.²⁹

Rebecca stated she saw Officer Moua grab his (Jensen's) arm, swing his body around, and his (Jensen's) head hit the vehicle.³⁰ Rebecca stated she could see and hear Jensen's head hit the car.³¹

Rebecca stated she went into special care to grab a cart, and observed that Jensen had blood running down his face when they got him onto the cart.

I asked Rebecca if she remembered Officer Moua saying anything to her. She said that she didn't remember him saying anything to her or the other employees. Rebecca stated remembered Officer Moua "dragging him down, from getting him out of the car and towards the special care door."³²

Review of Statement by Jerry Hanlon

After several attempts, I was unable to get in contact with Hanlon on 10/31/2019. Due to Hanlon's schedule, he was interviewed via phone.

Hanlon confirmed he was working the evening of July 14, 2019³³. Hanlon was the Charge Nurse for the Emergency Department, working 1900-0700 hours. Hanlon stated he was standing in

²⁸ Dickinson Statement, Page 6, Lines 2-3

²⁹ Leja Statement, Page 2, Lines 9-13

³⁰ Leja Statement, Page 2, L

³¹ Leja Statement, Page 3, Line 42-43

³² Leja Statement, Page 2, Lines 42-44

³³ Hanlon Statement, Page 1, Line 40

the ambulance bay with some other employees when Officer Moua pulled up in the squad³⁴. Hanlon stated he could see a party (Jensen) in the rear of the squad³⁵.

Hanlon observed Officer Moua turn Jensen, who was face down on the ground, around. When Officer Moua turned Jensen around, Jensen's head struck the squad car. When I asked Hanlon what caused him to believe Jensen's head had struck the squad. Hanlon stated he saw it and heard it.³⁶

Hanlon stated that Jensen did not have visible injuries when he arrived in the squad; Hanlon observed blood running down Jensen's face after he was pulled from the squad and drug toward the entrance of special care³⁷.

I asked Hanlon if Officer Moua said anything to him throughout the incident. Hanlon stated he didn't, even after Hanlon told Officer Moua to wait and they would help him.³⁸

Review of Statement by Keith Jensen

Keith Jensen came to the MPD Internal Affairs Office on 08/06/2019 to make a statement in regards to the incident. Jensen confirmed he was downtown on the evening of the 14th. Jensen stated he had gotten a room at the Marriot hotel, after having gone to a concert at 1st Avenue.³⁹

Jensen stated when he left Sneaky Pete's, he was pushed from behind. When he got up and looked behind him, he started "getting the crap kicked out of him (me)."⁴⁰ Jensen stated he did not see who assaulted him.

Jensen stated he got knocked out and did not remember anything from the time of the assault until he was at HCMC.⁴¹ When I attempted to clarify the sequence of events, Jensen stated he thought someone found him, or maybe the police found him. Jensen did not remember if he was in an ambulance. Jensen stated he did not wake up until he was at HCMC [REDACTED]

13.384 - Medical Data

³⁴ Hanlon Statement, Page 2, Lines 4-6

³⁵ Hanlon Statement, Page 2, Lines 13-14

³⁶ Hanlon Statement, Page 3, Lines 22-27

³⁷ Hanlon Statement, Page 3, Lines 37-38

³⁸ Hanlon Statement, Page 4, Lines 26-27

³⁹ Jensen Statement, Page 2, Line 15

⁴⁰ Jensen Statement, Page 2, Lines 29-31

⁴¹ Jensen Statement, Page 2, Lines 41-42

⁴² Jensen Statement, Page 3, Lines 11, 14, 34

13.43 - Personnel Data

Statement of Officer Moua

Officer Moua came to the Internal Affairs Office on 9/25/2019, to make a statement in regards to the incident. Officer Moua was interviewed after being advised under Garrity.

Officer Moua confirmed he was working Beat 8131 the night of July 14th and responded to the area of 5th Street/1 Avenue to transport a male.

Officer Moua stated the off-duty Officer had told him that the male, Jensen, needed to go to the Hampton Inn. I asked Officer Moua what Jensen's demeanor was when he arrived on the

⁴³ Visinet Incident Report #19-206157, Page 1

44
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48

13.43 - Personnel Data

transport. Officer Moua stated he (Jensen) was able to walk and was very calm.⁴⁹ I asked Officer Moua if he observed any visible injuries on Jensen. He stated, "no."⁵⁰

Officer Moua stated when he got to the Hampton Inn, he spoke with staff who advised him that Jensen did not have a room there. Officer Moua stated Jensen couldn't tell him where he was, so he decided to transport Jensen to the hospital.

I asked Officer Moua what Jensen's demeanor was during the transport. Officer Moua stated that Jensen became verbally aggressive, saying that he (Jensen) was going to beat Officer Moua's ass, and using racial slurs.⁵¹ I asked Officer Moua to tell me about Jensen's physical demeanor during the transport. Officer Moua stated that Jensen was moving around (in the back of the squad). Officer Moua said the verbal aggression continued the entire way to HCMC.

Officer Moua stated when he got to HCMC, due to Jensen threatening to fight him, Officer Moua handcuffed Jensen.⁵² I asked Officer Moua to walk me through the exact steps he went through upon arriving at HCMC. Officer Moua stated he went to the rear driver's side door, to handcuff Jensen while he was still in the squad. Officer Moua stated when he opened the door, Jensen was facing toward him.⁵³ Officer Moua stated he had Jensen face away from him, toward the passenger door⁵⁴ then handcuffed him.

Officer Moua stated Jensen started moving around again, getting his arm away from Officer Moua, so he pulled Jensen out of the squad and assisted Jensen to the ground.⁵⁵ I asked Officer Moua to explain to me how he was holding Jensen when he pulled him out of the squad. Officer Moua stated he was trying to grab his (Jensen's) arm and his pants to pull him out of the squad.⁵⁶ Officer Moua stated when he got Jensen out of the squad, he felt Jensen go down to his knees.⁵⁷

Officer Moua stated he "believed he was holding him (Jensen) up and he released his (Jensen's) legs because because it looked like he (Jensen) had gone to a kneeling position."⁵⁸ I asked

⁴⁹ Moua Statement, Page 2, Line 26

⁵⁰ Moua Statement, Page 2, Line 30

⁵¹ Moua Statement, Page 3, Line 13-14

⁵² Moua Statement, Page 3, Line 28-30

⁵³ Moua Statement, Page 3, Line 41

⁵⁴ Moua Statement, Page 4, Line 1

⁵⁵ Moua Statement, Page 4, Line 6-7

⁵⁶ Moua Statement, Page 4, Line 21-22

⁵⁷ Moua Statement, Page 4, Line 26-27

⁵⁸ Moua Statement, Page 5, Lines 39-40

Officer Moua if he believed Jensen was stable when he let go of his (Jensen's) hands. Officer Moua stated he did.⁵⁹

Officer Moua stated he tried to get Jensen to stand up. When Jensen wasn't able to stand up, he "had to pull him by the arm and try to walk him into Special Care."⁶⁰ I asked Officer Moua what made him think that Jensen could not get up. Officer Moua stated he was trying to pull Jensen up, but he refused to get up. Officer Moua stated he tried pulling him inside and it wasn't working, so he left Jensen where he was until staff showed up to help him.⁶¹

I asked Officer Moua if it was possible that Jensen hit his (Jensen's) head on the squad car when he spun him around. Officer Moua stated, "no."⁶² I asked Officer Moua if he knew where Jensen's injury came from or if he noticed the injury. Officer Moua stated he didn't notice the injuries until staff had showed up to help him.⁶³

I asked Officer Moua if he attempted to notify a supervisor after he observed Jensen had an injury. Officer Moua stated he did not. I asked officer Moua what the policy was if a party in your (his) custody winds up with an injury. Officer Moua stated he should contact a supervisor.⁶⁴

When I asked if he completed any type of report on the injury, Officer Moua stated no. I asked Officer Moua what his understanding of the policy was in regards to reporting to a supervisor/completing a report. Officer Moua stated that, "My understanding at that point was that if I had used force, I should have contacted a supervisor to report the force I had used."⁶⁵ Officer Moua stated he did not believe that he had used any force⁶⁶ so it wasn't necessary based on policy.

I asked Officer Moua if there was anything he would have done differently. Officer Moua stated he would have contacted a supervisor and have written a report.⁶⁷

⁵⁹ Moua Statement, Page 6, Line 6

⁶⁰ Officer Moua Statement, Page 4, Line 41-42

⁶¹ Officer Moua Statement, Page 5, Lines 3-7

⁶² Officer Moua Statement, Page 5, Lines 10-12

⁶³ Officer Moua Statement, Page 5, Line 20

⁶⁴ Officer Moua Statement, Page 6, Lines 28-30

⁶⁵ Officer Moua Statement, Page 6, Lines 32-42

⁶⁶ Officer Moua Statement, Page 7, Line 1

⁶⁷ Officer Moua Statement, Page 7, Lines 11 & 14

DISCUSSION

13.43 - Personnel Data

13.43 - Personnel Data

⁶⁸ MVR P#76754, 0200

⁶⁹ MVR P#76754, 0205

5-306 USE OF FORCE – REPORTING AND POST INCIDENT REQUIREMENTS (08/17/07)

Any sworn MPD employee who uses force shall comply with the following requirements:

Medical Assistance: As soon as reasonably practical, determine if anyone was injured and render medical aid consistent with training and request Emergency Medical Service (EMS) if necessary.

Supervisor Notification and CAPRS Reporting Requirements

CAPRS Report Required - Supervisor Notification Required

All other force, injuries or alleged injury incidents require both a CAPRS report and supervisor notification. The sworn employee shall remain on scene and immediately notify a supervisor by phone or radio of the force that was used.

Supervisors shall not conduct a force review on their own use of force. Any other supervisor of any rank shall conduct the force review. (04/16/12)

A CAPRS report entitled "FORCE" shall be completed as soon as practical, but no later than the end of that shift. A supplement describing the use of force incident in detail shall be completed and entered directly into the CAPRS reporting system (no handwritten force reports). Employees shall ensure that all applicable force portions of the CAPRS report are completed in full.

The allegation is that Officer Moua violated the Use of Force-Reporting and Post Incident requirements.

MPD Policy reads that "all other force, injuries or alleged injury incidents require both a CAPRS (PIMS) report and supervisor notification."

Body camera footage showed no visible injuries to Jensen prior to arriving at HCMC Special Care. MVR footage showed no visible injuries to Jensen prior to being pulled out of the squad car at HCMC Special Care. Both BWC and HCMC footage showed Jensen as having a visible injury to his forehead after he was drug on the ground from the rear fender of the squad to the front quarter panel of the squad.

Officer Moua noticed the injury to Jensen when Jensen was placed on the gurney outside Special Care. Officer Moua stated he did not believe that he used force, therefore, he did not believe that he needed to notify a supervisor or complete a use of force report.

5-102.01 MINNESOTA LAW ENFORCEMENT CODE OF ETHICS (08/01/91)

MINNESOTA LAW ENFORCEMENT CODE OF ETHICS:

"As a Minnesota Law Enforcement Officer, my fundamental duty is to serve mankind; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation, and the peaceful against violence or disorder; and to respect the Constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all; maintain courageous calm in the face of danger, scorn, or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed in both by personal and official life, I will be exemplary in obeying the laws of the land and the regulations of my department.

Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear of favor, malice or ill will, never employing unnecessary force or violence and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of the police service. I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession...law enforcement."

The allegation is that Officer Moua violated the MN Law Enforcement Code of Ethics when removing Jensen from the squad and dragging him to the entrance of HCMC Special Care.

The MN Law Enforcement Code of Ethics states that Officers will "safeguard lives" and "never employ unnecessary force."

Jensen sustained an injury while in the care of Officer Moua. The injury is alleged to have occurred upon removal of Jensen from the backseat of the squad by Officer Moua or when Officer Moua was dragging Jensen on the ground from near the rear of the squad to the front of HCMC.

CLOSING

When making a determination on the allegations there are three key issues to consider:

13.43 - Personnel Data

2. Did Officer Moua violate the Use of Force-Reporting and Post Incident Requirements?
 - a. BWC and MVR footage showed Jensen did not have visible injuries prior to arriving at HCMC Special Care.
 - b. Jensen's injury is visible on both BWC footage and HCMC footage at the end of the interaction.
 - c. Officer Moua noticed the injury prior to Jensen being brought inside HCMC.
 - d. Officer Moua did not notify a supervisor of the injury.
 - e. Officer Moua did not complete a PIMS report.
 - f. Officer Moua did not believe he had used force.
 - g. When asked if he would do anything differently, Officer Moua stated he would notify a supervisor and complete a report.

3. Did Officer Moua violate the MN Law Enforcement Code of Ethics?
 - a. BWC and MVR footage showed Jensen did not have visible injuries prior to arriving at HCMC Special Care.
 - b. Officer Moua removed Jensen from the rear of the squad, with Jensen landing face down.
 - c. Jensen was handcuffed behind his back.

d. Officer Moua drug Jensen on the ground, by his arm from the rear of the squad to the door of HCMC.

e.

13.384 - Medical Data

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

Investigator: _____

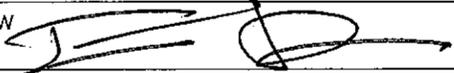
Date _____

13.384 - Medical Data

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

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
19-11139	1	19-206157	July 14, 2019		No Preference
Location of Incident		City/State/Zip		Date of Complaint	
10 5ST		Minneapolis 55401		July 30, 2019	
Complainant Name (Last, First, Middle Initial)			Sex	Race	DOB
Joint Supervisor					
Home Address		City/State/Zip		Primary Telephone	
JURISDICTION			CATEGORY		
OPCR Ord. § 172.20(1) OPCR Ord. § 172.20(8)			EXCESSIVE FORCE VIOLATION OF THE P&P MANUAL		
BADGE/NAME			ALLEGED POLICY VIOLATIONS		
4897 ; Moua, Chou			<p align="center">13.43 - Personnel Data</p> MPD P&P § 5-306 - USE OF FORCE - REPORTING AND POST INCIDENT REQUIREMENTS MPD P&P § 5-102.01 - MINNESOTA LAW ENFORCEMENT CODE OF ETHICS		
ALLEGATION SUMMARY					
<p>It is alleged that an officer took a person in his custody out of a squad by his handcuffs. While being taken out of the squad, it is alleged that the person in custody fell to the floor, leading to a head injury. Subsequently, it is also alleged that the officer dragged the in-custody person several feet before stopping to explain the reason for the treatment of the person in custody to a witness. Lastly, it is also alleged that the officer failed to document the injury of the individual in a PIMS report or request that a supervisor conduct a Use of Force Review.</p>					
SUPERVISOR ASSESSMENT					
INQUIRY (INTAKE - COMPLAINT FILED) <input type="checkbox"/>			3401 <input type="checkbox"/> Draft <input checked="" type="checkbox"/> Final approved		
MEDIATION <input type="checkbox"/> Refer to Mediation			DISMISS <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: _____		
COACHING <input type="checkbox"/> Refer to Precinct					
INVESTIGATIONS <input type="checkbox"/> Preliminary Investigation <input type="checkbox"/> Civilian Investigator: _____ <input type="checkbox"/> Sworn Investigator: _____ <input checked="" type="checkbox"/> Admin Investigation: Investigator Sgt. Linson _____					
FINAL APPROVED INVESTIGATIVE REPORT <input checked="" type="checkbox"/> Refer to Panel					
IAU Supervisor 				Date 12/3/19	

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

Director - Office of Police Conduct Review 	Date 12/3/19
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NOTICE OF DISCIPLINE

June 18, 2020

Officer Chou Moua
 Internal Affairs
 Minneapolis Police Department

RE: OPCR Case 19-11139
Notice of Suspension (160 hours suspension without pay)

Officer Moua,

The finding for OPCR Case #19-11139 is as follows:

Policy Number	Sub-Section	Policy Description	Category	Disposition
13.43 - Personnel Data				
5-306		Use of Force- Reporting and Post Incident Requirements	D	Merit
5-102.01		Minnesota Law Enforcement Code of Ethics	D	Merit

As discipline for this incident you are suspended for 160 hours without pay.

This case will remain in 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, Chou Moua, acknowledge that I have received my Notice of Discipline for OPCR Case #19-11139.



Officer Chou Moua

06.19.2020
Date of Receipt



Lieutenant Brian Sand

6-19-20
Date

CC: OPCR Case File
Cmdr. Wheeler
Payroll
Human Resources