



**To:** Officer Mark Johnson, Badge #3459

**Date:** March 18, 2024

**RE:** OPCR Administrative Investigation #22-09688

**CHIEF’S DECISION:**

- Discharge
- Suspension      Duration:
- Permanent Demotion
- Temporary Demotion      Duration:
- Letter of Reprimand
- Coaching
- No Merit

This memo summarizes my approach and reasoning for my decision as Chief of Police that Officer Mark Johnson's listed violations of the Code of Conduct and Compliance with Lawful Orders policies are sustained.

**Summary of the Basis for Decision:**

The facts noted in the case investigation support the conclusion that Officer Mark Johnson violated Minneapolis Police Department policies 1-403 Compliance with Lawful Orders and 5-105(B)(3) Code of Conduct when he refused to comply with the directive from his sergeant to assist the desk officer. Officer Johnson also used profane and disrespectful language in his refusal to comply with his sergeant’s direct order. Based on my review of the facts of this investigation, I concur with the recommendation from the Community Commission on Police Oversight (CCPO) that there is merit to the violation allegation of the Code of Conduct policy. Upon review of the evidence in this case, as Chief of Police, I also find merit in the violation allegation of the Compliance with Lawful Orders policy.

**Allegation:**

- **Allegation #1: MPD P&P 1-403 Compliance with Lawful Orders**
  - An employee must always obey lawful orders given by the supervisor or their designees, but all employees will be held accountable for their use of delegated authority.
    - *It is alleged that Officer Mark Johnson refused to comply with a lawful order given to him by his sergeant.*
- **Allegation #2: MPD P&P 5-105 (B)(3) Code of Conduct**
  - Employees shall treat all fellow employees with respect. They shall be courteous and civil at all times with one another. When on duty in the presence of other employees or the public, officers should be referred to by rank.

- *It is alleged that Officer Mark Johnson used profane and disrespectful language in his refusal to comply with his sergeant's direct order.*

### **Relevant Facts Supporting the Decision:**

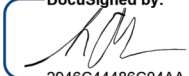
- On May 10, 2022, Officer **13.43** was on duty, assigned to the desk at the 5<sup>th</sup> Precinct.
- At approximately 0650 hours, a citizen came to the 5<sup>th</sup> Precinct regarding a domestic abuse incident that had just occurred at their home.
- The conversation between the citizen and Officer **13.43** soon became a loud argument.
- Sgt. Ali was at the precinct and heard the argument. Sgt. Ali asked Officer **13.43** to step away from the desk and instructed Officer Mark Johnson, who was nearby, to go to the lobby to speak with the citizen to see what was going on.
- Officer Mark Johnson refused to follow Sergeant Ali's order and told Sergeant Ali, "Oh fuck that. I don't wanna go deal with **13.43** shit."
- Sgt. Ali reiterated to Officer Johnson that this was not up for discussion and told him to talk with the citizen. Johnson again refused, saying, "Nope. No, boss, I'm not fucking doing it." Officer Johnson then left the station without talking to the citizen as he was told.
- During the investigative interview, Officer Johnson stated he had been experiencing frustration due to staffing issues and because it was nearing the anniversary of the destruction of the 3<sup>rd</sup> Precinct building. He stated he gets angry and can't work around that time.
- Officer Johnson later apologized to Sgt. Ali and Lt. Markstrom. Officer Johnson stated he didn't mean to direct his frustrations toward Sgt. Ali. During his interview, Sgt. Ali stated that he didn't think Officer Johnson's behavior was a personal attack on him as an individual.
- Officer Johnson stated that he believed Sgt. Ali's request to talk to the citizen was phrased as a question: "Can you go deal with that?" Because of how the order was phrased, Officer Johnson believed he had the right to refuse the request.

As Chief of Police with authority to discipline for policy violations under Minn. Stat 626.89 Subd. 17, I am imposing discipline for the policy violation listed below.

Allegation	Policy Number	Policy Description	Category	Disposition
1	1-403	Compliance with Lawful Orders	B	Sustained
2	5-105(B)(3)	Code of Conduct	B	Sustained

Based on the evidence presented to me regarding this investigation, as the Chief of Police, I find the violation allegations of Compliance with Lawful Orders and Code of Conduct are sustained. Officer Johnson's inappropriate conduct and failure to adhere to a supervisor's lawful orders are serious breaches of professional standards that undermine the department's integrity and effectiveness. Such actions can erode trust in our community, disrupt team dynamics, and compromise overall productivity. Organizations must consistently enforce policies to maintain a respectful and compliant work environment. For the violations of the Compliance with Lawful Orders and Code of Conduct policies, I am issuing a Letter of Reprimand to be placed in Officer Johnson's personnel file.

Sincerely,

DocuSigned by:  
  
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03/18/2024

Brian O'Hara  
Chief of Police

CC: Internal Affairs Division  
Inspector Christie Nelson