



Police Department – Brian O’Hara, Chief of Police

350 S. Fifth St. - Room 130

Minneapolis, MN 55415

TEL 612.673.3559

www.minneapolismn.gov

TO: Deitan Dubuc, Badge #1615
CC: Office of Police Conduct Review
DATE: May 12, 2023
RE: Administrative Investigation Case #20-14359

CHIEF’S DECISION: 8-hour Suspension Without Pay

This memo summarizes my approach and reasoning for my decision as Chief of Police that the listed policy violations by Sgt. Dubuc are sustained. The memo accompanies the enclosed Notice of Discipline and Suspension Form.

Summary of the Basis for Decision:

The facts noted in the case investigation support the conclusion that Sgt. Dubuc violated Minneapolis Police Department Policies 7-401 Normal and Emergency Vehicle Operation and 4-223(IV)(A)(7)(a) Body Worn Cameras. I concur with the recommendation from the Police Conduct Review Panel that there is Merit to the allegations.

Allegations:

Allegation #1: MPD P/P 7-401 Normal and Emergency Vehicle Operation

- On July 21, 2020 Sgt. Dubuc was assigned to the Community Engagement Team. He was driving his assigned vehicle, an unmarked Ford Fusion.
- Sgt. Dubuc reports that he was drinking a sparkling water, which he tried to put into the vehicle cup holder. The container fell into his lap as he was driving. He stated that he was driving 20-25 MPH, that the traffic in front of him was proceeding so he looked down to pick up the water and rear-ended the vehicle in front of him.
 - Sgt. Dubuc struck a vehicle, forcing that vehicle into the one in front of it.
 - The driver of Vehicle #2 was interviewed and stated that she was stopped at a red light. The light had just turned green and she was just starting to accelerate when she was struck from behind by the vehicle struck by Sgt. Dubuc.
 - The driver of Vehicle #1 and a passenger from that vehicle were transported to the hospital for injuries. The occupants from Vehicle #2 are claiming that they were not “injured,” but both experienced pain that required acupuncture for one occupant and a chiropractic visit for the other.
 - The accident involved enough force that the airbags in Sgt. Dubuc’s vehicle deployed, and there was significant damage to both the front end of the unmarked MPD vehicle as well as the rear of Vehicle #2. Sgt. Dubuc also reported having burned himself on the airbags, and he was bleeding.
- On 8/21/2020, the MPD Accident Review Committee reviewed this incident and determined that the collision was “Preventable,” and the report was forwarded to Internal Affairs for review.
- The Police Conduct Review Committee (PCRP) reviewed this case and provided a unanimous recommendation of “**Merit**” to this allegation.
- I concur with the recommendation of the PCRP and there is a preponderance of the evidence to support the allegation that Sgt. Dubuc caused a preventable collision. This allegation is **Sustained**.

Allegation #2: MPD P/P 4-223(IV)(A)(7)(a) Body Worn Cameras

- Sgt. Dubuc twice deactivated his BWC at the scene without narrating the basis for the deactivation prior to doing so.
- MPD P/P 4-223 states that the BWC may be deactivated if an event has otherwise concluded but the officer remains at the scene to prepare reports or for another similar reason not involving a situation requiring activation.
- Sgt. Dubuc deactivated his BWC before the event concluded, and his remaining on the scene was not simply for the preparation of reports or similar activities.
- The Police Conduct Review Panel (PCRP) provided a unanimous recommendation of **Merit** to this allegation.
- I concur with the PCRP that there is a preponderance of the evidence to support the allegation that Sgt. Dubuc on two occasions deactivated his BWC prior to the end of the call, when the event had not fully concluded, thus requiring re-activation. This allegation is **Sustained**.

As Chief of Police, I am responsible for providing clear expectations about behavior and conduct in all situations, not just when it is convenient. These expectations extend from myself to the command staff and all levels of the Minneapolis Police Department. My predecessors have also borne responsibility for setting expectations, and it is incumbent on every Chief to hold officers accountable for breeches of those expectations. Legitimacy and reputation are of critical importance to police officers. Officers carry a badge and gun and are called upon to make some of the hardest decisions possible. It takes countless actions to build a reservoir of trust, and only one action to completely drain. We cannot afford to lose legitimacy with the people we serve.

I hold officers of the Minneapolis Police Department to a high standard. I expect them to live up to our oath of office, our professional code of ethics and our departments core values of trust, accountability and professional service. Furthermore, I expect them to demonstrate procedural justice in their work. With this conduct, Sgt. Dubuc failed to meet our standards when he caused a preventable vehicle collision that resulted in injury, and twice de-activated his BWC prior to the conclusion of the event. The violations in this matter undermine public trust.

As Chief of Police with authority to discipline for violations of policy under Minn. Stat 626.89 Subd. 17, I am issuing the following discipline:

Allegation #1: MPD P/P 7-401 Normal and Emergency Vehicle Operation. Sustained: 8-hour suspension without pay. This was the 2nd preventable collision for Sgt. Dubuc in under one year (see OPCR Matter #20-14361). The MPD Discipline Matrix on the date of this incident calls for a baseline discipline of a 10-hour suspension, when a preventable accident with negligent driving results in injury less than substantial bodily harm. In this situation, not only did Sgt. Dubuc's actions lead to injury, but two of the occupants of the vehicle in front of him had to be transported to the hospital. Sgt. Dubuc also was injured in the accident, and there was significant damage to both Vehicle #2 and City-owned property. As a supervisor, Sgt. Dubuc is also held to a higher level of standard. Because this is the 2nd preventable collision in under a year, I will be imposing the baseline discipline adjusted from a 10-hour to an 8-hour suspension due to Sgt. Dubuc being assigned to an 8-hour shift.

Allegation #2: MPD P/P 4-223(IV)(A)(7)(a) Body Worn Cameras, Sustained: Written Reprimand.

The discipline matrix on the date of this incident states, "Failure to document deactivations occurring prior to the conclusion of an event," allows for a Discipline Category of A-C. There is no baseline discipline established in the matrix. I am imposing a Written Reprimand because Sgt. Dubuc is a supervisor and I hold supervisors to a higher standard of accountability.

Brian O'Hara
Chief of Police

DocuSigned by:

2946C44486C04AA...

Enclosure: Discipline Form

CC: OPCR Case File

Inspector McGInty