



Police Department – Brian O’Hara, Chief of Police

350 S. Fifth St. - Room 130

Minneapolis, MN 55415

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[www.minneapolismn.gov](http://www.minneapolismn.gov)

**To:** Officer Ricky Plunkett, Badge #5754

**Date:** March 14<sup>th</sup>, 2024

**RE:** OPCR Administrative Investigation #21-03020

**CHIEF’S DECISION:**

- Discharge
- Suspension     Duration: 40 hours (without pay)
- Permanent Demotion
- Temporary Demotion     Duration:
- No Merit

This memo summarizes my approach and reasoning for my decision as Chief of the Minneapolis Police Department that Officer Plunkett's listed policy violations are sustained. It 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 Officer Plunkett violated Minneapolis Police Department Policies: 5-102 Code of Ethics and 5-106 (A)(1) On-Duty Code of Conduct.

On March 11<sup>th</sup>, 2021, Officer Ricky Plunkett was working in full uniform, driving marked squad 421 (P#76924), working as call-sign 426 with his partner. Officer Plunkett and his partner were dispatched to an address on the 3200 block of Emerson Ave N, backing up Squad 424 on a domestic call. Officer Plunkett failed to drive the most direct route to the call and instead turned away from the dispatched address, which resulted in a delay in police service. Additionally, while en-route to the domestic call, Officer Plunkett drove past the scene of a car accident with injuries that had just occurred. An individual attempted to flag down the squad car, but Officer Plunkett drove past the accident scene without stopping to provide police or medical services.

The Community Commission on Police Oversight (CCPO) recommended merit for two policy violations: MPD P&P 5-102 Code of Ethics and MPD P&P 5-106 (A)(1) On Duty Code of Conduct. I concur with these recommendations.

**Policy Review:**

- **Allegation #1: MPD P&P 5-102 Code of Ethics:**
  - All sworn and civilian members of the department shall conduct themselves in a professional and ethical manner at all times and not engage in any on or off-duty conduct that would tarnish or offend the ethical standards of the department. Employees shall abide by the City’s Ethics in Government Policy, Chapter 15.

- *It is alleged that Officer Ricky Plunkett passed by a traffic collision that had recently occurred, at which no emergency personnel were yet present, and failed to stop to provide police or medical services.*
- **Allegation # 2: MPD P&P § 5-106 (A) (1) On-Duty Code of Conduct:**
  - Officers shall respond without delay to calls for police service unless otherwise directed by proper authority. Emergency calls for service shall take precedence. However, all dispatched calls shall be answered as soon as possible, consistent with departmental procedures.
    - *It is alleged that Officer Ricky Plunkett failed to respond, without delay, to a Domestic call to which he and his partner were dispatched.*

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

#### **Allegation #1 Summary:**

- On March 11, 2021, Officer Plunkett was on duty and driving a fully marked squad car with his partner.
- At 10:22:59, the first of several 911 calls were received in MECC regarding a car accident with injuries that had occurred at 37th Ave N/Fremont Ave N. AVL data showed squad 426 was at 35th Ave N/Morgan Ave N at that time. Squad 426 was en-route to a nearby domestic, backing up Squad 424.
- In his investigative interview, Officer Plunkett stated that he learned of the car accident when it was dispatched to squad 450 at 10:24:04.
- Twenty-five seconds after squad 450 was dispatched to the car accident, Officer Plunkett turned in the opposite direction from the domestic call and towards the accident. Thirty seconds later, Officer Plunkett drove past the intersection of 37<sup>th</sup> Ave N/Fremont Ave N, the location of the accident, prior to any other emergency services arriving.
- It took another four minutes for the first responding officer to arrive at the accident scene. BWC video from the first officer to arrive at the accident showed a stop sign bent over and leaning in the street, a tree uprooted and lying on the sidewalk, and numerous pieces of debris in the street. The BWC also shows a badly damaged vehicle on the sidewalk next to the building on the intersection's northwest corner.
- When Officer Plunkett drove past the accident, he did not stop to assess or render aid.
- Officer Plunkett stated during the investigative interview that he did not notice any signs of an accident that had just occurred as he drove through 37<sup>th</sup> Ave N and Fremont Ave N.
- Officer Plunkett stated he observed a male waving to him near the intersection of 37<sup>th</sup> Ave N/Fremont Ave N. He thought the male was waving an acknowledgment, so he continued driving.

#### **Allegation #2 Summary:**

- On March 11, 2021, while working as marked squad 426, Officer Plunkett and his partner were dispatched to back up squad 424 on a domestic call at the 3200 block of Emerson Ave N.
- While en-route to the domestic call, Officer Plunkett drove north on Penn Ave N to 35<sup>th</sup> Ave N before turning east and driving toward the domestic call. This took him several

blocks north of the call, which would force him to turn and backtrack south to arrive at the call.

- Officer Plunkett then drove east on 35<sup>th</sup> Ave N from Penn Ave N and got to within three blocks of the domestic call he had been dispatched to when he suddenly made a left turn and drove north, away from the domestic call at 10:24:29 hours. It should be noted that the primary car assigned to the domestic call was still over 2 minutes away from arriving when Officer Plunkett turned and drove away from the call.
- During his investigative interview, Officer Plunkett stated he has lived and worked in north Minneapolis for years and drove the squad that day because he was familiar with the area.

As Chief of Police, it is my duty to uphold the integrity and professionalism of our department. Upon thorough review, Officer Plunkett's actions have been found to be in violation of both the MPD P&P 5-102 Code of Ethics and MPD P&P 5-106 (A)(1) On-Duty Code of Conduct policies. Officer Plunkett's behavior deviated from the standards of conduct expected of our officers, compromising public trust and the reputation of our department.

During his investigative interview and Loudermill hearing, Officer Plunkett spoke at length about his reputation in the community and how this incident has tarnished his personal reputation and that of the department. As a department, we are trusted and held to a higher standard by our community. As the Chief of Police, I also have high expectations for the members of this police department. When we fall short of those expectations, we must be held accountable, or we stand to lose the community's trust that we have worked so hard to build. Because we fell short of those expectations in this instance, when Officer Plunkett did not stop for an accident to ensure the public's safety, I agree with the CCPO review panel's findings of merit on both allegations.

As Chief of Police with authority to discipline for policy violations under Minn. Stat 626.89 Subd. 17, I am imposing a 40-hour suspension (without pay) on Officer Plunkett for the policy violations listed below because he was a new officer then and due to the time elapsed and the circumstances surrounding the incident.

Allegation	Policy Number	Policy Description	Category	Disposition
1	5-102	Code of Ethics	<b>13.43</b>	Sustained
2	5-106	On-Duty Code of Conduct		Sustained

Brian O'Hara  
Chief of Police

DocuSigned by:  
  
 03/14/2024  
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 Internal Affairs Division  
 Inspector Bill Peterson

**IN RE:  
THE MATTER OF**

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**POLICE OFFICERS FEDERATION OF  
MINNEAPOLIS,  
(Ricky Plunkett, Grievant)**

and

**CITY OF MINNEAPOLIS,  
  
Employer.**

**SETTLEMENT AGREEMENT  
(Union Grievance 24-07)**

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This Settlement Agreement (“Agreement”) is made and entered into by and between the City of Minneapolis (“City”), the Police Officers’ Federation of Minneapolis (“Federation”) and Officer Ricky Plunkett, Badge No. 94333 (“Grievant”).

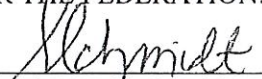
- A. The City of Minneapolis (“City”) and the Police Officers Federation of Minneapolis (“Federation”), parties to a collective bargaining agreement under which the above-entitled grievance was filed, hereby enter into the following agreement that governs the relationship between them.
- B. The Grievant is employed by the City in its Police Department (MPD).
- C. The Federation is the Grievant’s sole and exclusive bargaining representative.
- D. On or about 03/14/2024 Grievant was disciplined for violation of MPD policy 5-102 Code of Ethics at a D level and 5-106 Code of Conduct at a C level. Grievant received a 40-hour suspension for listed violations.
- E. Grievant served a 40-hour suspension.
- F. The Federation grieved the suspension, Grievance 24-07 citing violation of 12.01 of the labor agreement and Civil Service Rule 11-04.
- G. The Chief of Police has the full authority of the City Council to resolve the grievance.

H. The Federation and the City wish to resolve this matter amicably and without resort to arbitration.

NOW THEREFORE, the parties agree as follows:


1. The Federation will withdraw Grievance # 24-07 subject to conditions listed in paragraphs 2-5.
2. The City will amend the discipline record to reflect a B level violation with a 40 suspension for violation of MPD Policy 5-102 Code of Ethics and B level for 5-106 Code of Conduct at a B level.
3. The Federation, as an entity and on behalf of its members individually, agrees that this Settlement Agreement shall not be used in any arbitration or proceeding, except to enforce the terms of this Settlement Agreement. The Federation, its bargaining unit members and the grievant are bound by this agreement as if they had entered it individually.
4. The City and the Federation agree that this Agreement is without prejudice or precedent to any future matter involving any City employee, other than the Grievant; and that this Agreement shall be of no value as evidence, and shall not be submitted or received as evidence, in any arbitration, hearing, trial, appeal or other proceeding involving any City employee, other than the Grievant.

FOR THE FEDERATION:

  
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Sherral Schmidt, President

Date: 4/29/24

FOR THE CITY OF MINNEAPOLIS:

  
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Brian O'Hara Chief of Police

Date: 4/29/24