

This memo summarizes my approach and reasoning for my decision as Chief of Police that two policy violations by Officer Scot Kaiser are sustained. This memo accompanies the enclosed Notice of Discipline and Suspension Form.

Allegations:

Policy Number	Sub-Section	Policy Description	Category	Disposition
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
5-105	(D)(1)	Code of Conduct	B	Sustained
5-105	(B)(5)	Code of Conduct	B	Sustained

Summary of the Basis for Decision:

- Officer Kaiser and his partner both captured this incident on BWC video which is described in the investigative report.
- On September 8, 2021, Officer Kaiser was dispatched to a disturbance call and encountered a male that may have been involved based on the clothing description provided in the call. Officer Kaiser asked the man, "What's up?" The male immediately responded, "Fuck you, I live here."
- The man was agitated, telling officers about the number of times that he's been stopped by police this year and swearing. Without being asked, the male began taking off his sweatshirt. Officer Kaiser stepped close to the man while shining his flashlight directly at the man's face. The male then said, "Get that out of my fucking face," and swung his hand at the flashlight, which hit Officer Kaiser in the face.
- Officer Kaiser immediately moved to take the man into custody, wrestling him to the ground while screaming, "Don't fucking hit me mother fucker!"
- Officer Kaiser stated in his Loudermill hearing that during the struggle, the male hit Officer Kaiser in the face and that as a result, Officer Kaiser's emotions got the better of him
- At one point while on the ground, the man told Officer Kaiser that he couldn't breathe, to which Officer Kaiser replied, "Good!" Officer Kaiser then stated, "You're a stupid piece of shit."
- The man continued to say that he couldn't breathe throughout his time on the ground and officers continued to leave him in the prone position without sitting him up into a recovery position.
- At one point the man asked, "What did I do?" Officer Kaiser replied, "It's called 4th degree assault, it's a felony asshole! God you're a fucking idiot, you're drunk, you're an idiot, you're stupid."
- The man was handcuffed and escorted to the squad but was complaining of pain at which point Officer Kaiser said, "Oh, now you're a pussy?" The man asked for mercy, to which Officer Kaiser said, "Oh you want mercy? Go fuck yourself you drunk fuck."
- As Officer Kaiser placed the man into the back of the squad, the man objected that he hadn't done anything. Officer Kaiser remarked on the injury to his lip that occurred during the initial struggle and told the man, "Fuck off. Get in the squad you piece of shit."
- In his Loudermill statement, Officer Kaiser acknowledged using profanity and took responsibility for allowing his emotions to get the better of him.

As the interim Chief of Police, I am responsible for providing clear expectations for what is acceptable behavior in our workplaces as well as what will not be tolerated. The Police Conduct Review panel recommended a finding of merit for MPD policy 5-105(D)(2), due to the profane and derogatory language used by Officer Kaiser in this case. I concur with their recommendation. Over the course of this interaction, Officer Kaiser repeatedly insulted the man, calling him derogatory names including motherfucker, piece of shit, asshole, drunk fuck, pussy, idiot, stupid and mental. This conduct is unacceptable and unprofessional.

The second sustained allegation in this case also arises from Officer Kaiser's words toward the man he took into custody. At one point – lying prone on the stairway while the officers struggled to place the handcuffs, the man said that he couldn't breathe. Officer Kaiser responded by saying, "good," "are you done?" and "you're a stupid piece of shit." After the death of George Floyd, every officer should understand the seriousness of any person expressing that they cannot breathe and respond with care.

Failing to do so brings discredit to Officer Kaiser and to the Minneapolis Police Department. Therefore, I am sustaining the additional violation of MPD policy number 5-105(B)(5).

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 department's core values of trust, accountability, and professional service. Furthermore, I expect them to demonstrate procedural justice in their work. With his conduct in this matter, Officer Kaiser has failed to meet our standards. His words were harmful both to the man he insulted and to others who heard them. As noted in our department manual, "Public confidence in the criminal justice system depends primarily on the trust that the people have in their police." Officer Kaiser's words could only destroy rather than build trust between officers of the MPD and the community we serve. The discipline imposed here is intended to correct the inappropriate behavior and return Officer Kaiser to performance that meets department expectations

As interim Chief of Police with authority to discipline for violations of policy under Minn. Stat 626.89 Subd. 17, I am issuing a total of 40-hours of suspension to Officer Scot Kaiser:

1. 20 hours of suspension for his violation of the Code of Conduct 5-105(D)(1), the use of demeaning, derogatory and profane language through the incident; and
2. 20 hours of suspension for his violation of the Code of Conduct 5-105(B)(5), the use of words and actions that bring discredit to the department.

Additionally, I am referring this matter to the Training Division to provide refresher training to Officer Kaiser to review the critical decision-making model, procedural justice, and de-escalation techniques.

DocuSigned by:
Amelia Huffman
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7/3/2022

Amelia Huffman
Interim Chief of Police

CC: OPCR Case File
Inspector Blackwell