1999 ANNUAL REPORT

MINNEAPOLIS CIVILIAN POLICE REVIEW AUTHORITY

Minneapolis Civilian Police Review Authority (CRA)
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MISSION STATEMENT
Adopted May 4, 1994

The Minneapolis Civilian Police Review Authority was
established by the City of Minneapolis to
provide a fair and impartial process for review of
citizen complaints of misconduct by Minneapolis Police Officers.

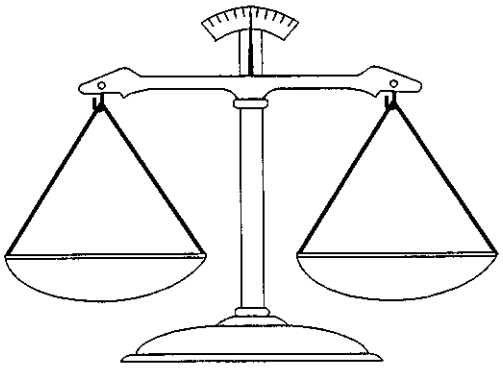
The Authority exists to promote the highest attainable standards of
integrity and professionalism in our City's Police Department.

Public confidence is strengthened by assuring
that citizen complaints about police conduct are taken seriously,
are carefully investigated, and
are reviewed by panels made up of citizens of our City.

The best interests of the people of the City of Minneapolis are promoted by the
fair and thorough examination of the conduct of Minneapolis Police Officers.

The goal of civilian involvement in review and disposition of citizen complaints
is the improvement of the quality of police service in Minneapolis.

This can only be achieved by treating all parties -
complainants, witnesses, and charged officers - **fairly and with respect**.



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GOALS

- Maintaining a fair and impartial process of review of citizen complaints of misconduct by Minneapolis police officers.
- Investigating and resolving complaints effectively.
- Delivering relevant, timely, impartial and accessible services, including mediation.
- Acting as a resource to victims of alleged police abuse, the public, the Minneapolis Police Department and community organizations to prevent future complaints.
- Increasing public awareness of the CRA.
- Requiring ethical performance and accountability.
- Encouraging teamwork through collaboration and communication.
- Monitoring and evaluating our organization's performance.
- Training to reflect responsibility of the CRA's role.
- Increasing trust between the police and the community.

DIRECTOR'S FORWARD

I am pleased to submit the Minneapolis Civilian Police Review Authority's (CRA's) 1999 Annual Report. The CRA continues to be recognized nationally as one of the most successful civilian oversights in the country. In June of 1999 I was proud to represent the city of Minneapolis at the United States Department of Justice's Conference on Strengthening Police-Community Relationships.

The result of this conference was a commitment from President Clinton, Attorney General Janet Reno, other public officials, representatives from law enforcement (police leadership and labor), members of the community, civil rights organizations and academics to work together to find ways to restore trust between the community and police, especially the minority community. Areas of focus have been: Hiring and Recruiting, Use of Force, Racial Profiling, Police Management and Leadership Practices and Community Relations. It is with great enthusiasm that I continue to work on this project.

During 1999 there were 859 contacts with the CRA on possible complaints. One hundred fourteen (114) of those contacts resulted in formal complaints. Sixty-four percent (64%) of the alleged victims in these complaints were people of color. (See Exhibit E.) It is clear from the statistics that there is probably no task more important to safe neighborhoods and civil rights than improving relationships and building greater trust between minority communities and law enforcement. Effective policing does not ignore the constitutional rights and the civil liberties that police officers are sworn to uphold.

Many citizens who contact the CRA never file complaints. It is important to note that assistance with cases that do not reach the formal complaint stage represents a significant part of the CRA's role. In many cases, citizens just want someone to listen to their story and treat them with dignity and respect.

Of those cases where a formal complaint is filed, mediation is an important part of the CRA process. The Minneapolis Mediation Program has been an invaluable resource for the CRA. There were more successful mediations in 1999 than in prior years. (See Exhibit B.) It is a well known fact that people are happier with solutions they work together to create. Mediation allows the officer and the complainant to thoroughly and frankly discuss the alleged misconduct and attempt to arrive at a mutually agreeable resolution of the complaint. This process can build better relationships between the community and the police. The CRA will continue to strive for success in this area.

In 1998 I reported that the CRA made history as the only civilian oversight in the nation

to take steps to monitor quality of performance. In December of 1999 Professor Sam Walker, the leading expert on civilian oversight of police in the United States, did an analysis of 159 evaluations forms returned to the City of Minneapolis between October, 1998 and September, 1999. The evaluation of the CRA by both police officers and citizens was extremely high. This is an indication that the CRA is viewed as fair and impartial. (See Exhibit C.) Quality service is being delivered by the CRA.

The goal of civilian involvement in review and disposition of citizen complaints is the improvement of the quality of police service in Minneapolis. The CRA has played an important role in requiring police accountability. Fair and impartial law enforcement increases trust between the police and the community. The CRA has been instrumental in helping prevent, identify and rectify police breaches of the public trust.

The CRA will continue to work with its stakeholders to strengthen the bonds of trust between the community and the police.

Respectfully submitted,

Patricia J. Hughes

Patricia J. Hughes
Executive Director

HISTORY

For nearly three decades before the Minneapolis Civilian Police Review Authority was created, community leaders had been calling for a greater civilian role in reviewing complaints of police misconduct. In early 1989, events occurred which sparked community organizing which ultimately led to creation of the CRA by the elected City officials.

Two elderly African American citizens were killed in a police raid. Shortly thereafter, some African American college students alleged that they were abused by police officers who arrested them at a party at a Minneapolis hotel for alleged disorderly conduct. None of the seven college students was convicted, except for one individual who was convicted of resisting arrest. African American community leaders led protests directed at City Hall. The City Council established a working group to determine what type of civilian oversight of the police was needed. At the very outset of its work, the working group recognized that it had not been created to determine whether or not civilian oversight was necessary, but rather that the City Council had determined that civilian oversight was necessary and that the working group should recommend the form such oversight should take.

The working group met for a period of months, and heard from people from around the country who were experienced with civilian oversight of police, and from citizens who had experienced police abuse. After careful study, the working group made recommendations to the City Council. Community leaders and local media kept the issue in the public eye, which generated discussion in all quarters of the City about improper police conduct.

After the working group made its recommendations to the City, the City Council then began its own process of reviewing the recommendations and ultimately adopting some of them and rejecting some of them. The City Council, by Ordinance in 1990, established the Minneapolis Civilian Review Authority. The CRA, which began taking complaints in 1991, was created as an independent city agency separate from the police department to receive, consider, investigate and make determinations regarding complaints brought by the public against any Minneapolis police officer. The CRA was created as a result of the lack of public confidence in the ability of the police to fairly investigate and evaluate citizen complaints of police misconduct. Key components of the CRA are civilian investigators, an Executive Director (attorney-at-law), a Board of seven civilian community members and civilian support staff.

NUMBERS AND TYPES OF COMPLAINTS

During 1999 the Civilian Review Authority received 114 signed complaints. A citizen's allegations are counted as a complaint only after an investigator interviews the complainant in detail, drafts a formal complaint, submits it to the complainant and the complainant then signs and returns the formal complaint to the CRA Offices. The CRA had 859 contacts with the public on possible complaints in 1998 (Exhibit A) and as of March 1, 2000 disposition has occurred on 831 of those intake calls.

People often call the CRA with questions about proper police procedure. An investigator will spend time clarifying issues and providing the caller with helpful information. The majority of cases never get to the formal complaint stage. Some cases are referred to other sources. Each year, at the request of the complainant, many cases are resolved informally through direct contact by the investigator with members of the police department. In other cases the complainant does not follow through with a formal complaint. Oftentimes, the complainant finds that there is actually no basis for a complaint after conferring with the investigator who advises them on proper police procedure. In 1999 approximately 33 cases were resolved at the precinct level. Another 82 cases were resolved by advising the complainant on proper police procedure.

Sixty-four percent of those who are the alleged victims of complaints filed with the CRA are people of color. Sixty-three percent of the alleged victims are under age 35. See Exhibit E.

Thirty-two percent of the complaints alleged inappropriate conduct as their primary characteristic. The next three primary complaints, in their order of frequency, were use of excessive force (30%), inappropriate language (17%) and harassment (15%). This is the first year excessive force has not been the leading primary allegation. This category has dropped dramatically from 1991 when 61% of the cases were alleging excessive force. A graph showing the types of cases received by the Civilian Review Authority each year since 1995 is attached as Exhibit F.

Forty-one percent of the officers with complaints whose ages are known are between 25 and 31 years of age. Sixty-four percent of the identified officers have been on the force for less than six years. See Exhibit G.

CIVILIAN POLICE REVIEW AUTHORITY
CASELOAD REPORT

As of 12/31/99
Reporting from 03/20/91 to 12/31/99

Signed Complaints			1271
	Completed Cases		
		Successful Mediations	67
		Dismissals	279
		No Probable Cause	766
		Probable Cause	113
		Withdrawal	16
	Pending Cases		
		On Hold	2
		In Mediation	2
		In Investigation	26
		Completed Investigation Awaiting Review	0
Status of Hearings			
	Hearings to be Scheduled		2
	Hearings Scheduled		0
	Hearings Held or Other Disposition		111
Status of Cases Where Probable Cause was Found			
	Decisions Pending		0
	Not Sustained		5
	Not Sustained, Insufficient Evidence		9
	Not Sustained, Exonerated		11
	Dismissed		14
	Mediated		7
	Stipulated to Sustain		23
	Sustained at Hearing		41
Total Successful Mediations			67
Total Sustained Cases			64
			131

Of 10 decisions made in 1998, two cases were sustained through hearings, three cases were sustained by stipulation, one case was mediated, one case was not sustained, insufficient evidence and three case were dismissed. Of the four decisions made in 1999, one case was sustained through hearing, two cases were mediated and one case was dismissed.

In 1999, probable cause was found in 5 cases. Fifteen cases were successfully mediated in 1999.

Since 1993 65 percent of the cases closed where probable cause had been found were either sustained or mediated.

This Caseload Report shows the total number of signed complaints received since April 15, 1991, when the CRA started to take complaints. It then breaks that number down into Completed Cases and Pending Cases.

The COMPLETED CASES fall into five categories: Successful Mediations, Dismissals, No Probable Cause, Probable Cause, or Withdrawal.

The **Successful Mediations** are cases where the complainant and officer(s) arrived at a mutually agreeable resolution of the complaint through a thorough and frank discussion of the alleged misconduct held before a neutral third party.

The **Dismissals** are cases that were dismissed for one of several reasons, including but not limited to that there was no dispute as to the material facts and no reasonable person could sustain a complaint based upon such facts; even if all of the complainant's alleged statements are true, no act of misconduct exists; the alleged facts are so unbelievable that no reasonable person could sustain the complaint based on such facts; and failure of the complainant to cooperate.

A complainant has the right to withdraw from the process at any time, before, during or after an investigation is conducted. The number of such cases are shown under **Withdrawal.**

Cases that aren't successfully mediated, dismissed or withdrawn are sent to an investigator who conducts a full investigation of the allegations.

No Probable Cause are cases where, after a full investigation, there was No Probable Cause to believe that a violation of city ordinance occurred and the complaint was dismissed as:

1. Officer exonerated, for one of two reasons:
   a. The facts alleged in the complaint are true but do not constitute misconduct; or
   b. The facts alleged in the complaint are not true; or
2. Insufficient evidence to sustain the complaint.

Probable Cause are cases where, after a full investigation, there was Probable Cause to believe that a violation of city ordinance had occurred and therefore the matter shall proceed to an evidentiary hearing. The results of those evidentiary hearings are shown in the latter half of the Caseload Report.

The PENDING CASES fall into four categories: On Hold, In Mediation, In Investigation, and Completed Investigation Awaiting Review.

A case is placed **On Hold** if there is a criminal investigation and/or charges or some other reason that the case cannot be investigated at the current time. This is a temporary status and the case will ultimately be taken off hold and investigated or withdrawn.

Cases **In Mediation** are those that are currently being mediated or where the complainant and officer(s) are considering whether or not they wish to participate in mediation. If the parties decide not to participate, or if mediation was tried but was not successful, the case returns to the investigator for full investigation. If the mediation is successful, the case is closed.

Cases **In Investigation** are those that are being actively investigated. The investigation must be completed within 120 days from the date the complaint is officially filed.

Completed Investigation Awaiting Review are those cases where the investigator has completed the investigation and written a report for consideration by the Executive Director, who makes the probable cause determinations.

The NUMBER OF CASES EVER SENT TO MEDIATION shows how many of the total signed complaints were sent to mediation. Mediation was not attempted on all of these cases since the officer(s) and complainant must agree to mediate. Mediation is not mandated; it is voluntary.

The STATUS OF PROBABLE CAUSE DETERMINATIONS identifies the status of cases identified as **Probable Cause** cases under Completed Cases earlier in the Caseload Report. Those cases are broken down into three categories: **Hearings to be Scheduled, Hearings Scheduled and Hearings Held**.

The STATUS OF CASES HEARD BY BOARD indicates how many of the cases where probable cause was found were **Sustained, Mediated, Stipulated To, Not Sustained, Dismissed**, or where the **Decision is Pending**. In a given case there might be more than one charge against an officer or one or more charges against several officers. In recording the findings, if any charge against any officer is sustained, that case is recorded as **Sustained**. If no charge against any officer is sustained, it is recorded as **Not Sustained**.

CONTACTS REGARDING POTENTIAL COMPLAINTS

Month	1995	1996	1997	1998	1999
January	89	60	37	28	58
February	82	56	47	54	58
March	87	49	57	66	63
April	74	59	57	64	74
May	70	65	53	61	76
June	87	59	67	70	73
July	89	50	84	82	82
August	108	70	59	71	104
September	77	70	80	69	60
October	74	68	57	66	80
November	61	49	51	55	59
December	58	47	66	56	72
	956	711	715	742	859

Contacts with the CRA include telephone calls and e-mail as well as in-person contact made by the public requesting to file a complaint or inquiring as to whether there are ground to file a complaint.

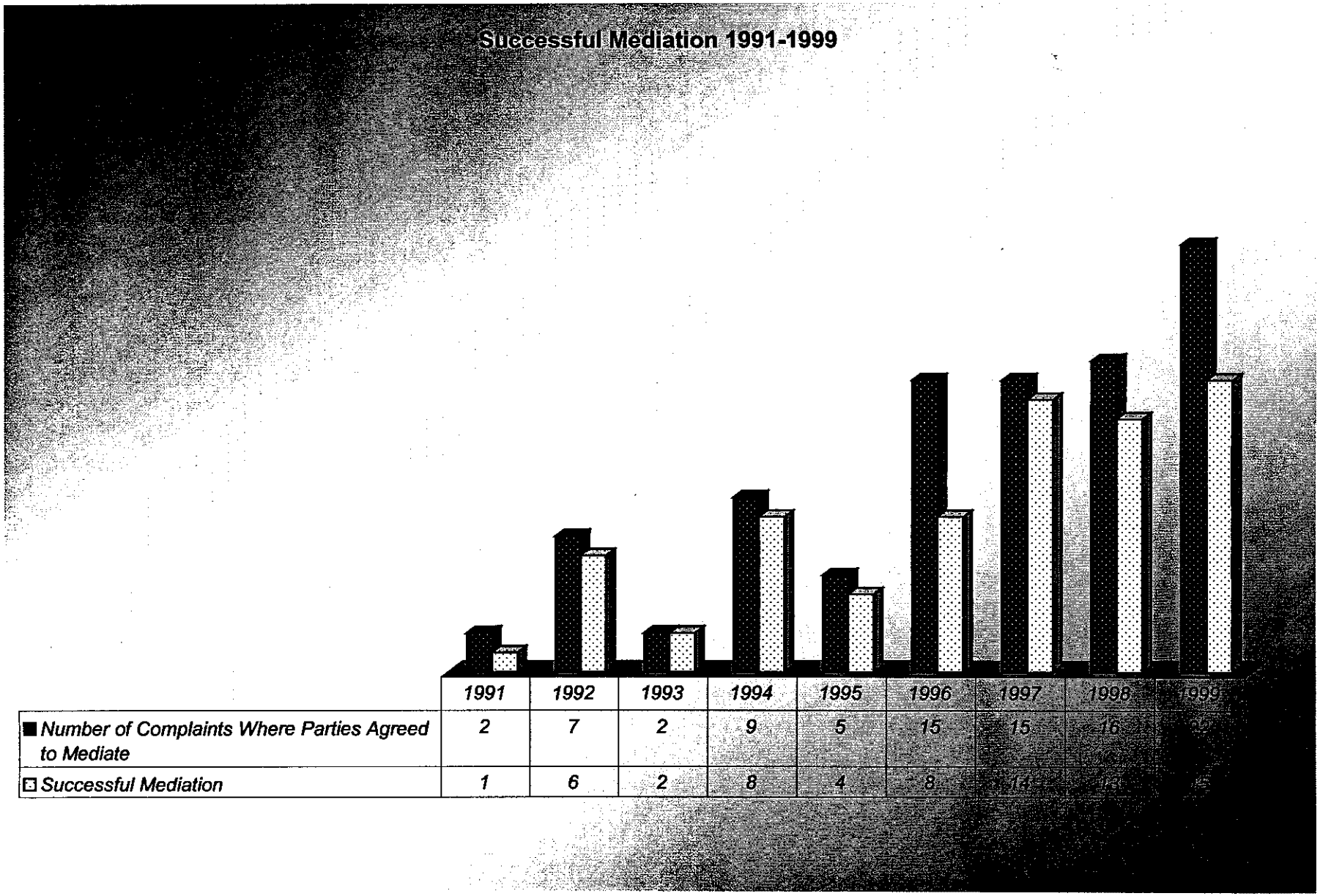
OUTCOME OF CONTACTS REGARDING POTENTIAL COMPLAINTS - 1999

Advised	82
Assisted	51
Complainant Location Unknown	8
Minneapolis Police Department Referred and Handled	33
No Basis	129
No Contact (no answer, no machine, wrong number, etc.)	50
No Complainant Follow-Up	85
No Response	151
No Wish to File	56
Pending	28
Referred	45
Complaint Sent for Signature	141
	859

Complaints Referred to Mediation 1991 -1999

	Sent to Mediation	Successful Mediation	Unsuccessful Mediation	Mediation Refused by: Comp.	Officer	Both	Unk	Total	Determinations/ Cases Returned to Investigation
1991	14	1	1 (NPC)	2	8	1	1	12	1 PC (Not Sustained) 3 Dismissals 6 NPC 2 Withdrawal
1992	27	6	1 (NPC)	5	10	5	0	20	2 PC (1 Sustained; 1 Not Sustained) 5 Dismissals 13 NPC
1993	11	2	0	5	3	1	0	9	1 Dismissal 8 NPC
1994	17	8	1 (NPC)	5	3	0	0	8	2 PC (Sustained) 5 NPC 1 Dismissal
1995	14	4	1 (NPC)	4	3	1	1	9	1 PC (Sustained) 7 NPC 1 Dismissal
1996	39	8	7 (4 PC;3 NPC)	16	4	1	3	24	6 PC (4 Sustained; 1 Not Sustained) 15 NPC 3 Dismissals
1997	30	14	1 (NPC)	15	0	1	0	15	2 PC (2 Dismissals) 5 NPC 8 Dismissals
1998	39	13	3 (2 NPC; 1 D)	16	5	2	0	23	2 PC (1 Sustained; 1 Pending) 9 Dismissals 11 NPC 1 Withdrawal
1999	36	15	7(1 PC; 3NPC; 3D)	13	1	0	0	14	6 Dismissals 6 NPC 2 Pending
Totals	227	71	22*	80	37	12	5	133	

* In these 22 cases the ultimate determination was 5 Probable Cause, 13 No Probable Cause and 4 Dismissals. Of the 5 Probable Cause cases, 3 were sustained, 1 was not and 1 is pending.



	1991	1992	1993	1994	1995	1996	1997	1998	1999
■ *Number of Complaints Where Parties Agreed to Mediate*	2	7	2	9	5	15	15	16	[illegible]
⊡ *Successful Mediation*	1	6	2	8	4	8	14	13	[illegible]

MEDIATION
CASE STUDY NO. 1

The complainant alleged that the officer used excessive force when he slapped him in the face and sprayed him with mace without provocation. The complainant alleged that he was just trying to find out where the police were taking his friend.

This complaint arose out of a "Block Party" incident where hundreds of people had gathered and where many individuals became involved in threatening the officers and yelling obscenities at them.

The officer and his partner had arrested a friend of the complainant's for public drunkenness and disturbing the peace. From the complainant's perspective, all he was trying to do was find out where his friend was being taken. From the officers' perspective, the complainant who had failed to respond to three warnings to "back off" posed a life threatening danger to the officer and his partner. Fearing for his life, the officer radioed for help. Two other squads arrived on the scene within a short time. The officer then arrested the complainant for interfering with a police officer in the performance of his duty. At that point, the situation calmed down and the complainant and his friend were taken to jail and booked.

The mediation was conducted in a very amicable manner. The complainant, who was well-mannered and exceptionally articulate told his story. The officer did likewise. The dramatic point in the mediation occurred when the officer related how close he had come to shooting the complainant.

In the end, the complainant agreed that the officer's actions and intentions, given the circumstances of the incident, were reasonable. Mutual apologies were exchanged and accepted. In addition, the officer offered and the complainant accepted an invitation for a "ride-along" with the police officer.

MEDIATION
CASE STUDY NO. 2

The complainant alleged that the officer harassed her and used inappropriate language and conduct when he told her to leave a local financial institution. The complainant alleged that the officer swore at her and refused to give her his name and badge number when she requested the information.

After a teller refused to cash a check for the complainant, the officer intervened and told the complainant to leave, or he would arrest her. According to the bank teller, the complainant had become loud and argumentative and told him that she was going to blow his f---ing head off.

At mediation, the officer was very tactful and understanding in dealing with the complainant. He listened to her statements and relayed back what she was saying, demonstrating a willingness to hear her and relate to her feelings.

He suggested possible follow-up actions to work with others in the situation, but carefully offered ideas which maintained a proper professional law enforcement role. He acknowledged how his actions could have seemed offensive, but explained their context such that the other party was able to understand and agree. Both the complainant and the officer apologized to each other.

MEDIATION
CASE STUDY NO. 3

The complainant alleged that the officer used inappropriate language and displayed inappropriate conduct during a traffic stop. The complainant alleged that the officer was extremely rude and verbally abusive. The complainant alleged that he was so emotionally upset after the incident that he lost several nights of sleep.

At mediation, the complainant explained his feelings during the incident and how the experience affected him. The officer listened to everything the complainant had to say and apologized for his behavior.

MEDIATION
CASE STUDY NO. 4

The complainant alleged that the officer failed to provide adequate and timely police protection and displayed inappropriate conduct when she tried to file a domestic assault report at the precinct where she had just been assaulted by her ex-husband. The desk officer allegedly refused to file a report on the incident and failed to give the complainant his badge number when she requested it.

At mediation the complainant expressed her frustrations over the incident. As a result of mediation, she felt that her concerns were heard which she did not think occurred at the time of the incident. The officer expressed his concern over the incident and expressed that he would try to be more sensitive to such circumstances in the future and would do what he could to increase the sensitivity of other officers on desk duty.

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CITIZEN AND POLICE OFFICER EVALUATIONS

OF THE

MINNEAPOLIS CIVILIAN REVIEW AUTHORITY

October 1998 - September 1999

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A Report to the Minneapolis Civilian Review Authority

By

Professor Samuel Walker, Ph.D.

With the Assistance of

Leigh Herbst

Department of Criminal Justice

University of Nebraska at Omaha

December 1999

EXECUTIVE SUMMARY

Citizens and police officers who have contact with the Minneapolis Civilian Review Authority (CRA) give the agency extremely favorable evaluations.

Seventy-one percent of the citizens report that the CRA treat them with respect. Ninety-one percent of the police officers feel that the CRA investigator treat them with respect.

Seventy-six percent of the citizens and ninety percent of the police officers report that in their contact with the CRA they had a chance to tell their side of the story.

Citizens are somewhat less satisfied than police officers with the outcome of their contact with the CRA. Fifty-five percent of the citizens report that they feel the outcome was fair. Eighty-five percent of the police officers feel that the outcome was fair.

Among the citizens, those who signed a complaint which was investigated were slightly more likely to be satisfied than were those citizens who contacted the CRA but did not file a complaint ("precomplaints").

Compared with evaluations of other citizen complaint procedures, the ratings given the Minneapolis are extremely high.

The Minneapolis QSA program is a pioneering effort in the United States. No other citizen oversight agency or police department offers its clients an opportunity to evaluate the quality of the service received.

THE SURVEY

This report is based on an analysis of 159 evaluation forms returned to the City of Minneapolis between October, 1998 and September, 1999.

These forms include 101 returned by citizens and 58 forms returned by Minneapolis police officers. The citizens included 24 who signed complaints which were investigated and 77 who contacted the CRA but did not sign a complaint ("precomplaints").

The evaluation forms represent all forms returned during the first year of the Quality Service Audit (QSA) system.

The returned evaluations represent a response rate of only 21 percent for citizens who signed a complaint (24 of 113), and 51 percent for Minneapolis police officers (58 of 113) during this period. The low response rate among the citizens is a problem, but it appears to be one that is common to similar evaluation efforts.

A preliminary report based on the first 50 completed forms was prepared and submitted to the CRA in February, 1999 and was published in the CRA Annual Report for 1998 (Exhibit D).

The majority of these individuals do not file a signed complaint that is investigated by the CRA. The CRA designates these contacts as "precomplaints." Many of these individuals have their concerns addressed as a result of a CRA official explaining the law or police procedure to them, or referring them to another agency, or simply by having someone listen to them. In 1998, the CRA documented 742 contacts with citizens. Only 113 resulted in signed complaints, leaving a total of 629 pre-complaints.[1]

It is important to note that the Minneapolis CRA is one of the few citizen oversight agencies in the country that documents all contacts with citizens and records the service rendered.

CITIZEN EVALUATIONS

Profile of Citizens Completing Evaluations

A total of 101 completed evaluations were returned by citizens who had contact with the CRA between October, 1998 and September, 1999.

Fifty-four percent of the citizens were male and forty-six percent were female.

About half (48.9 percent) of the citizens returning evaluations were 35 years of age or older. Twenty-nine percent were between the ages of 25 and 34, while twenty-two percent were between the ages of 18 and 24.

Fifty-one percent of the citizens were white, thirty-eight percent African-Americans, five percent Hispanic/Latino, three percent Asian American, and one percent were Native American.

African-Americans represent about 13 percent of the Minneapolis population (1990 Census) and are over-represented among citizens completing evaluations of the CRA. In other cities across the country, however, African Americans are consistently over-represented among persons filing complaints against the police. The pattern here is consistent with national patterns in complaints against the police.[2]

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[1] Minneapolis Civilian Police Review Authority, 1998 Annual Report (Minneapolis, 1999), Exhibit A.

[2] Anthony M. Pate and Lorie A. Fridell, Police Use of Force: Official Reports, Citizen

Nature of Complaint or Concern

Only 3.5 percent of the citizens completing evaluations indicated that excessive force by a police officer was the basis of their complaint or concern. Another 5.8 per cent contacted the CRA because of alleged inappropriate use of force. The combined total of force-related citizen evaluations was 9.3 percent.

The percentage of citizens raising concerns about officer use of force is substantially lower than the percentage of complaints investigated by the CRA in 1998 that involved allegations of excessive force (34%). The disparity is not surprising, however, since the evaluations involve a large number of precomplaints, and it is reasonable to assume that many of these contacts involve concerns other than excessive force.

The largest group of citizens completing evaluations had a concern or complaint involving inappropriate conduct by a police officer (41% of the total). Another 15% had a concern or complaint involving failure to provide service. Only 1 citizen had a concern about inappropriate language.

Evaluation of the CRA

Citizens report high rates of satisfaction with the quality of the service they received from the CRA. Seventy-six indicate that they had a chance to tell their side of the story. Seventy-nine percent feel that the CRA staff member listened to them. Seventy-one percent report that they were treated with respect.

Citizens who signed complaints (n = 24) reported somewhat higher levels of satisfaction than did "precomplaint" citizens. For example, 83 percent of the signed complaint citizens felt they had a chance to tell their side of the story compared with 73 percent of the precomplaint group. Meanwhile, 87 percent of the signed complaint group reported they were treated with respect, compared with 76 percent for the precomplaint group.

Citizens are somewhat less satisfied with the outcome of their experience with the CRA, although a majority are satisfied. Fifty-two percent report that they received useful assistance from the CRA.

Fifty-five percent of the citizens feel the outcome of their contact with the CRA was fair.

Precomplaint citizens were asked what kind of assistance they received from the CRA.

Complaints, and Legal Consequences (Washington: The Police Foundation, 1993). The Police Foundation survey found that, for example, that African Americans represented 42 percent of the complainants in the cities surveyed but only 21 percent of the population of those cities.

Thirty-two percent indicated that the CRA explained police procedure, twenty-three percent said the CRA explained the law, and sixteen percent said the CRA referred them to another agency.

The evaluation form gives citizens a chance to offer any comments they would like to make about the CRA. The largest number (42% of the total) made some comment critical of the CRA investigation. The second largest group of comments (31%) indicate that the CRA had been helpful. The third largest group of comments (21% of the total) are critical of the police or the law.

Many of the citizens comments are extremely appreciative of the CRA. One said "I feel they kept in touch with me going through with my complaint." Another said "The service I received was helpful. I felt like a person in the whole ordeal." Another commented that "I am thankful that the[sic] are people who is look out [sic] for the underdog." Another said "I talked with [CRA investigator] and was very pleased with the help [he/she] gave me." Some citizens, on the other hand, were very critical of the CRA. One said "I believe I was just given the run around." Another said "I think they represent the interests of the police dept. more so than the interests of the citizens."

Evaluations by Race, Ethnicity, and Gender

White citizens are more satisfied with their experience with the CRA than are African Americans. (The number of evaluations from other racial and ethnic groups is too small to permit meaningful analysis.)

Eight-four percent of white citizens report that they had a chance to tell their side of the story, compared with 67 percent of African Americans. Eighty-seven percent of white citizens and 69 percent of African Americans report that the CRA staff listened to them. Seventy-eight percent of whites and 66 percent of African Americans indicate that they were treated with respect. Finally, 59 percent of whites and 44 percent of African Americans feel that the outcome of their case was fair.

A strong majority of both men and women are satisfied with how they were treated by the CRA. Eighty-one percent of males and 73 percent of females were feel they had a chance to tell their side of the story. Eighty-three percent of the males and 77 percent of the males feel that the CRA staff listened to them. Seventy-four percent of the females and 70 percent of the males feel they were treated with respect. Women were slightly more likely to feel that the outcome of their case was fair (58.3%) than are men (51%).

POLICE OFFICER EVALUATIONS

Profile of the Officers

A total of 58 police officers returned completed evaluations. Ninety-one percent of the officers are male and nine percent are female. Eighty percent of the officers are white, nine percent are Asian American, four percent are African American, and four percent are Hispanic/Latino.

Evaluation of the CRA

Police officers express extremely high levels of satisfaction with the CRA. Ninety percent felt that they had a chance to tell their side of the story. Ninety-one percent feel that the CRA staff investigators treat them with respect. Thirty two of the officers (55% of the total) had some experience with the CRA Board. Eighty-four percent of those officers feel they were treated with respect by the Board.

Eight officers (14% of the total) had a hearing before the CRA Board. Seven of those officers express satisfaction with the hearing process.

Eighty-five percent of the officers feel that the outcome of their case was fair.

Eleven officers (19% of the total) agreed to have the complaint against them mediated. Slightly more than half (6, or 55%) of those mediations were successful.

The evaluation form offers police officers an opportunity to comment on any aspect of their experience with the CRA. About half (27) of the officers made some comment. The largest number of comments (33.3% of the total) commented that the process was fair. Another 22.2 percent commented that the process was not fair. Five officers (18.5% of those making comments) said they were subject to a frivolous complaint. Four said they felt the citizen was lying. Finally, three commented on the lack of information from the CRA about the status of the complaint.

DISCUSSION

The evaluations of the CRA by both citizens and police officers are extremely high. Any organization that received favorable ratings in the 70-90% range can be justifiably proud of the work it is doing.

It is all the more surprising that the levels of satisfaction are equally high on both sides of

this adversarial process. In such a context, one might reasonably expect to find one side giving the agency high ratings and the other side giving it low ratings. If this were the case, one would reasonably conclude that the agency's procedures are biased, or at least perceived to be biased in favor of one side. The fact that the CRA receives high ratings from both sides suggests that it has achieved a high level of fairness and impartiality.

The high ratings given the CRA take on additional meaning when compared with evaluations of other complaint review procedures. A Vera Institute evaluation of the New York City Civilian Complaint Review Board (CCRB) in the 1980s, for example, found that both citizen complainants and police officers gave the agency low ratings. Two-thirds of all complainants (64%) were not satisfied with their experience with the CCRB. Moreover, complainants who pursued their complaint furthest through the system were the most dissatisfied. In other words, the greater the contact the lower the level of satisfaction.[3]

In New York City, police officers who had been the subject of complaints and who participated in focus groups about the CCRB generally felt that the CCRB was "aribtrary, capricious and unfair ...."[4]

A survey of citizen complainants in Queensland, Australia found that 60 percent of those who had their complaints investigated were dissatisfied with how the case was handled. Seventy-six percent of the police officer, however, reported that they were satisfied with how complaints were investigated. Among those citizens who chose mediation, on the other hand, 76% reported that they were satisfied with the process, while 83% of the officers were satisfied.[5]

It is particularly significant that in the Vera study citizens who had their complaints fully investigated by the CCRB were substantially less satisfied than citizens who exited the complaint process at some early stage. The fact that in Minneapolis citizens who signed complaints that were investigated were somewhat more satisfied than precomplaint citizens is additional evidence that the CRA is doing a thorough and fair job of investigating complaints.

Procedural Justice

Citizens in Minneapolis are more satisfied with how they were treated by the CRA than they were with the outcomes of their cases.

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[3] Michele Sviridoff and Jerome E. McElroy, Processing Complaints Against Police In New York City: The Complainants Perspective (New York: Vera Institute of Justice, 1989), pp. 47-50.
[4] Michele Sviridoff and Jerome E. McElroy, The Processing of Complaints Against Police in New York City: The Perceptions and Attitudes of Line Officers (New York: Vera Institute of Justice, 1989), p. 41.
[5] Robert C. Holland, "Dealing With Complaints Against the Police: The Resolution Process Adopted by the Queensland Police Service, Australia," Police Studies, 19 (NO. 2, 1996): 56.

Legal scholars explain this distinction in terms of the concepts of procedural and distributive justice.[6] Procedural justice refers to the process itself, and how people exposed to it feel they are treated. Distributive justice refers to case outcomes. These scholars argue that procedural justice is at least as important, and in some cases more important than distribute justice. In plain English, this means that many people are more concerned with how they are treated than whether they win or lose. Many people are primarily concerned about having a chance to tell their side of the story and to feel that someone listens to them. It is for this reason that the QSA includes questions about whether citizens and police officers feel they had a chance to tell their side of the story and were treated with respect.

It is understandable that Minneapolis citizens are less satisfied with the outcomes than with how they felt they were treated. Between 1991 and 1998 only about 10% of the signed complaints handled by the CRA resulted in either a sustained complaint or a successful mediation.[7] From a distributive justice perspective, the complainant "loses" and the police officer "wins" 90% of the time. A majority of citizens, nonetheless, report that they are satisfied with the outcomes in their cases. A number of these individuals, however, did not sign formal complaints and ended their contact with the CRA after receiving some explanation or assistance. Given the pattern of case outcomes, it is also understandable why police officers are far more satisfied with the outcomes than are citizens.

The high ratings by citizens of the CRA's procedures, despite the lower ratings of outcomes, speaks very well of the CRA, its staff, and its management. In many cases there is nothing that the CRA can do about a citizen's complaint. The complaint may be without merit or based on a misunderstanding on the part of the citizen, or not supported by sufficient evidence. The CRA can and should, however, be held accountable for how it treats the people who contact it. The data here indicate that the CRA is doing an excellent job in this regard.

Satisfaction by Racial Group

African Americans are less satisfied with their experience with the CRA than are white citizens. Sixty-seven percent of African Americans feel they had a chance to tell their side of the story, compared with 84% of whites. Meanwhile, 44% of African Americans are satisfied with the outcome of their case, compared with 59% of whites.

The lower level of satisfaction reported by African American citizens is cause for concern, even though the results are not completely surprising. African Americans consistently report less favorable attitudes toward the police than white Americans. These lower ratings are

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[6] E. Allen Lind and Tom R. Tyler, The Social Psychology of Procedural Justice (New York: Plenum, 1988).

[7] Minneapolis Civilian Police Review Authority, 1998 Annual Report (Minneapolis: CRA, 1999), p. 6.

generally interpreted as expressing a general sense of alienation from the structures of power. It is likely that the CRA is perceived by many African Americans to be another part of the structure of power along with the police department they are seeking to complain against.

RECOMMENDATIONS

The findings in this report lead to a number of recommendations.

First, the high ratings by both citizens and police officers suggest that the CRA is doing an excellent job with respect to fairness and impartiality. The leadership of the CRA can take pride in these results but should be vigilant to see that high standards of performance continue.

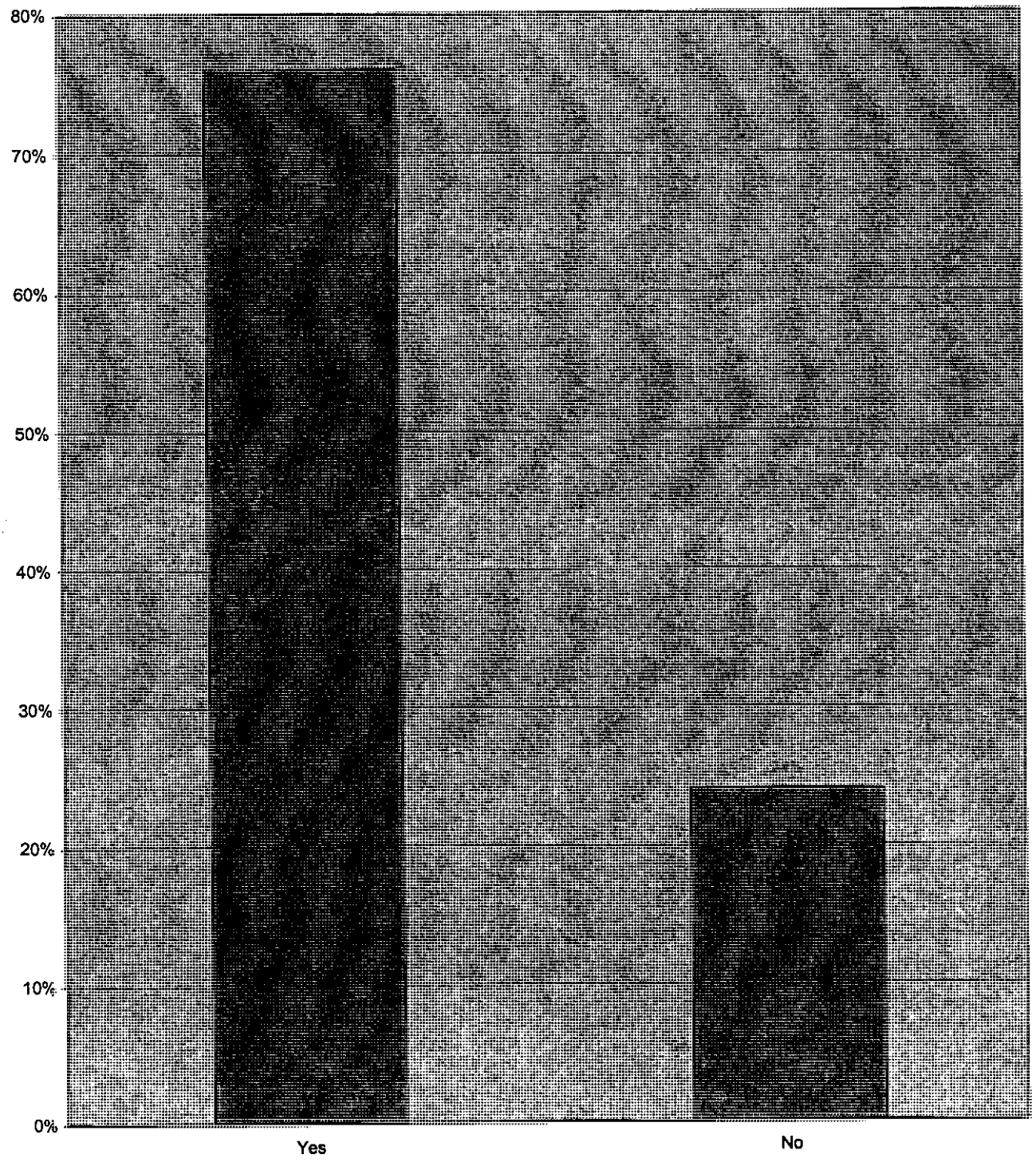
Second, the low response rate of returned evaluations is a problem. Among other things it weakens confidence in the findings reported here. The CRA should consider ways to improve response rates.

Third, the relatively lower levels of satisfaction reported by African American citizens is a concern that should be addressed. The CRA leadership should review all aspects of its operations to determine if changes can be made to improve service to African American citizens.

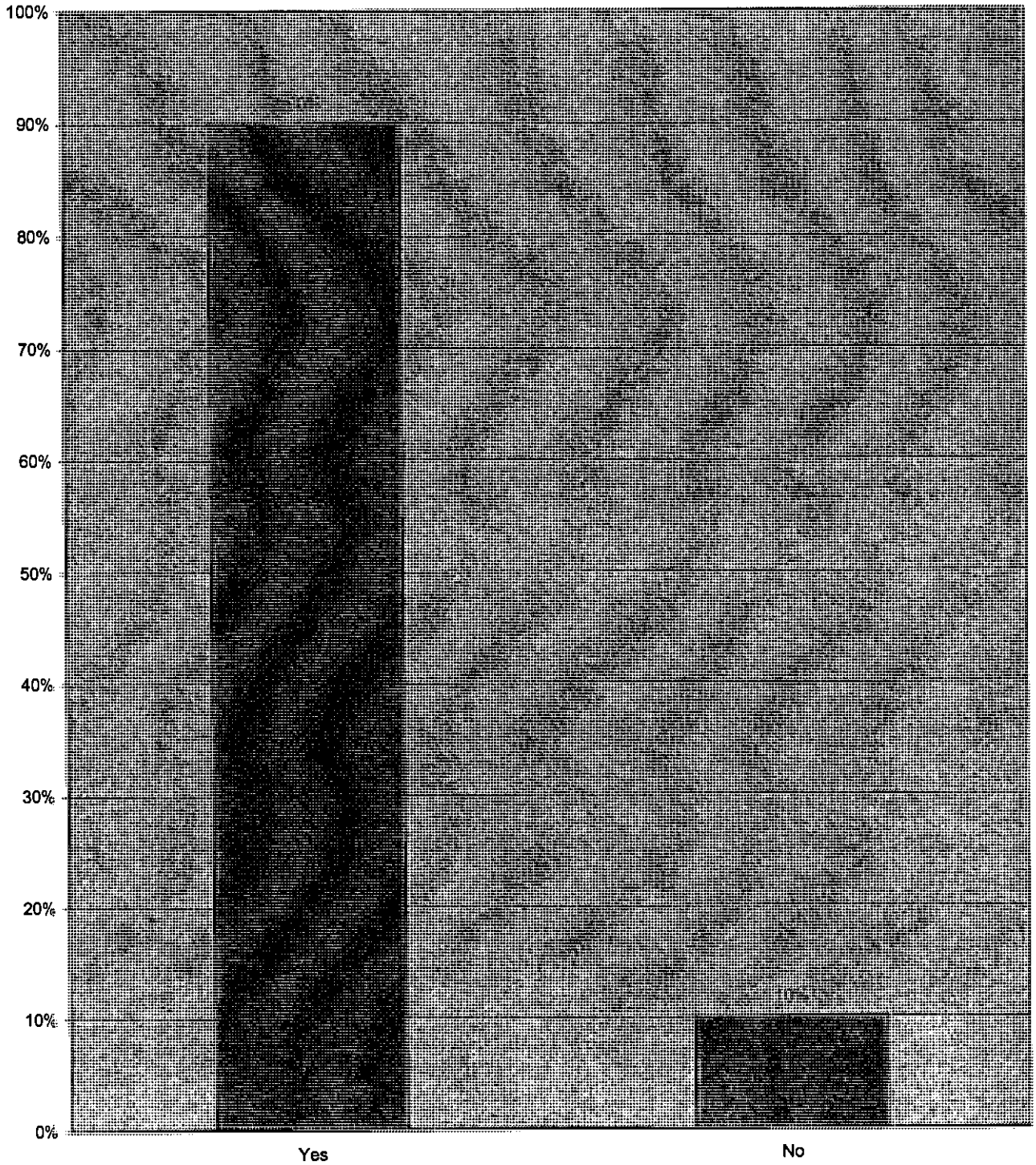
Fourth, some changes should be made in the QSA survey instruments. The citizen evaluation form does not distinguish between precomplaints and signed complaints. These two groups of citizens have very different kinds of experience with the CRA and it would be important to know if they have different levels of satisfaction. Consequently, it is recommended that two different citizen evaluation forms be developed, one for precomplaints and one for signed complaints.

Along the same lines, the citizen evaluation form does not clearly indicate the outcome of the case. For future analyses, it would be important to examine the different levels of satisfaction among those whose signed complaints were sustained, mediated, and not sustained. Consequently, it is recommended that the citizen evaluation form be revised accordingly.

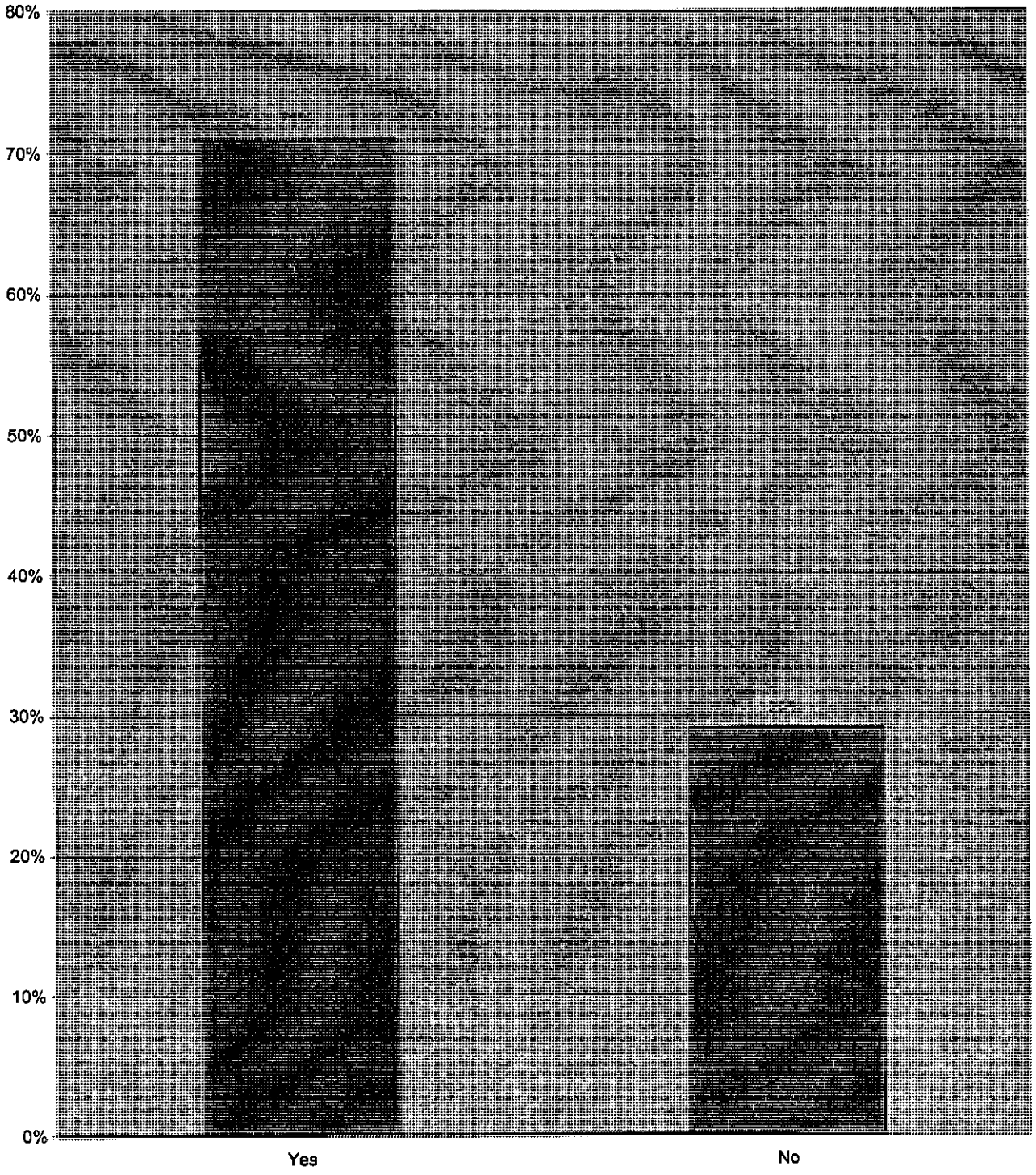
CHANCE TO TELL YOUR SIDE OF THE STORY?
CITIZENS' RESPONSES



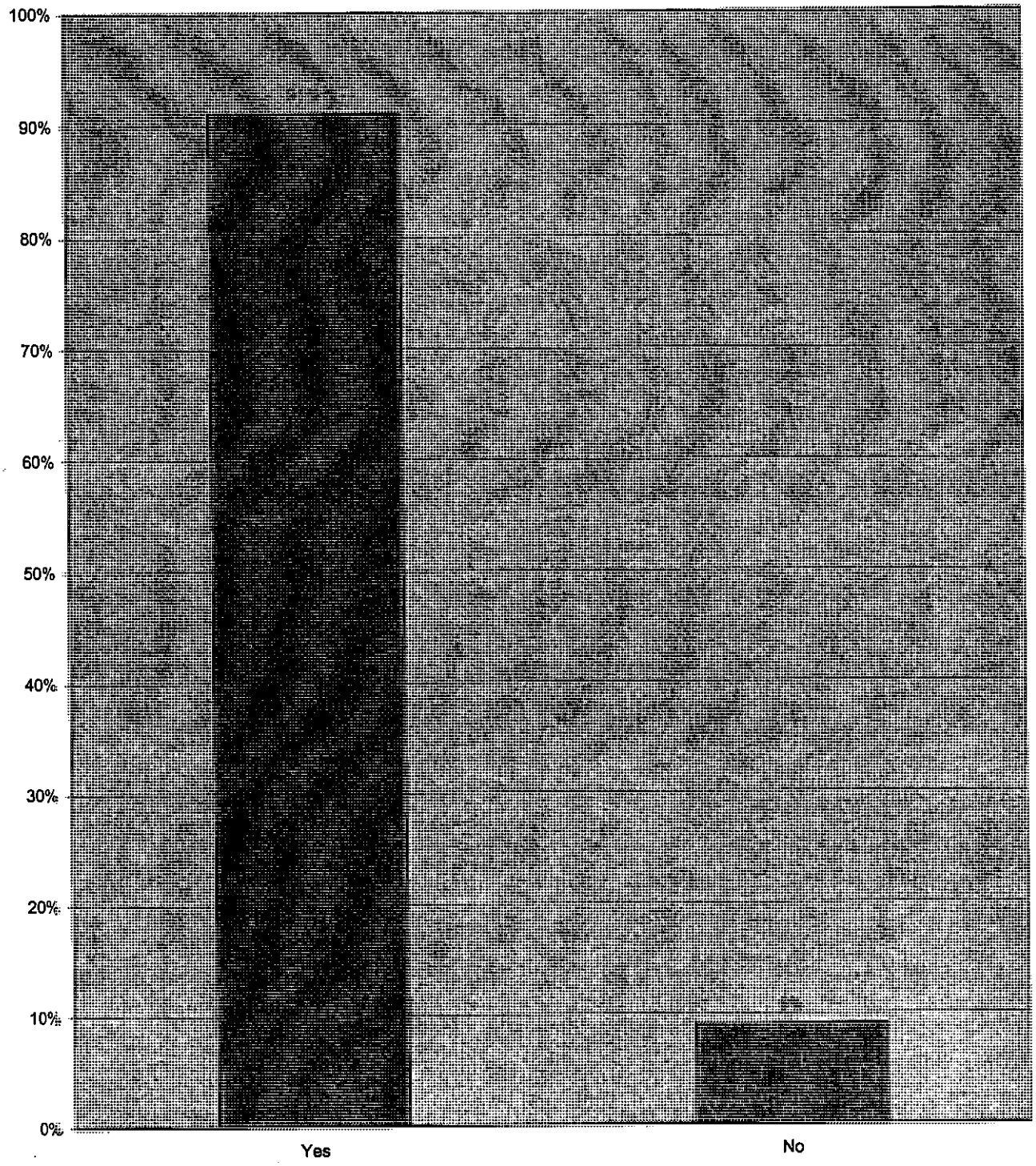
CHANCE TO TELL YOUR SIDE OF THE STORY?
POLICE OFFICERS' RESPONSES



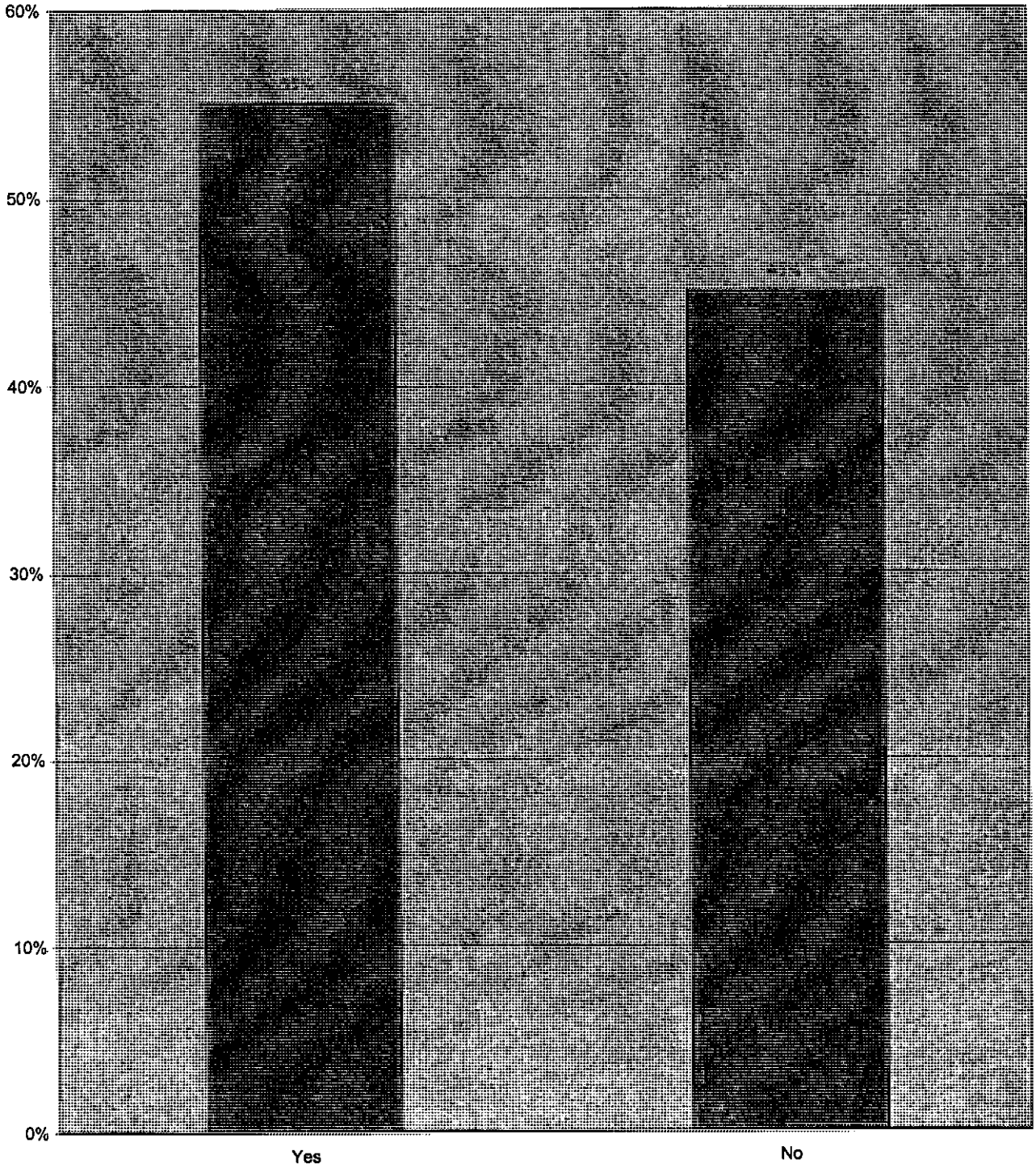
TREATED WITH RESPECT BY CRA?
CITIZENS' RESPONSES



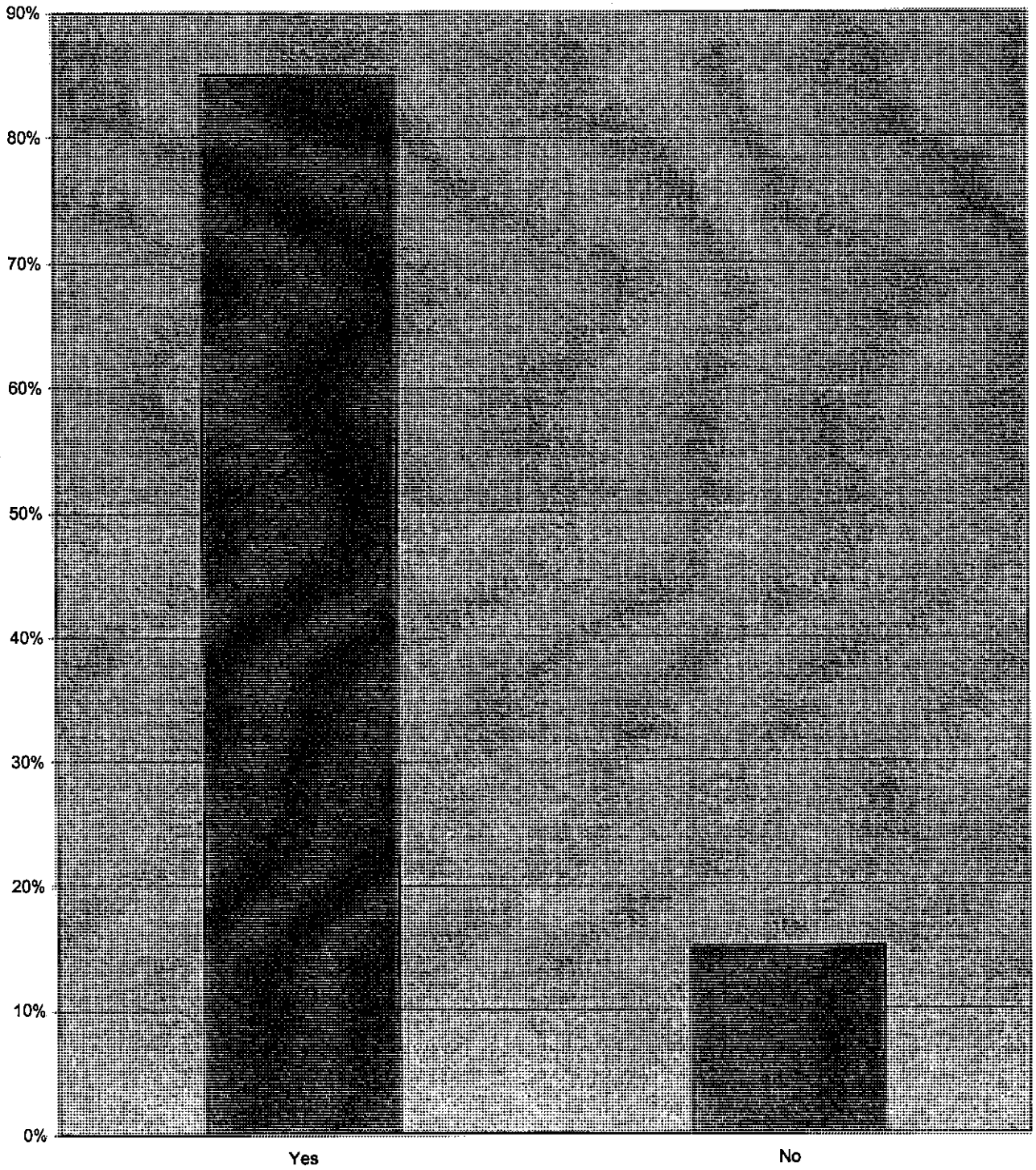
TREATED WITH RESPECT BY CRA STAFF?
POLICE OFFICERS' RESPONSES



WAS THE OUTCOME FAIR?
CITIZENS' RESPONSES



WAS THE OUTCOME FAIR?
POLICE OFFICERS' RESPONSES



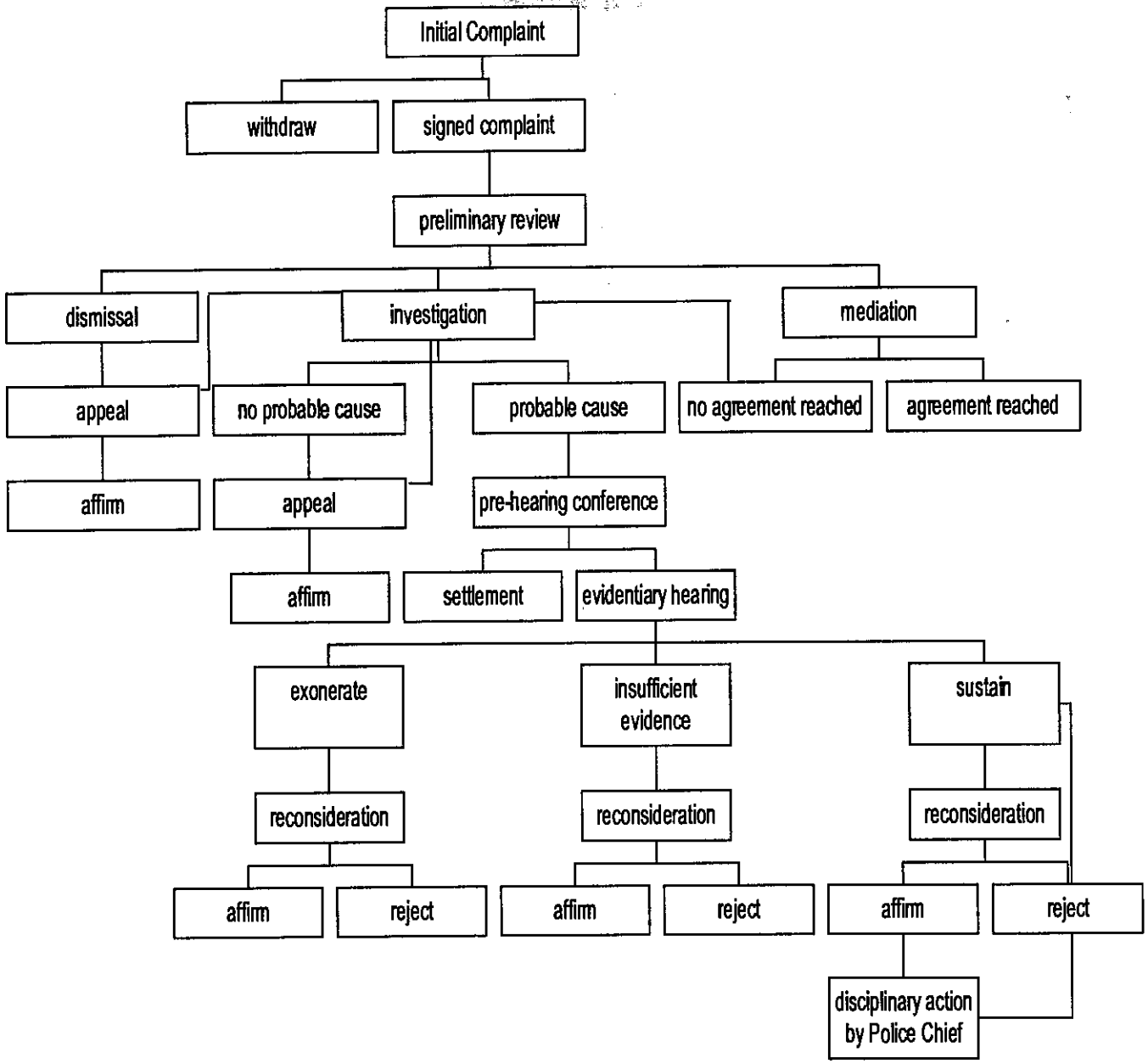
THE COMPLAINT PROCESS

To file a complaint an individual contacts the CRA and is assigned an investigator. Any person who has personal knowledge of alleged misconduct on the part of an officer may file a complaint with the CRA. No complaint will be deemed filed with the CRA until it has been reduced to writing and signed by the complainant. Within thirty days of the date the signed complaint is filed, the Executive Director makes one of three decisions: 1) recommend the case for mediation; 2) dismiss; or 3) forward the case to investigation. If the case reaches the third stage, the investigator conducts a thorough investigation and makes a recommendation to the Executive Director of the CRA as to whether or not there is probable cause that misconduct occurred. The investigator is allowed 120 days from the date a complaint is signed to complete the investigation. The average investigation takes 89 days. The Executive Director then makes a determination on whether or not there is probable cause.

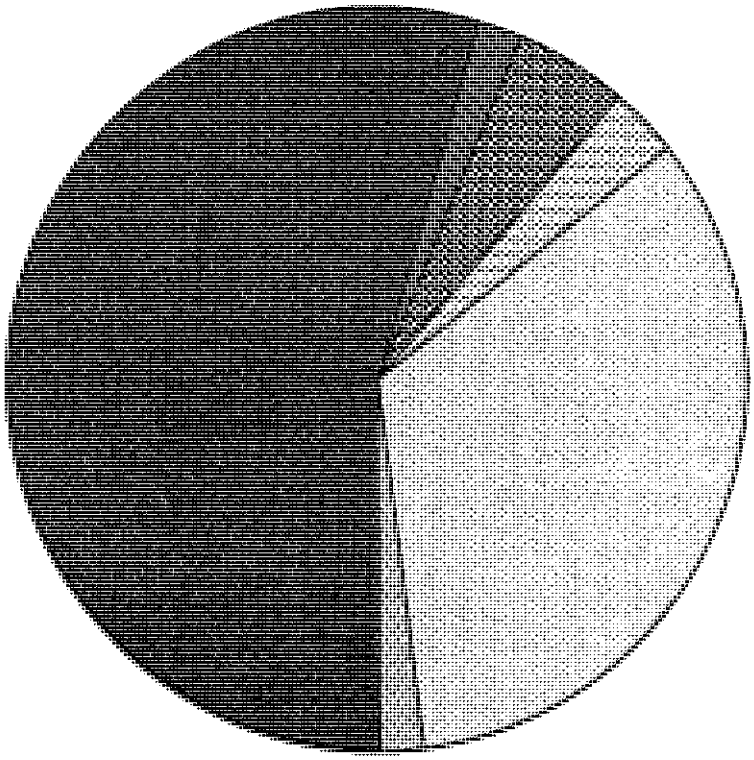
If probable cause is found, the Executive Director informs the Chairperson who appoints a Hearing Panel which usually consists of three Board members, with one member designated as chair of the panel. The panel chair holds a pre-hearing conference with the Executive Director, the officer, and the officer's attorney. At the pre-hearing the participants attempt to resolve matters about evidence and the scope of the hearing. The matter is then scheduled for an Evidentiary Hearing. The Executive Director of the CRA is the person who carries the complaint forward and argues on behalf of the complainant.

At the evidentiary hearing the Executive Director presents witnesses for the complainant and the officer has an attorney who represents the officer's defense on the complaint. After the hearing is concluded the panel deliberates privately. The panel makes a written finding of fact and determination as to whether the complaint is sustained or not. The matter is referred to the Chief of Police who makes the decision as to what disciplinary action will be taken, if any. When the Chief has made his decision, he must provide his reasons in writing to the Mayor and to the CRA.

CRA COMPLAINT PROCESS



Alleged Victim by Race



Indian 2% | Black 55% | Asian 2%
Hispanic 5% | Unknown 3% | White 34%

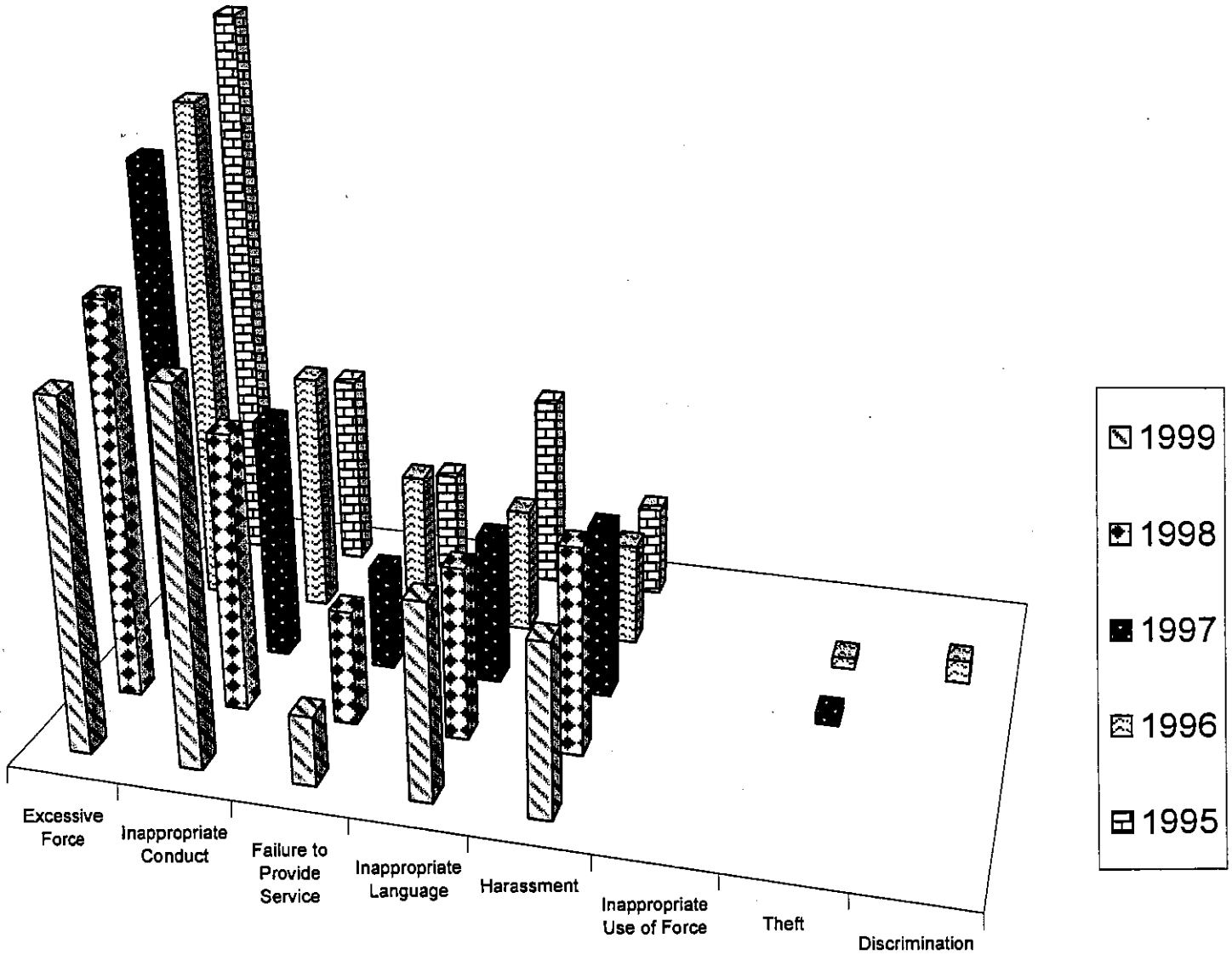
70 PERCENT OF VICTIMS WERE MALE; 30 PERCENT FEMALE

ALLEGED VICTIMS BY AGE

Age	1995	1996	1997	1998	1999
16 or Under	15	14	9	14	13
17 to 20	22	15	18	12	16
21 to 25	25	21	27	14	27
26 to 34	57	36	46	43	34
35 to 45	29	42	53	28	41
46 and Over	19	14	23	18	12
Unknown	6	5	5	2	0
	173	147	181	131	143

EXHIBIT E

Types of Complaints



	Excessive Force	Inappropriate Conduct	Failure to Provide Service	Inappropriate Language	Harassment	Inappropriate Use of Force	Theft	Discrimination
1999	30%	32%	6%	17%	15%			
1998	34%	24%	10%	15%	18%			
1997	42%	21%	9%	13%	15%		1%	
1996	44%	21%	13%	11%	9%		1%	2%
1995	49%	17%	9%	17%	8%			

EXHIBIT F

COMPLAINTS AGAINST OFFICERS BY AGE AND EXPERIENCE

Age of Officer at the Time of the Incident

	1995	1996	1997	1998	1999
21 and Younger	0	0	0	0	0
22-25 Years Old	6	3	3	13	22
26-30 Years Old	50	27	34	58	67
31-35 Years Old	63	46	49	36	31
36-45 Years Old	48	31	32	30	29
46+ Years Old	10	17	20	13	10
Unknown	85	65	95	11	6
	262	189	233	161	165

Officers' Years on Minneapolis Police Department at Time of Incident*

	1995	1996	1997	1998	1999
Less Than 2 Years	18	22	24	31	13
2-5 Years	104	79	66	63	93
6-10 Years	61	44	77	38	40
11+ Years	20	16	29	18	13
Unknown	55	31	37	11	6
	258	192	233	161	165

* Some officers have served on other police departments prior to coming to Minneapolis.

EXHIBIT G

COMPLAINTS BY PRECINCT

Precinct	1995 Complaints	1996 Complaints	1997 Complaints	1998 Complaints
2	15	9	14	16
3	45	37	46	31
4	64	26	39	20
5	21	29	19	21
Unknown	1	0	0	0
Downtown Command	0	26	39	24
Outside City	0	2	2	1
	146	129	159	113

PRIMARY ALLEGATIONS BY PRECINCT* - 1999

Primary Allegation	DTC	2	3	4	5	OC**	Total
Excessive Force	10	1	6	10	7	0	34
Language	6	1	4	5	1	2	19
Harassment	6	0	4	4	3	0	17
Theft	0	0	0	0	0	0	0
Discrimination	0	0	1	0	0	0	1
Lack of Service	0	1	5	1	1	0	7
Inappropriate Conduct	8	4	12	5	6	1	36
	30	6	32	25	18	3	114

* Location of Incident ** Outside City

The precincts vary by size and number of officers assigned. Following is the 1999 information on each precinct:

	DTC	Second	Third	Fourth	Fifth	Totals
Population Served*	21,158	66,979	116,370	66,822	97,054	368,383
No. of Officers	97	90	178	158	139	662
No. of Service Calls	53,431	46,782	120,088	91,843	80,259	392,403

*1997 figures

EXHIBIT H

COMPLAINTS GENERATED THROUGH OFF-DUTY EMPLOYMENT

Of 146 complaints filed in 1995, 7 **(5 percent)** involved officers working in off-duty capacities at 7 different locations. Six of those complaints (86 percent) alleged use of excessive force; one alleged inappropriate conduct.

Of 129 complaints filed in 1996, 11 **(9 percent)** involved officers working in off-duty capacities at 11 different locations. Six of those complaints (55 percent) alleged use of excessive force, four inappropriate conduct, and one inappropriate language.

Of 159 complaints filed in 1997, 7 **(4 percent)** involved officers working in off-duty capacities at 6 different locations. Four of those complaints (57 percent) alleged use of excessive force, two inappropriate conduct and one inappropriate language.

Of 113 complaints filed in 1998, 9 **(8 percent)** involved officers working in off-duty capacities at 9 different locations. Three of those complaints (33 percent) alleged use of excessive force, three harassment, two inappropriate conduct and one failure to provide service.

Of 114 complaints filed in 1999, 15 **(13 percent)** involved officers working in off-duty capacities at 15 different locations. Three of those complaints (20%) alleged use of excessive force, six inappropriate conduct, four harassment and two inappropriate language.

EXHIBIT I

DISCIPLINARY ACTIONS RESULTING FROM CRA SUSTAINED COMPLAINTS

as of December 31, 1999

Of 28 sustained cases sent to the Chief of Police John Laux or Acting Chief Richard Schultz from January of 1992 through March 16, 1995, the Chief made disciplinary decisions as follows:

On ten cases that involved a sustained charge of **excessive force**, the discipline on **four cases was letters of reprimand, on one case a 10-day suspension without pay, and on another case a one-day suspension without pay**. **No discipline** was imposed in four cases.

On one case that involved sustained charges of **excessive force and harassment**, the discipline was **Use of Force Training**.

On three cases that involved sustained charges of **excessive force and language, a letter of reprimand** was imposed in one case, **no discipline** was imposed on another, and an **18-day suspension without pay (5 hard; 15 soft)** was imposed on the third.

On eight cases that involved a sustained charge of **language**, the discipline in **six cases was a letter of reprimand**, in another case a **three-day suspension without pay and additional training**, in another a **one-day suspension without pay**, and in the remaining case **no discipline** was imposed.

On one case that involved sustained charges of **language and harassment**, the discipline on the language charge was a **letter of reprimand. No discipline** was given on the harassment charge.

On four cases that involved a sustained charge of **harassment**, the discipline in one case was a **letter of reprimand** and in the other three **no discipline** was imposed.

On one case that involved a sustained charge of **inappropriate conduct**, the discipline was an **18-day suspension without pay (3 hard; 15 soft).**

Since becoming Chief of Police on March 17, 1995, Chief Robert Olson has made the following disciplinary decisions on 32 sustained cases:

On four cases that involved **excessive force**, the discipline was **one two-day suspension; one one-day suspension without pay** and **two letters of reprimand**.

On one case that involved **excessive force, inappropriate language and harassment,** the discipline was a **five-day suspension without pay.**

On ten cases that involved **inappropriate language charges**, the discipline was **one 24-hour leave without pay and no off-duty work for six months; one 24-hour suspension; one one-day suspension without pay; four letters of reprimand**; **two verbal warnings** and **one "A" violation**.

On six cases that involved **failure to provide adequate or timely police protection** the discipline was **one 40-hour suspension, no off-duty employment for three months and additional training (two related cases)**; **one letter of reprimand; one counseling/training; one verbal warning** and **one corrective action.**

On eleven cases that involved **inappropriate conduct**, the discipline was **four one-day suspensions; three letters of reprimand; three verbal reprimands** and **one corrective action**.

BIOGRAPHIES OF CURRENT CRA BOARD MEMBERS

Lucille Anderson - Anderson grew up in North Minneapolis and graduated from North High School. She received her Bachelor of Arts from the University of Minnesota and later took graduate courses at Boston College. Anderson has a broad base of experience in working with the community and the police. She began her career working for the Hennepin County School for Girls. Later she spent three years in Boston working with first offenders. For six years, she worked as a probation officer in New York and then for almost five years was a parole agent there. She worked with the U.S. Federal Marshall and the Boston police during the busing riots. Anderson later worked as a social worker in Los Angeles for the Department of Children's Service on the foster care Emergency Response Team. She also volunteered for about two years at the Hennepin County Domestic Abuse Project.

Kenneth Beck - A Board Member since 1994, Beck is a graduate of Washburn High School and Hamline University, with post graduate studies at Garrett Theological Seminary, Northwestern University and St. John's University. He was a minister of United Methodist Churches from 1946-1987, a staff member of Hamline University from 1987-1992, and remains active in many church and community organizations, including school board, anti-poverty program, council of churches. Beck serves on the CRA Board because he believes it assists in creating both the perception and the reality of a safer community in the City he loves.

Robert Boughton - The longest serving CRA Board Members, Boughton was among the original members appointed in 1990 and served as Chair during the CRA's formative years. He currently serves as Vice Chair. He has a Bachelor of Arts degree from Chicago Teachers College, a Master Degree from the University of Minnesota and a Specialist Degree in Education Police and Administration from the University of Minnesota. With over 25 years of teaching experience, he has taught in the Minneapolis Public Schools for the past 12 years. He has also been a Minneapolis Park Police Agent for those 12 years. He is certified Bilingual/Bicultural (Spanish). Boughton, father of six, has lived in Minneapolis for 20 years.

Brian Gorecki - Active in various community organizations for a number of years, Gorecki has served for the last eleven years as his Block Club Leader. He has participated in numerous political action committees and has worked with the CCP/SAFE Team to create and help to implement strategies to deal with problem properties. He has also been a community

organizer and was Housing Director for the Northside Residents Redevelopment Council. Gorecki has also participated in police training which focused on police procedures during forced-entry drug raids.

Daryl E. Lynn - A life-long resident of Minneapolis and father of six, Lynn served as one of the original CRA Investigators from 1991 through 1993. A Board member since 1995 and Chair since 1996, Lynn is a graduate of the Minneapolis Police Department's Citizens Academy. He is currently the Assistant Ombudsman for Corrections for the State of Minnesota. He has also worked for the State Public Defender's Office, Operation DeNovo, Project Remand, and the County Home School in Minnetonka. Lynn has a Bachelor of Science Degree in Sociology, with emphasis in Criminal Justice, from Mankato State University.

Mark Matthews - A native of Allentown, Pennsylvania, Matthews has been a proud resident of the City of Minneapolis for the last 20 years. He holds a doctorate in philosophy from the University of Minnesota where he specialized in the history of philosophy, political philosophy, and ethics. He is currently a tenured professor of philosophy at Metropolitan State University where he is responsible for university-wide instruction in various fields of professional ethics. Among his professional ethics teaching, Dr. Matthews teaches courses in police and criminal justice ethics to both current and future criminal justice officers in the university's School of Law Enforcement. He is a national and local lecturer in both philosophy generally and in police and criminal justice ethics more specifically. He has served as a consultant for several local police agencies in offering their officers continuing education training in police ethics. He is a graduate of the Minneapolis Police Department's Citizen's Academy and began his four-year term as a board member of the Minneapolis Civilian Police Review Authority in November of 1977. He is the proud father of two daughters, Matthea and Zoe, ages five and four and sees his work on the CRA as part of a sustained, personal commitment to make the City of Minneapolis a more livable and decent place for both his own children and the children of others.

Amy YellowThunder - A member of the CRA Board since March of 1996, YellowThunder lives with her three children in the Longfellow Neighborhood of South Minneapolis. For the past four years she has worked as a Dispositional Advisor in the Ramsey County Public Defender Officer. Prior to that she was a Hennepin County Juvenile Probation Officer. She also has 15 years experience working in the chemical dependency field.

BOARD MEMBERS
SERVING DURING 1999

Lucille Anderson	4/94 to 4/99
Kenneth Beck	9/94 to Present
Robert Boughton, Vice Chair	6/90 to Present
Brian Gorecki	5/94 to Present
Daryl E. Lynn, Chair	3/95 to Present
Mark Matthews	11/97 to Present
Amy YellowThunder	3/96 to 12/99

STAFF MEMBERS DURING 1999

Patricia J. Hughes	Executive Director
David M. Awker	Investigator
Michael L. Johnson	Investigator
Robin M. Lolar	Investigator
Roberta Drew	Clerk Typist II
Sharon Pelka	Program Assistant
Marsha Rode	Clerk Typist II

Special thanks to Minneapolis Mediation Program for providing the CRA with case studies of successful mediations.

Report Prepared by the Civilian Police Review Authority, March 2000
Patricia J. Hughes
Sharon Pelka