



# Minneapolis Police Department Policy and Procedure Manual

Number:  
5-100

## Volume Five – Code of Conduct and Use of Force

### Code of Conduct

#### 5-109 Procedural Justice and Professional Policing

(xx/xx/24)

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##### I. Pillars of Procedural Justice

Procedural justice refers to the perception of fairness in an encounter with police. Procedural justice is essential to building public trust and police legitimacy (the public's belief that the police can be trusted to act properly and in the public interest), which are critical to protecting and serving the public effectively.

Procedural justice practices are crucial for fostering positive interactions and are used by members to ensure people are treated fairly and with proper respect as human beings. Using procedural justice practices should result in the person feeling they were treated fairly and with consistency, dignity and respect, that they were given voice, that the member was neutral, impartial in decision-making, and transparent, and that the member conveyed trustworthy motives.

Conduct that conforms to these practices has the potential to build confidence in the police and foster the community's willingness to cooperate with police to advance shared public safety goals. Procedural justice is the foundation of community policing.

The four pillars of procedural justice are:

**Voice:** Providing people the opportunity to explain their actions and ask questions before making a final decision.

- Listening to a person's perspective is important to conducting a fair decision-making process. Engaging and using active listening with community members prior to reaching a conclusion leads to more informed decision-making and increases community members' acceptance of the resolution.
- Having a voice makes people feel that they are a part of the process and that they have input in the decision, even if it does not impact the decision.

**Neutrality:** Making transparent, neutral decisions based only on relevant information.

- Procedural justice is ultimately about fairness and consistency in both the process and outcomes of policing interactions. When the public perceives interactions as fair, these interactions contribute to public trust and Police Legitimacy.

- Conducting law enforcement encounters and actions, including voluntary contacts, field interviews, investigative stops, weapons pat-downs, vehicle stops, searches, interrogations, citation issuance, and arrests, among others, in strict accordance with MPD policy, demonstrates neutral decision-making and fair treatment, and helps avoid accusations or perceptions of discriminatory policing or bias.

**Respect:** Being professional and courteous throughout the interaction and treat people with dignity and concern for their rights.

**Trustworthiness:** Conveying trustworthiness throughout interactions by acting with professionalism, understanding, and transparency.

- Ensuring people know why and how decisions are being made fosters understanding and cooperation with the decision-making process and outcome.

## II. Policy

- A. It is the policy of the Minneapolis Police Department that every aspect of our professional service must demonstrate our commitment to procedural justice, which means to treat others with dignity, giving them voice and respect, being neutral in our decision-making and working to build trust.
- B. To ensure members are policing in a procedurally just manner, they shall treat all people with the courtesy and dignity that is deserving of every person as a human being, and act, speak, and conduct themselves in a professional manner, and maintain a courteous, professional attitude in all contacts with the public.

## III. Procedures/Regulations

- A. All members shall use the following measures whenever reasonably possible while conducting law enforcement actions and interacting with others:
  1. Be courteous, and treat people with a high degree of ethics, professionalism, and respect.
  2. Introduce or identify themselves to the person by rank, last name, and agency, as soon as reasonable and practical.
  3. Explain the reason for the contact as soon as practical, unless providing this information will compromise the safety of members or other people.
    - a. For a person who was stopped for a traffic stop or investigative detention, this includes informing the person of the reason why they were stopped.
    - b. Members shall not ask a person stopped for a traffic stop if they know why they have been stopped.

4. Inform the person that they are being recorded by a BWC, by in-car camera equipment (when applicable), unless doing so would be unsafe, impractical, or not feasible. This requirement applies regardless of whether the person asked. (P&P 4-223)
  5. When people express or clarify names and pronouns appropriate to the person's gender identity, address the person, refer to the person in documentation and use honorifics that match the names and pronouns expressed or clarified by the person regardless of the person's recorded gender identity on an identification card.
  6. Attempt to answer any relevant questions that the person may have regarding the interaction, including relevant referrals to other agencies when appropriate, unless doing so would jeopardize a legitimate investigative purpose.
  7. Explain actions throughout the encounter.
  8. Ensure that the length of any detention is no longer than necessary to take appropriate action for the known or suspected offense.
  9. Ensure that the purpose of any reasonable delays is explained to the person.
  10. Provide their business card, including their first and last name and badge number, when requested.
  11. If the reasonable suspicion for the stop is dispelled or the stop was made in error (P&P 9-201), immediately release the person, explain the reason for the stop and the release, thank the person for their patience, ask if they have any questions related to the interaction, and apologize for any inconvenience.
  12. If asked, provide the procedures for filing a complaint about police services or conduct, in accordance with P&P 2-104.
- B.** Exigent circumstances (e.g., a suspect fleeing police) may make it impracticable to immediately implement the above steps. In such cases, members shall advise the person when it becomes feasible.
- C.** Members should express appreciation if the person is cooperative during the encounter.
- D.** Members shall use de-escalation techniques whenever possible, in accordance with P&P 5-301. Not only does this decrease the chances of the use of force or a violent outcome, but it also allows the member to listen to and communicate productively with the person.
- E.** Members shall ensure the safety of all people in their encounters, including during placement in custody, searches, arrests, processing and transports, in accordance with P&P 9-100, P&P 9-200 and P&P 9-300.
- F.** Minors are particularly attuned to procedural justice. A minor's earliest interactions with law enforcement can have a lasting impact on their perceptions of the legitimacy of the justice

system and their likelihood of reoffending. Additionally, members should be mindful of the fact that not all problems that minors encounter are best dealt with by the criminal justice system, and diversion strategies may provide a more effective resolution than traditional enforcement methods (See P&P 8-100 and P&P 8-300).

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