Exhibit 1

Minneapolis
City of Lakes

Department of Civil Rights
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Minneapolis, MN 55415
TEL 612.673.3000
www.minneapolismn.gov

1. Question on Inquires as a portion of overall Complaints

    - Under Minnesota state law, inquires legally cannot be classified as complaints. An inquiry would be the starting point of conversation where the requirements to move to a formal complaint had not yet been met. The requirements to classify something as a formal police complaint are outlined by the following state statute:

      626.89 PEACE OFFICER DISCIPLINE PROCEDURES ACT - Subd. 5.Complaint

      "An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint."

2. Question on steps of investigation

    - In 2016, OPCR issued a 24-page overview of the complaint filing process available on their website (link below).

      http://www2.minneapolismn.gov/www/groups/public/@civilrights/documents/webcontent/wcmsp-195180.pdf

3. Question on contacting people who call or email OPCR

    - The term 'complaint" is a designation governed by state law. An inquiry is generally a record of contact that an individual had with our office that is not a signed complaint. Inquiries do not meet the state law definition of a "complaint" and as such, OPCR is prohibited from taking an officer's statement regarding the matter, which prevents OPCR from pursuing an investigation.

      Typically, inquiries are followed up with two phone calls and a letter or email. If we don't receive a response, we cannot proceed. Phone calls are not complaints because they have no signature and OPCR staff clearly communicates to members of the community who call the office that they will need to file an actual complaint for it to be processed by the office. Complaints can be filed in person with or without assistance from staff, by mail, or on-line. The inquiry status is primarily to capture work completed on the many phone calls our office receives and to allow a mechanism for a record if the individual does eventually file an actual complaint.

4. Question on standard efforts to reach individuals who contact OPCR

    - Currently, the expectation for staff is two phone calls and a letter or e-mail. Additional attempts would be at the discretion on the intake investigator. In 2018 and 2019 we averaged 600 formal complaints not including inquiries. In 2018 we had a single intake investigator, in 2019 we had 1 intake investigator and 1 intake/case investigator. We are

currently at 1 intake investigator due to departure of staff right before a hiring freeze due to COVID-19.

5. Question on trauma training and treatment of callers

   - OPCR has staff with social work backgrounds and experience working with victims who experienced trauma through domestic violence or other situations. OPCR staff has been trained by the National Association of Civilian Oversight for Law Enforcement training on a trauma centered approach to serving the community as well as special training on how to serve people with trauma and mental illness who come to file complaints with the office.

     Additionally, if an individual calling expresses fear of retaliation or a hesitation to file a complaint for any reason, OPCR provides the complaint process but does not force or push individuals to file with our office. OPCR believes that the complaint process should be voluntary and that community members who enter this process should be comfortable and willing participants. Our investigative staff is sensitive to complainant needs and was hired for this specific skill.

6. Question on percentage of discipline

   - When attempting to calculate the percentage of cases disciplined, it is critical to understand what cases were eligible for discipline to begin with. Cities across the nation have very different definitions of discipline from one another. In Minneapolis, if a case is reviewed and found to be non-jurisdictional, it is dismissed and would never have been eligible for discipline since our oversight only pertains to the Minneapolis Police Department (MPD). Further, violations classified as "Category A" are lower level violations as defined by the MPD's discipline matrix. Civilian oversight in Minnesota cannot legally decide discipline, the discipline levels, or any decisions related to discipline on cases other than whether a case has merit per 626.89 (Peace officer discipline procedures). "Category A" violations are considered by the MPD discipline matrix to be enhanceable within a 1-year reckoning period from the date of the incident. Also, the MPD discipline matrix states that remedies for "Category A" violations, including coaching, training, and mediation, are not considered to be discipline. If a second violation is committed within that reckoning period, the category can be enhanced based on previous violations. Obviously, more severe violations would never be eligible for a "Category A" classification. The reason this context is important is because a majority of the complaints we receive annually are considered "Category A" violations and therefore, are not eligible for discipline as defined by the MPD discipline matrix. For example, our office receives several complaints about officers driving too fast in residential neighborhoods. This is the type of case that is a "Category A" and after investigators verify the speed using GPS logs, the employee would sit with a supervisor to discuss safe driving protocols and review the incident. The supervisor would document the session and that would be in the employee's permanent employment file.

     Additionally, due to MN Data Practices Act (13.43 Personnel Data), OPCR is limited regarding what information on police misconduct is publicly available. All state civilian oversight agencies can only release the following information on cases: case closed with discipline, case closed with no discipline, and whether a case is open. For this reason, a "Category A"

violation that went to mediation or training would be listed publicly as "Closed – No Discipline" because the remedies to "Category A" violations as defined by the MPD discipline matrix are not considered discipline. However, there still would have been corrective action taken as a result of the investigation, recommendations, and decisions made on the case.

The reason all this background is important comes back to the fact that the general term "discipline" and the MPD discipline matrix term "discipline" are not one in the same. If the goal is to measure cases where a corrective-action was taken, the numbers you provided are undercounting that total and making it appear that a much higher volume of cases are simply being dismissed without any action. It also is using an incorrect initial population from which to measure the total percentage disciplined, since a large amount of that population was never eligible for the MPD discipline matrix definition of "discipline" to begin with (non-jurisdictional / Category A).

I am providing the 2013 – 2019 dataset with a breakdown for context

Data Set 2013 through 2019: Total Jurisdictional Complaints and Corrective Action

- 3,090 Total Complaints (1,077 Outside of OPCR Jurisdiction)
- 2,013: Complaints against MPD Officers
- 39 Discipline and 334 Coaching Decisions (Per the MPD Discipline Matrix, Coaching is not considered "Discipline"
    - Additionally, there are 53 cases which have been disciplined but a number are still in the grievance process on the MPD side and an additional 46 cases from this period are pending Chief discipline decision. This accounts for 60 additional cases which could be added to the numbers since most Category A cases would have been referred to coaching prior to this point and not awaiting decision.
- 373: Total Corrective Actions (Discipline and Coaching)
- 18.5%: 2013 through 2019 Percentage of Actionable Complaints Ending in a Corrective Action

- A number of jurisdictions are able to classify oral and written reprimands as discipline, but OPCR is limited by multiple state regulations and do not have control over the classification of corrective actions for Category A violations.
  To provide an example of the impact state laws can have on data, I will use data from Seattle, which we have heard frequently as a comparison. If I impose the same legal restrictions that govern OPCR and what can be classified as discipline on Seattle (who is allowed to include oral and written reprimand as discipline), we get the following:

    - 2018: 1,172 Complaints (2,294 Allegations) made against SPD Officers
        - 24 cases resulting in MN/MPD classification of "discipline" – 16 suspensions, 5 terminations, 3 other
            - Application of MN restrictions would not count the following as discipline: 46 - Oral Reprimand, 40 - Written Reprimand, 9 - Retired/Resigned Prior to Discipline.
        - Total: 2.0% of total complaints ending in "discipline"

- 2019: 868 Complaints (1,191 Allegations) made against SPD Officers
    - 22 cases resulting in MN/MPD classification of "discipline" – 18 suspensions, 4 terminations
        - Application of MN restrictions would not count the following as discipline: 15 - Written Reprimand, 10 - Oral Reprimand, 10 - Resigned/Retired Prior to Discipline, 9 - Action Pending.
    - Total: 2.5% of total complaints ending in "discipline"

  None of this is meant to criticize this specific oversight body. It is only to highlight that without knowing the other structures of corrective active, possible legal or policy limitations on discipline, and taking creative liberties with definitions that may not be accurate, you can come to a very similar conclusion in this example.

7. Question on number of civilian staff in OPCR

    - At the end of Q1 2019 we were able to hire an additional intake investigator but in Feb 2020 lost an intake investigator to relocation and were back to 1. The City is now in a hiring freeze.

    - Including the intake investigator position that is frozen through 2020, these numbers are correct.

8. Question on signature requirement

    - The signed complaint requirement is set by state statute 626.89. However, electronic signatures legally meet this requirement so submission of the complaint form electronically or via e-mail can suffice. It is mentioned on our website and directing people to our website to submit their complaint (which would also qualify as electronic signature) would be something discussed by an intake investigator during a conversation.

      I did confirm with our staff that if a complainant insists on filing over the phone, and physically signing the complaint at a later date, we have done these multiple times in the past and would continue to do so. Once the complaint form became available to complete online, staff began directing people to the website since it would eliminate the need to travel to City Hall to sign a document.

      Website language on signature:

      "A complaint becomes official once the complainant signs it and it's received by the Office of Police Conduct Review. All online complaints will be considered and can be signed at a later date."

    - State Statute Requirement for Signature

      626.89 PEACE OFFICER DISCIPLINE PROCEDURES ACT
      Subd. 5.Complaint.

An officer's formal statement may not be taken unless there is filed with the employing or investigating agency a written complaint signed by the complainant stating the complainant's knowledge, and the officer has been given a summary of the allegations. Complaints stating the signer's knowledge also may be filed by members of the law enforcement agency. Before an administrative hearing is begun, the officer must be given a copy of the signed complaint.

- Electronic signatures are a matter of state law, and the state statute is very clear:

  325L.07 LEGAL RECOGNITION OF ELECTRONIC RECORDS, ELECTRONIC SIGNATURES, AND ELECTRONIC CONTRACTS.
  (a) A record or signature may not be denied legal effect or enforceability solely because it is in electronic form.
  (b) A contract may not be denied legal effect or enforceability solely because an electronic record was used in its formation.
  (c) If a law requires a record to be in writing, an electronic record satisfies the law.
  (d) If a law requires a signature, an electronic signature satisfies the law.

  325L.02 DEFINITIONS.
  In this chapter:
  . . .
  (h) "Electronic signature" means an electronic sound, symbol, or process attached to or logically associated with a record and executed or adopted by a person with the intent to sign the record.

  In short, city ordinance or any internal city policy coming out of the clerk's office cannot, legally, supersede a state statute that makes "electronic signatures" (which are very broadly defined) legally effective for our purposes.

9. Question on investigations in the absence of a signature

   - Much of this would be dependent on any additional available material and decisions are made on a case by case basis. With the increase in body-worn camera footage, investigators are more easily able to locate and review footage of an alleged incident. If they are able to identify potential issues, the case could be moved to the joint supervisors who are able to sign the complaint in the absence of a complainant.

     OPCR believes it is important to allow anonymous complaints, so as long as we have enough information in an inquiry to proceed, the joint supervisors (which includes a member of the law enforcement agency) file it on the complainant's behalf. However, without enough details, it is challenging to open anonymous complaints as the joint supervisors won't have sufficient knowledge of the incident to do so.