

Temporary Court Order Changes Embedded in City Ordinance or in Police Department Policy & Procedure Manual

On June 8, 2020, the Minnesota Department of Human Rights obtained a temporary court order (TRO) from Hennepin County District Court that required the City of Minneapolis and the Minneapolis Police Department to make immediate changes. Below is where the City incorporated these changes.

Contents

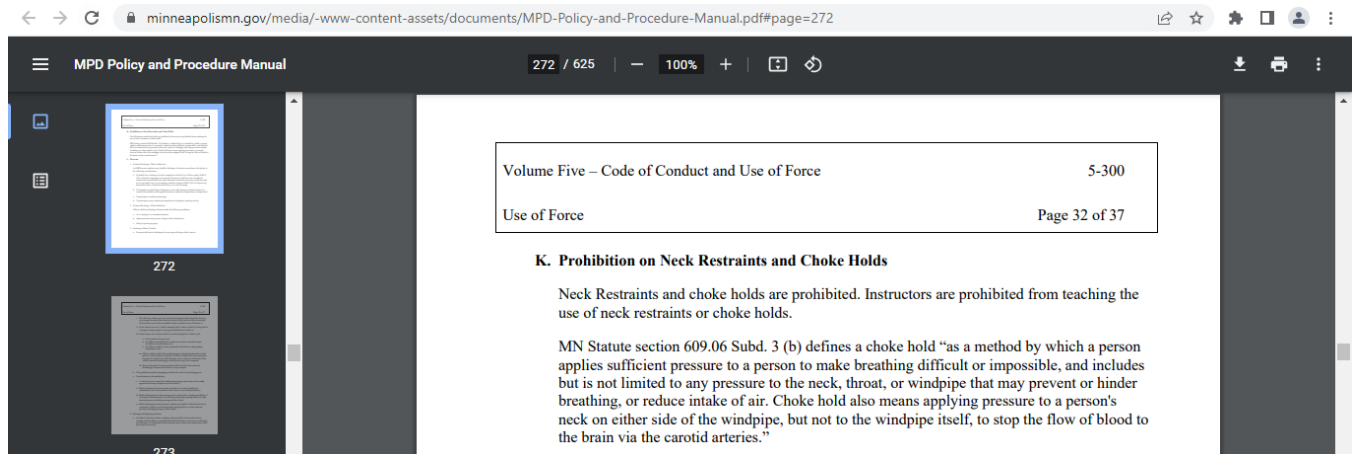
Temporary Court Order Changes Embedded in City Ordinance or in Police Department Policy & Procedure Manual.....	1
Contents	1
MPD Policy & Procedure Manual	2
Prohibition on Neck Restraints and Chokeholds – TRO Amended P&P 5-311 on 06/09/2020. Subsequently incorporated in Use of Force Procedures 5-302(III)(K), p.272.	2
Duty to Intervene – Professional Code of Conduct – TRO Amended P&P 5-303.01 on 06/16/2020. Subsequently incorporated in Use of Force 5-301(III)(C), p. 247.	2
Force During Civil Disturbances – TRO Amended P&P 5-312 on 6/16/20. Subsequently incorporated in Crowd Control and Disturbances 5-303(C) at p.276.....	3
Civil Disturbances – TRO Amended P&P 7-805 on 06/16/2020 and 08/21/2020, at p.445-446.	4
Ordinance	5
M.C.O. § 172.70. Disciplinary decision by chief.....	5

Upon request, this information can be made available in alternative formats for individuals with disabilities by emailing info.mdhr@state.mn.us or calling 651.539.1100.

MPD Policy & Procedure Manual

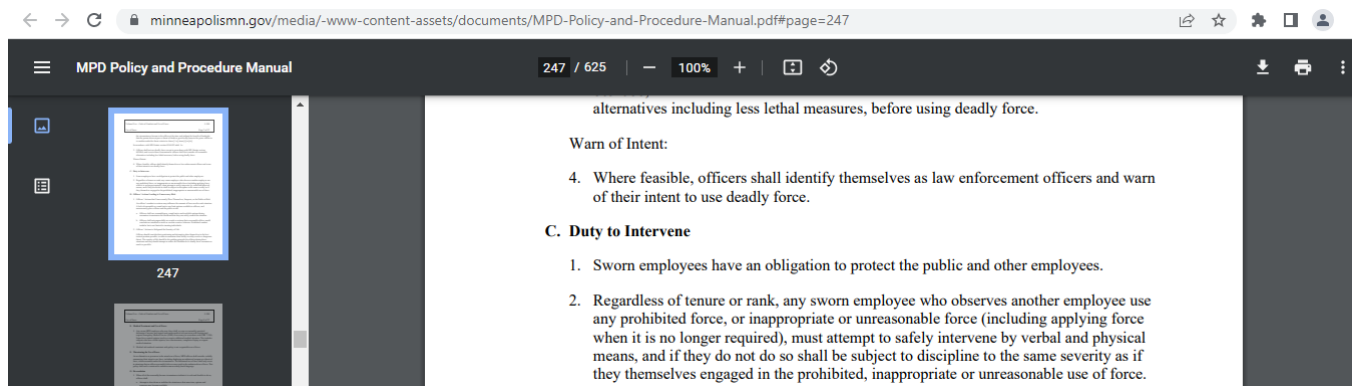
These citations are based on the MPD Policy & Procedure Manual last revised on April 8, 2022. Web citations are current as of 04/18/22. Several policy changes adopted immediately following implementation of the TRO have subsequently been moved within MPD's Policy & Procedure Manual and embedded as components in larger sections.

Prohibition on Neck Restraints and Chokeholds – TRO Amended P&P 5-311 on 06/09/2020. Subsequently incorporated in Use of Force Procedures 5-302(III)(K), p.272.



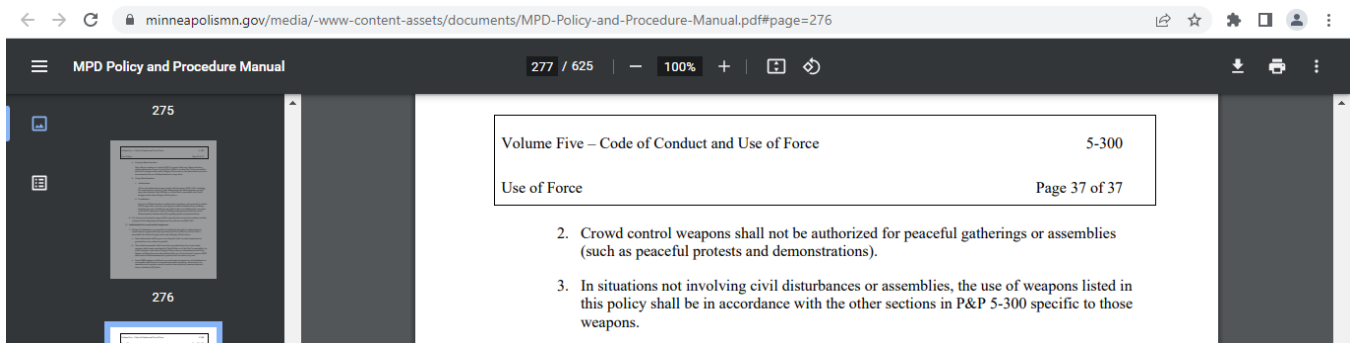
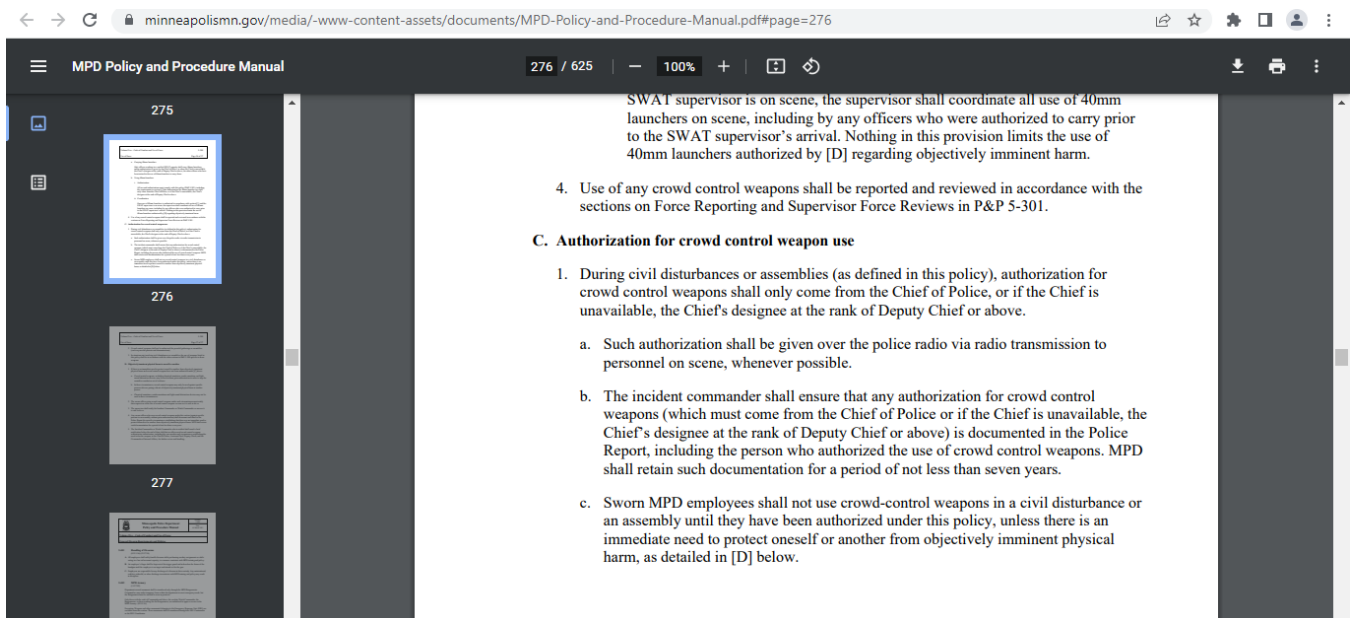
<https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf#page=272>

Duty to Intervene – Professional Code of Conduct – TRO Amended P&P 5-303.01 on 06/16/2020. Subsequently incorporated in Use of Force 5-301(III)(C), p. 247.



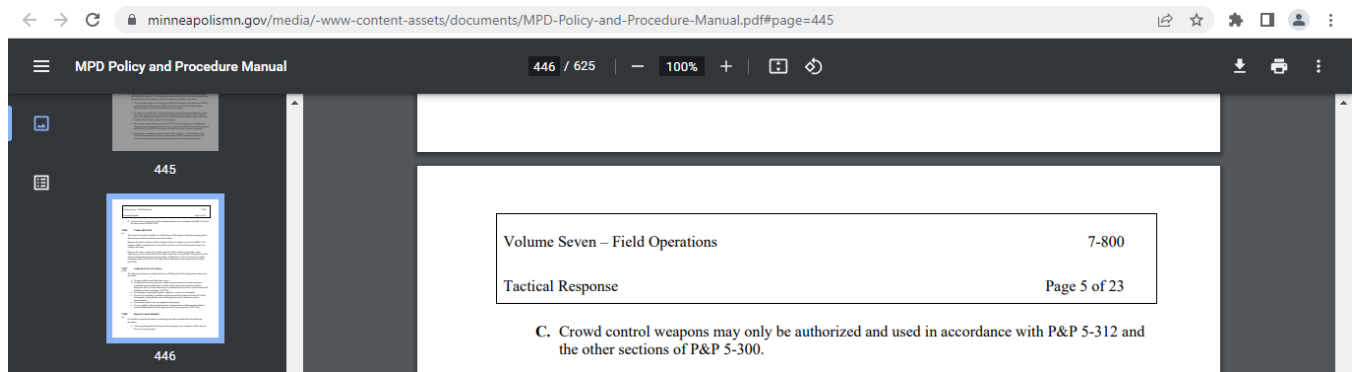
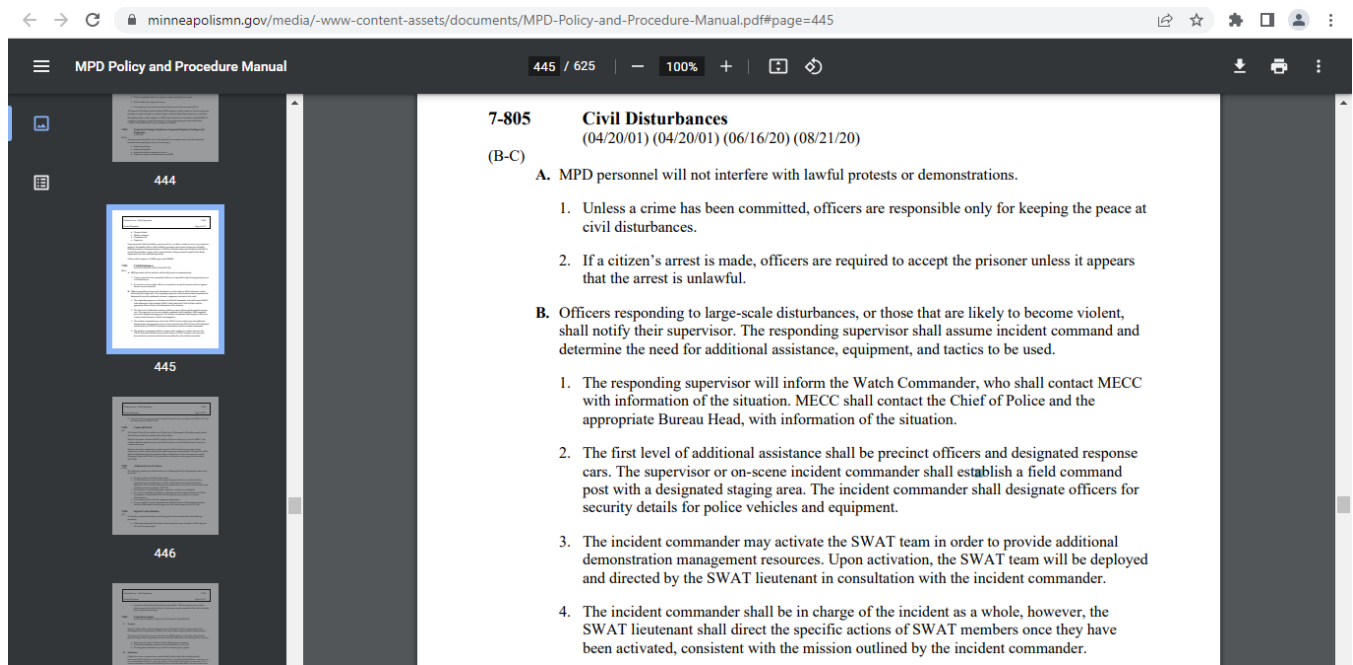
<https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf#page=247>

Force During Civil Disturbances – TRO Amended P&P 5-312 on 6/16/20. Subsequently incorporated in Crowd Control and Disturbances 5-303(C) at p.276.



<https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf#page=276>

Civil Disturbances – TRO Amended P&P 7-805 on 06/16/2020 and 08/21/2020, at p.445-446.



<https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf#page=445>

Also added in Crowd Control and Civil Disturbances at 5-303(A), p.275:

5-303 **Crowd Control and Civil Disturbances**
(08/17/07) (06/16/20) (08/21/20) (09/08/20) (10/31/20) (03/12/21)

A. Crowd related terms

Assembly: An assembly is a group of people gathered together in one place for a common purpose.

Civil disturbance: A civil disturbance, also known as civil disorder or civil unrest, is when a gathering or assembly becomes violent or involves a collective threat of imminent violence, including but not limited to, assaults, significant property damage, arson fires, and bodily injury to persons (also see P&P 7-805 Civil Disturbances).

Crowd control purposes: Using tactics or weapons to contain, control or disperse a crowd or assembly.

Demonstration: An assembly of persons organized primarily to engage in First Amendment activity. They include, but are not limited to, marches, protests, and other assemblies intended to attract attention.

<https://www.minneapolismn.gov/media/-www-content-assets/documents/MPD-Policy-and-Procedure-Manual.pdf#page=275>

Ordinance

M.C.O. § 172.70. Disciplinary decision by chief.

172.70. - Disciplinary decision by chief.

Upon conclusion of the panel review process, the office of police conduct review shall forward the investigatory file and panel recommendation to the chief of police for the chief's determination, which shall be made within thirty (30) days of receipt, subject to the following exception: if the subject employee could be subject to discipline that requires a pre-discipline hearing, and that employee is on statutorily-protected leave for any period during the thirty (30) days following receipt of the panel recommendation, the deadline is tolled during the time that the employee is on statutorily-protected leave. Once the statutorily-protected leave ends, the chief must make a disciplinary decision within thirty (30) days of the end of statutorily-protected leave. The chief, upon making his or her determination, shall return the determination and file to the office of police conduct review. For any allegation which the review panel recommends to be supported by a majority vote, the chief shall notify the review panel and the office of the reasons for such determination through issuance of a written memorandum explaining the basis for the decision, including the relevant facts, policies and law supporting the decision. To the extent permitted by Minnesota Statutes, Section 13.43 and other applicable law, the police department shall make the decision and memorandum immediately available to the public via a departmental or city website and shall make copies available for physical inspection. If the disciplinary determination required pursuant to this section is not timely issued the complainant shall be entitled to a remedy from the police department consisting of a two hundred dollar (\$200.00) penalty payment, with such penalty doubling in amount upon each subsequent thirty-day delinquency. (90-Or-043, § 1, 1-26-90; 2012-Or-061, § 8, 9-21-12; [Ord. No. 2020-045](#), § 1, 8-14-20)

https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeld=COOR_TIT9FIPOPR_CH172POCOOV_172.70DIDECH (last visited, 4/18/2022).