

**Follow up Questions & Answers- Commander Scott Gerlicher Minneapolis Police Department
8/25/2020**

1. Was there evidence in the Third Precinct at the time it was breached and burned down
 - a. How many criminal cases were affected?

MPD evidence is not stored at precincts but rather stored off site at our property warehouse so any physical evidence would not have been stored at that location. There may have been some electronic evidence and paper copies of police reports left behind. It is unclear at this time how many, if any cases would/may be affected.

2. To the best of your knowledge, out of the 276 arrests reported on Sunday, May 31st at 2030 hours, how many of those people received citations or have been charged with anything?

As of Sunday May 31st, we tracked down the following arrests from the Hennepin County Jail and then looked at dispositions through MNCIS which were the following:

- 19 – Failure to comply with a police order – all dismissed
- 14 – Failure to comply with an Emergency Order – all dismissed
- 9- no case was put forth to Hennepin County
- 2- Unlawful Assembly- both dismissed
- 4- PC Riot – cases pending
- 1 – Carry a pistol without a permit – case pending
- 1 – Murder charge – case pending

Other arrests made were actually citations issued, not arrests so we are not able to track down dispositions of citations and that information may need to be obtained from the Hennepin County Attorney's Office or Minneapolis City Attorney's Office.

3. You stated that there was "priority one calls" which sat for extended periods of time throughout these riots, what is the practical effect for the citizens having those calls sit for an extended period of time? Did it cause less cases to be solved, did it delay medical attention, did it put more people at risk?

Priority one calls are the most serious types of 911 calls for service. Typically, these types of calls do not sit in pending but are dispatched immediately. Obviously, not having the immediate response capabilities is of concern. In reviewing the pending priority one calls during the period of the riots, most of these calls involved issues such as, burglary of business in progress, alarms, damage to property in progress, assaults in progress, unknown trouble calls, sound of shots fired. Most of these calls were in relation to extensive looting which was taking place throughout the city. Delays in response certainly does have the potential for further property damage, looting, thefts and could pose additional safety risks to the public.

4. You stated that MPD was forced to act in a defensive posture on Wednesday May 27th through Friday night. Do you believe that if the National Guard were sent it sooner, with more troops and a better coordination between the state and MPD then there would have been a better opportunity to stop the looting, fires, and riots?

As I stated, the MPD was overwhelmed beyond our capabilities to effectively control the violence and looting taking place Wednesday May 27th. This was made clear in our written request for the National Guard on Wednesday evening May 27th. It was also very evident from the extensive local and national TV coverage of the looting, violence, and fires throughout the city.

I understand the fact that calling in the National Guard is a complex and lengthy process. Having said this, the sooner that a significant activation of the National Guard was made, the more likely a more rapid deployment of Guard resources would occur. It is difficult to now ascertain after the fact however, what impact this would have had on the ability to address the rioting because we do not know how quickly the National Guard would have arrived upon activation.

5. You stated that Saturday evening was the first night you were able to move from a defensive to offensive posture and you stated this was in large part due to all participating agencies getting organized and into a "battle rhythm." Can you explain why it took so long for all the participating agencies to get organized and into a rhythm?

In any large operation involving thousands of personnel, it becomes extremely complex to organize deploy and communicate. This especially true with cases such as this with no advance warning or pre-planning available. As participating agencies work through the myriad details however, they are gradually able to fine tune both from a command and control perspective and from a "*boots on the ground*" perspective how to best deploy and address problems. This was probably the largest deployment of law enforcement and national guard in our State's history. It is natural that it would take some time to get organized.

6. You stated that the directive from the Mayor, through the Chief of Police was that you were not to use any additional chemical munition or less lethal projectiles to protect the building. Do you know the reasoning behind or why this decision was made?

I do not.

7. You stated that the plan to have the SWAT strike team as well as the exterior MPD strike teams would have protected and defended the precinct. Did the Mayor know that the building would have likely been held if this plan was implemented?
 - a. Do you believe that hand-to-hand combat, serious injury and death would have likely occurred if your plan regarding the strike teams would have been implemented?

I do know that our plan to protect and defend the precinct would have likely taken significant levels of chemical and less lethal munitions based on the large crowds and level of violence we were experiencing as well as likely physical force. We were prepared with a plan to do so to defend the precinct. I do not know however, whether doing so would have amounted to serious injury or death. The Mayor has gone on record that it was his decision and that he did not want to resort to "*hand-to-hand-combat*" to protect the building as he has previously stated.

8. You have stated multiple times that there was a lack of resources and that a preservation of life was the mission over the stopping of any rioting, looting, arson, etc. Looking back, would the

following have made it more likely that you could have preserved life and prevented property damage such as looting and arson with:

- a. Increased and earlier cooperation from the Governor, State Patrol and National Guard;
- b. Additional State Patrol and National Guard earlier;
- c. Curfews set earlier in the week;
- d. The holding of the Third Precinct; and
- e. Increased use of chemical munitions and less lethal projectiles;

Although this is a very broad question, I believe that the earlier we had been able to receive additional assistance and the greater the numbers of personnel we would have been able to receive from the National Guard, the greater the possibility we would have had to control the riots and better protect property as well as address the fires taking place in many areas of the city. The curfews once established by the Governor were a tremendous help to us and our operation.

We are VERY appreciative of the assistance we did receive from assisting law enforcement agencies such as the MN State Patrol and St. Paul Police and ultimately the MN National Guard.

9. In the timeline you state that multiple squads were getting surrounded/trapped on Tuesday, May 26th. Was the MPD forced into a defensive posture on that day/evening?
 - a. Did the MPD, Chief Arradondo and the Mayor feel then there was enough resources to control the situation throughout that day/evening?
 - b. Was the Governor or his office in contact with the city or MPD on Tuesday to understand what was going on regarding the rioting?

Yes, early on the MPD was forced into the defensive posture I described. I cannot speak to any conversations between the Mayor, Governor, and/or Chief may have had however about the situation at this time. I am not aware of any conversations between the Governor with any members of the MPD.

10. It appears that the city of Minneapolis reached out to DPS Commissioner Harrington on multiple occasions. Did the State ever reach out to the city before the Governor “took charge” on Friday, May 29th, to see what the situation on the ground was or how the state could assist the city?
 - a. Did the Governor or his office ever directly talk with the city or MPD about the situation?

To my knowledge, the Governor never spoke directly with any member of the MPD about the situation. My interactions were with DPS Commissioner Harrington.

11. The Governor stated that he “took charge” on Friday, May 29th. When he did this, was the city effectively relieve command leaving the State in control?

My understanding of the situation was that the State of MN was to coordinate the MACC and make decisions about what resources were available and where resources were to be deployed metro wide but that specific agencies like MPD or SPPD were still left to make tactical decisions about incidents occurring in their respective cities. In addition, at the MACC, the State would make general goals for the operational periods as it related to public safety operations. Also, each agency retained control of its own officers during this incident, but everything was coordinated through the State run MACC.

11 a. On Friday, May 28th you stated that the National Guard convoy was stuck and needed evacuation, the State Patrol was completely surrounded, shots were fired at officers, National Guard and State Patrol were not available to assist when needed, Molotov were being thrown, and officers were being injured. Was the state and Governor in command while these events happened?

This incident occurred during the time that the MACC was operational. The overall incident commander at the MACC was Assistant Commissioner Booker Hodges. Agencies at the MACC worked together to address these situations in a unified command structure at the MACC.

12. Early Wednesday evening May 27th, the Mayor requested the National Guard from the Governor. The Governor's office stated that they never sent the National Guard in on the evening of Wednesday, May 27th because a written formal request was never sent. Do you believe that the written "Initial request for National Guard" was that written formal request? Did the Governor's office inform you throughout Wednesday, May 27th and Thursday, May 28th that the written "Initial request for National Guard" sent by the Chief to DPS at 2111 (9:11 PM) was not good enough to be considered their written formal request?

I believe the document I authored and sent to the Chief which was then sent by the Chief at 2111 hours on May 27th to Commissioner Harrington **was** a formal request for the MN National Guard and contained enough information for an initial decision to be made. MPD was never informed by anyone at the State to the contrary. We never heard anything back from the State that night.

13. How many MPD officers were injured and what were their injuries?

I was not able to obtain exact numbers however approximately two dozen Minneapolis Police Officers suffered some type of acute physical injury during the riots. Thankfully, most of these injuries were minor, bruises, cuts, sprained ankles, and a couple of broken bones. In many ways we were very fortunate as officers faced significant violence from rioters including gunfire, commercial grade fireworks, Molotov cocktails, bricks, bottles, and other types of projectiles. In addition, our teams faced vehicles speeding past them at high rates of speed almost hitting them while they were out on the streets facing rioters. It was an extremely dangerous situation.

14. There has been increased violence, and homicide in the city of Minneapolis since the riots took place. Can you discuss the impact the riots had on this increased aggression from some Minneapolis citizens as well as the moral of the Minneapolis police officers?

This question is probably better addressed to the Chief than myself.