

# **Bureau of Criminal Apprehension Use of Force Investigations Unit**



## **2020 Legislative Report**

**Superintendent Drew Evans**

**As required by MN §299C.80 Bureau of Criminal Apprehension Use of Force  
Investigations Unit**

## **BACKGROUND**

In 2020, the Minnesota Legislature passed MN §299C.80, requiring the superintendent of the Minnesota Bureau of Criminal Apprehension (BCA) to establish an independent use of force investigations unit within the BCA. This unit is tasked with conducting officer involved use of deadly force investigations, criminal sexual conduct investigations involving peace officers, as well as conflict of interest cases involving peace officers.

## **STAFFING**

The BCA Use of Force Investigations Unit staff includes:

- One BCA Special Agent in Charge
- One BCA Assistant Special Agent in Charge
- Twelve BCA Senior Special Agents
- Two BCA Criminal Intelligence Analysts
- One Victim, Family, and Community Relations Coordinator
- One Public Information Officer
- One SPA-Tech-Transcription
- Two Digital Media Examiners
- One Laboratory Firearms Examiner

## **Continuous Improvement**

In February 2020, the MN BCA began an in-depth continuous improvement process to review all aspects of BCA use of deadly force investigations. The purpose of this review is to assess the BCA's investigative process and protocols to insure investigative integrity, consistency and transparency. Although this process is ongoing, the BCA had already made several notable changes prior to the passage of MN §299C.80.

The BCA created a Victim, Family, and Community Relations Coordinator. This position meets with and is a conduit of information and resource referrals for families related to use of deadly force investigations. This person also works closely with communities, stakeholders and organizations to grow their understanding regarding the BCA's investigative and legal process and build community relationships.

As a part of the BCA's commitment to continuous improvement the bureau will at least annually review and adjust policies and procedures to create consistency as well as to ensure best practices are evaluated.

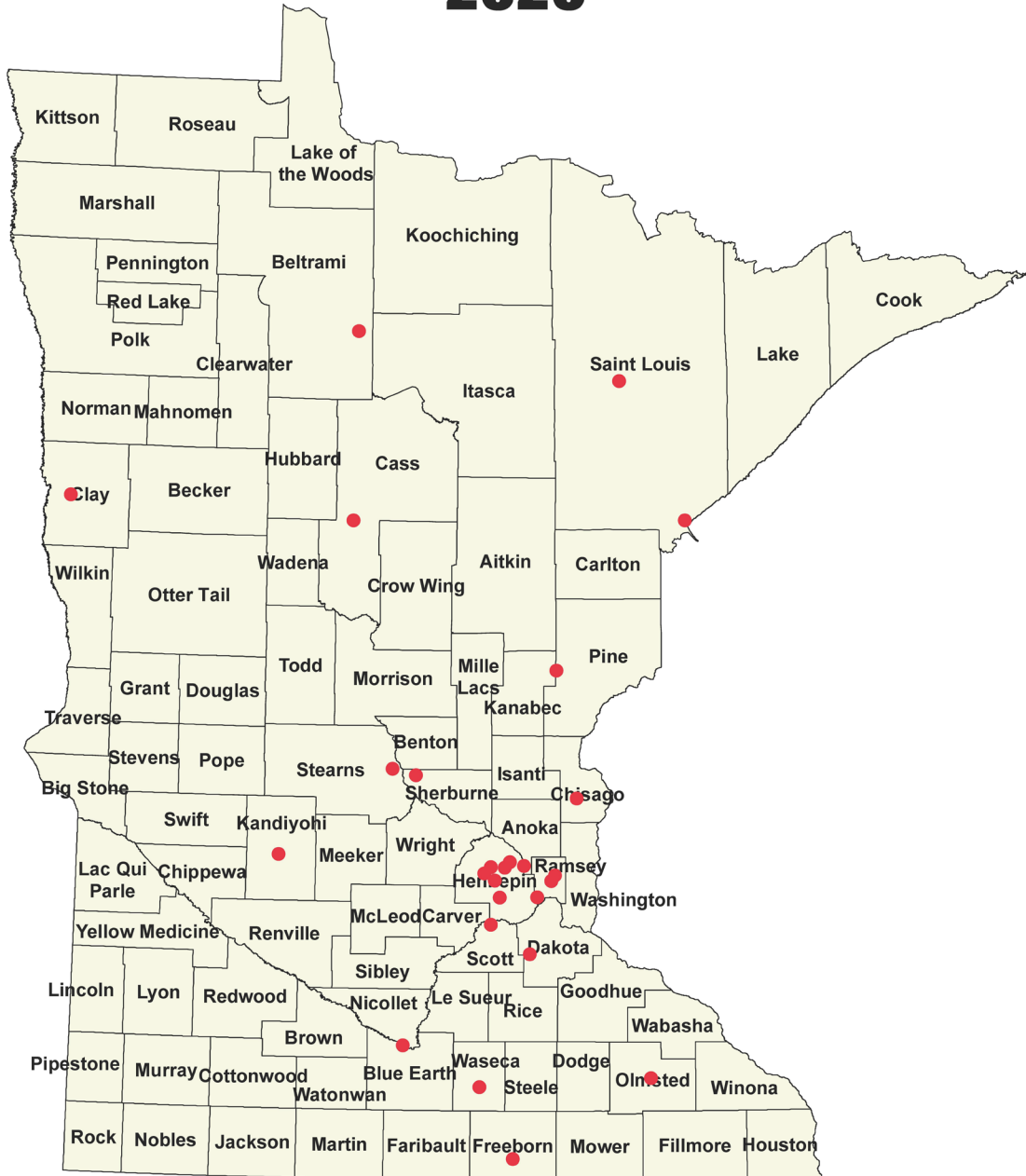
## 2020 BCA Use of Deadly Force Investigations

	<b>Totals</b>
<b>Use of Deadly Force Investigations</b>	<b>27</b>
➤ Cases Open/Under Investigation	21
➤ Cases Charged	3
➤ Cases Closed Not Charged	6
Use of Deadly Force Investigations ( <u>After August 1, 2020</u> )	13
➤ Cases Open/Under Investigation	12
➤ Cases Charged	1
➤ Cases Closed Not Charged	1
<b>Criminal Sexual Conduct Investigations</b>	<b>4</b>
➤ Cases Open/Under Investigation	4
➤ Cases Charged	0
➤ Cases Closed Not Charged	0
Criminal Sexual Conduct Investigations (After August 1, 2020)	4
➤ Cases Open/Under Investigation	4
➤ Cases Charged	0
➤ Cases Closed Not Charged	0
<b>Conflict of Interest Investigations</b>	<b>2</b>
➤ Cases Open/Under Investigation	2
➤ Cases Charged	0
➤ Cases Closed Not Charged	0

**2020 BCA Use of Deadly Force Investigations by Date & City:**

<b><u>Date:</u></b>	<b><u>City:</u></b>	<b><u>Date:</u></b>	<b><u>City:</u></b>
1.) 1/6/2020	Waseca	15.) 8/12/2020	Rochester
2.) 2/28/2020	Lakeville	16.) 9/4/2020	Blackduck
3.) 3/8/2020	Backus	17.) 9/12/2020	Duluth
4.) 3/16/2020	Brooklyn Park	18.) 9/28/2020	St. Paul
5.) 4/11/2020	Shakopee	19.) 9/29/2020	Minneapolis
6.) 4/18/2020	River (Blue Earth Co.)	20.) 9/29/2020	St. Cloud
7.) 5/1/2020	Wilmar	21.) 10/9/2020	Hinckley
8.) 5/25/2020	Minneapolis	22.) 11/14/2020	Livonia
9.) 5/31/2020	Minneapolis	23.) 11/28/2020	St. Paul
10.) 6/29/2020	Shafer	24.) 11/29/2020	Albert Lea
11.) 7/12/2020	Robbinsdale	25.) 12/5/2020	Mt. Iron
12.) 7/13/2020	Ft. Snelling (Hwy 62)	26.) 12/11/2020	Brooklyn Park
13.) 7/16/2020	Crystal	27.) 12/30/2020	Minneapolis
14.) 7/22/2020	Glyndon		

# BCA Deadly Force Investigations 2020



## **Cases Charged**

Charging Synopsis: On May 25, 2020, Minneapolis Police responded to a call of a possible counterfeit bill at Cup Foods. Police came in contact with several individuals, including Mr. George Floyd. During the encounter Mr. Floyd was subdued by several MPD Officers. Mr. Floyd died during this encounter, after officers were holding Mr. Floyd on the ground along with Officer Chauvin kneeling on Mr. Floyd's neck. Mr. Chauvin was charged with 2<sup>nd</sup> Degree Murder and 2<sup>nd</sup> Degree Manslaughter, and a charge of 3<sup>rd</sup> Degree Murder was added prior to trial. The trial for Mr. Chauvin was held in the first part of 2021, in which he was convicted on all three counts, and is pending sentencing. The other three officers were charged with Aid/Abeit 2<sup>nd</sup> Degree Murder & 2<sup>nd</sup> Degree Manslaughter and are awaiting trial later in 2021.

Charging Synopsis: On July 22, 2020, a Glyndon Police Officer attempted a traffic stop which turned into a pursuit that ended in a collision. The Glyndon Officer stated that as he was approaching the crashed vehicle, the vehicle drove at him and he shot at it. The evidence did not match up with the Glyndon Officer being in a position to be in the line of travel of the vehicle. The Glyndon Officer was charged with 2 counts of Dangerous Weapons (Reckless & Endangering Safety). On April 22, 2021, the former Glyndon Officer pled to the Dangerous Weapons – recklessly handle or use.

Charging Synopsis: On September 12, 2020, Duluth Police responded to a call of a domestic incident. Officers spoke with a female, then went to her apartment to retrieve her belongings while she waited at another location. The defendant was about to knock on the apartment door when he heard two loud noises he believed to be gunshots. The officer then fired his weapon through the closed apartment door. A second later the officer heard a voice yell “stop, stop, stop!” from the other side of the door. The officer did not respond, then several seconds later fired two more rounds into the same door. The voice from the other side of the door then again said, “stop, stop, please stop, I’ve been shot. The officer then called on the radio for medical assistance. The officer that shot then left the area, while other officers gained entry and gave medical attention to the person that was shot. The officer that shot has been charged with Felony Intentional Discharge of Firearm That Endangers Safety & Felony Reckless Discharge of Firearm Within a Municipality.

## **Conclusion**

Since its inception, the BCA Use of Force Investigations Unit has opened 27 cases, the majority of which are still in process, all while working to build community relationships and connect victims and families with necessary information and resources. The BCA will continue to work in partnership with everyone in Minnesota to ensure thorough, unbiased, and independent investigations to provide prosecutors with as complete an understanding as possible of the events investigated when evaluating these cases.