



Bureau of Criminal Apprehension Use of Force Investigations Unit

2022 Legislative Report

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Background

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

The Minnesota Legislature amended the statute in 2021 to add investigations of criminal sexual conduct involving the Minnesota National Guard where the incident occurred in Minnesota and both a suspect and victim/survivor are Minnesota National Guard members. The FIU also assists other agencies with criminal sexual conduct investigations involving the Minnesota National Guard that occur outside of Minnesota.

Staffing

The BCA Use of Force Investigations Unit (FIU) staff includes:

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

Continuous improvement

The BCA began an in-depth continuous improvement process in February 2020 (before the FIU was mandated and created) to assess the BCA's investigative process and protocols to ensure investigative integrity, consistency and transparency. This resulted in several notable changes, as did the passage of Minnesota Statute §299C.80.

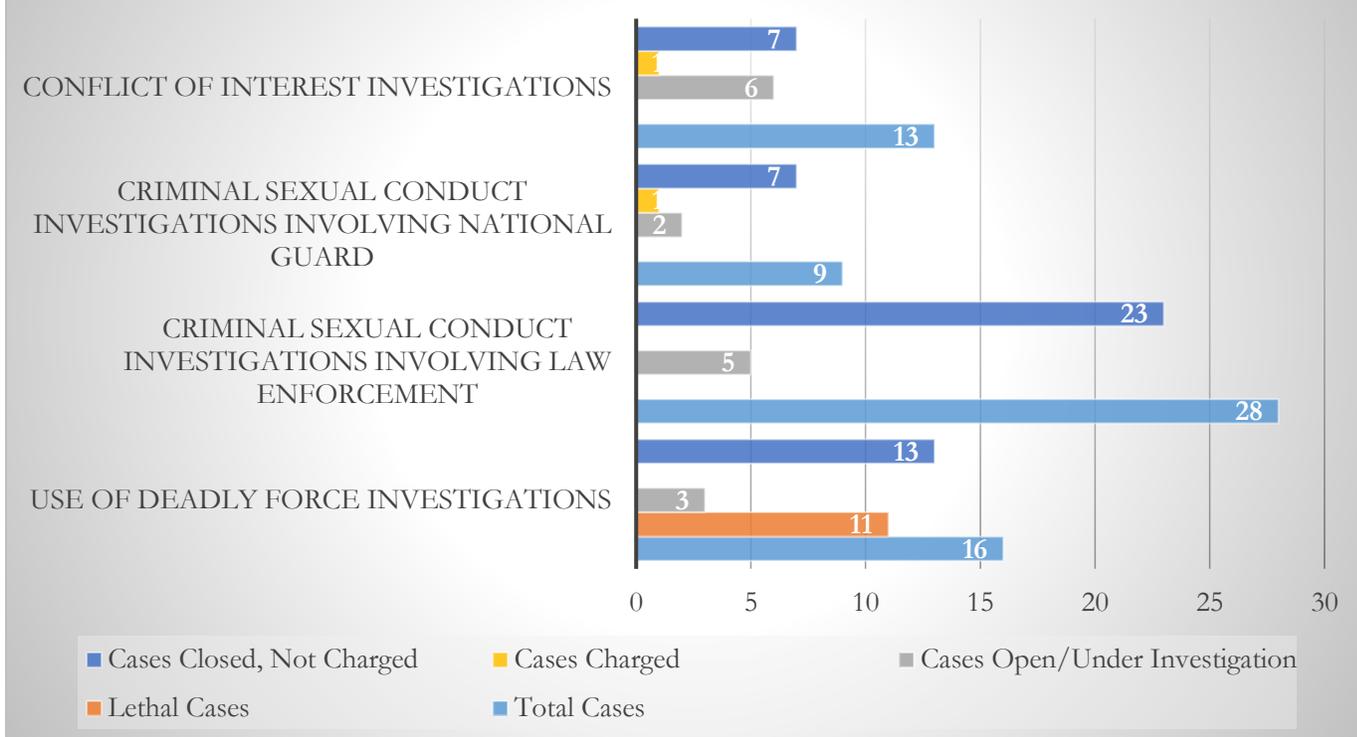
The BCA created a Victim, Family and Community Relations Coordinator position. This position meets with and is a conduit of information and resource referrals for families related to use of deadly force investigations. This person also works closely with communities, stakeholders and organizations to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

The BCA also conducts annual reviews to ensure FIU policies and procedures align with best practices. Part of improving is ensuring that agents within the FIU receive the latest most up-to-date training on officer involved shooting, critical incident and sexual assault investigations and other educational opportunities that could enhance these investigations in Minnesota.

BCA Deadly Force Investigations 2022



2022 Cases (Jan. 1, 2022 - Dec. 31, 2022)



The BCA FIU responded to 16 use of deadly force incidents. One additional use of deadly force incident occurred in Olmstead County for which the sheriff requested the Rochester Police Department conduct the investigation, making the state total of 17 officer use of deadly force incidents for 2022. A firearm was used by law enforcement in all 17 incidents.

2022 BCA Use of Deadly Force Investigations by Date and City

Date	City	Date	City
1. Jan. 2	Minneapolis	9. July 21	Brooklyn Park
2. Jan. 12	Eden Valley	10. July 30	Rochester
3. March 13	White Earth	11. Aug. 7	Otsego
4. April 5	Roseville	12. Sept. 20	Minneapolis
5. April 20	Chiselm	13. Oct. 1	North Branch
6. April 28	Bowlus	14. Nov. 22	Red Wing
7. June 21	St. Michael	15. Dec. 5	St. Paul
8. July 14	Minneapolis	16. Dec. 15	New Auburn

Cases charged

Charging Synopsis: On April 5, 2022, New Ulm Police Detective Eric Gramertz reported to the Brown County Sheriff's Office that he would soon be accused of criminal sexual contact by a teenaged victim. The sheriff's office requested the assistance of the FIU for interviews and case planning. Several interviews were conducted during which Gramertz made admissions concerning his guilt. On Nov. 17, 2022, Gramertz pled guilty to one count of first-degree criminal sexual conduct with a victim under the age of 16, one count of second-degree criminal sexual conduct with a minor under the age of 13, and one count of second-degree criminal sexual conduct – having a significant relationship with someone under the age of 16.

Charging Synopsis: On May 6, 2022, Columbia Heights police officers took a report from a Minnesota National Guard member who reported she was raped by a fellow guard member one month earlier. The case was sent to the Anoka County Criminal Investigations Division (CID) which handles all felony level crimes in the county. The CID contacted the BCA FIU to refer the case. An FIU agent provided assistance and advice to the CID detective who completed the case. The suspect soldier was subsequently charged by the Anoka County Attorney's Office with one count of third-degree criminal sexual conduct and one count of fifth-degree criminal sexual conduct. A trial is pending.

Conclusion

The BCA Force Investigations Unit opened 63 investigations in 2022. Many of these cases are still either being investigated or are awaiting adjudication. In each of the last three years, the FIU has worked to keep families and the community informed about the investigative process, while also preserving the objectivity and integrity expected of the FIU. The BCA is grateful for the continuous support of the Minnesota Legislature, the BCA's law enforcement stakeholders and the residents of Minnesota.