



Bureau of Criminal Apprehension Use of Force Investigations Unit

2023 Legislative Report

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Background

The Minnesota Legislature in 2020 passed Minn. Stat. § 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 Minn. Stat. § 299C.80 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. FIU also assists other agencies with criminal sexual conduct investigations involving the Minnesota National Guard that occur outside of Minnesota.

Staffing

The BCA 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.

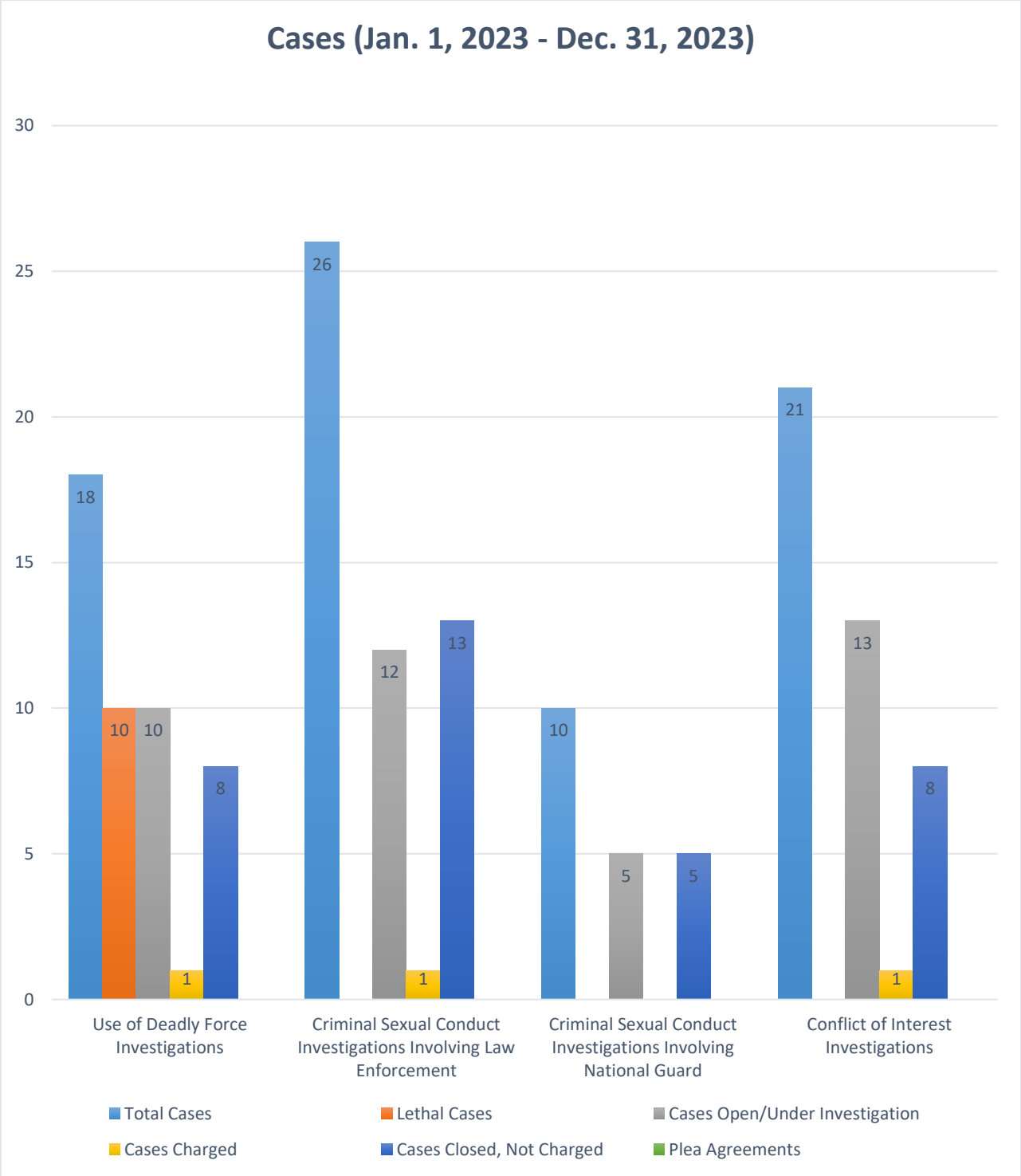
Continuous improvement

The BCA began an in-depth, continuous improvement process in February 2020 (before 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 Minn. Stat. § 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 most up-to-date training on officer use of deadly force, critical incident and sexual assault investigations, and other educational opportunities that could enhance these investigations in Minnesota.

Use-of-Force Investigations 2023



The BCA FIU responded to 18 use-of-deadly-force incidents. A firearm was used by law enforcement in 13 of the incidents.

2023 BCA Use-of-Deadly-Force Investigations by Date and City

Date	City	Date	City
1. Jan. 23, 2023	Winsted	11. June 20, 2023	Minneapolis
2. Jan. 25, 2023	White Bear Lake	12. June 21, 2023	St. Joseph
3. Feb. 11, 2023	St. Paul	13. July 20, 2023	Minneapolis
4. Feb. 21, 2023	Pine City	14. July 31, 2023	Minneapolis
5. Feb. 24, 2023	Duluth	15. Sept. 28, 2023	Granite Falls/Chippewa
6. March 4, 2022	Stillwater	16. Oct. 12, 2023	Princeton
7. April 10, 2023	Granite Falls	17. Dec. 7, 2023	St. Paul
8. April 15, 2023	Cyrus	18. Dec. 17, 2023	Marshall
9. May 17, 2023	St. Cloud		
10. June 1, 2023	Mankato		

Cases charged

Charging synopsis:

On Jan. 22, 2023, the Minnesota State Patrol was involved in a vehicle pursuit that reached speeds over 100 miles per hour. The pursuit ended after a trooper deployed a PIT maneuver. A trooper forcibly pulled the driver out of his vehicle during the arrest, and one of the troopers present reported to his supervisor that unreasonable force was used against the driver. BCA FIU was contacted and requested to investigate the incident. After the investigation, FIU turned its findings over to the Hennepin County Attorney's Office for review. The investigation was deferred to the Minneapolis City Attorney's Office, which charged the trooper with one count of assault in the fifth degree and disorderly conduct. A trial is pending.

On July 31, 2023, troopers from the Minnesota State Patrol initiated a traffic enforcement stop on a vehicle for an inoperative tail light. The troopers contacted the driver and discovered he was wanted for violation of a protection order in Ramsey County. The troopers attempted to arrest the driver, and he drove off. One of the troopers was dragged a short distance by the vehicle and another trooper discharged his firearm at the

driver, striking him. The driver died of his injuries. BCA FIU was contacted and requested to investigate the incident. After the investigation was completed, it was turned over to the Hennepin County Attorney's Office for review. The trooper who used deadly force was charged by Hennepin County Attorney's Office with one count of murder in the second degree, assault in the first degree and manslaughter in the second degree. A trial is pending.

On Aug. 21, 2023, FIU assisted the Benton County Sheriff's Office by reviewing a criminal sexual conduct investigation they conducted against a Mille Lacs County Sheriff's Office bailiff. The investigation was turned over to the Benton County Attorney's Office and the bailiff was charged with one count of first-degree criminal sexual conduct. The case went to a jury trial, and the bailiff was sentenced to 344 months to the Minnesota Department of Corrections.

Conclusion

In 2023, the BCA FIU investigated 18 use-of-deadly-force incidents that resulted in the deaths of 10 people. Fourteen law enforcement officers were also shot during the year, including one fatally.

Two additional use-of-deadly-force incidents occurred in Hennepin County that involved the FBI and Minneapolis Park Police Department. The FBI and Hennepin County Sheriff's Office investigated those incidents, making a state total of 20 officer use-of-deadly-force incidents for 2023.

Thorough, unbiased, and independent investigations into law enforcement use-of-force continue to be a crucial need across Minnesota. The BCA FIU's efforts to increase transparency and understanding of these incidents are an important part of building trust between local law enforcement and the communities they serve.