Minneapolis
City of Lakes

Police Department – Medaria Arradondo, Chief of Police
350 S. Fifth St. - Room 130
Minneapolis, MN 55415
TEL 612.673.3000
www.minneapolismn.gov

NOTICE OF DISCIPLINE

July 1, 2020

Officer Michael Meath
Pct. 4 Daywatch
Minneapolis Police Department

RE: OPCR Case Number 17-22200
Notice of Written Reprimand

Officer Meath,

The finding for OPCR Case #17-22200 is as follows:

Policy Number	Sub-Section	Policy Description	Category	Disposition
13.43 - Personnel Data				
4-218		MVR Policy	B	Merit

As discipline for this incident, you will receive this Letter of Reprimand.

This case will remain in the OPCR files per the record retention guidelines mandated by State Law.

Be advised that any additional violations of Department Rules and Regulations may result in disciplinary action up to and including discharge.

Sincerely,

Medaria Arradondo
Chief of Police

By: Michael Kjos, Assistant Chief of Police
Henry Halvorson, Deputy Chief, Professional Standards Bureau

NOTICE OF RECEIPT

Acknowledgement of receipt:

I, Michael Meath, acknowledge that I have received my Notice of Discipline for OPCR Case #17-22200.

Officer Michael Meath

7/2/20
Date of receipt

Inspector Kelvin Pulphus

7/2/20
Date

CC: Personnel
Inspector Pulphus
OPCR

CITY OF MINNEAPOLIS
OFFICE OF POLICE CONDUCT REVIEW

COMPLAINT INFORMATION					
Case Number	Precinct	CCN	Date of Incident	Time	Preference
17-22200	4	17-320398	August 23, 2017	05:33 PM	No Preference

Location of Incident	City/State/Zip	Date of Complaint
26thAVE	Minneapolis 55411	December 07, 2017

Complainant Name (Last, First, Middle Initial)	Sex	Race	DOB
Joint Supervisors			

Home Address	City/State/Zip	Primary Telephone

JURISDICTION	CATEGORY
OPCR Ord. § 172.20(8)	VIOLATION OF THE P&P MANUAL
BADGE/NAME	**ALLEGED POLICY VIOLATIONS**
4686 ; Meath, Michael	13.43 - Personnel Data MPD P&P § 4-218 – MVR POLICY

ALLEGATION SUMMARY

Pursuit policy violation—allegation that driver was going over 50 miles through a red light and failed to brake. It is also alleged that the officer failed to properly list the MVR video, resulting in its early deletion.

SUPERVISOR ASSESSMENT

INQUIRY (INTAKE – COMPLAINT FILED)
☐

MEDIATION
☐ Refer to Mediation

COACHING
☐ Refer to Precinct

INVESTIGATIONS
☐ Preliminary Investigation
- ☐ Civilian Investigator: _____
- ☐ Sworn Investigator: _____

XX Admin Investigation: Investigator Sgt. McLean

FINAL APPROVED INVESTIGATIVE REPORT
☒ Refer to Panel

3401
☐ Draft
☒ Final approved

DISMISS
☐ Reckoning Period Expired
☐ No Basis
☐ Failure to State a Claim
☐ Failure to Cooperate
☐ Exceptionally Cleared
☐ Lack of Jurisdiction
☐ Withdrawn
☐ Duplicate
☐ Refer to Dispatch
☐ Refer to EIS
☐ Refer to: _____

IAU Supervisor Lt. [signature]	Date 8/2/18
~~Director~~ – Office of Police Conduct Review [signature]	Date 8/2/18

Minneapolis
Office of Police
Conduct Review

Minneapolis
Police

Investigative Summary

Complaint Number:	**17-22200**
Investigator:	**Sgt. Matthew McLean**
Officer:	**Officer Michael Meath**
Case Type:	**Administrative**
Date of Incident:	**August 23, 2017**
Date Assigned:	**March 26, 2018**

CASE OVERVIEW

This case involves an allegation of a violation of MPD 13.43 - Personnel Data 4-218, MVR Policy

13.43 - Personnel Data

Additionally, it was discovered that MVR video did not exist for the pursuit.

This case was then referred to Internal Affairs for investigation.

ALLEGATIONS

13.43 - Personnel Data

Allegation 2: It is alleged that Officer Meath "failed to properly list the MVR video, resulting in its early deletion."[2] **MPD Policy 4-218, MVR Policy, Categorization**

[1] OPCR Form #3401, Allegation Summary
[2] OPCR Form #3401, Allegation Summary

CASE INVESTIGATION

MPD CAPRS Report 17-320398

On August 23, 2017, Officers Crayton and Moua from the Gang Interdiction team observed a vehicle parked in the middle of the street talking to other people in the area of Illion and 25th. These officers attempted to perform a traffic stop on the suspect, but the vehicle sped away from them and reached speeds estimated to be in excess of 50 mph, and did not stop at stop signs.

Officers Crayton and Moua then called out that they were in a pursuit. They were driving a vehicle which had emergency lights and siren, but was an unmarked squad. Squad 840 was in the area, and took over the pursuit in the area of 23rd and Thomas.[3]

Squad 442, Officers Meath and Smith joined in the pursuit at 24th and Sheridan as the third squad. The pursuit continued eastbound, eventually heading towards I-94 via West Broadway. Once onto I-94, the pursuit was called off by Sgt. Pucely, who had learned that there were road construction workers on the pavement on I-94. Squad 442 terminated and exited I-94 at 49th Ave. N. Officer Meath reported that his MVR and both BWC's were activated during the entire event.[4]

Squad MVR Video

The MPD Pursuit Committee Report showed that they had reviewed the MVR video from Squad 442 (video #891755) when they conducted their investigation. When I searched for this video, I found it no longer existed.

If the MVR video had been categorized as a Significant Event, it would have remained in the system and available for recall and viewing, but since it was categorized as something other than a Significant Event, it was not.

Per the MPD Police Digital Squad Video System Guidelines, the retention categories are:

90 Day Retention – stored online for 90 days
Citation – stored online for 365 days
Arrest/DUI – stored online for 90 days, burned to archive disc for long term storage
Use of Force - stored online for 90 days, burned to archive disc for long term storage
Significant Incident - stored online for 90 days, burned to archive disc for long term storage

There was no squad video to review as part of this investigation. The Visinet report captures sped at 52 miles per hour at West Broadway and 5th St N (8/23/2017 @ 17:39:23.)

BWC Video

I reviewed the BWC Video for both Officer Meath and Officer Smith. I captured screenshots of the intersection of West Broadway and Lyndale, where it was alleged that Officer Meath failed to brake and transited the intersection at 56 miles per hour.

3

[4] CAPRS Report, Supplement #1, Officer Meath

The first BWC screenshot for Officer Meath just prior to entering the intersection shows a clear red light for northbound/southbound traffic on Lyndale. Because the sun was shining directly on the semaphore's for eastbound traffic, it is not possible to say with certainty whether the light for eastbound Broadway traffic is green or red, but it does appear to be red.

The second BWC screenshot for Officer Meath shows the semaphore for southbound Lyndale traffic to be green. This would indicate that Officer Meath entered the intersection just as the light was turning red for eastbound traffic on West Broadway.

It would also indicate that southbound/northbound traffic on Lyndale would be stopped for a red light, and Officer Meath would not have encountered an intersection with traffic moving through it as he approached it.

Statement of Officer Meath

Officer Michael Meath provided a statement on June 14, 2018, which is summarized below. See Officer Meath's transcribed statement for full details.

He stated that:

- He is familiar with the intersection of Broadway and Lyndale, and described that "you can see the intersection pretty clearly from almost a block away at the Aldrich intersection where the Cub Foods entrance is there."[5]

- He had his emergency lighting and siren activated.

- From reviewing the body camera video he believed the semaphore to be red in both directions.

- That he did not slow down as he entered the intersection because "I didn't see that there was any need to. No one was in any danger. There were no cars that were travelling into the intersection at the time. I had already watched, like I said, the suspect vehicle and two squad cars proceed through safely, and as we were entering the intersection there were no vehicles moving towards the intersection as we went through."[6]

Regarding his categorization of the MVR video, Officer Meath acknowledged that he made a mistake in not categorizing the video as a "Significant Incident" and recognized that a pursuit is classified as a significant incident.[7]

- He stated that after the pursuit was called off, that he "...just turned it off, and completely spaced it, and saved it under the wrong category."[8]

[5] Statement of Officer Meath, page 3, lines 25-27
[6] Statement of Officer Meath, page 5, lines 9-11
[7] Statement of Officer Meath, page 6, lines 14-19
[8] Statement of Officer Meath, page 6, lines 29-30

DISCUSSION

The Minneapolis Police Department's Policy and Procedure Manual states in part:

[redacted]
13.43 - Personnel Data

4-218 MOBILE AND VIDEO RECORDING (MVR) POLICY (05/25/04) (9/19/08) (08/28/09) (08/01/11)

III. DEFINITIONS

Categorize" an event: Term used to classify an event that has been recorded and for which a predetermined retention period has been set.

Significant Incident: Includes, but are not limited to, any of the following situations occurring in the line of duty:

[9] Statement of Officer Meath, page 4, lines 26-29.

- Critical incident;
- Domestic abuse incident interview;
- Felony crime;
- Pursuit;
- Squad accident;
- Any incident in which the officer or sworn supervisor believes the recording to be of evidentiary and/or administrative value;
- The identity of someone in the video needs to be protected;
- Man-made or natural disaster or act of terrorism;
- Any event that an officer or supervisor believes should be brought to the immediate attention of police command staff;
- Any time that a citizen makes allegations of police misconduct or discrimination during the incident.

C. MVR Digital System (08/01/11)

1. Every recorded event shall be appropriately categorized in order to ensure proper data retention guidelines are followed.
2. Recorded events will be categorized using the following categories. Only one category can be chosen for each recorded event.

- 90 day retention;
- Citation;
- Arrest or DUI;
- Use of Force;
- Significant Incident

In his interview, Officer Meath acknowledged that he did not categorize the pursuit correctly as a "Significant Event", and cited the fact that the pursuit ended in a way that he was unaccustomed to, and that this contributed to his mistake.

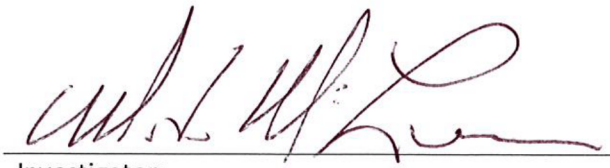
KEY ISSUES

13.43 - Personnel Data

Issue 2: Did Officer Meath violate the MPD policy for categorizing MVR video by failing to classify a pursuit as a "significant event"?

CLOSING

I confirm that the information I provided in this case is true to the best of my knowledge.



Investigator:

June 20, 2018

Date

EVIDENCE

1. **Statements**

   a) Statement of Officer Meath

2. **Records**

   a) OPCR Form #3401
   b) MPD CAPRS Report 17-320398
   c) MPD Incident Detail Report, 17-320398
   d) 13.43 - Personnel Data
   e) AVL Locator Data, Squad 442
   f) BWC Search, Officer Meath, Officer Smith
   g) Screen Captures, BWC, Officer Meath
   h) Screen Captures, Officer Smith
   i) MPD Digital Squad Video System Guidelines
   j) MPD Policy, 4-218, Mobile and Video Recording Policy
   k) 13.43 - Personnel Data

Minneapolis
Office of Police
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Significant Incident - stored online for 90 days, burned to archive disc for long term storage

There was no squad video to review as part of this investigation. Therefore, no squad parameters such as speed, braking use of lights and/or siren can be factually known at this point.

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KEY ISSUES

13.43 - Personnel Data

Issue 2: Did Officer Meath Aguirre violate the MPD policy for categorizing MVR video by failing to classify a pursuit as a "significant event"?

CLOSING

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Investigator:

June 20, 2018

Date

EVIDENCE

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