



Minneapolis Police Department Policy and Procedure Manual

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Volume Nine – Enforcement Policies

Search and Seizure

9-202 Warrantless Searches

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I. Purpose

- A. The purpose of this policy is to ensure that people’s privacy and dignity are preserved to the greatest extent possible.
- B. This policy is intended to provide employees with legal guidance in order to conduct lawful searches and seizures.

II. Definitions

Boilerplate Language: Words or phrases that are standardized, “canned” or patterned and that do not describe a specific event, situation or set of circumstances (e.g., “furtive movement” or “fighting stance”). The use of boilerplate language is restricted or prohibited, as described in policy.

Legal Standards:

Reasonable Suspicion: An objective legal standard that is less than Probable Cause but more than a hunch or general suspicion.

1. Reasonable Suspicion, which must be articulable, depends on all of the circumstances which the employee observes and the reasonable assumptions that are drawn based on the employee's training and experience.
2. Reasonable Suspicion can result from a combination of particular facts, which may appear harmless in and of themselves, but taken together amount to Reasonable Suspicion.
 - a. Reasonable Suspicion should be founded on specific and objective facts or observations about how a person behaves, what the person is seen or heard doing, and the circumstances or situation in regard to the person, as either witnessed or known by the employee.
 - b. Accordingly, Reasonable Suspicion must be described with reference to facts or observations about a particular person’s actions or the particular circumstances that an employee encounters.

- c. In accordance with P&P 5-104, the physical characteristics of a person are never, by themselves, sufficient. Instead, employees may take into account the reported descriptors in P&P 5-104 of a specific suspect or suspects using credible, reliable, recent, locally-based information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals, and when the description also includes other appropriate non-demographic identifying factors (such as clothing or an associated vehicle).

Probable Cause: Where facts and circumstances taken as a whole, known to the employee at the time of the arrest, would lead a reasonable employee to believe that a particular person has committed or is committing a crime. As with Reasonable Suspicion, Probable Cause is based upon an objective assessment of the facts and circumstances presented to or known by the employee.

Search: Sometimes called a “full search,” a Search is an inspection, examination or viewing of people, places, or items in which a person has a legitimate expectation of privacy.

1. A Search need not be visual; it may include grasping, prying into or manipulating persons or objects (e.g., reaching into a purse or pocket, feeling inside of the trunk of a car; physical manipulation of a duffel bag, etc.).
2. In some circumstances, a dog sniff may constitute a Search as well (see P&P 7-807 Authorized Use of Canines).
3. Collecting someone’s DNA from their person is a Search.
4. A Search might not involve a physical search: it could include searching of certain types of records or information.

III. Policy

A. Constitutional Searches

1. Minneapolis Police Department employees shall conduct searches in as minimally intrusive a manner as possible, and only in accordance with all MPD policies and all the rights given to people under the United States Constitution and the Minnesota State Constitution.
2. The U.S. Constitution generally requires law enforcement to obtain a Search Warrant prior to conducting a Search. There are, however, limited exceptions to the warrant requirement (see below).
3. Because case law regarding Searches is constantly changing and subject to interpretation by the courts, employees shall be alert to legal updates sent by MPD regarding Searches. When in doubt as to the existence or applicability of an exception to the Search Warrant requirement, employees should take the time to obtain a Search Warrant (P&P 9-301).

B. Entry into Residences and Non-Public Structures

Warrantless arrests in the home are generally disfavored as physical entry of the home is the chief evil against which the wording of the Fourth Amendment is directed to guard. The United States Supreme Court has long adhered to the view that the warrant procedure minimizes the danger of needless intrusions. Therefore, absent exigent circumstances, law enforcement must obtain a warrant before entering into a private residence or non-public building where there is a reasonable expectation of privacy to make an arrest or conduct a Search.

C. Exceptions to Warrant Requirement

Searches of people, vehicles and buildings may only be conducted without a warrant in a limited set of circumstances. The exceptions to the warrant requirement are briefly described below. The specific application of the exceptions to Searches of people, vehicles and buildings are described in the related sections under Procedures.

1. Probable Cause Search

a. Search incident to arrest

When an employee has Probable Cause to make an arrest for an applicable offense, has the authority to make an arrest, and has the intent to make an arrest, the employee may conduct a warrantless Search incident to arrest, which includes a Search of the person being arrested and the area in their immediate control. The exception for a Search incident to arrest only applies to felonies, gross misdemeanors, and misdemeanors with a Rule 6 reason.

b. Plain view

When objects are in the “plain view” of an employee who has the right to be in the position to have that view, and who has Probable Cause to believe that the items in plain view are contraband, the objects are subject to seizure without a warrant.

c. Probable Cause Searches of vehicles

Since operable vehicles are capable of movement, employees may conduct a warrantless Search if there is Probable Cause to believe the vehicle contains evidence of a crime or contraband. See the section on vehicle searches for more information on the limits of such searches.

2. Exigent circumstances

A warrantless Search conducted due to exigent circumstances is valid only as long as the exigent circumstances last. When the exigency has ended, any further Search must be justified by a warrant or another exception to the warrant requirement.

a. Medical emergency/Life-saving

If an employee has a reasonable belief that there is an immediate need to protect the lives or safety of a person, they may conduct a warrantless Search if they conduct the search absent a motivation or desire to discover evidence or make an arrest, and they have a reasonable basis, approaching Probable Cause, to associate the emergency with the person or place to be searched.

b. Destruction of evidence

When employees have a reasonable belief that evidence of a felony is about to be removed or destroyed, employees may make a warrantless entry into a residence or non-public building where there is a reasonable expectation of privacy, to secure the premises and evidence and freeze the scene until a warrant is obtained.

c. Hot pursuit

Employees may enter a residence or non-public building where there is a reasonable expectation of privacy if they are in hot pursuit of a fleeing felony suspect.

3. Consent

If, during a situation that is not an Investigatory Stop of a person or vehicle, an employee has Reasonable Suspicion that a crime has been committed, and Reasonable Suspicion that the person is involved in the crime or possesses evidence of the crime or the place to be searched contains evidence of the crime, a person who has the authority to give consent may provide consent for a warrantless Search with an established scope and may revoke their consent at any point, subject to the prohibitions contained in the Procedures section.

4. Inventory

Inventory Searches are administrative in nature and are conducted to protect and account for the property of the arrested person or property in an impounded vehicle.

5. Weapons Pat-Downs

Also known as a “frisk” or “Terry Frisk,” a Weapons Pat-Down is a brief, non-probing running of the hands over the outside of a person's clothing, feeling for a weapon with an open palm. Weapons Pat-Downs shall be done in accordance with P&P 9-201.

6. Implied Consent screening and breath test

Any person who drives, operates, or is in physical control of a motor vehicle within Minnesota consents, subject to the provisions of MN Statute sections 169A.50 to 169A.53 (implied consent law), and section 169A.20 (driving while impaired), to a chemical test for the purpose of determining the presence of alcohol, a controlled

substance or its metabolite, or an intoxicating substance. (MN Statute section 169A.51 Subd. 1)

a. Preliminary screening test

When an officer has reason to believe from the manner in which a person is driving, operating, controlling, or acting upon departure from a motor vehicle, or has driven, operated, or controlled a motor vehicle, that the driver may be violating or has violated MN statute section 169A.20 (driving while impaired), MN Statute 169A.31 (alcohol-related school bus or Head Start bus driving), or MN Statute 169A.33 (underage drinking and driving), the officer may require the driver to provide a sample of the driver's breath for a preliminary screening test using a device approved by the commissioner for this purpose. (MN Statute section 169A.41 Subd. 1)

b. Chemical breath test

A chemical breath test may be required of a person when an officer has probable cause to believe the person was driving, operating or in physical control of a motor vehicle, while impaired (MN Statute section 169A.20), and one of the conditions specified in MN Statute section 169A.51 Subd. 1(b) exists.

D. Non-Discriminatory Policing

In accordance with P&P 5-104, employees are prohibited from considering any of the classes or descriptors in P&P 5-104 as a factor when establishing Reasonable Suspicion or Probable Cause, except that:

Employees may take into account the reported descriptors in P&P 5-104 of a specific suspect or suspects using credible, reliable, recent, locally-based information that links specific, suspected, unlawful or suspicious activity to a particular individual or group of individuals, and when the description also includes other appropriate non-demographic identifying factors (such as clothing or an associated vehicle).

E. Searches Based on the Smell of Cannabis (Marijuana)

1. Employees shall not conduct a Search of a person, a vehicle, contents of the vehicle, or people in a vehicle if the sole basis of the Search an employee smelling cannabis (marijuana).
2. This provision does not prevent employees from conducting a field sobriety test during a vehicle stop.

F. Gender and Searches

1. In accordance with P&P 7-3001, transgender, gender queer, and non-binary people shall not be subject to more invasive, humiliating, or demeaning frisk and search procedures than other people in the field or in police facilities.

2. For a Search employees shall, when feasible, ask transgender, gender queer, and non-binary people their preference with regard to the gender of the employee searching them.

For example, “What gender officer would you prefer to search you?”

- a. People’s preferences will be honored, when feasible.
- b. A person may be identified as transgender, gender queer, or non-binary if the person informs the employee that they are transgender, gender queer, or non-binary, or if the employee has a reason to believe that the person may be transgender, gender queer, or non-binary based on gender expression or prior interactions.

G. Procedural Justice

1. Employees shall use procedural justice principles while effectuating Searches, by treating all people with dignity and giving them voice and respect, being neutral in their decision making, and working to build trust.
2. Such conduct has the potential for building community trust and confidence in the police, and increasing the community’s willingness to cooperate with police to advance shared public safety goals.
3. Employees shall explain to the person being Searched the reason for the Search and how the Search will be conducted.

H. Knowledge of Policy

1. As with other policies, MPD employees shall be responsible for understanding and performing assigned duties in accordance with the MPD’s Search and Seizure policies (P&P 9-200).
2. Case law regarding Searches is constantly changing and is subject to interpretation by the courts. When in doubt as to whether an exception to the warrant requirement applies, employees should take the time to obtain a warrant.

I. Search Justification

1. Probable Cause and Reasonable Suspicion

Reasonable Suspicion and Probable Cause must be based on specific and objective articulable facts or observations about how a person behaves, what the person is seen or heard doing, and the specific circumstances or situation that are either witnessed or known by the employee.

- a. Physical characteristics or location
 - i. The physical characteristics of a person, including generic clothing descriptions, are never, by themselves, sufficient.

- ii. Instead, those characteristics must be combined with other factors, including a specific, non-general description matching the suspect or the observed behaviors of the person.
 - iii. When formulating Reasonable Suspicion or Probable Cause for a Search based on a person's location or on the person's race, ethnicity or other demographic category, employees must link a specific and detailed suspect description to a time and place that refers to a person with a particular demographic category.
 - b. Anonymous tips
 - i. An anonymous tip must be sufficiently detailed, and all facts and circumstances must indicate the tip's reliability to give rise to Reasonable Suspicion.
 - ii. The mere allegation that a person is carrying a gun is not sufficient.
2. Scope of justification

Employees shall not conduct a Search beyond the scope of the underlying justification for the Search. Any Search conducted past that point requires either a warrant or another exception to the Search Warrant requirement.
3. False information

Employees shall not use or rely on information known to be materially false or incorrect to justify any type of Search.
4. Results from impermissible Search

Items or contraband recovered from a Search which was not permissible under this policy shall not be used as justification for the Search.
5. Discoveries during an exigent circumstances Search

Discoveries made during a warrantless Search under exigent circumstances may be used to establish Probable Cause for a warrant.

J. Body Worn Cameras (BWCs)

In accordance with P&P 4-223, BWC activation is required for Searches.

K. Property Condition

1. Employees shall conduct Searches with due regard and respect for private property interests and in a manner that minimizes damage.
2. Employees shall leave property as close as reasonably possible to its pre-Search condition.

L. Recording Devices

Citizen's recording devices and the data they contain shall be handled in accordance with P&P 9-203.

IV. Procedures/Regulations

A. Search Incident to Arrest

When an employee has Probable Cause to make an arrest for an applicable offense, has the authority to make an arrest, and has the intent to make an arrest, the employee may conduct a warrantless Search incident to arrest, which includes a Search of the person being arrested and the area in their immediate control. The exception for a Search incident to arrest **only** applies to felonies, gross misdemeanors, and misdemeanors with a Rule 6 reason.

1. Removal from area of control

Once the arrestee has been removed from the area and has been rendered incapable of gaining "immediate control" of items in that area, a warrantless Search incident to arrest may no longer be conducted of that area.

2. Searching the person

A Search incident to arrest shall include a weapons pat-down (P&P 7-201) and Search of the individual's pockets. It may also include Search of any articles of property found on the person, and the minor manipulation of clothing that does not expose a person's groin or genital area, buttocks, female breasts, or more than the waistband or upper portions of the undergarments.

3. Vehicles

If an arrestee is an occupant or was recently an occupant of a vehicle, a limited Search of the passenger compartment of the vehicle (including glove box, center console or containers therein) may be conducted, if one of the following conditions applies:

- The arrestee is unsecured and within reaching distance of the passenger compartment at the time of the Search.
- There is Reasonable Suspicion that a Search of the passenger compartment will uncover evidence related to the crime for which the occupant was arrested.

4. Residences

- a. When a person is arrested in a residence, employees may only Search the immediate area where the arrest occurred.
- b. Employees may only Search other areas of the residence if one of the following conditions applies:

- They reasonably believe that employee safety is threatened.
- They reasonably believe that another person's safety is threatened (such as a possible kidnapping).
- There is a reasonable chance the arrested person might escape or destroy evidence.

5. Personal items

Employees may only Search personal items such as wallets, backpacks, or other bags if the arrestee had them in their actual and exclusive possession at or immediately preceding the time of the arrest.

6. Cell phones

- a. Employees shall not Search digital information on an arrestee's cell phone or other device without the owner's consent or a warrant.
- b. If employees find abandoned cell phones or other electronic devices, they may Search them for the sole purpose of identifying the owner of the property. The Search must cease upon identifying the owner of the property. If the employee views evidence of a crime on a device, they must cease the Search and secure a warrant for the device.

7. Custodial searches

- a. When a detainee is transported in a police vehicle, employees shall ensure that the detainee is Searched by the arresting employee and the transporting employee before being placed in a police transport vehicle.
- b. Generally, the arresting employee and the transporting employee should both conduct the search.
- c. The transporting employee shall ensure the transport vehicle is inspected for any property left inside prior to placing the detainee in the vehicle and again after the detainee is removed from the vehicle.
- d. If any evidence is found in the vehicle, the transporting employee shall ensure it is inventoried according to P&P 10-400.

B. Plain View Searches

1. The plain view exception applies when the employee inadvertently discovers contraband or evidence after making a lawful intrusion into a constitutionally protected area, such as a residence or a vehicle.
2. The employee must have Probable Cause to believe that the items in plain view are contraband or evidence, and they must be immediately recognizable as such.

3. Once the inadvertent discovery is made, employees may have Probable Cause to seek a warrant for a more thorough Search.

C. Probable Cause Searches of Vehicles

1. If an employee has Probable Cause to believe the vehicle contains evidence of a crime or contraband Search a vehicle, the employee may Search anywhere in the vehicle where the evidence or contraband sought may reasonably be found, except the trunk or locked containers. Searches of the trunk and locked containers require a warrant. The scope can include applicable unlocked containers within the vehicle regardless of the ownership of those containers.
2. Prior to conducting a Search that will likely cause damage to a vehicle, employees are encouraged to secure a warrant, when practical.
3. Employees shall not conduct a warrantless Search of a vehicle located in a driveway or within the curtilage of a home (area immediately surrounding a home).

D. Medical Emergency/Life-Saving

The need to protect or preserve life or avoid serious injury may justify a Search or an entry into a residence or non-public building where there is a reasonable expectation of privacy that would otherwise be illegal absent an emergency.

It is important to remember that while a Search or entry may be justified under the emergency doctrine, a warrant will generally need to be obtained prior to further investigation or seizure of evidence.

1. Justification for Search

Employees may conduct a warrantless Search for a medical emergency or life-saving purposes when:

- a. The employee has a reasonable, objective belief that there is an immediate need to protect the lives or safety of themselves or the public, or a specific person needs immediate help.
- b. The employee has a reasonable basis, approaching Probable Cause, to associate the emergency with the place to be Searched.
- c. A reasonable person in the same situation would similarly believe that there is a need for immediate assistance.
- d. The Search must be conducted absent a motivation or desire to discover evidence or make an arrest.
- e. Employees shall not conduct the Search as a pretext for an investigatory Search.

2. Unconscious person

Employees shall attempt to rouse a suspected unconscious person prior to conducting a Search. Suspected unconsciousness alone does not support a reasonable, objective belief of a need for immediate assistance.

3. Ending Search

Employees shall cease the Search immediately upon the emergency ending or otherwise dispelling the reason for the non-criminal investigation.

E. Destruction of Evidence

When employees have a reasonable belief that evidence of a felony is about to be removed or destroyed, employees may make a warrantless entry into a residence or non-public building where there is a reasonable expectation of privacy.

1. If entry is made to prevent the destruction of evidence, except in exceptional circumstances such as danger to employees or the public, employees shall not seize the evidence or contraband.
2. Employees shall secure the premises and the evidence, freeze the scene to include all occupants while allowing for occupants to leave if they wish, and await the arrival of a search warrant.

F. Hot Pursuit

Employees may enter a residence or non-public building where there is a reasonable expectation of privacy if they are in “hot,” or “fresh,” pursuit of a fleeing felony suspect.

1. In accordance with MN Statute section 626.69:
 - a. This also includes “the pursuit of a person suspected of having committed a supposed felony, though no felony has actually been committed, if there is reasonable ground for believing that a felony has been committed.”
 - b. “Fresh pursuit, as used therein, shall not necessarily imply instant pursuit, but pursuit without unreasonable delay.”
2. Employees are not allowed to make a warrantless hot pursuit entry when there is only Probable Cause of a misdemeanor or a minor offense. Examples of misdemeanors include DUI, traffic offenses, curfew violations, citation offenses, and non-arrestable violations.
3. Factors to consider in making an entry include:
 - Whether the crime involved is a crime of violence.
 - Whether there is reasonable basis to believe the suspect is armed.

- Whether there is an objectively reasonable basis to believe the suspect committed the crime.
- Whether there is an objectively reasonable basis to believe the suspect is on the premises.
- Whether there is an objectively reasonable basis to believe that the suspect is likely to escape if not swiftly apprehended.
- Whether police identified themselves and gave the suspect a chance to surrender prior to entry.
- Whether the entry is made peaceably.

G. Consent

1. Consent Searches prohibited during stops

Employees shall not conduct a Search based on consent during a pedestrian or vehicle stop. Employees may **only** conduct a Search during a pedestrian or vehicle stop if there is a basis for the Search other than consent.

2. Reasonable Suspicion required

To request to conduct a consent Search of a person or property for evidence of a crime, employees must have both of the following:

- a. Reasonable Suspicion that a crime has been committed.
- b. Reasonable Suspicion that either the person is involved in the crime or possesses evidence of the crime, or the place to be searched contains evidence of the crime.
- c. If an employee has Reasonable Suspicion that a crime has been committed, and Reasonable Suspicion that the person is involved in the crime or possesses evidence of the crime or the place to be searched contains evidence of the crime, a person who has the authority to give consent may provide consent for a warrantless Search with an established scope and may revoke their consent at any point.

3. Capacity to consent

- a. Prior to conducting a consent search, employees shall make a good faith effort to determine whether the consenting person has capacity to provide consent.

Factors to consider include:

- Age.
- Capacity for understanding.
- Education of the person.
- Actual or perceived physical and mental coercion.
- Exploitation.

- b. If the person requests further explanation of their rights or if it is apparent that the person giving consent has difficulty reading or understanding their rights, the employee shall explain until the person acknowledges their full understanding of the consent.
 - c. If applicable, employees shall provide required services in accordance with P&P 7-1001 Limited English Proficiency (LEP) and P&P 7-1002 Communicating with Deaf or Hard of Hearing Individuals.
 - d. Consent searches involving juveniles shall also follow P&P 8-106 Juvenile Search and Seizure.
4. Authority over property

Consent can only be given by a person who the employee can demonstrate, or that the employee can reasonably articulate, has the authority to give consent to Search the property.

- a. If two or more people with equal apparent authority over the property are present and disagree about permission to Search, the consent Search shall not be conducted.
 - i. This includes situations in which a parent gives permission to search but a juvenile refuses permission to search areas of the home which are in control of the juvenile, such as the juvenile's room, closet, or bags stored in the home.
 - ii. All cohabitants (roommates) or business partners who are present must affirmatively provide their consent prior to the search. Consent to search is not allowed if one cohabitant or business partner objects to the consent, even if another person gives permission.
- b. Landlords cannot give consent to search if a lease or rental agreement is still valid.
- c. Consent is valid if the third party giving consent has equal authority over the business or residence and it can be concluded the absent person assumed the risk the cohabitant (roommate) might permit a search.

5. Scope of consent

- a. When requesting consent, the scope of the Search must be established and may be limited in any way the person wishes.
- b. If the Search exceeds the authorized scope, it must be justified by another exception or will be unlawful.

6. Refusal to consent

The employee requesting consent shall affirmatively explain that the person has a right to refuse, limit, and revoke consent at any time that the person will not be punished or detained longer if they refuse.

- a. Employees shall not use a person's refusal to give consent to Search as a factor in establishing Reasonable Suspicion or Probable Cause.
- b. Employees shall not tell a person that refusal to provide consent may lead to adverse consequences, such as arrest or warrantless seizure of their property.

7. Revoking consent

The person providing consent may stop the Search at any point and must be able to communicate their request to stop the Search.

If the consent Search has begun, but the person then decides to revoke their consent:

- a. The employee shall immediately cease the Search unless another exception to the Search Warrant requirement applies.
- b. The employee shall not use threats or other forms of coercion to obtain or induce the person not to revoke consent.
- c. Even if property return is requested, the employee may retain custody of evidence lawfully seized prior to revocation of consent.

8. Recording consent

Employees shall record the person giving consent with their BWC or through another approved MPD audio and video recording method.

9. Documentation

- a. Employees shall document in the Police Report:
 - The circumstances giving rise to Reasonable Suspicion for a search.
 - How consent was obtained (verbally, in writing or both).
 - How the search was conducted.
 - Whether anything was seized during the search.
 - The location of any evidence that was discovered, and the name of the employee who found and seized the evidence.
 - Whether the search resulted in an arrest.

H. Inventory

1. Purpose of Inventory Searches

- a. Inventory Searches are not Searches incident to arrest. They are administrative in nature and are conducted to:
 - i. Protect and account for property of the arrested person or property in an impounded vehicle.
 - ii. Protect the employee and the MPD from false claims.
 - iii. Isolate dangerous items from MPD or Jail facilities.
- b. Inventory Searches are not a substitute for obtaining a search warrant or consent.

2. Temporal proximity

Inventory Searches of personal property or vehicles must occur as close in time as practical to placing an arrestee in a secure facility or impoundment of the vehicle.

3. When Inventory Searches are required

Inventory Searches shall be done for all vehicles to be impounded, all personal property for safekeeping, and all property that has accompanied an arrestee to a secure policy facility, except in the following cases:

- a. Vehicles that are locked shall be treated as a sealed unit and shall not have an Inventory Search done.
- b. Inventory Searches shall not be done for items or vehicles that are considered evidence and must remain untouched pending a search warrant.
- c. If an arrestee is eligible for bail, an Inventory Search shall be postponed until after the arrestee has had the opportunity to post bail.

I. Documenting the Search

1. No boilerplate language

- a. Employees shall not use boilerplate language alone when describing the basis for a Search.
- b. Employees shall use specific and descriptive language individualized to the person Searched and the circumstances of the Search to describe the basis of the Search. The amount of detail required depends on the complexity of the encounter.

2. Report required

Following a warrantless Search, the employee shall complete a Police Report, and shall include the following information:

- a. A detailed description of the circumstances that led to the Search, including the facts that established Probable Cause for the Search.
- b. The outcome of the Search, including whether anything was found, and a complete description of anything that was found.

J. Damage to Property

If damage to property occurs (such as to a building or vehicle), the following shall happen:

1. A supervisor shall be notified.
2. Photographs shall be taken to document any known damages.
3. If entry for a search is made forcibly to windows or interior or exterior doors, the report shall be additionally titled FENTRY.

K. Supervisory Review of Searches

1. Supervisors shall review all Police Reports for Searches for completeness and adherence to MPD policy and law.
2. This review shall be completed within 72 hours of the Search unless the review finds deficiencies and additional investigation, or corrective action is required.
3. The supervisor conducting the review shall document and report:
 - a. Searches that appear unsupported by the required Reasonable Suspicion or Probable Cause, including circumstances where employees purport to justify the Search based on information or evidence discovered after the Search was initiated, or that are otherwise in violation of MPD policy or law.
 - b. Stops or searches that, while comporting with law and policy, indicate a need for corrective action or review of agency policy, strategy, tactics, or training.
 - c. “Boilerplate” or conclusory language, inconsistent information, lack of articulation of the legal basis for the action, or other indications that the reports or forms may contain information that was not accurate at the time it was reported.
 - d. Lack of clarity with respect to the specific role and involvement of each MPD employee, including specifying which employee saw or heard information or engaged with or observed a person engaging in a particular manner or completing a particular activity.

4. If necessary to properly assess one of the required elements, the supervisor or Lieutenant shall review relevant body worn camera (BWC) video.
5. If necessary based on the review, the supervisor or Lieutenant shall make a referral to Internal Affairs.

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