



After Action Reviews

The Shooting of Davis Moturi

The Death of Allison Lussier



Executive Summary

The Office of City Auditor, an office independent of the Minneapolis Police Department (“MPD”), City Administration, and City Council, engaged Hogen Adams, PLLC to:

1. Provide an additional layer of independent review;
2. Partner on two sensitive and complex after action reviews; and
3. Prepare a report that communicates audit results.

The following report describes events, findings, recommendations, and corrective actions related to the City’s involvement in and response to:

- All incidents and resulting cases between Davis Mouri and John Sawchak.
- All calls by or on behalf of Allison Lussier and resulting cases including, but not limited to, her death.

Circumstances of each case were unique; therefore, we reviewed them individually. That approach carried into our report, which presents separate analyses for each case. Although our analysis was bifurcated, we identified several common patterns in how MPD documents, escalates, communicates, and responds to high-risk situations.

Our review relied on extensive document and video analysis, as well as interviews with officers, supervisors, prosecutors, advocates, family members, and community stakeholders. The findings show a mix of strong individual efforts and significant system-level challenges that shaped how each case unfolded and how the community experienced MPD’s response.¹

How is the information in this report arranged?

1. Submission letter from Hogen Adams, PLLC
2. *Report on After-Action Reviews*
 - a. Scope & Methodology
 - b. Moturi case summary, regulation overview, findings, and recommendations
 - c. Lussier case summary, regulation overview, findings, and recommendations
 - d. Appendices including case timelines and summaries of findings and recommendations
3. *Minneapolis Police Department Moturi and Lussier Audit Response*
 - a. Moturi case completed and in-progress corrective action plans
 - b. Lussier case completed and in-progress corrective action plans

¹ The Office of City Auditor provided oversight of this audit to assure compliance with generally accepted government auditing standards. Those standards require planning and performing the review to obtain sufficient, appropriate evidence to provide a reasonable basis for findings and recommendations based on objectives. We believe that the evidence obtained provides a reasonable basis for the findings and recommendations communicated within this report.

What findings do the recommendations in this report aim to address?

Response Capacity

- Delayed response times occurred due to staffing shortages, heavy call loads, and shift-change gaps.
- In the Moturi case, slower responses reduced opportunities to intervene as threats escalated.
- In the Lussier case, delays compounded already strained domestic-abuse investigations.

Application of Policy and Law

- Officers demonstrated inconsistent understanding of critical legal and procedural tools such as the distinction between Harassment Restraining Orders and Orders for Protection; warrant execution limits; and the “72 Hour Rule.”
- These differences influenced arrest decisions, case escalation, and, importantly, the accuracy of information provided to victims.
- On the Lussier case, differing views on Crime Lab involvement highlighted the need for more consistent protocols around scene processing and evidence preservation.

Documentation, Evidence Gathering, and Case Continuity

- Reporting practices varied widely, including incomplete witness statements, missing victim forms, inconsistent injury documentation, and inconsistent use of flags for bias, weapons, or repeat conduct.
- In the Moturi case, documentation of officer follow-up was inconsistent, reducing situational awareness across shifts.
- In the Lussier case, incomplete early documentation weakened later investigations. Importantly, MPD did not obtain the Medical Examiner’s report for its homicide investigation until the audit team requested it.

Internal and Interagency Communication—Tone at the Top

- Information did not consistently reach officers or investigators across units or shifts, resulting in missed opportunities for escalation.
- In the Moturi case, a gun-threat report was not escalated before the shooting.
- In the Lussier case, inconsistent communication with the Medical Examiner contributed to incorrect internal assumptions.
- MPD’s Chief and the Hennepin County Attorney had not communicated for many months, a breakdown acknowledged by both. This leadership-level disconnect influenced expectations, coordination, and operational alignment throughout both cases.
- These issues reflect a broader problem, where strained relationships at senior levels created ripple effects through the organization.

Public Communication and Community Trust

- Messaging from MPD leadership was at times premature, underinformed, and inaccurate. These statements caused additional harm to the families and heightened public concern.
- Misstatements also played into longstanding distrust among communities disproportionately affected by violence.

What promising practices did these reviews uncover?

- Officers often demonstrated strong situational awareness, de-escalation techniques, victim-safety focus, and a desire to facilitate advocacy connections.
- Many officers showed initiative through return visits, directed patrols, efforts to improve victim safety, and timely responses when resources allowed.
- Many officers communicated empathetically and professionally with victims and families during calls, demonstrating practices that build confidence and trust.
- Several officers applied standards accurately and communicated them clearly to victims under challenging circumstances.
- Personnel at all levels expressed a sincere desire to strengthen MPD's response to domestic violence, repeat calls, and high-risk cases.
- Corrective actions were implemented across many of the areas of concern while these reviews were still underway.

With Gratitude

I want to thank Mr. Moturi, and the family and friends of Allison Lussier, who participated in this review. Your stories, accounts, and evidence made clear the urgency of addressing a system in need of repair.

To the officers and leaders who spoke candidly with us, thank you. Many of you expressed a genuine commitment to serving our community. You shared your frustrations with what is not working well and offered thoughtful ideas to improve an imperfect system.

I also want to recognize our contracted partners at Hogen Adams, PLLC. Your tireless work, expertise, and balanced guidance enhanced the independence and objectivity that this review required.

Finally, I offer my sincere appreciation to the staff of the Office of City Auditor, who have carried this work forward. Your commitment to public service does not go unnoticed.

Looking Forward

These reviews highlight opportunities for the City and MPD to strengthen how high-risk situations are documented, escalated, and addressed. While the cases examined were tragic and distinct, the lessons

drawn from them point to systemic improvements that can enhance safety, coordination, and decision making across future responses. Implementing the recommendations in this report can help ensure that individual efforts are supported by clear structures, consistent practices, and strong leadership alignment.

Continued progress will require sustained attention and collaboration across the department and its partners. By addressing the issues identified in these cases and building on the promising practices already underway, MPD and the City can move toward a more responsive, transparent, and resilient public safety system. Our hope is that this work contributes to lasting improvements that better serve all residents.



Robert Timmerman, City Auditor



Vanya S. Hogen, Member
Licensed in Minnesota and South Dakota
Phone: 651-842-9103
Email: vhogen@hogenadams.com

April 22, 2026

City Auditor Robert Timmerman
City of Minneapolis – Office of City Auditor
350 S. Fifth St. – Room 310 ½
Minneapolis, MN 55415

Re: After Action Reviews for Davis Moturi and Allison Lussier Cases

Dear City Auditor Timmerman:


On behalf of Hogen Adams PLLC, I am pleased to present the final report on the After Action Reviews for the Davis Moturi and Allison Lussier cases.

We greatly appreciated the cooperation and assistance the Office of City Auditor provided throughout the after-action-review process. The Office played an important role in facilitating interviews with City personnel, particularly at the Minneapolis Police Department. In addition, the Office assured our access to key information and helped us understand City policies and processes, as well as the audit standards applicable to the process.

Although we faced initial resistance from some members of the MPD in participating in the after-action reviews, once the process was clarified, officers cooperated. Other City and Hennepin County personnel also cooperated. Ultimately, the input we received from City and County officials and employees was extremely thoughtful and helped ensure that our analysis was informed by both data and operational context.

We hope this report provides a useful foundation for changes within City departments to help crime victims like Davis Moturi and Allison Lussier. Thank you for the opportunity to perform this work for the City of Minneapolis.

Sincerely,


Vanya S. Hogen

REPORT ON AFTER-ACTION REVIEWS

PREPARED FOR

**OFFICE OF CITY AUDITOR
MINNEAPOLIS, MN**

BY

HOGEN ADAMS, PLLC

APRIL 22, 2026

Table of Contents

Overview	1
I. Retention and Scope of Review	1
II. Methodology.....	1
A. Team.....	1
B. Document Review	2
C. Interviews.....	2
D. Obstacles and Limitations	3
Analysis	4
I. The Moturi Case.....	4
A. Case Summary.....	4
B. Procedure, Personnel, Law, and Policy Overview	7
C. Findings and Promising Practices	8
D. Recommendations and Lessons Learned	17
II. The Lussier Case	19
A. Case Summary.....	19
B. Procedure, Personnel, Law, and Policy Overview	20
C. Findings and Promising Practices	30
D. Recommendations and Lessons Learned	46
Conclusion	50
Appendix 1 Timeline of Moturi Case Events.....	51
Appendix 2 Timeline of Lussier Case Events	56
Appendix 3 Overview of Relevant Laws, Policies, and Procedures.....	58
I. General MPD Policies, Procedures, and Personnel.....	58
A. MPD Patrol Officers.....	58
B. MPD Investigating Officers	59

C.	MCAO and HCAO Attorneys	60
II.	Law and Policy Relevant to the Moturi Case.....	60
A.	Assault and Harassment Offenses.....	60
B.	Harassment Restraining Orders	61
C.	Damage to Property.....	62
D.	Execution of Arrest Warrants.....	62
I.	Law and Policy Relevant to the Lussier Case	63
A.	The 72-Hour Rule.....	63
B.	Stalking.....	64
C.	Orders for Protection.....	65
D.	MPD Policies.....	67
	Appendix 4 MPD “Blue Card”	70
	Appendix 5 Table of Findings and Recommendations—Moturi Case Related	71
	Appendix 6 Table of Findings and Recommendations—Lussier Case Related.....	73

Overview

I. Retention and Scope of Review

On June 1, 2025, the Office of City Auditor, a department of the City of Minneapolis (the “City”), engaged Hogen Adams, PLLC (“Hogen Adams,” “we,” or “our”) to conduct an after-action review of two case files that the Minneapolis Police Department (“MPD”) investigated between July 2022 and October 2024: the neighbor-related harassment and shooting of Davis Moturi and the death of Allison Lussier. Both cases involved extensive interactions between MPD and the alleged victims, MPD’s investigations of escalating patterns of criminal conduct being experienced by the victims, and multiple police reports.

The scope of our review included compiling and reviewing information related to each case; interviewing key stakeholders involved in each case; analyzing the facts, policies, and laws applicable to each case; identifying positive practices and areas for learning or improvement, including any instances in which a City department did not comply with established policy; and developing recommendations to improve the City’s response to similar incidents in the future.

The scope of this review did not include investigating or determining whether individual City employees violated policy or otherwise engaged in wrongdoing.

Further, this review was not a criminal investigation, and no recommendations are made in this report that should be construed as an opinion for consideration in favor of or against criminal prosecution.

II. Methodology

This subsection outlines the procedures we used to gather relevant information for review and analysis.

A. Team

Three attorneys and one paralegal from Hogen Adams conducted this after-action review in conjunction with four employees of the Office of City Auditor.

B. Document Review

The Office of City Auditor requested, received, and forwarded the following information regarding both the Moturi and Lussier cases to Hogen Adams for review:

- MPD policies, procedures, special orders, and memoranda;
- MPD Police Information Management System (“PIMS”) reports;
- MPD phone logs and relevant email correspondence;
- Minneapolis Emergency Communication Center (“MECC”) Computer-Aided Dispatch (“CAD”) reports; and
- MECC 911-call audio recordings.

The Auditor team also made MPD body-worn camera footage available to Hogen Adams to view. In addition, Hogen Adams compiled publicly available court documents and news articles related to these case files. In all, we reviewed approximately 49,000 pages of documents and reviewed more than 25 hours of body-worn camera (“BWC”) and other video footage. The Office of City Auditor team members reviewed and summarized an additional 50+ hours of BWC footage.

C. Interviews

Hogen Adams and the Auditor Team interviewed MPD Chief Brian O’Hara twice, and Hennepin County Attorney Mary Moriarty once in connection with both cases.

We conducted interviews with ten other people in connection with the Moturi case, including Davis Moturi, an Assistant Minneapolis City Attorney, and MPD officers who were involved in responding to and investigating Mr. Moturi’s police reports. We also contacted four current and former neighbors of the Moturis and Mr. Sawchak. We were able to interview one neighbor; the three remaining neighbors we contacted either did not respond or declined to speak with us.

We interviewed another 22 people in connection with the Lussier case, including relatives of Allison Lussier, an Assistant Minneapolis City Attorney, an American Indian Community Specialist with the City, a Cornerstone Victim Advocate; employees of the Hennepin County Domestic Abuse Service Center, and MPD officers and staff who were involved in responding to and investigating Ms. Lussier’s police reports and death.

In both cases, we communicated with interview subjects multiple times.

D. Obstacles and Limitations

The Office of City Auditor initially met resistance from several MPD officers who requested the involvement of their union, the Police Officers Federation of Minneapolis, based on their concerns that the after-action review process would result in disciplinary action. This disrupted the anticipated timeline of the after-action review process, but ultimately, the Office of City Auditor was able to resolve these concerns and coordinate interviews with most of the MPD officers we wished to interview. We were unable to interview four officers who had either left the department or taken a leave of absence.

Another issue that limited our after-action review is that the Office of City Auditor does not have authority to access Hennepin County records related to these cases, such as the Hennepin County Medical Examiner's report on Allison Lussier's death. HCAO voluntarily shared some records with us, and we were able to obtain certain County documents from MPD.

Analysis

I. The Moturi Case

A. Case Summary

Davis and Caroline Moturi moved into their home on Grand Avenue in Minneapolis in September 2023. Their next-door neighbor at 3527 Grand Avenue, John Sawchak, had been the subject of numerous complaints by other neighbors over a period of years. When we met with Mr. Moturi, he said that he was unaware of Mr. Sawchak's history. Mr. Sawchak had an active misdemeanor warrant for his arrest when the Moturis moved in, stemming from a neighbor's allegations of harassment, and he had been the subject of prior harassment restraining orders from other neighbors. Previously, he had been charged with second degree assault against a police officer in 2016, but was found not competent to stand trial, and he was subject to a civil commitment the same year.¹

Mr. Moturi met Mr. Sawchak on October 11, 2023. The two discussed a tree on the border between their properties, and Mr. Sawchak became upset that Mr. Moturi intended to trim back or cut down the tree. Later that day, Mr. Moturi made the first two of many 911 calls to report that Mr. Sawchak had begun harassing him. We learned through our review that Mr. Sawchak allegedly yelled racial slurs at him and threatened him if he touched the tree. Mr. Sawchak had also set up a sprinkler to spray water continually on the side of the Moturis' home, allegedly causing water damage. Officers turned off the sprinkler during the initial call. They were called back later that evening due to the sprinkler being turned back on. In this second call, officers took the hose and inventoried it at Property and Evidence. No criminal charges were filed based on this incident.

From that day through the fall and winter of 2023 to 2024, Mr. Sawchak allegedly continued to yell at and harass the Moturis when he saw them outside their home. Mr. Sawchak, who is White, frequently yelled threatening and racially charged comments at Mr. Moturi, who is Black.

In February 2024, Mr. Moturi called MPD to report an incident from December 2023 in which Mr. Sawchak charged at and threatened him. He reported a similar

¹ *In re Civil Commitment of John Herbert Sawchak*, Hennepin Cnty. Dist. Ct. No. 27-MH-PR-16-682 (filed Aug. 12, 2016).

incident on March 1, 2024, in which Mr. Sawchak approached him while holding a gardening tool with a long metal blade at the end and threatened him. On March 11, 2024, Mr. Moturi reported property damage and harassment to MPD. The corresponding report noted Mr. Sawchak's pattern of racially charged harassing and threatening behavior. It was the only report in this case file flagged as involving racial bias.

MPD forwarded the March 1, 2024 and March 11, 2024 police reports to the Hennepin County Attorney's Office ("HCAO") and recommended felony charges. HCAO declined to file felony charges. Subsequently, the Minneapolis City Attorney's Office ("MCAO") charged Mr. Sawchak with gross-misdemeanor harassment.²

By this point, multiple MPD officers advised Mr. Moturi and/or Ms. Moturi to obtain a Harassment Restraining Order ("HRO") against Mr. Sawchak, which Mr. Moturi obtained on April 8, 2024. In our interview with Mr. Moturi, he explained that he did not obtain an HRO earlier because the previous owners of his house had an HRO against Mr. Sawchak and it did not help them. He did not believe an HRO would deter Mr. Sawchak from harassing him or change MPD officers' response to his 911 calls, especially since officers had explained to him that they would not enter Mr. Sawchak's home to arrest him.

On the same day that Mr. Moturi obtained the HRO, officers responded to a 911 call from a witness regarding a physical altercation. The officers found Mr. Moturi on top of Mr. Sawchak restraining him. The officers were not yet aware of the history of the dispute between Mr. Sawchak and Mr. Moturi or the HRO. Mr. Sawchak refused to identify himself but was not detained while officers attempted to identify him. When the officers questioning him stepped away briefly to talk to an EMT, Mr. Sawchak retreated into his house. Officers were unable to get him to come out once they became aware of the HRO. Fifth Precinct leadership had notified officers of the HRO by email that day, but the responding officers had not yet seen it when they responded to the call.

Mr. Sawchak's alleged harassment continued to escalate through the spring and summer of 2024. Mr. Moturi made numerous police reports about Mr. Sawchak's behavior, including allegations that Mr. Sawchak:

- continued yelling threats at the Moturis when he saw them outside their home and directing racial slurs and racially charged comments at Mr. Moturi;

² MCRO Case Details for Hennepin Cnty. Dist. Ct. No. 27-CR-24-8211.

- continued disrupting the Moturis' sleep by making loud noises overnight;
- dumped urine, feces, and garbage onto the Moturis' yard and into their mail slot multiple times;
- threw objects at Mr. Moturi from the upstairs window of his house;
- spat at Mr. Moturi; and
- brandished a knife at Mr. Moturi on multiple occasions.

In response to these incidents, MPD patrol officers would respond to the Moturis' home, take a report, and collect evidence, if applicable, including pictures of alleged property damage and footage from the Moturis' security camera or cell phones. Officers would typically attempt to make contact with Mr. Sawchak, but he never answered the door for officers.

On June 21, 2024, Fifth Precinct leadership notified officers that the HRO against Mr. Sawchak had been served by publication and asked the Minneapolis Emergency Communication Center to extend an alert in the dispatch system to continue notifying responding officers about the HRO for future calls regarding Mr. Sawchak. After that, MPD began issuing citations to Mr. Sawchak for violating the HRO. HCAO also charged Mr. Sawchak with felony threats of violence in July 2024.³

Fifth Precinct leadership assigned a localized community response team, an MPD unit that responds to precinct-level issues and community concerns, to surveil Mr. Sawchak's house and arrest him if officers observed him leave. We were told that community response team officers conducted over 20 drive-by and visual observation details of various lengths, in addition to the incidents in which MPD officers responded to Mr. Moturi's 911 calls, although none of these efforts resulted in an arrest.

On October 14, 2024, Mr. Moturi called 911 to report that Mr. Sawchak had leaned out of his window and aimed a firearm at him. This report was not escalated internally within MPD or forwarded to HCAO for charging at the time of the incident.⁴

On October 23, 2024, Mr. Moturi was transported by ambulance to the emergency room for a suspected heart attack. When he arrived, providers discovered a gunshot wound in his neck and a bullet lodged in his spine, and they notified MPD that Mr. Moturi had been shot. Ms. Moturi reported to MPD that Mr. Moturi had interacted with Mr. Sawchak earlier that day, and she suspected Mr. Sawchak shot Mr. Moturi.

³ Complaint in Hennepin Cnty. Dist. Ct. No. 27-CR-24-15522 (filed July 10, 2024).

⁴ MPD Chief O'Hara interview (Dec. 2, 2025); Hennepin County Attorney M. Moriarty interview (Dec. 9, 2025).

Ms. Moturi provided home security videos to MPD showing when Mr. Moturi fell to the ground after being shot, but the video did not capture a suspected shooter.

HCAO charged Mr. Sawchak with attempted murder the following day.⁵ MPD set up 24-hour surveillance of Mr. Sawchak's home while its Special Weapons and Tactics ("SWAT") team completed the risk-assessment process for an arrest operation. The SWAT team led an arrest operation beginning on October 27, 2024, and brought Mr. Sawchak into custody around 1:30 a.m. on October 28, 2024.

After Mr. Moturi was shot, local media and City representatives expressed concerns with the case; and several City Council members submitted a letter to MPD Chief Brian O'Hara and Mayor Jacob Frey denouncing MPD's handling of the case and the time it took to arrest Mr. Sawchak after the shooting.⁶ The media also publicized Mr. Moturi's allegations that Mr. Sawchak's harassment was racially motivated and that MPD did not treat Mr. Moturi's reports with the appropriate level of concern because he is Black.⁷

In all, the Moturis made 38 calls to 911 between October 2023 and October 2024 to report alleged ongoing harassment. These reports resulted in gross-misdemeanor and felony charges against Mr. Sawchak and two additional warrants for his arrest. Nevertheless, MPD repeatedly told Mr. Moturi that officers were unable to arrest Mr. Sawchak because he always retreated inside his house when they responded to calls or drove by the area. Some officers believed that they were not legally authorized to enter Mr. Sawchak's house on an arrest warrant without an additional search warrant; others explained that the risk to officer safety was too great to justify entering a private house to execute an arrest warrant for misdemeanor-level crimes.

A timeline of the relevant events leading up to and following Mr. Moturi's shooting is attached as **Appendix 1**.

B. Procedure, Personnel, Law, and Policy Overview

The City's response to neighbor-dispute calls involves multiple levels of the chain of command within MPD as well as other City departments and County partners.

⁵ Complaint in Hennepin Cnty. Dist. Ct. No. 27-CR-24-24383 (filed Oct. 24, 2024).

⁶ City Council Members' Letter to Mayor Frey and Chief O'Hara (Oct. 25, 2024).

⁷ Walsh, Paul, et. al. *Minneapolis police on defensive after neighbor allegedly shoots man who had reported numerous threats*, Minnesota Star Tribune (Oct. 25, 2024).

A breakdown of the general procedure and personnel involved in this type of response, starting with a victim's initial 911 call, is included in Section I of **Appendix 3**.

Mr. Moturi's police reports primarily involved allegations of assault, harassment, and damage to property perpetrated by Mr. Sawchak. Definitions for these criminal offenses, as well as state and federal law and MPD policy regarding arrest warrants, are included in Section II of **Appendix 3**.

C. Findings and Promising Practices

Our review revealed patterns of conduct within MPD that could be improved as well as examples of promising practices MPD and other City departments implemented during and after the events of the Moturi case. The fundamental issue in the Moturi case was that MPD did not arrest Mr. Sawchak until after he allegedly shot Mr. Moturi, despite multiple outstanding warrants for Mr. Sawchak's arrest before the shooting. Mr. Moturi made significant efforts to advocate for himself and used the resources available to him, yet Mr. Sawchak evaded arrest by going inside his home whenever he observed MPD in the area.

Mr. Moturi expressed several criticisms of the City's response. We provide additional analysis on his concerns in the following subsections.

1. Patrol Officers' Response to the Moturis' Reports

a. Response Time

Our review of the CAD/VisiNet information for the Moturis' 911 calls determined that MPD response times were generally slow. Response times ranged from approximately 15 minutes after call receipt to more than 12 hours after call receipt.

For example, when Ms. Moturi called 911 to report that Mr. Sawchak had put feces in the Moturis' mail slot on March 31, 2024, the 911 dispatcher designated the call as a priority 1 call involving an in-progress damage-to-property incident. At that time, the response goal for priority 1 calls was to have a squad en route within 70 seconds of receipt of the call; in fact, the Moturis called back an hour later to ask when officers were expected to arrive, and officers arrived about three and a half hours after the initial call.

As another example, Mr. Moturi called 911 on May 23, 2024, to report that Mr. Sawchak was outside and could be picked up on his arrest warrants. The 911 dispatcher

designated the call as a priority 2 call, indicating that there was no immediate threat of harm at the scene. The response goal for priority 2 calls was to have a squad en route within 45 minutes of receipt of the call or at the earliest opportunity. Mr. Moturi called back two additional times within an hour to update dispatchers as to Mr. Sawchak's location outside his house. Officers responded about two and a half hours after Mr. Moturi's last call and were unable to execute the arrest warrants because Mr. Sawchak was no longer outside.

Every MPD officer we interviewed cited understaffing as the primary reason for long response times; there were not enough officers to respond to the volume of calls MECC received. When interviewing officers, we were told that during the time this case was active, there were often 30-40 calls pending in the 911 queue, six or seven of which could be priority 1 calls.

When multiple priority 1 calls exist in the queue, responding officers may triage which priority 1 call to respond to first, although 911 dispatchers may divert them to another call. Additionally, 911 dispatchers may change a priority 1 call to a lower priority if the incident becomes less urgent before officers can respond (for example, if dispatchers receive information that a suspect has left the scene). It is likely that these factors impacted MPD's response time in responding to many of the Moturis' calls.

MPD Chief O'Hara opined in an interview we had with him that a cultural shift within MPD after 2020 and inexperienced supervisors contributed to the issue of slow response times to calls. Since that time, he issued a special order in October 2025 that updated MPD's policies related to the 911 call queue and response-time goals. Chief O'Hara stated that he has personally overseen implementation of the policy and that response times have begun to decrease.

b. Knowledge of Law and Policy

One trend we identified in reviewing body-worn camera footage and police reports is that patrol officers' understanding of state law and MPD policy varied. This was particularly notable when officers spoke to the Moturis about HROs and the execution of arrest warrants.

For example, several officers referred to "OFFPs" rather than "HROs." An OFFP, or Order for Protection, is a type of relief specific to cases of domestic abuse.⁸ OFFPs and

⁸ Minn. Stat. § 518B.01, subd. 4.

HROs are not interchangeable, and an HRO was the correct type of relief for officers to suggest to the Moturis.

Furthermore, officers gave conflicting reasons to Mr. Moturi as to why they were unable to forcibly enter Mr. Sawchak's home to arrest him. Some officers explained to Mr. Moturi that MPD leadership had not authorized them to enter Mr. Sawchak's home to execute the arrest warrant due to safety concerns, while others appeared to believe that they were unauthorized by law to do so unless they obtained a search warrant in addition to an arrest warrant. Obtaining a search warrant to enter a suspect's home is certainly best practice, because it reduces the risk of litigation and allows MPD time to assess the safety risks of entering the suspect's home to execute the warrant. It is not unlawful, however, to enter a suspect's home to execute an arrest warrant in certain situations, as explained in Section II of **Appendix 3**.

c. Police Reports

The public narrative of a police report is less detailed than the corresponding narrative that is classified as not public in which officers document substantial details such as victim and witness statements. Our review of MPD's police reports revealed that certain information was not included in the public narrative, as expected.

We found that in some reports, key narrative details were not flagged in the "General Offense Information" section that the report author uses to classify and escalate incidents. For example, officers can flag racial bias or weapons involved as a factor in an alleged offense, which will cause reports to be escalated through MPD leadership sooner.

d. Blue Cards

During our review, we noted that some of the information contained in the Blue Cards that patrol officers provide to victims contained outdated contact information and victim resources, so our recommendations will address changes to this information.

e. Actions that Exceeded Baseline Requirements

We identified instances when officers went above the basic requirements of their positions. First, one responding patrol officer made multiple phone calls and house calls to take detailed statements from the Moturis after incidents of Mr. Sawchak's harassment. That officer also self-assigned to conduct directed patrols in the neighborhood, and as time allowed during his shifts, he returned to Mr. Sawchak's

house at various times for drive-bys and attempted pick-ups. Another officer gave Mr. Moturi his direct cell phone number, an action indicated to be uncommon in most situations.

2. *MPD, MCAO, and HCAO Follow-Up on Police Reports*

There were only two incidents before Mr. Sawchak's alleged shooting of Mr. Moturi for which MPD assigned an investigator and submitted recommended charges to HCAO. First, MPD assigned an investigator to review the March 1, 2024 and March 11, 2024 police reports. Although the investigator assigned to the case was a member of a unit that typically did not investigate neighbor disputes like this, MPD otherwise followed standard protocol for investigating these allegations.

The investigator reviewed Mr. Sawchak's history of harassment against the Moturis. They interviewed the Moturis; gathered additional information from patrol officers who had responded to the Moturis' 911 calls; and forwarded the case to HCAO with a recommendation for felony charges. The investigator also worked with MCAO to charge Mr. Sawchak with a gross-misdemeanor harassment offense after HCAO declined felony charges.

Second, MPD assigned an investigator to review the July 2, 2024 police report. Again, MPD followed standard protocol for investigating these allegations and forwarded the police report to HCAO, which resulted in HCAO filing felony threats-of-violence charges against Mr. Sawchak on July 10, 2024.

MPD assigned an investigator to follow up on the April 22, 2024 police report, although the police report did not document significant follow-up actions after the assignment. An investigator contacted Mr. Moturi in August 2024 to discuss the April 22, 2024 incident, but no further action was taken with respect to that police report until after the shooting in October 2024. MPD also assigned an investigator to follow up on the August 8, 2024 police report, but again, the police report did not document significant follow-up actions on this report until after the shooting in October 2024.

Concerningly, the October 8, 2024 and October 14, 2024 police reports were not assigned an investigator, escalated to MPD leadership, or submitted to HCAO until after the shooting on October 23, 2024.

MPD appeared to focus the majority of its response on drive-by and visual observation details. In mid-summer 2024, a localized MPD community response team began conducting these details in addition to patrol officers, but they were unsuccessful

in leading to Mr. Sawchak's arrest. It is most likely that these efforts failed because they were sporadic and observation lasted for relatively short durations. MPD leadership declined to approve overtime for officers to conduct additional or longer details. Furthermore, these efforts were not well-documented; we relied on officers' estimation of how many times they conducted drive-by and visual observation details, because the community response team did not create incident reports for each detail it conducted.

3. *Media Accounts of Mr. Moturi's Allegations of Racism*

Our review of relevant MPD body-worn camera footage reflected that, with one exception, responding officers used appropriate language and treated Mr. Moturi respectfully in their interactions. In the exception noted, we did not construe comments to be biased or racist, but rather rude and less than the standard of professionalism the City should expect. We observed that some officers expressed frustration with MPD leadership or the feeling that their hands were tied in response to the situation and the lack of progress in arresting Mr. Sawchak.

4. *Mr. Moturi's Efforts and Safety Measures*

Mr. Moturi obtained an HRO against Mr. Sawchak in April 2024. He installed security cameras on his property and attempted to film encounters with Mr. Sawchak when he was able. He submitted security camera and phone footage to MPD with several of his police reports, gave detailed statements to officers, repeated his concerns about Mr. Sawchak's racial bias and escalating violence, and reached out to other City contacts including Mayor Jacob Frey and City Council Member Andrea Jenkins to persuade MPD to make an arrest. He contacted patrol officers and a localized MPD community response team member to inform them about Mr. Sawchak's daily habits and schedule. In sum, his efforts to resolve the ongoing harassment were proactive, and he was communicative with MPD and other City employees.

While it was likely possible for Mr. Moturi to obtain an HRO against Mr. Sawchak earlier than April 2024, we don't believe this would have changed the outcome, because the difficulty in serving the HRO and arresting Mr. Sawchak would have persisted. Therefore, our overall impression is that there was nothing Mr. Moturi could have done differently to resolve this case.

5. *Issues with the Execution of Arrest Warrants*

a. Before the Shooting

MPD patrol officers stated that they did not enter Mr. Sawchak's home to execute the arrest warrant before the shooting because MPD leadership did not authorize them to do so, and MPD leadership explained that the risk to officer safety was too great to authorize a forced-entry arrest in this case. Our interview with the MPD SWAT Team was particularly helpful in explaining this reasoning.

Before entering a private home to execute an arrest, the SWAT Team gains as much information as they are able about the suspect and location and conducts a thorough risk analysis. They consider whether a suspect could have weapons or other hazards in the house, whether the suspect is mentally unstable, likely to resist arrest, and other factors related to officers' safety when entering an unknown area. Additionally, they consider whether their actions could introduce physical harm to the public, including the suspect.

In our interviews with MPD officers, we also learned that there is a significant backlog of unexecuted warrants in Minneapolis and throughout Hennepin County. As such, the fact that Mr. Sawchak had multiple unexecuted warrants did not, in and of itself, make this case stand out from other cases to MPD leadership.

b. After the Shooting

MPD knew Mr. Sawchak to be a recluse in his home. Therefore, MPD leadership arranged for 24/7 surveillance of Mr. Sawchak's house after Mr. Moturi was shot and continued the surveillance until the arrest operation. The purpose of this surveillance was to ensure that Mr. Sawchak would be arrested if he left his house while allowing the SWAT Team time to prepare their risk assessment for the arrest operation. This alleviated our concerns about MPD's delay in arresting Mr. Sawchak.

Information about the 24/7 surveillance detail was not released to the media at that time, however, so the public largely condemned MPD's four-and-a-half-day delay in arresting Mr. Sawchak. Certain media articles described Mr. Sawchak as "at large" during this period.⁹ This characterization is inaccurate because it suggests that Mr. Sawchak's whereabouts were unknown to MPD, and it demonstrates how media

⁹ *Minneapolis police on defensive after neighbor allegedly shoots man who had reported numerous threats*, Minnesota Star Tribune (Oct. 25, 2024).

speculation can be detrimental to MPD investigations or the public's perception thereof.

The risk assessment and information-gathering process between the day Mr. Moturi was shot and the day Mr. Sawchak was arrested showed that MPD exercised due diligence in preparing for the arrest. MPD obtained a search warrant for Mr. Sawchak's house, gathered information about Mr. Sawchak and the layout of his house from a family member of Mr. Sawchak, and developed a plan of operations that involved escalating levels of force depending on Mr. Sawchak's compliance with arrest.

6. *Public Relations and Statements by MPD following the Shooting*

Our review of MPD Chief O'Hara's interactions with the media revealed an area for improvement. Initially, statements made at a press conference implied that Mr. Moturi was partially to blame for aggravating tensions with Mr. Sawchak on the day of the shooting.¹⁰ Chief O'Hara suggested that Mr. Moturi's action of cutting the tree on the border between Mr. Sawchak's and the Moturis' properties caused or contributed to the shooting. He stated early in the press conference, "The victim reported to us that his neighbor had threatened to shoot him if he touched a specific tree. On Wednesday, at some point while the victim was cutting that tree, he was injured." Later, he stated, "The situation escalated in part by actions that were precipitated by the victim."

In making these statements, Chief O'Hara may have prematurely shared unvetted information and, in doing so, affected public perception of the situation. These statements gave the public the impression that MPD was reacting defensively and shifting the blame for Mr. Sawchak's actions rather than redoubling its efforts to keep the community safe.

Chief O'Hara also stated, "No Minneapolis police officers have had in-person contact with [Mr. Sawchak] since the victim in this case has been calling us," and "The lieutenant gave this victim his phone number and asked the victim to call the lieutenant directly when he sees this person outside the house. The lieutenant never received a phone call from the victim indicating that the person was outside the house." The first statement is incorrect because officers had in-person contact with Mr. Sawchak when they responded to the physical altercation between Mr. Sawchak and Mr. Moturi on April 8. And the second statement is at least partially incorrect because both Mr. Moturi's cell phone call records and the localized MPD community response team lieutenant's call records show that Mr. Moturi called the lieutenant on multiple

¹⁰ MPD Press Conference (Oct. 25, 2024).

occasions in the summer and fall of 2024, although there is no record of what they discussed during these phone calls.

In our interview with Chief O'Hara, we asked about these statements and recommended that MPD leadership thoroughly review statements that will be released to the public, including statements prepared for the Chief to deliver at a press conference, to check for the appropriateness of tone and accuracy of information. Chief O'Hara acknowledged that his initial statements to the press contained factual errors and stated that he worked to become better informed of the case details after that press conference.

7. Internal and External Communication Issues

We noted additional failures of communication that stood out in this case, both internally within MPD and between MPD and HCAO.

First, two internal failures of communication occurred in April and October 2024. Although Fifth Precinct leadership had disseminated information to officers about Mr. Sawchak's alleged ongoing harassment, there was an incident on April 8, 2024, in which MPD officers failed to use this information when responding to a call about a physical altercation on the sidewalk outside Mr. Sawchak and Mr. Moturi's houses. Officers allowed Mr. Sawchak to retreat inside before verifying his identity, thereby losing the only clear opportunity they had to arrest Mr. Sawchak (and to serve him with the HRO) while he was outside his home.

Furthermore, on October 14, 2024, Mr. Sawchak allegedly aimed a firearm at Mr. Moturi. This incident represents a concerning alleged escalation of Mr. Sawchak's harassment, but MPD leadership failed to escalate the police report internally or to forward it to HCAO for charging until after Mr. Moturi was shot about ten days later.

Chief O'Hara and County Attorney Moriarty both reported a breakdown of communication that affected the working relationship between them and their offices. Chief O'Hara and County Attorney Moriarty reported that they had not spoken to each other in many months, although they both indicated that they would be willing to open the line of communication between them again.

8. Morale Issues throughout MPD

Many of the MPD personnel we interviewed, including individuals in leadership and lower-ranking officers, shared that the culture and morale within MPD have

changed significantly in the wake of former MPD Officer Derek Chauvin's murder of Minneapolis citizen George Floyd in 2020. A United States Department of Justice investigation revealed widespread issues of racism and bias within MPD, resulting in a large number of officers leaving the force in the months and years following the murder of Mr. Floyd. This in turn led to staffing shortages, longer response times, and increased officer burnout, all of which contributed to low officer morale.

In the Moturi case, this cultural shift and low morale manifested in MPD's overall reticence to arrest Mr. Sawchak by force. One officer we interviewed suggested that responding officers were likely afraid that they would face disciplinary action or litigation if they entered an armed encounter with a mentally ill suspect like Mr. Sawchak.

Officers we interviewed in connection with the Lussier case shared similar details about the culture and morale within MPD, and this issue is discussed in more detail in Section C(8) in the Lussier portion of the report.

9. *MPD Policy and Staffing Changes Since the Shooting*

After Mr. Sawchak's alleged shooting of Mr. Moturi, and throughout our review, MPD Chief O'Hara implemented several updates to the MPD Policy and Procedure Manual that pertain to some of the issues identified in the Moturi case. As noted previously, Chief O'Hara issued updates to the MECC dispatch policies aimed at reducing the response time between a 911 call and officers' response. In addition, he issued SO25-016, -017, -018, and -019 to update Sections 7-801 through 7-804 of the policy manual. These updates clarified the policies for critical decision-making, de-escalation and use of force, crisis intervention, and evaluating and responding to high-risk situations.

MPD also announced that it would re-staff a unit that had previously been closed, the Violent Criminal Apprehension Team, which could assist officers in executing high-risk arrest warrants such as the warrants at issue in the Moturi case.

In addition to the policy changes, Chief O'Hara directed an internal review of MPD's overall response to an individual who had not been involved in any of the Moturi calls for service.

D. Recommendations and Lessons Learned

1. *Proposed Changes to MPD Policies and Procedures*

- Develop a policy requiring officers to review information and alerts using in-squad resources such as PIMS and CAD while en route in response to an incident.
- Develop a procedure for case escalation either within MPD, MCAO, or HCAO when a threshold number of calls regarding a specific individual or address have occurred.
- Develop a procedure for documenting drive-by and visual observation details, including dates, times, and resources used, to better track and document department efforts.
- Reinforce expectations through policy and training for designating bias and weapons involved in incidents within police reports.

2. *Proposed Changes to MPD Training Protocol*

- Incorporate additional training for officers to better understand the law, policy, and procedure related to HROs, e.g., the difference between an HRO and an OFP, resources available to help a victim apply for an HRO, service requirements for temporary and permanent HROs and HRO hearing notices, remedies for HRO violations, and the limitations of HROs.
- Incorporate additional training for officers to better understand the law, policy, and procedure related to the execution of arrest warrants and search warrants. Include provisions on how to communicate what is legally or procedurally unallowable. Develop an informational webpage and contact point for members of the public who have questions.

3. *MPD Staffing Issues*

- Address staffing shortages identified in patrol and investigative units to improve response times and increase MPD's capacity to respond to similar incidents in the future.
- Provide appropriate staff and resources to the Violent Criminal Apprehension Team.
- Consider lateral hiring options to increase the availability of experienced individuals for investigative and leadership positions.
- Consider coordinating efforts with County and State law-enforcement agencies to manage warrant backlogs.

4. *911 Emergency Response/Dispatch Policies and Procedures*

- Implement changes to the CAD/VisiNet system to automatically group calls related to the same individual or address and compile information from related calls.
- Implement changes to the CAD/VisiNet system to automatically flag repeat calls involving the same individual or address and calls involving an individual with an outstanding warrant or HRO.

5. *Minneapolis City Attorney's Office Procedures*

- Develop a written procedure for contacting HCAO to ensure appropriate charging and prosecution at an earlier stage for cases involving multiple incidents with the same perpetrator and victim.

6. *Other Recommendations*

- Update and simplify information for victims contained in Blue Cards.
- Work to repair communications between MPD Chief and County Attorney through a mutually agreed upon mechanism, such as weekly email update exchanges or monthly meetings, to discuss recurring issues such as repeat calls/offenders.

II. The Lussier Case

A. Case Summary

Allison Lussier, a 47-year-old Native American woman and longtime Minneapolis resident, was found dead in her apartment on February 22, 2024. In the nearly two years leading up to her death, Ms. Lussier made at least nine 911 calls accusing her on-and-off boyfriend, Charles Foss, of domestic abuse. The majority of those 911 calls resulted in formal reports with the Minneapolis Police Department (“MPD”). And while the majority of those formal police reports detailed felony-level assault allegations, only a small number of those reports led to subsequent investigations by MPD, and none of them resulted in formal criminal charges against Mr. Foss.

Ms. Lussier’s final 911 call occurred on February 17, 2024, a follow-up to a previous 911 call and police report on February 13, 2024, when Mr. Foss reportedly hit Ms. Lussier on her right temple with a closed fist and put his arm around her neck before fleeing the scene. When Ms. Lussier called MPD back to her home on February 17, she was hoping that Mr. Foss, who had returned to her apartment, would be arrested for the February 13, 2024 incident based on what is known as the “72-hour arrest rule.” But because Ms. Lussier’s 911 call came in roughly half an hour after the 72-hour cut off, MPD reasoned that Mr. Foss could no longer be arrested and escorted him out of Ms. Lussier’s home.

Five days later, Ms. Lussier was found dead in her apartment after what appeared to be several days of bodily decomposition. Her body showed signs of a subdural hematoma, an accumulation of blood between the brain and skull, and her blood tests showed the presence of methamphetamine and fentanyl in her system. The Hennepin County Medical Examiner ultimately declared the cause of death to be from a subdermal hematoma and that the manner of death was undetermined.

In the days and weeks following the discovery of Ms. Lussier’s body, her family, friends, and community advocates urged MPD to arrest Mr. Foss for her alleged murder. Ms. Lussier’s case was assigned to the MPD Homicide Unit, which ultimately submitted the case to the HCAO for charging consideration. As of the date of this report, HCAO has neither charged Mr. Foss with any offense related to Ms. Lussier’s death nor formally declined charges and we are aware they have assigned investigative resources to this case. In other words, MPD and HCAO maintain open cases related to Ms. Lussier’s death.

A visual timeline of the relevant events leading up to and following Ms. Lussier's death is attached as **Appendix 2**.

B. Procedure, Personnel, Law, and Policy Overview

1. Process and Personnel Involved in Responding to Domestic-Abuse Reports

MPD's process for responding to domestic-abuse reports involves a complex, multijurisdictional, multi-agency approach aimed at connecting victims with services and resources while simultaneously seeking criminal prosecution and civil remedies when feasible. The following is a breakdown of the general procedure and personnel involved in this process, starting with a victim's initial 911 call.

a. MPD Patrol Officers

MPD typically becomes involved in a domestic-abuse case following a 911 call by a victim or witness. Calls are coded and prioritized by dispatchers based on the available facts and a preliminary risk assessment.¹¹ A thorough overview of the priority levels applicable to 911 calls in Minneapolis is included in **Appendix 3**. Throughout the time period relevant to this review, when Ms. Lussier was making 911 emergency calls reporting domestic abuse by Mr. Foss, the Minneapolis Emergency Communications Center (MECC) objective was to have a squad en route to a priority 1 call within 70 seconds of receipt by the 911 dispatcher, and to have a squad en route to a priority 2 call within 45 minutes of receipt by the 911 dispatcher.^{12, 13}

Patrol officers are responsible for responding to domestic-abuse calls in their assigned precincts. MPD patrol officers typically ride two officers to a car, unless there is an odd number of officers working during a particular shift, in which case the "odd man out" will ride alone and respond to calls that involve the lowest risk levels, or respond as back up to calls that already have other officers assigned to them. Several officers we spoke to described a common practice of pulling up a victim and suspect's information on their squad computers, when possible, while en route to a call. Those officers indicated that it is standard practice to search for past incidents of domestic

¹¹ Minneapolis 911 Problem Nature Policies.

¹² *Id.* (As of October 25, 2025, the allowable time for assigning a priority 1 call to an officer was increased to 7 minutes.)

¹³ *Id.* (As of October 25, 2025, the allowable time for assigning a priority 2 call to an officer was decreased to 20 minutes.)

abuse by or against the suspect or victim before arriving to the scene of a call, but that such background information is only obtainable before arrival if the 911 dispatcher has successfully obtained and relayed identifying information to the officers. When officers have identifying information on a suspect before arriving at a scene, they are able to look up not only the suspect's past domestic-abuse incidents, but also that suspect's history of violence towards police, possession of weapons, outstanding warrants, whether the suspect is the subject of an Order for Protection, and other valuable risk-assessment information.

Upon arrival to a domestic-abuse call, officers are required to follow the "Domestic Abuse Incident Response Protocol" outlined in the MPD Policy and Procedure Manual. A list of applicable domestic-abuse offenses to which that protocol applies, as well as a list of required steps each officer must take when responding to a domestic-abuse call is included in **Appendix 3**. Other crimes may occur in conjunction with a qualified domestic-abuse offense, such as property damage, burglary, robbery, or criminal sexual conduct, but do not require establishment of a "domestic" relationship for charging or prosecution purposes.¹⁴ Additionally, because domestic abuse is an enhanceable crime under Minnesota law, an offense that usually constitutes a misdemeanor may be chargeable as a gross misdemeanor or felony if the suspect has one or two (or more) qualified domestic-violence related convictions within the 10 years preceding the offense, respectively.¹⁵ MPD maintains a list of suspects who are "enhanceable" based on these qualified prior convictions, which is updated on a regular basis. Officers responding to domestic-abuse calls have access to that list and rely on it for reporting and arrest decisions.

The MPD Policy and Procedure Manual also outlines certain victim advocacy steps each officer must take when responding to a domestic-abuse call and sets specific requirements for the information officers must gather and document in their formal reports.¹⁶

The 72-Hour Rule

One aspect of MPD's Domestic Abuse Incident Response Protocol requires officers to be familiar with and inform relevant victims of the 72-hour rule.¹⁷ Because it played an important role in the events leading up to Ms. Lussier's death, we want to

¹⁴ Minn. Stat. § 518B.01 subd. 2.

¹⁵ Minn. Stat. § 609.2241 subd. 2 & subd. 4.

¹⁶ See Appendix 3.

¹⁷ The statutory text of the 72-hour rule is included in Appendix 3.

explain the 72-hour rule in some detail. In general, the Fourth Amendment of the United States Constitution prohibits law-enforcement officers from engaging in unreasonable searches and seizures and states that “no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”¹⁸ Minnesota law outlines several instances where law-enforcement officers may arrest a person without a warrant and without running afoul of the Fourth Amendment.

Two such instances are most relevant here. First, a law-enforcement officer may make a warrantless arrest “when a felony has in fact been committed, and the officer has reasonable cause for believing the person arrested to have committed it.”¹⁹ There are several types of domestic assault that qualify as felonies under Minnesota law. Where a law-enforcement officer has reasonable cause to believe that a particular suspect committed any one of those felony-level offenses, they may arrest that suspect without a warrant regardless of how much time has passed since the commission of the offense, assuming such arrest does not require entry into the suspect’s home or other private property.

Second, under the “72-hour rule,” a law-enforcement officer may make a warrantless arrest for certain non-felony domestic-abuse offenses within a 72-hour period after the commission of the offense, if they have probable cause to believe the person being arrested committed the offense.²⁰ Probable cause exists where “the facts and circumstances within their [the arresting officers’] knowledge and of which they had reasonably trustworthy information [are] sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed.”²¹ This type of warrantless arrest may be made regardless of whether the alleged assault took place in the presence of the law-enforcement officer.²² Thus, for the 72-hour rule to apply and justify a warrantless arrest, officers must be able to establish probable cause for the following elements: (1) a qualifying act of domestic abuse, (2) that is non-felonious in nature, and (3) that occurred in the past 72 hours.

¹⁸ U.S. Const. amend. IV.

¹⁹ Minn. Stat. § 629.34, subd.1(c)(3).

²⁰ Minn. Stat. § 629.341, subd. 1.

²¹ *Draper v. United States*, 358 U.S. 307, 313 (1959).

²² *Id.*; see also *State v. Anderson*, 388 N.W.2d 784, 786 (Minn. Ct. App. 1986) (“the purpose of the statute is to establish an exception to Minn. Stat. § 629.34, subd. 1(c)(1) (1984), to allow arrests for domestic assaults that do not take place in the presence of the officer”).

Qualifying domestic-abuse offenses for purposes of the 72-hour rule may include any of the following, “if committed against a family or household member by a family or household member”: (1) physical harm, bodily injury, or assault; (2) the infliction of fear of imminent physical harm, bodily injury, or assault; or (3) certain acts of terroristic threats, criminal sexual conduct, sexual extortion, or interference with an emergency call.²³ A “family or household member” includes family or household members, spouses or former spouses, parents and children, persons related by blood, persons who reside together or have in the past, persons who have a child in common, a man and a woman if the woman is pregnant at the time, and/or persons involved in a significant romantic or sexual relationship.²⁴

Next, the arresting officer would need to establish that the qualifying domestic-abuse offense may be categorized as a non-felony for the 72-hour rule to apply. Traditional non-felony domestic-abuse offenses include fifth degree assault committed by a suspect who has a qualifying “domestic” relationship with the victim, as well as gross misdemeanor enhanced domestic assault where the suspect committing domestic abuse has been convicted of a domestic violence-related offense within the previous 10 years.²⁵

Violating an OFP or Domestic Abuse No Contact Order (DANCO) also constitutes a misdemeanor domestic assault that may be enhanced to a gross misdemeanor or felony based on prior qualifying convictions.²⁶ Additionally, where a suspect has allegedly committed a felony-level domestic assault, as described above, their conduct will virtually always satisfy the elements of a “lesser included” misdemeanor or gross-misdemeanor domestic assault.²⁷ For example, a suspect who allegedly committed strangulation, a felony, would have also committed an act with intent to cause fear in another of immediate bodily harm, a misdemeanor. Accordingly, suspects accused of committing any act of domestic assault, felony or misdemeanor in nature, will be placed on the 72-hour arrest list maintained by the Minneapolis Police Department. Relatedly, prosecutors may charge a single defendant with both the felony-level assault and the lesser included misdemeanor assault.

²³ Minn. Stat. § 518B.01, subd. 2(a).

²⁴ *Id.* at subd. 2(b).

²⁵ Minn. Stat. §§ 609.2242, 609.224.

²⁶ Minn. Stat. § 518B.01, subd. 14.

²⁷ Minn. Stat. §§ 609.04, 631.14 (discussing convictions and verdicts for lesser included offenses, respectively).

Finally, for the 72-hour rule to apply to a warrantless arrest, the arresting officer must establish that the arrestee committed nonfelony domestic abuse within the preceding 72 hours, exclusive of the day probable cause was established.²⁸ It is noteworthy that this time frame has expanded from 4 hours to 72 hours through several amendments to the legislation in the nearly 50 years since its enactment. Generally, probable cause is established with a victim's report to law enforcement, and the 72-hour clock would therefore begin at 12:00 a.m. the following day. Were a law-enforcement officer to encounter a suspect after expiration of the 72-hour period, their options for warrantless arrest of the suspect would be limited to those outlined in Minn. Stat. § 629.34, outlined above, including on the basis of reasonable cause for believing the suspect committed a felony that "has in fact been committed."

b. Cornerstone and DASC Advocates

Cornerstone is an advocacy organization that provides direct support and services to victims of crime. Relevant here, Cornerstone operates a hotline for victims of domestic abuse who need safety planning, housing, legal support, or other services, and contracts with the City of Minneapolis to embed domestic-abuse advocates within the structure of MPD itself. Victims may call into Cornerstone themselves seeking support and services, or may be contacted by a Cornerstone advocate in conjunction with the daily "Gone on Arrival/GOA List" procedures undertaken in the Domestic Abuse Service Center ("DASC").

DASC is a branch of the Hennepin County Attorney's office and is housed within the Hennepin County Government Center, but operates as a multi-agency, multijurisdictional entity with representatives from the county, city, and various non-profit organizations.²⁹ Cornerstone works in collaboration with DASC to ensure that all domestic-abuse victims who are the subject of GOA cases have access to victim-advocacy services. Without the efforts of Cornerstone and DASC advocates, many victims would not benefit from the services a victim advocate can provide, as the victim witness advocates provided through MCAO and HCAO are only available after charges are filed.

Every weekday morning, MPD creates a GOA List of all the domestic-abuse GOA reports from the day (or weekend) before. That GOA List includes the names of suspects and victims, the case number for the police report, the relevant offense,

²⁸ Minn. Stat. § 629.341, subd. 1.

²⁹ <https://www.hennepinattorney.org/get-help/crime/domestic-abuse-service-center> (last accessed Apr. 11, 2026).

whether the victim already has an Order for Protection (“OFP”) or Domestic Abuse No Contact Order (“DANCO”), and whether the suspect is on the Felony Enhancement List. The GOA List is sent to a multiagency team, including prosecutors from the MCAO and the HCAO, Cornerstone advocates, domestic-abuse investigators within MPD, probation officers, DASC victim advocates, and other MPD staff.

Once they receive the GOA List, Cornerstone advocates immediately start trying to contact each listed victim for felony-level cases, while DASC advocates attempt to contact each listed victim for non-felony GOAs. Typically, a victim’s contact information is pulled directly from the police report, so up-to-date contact information collected at the scene by responding officers is of utmost importance. If contact is made, advocates will discuss the case status and next steps with the victim, discuss safety planning, work with interested victims to file and obtain an OFP, offer other services to the victim based on need, and determine whether the victim is interested in participating in prosecution of their case. Advocates continue to work with victims regardless of whether they want to participate in a potential criminal investigation.

Sometimes, Cornerstone and DASC advocates will either not be able to successfully contact a victim, or the victim will express that they are not interested in speaking to or working with the advocates. Victims are free to change their minds and call back into Cornerstone or DASC in the future, but there is no protocol for proactively reaching back out to victims after they express disinterest in advocacy services.

c. MCAO and HCAO Prosecutors within DASC

Both MCAO and HCAO have an assigned prosecutor assigned to work in DASC who is responsible for processing the misdemeanor and felony GOA lists, respectively. The MCAO DASC prosecutor reviews the misdemeanor GOA List to confirm accurate coding of the offense (as a misdemeanor versus a felony) and reviews available evidence to decide whether the case is chargeable. If so, MCAO will charge the case as soon as possible. Based on personnel and resource limitations, there is typically no pre-charge investigation for non-felony domestic-abuse GOAs. For felonies, the HCAO DASC prosecutor reviews the felony GOA List to determine whether each case is immediately chargeable or could become chargeable with further investigation. For those cases that could become chargeable with further investigation, the HCAO DASC prosecutor will instruct MPD’s Domestic Assault Unit to assign the case to an investigator for follow up. If the HCAO DASC prosecutor determines that the case would not be chargeable, even with additional investigation, they will decline the case

and may recommend that the advocates work with the victim to obtain an OFP or engage in other safety-planning resources.

d. Criminal Investigators

Felony GOAs that are marked for assignment to an investigator are added to a running list of cases awaiting assignment. The Lieutenant of the Domestic Assault Unit is responsible for maintaining that list and may bump cases up to the top of the list based on certain factors such as active victim participation and interest or high risk of lethality. Investigators in the Domestic Assault Unit are responsible for investigating both in-custody and GOA cases, and the former take priority. In-custody cases are those where an arrest was made, a suspect is in custody, and an investigation and charging decision need to be made before the statutory time limit for holding a suspect in jail expires.³⁰ When investigators have completed their investigations on any pending in-custody cases, they then turn to the list of GOAs awaiting assignment. The Lieutenant of the Domestic Assault Unit will assign GOA cases to investigators, and investigators may assign themselves to GOAs when they have down time.

Each investigator has their own personal process for completing investigations, which they typically conduct with little to no oversight from their supervising Lieutenant. Their investigations may take days, weeks, or months depending on how many in-custody cases they are prioritizing and depending on the ease of obtaining evidence in the relevant GOA case. Our findings reveal that investigators often prioritize trying to make contact with the victim and any witnesses and then move on to less direct evidence-gathering such as obtaining security footage (if available), researching and/or attempting to contact the suspect, listening to 911 calls, and reviewing available evidence uploaded by the responding patrol officer. Unfortunately, many GOA domestic-abuse investigations stall when the investigator cannot make contact with the victim or the victim refuses to cooperate with the investigation.

Once an investigation is complete, the investigator usually submits the case to HCAO for charging consideration, even in cases where the victim was uncooperative or other evidentiary issues are present. In a minority of cases, the investigator will choose not to submit a case for charging consideration due to what they perceive as insurmountable evidentiary flaws. When a GOA domestic-abuse case is not submitted for charging due to lack of victim cooperation, the investigators typically note that the investigation can be reopened if and when the victim decides to cooperate and reaches out to police.

³⁰ Minn. R. Crim. P. 4.03.

e. Prosecution

Following an investigation, a felony GOA domestic-abuse case that has been submitted for charging consideration will be reviewed by an HCAO prosecutor. HCAO may charge a case, at which point the criminal prosecution begins and MPD's subsequent involvement in the case is generally limited to testimony at trial. HCAO may also defer a case, because they believe additional evidence may be available that could result in the case becoming chargeable. In the case of a deferral, HCAO will reach out to the MPD investigator to request additional follow-up or evidence-gathering. HCAO may also decline a case due to a lack of sufficient evidence to be successful at trial. A declination by HCAO may include a recommendation that the investigator submit the case to MCAO for misdemeanor or gross-misdemeanor charging considerations.³¹

According to information gained during interviews and follow-up correspondence related thereto, the HCAO policy in regard to timing for a decision to charge, decline, or defer GOA cases submitted for charging consideration is as follows:

- Cases in which a victim may be endangered must be charged, declined, or deferred immediately. If charged, the HCAO prosecutor should treat the warrant as a "rush warrant";
- All "person" crimes (i.e. crimes against a human victim) should be charged, declined, or deferred as quickly as possible, but no later than 10 days after submission;
- Cases not falling into the above categories should be charged, declined, or deferred within 30 days;
- It is the responsibility of both the assigned prosecutor and their senior attorney to ensure that any case on which no charging decision has been made after 60 days is resolved immediately.³²

2. *Process and Personnel Involved in Responding to Dead On Arrival Cases*

MPD's process for responding to and handling DOA cases varies greatly from the domestic-abuse response protocols outlined above. DOA calls may come in for a variety of reasons, ranging from an elderly person who passed away of natural causes to a violent homicide. Patrol officers are typically assigned to DOA scenes by 911 dispatchers. Once they arrive to the scene Officers will make a preliminary assessment

³¹ Hennepin County Attorney M. Moriarty interview (Dec. 9, 2025).

³² M. Moriarty follow-up email response (Mar. 30, 2026).

of the situation to determine if there are signs of a potentially suspicious death. If not, the decedent's body will be released to family, funeral professionals, or, if neither of those options are immediately available, the Medical Examiner's office.

From our interviews with the Crime Lab and various officers, we learned that indicators of a potentially suspicious death may include blood stains or splatter, evidence of a forced entry, evidence of a weapon or use of a weapon, and/or signs of sexual violence, among others. Responding officers are trained to assess the presence of one or more of those indicators when determining how to process the scene. If a responding officer is unsure whether the death is suspicious enough to be treated as a crime scene, they will call their sergeant for advice and a second opinion.

If a sergeant is called, the applicable sergeant will talk through the officer's observations with them and determine the appropriate next step. If the sergeant believes there is enough preliminary evidence to conclude that the death *may* be suspicious, they will call an investigative squad (referred to as "710") to the scene to decide whether the Crime Lab should be called in. There is a two-hour gap period during each day where shifts change, and the 710 investigative squad is not available. If a question arises during that gap period, the sergeant may call the Homicide Unit Lieutenant for input.

After discussing the case with either the 710 investigator or the Homicide Unit Lieutenant, the sergeant may instruct the officer to treat the scene as a crime scene and call out the Crime Lab for forensic processing of evidence, may instruct the officer to call the Medical Examiner to the scene to further assess whether the death is suspicious, or may instruct the officer to process the scene and collect available evidence on their own. If the Medical Examiner is tasked with weighing in on whether to treat the DOA as suspicious, they may either suggest that the Crime Lab should be called out for forensic processing or may choose to transport the decedent's body to the Medical Examiner's office for further analysis.

Importantly, just because a DOA scene is deemed suspicious does not mean that it is necessary to call out the Crime Lab for forensic processing. Officers are now trained to gather and document a great deal of evidence that was once considered the responsibility of crime-lab professionals. Examples of evidence that crime-lab professionals are exclusively tasked with collecting are blood samples or splatter, fingerprints, and some firearm-related evidence. Specifically in homicide cases, Crime Lab professionals may also take their own video of the scene that allows them to create a forensic sketch of the scene for use in subsequent prosecution. Our review revealed

that the Crime Lab is typically not called out to scenes such as Ms. Lussier's, where a history of domestic violence may have contributed to or caused the victim's death.

In those cases, the suspect is already identified, and their DNA and fingerprints would be overwhelmingly present in the home and on the victim's body. In such cases, the suspect's presence in the home before the victim's death is not in doubt, nor is it necessarily strong evidence of a homicidal intent or action for prosecutorial purposes, due to the well-established intimate relationship. Put a different way, forensic evidence of DNA and fingerprints is not necessary in potential homicide cases caused by domestic violence, as other, stronger evidence often exists that would place the suspect at the scene of the crime.

If the Crime Lab is not called out to gather and document evidence, officers use their training and expertise to do so and will deliver gathered evidence to the Crime Lab for analysis. If and when a homicide investigation follows, an investigator is assigned to the case to analyze and pursue additional evidentiary support. That investigator will typically interview witnesses, family members, neighbors, and anyone else with information relevant to the DOA. Investigators may also try to obtain security footage from the location of the DOA or from the surrounding areas, process the victim's cell phone for data analysis, and work to locate and/or question the suspect.

If and when the investigator determines that there may be enough evidence to warrant a charge, the investigator will submit the case to HCAO for charging consideration. At that point, HCAO may collaborate with the investigator to discuss the existing evidence or gather additional evidence or may use their own in-house HCAO investigators to further build the case before charging. Interviews of the suspect/defendant are typically conducted by the MPD investigator.³³ If HCAO determines that all likely available evidence has been gathered and that the case will not become chargeable in the foreseeable future, they may decline it and close the file. Separate from HCAO's charging timeline, MPD may keep an uncharged homicide file open for years after the incident itself, as latent evidence may emerge long after the victim's death.

³³ M. Moriarty follow-up email response (Mar. 30, 2026).

C. Findings and Promising Practices

1. *MECC Dispatch*

Our review revealed 12 emergency 911 calls related to alleged domestic assaults by Mr. Foss against Ms. Lussier. Ms. Lussier was the caller on nine of those calls, with the remaining three calls made by individuals close to Ms. Lussier. All those calls were properly assigned priority levels consistent with MPD policy. Most of those calls met the recommended timeline for assignment to an officer after the 911 call was received, with a few calls being assigned much more quickly than what is required.³⁴ We identified three calls where the time from “call received” to “officer assigned” exceeded the recommended timeline to varying degrees.

The first 911 call, made by a relative of Ms. Lussier, was marked as a priority 1 but was assigned to an officer after 49 minutes had passed. Ms. Lussier’s 911 call on February 27, 2023, was also marked as priority 1 but was assigned to an officer after 16 minutes had passed. And a 911 call made by a neighbor of Ms. Lussier on October 1, 2023, was marked as priority 1 but assigned to an officer after 4 minutes had passed. While MPD policy recommends, rather than mandates, assignment of priority 1 calls to an officer within 70 seconds, best practice would be to comply with those suggested timelines whenever possible, especially in priority 1 cases. As discussed throughout this report, widespread staffing shortages within MPD are the likely cause of these delayed responses.

2. *Patrol Officers’ Response to Ms. Lussier’s Calls for Service*

As outlined in the timeline of relevant events above, Ms. Lussier made several reports to MPD in the years leading up to her death. Throughout our review, we analyzed each of Ms. Lussier’s encounters with police, including police reports, BWC footage, photographed and documented evidence, and any applicable follow ups (note that actual post-report investigations are discussed below). Our review revealed that the majority of officers complied with MPD policies and procedures with a few exceptions listed below.

a. Issues with MPD Policy and Procedures

- **July 30, 2022 Report:** The first time Ms. Lussier reported an assault by Mr. Foss to MPD, the responding officer did not have Ms. Lussier complete the

³⁴ See MECC requirements in Appendix 3.

domestic-abuse supplement form and the medical release form while on the scene as required by policy.³⁵ The officer corrected this mistake the next day by meeting with Ms. Lussier to obtain the required forms. Additionally, this incident involved a family member to whom Ms. Lussier fled and who called 911 on Ms. Lussier's behalf. While it appears that the responding officer took down contact information for that witness and had some conversation with her at the scene, a more formal and complete statement from the witness would have been the best practice.³⁶

- **November 19, 2022 Report:** The second time Ms. Lussier reported an assault by Mr. Foss, responding MPD officers took photos of Ms. Lussier's visible injuries but asked her to upload her own photos of injuries that were under her clothes later. The best practice would be to remain on the scene while Ms. Lussier takes those photos to ensure the evidence is collected during the course of the call.³⁷ Based on our review of the police records, Ms. Lussier never uploaded those additional photographs to MPD's case file.
- **October 24, 2023 Report:** The sixth time Ms. Lussier called 911 on Mr. Foss and the fifth time she made a formal police report, Ms. Lussier was not asked to fill out the medical release form or the victim-supplement form. Even though this was delayed reporting, ten days after the alleged assault, compliance with MPD policy requires completion of those forms.³⁸ Additionally, Ms. Lussier reported that during this assault, Mr. Foss had stuck his fingers down her throat to silence her, which made her feel like she was choking. Those allegations would meet the statutory elements of felony strangulation, which was not noted as an offense in the report.³⁹ Accurately reporting applicable offenses is required by MPD's reporting procedures.⁴⁰
- **February 13, 2024 Report:** Ms. Lussier made two final police reports against Mr. Foss in the days leading up to her death. In the first of the two, responding officers demonstrated positive, proactive policing as described

³⁵ MPD Policy and Procedure Manual § 7-314(IV).

³⁶ *Id.*

³⁷ *Id.*

³⁸ *Id.*

³⁹ Minn. Stat. § 609.2247, subd. 1(c) ("Strangulation" means intentionally impeding normal breathing or circulation of the blood by applying pressure on the throat or neck or by blocking the nose or mouth of another person").

⁴⁰ MPD Policy and Procedure Manual § 4-606.01.

below. Ms. Lussier had fled to another apartment in her building following the assault, which is where she met with police. The resident or residents of that apartment building were not interviewed, but were potential witnesses in that Ms. Lussier may have excitedly described the assault to them upon reaching the apartment. Best practice would include questioning those apartment residents to obtain a witness statement.⁴¹

- **February 17, 2024 Report:** Ms. Lussier made her final police report days before her body was found, as a follow-up to the February 13, 2024 incident. Officers explained to Ms. Lussier that the 72-hour rule timeframe had expired approximately 30 minutes before her call, so they would not be able to make a warrantless arrest of Mr. Foss based on her allegations in the February 13, 2024 report. While Ms. Lussier did not volunteer additional allegations at the time, best practice would include questioning Ms. Lussier to see if any additional criminal activity had occurred since the February 13th incident. New allegations, like Ms. Lussier being fearful of Mr. Foss or being physically or verbally assaulted by Mr. Foss, may have given rise to a new arrestable offense.

As discussed in the recommendations section below, responding officers may have also considered whether Mr. Foss's past pattern of conduct amounted to an arrestable felony stalking offense.⁴² During our interview process, several MPD officers provided definitions or understandings of stalking that do not match the requirements of the relevant statute. For instance, one officer asserted that stalking would require some sort of "tracking" or "following" behavior on the part of the suspect, while another officer asserted that stalking would involve sitting outside a victim's home on multiple occasions after being asked to leave. Stalking is defined as a domestic-abuse offense under MPD's policy, but is investigated by the Sex Crimes Unit rather than the Domestic Assault Unit, and may not be top of mind for officers responding to domestic-abuse complaints. Nonetheless, the statutory definition overlaps with and encompasses statutory definitions of domestic abuse, and officers are required to be familiar with all applicable criminal statutes.⁴³

⁴¹ MPD Policy and Procedure Manual § 7-314(IV).

⁴² Minn. Stat. § 609.749, subd. 5 (defining stalking as two or more prohibited acts within a five-year period, including prohibited acts of fifth degree assault and domestic assault). The full text of this statutory section is included in Appendix 3.

⁴³ MPD Policy and Procedure Manual § 4-602.

b. Officer Actions that Exceeded Policy Requirements

On several occasions, we observed MPD officers exceeding the baseline requirements of the MPD Policy and Procedure Manual and providing additional, proactive resources and services to Ms. Lussier. Those include:

- Driving Ms. Lussier to a relative's home in a different neighborhood to ensure she would have a safe place to stay.
- Going through a printed-out checklist of questions to determine whether Ms. Lussier had suffered strangulation within the meaning of Minnesota law (this specifically occurred during the February 13, 2024, call).
- Counseling Ms. Lussier on the importance of seeking out safety resources and services that are available to her and encouraging her to separate herself from the reportedly unhealthy relationship with Mr. Foss.
- Discussing options with Ms. Lussier and apartment management about how to prevent Mr. Foss's reentry in the future.

Beyond those case-specific examples, our interviews with patrol officers, investigators, lieutenants, and other high-ranking supervisors in MPD revealed a broadly held desire to serve and protect the victims of domestic abuse, an understanding of the patterns of power and control common in domestic-abuse cases, and widespread frustrations with systemic flaws and shortcomings related to serving domestic-abuse victims that leave officers feeling like their hands are tied.

3. *Post-Report Follow-Up with Ms. Lussier by Investigators and HCAO*

Up until December 11, 2023, Mr. Foss was on the felony-enhancement list due to past, qualifying domestic violence related convictions within the previous 10 years. Ms. Lussier's six formal police reports against Mr. Foss before that date were coded as felonies, either because they alleged a felony assault or an enhanced domestic assault, and were included on the daily GOA lists reviewed by the HCAO prosecutor, as detailed above. Only two of those reports were marked for assignment to an investigator and subsequently investigated by the Domestic Assault Unit of MPD. The handling of those two investigations by MPD largely complied with applicable policies and procedures, with the following exceptions.

a. Investigation of July 30, 2022, Report

This report was listed on the August 2, 2022, felony GOA list. An HCAO prosecutor reviewed the report and chose not only to assign the case to an investigator, but to request that the police submit it for a rush warrant due to the severity of the allegations and the supporting evidence. Over a week later, the report was still listed on the “rush warrant” list and had not been assigned to an investigator or submitted to HCAO for charging. An investigator was finally assigned to the case on August 17, 2022.

While that timeframe from GOA list to assignment to an investigator is exceedingly shorter than usual, indicating that the case was prioritized in some way, it is not clear why the HCAO prosecutor’s request for MPD to submit the case for a rush warrant was not honored. The assigned investigator proceeded to investigate the case over the course of a four-month period. Throughout that investigation, the assigned investigator was unable to make contact with Ms. Lussier and largely unable to gather any additional information or evidence, resulting in the investigator’s decision not to submit the case to HCAO for charging consideration.

Had the case been properly submitted for a rush warrant as requested by HCAO, no investigation would have been necessary before charging. It remains unknown if Ms. Lussier would have been more willing to participate in the case without those delays. Additionally, while it is not a written policy that investigators must submit 100% of the GOAs they investigate for charging consideration, multiple high-ranking members of the Domestic Assault Unit indicated that it is best practice to do so. Thus, even setting aside the failure of MPD to submit this case as a rush warrant request, the best practice by the assigned investigator in this case would have been to submit the case for charging following their investigation, regardless of the strength of the evidence gathered.

b. Investigation of February 27, 2023, Report

This report was listed on the February 28, 2023 felony GOA list. HCAO reviewed the report and evidence and marked it for assignment to an investigator. The case was assigned to an investigator on May 7, 2023. The assigned investigator attempted to contact Ms. Lussier by phone, email, and letter, but did not hear back for several months. Nonetheless, the investigator submitted the case for charging consideration on May 25, 2023.

On June 11, 2023, Ms. Lussier contacted the investigator and expressed her willingness to participate in the prosecution, which the investigator noted in the case

file and updated the charging submission. HCAO entered a deferral of charges in the case on October 31, 2023, asking that the investigator attempt to interview Mr. Foss. The investigator was unable to locate Mr. Foss for an interview, and informed HCAO of that on January 20, 2024. In their case notes, the investigator expressed that HCAO could have used their own in-house investigators for that follow-up request, highlighting a misunderstanding of the investigatory duties of each agency.

The investigator in this case made a good-faith effort to contact Ms. Lussier and ultimately was successful. The investigator could have considered additional available evidence, such as security footage or statements from neighbors, although that didn't appear to be a sticking point from HCAO's perspective. The prominent issue with this investigation is the excessive amount of time that passed between the date of the incident and a charging decision by HCAO (albeit a deferral rather than a charge or declination) which greatly exceeded HCAO's policy for charging timelines discussed above. By the time the investigator had their final communication with HCAO on this case, nearly a year had passed since Ms. Lussier's initial report. That extensive delay in resolution of a case can seriously diminish a victim's interest in participating in the prosecution and risk spoilation or elimination of available evidence.

As discussed below, MPD staffing issues, rather than individual investigator error, appear to be the primary driver of these delays. The five-month HCAO delay in making a deferral decision and requesting additional evidence was not within the scope of this review but is nonetheless addressed in our recommendations below.

c. Shortage of Domestic Assault Unit Investigators

Beyond the specific investigative steps taken in the two cases listed above, our review revealed that a shortage of investigators assigned to the Domestic Assault Unit is a prominent, chronic issue that leads to an extensive backlog of GOA cases awaiting assignment. Before 2020, the Domestic Assault Unit housed between 10 and 12 assigned investigators. In interviews with MPD officers, we were told that since 2020, that number has decreased to between three and five investigators handling all felony domestic-abuse investigations. And while the number of investigators has plummeted, the number of domestic-abuse cases needing investigation has not, as domestic-abuse offenses continue to be among the most commonly reported crimes in the city.

For example, when Ms. Lussier's July 30, 2022 report was put on the GOA list and marked for further action, there were nearly 30 GOAs already awaiting investigation. When Ms. Lussier's February 27, 2023 report was put on the GOA list and marked for assignment to an investigator, there were nearly 100 GOAs already awaiting

investigation. That backlog is not the fault of the Domestic Assault Unit team, but rather an inevitable result of the ongoing lack of investigators assigned to the Unit. Delays in follow-up from law enforcement regarding the trajectory of a domestic-abuse report contribute to the likelihood that victims of GOA cases, like Ms. Lussier, will become increasingly unlikely to participate in prosecution or seek additional safety planning resources.⁴⁴

4. *Ms. Lussier's Own Efforts and Safety Measures*

At several points during her encounters with MPD, Ms. Lussier reported that she was interested in obtaining an OFP against Mr. Foss or that she had obtained OFP(s) against Mr. Foss in the past that she voluntarily dismissed, albeit under alleged pressure from Mr. Foss himself to do so. Some news sources reporting on Ms. Lussier's death stated that she had filed petitions for OFPs that were never served. OFP proceedings are civil in nature and do not involve MPD officers, although violation of an OFP is a criminal offense and MPD officers are required to inform domestic-abuse victims of the process for obtaining an OFP when responding to domestic-abuse calls. Service of OFPs is the duty of the Hennepin County Sheriff's Office.

Our review revealed that Ms. Lussier filed petitions for OFPs against Mr. Foss on four occasions.⁴⁵ Only one of those OFP court files is public, and the remaining three are not public due to lack of service on Mr. Foss.⁴⁶ We learned through our review that Ms. Lussier used the help of DASC advocates to file the majority of those OFP petitions.⁴⁷ In one of the OFP cases, Ms. Lussier did not appear for the hearing, resulting in the OFP being dismissed.⁴⁸ In another, Ms. Lussier requested that the OFP be dismissed, and that request was granted.⁴⁹

Our review revealed that Ms. Lussier was eager to seek help from police and others to protect herself from Mr. Foss and she communicated recognition that her relationship with Mr. Foss was not healthy or safe. Ms. Lussier's efforts to seek help may have been counteracted by delays in the processing of her reports, her own substance-abuse issues (which persisted throughout most of if not all of her relationship

⁴⁴ See e.g. Global Rights for Women, *An Institutional Analysis of the Minneapolis Police Response to Domestic Violence* (June 23, 2025) at 46-50.

⁴⁵ M. Moriarty follow-up email response (Dec. 26, 2025).

⁴⁶ *Id.*

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Court file no. 27-DA-FA-22-6567.

with Mr. Foss), and the well-known patterns of power and control in abusive relationships that result in victims returning to or accepting the dangerous habits of their abusers.⁵⁰ Additionally, discussions with Ms. Lussier's family members and close friends revealed that she feared certain safety measures would require her to move out of her apartment, the attainment of which she viewed as a huge personal accomplishment and point of pride.

Ms. Lussier's own safety-planning efforts demonstrate that some aspects of MPD's domestic-abuse policies are effective, such as connecting victims with DASC advocates and pushing them to seek OFPs, while other aspects of MPD's policies and practices fail to account for the intersectional hurdles that domestic-abuse victims face and fail to deliver timely outcomes for victims whose engagement in a case may significantly decrease with the passage of time following a police report.

5. *Response to and Processing of Ms. Lussier's DOA Scene*

We looked closely at MPD's procedures for processing the scene when responding to Ms. Lussier's DOA case. News articles, Ms. Lussier's loved ones, and the public all expressed concern that Ms. Lussier's DOA was not treated as a crime scene, meaning that the Crime Lab was not called out to forensically process available evidence at the time Ms. Lussier's body was found. In the view of Ms. Lussier's loved ones and supporters, based on our review of media articles and conversations with Ms. Lussier's family, the failure by MPD to treat her DOA as a crime scene reflects a disregard for the suspicious nature of her death and a manifestation of bias against Native women and victims suffering from substance abuse.

Police officers, MPD supervisors, and Crime Lab professionals we spoke to had differing opinions on this issue but generally agreed that the correct protocol was followed in deciding whether to call the Crime Lab and that the presence of the Crime Lab would not have resulted in any meaningfully different outcome in the investigation. Some interviewees within MPD nonetheless expressed a desire to change the existing policy to require Crime Lab responses to DOAs like Ms. Lussier's, to ensure that victims of domestic abuse whose deaths may be the result of one or more overlapping causes are treated with an abundance of care and caution.

A patrol officer on scene who had several years of experience and had encountered many DOAs expressed an immediate evaluation that her death was

⁵⁰ Global Rights for Women, *An Institutional Analysis of the Minneapolis Police Response to Domestic Violence* (June 23, 2025).

suspicious. That evaluation was based on the officer's knowledge of the history of domestic violence Ms. Lussier had suffered, as well as visible blood on Ms. Lussier's face. Because Ms. Lussier's body showed signs of several days of decomposition, it was difficult for the officer to fully evaluate whether she had signs of injury or assault. That officer also acknowledged that there was obvious evidence of drug use in Ms. Lussier's apartment, and that an overdose was a potential cause of death as well.

The officer proceeded to call their supervising sergeant to discuss what the appropriate course of action would be. That discussion involved descriptions of the scene, the visible evidence, and the domestic-violence history at play. Following that phone call, both the responding officer and their supervising sergeant were unsure whether the Crime Lab should be called out to the scene.

Because this MPD response occurred during a "gap period" where the 710 investigative squad was not available, officers chose to call the on-call Lieutenant to further discuss the issue. Officers referred their knowledge of the scene and preliminary evidentiary findings and observations to the on-call Lieutenant, who recommended calling the Medical Examiner in to weigh in on the appropriate next steps.

We requested and were denied an opportunity to meet with the Medical Examiner's Office or review its records as part of our review, based on applicable data-practices rules. In the course of our review, we learned that the Medical Examiner arrived at the DOA scene and made initial observations of Ms. Lussier's body and apartment. The Medical Examiner discussed the history of domestic violence with MPD officers on the scene and expressed concern that Ms. Lussier had reported an assault by Mr. Foss only days before. The Medical Examiner also noted the possibility of a drug overdose and confirmed that the level of decomposition of Ms. Lussier's body would make it impossible to determine a cause of death at the scene without a full medical analysis. Based on the Medical Examiner's input, officers on the scene communicated with the on-call Lieutenant, who instructed them not to call the Crime Lab to the scene but rather to await the Medical Examiner's report.

High-level supervisors within MPD maintain that it was not an error to forego calling the Crime Lab to the scene in this instance, and that their presence would not have resulted in any material differences, regardless. Crime-lab professionals agreed, noting that police officers are trained and able to collect all necessary evidence in cases like Ms. Lussier's, and that the Crime Lab's efforts would have been redundant to those of the Medical Examiner in this case. As discussed below, the Crime Lab did conduct forensic analysis of certain pieces of evidence in this case, throughout the course of the homicide investigation.

6. *Post-DOA Investigation by MPD of Ms. Lussier's Death*

Despite uncertainty surrounding the cause of Ms. Lussier's death, MPD opened a homicide investigation and assigned an investigator to the case on February 27, 2024, five days after Ms. Lussier's body was found. MPD interviewees indicated that this is a normal timeline for assignment of an investigator to cases like these, where the direction of the investigation is highly dependent on the Medical Examiner's findings, which may take weeks or months to finalize. Nonetheless, our review revealed significant lack of clarity and conflicting accounts within MPD regarding what MPD learned from the Medical Examiner and when, and whether information from the Medical Examiner triggered the homicide investigation of Ms. Lussier's death.

In an interview with the Star Tribune, an MPD Commander told reporters that an investigator was not immediately assigned to the case because the Medical Examiner initially told MPD that Ms. Lussier's subdural hematoma was *not* the cause of death, but that the Medical Examiner changed their opinion after Ms. Lussier's family started reaching out demanding answers.⁵¹

An internal email we reviewed indicated that the investigator did not speak to the Medical Examiner until assigned to the case, and their superior didn't speak to the Medical Examiner until two days later. According to that email, the Medical Examiner told the superior officer that the subdural hematoma was acute and would not have killed Ms. Lussier. Those notes were not reflected in the MPD case file and are contradicted by the Medical Examiner's ultimate conclusion. Regardless, communication with the Medical Examiner does not appear to have had any impact on the timeline for assigning an investigator to Ms. Lussier's DOA case.

Because the investigator assigned to Ms. Lussier's DOA case left MPD employment before we had an opportunity to interview them, we were not able to confirm their personal perspective or gain additional input on their investigation of Ms. Lussier's death. Our review of the investigator's process is based on their notes in the case file, available BWC, and interviews with their colleagues and supervisors, as well as with Ms. Lussier's loved ones who interacted with them.

Our review revealed that the investigator took numerous documented investigatory actions during the course of their investigation, between February 27, 2024, and August 1, 2024. Those actions included frequent communication with the

⁵¹ Sawyer, Liz. Star Tribune, *Allison Lussier's death was suspicious. Her family says Minneapolis didn't fully investigate* (Feb. 25, 2025).

Medical Examiner, interviews of witnesses and others who volunteered information relevant to Ms. Lussier's death, physical visits to the crime scene and to other locations seeking evidence, obtaining and forensically processing relevant evidence, and multiple and varied attempts to locate and/or question Mr. Foss.

Although not included in MPD's homicide investigation case file, one of Ms. Lussier's relatives recalls several conversations with an investigator. That relative expressed to us that those conversations began as cordial and productive but eventually devolved to the point where the relative felt disregarded and disrespected by the investigator, and the investigator expressed that they would no longer discuss details of the cases with that relative. Another relative of Ms. Lussier had a more positive experience interacting with the investigator and recounted positive and respectful communication between them.

We identified that before our request for the Medical Examiner's report, MPD did not seek a copy for their investigation, which, as the investigating body, it has a right to obtain. We found this to be concerning considering MPD's various misstatements and misunderstandings of the verbally reported Medical Examiner findings, discussed above. Although MPD did not obtain a copy of the Medical Examiner's report as a part of its investigation, as a result of this review, they have since requested and obtained an official copy and added it to the investigation file.

We did not identify additional policy violations in the homicide investigation.

7. *Public Relations and Statements following Ms. Lussier's Death*

Finally, unlike most suspicious-death cases or homicide investigations that pass through MPD, Ms. Lussier's death has understandably become the focus of a great deal of media attention, local activism, and public outcry. MPD was compelled to respond to that outcry by making public statements and engaging in press interviews in an effort to provide some transparency and assure the public that appropriate policies and procedures were being followed to seek justice for Ms. Lussier. In the course of those responses, certain misstatements or mischaracterizations were made that added to public frustrations and the Lussier family's grief.

One notable misstep by MPD with respect to its public commentary on the case came from a Star Tribune interview with Chief O'Hara and a Commander, published in a February 25, 2025, news article.⁵² During that interview, the MPD Commander said

⁵² *Id.*

Ms. Lussier's death was "not a murder," and that it was not even a "judgment call" about whether a crime had been committed: "It's a decomposed body with drug paraphernalia." Chief O'Hara stated that "[t]he initial communication from the medical examiner indicated that there were fatal amounts of fentanyl and methamphetamine" in Ms. Lussier's system.⁵³ According to media reporting, that comment was disputed by the Medical Examiner and contradicted by their ultimate autopsy report.⁵⁴ In one of several conversations with Chief O'Hara throughout the course of this review, he acknowledged to us that his statements on Ms. Lussier's cause of death, as reported by the Star Tribune, were made prematurely and based on inaccurate information from within MPD.⁵⁵

He explained that he had not reviewed the actual Medical Examiner's report before the interview, but rather had been prepped on the details of the case by other officials within MPD with more direct knowledge. To his credit, Chief O'Hara accepted responsibility for the misstatement and explained to us that he had already made the necessary internal changes to ensure a similar issue would not recur in the future. As noted above, a leader within MPD who we interviewed insisted that the Medical Examiner's Office had indeed communicated to MPD that Ms. Lussier's death was the result of an overdose in the days following her DOA, but that the Medical Examiner later changed their story. MPD had no evidence of the initial statement as it was made by phone call. That supervising officer told us that, as a result of that confusion, MPD investigators are now "recording their phone calls" with the Medical Examiner's Office. Further inquiry on this issue revealed a contradictory finding: that there is no policy or practice for recording phone calls with the Medical Examiner or other medically related calls in general.

Additionally, talking points shared with Chief O'Hara in preparation for press interviews highlighted that Ms. Lussier's deceased body had obvious signs of a "foam cone," which is a common sign of opioid overdose characterized by a frothy buildup around the nose or mouth. Those talking points suggested that the Medical Examiner observed signs of a foam cone throughout the course of their autopsy, contributing to suspicions of drug overdose. That assessment was echoed by another MPD official who participated in media interviews or otherwise helped prepare Chief O'Hara for media interviews or public statements.

⁵³ *Id.*

⁵⁴ *Id.*

⁵⁵ MPD Chief O'Hara interview (Dec. 2, 2025).

A responding officer familiar with foam cones assessed the scene differently, stating they did not observe a foam cone.

These mismatched interpretations within MPD of Ms. Lussier's symptoms and physical presentation certainly contributed to inaccurate and premature portrayals of her death in the media, as well as public frustration with MPD's handling of the case.

Overall, the initial public response to Ms. Lussier's death seemed to overly emphasize her substance-abuse history as the underlying cause of her death, a trend that is all too familiar to Indigenous organizations, advocates, and community members who are justifiably weary of public officials overlooking or under investigating the deaths of Native women, who experience disproportionate rates of violence and murder compared to other demographics.⁵⁶ Those statistics are particularly troubling in Minneapolis, where law enforcement has a recent, documented track record of discriminating and perpetuating bias against the urban Native population.⁵⁷

With that well-known historical backdrop, public comments by MPD regarding violence against Native women are heavily scrutinized and should be held to a high standard. Chief O'Hara's recognition of his own misstatement and commitment to correct such issues going forward are a promising sign of improvement. Additional recommendations to address the problem are discussed further below.

8. *Tension with HCAO and Morale Issues throughout MPD*

Throughout our review, we learned that the Minneapolis Police Department leadership and the HCAO leadership have experienced a strained and uncooperative relationship for years.⁵⁸ Individual accounts differ as to the exact cause of that tension, but both sides agree that the persistent lack of communication between MPD Chief O'Hara and Hennepin County Attorney Moriarty has created a negative trickledown effect in MPD ranks.

⁵⁶ Minnesota Department of Public Safety. *Historical MMIR statistics*.

<https://dps.mn.gov/divisions/ojp/offices-missing-murdered/mmir-office/about-mmir/reports-statistics-and-news/historical-mmir-statistics> (last accessed April 11, 2026).

⁵⁷ https://lims.minneapolumn.gov/Download/FileV2/48536/DOJ-Consent-Decree_Case-25-CV-00048_Jan-6-2025.pdf (last accessed April 13, 2026).

⁵⁸ MPD Chief O'Hara interview (Dec. 2, 2025); Hennepin County Attorney M. Moriarty interview (Dec. 9, 2025).

Officers are increasingly fearful of punishment and prosecution for proactive policing efforts, and several officers we spoke to complained directly that the HCAO administration and policies disincentivize officers from going above and beyond to help victims, due to an intertwined fear of discipline and hypersensitivity to suspects' rights. Several officers also complained that HCAO has manifested a disinterest in charging suspects or otherwise keeping them in custody, which creates a sense of hopelessness and frustration among officers who, particularly with respect to domestic-abuse crimes, see high rates of recidivism from released arrestees.

While some of the officers' concerns are likely justified, others may be the result of factors outside the discretion of prosecutors, such as state-mandated bail and sentencing guidelines, a departure from which must be approved by a judge.⁵⁹ That being said, the ongoing tension and lack of communication between the County Attorney and the Chief of MPD undoubtedly influences the willingness of officers to proactively perform their duties and the effectiveness of MPD's work. Despite these issues, officers and supervisors in MPD and attorneys in HCAO universally expressed that the day-to-day relationship between MPD officers and investigators on one hand and line attorney prosecutors on the other hand is, and has long been, a positive one.

Beyond local tensions with the HCAO administration, the culture and climate of policing has significantly changed in recent years, especially in Minneapolis in the wake of the murder of George Floyd by an MPD officer, the public backlash that followed, and an investigation of MPD by the United States Department of Justice that revealed widespread issues with racism and bias. All of those issues have resulted in a notable decrease in morale, particularly among patrol officers. That decreased morale has a negative impact on an officer's ability to proactively and effectively perform their job functions.

A prominent issue that has plagued MPD in recent years is the immense staffing shortage resulting from the mass exodus from the Department in the months and years following the murder of George Floyd. Those staffing shortages led to longer response times and increased officer burnout, as well as an identifiable tendency to rush through one call to get to the next.

Officers also complained that certain policy changes in recent years have created overly lengthy procedural frameworks that are difficult to consider in the heat of the moment. For example, the use-of-force policy as published in MPD's Policy and

⁵⁹ Minn. R. Crim. P. 27.01; Minn. Stat. § 244.10.

Procedure Manual is currently 57 pages long and additional memos or orders not included in the Manual may contribute to its complexity.⁶⁰

Several officers we interviewed discussed a decreased willingness to engage in “proactive policing,” which includes several optional and/or more aggressive measures when responding to a call, such as thoroughly searching the area for a GOA suspect, considering alternative bases for arresting a suspect, and arresting suspects for non-assaultive misdemeanor offenses based on public safety concerns. In Ms. Lussier’s case, those proactive policing measures may have made at least a temporary difference in her personal safety from Mr. Foss, who was either GOA or merely escorted out of Ms. Lussier’s apartment each time police were called. According to the officers we spoke to, they no longer feel secure making those proactive, discretionary decisions aimed at ensuring the arrest of a domestic-abuse suspect, based on a fear of discipline and/or a sense that, at least under the current County Attorney administration, any such arrests won’t result in charges, sufficiently high bail, or incarceration, regardless.

Beyond disapproval of the prosecutorial or judicial decisions that result in suspects being released from jail, some of the root causes of officers’ sense of velleity to engage in proactive policing seem to stem from a lack of information or follow up after an arrest is made. One officer told us that patrol officers who go above and beyond to make an arrest usually never learn the result of that arrest from HCAO but may realize the suspect was released when they end up re-offending shortly thereafter.

Based on officer input, developing a notification system where prosecutors follow up with the arresting officer and briefly explain their decision to charge, release, and/or ask for a certain amount of bail for a suspect may have a positive impact. Additionally, officers expressed an interest in hearing feedback from prosecutors regarding potential evidentiary issues that made the case less chargeable so they can better document or gather evidence on future calls. In contrast, some officers expressed a disinterest in following the trajectory of a case after making an arrest, noting that such awareness of the outcome may be overly distracting or disheartening.

In general, most if not all of the MPD officers we spoke to share a desire for the public and public officials to better understand the work that they do, specifically with respect to domestic-abuse calls, with the hopes that such increased understanding will counteract the impulse to jump to criticism of their police work, which only amplifies issues with morale and burnout throughout the Department.

⁶⁰ MPD Policy and Procedure Manual §§ 5-301-5-500.

9. *MPD Policy Changes Since Ms. Lussier's Death*

Finally, during the pendency of our review, Chief O'Hara enacted several updates to the MPD Policy and Procedure Manual aimed at rectifying some of the pitfalls that contributed to Ms. Lussier's repeated victimization and Under Special Order SO25-24, effective October 15, 2025, several changes were made to the priority-list and response-times policies related to 911 calls aimed at improving and monitoring timely police responses. The Chief's Special Order SO25-031, effective December 31, 2025, as amended by Special Order SO26-004, effective February 2025, instituted new requirements for responding to domestic-abuse calls, including:

- Requiring officers to issue a KOPS ("Keeping our Police Safe") alert for all domestic-abuse-related GOA suspects;⁶¹
- Requiring officers to immediately contact the parole/probation officer of a suspect where applicable;
- Requiring officers to obtain a phone number for the suspect while on scene, ask the victim if they feel safe, and conduct actions to ensure victims feel that their safety is a priority;
- Requiring assigned investigators to attempt to interview the victim and document the details of that interview in their report;
- Requiring investigators who determine that probable cause exists to complete a probable cause statement in their report and issue a PC pickup prior to submitting the case to HCAO;
- Requiring the Special Crimes Investigative Division to report the status of GOA cases on a weekly basis; and
- Mandating additional training related to responding to domestic-abuse calls.

In addition to those Special Orders, Chief O'Hara has issued multiple Chief's Memos since Ms. Lussier's death outlining the responsibilities of various levels of MPD officers and investigators in responding to domestic-abuse calls. These Memos include:

- CM25-027 (May 30, 2025): reaffirming requirements of thorough response and investigation of domestic-abuse calls and articulating an affirmative duty to arrest domestic-abuse suspects.
- CM25-036 (July 15, 2025): announcing 4th Precinct's participation in a 3-month pilot project implementing a newly developed Lethality Risk Assessment to better inform response and intervention strategies across all

⁶¹ A KOPS alert is a law enforcement broadcast used to notify officers of significant safety concerns regarding a specific individual or vehicle.

- involved departments.⁶²
- CM25-058 (October 1, 2025): expanding the Lethality Risk Assessment pilot project to include the 3rd precinct and extending the previously envisioned 3-month timeline by an additional 3 months.
 - CM25-059 (October 28, 2025): requiring all officers to ask domestic-abuse victims if they feel safe and take any and all reasonable steps to ensure victim safety and requiring that all sworn MPD members be retrained in domestic-violence response and procedures by the end of the year. This memo was effectuated by Training Announcement TA25-045 (issued November 26, 2025).

The many policy and procedure improvements already implemented by Chief O'Hara create positive momentum towards realizing the recommendations and goals of this report and demonstrate a good-faith effort to rectify shortcomings of MPD that likely contributed to a lack of justice and accountability in Ms. Lussier's case.

D. Recommendations and Lessons Learned

Based on our findings and analysis of this case file, we make the following recommendations aimed at addressing policy violations or missteps that occurred in Ms. Lussier's case file, and promoting better outcomes for victims of domestic violence moving forward:

1. Proposed Changes to MPD Policies and Procedures

- Add written protocol that all domestic-abuse GOA cases investigated must be submitted to MCAO/HCAO for charging consideration.
- Add written protocol that either all DOA cases with history of domestic abuse and multiple potential causes of death must be processed in one of the following two manners: (A) treated as a crime scene with forensic evidentiary collection by Crime Lab professionals; or (B) in the case where the 710 investigative unit determines that the Crime Lab is not necessary for the complete and effective collection of evidence, 710 investigators must (1) contact the Crime Lab to explain that determination and document the Crime Lab's approval of that determination and (2) remain on the scene until all available and relevant evidence is inventoried. Note that this recommendation means that a DOA case with history of domestic abuse and

⁶² This memo was amended on November 25, 2025, to clarify that the pilot project applies to all domestic-abuse cases including order for protection violations.

multiple potential causes of death that comes in during a “gap period” must either be treated as a crime scene or the responding officer must stay on the scene until the 710 investigative unit comes online and arrives to the DOA scene.

- Revise MPD policy to treat certain types of felony stalking as a domestic-abuse offense that must be routed through and investigated by the Domestic Assault Unit. Specifically, our recommendation is to treat felony stalking offenses that result from multiple incidents of domestic assault within the statutory timeframe as domestic-abuse offenses both in terms of response protocols and investigatory follow-up.
- Implement the draft Standard Operating Procedures for Domestic Violence investigations recently proposed by Chief O’Hara.
- Require officers to offer and, when appropriate, strongly recommend EMS services to ensure domestic-abuse victims are not minimizing injuries, dealing with invisible brain trauma etc., while also creating a stronger body of admissible hearsay evidence should victim become uncooperative with prosecution. Officers should inform victims whether they are eligible for EMS or other medical services free of charge.
- Implement policies consistent with the recommendations in the Global Rights for Women report, “An Institutional Analysis of the Minneapolis Police Response to Domestic Violence,” as follows:
 - Mandate training aimed at recognizing and mitigating issues of explicit and implicit bias towards certain demographics of victims and adapt communication with victims based on that training.
 - Add written protocol that witnesses, including 911 callers, neighbors who may have overheard the domestic abuse, and those who the victim may have made statements to regarding the domestic abuse, must be thoroughly interviewed on scene including documentation of their contact information.
- Ensure thorough documentation of property crimes accompanying domestic-abuse offenses.
- Ensure that HCAO’s assigned DASC prosecutor’s recommendations are followed with respect to prioritizing investigations of certain GOAs and submitting cases without investigation for rush warrants when requested.

2. *Proposed Changes to MPD Training Protocol*

- Require officers to attend in-person training on responding to domestic abuse GOA cases including training on the 72-hour rule for domestic-abuse misdemeanor arrests and best practices for communicating with and

interviewing victims and providing services to them. Discuss how this training can be implemented as POST training, as well as in-house within MPD.

- Require officers to be trained to analyze any potential arrestable crime when a domestic-abuse suspect is present on arrival, especially in cases of repeat offenders. This includes considering crimes outside of those specifically named by victim (i.e. consider burglary as a possibility on a weaker strangulation call), and engaging in detailed questioning of victims to rule out or establish any potential domestic-abuse-related offenses (e.g., trespass, Assault 5 (fear), stalking).
- Ensure that public statements are not made before written, official documentation is obtained supporting those statements, especially with respect to medical-examiner conclusions/reports.

3. *MPD Staffing Issues*

- Prioritize hiring investigators in the Domestic Assault Unit, including exploration of lateral hires from different police departments.

4. *911 Emergency Response/Dispatch Policies and Procedures*

- Implement changes to CAD/VisiNet systems to automatically associate previous related calls and compile information from all calls
- Implement changes to CAD/VisiNet systems to automatically flag repeat calls, addresses, suspects, outstanding warrants, etc.
- Explore the feasibility and costs of a pilot program to test the use of a domestic-violence advocate who, concurrently with police officers, responds to all GOA domestic-abuse calls and works with victim on site to fill out OFP paperwork and provide resources, allowing Police to move onto next call while advocate remains with victim working on paperwork and safety planning. This advocate would respond to the scene only after officers had confirmed the suspect was no longer on site. Report back to audit committee once the feasibility and costs of such a pilot program have been analyzed.

5. *Hennepin County Attorney's Office Recommendations*⁶³

- Work with HCAO to develop and implement a charging timeline for domestic-abuse GOA cases that would require a deferral to happen in a shorter timeframe than that required for charging/dismissal, allowing investigators to gather additional evidence in a shorter window of time after incident report.
- Engage in training with the Domestic Assault Unit of MPD to discuss what makes a case chargeable or not chargeable and what evidence to look for and submit to HCAO.
- Work with HCAO to create a process by which arresting officers can obtain optional updates on the result of their arrest (e.g., whether suspect was released without a charge, charged and held without bail, or charged and released on bail) and any evidentiary issues that lead to declination of charges when applicable.

6. *Other Recommendations*

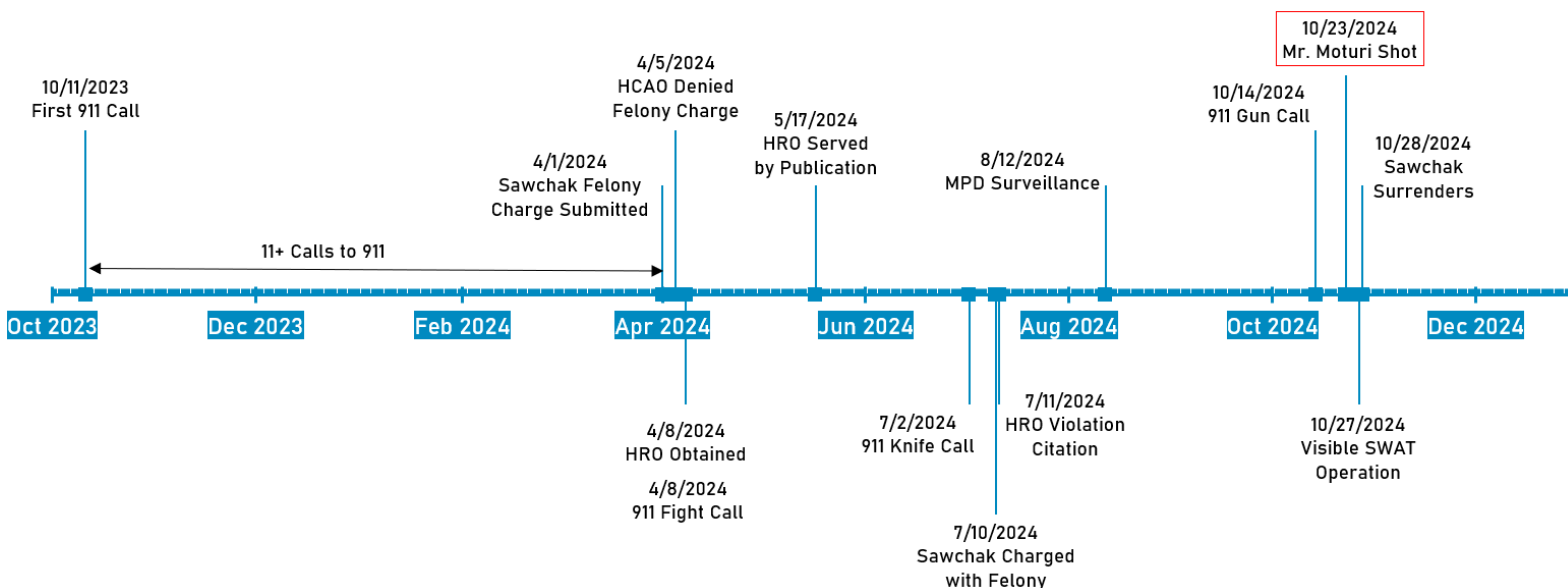
- Work to repair respectful communications between MPD Chief and County Attorney through a mutually agreed upon mechanism, such as weekly or monthly email update exchanges, or quarterly phone call updates.
- Update the Blue Card with current resources and information, including contact information specific to domestic-abuse victims' resources (this may be included on a separate and unique card for domestic-abuse victims if feasible/less burdensome to develop). Cards should have step-by-step information for victims to follow, not just a list of phone numbers.
- Require MPD to issue a letter or other statement to the family of Ms. Lussier apologizing for public misstatements related to the Medical Examiner's findings and report.
- Create an American Indian Community Liaison position at an executive level who is responsible for citywide advocacy and response.

⁶³ *Note:* HCAO is not subject to the authority of the Office of City Auditor. These recommendations should be promoted by MPD through proactive collaboration with HCAO.

Conclusion

We appreciated the opportunity to conduct this review and prepare this report for the City. As explained, our review found several areas where MPD's work on both the Moturi and the Lussier cases adhered to policy and was victim-focused. We also found areas where MPD had taken proactive steps to address problems they had identified internally with MPD's work on these cases. And of course, we also found areas with room for improvement, as detailed in our recommendations.

Appendix 1 Timeline of Moturi Case Events



Timeline	Key Events
September 2023	Davis and Caroline Moturi moved to their home on Grand Avenue in Minneapolis.
October - December 2023	<p>10/11/2023—Mr. Moturi and Mr. Sawchak met. Mr. Moturi called 911 twice to report that Mr. Sawchak yelled racist comments and threats and set a sprinkler to spray water on the side wall of the Moturis' home.</p> <p>Mr. Sawchak allegedly continued verbally harassing the Moturis when he encountered them outside. He also allegedly began deploying an air horn at random times in the middle of the night.</p> <p>12/13/2023—Mr. Sawchak allegedly charged at Mr. Moturi and threatened him. Mr. Moturi later reported this incident on February 21, 2024.</p> <p>12/15/2023—Mr. Moturi called 911 to report that Mr. Sawchak was outside his house and could be picked up on the arrest warrant. MPD officers responded to the scene, knocked on Mr. Sawchak's door, and cleared the call when Mr. Sawchak did not answer.</p> <p>12/21/2023—Mr. Moturi called 911 at about 1 a.m. to report that Mr. Sawchak was deploying an air horn while the Moturis were trying to sleep. Officers responded to the scene, declared everything quiet, and cleared the call.</p>
February 2024	<p>2/21/2024—Ms. Moturi called 911 to report that Mr. Sawchak yelled at her and Mr. Moturi as they walked their dog. When officers responded, Mr. Moturi also reported the December 13, 2023 incident and repeated that Mr. Sawchak had been deploying an air horn outside their window on various nights.</p> <p>2/29/2024—Ms. Moturi called 911 to report that Mr. Sawchak had yelled at, followed, and filmed her with his cell phone as she pulled entered her driveway. Officers responded and documented the incident in a supplement to the February 21, 2024, police report.</p>

Timeline	Key Events
March 2024	<p>3/1/2024—Mr. Moturi called 911 to report that Mr. Sawchak tried to attack him with a gardening tool that had a metal blade. Officers responded, took Mr. Moturi's report, knocked on Mr. Sawchak's door, and left when Mr. Sawchak did not respond.</p> <p>3/11/2024—Mr. Moturi called 911 at about 4:30 a.m. on March 11 to report that Mr. Sawchak was banging trash can lids while the Moturis were trying to sleep. MPD officers responded to the scene, declared everything quiet, and cleared the call.</p> <p>3/11/2024—Mr. Moturi called 911 for the second time at about 11:30 p.m. to report that Mr. Sawchak was banging trash can lids again and requested that officers take his report.</p> <p>3/12/2024—Officers responded at about 1:30 a.m. to take Mr. Moturi's report regarding his March 11, 2024, 911 calls. MPD officers conducted a drive-by but were unable to apprehend Mr. Sawchak.</p> <p>3/13/2024—Mr. Moturi called the officer who had taken his report on March 12, 2024, to report that the security camera mounted on the side of his house appeared to be ripped off the wall, causing damage to the siding, and the camera itself was missing. He suspected that Mr. Sawchak had stolen it. The officer returned to the Moturis' home to take a more detailed statement from Mr. Moturi and Ms. Moturi about Mr. Sawchak's ongoing conduct. Officer documented the Moturis' statements in a supplement to the March 12, 2024 police report and designated the alleged crimes as involving racial bias.</p> <p>3/14/2024—Mr. Moturi called 911 at about 11:15 p.m. to report that Mr. Sawchak was banging trash can lids again while the Moturis were trying to sleep. Officers responded to the scene, waited in the alley behind Mr. Sawchak's house for about 10 minutes, and cleared the call when Mr. Sawchak did not reappear.</p> <p>3/25/2024—MPD assigned an investigator to pursue the allegations in the March 12, 2024, police report.</p> <p>3/28-3/29/2024—The investigator interviewed Mr. Moturi and Ms. Moturi regarding Mr. Sawchak's ongoing conduct and the allegations in the March 12, 2024, police report.</p> <p>3/31/2024—Ms. Moturi called 911 to report that Mr. Sawchak had pushed feces through the Moturis' mail slot. She called back about an hour later to ask for officers' ETA. Officers responded and took the Moturis' report.</p>
April 2024	<p>4/1/2024—MPD submitted the March 1, 2024 and March 12, 2024 police reports to HCAO and requested felony charges against Mr. Sawchak.</p> <p>4/3/2024—Officers conducted a drive-by but were unable to apprehend Mr. Sawchak.</p> <p>4/5/2024—HCAO informed MPD of its decision to decline felony charges against Mr. Sawchak based on the March 1, 2024, and March, 12, 2024 police reports.</p> <p>4/5/2024—Mr. Moturi called 911 to report that Mr. Sawchak had thrown objects at him from the upper floor of his house, which struck him in the head and shoulders. Police responded, took Mr. Moturi's report, and remained on the scene for about 15 minutes to see if Mr. Sawchak would reappear.</p> <p>4/8/2024—Mr. Moturi obtained a temporary ex parte Harassment Restraining Order against Mr. Sawchak.</p> <p>4/8/2024—Neighbors called 911 to report that two men were fighting outside of Mr. Sawchak's house. Officers responded to the scene and found Mr. Moturi restraining Mr.</p>

Timeline	Key Events
	<p>Sawchak. They separated the two and began questioning them. Mr. Moturi explained to one officer that he had an HRO against Mr. Sawchak. While this was happening, the other officer stepped away from questioning Mr. Sawchak before verifying his identity. Mr. Sawchak ran inside his house and refused to come out.</p> <p>4/9/2024—Mr. Moturi called 911 to report that Mr. Sawchak had pushed feces through the Moturis' mail slot and left feces on their yard. He called back about two hours later to ask for officers' estimated time of arrival. Officers responded and took Mr. Moturi's report.</p> <p>4/11/2024—MCAO charged Mr. Sawchak with gross-misdemeanor harassment based on the March 1, 2024, and March 12, 2024 police reports.</p> <p>4/22/2024—Mr. Moturi called 911 to report that Mr. Sawchak approached him and threatened him with a metal pole while he was doing yard work. Officers responded and took Mr. Moturi's report.</p>
<p>May 2024</p>	<p>5/2/2024—Mr. Moturi called 911 to report that Mr. Sawchak approached him on the sidewalk and called him derogatory names. He informed the dispatcher that he had an unserved HRO against Mr. Sawchak. Officers responded to the scene and eventually cleared the call after surveilling Mr. Sawchak's house for about an hour.</p> <p>5/5/2024—Officers conducted a drive-by but were unable to apprehend Mr. Sawchak.</p> <p>5/17/2024—Mr. Moturi's temporary ex parte HRO against Mr. Sawchak is served by publication.</p> <p>5/23/2024—Mr. Moturi called 911 to report that Mr. Sawchak was in his yard and could be picked up on his arrest warrants. He called back two additional times within an hour to update dispatchers on Mr. Sawchak's location outside his house. Officers arrived about two and a half hours after Mr. Moturi's last call and cleared the call because Mr. Sawchak was no longer outside.</p> <p>5/28/2024—Mr. Moturi called 911 to report that Mr. Sawchak had threatened him earlier that day and requested that officers take his report. Officers responded and took Mr. Moturi's report that Mr. Sawchak had yelled threats at him.</p> <p>5/30/2024—Ms. Moturi called 911 to report that Mr. Sawchak stood outside the Moturis' home and yelled at her. Officers responded and cleared the call because Mr. Sawchak was no longer outside.</p>
<p>June 2024</p>	<p>6/11/2024—Mr. Moturi called 911 to report that Mr. Sawchak had spit on him when he was mowing the lawn. He reported that when he turned around, he saw Mr. Sawchak standing in his yard holding a knife. Mr. Sawchak allegedly shouted something at Mr. Moturi, but Mr. Moturi could not hear over the sound of the lawnmower. Mr. Sawchak then went back inside. Officers responded to the scene and took Mr. Moturi's report.</p> <p>6/16/2024—Mr. Moturi called 911 to report that Mr. Sawchak had harassed him and dumped feces in the Moturis' yard. Officers responded and took Mr. Moturi's report.</p> <p>6/25/2024—Mr. Moturi called 911 to report that Mr. Sawchak dumped paint and feces in the Moturis' yard. Officers responded and saw Mr. Sawchak in his doorway, but he retreated inside and did not respond when officers knocked on his door. Officers then took Mr. Moturi's report.</p>

Timeline	Key Events
	<p>6/30/2024—Mr. Moturi called 911 to report that Mr. Sawchak had continued to violate the HRO and dumped feces on the Moturis' yard again. Officers called Mr. Moturi to discuss the incident.</p>
<p>July 2024</p>	<p>7/2/2024—Mr. Moturi called 911 to report that his security camera captured Mr. Sawchak dumping urine and feces on the Moturis' yard again. He called back to report that Mr. Sawchak had pointed a knife at him and threatened to kill him before retreating inside. Officers responded and took Mr. Moturi's report. Mr. Moturi later called a third time to report that Mr. Sawchak had come back outside and harassed Ms. Moturi while she cleaned up the yard, threatening to kill her. Officers returned and added information to the police report.</p> <p>7/10/2024—HCAO charged Mr. Sawchak with two felony threats-of-violence counts based on the allegations in the July 2, 2024, police report.</p> <p>7/10/2024—Mr. Moturi called 911 to report that Mr. Sawchak dumped more urine on the bushes that border the property line between Mr. Sawchak's yard and the Moturis' yard. An officer called Mr. Moturi to take his report, issued a citation to Mr. Sawchak for violating the HRO, and forwarded the police report to MCAO for charging.</p> <p>7/11/2024—The officer who took Mr. Moturi's report on July 10 taped the HRO-violation citation to Mr. Sawchak's door.</p> <p>7/17/2024—Mr. Moturi called 911 to report that Mr. Sawchak dumped feces in the Moturis' yard again. He called back five hours later to ask for officers' estimated time of arrival. Officers responded to the scene about an hour later and cleared the call after discussing the incident with Mr. Moturi.</p> <p>7/24/2024—Mr. Moturi called 911 at 4:50 a.m. to report that Mr. Sawchak was yelling out of his window while the Moturis were trying to sleep. Officers responded about four hours later and took Mr. Moturi's report.</p> <p>7/30/2024—Mr. Moturi called 911 to report that Mr. Sawchak dumped more feces on the Moturis' yard. Officers were unavailable to respond and cleared the call without a response.</p>
<p>August 2024</p>	<p>8/8/2024—Mr. Moturi called 911 to report that Mr. Sawchak had banged on the Moturis' windows the day before and that day, and he had dumped more feces on the Moturis' property. When officers responded, Mr. Moturi reported that Mr. Sawchak had also yelled threats of violence out of his window the day before, held a knife up to the window, and told the Moturis he would kill them.</p> <p>8/12/2024—Plainclothes officers surveilled Mr. Sawchak's house for two hours in an attempt to pick him up on his arrest warrants, but Mr. Sawchak did not come outside.</p>
<p>October 2024</p>	<p>10/8/2024—Mr. Moturi called 911 to report that Mr. Sawchak screamed racial slurs from his window while Mr. Moturi was doing yard work and threatened Mr. Moturi with a knife while making slashing movements. Officers responded, took Mr. Moturi's report, and knocked on Mr. Sawchak's door with no answer.</p> <p>10/14/2024—Mr. Moturi called 911 to report that Mr. Sawchak leaned out of his window and pointed a gun at Mr. Moturi. Officers responded and took Mr. Moturi's report.</p> <p>10/15/2024—Officers conducted a drive-by but were unable to apprehend Mr. Sawchak.</p>

Timeline

Key Events

10/23/2024—Hennepin County Medical Center contacted MPD to report that Mr. Moturi had arrived at the hospital by ambulance with a suspected heart attack, but when he arrived, providers discovered he had been shot. Officers responded to the hospital and took statements from Mr. Moturi and Ms. Moturi. Other officers responded and conducted a search for potential cameras in the vicinity of the Moturi home that may have captured footage.

10/24/2024—MPD submitted the August 8, 2024, and October 14, 2024 police reports to HCAO for charging and set up 24/7 surveillance of Mr. Sawchak's house.

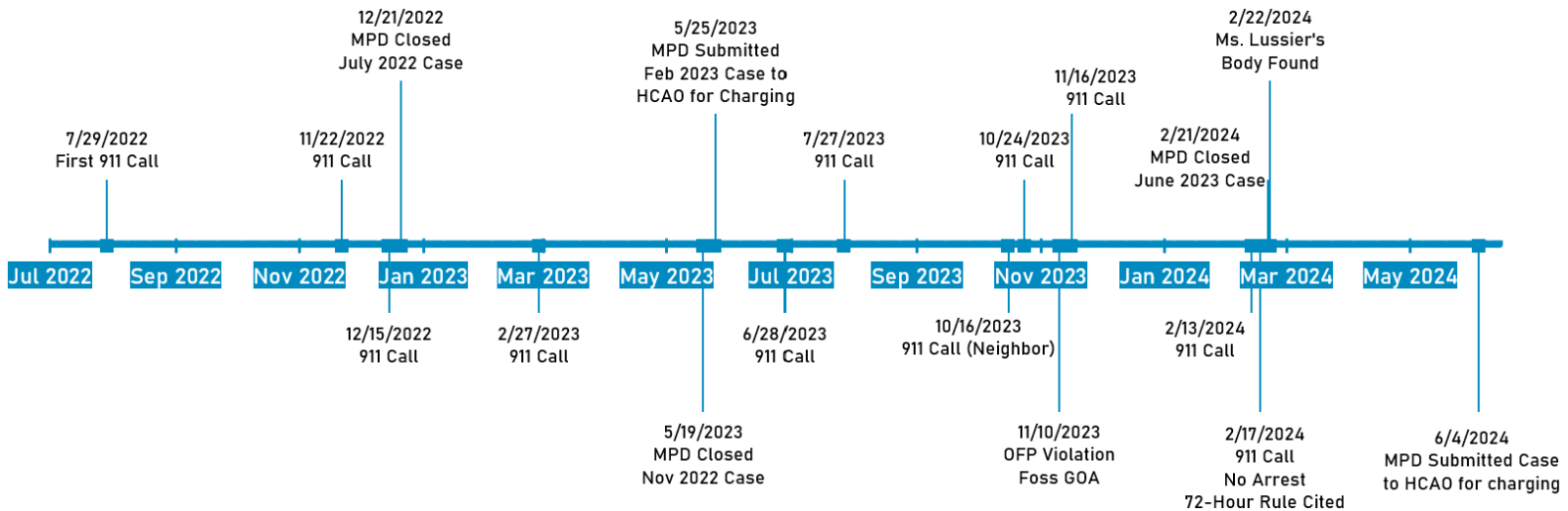
10/24/2024—HCAO charged Mr. Sawchak with attempted murder and filed an extreme risk protection order on behalf of Mr. Moturi.

10/24-10/27/2024—MPD set up 24/7 surveillance on Mr. Sawchak's home. Officers prepared for arrest operation and conducted a risk assessment and information gathering process, and SWAT developed plan of operations to arrest Mr. Sawchak and search the house.

10/27/2024—MPD began the arrest operation at Mr. Sawchak's house.

10/28/2024—Mr. Sawchak surrendered in the early morning and MPD took him into custody.

Appendix 2 Timeline of Lussier Case Events



Timeline	Key Events
July 2022	7/29/2022— A relative of Ms. Lussier called 911 to report that Ms. Lussier was assaulted by Mr. Foss the night before. The offense was coded as a domestic assault and false imprisonment.
August 2022	8/17/2022—MPD Investigator was assigned to investigate the July 2022 incident.
October - November 2022	MPD investigated the July 2022 incident, including attempting to contact Ms. Lussier without success and taking a statement from Ms. Lussier's relative. 11/22/2022—Ms. Lussier called 911 to report an incident that occurred two days prior. The offense was coded as second degree assault and kidnapping.
December 2022	12/15/2022—Ms. Lussier called 911 to report an assault by Mr. Foss. Ms. Lussier called back before officers arrived to cancel the call. 12/21/2022—MPD closed the July 2022 incident case without submitting it to HCAO for charges after being unable to contact Ms. Lussier throughout the investigation.
February 2023	2/27/2023—Ms. Lussier called 911 to report an assault by Mr. Foss that night. The offense was coded as an enhanced domestic assault.
May 2023	5/7/2023—MPD Investigator was assigned to investigate the February 2023 incidents. The investigator tried to contact Ms. Lussier that same day without success. 5/19/2023—MPD Investigator closed the November 2022 incident case without investigation, consistent with guidance from the DASC prosecutor. 5/25/2023—MPD Investigator submitted the February 2023 incident for charging to HCAO.
June 2023	6/11/2023—Ms. Lussier contacted MPD Investigator to inform she will participate in the prosecution of the February 2023 incident. 6/28/2023—Ms. Lussier called 911 to report an assault by Mr. Foss that same day. The offense was coded as an enhanced domestic assault.

Timeline	Key Events
July 2023	07/27/2023 —Ms. Lussier called 911 to ask officers to kick Mr. Foss out of her apartment. Officers determined that Mr. Foss had established a residence there and Ms. Lussier would need to pursue civil remedies.
October 2023	10/16/2023 —A neighbor of Ms. Lussier called to report an assault by Mr. Foss against Ms. Lussier. Ms. Lussier did not answer the door when officers arrived at her apartment. 10/21/2023 —HCAO contacted MPD Investigator with a deferral of charges regarding the February 2023 incident, requesting a statement from Mr. Foss. 10/24/2023 —Ms. Lussier called 911 to report an assault by Mr. Foss 10 days prior. The offense was coded as an enhanced domestic assault.
November 2023	11/10/2023 —A neighbor of Ms. Lussier called to report violation of an OFP by Mr. Foss. When MPD officers arrived, Mr. Foss was not on scene, and OFP had not been served before call. 11/16/2023 —Ms. Lussier called 911 to report an assault by Mr. Foss at a bus stop. Metro Transit PD took the report.
December 2023	12/11/2023 —Mr. Foss no longer on the felony enhancement list.
January 2024	1/20/2024 —MPD Investigator informed HCAO that they were unable to get a statement from Mr. Foss regarding the February 2023 incident.
February 2024	2/13/2024 —Ms. Lussier called 911 to report an assault by Mr. Foss. Offense was coded as a misdemeanor domestic assault. 2/17/2024 —Ms. Lussier called 911 because Mr. Foss had returned to her apartment since the prior GOA, MPD officers arrived and kicked Mr. Foss out, no arrest due to expiration of 72-hour rule timeframe. 2/21/2023 —MPD Investigator closed the June 2023 incident case consistent with GOA list process. 2/22/2024 —MPD found Ms. Lussier’s deceased body. 2/27/2024 —MPD Investigator was assigned to conduct a homicide investigation regarding Ms. Lussier’s death.
June 2024	6/4/2024 —MPD Investigator submitted the DOA case to HCAO for charging consideration.

Appendix 3

Overview of Relevant Laws, Policies, and Procedures

I. General MPD Policies, Procedures, and Personnel

A. MPD Patrol Officers

Generally, MPD first becomes involved in an incident following a 911 call by a victim or witness. Dispatchers with the Minneapolis Emergency Communications Center (“MECC”) assign a “priority category” to a call based on the urgency of the situation the 911 caller describes:

- Priority 0 calls involve a known crisis that threatens the life of an individual; MECC and MPD’s response goal is to have squads en route to the scene within 30 seconds of the 911 dispatcher’s receipt of the call.
- Priority 1 calls involve an imminent threat to personal safety or loss/damage to property; the response goal is to have a squad en route within 70 seconds of receipt of the call.
- Priority 2 calls involve no immediate threat of harm; the response goal is to assign squads at the earliest opportunity or within 45 minutes of receipt of the call.
- Priority 3 calls involve situations where conditions are stable at the scene; dispatchers may hold the call for up to one hour to assign a squad within the MPD district for the scene. After one hour, the dispatcher may reassess the call and assign a squad outside the MPD district for the scene.
- Priority 9 calls involve administrative or service assignments; squads assigned to a priority 9 call may be reassigned to a higher-priority call at any time.⁶⁴

MECC has the authority to assign calls to any available sworn officer.⁶⁵ Alternatively, an officer may self-assign to a call and must notify MECC of the self-assignment.⁶⁶

MPD patrol officers are responsible for responding to calls in their assigned precincts.⁶⁷ MPD patrol officers typically patrol with a partner, two officers per squad car. Officers have individual habits they have developed for responding to calls,

⁶⁴ MPD Policy and Procedure Manual § 7-102.

⁶⁵ *Id.* at § 7-103.I.C.1.a.

⁶⁶ *Id.* at § 7-103.I.C.3.

⁶⁷ *See* MPD Policy and Procedure Manual Glossary.

although it is considered best practice among the officers we interviewed for one officer to research a victim and suspect's information in their squad computers, when possible, while the other officer drives to the scene in response to a call. When officers do have identifying information on a suspect before arriving at a scene, they are able to look up whether the suspect has outstanding warrants, HROs, and any flags such as a history of violence towards police or mental-health concerns.

When responding officers arrive to the scene of a neighbor-dispute call and the suspect is no longer at the scene, one officer will typically observe the scene while the other officer interviews the caller/victim. After gathering information through the interview, the officer gives the victim what is widely known as a "blue card" that contains phone numbers and other resources for victims and the MPD case number assigned to the incident.

After concluding the encounter with the victim, the responding officers must immediately create a police report for the incident and enter the report into the MPD Police Information Management System ("PIMS"). The police report includes identifying information for all principal and relevant individuals involved in the incident; a public narrative statement, which is a brief description of the incident type and MPD's response; a more detailed, non-public narrative summary of the incident; and a section identifying the criminal charges that fit the victim's allegations, along with documentation of the necessary elements related to the alleged crime.⁶⁸

B. MPD Investigating Officers

The responding patrol officers who conducted the initial interview and investigation for a call may recommend that the case be subject to further investigation. The assigned investigator will review the case file, the victim and suspects' background information, and any evidence in MPD's possession. The investigator may collect further evidence and conduct follow-up interviews with the victim, suspect, and/or witnesses. The investigator will also collaborate with the patrol officers and prosecuting attorneys in reaching a recommendation for charges arising out of a case.

⁶⁸ MPD Policy and Procedure Manual § 4-602.

C. MCAO and HCAO Attorneys

Attorneys from both MCAO and HCAO regularly work with MPD officers to charge and prosecute criminal offenses arising out of MPD cases. Generally, MCAO is responsible for prosecuting misdemeanor and gross-misdemeanor charges, and HCAO is responsible for prosecuting felony charges. MPD submits cases to MCAO or HCAO depending on the level of charges MPD recommends. When MPD submits a case to HCAO with a recommendation for felony charges, HCAO may decline to charge the case or accept the case and file charges. If it declines to charge the case, it may refer the case to MCAO for lesser charges, when appropriate. Similarly, when MPD submits a case to MCAO with a recommendation for misdemeanor or gross-misdemeanor charges, MCAO may decline to charge the case or accept the case and file charges.

Each MPD precinct has an embedded MCAO attorney⁶⁹ who works out of the precinct headquarters. The embedded attorney provides legal analysis of specific public-safety and community-engagement issues for that precinct and advises officers on charging options for active cases. The embedded attorney may communicate with HCAO attorneys when necessary to determine the appropriate charging option.

II. Law and Policy Relevant to the Moturi Case

A. Assault and Harassment Offenses

“Assault” is generally defined in Minnesota Statutes Chapter 609 as “an act done with intent to cause fear in another of immediate bodily harm or death” or “the intentional infliction of or attempt to inflict bodily harm upon another.”⁷⁰ Assault offenses are categorized into five degrees and generally defined as follows:

- First-degree assault involves acts that inflict great bodily harm on another;
- Second-degree assault involves assault with a dangerous weapon;
- Third-degree assault involves acts that inflict substantial bodily harm on another or certain acts of child abuse;
- Fourth-degree assault involves assault of peace officers, firefighters, emergency medical personnel, or other categories of persons, or assault motivated by bias; and
- Fifth-degree assault encompasses other acts committed with the intent to cause fear in another of immediate bodily harm or death, or the intentional

⁶⁹ There are two MPD precincts that share one embedded attorney.

⁷⁰ Minn. Stat. § 609.02, subd. 10.

infliction or attempted infliction of bodily harm on another.⁷¹

Harassment offenses include, but are not limited to, the following conduct:

- Placing a person in reasonable fear of substantial bodily harm to themselves or their family, or causing substantial emotional distress to the person, with the intent to kill, injure, harass, or intimidate the person;
- Directly or indirectly manifesting an intent to injure the person, property, or rights of another by committing an unlawful act;
- Following, monitoring, or pursuing a person; or
- Returning to the property of another person without claim of right or consent of the property owner.⁷²

An assault or harassment offense motivated by bias, including bias against the victim's race or perceived race, may incur more severe penalties.⁷³

B. Harassment Restraining Orders

To obtain an HRO, the alleged victim must file a petition alleging facts sufficient to show their name, the respondent's name, and that the respondent has engaged in harassment.⁷⁴ As relevant to the facts of the Moturi AAR, the following actions constitute harassment for the purposes of obtaining an HRO:

- A single incident of physical assault; or
- Repeated incidents of intrusive or unwanted acts, words, or gestures that have a substantial adverse effect or are intended to have a substantial adverse effect on the safety, security, or privacy of another.⁷⁵

Typically, the petitioner must serve the respondent with notice of the HRO petition and hearing on the petition by personal service at least five days before the

⁷¹ This list includes the most commonly charged types of assault but are not an exhaustive list of all definitions included under the assault statutes. Minn. Stat. §§ 609.221 – .224.

⁷² *Id.* § 609.749, subd. 2.

⁷³ *See, e.g., id.* §§ 609.2233 (providing an increased sentence for perpetrators of felony-level assault motivated by bias), 609.749, subd. 3(a)(1) (providing that a perpetrator who commits a harassment crime motivated by bias is guilty of a felony).

⁷⁴ *Id.* § 609.748, subd. 3(a).

⁷⁵ *Id.* at subd. 1(a)(1).

hearing.⁷⁶ If the petitioner is unable to serve the respondent personally, service of notice by publication is permitted if certain requirements are met.⁷⁷ The HRO itself must be served personally if the respondent does not appear at the hearing on the petition.⁷⁸

Before the court holds a hearing, it may issue a temporary, *ex parte* HRO.⁷⁹ “*Ex parte*” means that the court has issued the HRO on an emergency basis without providing notice to the responding party. The temporary HRO may be served by publication and remains in effect until a hearing is held on the issuance of the HRO.⁸⁰

A person who violates an HRO is guilty of a misdemeanor (unless additional facts exist that increase the level of offense), but the perpetrator must have knowledge of the HRO (e.g., the perpetrator must have received notice and/or service of the HRO).⁸¹

C. Damage to Property

Damage-to-property offenses are categorized into four degrees; as relevant to the Moturi case, second-degree criminal damage to property is a felony offense that involves intentional damage to another’s property, where the damage reduces the value of the property by more than \$500 but no more than \$1,000, and where the damage was committed in whole or in substantial part because of the property owner’s race.⁸²

D. Execution of Arrest Warrants

The Fourth Amendment of the United States Constitution prohibits law-enforcement officers from engaging in unreasonable searches and seizures and states that “no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the persons or things to be seized.”⁸³

⁷⁶ *Id.* at subd. 3(a).

⁷⁷ *Id.* at subd. 3(b).

⁷⁸ *Id.* at subd. 5(c).

⁷⁹ *Id.* at subd. 4.

⁸⁰ *Id.* at subd 4(d).

⁸¹ *Id.* at subd. 6(b).

⁸² *Id.* § 609.595, subd. 1a(a)(1).

⁸³ U.S. Const. amend. IV.

The U.S. Supreme Court has held that a valid arrest warrant authorizes law enforcement to enter a suspect's residence to execute an arrest warrant when there is reason to believe that the suspect is inside.⁸⁴ Minnesota law further permits a law-enforcement officer to break open a window or door to enter a suspect's home and execute an arrest warrant if the officer has given notice of the authority and purpose of entry and has been refused entry.⁸⁵

The use of force in executing an arrest warrant is a nuanced and controversial issue. MPD policy does not explicitly prohibit forced entry into a suspect's home to execute an arrest warrant, but it does prioritize the sanctity of life, officers' duty to de-escalate, and the avoidance of escalation and unnecessary risk to the public and MPD personnel.⁸⁶

Throughout our interviews and document review, MPD leadership endorsed a general policy that they would not authorize officers to enter a suspect's home to execute an arrest warrant for gross-misdemeanor or misdemeanor charges, because the risks of such arrests generally outweigh the benefits. Even when an arrest warrant is issued for felony charges, MPD officers stated that best practice would be to obtain a search warrant in addition to an arrest warrant before entering the suspect's home.

Because MPD policy is designed to minimize the risk of harm to officers, victims, suspects, and the general public, the preferred method for executing an arrest warrant is to arrest a suspect outside the home, sometimes by effecting a traffic stop. In this case, Mr. Sawchak rarely left his home and MPD did not observe him outside during its various drive-by and visual observation details, so it was not feasible to arrest him using this method.

I. Law and Policy Relevant to the Lussier Case

A. The 72-Hour Rule

Minn. Stat. 629.341, subd. 1:

⁸⁴ See *State v. deLottinville*, 890 N.W.2d 116, 119-20 (Minn. 2017) (citing *Payton v. New York*, 445 U.S. 573, 602-03 (1980)); *State v. Lesmann*, No. CS-02-1293, 2003 WL 1810514, at *2 (Minn. Ct. App. Apr. 8, 2003) (citing *Payton*, 445 U.S. at 603)).

⁸⁵ Minn. Stat. § 629.33(1).

⁸⁶ MPD Policy and Procedure Manual § 5-301; see *id.* at § 7-801("Officers confronting a . . . barricaded person . . . shall first provide for their own safety and the safety of others.").

Notwithstanding section 629.34 or any other law or rule, a peace officer may arrest a person anywhere without a warrant, including at the person's residence, if the peace officer has probable cause to believe that within the preceding 72 hours, exclusive of the day probable cause was established, the person has committed nonfelony domestic abuse, as defined in section 518B.01, subdivision 2. The arrest may be made even though the assault did not take place in the presence of the peace officer.

B. Stalking

Minn. Stat. § 609.749, subd. 5:

(a) A person who engages in stalking with respect to a single victim or one or more members of a single household which the actor knows or has reason to know would cause the victim under the circumstances to feel terrorized or to fear bodily harm and which does cause this reaction on the part of the victim, is guilty of a felony and may be sentenced to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both.

(b) For purposes of this subdivision, "stalking" means two or more acts within a five-year period that violate or attempt to violate the provisions of any of the following or a similar law of another state, the United States, the District of Columbia, tribe, or United States territories:

- (1) this section;
- (2) sections 609.185 to 609.205 (first- to third-degree murder and first- and second-degree manslaughter);
- (3) section 609.713 (terroristic threats);
- (4) section 609.224 (fifth-degree assault);
- (5) section 609.2242 (domestic assault);
- (6) section 518B.01, subdivision 14 (violations of domestic abuse orders for protection);
- (7) section 609.748, subdivision 6 (violations of harassment restraining orders);
- (8) section 609.605, subdivision 1, paragraph (b), clauses (3), (4), and (7) (certain trespass offenses);
- (9) section 609.78, subdivision 2 (interference with an emergency call);
- (10) section 609.79 (obscene or harassing telephone calls);

- (11) section 609.795 (letter, telegram, or package; opening; harassment);
- (12) section 609.582 (burglary);
- (13) section 609.595 (damage to property);
- (14) section 609.765 (criminal defamation);
- (15) sections 609.342 to 609.3451 (first- to fifth-degree criminal sexual conduct);
- (16) section 609.3458 (sexual extortion); or
- (17) section 629.75, subdivision 2 (violations of domestic abuse no contact orders).

(c) Words set forth in parentheses after references to statutory sections in paragraph (b) are mere catchwords included solely for convenience in reference. They are not substantive and may not be used to construe or limit the meaning of the cited statutory provision.

C. Orders for Protection

Minn. Stat. 518B.01, subd. 4:

There shall exist an action known as a petition for an order for protection in cases of domestic abuse.

(a) A petition for relief under this section may be made by any family or household member personally or by a family or household member, a guardian as defined in section 524.1-201, clause (28), or, if the court finds that it is in the best interests of the minor, by a reputable adult age 25 or older on behalf of minor family or household members. A minor age 16 or older may make a petition on the minor's own behalf against a spouse or former spouse, or a person with whom the minor has a child in common, if the court determines that the minor has sufficient maturity and judgment and that it is in the best interests of the minor.

(b) A petition for relief shall allege the existence of domestic abuse, and shall be accompanied by an affidavit made under oath stating the specific facts and circumstances from which relief is sought.

(c) A petition for relief must state whether the petitioner has ever had an order for protection in effect against the respondent.

(d) A petition for relief must state whether there is an existing order for protection in effect under this chapter governing both the parties and whether there is a pending lawsuit, complaint, petition or other action between the parties under chapter 257, 518, 518A, 518B, or 518C. The court administrator shall verify the terms of any existing order governing the parties. The court may not delay granting relief because of the existence of a pending action between the parties or the necessity of verifying the terms of an existing order. A subsequent order in a separate action under this chapter may modify only the provision of an existing order that grants relief authorized under subdivision 6, paragraph (a), clause (1). A petition for relief may be granted, regardless of whether there is a pending action between the parties.

(e) A petition for relief must state whether the petitioner has any minor children and, if so, must provide the name of any custodian of the minor children and must identify the location or residence of the custodian. If any custodian is a program participant as defined in section 5B.02, paragraph (g), the location or residence of the custodian is the address designated by the secretary of state as the address of the program participant. A petition must not be rejected or denied for failure to identify any custodian.

(f) The court shall provide simplified forms and clerical assistance to help with the writing and filing of a petition under this section.

(g) The court shall advise a petitioner under paragraph (f) of the right to file a motion and affidavit and to sue in forma pauperis pursuant to section 563.01 and shall assist with the writing and filing of the motion and affidavit.

(h) The court shall advise a petitioner under paragraph (f) of the right to serve the respondent by published notice under subdivision 5, paragraph (b), if the respondent is avoiding personal service by concealment or otherwise, and shall assist with the writing and filing of the affidavit.

(i) The court shall advise the petitioner of the right to seek restitution under the petition for relief.

(j) The court shall advise the petitioner of the right to request a hearing under subdivision 7, paragraph (c). If the petitioner does not request a

hearing, the court shall advise the petitioner that the respondent may request a hearing and that notice of the hearing date and time will be provided to the petitioner and the custodian of any of the petitioner's minor children by mail at least five days before the hearing.

(k) The court shall advise the petitioner of the right to request supervised parenting time, as provided in section 518.175, subdivision 1a.

D. MPD Policies

1. MECC

A “domestic with weapons” is a priority level 1 call, while domestics without weapons are priority level 2.⁸⁷ Priority 1 calls include situations where an imminent threat to personal safety exists and conditions at the scene of the call are unstable.⁸⁸

Priority 2 calls include situations where no immediate threat of harm exists at the scene of the call, but a timely police response is still desirable.⁸⁹

2. Domestic Abuse Incident Response Protocol

The Manual classifies the following offenses as domestic-abuse offenses to which the agency’s “Domestic Abuse Incident Response Protocol” applies:

- Felony 1st degree assault, if the parties are family or household members;
- Felony 2nd degree assault, if the parties are family or household members;
- Felony 3rd degree assault, if the parties are family or household members;
- Felony domestic assault by strangulation;
- Felony terroristic threats, if the parties are family or household members;
- Misdemeanor, gross misdemeanor or felony domestic assault;
- Misdemeanor, gross misdemeanor or felony violation of an Order for Protection;
- Misdemeanor, gross misdemeanor or felony violation of a Domestic Abuse No Contact Order;
- Misdemeanor, gross misdemeanor or felony violation of a Harassment/Restraining Order, if the parties listed in the order are family or household members;

⁸⁷ *Id.*

⁸⁸ MPD Policy and Procedure Manual § 7-102.

⁸⁹ *Id.*

- Gross misdemeanor or felony stalking, if the parties are family or household members; and
- Gross misdemeanor interference with an emergency call.⁹⁰

In responding to a domestic-abuse report, officers are required to complete preliminary investigative tasks including:

- Checking for the existence of an Order for Protection (“OFP”), Harassment/Restraining Order (“HRO”), or Domestic Abuse No Contact Order (“DANCO”);
- Asking the victim if the suspect or arrestee has access to any guns or ammunition or if there are any in the home;
- Obtaining a signed medical-release form from the victim;
- Asking the victim to complete the domestic-violence victim’s supplement form;
- Photographing the victim, injuries, scene, damaged property, arrestee (if applicable) and other relevant evidence;
- Collecting physical evidence;
- Obtaining contact information from witnesses;
- Questioning witnesses regarding the incident;
- Checking the “Felony Enhancement List” for suspects to determine if they have prior qualifying domestic-abuse related convictions; and
- Videoing Miranda warnings for arrestee in misdemeanor or gross misdemeanor cases.⁹¹
- If the suspect is gone on arrival (“GOA”), responding officers must remind victims to call the police if the suspect returns within 72 hours of the incident.⁹²

Beyond the necessary investigatory steps involved in responding to a domestic-abuse call, officers are also required to provide certain “victim advocacy services” when responding to domestic-abuse calls, including:

- Informing the victim of domestic-violence resources on the Victim Assistance Card (referred to as the “Blue Card”); and
- Offering advocacy services of Cornerstone to victims.

When offering Cornerstone services to victims, officers must inform the victim that they will be contacted by victim-witness staff the following week to discuss their

⁹⁰ MPD Policy and Procedure Manual § 7-300.

⁹¹ *Id.*

⁹² *Id.*

case and provide resources. If the victim wishes to speak with an advocate immediately, officers are required to call the Cornerstone hotline from the victim's phone, identify themselves as MPD, and then hand the phone back to the victim to continue the conversation. Officers are not required to remain on the scene while the victim speaks to Cornerstone. If the victim has serious safety concerns and does not have a cell phone or house phone to call Cornerstone, officers are required to use their city-issued phone to call the Cornerstone hotline so that the victim can have an initial conversation with the advocate. If the victim outright declines to speak to Cornerstone, officers must highlight the Cornerstone number on the Blue Card for ease of reference by the victim, should they choose to call at a later time. Officers are further required to document in a police report whether a phone call to Cornerstone was placed on scene or if the victim declined services.⁹³

After concluding their encounter with a victim of domestic abuse, officers must immediately complete and enter their report into the MPD system.⁹⁴ Based on the relevant offense and whether an arrest was made, the MPD Policy and Procedure Manual lays out specific elements that a police report must contain, including identifying information for all principal and relevant individuals involved in the incident, a short public narrative statement, and a longer non-public description of the incident and documentation of the necessary elements related to the crime.⁹⁵


⁹³ *Id.*

⁹⁴ MPD Policy and Procedure Manual § 4-601.

⁹⁵ *Id.* § 4-602.

Appendix 4 MPD "Blue Card"


MPD Interaction Survey



Police and Courts Information

First Precinct	612-673-5701
Second Precinct	612-673-5702
Third Precinct	612-673-5703
Fourth Precinct	612-673-5704
Fifth Precinct	612-673-5705

MPD Recruitment




Property Crimes Investigations
Traffic Accident Investigations
Criminal Investigations (Not Property Crimes)
Juvenile Investigations
U and T Visa Program

Call Number for Precinct of Offense
612-673-2981
612-673-2941
612-673-2921
612-673-5437

MPD Records – obtaining report copies online 505 Fourth Ave. S. 612-673-2961
<https://minneapolis.service-now.com/opencityportal>

Property & Evidence Unit – return of property 3100 N. 2nd Street 612-673-2932
Impound Lot – vehicle hold information 50 Van White Memorial Blvd 612-673-5777
Office of Police Conduct Review City Hall, Room 239 612-673-5500
Hennepin County Jail – offender release information 612-348-5112
Hennepin County Clerk of Courts – court case information 612-348-6000

Hennepin County Attorney Victim Assistance – felony case information 612-348-4003
Domestic Abuse Service Center Attorney Line – charges for domestic cases 612-348-6415
Minneapolis City Attorney's Office – misdemeanor charges & information 311



Minneapolis Police
For more information call 311 or visit www.minneapolismn.gov

Squad Number	Case Control Number (CCN)	Precinct/Division
Officer(s) Badge Number(s) and Name(s)		

Attention: For reasonable accommodations or alternative formats please contact 311. People who are deaf or hard of hearing can use a relay service to call 311 at 612-673-3000. TTY users can call 612-673-2157.
Para asistencia 612-673-2700, Yog xav tau kev pab, hu 612-673-2800, Hadlii aad Caawimaad u baahantahay 612-673-3500.

MP 6441 rev. 10/24
English

Crime Victim's Rights

- You can apply for financial help to cover losses (not property losses) as a victim of a violent crime. To do so: call 651-201-7300 OR 1-888-622-8799.
- You can request that the police withhold public access to data revealing your identity. The police department will decide if this is possible. Contact the Police Records Unit to make this request at 612-673-2961.
- You have the right if the offender is charged, to be informed of and participate in the prosecution of the case, including the right to request restitution for losses you suffered because of the crime.
- If you feel that your rights as a victim have been violated, contact the Crime Victim Justice Unit at 1-888-622-8799 or dps.justiceprograms@state.mn.us.

Victim Resources

Minnesota Crime Victims Support Line – 24 hour support for victims of any crime	612-767-9844
Conflict Resolution Center – mediation services for variety of conflicts	612-822-9883
National Suicide Hotline – 24 hour crisis counseling	1-800-273-8255
Sexual Violence Center Crisis Hotline – support for victims of sexual violence	612-871-5111
Hennepin Healthcare Acute Psychiatric Services – 24 hour emotional crisis support	612-873-3161
Hennepin County Adult and Child Health Crisis Line – mobile crisis team	612-596-1223
Hennepin County Child and Family Crisis Line – mobile crisis team	612-348-2233
Greater Minneapolis Crisis Nursery – 24 hour access to family counselor	763-591-0100
United Way First Call for Help – housing, food, health, legal, and transportation services	211
LinkVet – customer service for Veterans and their families	1-888-546-5838
Veterans Crisis Line – confidential help for Veterans and their families	1-800-273-8255

Domestic Violence Information

IF YOU ARE THE VICTIM OF DOMESTIC VIOLENCE, you can ask the city or county attorney to file a criminal complaint. You also have the right to go to court and file a petition requesting an Order for Protection from domestic abuse. The order could include the following:

- An order restraining the abuser from further acts of abuse;
- An order directing the abuser to leave your household;
- An order preventing the abuser from entering your residence, school, business, or place of employment;
- An order awarding you or the other parent custody of or parenting time with your minor child or children; or
- An order directing the abuser to pay support to you and the minor children if the abuser has a legal obligation to do so.

For additional information, to get an Order for Protection, or to talk to a police investigator, prosecutor, or advocate call the Hennepin County Domestic Abuse Service Center at 612-348-5073.

Assistance for Victims of Domestic Abuse

CornerStone Minneapolis Domestic Abuse Victim Advocacy Line	1-866-223-1111
DayOne Domestic Violence MN Shelters – Shelter & Advocacy 24 hour access	1-866-223-1111
Tabman – Crisis & Resource Line 24 hour access	612-825-0000
Asian Women United – Shelter & Advocacy	612-724-8823
Casa de Esperanza – Shelter & Advocacy	651-772-1611
Division of Indian Work – Family Violence Program	612-722-8722
Domestic Abuse Project – Legal Advocacy, Case Management, and Therapy	612-874-7063
OutFront Minnesota – LGBTQ Domestic Abuse Resources	612-822-0127
Domestic Abuse Service Center – Filing for an Order for Protection & Advocacy	612-348-5073

Appendix 5

Table of Findings and Recommendations—Moturi Case

Finding Number	Finding	Recommendation
1	MPD officers did not review information disseminated to them about Mr. Sawchak’s ongoing harassment before responding to a physical altercation between Mr. Moturi and Mr. Sawchak on April 8, 2024. Report p. 15.	Develop a policy requiring officers to review information and alerts using in-squad resources such as PIMS and CAD while en route in response to an incident.
2	Several incidents in the summer and fall of 2024 were either not assigned to an investigator, not escalated to leadership or forwarded to HCAO, or both. Report p. 11.	Develop a procedure for case escalation either within MPD, MCAO, or HCAO when a threshold number of calls regarding a specific individual or address have occurred.
3	Patrol officers and localized community response team members did not create incident reports or otherwise document every drive-by and visual observation detail they conducted. Report pp. 11-12.	Develop a procedure for documenting drive-by and visual observation details, including dates, times, and resources utilized, to better track and document department efforts.
4	Responding officers did not consistently designate that alleged offenses involved bias and/or weapons in the “General Offense Information” section of police reports. Report p. 10.	Reinforce expectations through policy and training for designating bias and weapons involved in incidents within police reports.
5	Officers had varying levels of knowledge about applicable laws, policy, and resources. Report p. 9.	Incorporate additional training for officers to better understand the law, policy, and procedure related to HROs, e.g., the difference between an HRO and an OFP, resources available to help a victim apply for an HRO, service requirements for temporary and permanent HROs and HRO hearing notices, remedies for HRO violations, and the limitations of HROs.
6	Officers had varying levels of knowledge about applicable laws, policy, and resources. Report p. 10.	Incorporate additional training for officers to better understand the law, policy, and procedure related to the execution of arrest warrants and search warrants. Include provisions on how to communicate what is legally or procedurally unallowable. Develop an informational webpage and contact point for members of the public who have questions.

Finding Number	Finding	Recommendation
7	Staffing shortages contributed to longer response times and low morale among officers. Report pp. 15-16.	Address staffing shortages identified in patrol and investigative units to improve response times and increase MPD's capacity to respond to similar incidents in the future.
8	MPD announced that it would re-staff the Violent Criminal Apprehension Team, which could help with executing high-risk arrest warrants in the future. Report p. 16.	Provide appropriate staff and resources to the Violent Criminal Apprehension Team.
9	Inexperienced supervisors contributed to longer response times. Report p. 9.	Consider lateral hiring options to increase the availability of experienced individuals for investigative and leadership positions.
10	A backlog of unexecuted warrants exists in Hennepin County, including the City of Minneapolis. Report p. 13.	Consider coordinating efforts with County and State law-enforcement agencies to manage warrant backlogs.
11	Our review indicated that officers manually compiled calls and reports relating to Mr. Sawchak and Mr. Moturi.	Implement changes to the CAD/VisiNet system to automatically group calls related to the same individual or address and compile information from related calls. Report p. 18.
12	Our review indicated that dispatchers manually enter a flag for repeat calls, alerts for certain addresses or individuals, etc.	Implement changes to the CAD/VisiNet system to automatically flag repeat calls involving the same individual or address and calls involving an individual with an outstanding warrant or HRO. Report p. 18.
13	HCAO declined felony charges and referred the case to MCAO in April 2024. Report p. 5.	Develop a written procedure for contacting HCAO to ensure appropriate charging and prosecution at an earlier stage for cases involving multiple incidents with the same perpetrator and victim.
14	Blue cards contained outdated contact information and resources. Report p. 10.	Update and simplify information for victims contained in Blue Cards.
15	Chief O'Hara and County Attorney Moriarty reported a breakdown of communication between MPD and HCAO leadership. Report p. 15.	Work to repair communications between MPD Chief and County Attorney through a mutually agreed upon mechanism, such as weekly email update exchanges or monthly meetings, to discuss recurring issues such as repeat calls/offenders.

Appendix 6

Table of Findings and Recommendations—Lussier Case

Finding Number	Finding	Recommendation
1	Once a felony GOA investigation is complete, investigators will usually, but not always, submit it to HCAO for charging consideration. Report p. 26. Despite being marked for a rush warrant, the investigator did not submit the investigation of the July 30, 2022 report to HCAO for charging consideration. Report p. 34.	Add written protocol that all domestic-abuse GOA cases investigated must be submitted to MCAO/HCAO for charging consideration.
2	Especially during the “gap-period” when shifts change, the decision of whether to call the Crime Lab involves the discretion of multiple potential MPD supervisors, who may not be physically present at the scene. Report p. 28. Officers are now trained to gather and document a great deal of evidence that was once considered the responsibility of the Crime Lab. Report p. 28. Some interviewees within MPD nonetheless expressed a desire to change the existing policy to require Crime Lab responses to DOAs like Ms. Lussier’s, to ensure that victims of domestic abuse whose deaths may be the result of one or more overlapping causes are treated with an abundance of care and caution. Report p. 37.	Add written protocol that either all DOA cases with history of domestic abuse and multiple potential causes of death must be processed in one of the following two manners: (A) treated as a crime scene with forensic evidentiary collection by Crime Lab professionals; or (B) in the case where the 710 investigative unit determines that the Crime Lab is not necessary for the complete and effective collection of evidence, 710 investigators must (1) contact the Crime Lab to explain that determination and document the Crime Lab’s approval of that determination and (2) remain on the scene until all available and relevant evidence is inventoried. Note that this recommendation means that a DOA case with history of domestic abuse and multiple potential causes of death that comes in during a “gap period” must either be treated as a crime scene or the responding officer must stay on the scene until the 710 investigative unit comes online and arrives to the DOA scene.
3	Stalking by a suspect with a domestic relationship with the victim falls under the domestic abuse protocols for responding officers. But stalking is typically investigated by the Sex Crimes Unit, and several officers demonstrated a misunderstanding of the statutory elements of stalking, which provides a valuable arrestable offense for the abusers of victims like Ms. Lussier. Report p. 32.	Revise MPD policy to treat certain types of felony stalking as a domestic-abuse offense which must be routed through and investigated by the Domestic Assault Unit. Specifically, our recommendation is to treat felony stalking offenses that result from multiple incidents of domestic assault within the statutory timeframe as domestic-abuse offenses both in terms of response protocols and investigatory follow-up.

Finding Number	Finding	Recommendation
4	Chief O’Hara has already implemented several beneficial policy changes for domestic abuse response, but more are needed to fully address the needs of victims like Ms. Lussier. Report p. 46.	Implement the draft Standard Operating Procedures for Domestic Violence investigations recently proposed by Chief O’Hara.
5	Investigations may hit a wall when victims stop participating or responding to investigators, so other admissible evidence should be gathered when responding to a domestic abuse call to bolster subsequent chargeability. Report p. 26.	Require officers to offer and, when appropriate, strongly recommend EMS services to ensure domestic-abuse victims are not minimizing injuries, dealing with invisible brain trauma etc., while also creating a stronger body of admissible hearsay evidence should victim become uncooperative with prosecution. Officers should inform victims whether they are eligible for EMS or other medical services free of charge.
6	Native women face disproportionately high levels of violence, and MPD has a well-documented history of bias towards the urban Native population. Report p. 42. MPD policy requires responding officers to identify witnesses, but statements from witnesses at the scene would provide valuable, admissible evidence for subsequent prosecutions. Report p. 35.	<p>Implement policies consistent with the recommendations in the Global Rights for Women report, “An Institutional Analysis of the Minneapolis Police Response to Domestic Violence,” as follows:</p> <ul style="list-style-type: none"> • Mandate training aimed at recognizing and mitigating issues of explicit and implicit bias towards certain demographics of victims and adapt communication with victims based on that training. • Add written protocol that witnesses, including 911 callers, neighbors who may have overheard the domestic abuse, and those who the victim may have made statements to regarding the domestic abuse, must be thoroughly interviewed on scene including documentation of their contact information.
7	Officers are required to gather available evidence at the scene but are hesitant to engage in proactive policing. Report pp. 43-44. Officers can but don’t typically consider alternative possible arrestable offenses. Report p. 44. The decision of whether to assign a felony GOA case to an investigator is highly dependent on information in the police report. Report p. 25.	Ensure thorough documentation of property crimes accompanying domestic-abuse offenses.

Finding Number	Finding	Recommendation
8	The July 30, 2022, Report was marked for immediate submission to HCAO for a rush warrant. That direction from DASC prosecutor was not followed by the Domestic Assault Unit. Report p. 34.	Ensure that HCAO's assigned DASC prosecutor's recommendations are followed with respect to prioritizing investigations of certain GOAs and submitting cases without investigation for rush warrants when requested.
9	Several officers seemed confused about the intricacies of the 72-hour rule, and the public has shared that confusion with respect to Ms. Lussier's case. Report pp. 21-23. Officers share a common desire to serve victims of domestic abuse and provide available services to them. Report p. 33.	Require officers to attend in-person training on responding to domestic abuse GOA cases including training on the 72-hour rule for domestic-abuse misdemeanor arrests and best practices for communicating with and interviewing victims and providing services to them. Discuss how this training can be implemented as POST training, as well as in-house within MPD.
10	While Ms. Lussier did not volunteer additional allegations during her February 17, 2024, interaction with MPD, best practice would include questioning Ms. Lussier to see if any additional criminal activity had occurred since the February 13th incident. New allegations, like Ms. Lussier being fearful of Mr. Foss or being physically or verbally assaulted by Mr. Foss, may have given rise to a new arrestable offense. Report p. 32.	Require officers to be trained to analyze any potential arrestable crime when a domestic-abuse suspect is present on arrival, especially in cases of repeat offenders. This includes considering crimes outside of those specifically named by victim (i.e. consider burglary as a possibility on a weaker strangulation call) and engaging in detailed questioning of victims to rule out or establish any potential domestic-abuse-related offenses (e.g., trespass, Assault 5 (fear), stalking).
11	Chief O'Hara received incomplete and inaccurate information related to Ms. Lussier's cause and manner of death, which he relied upon in making problematic public statements. Report pp. 40-41.	Ensure that public statements are not made before written, official documentation is obtained supporting those statements, especially with respect to medical-examiner conclusions/reports.
12	Staffing shortages have plagued MPD for years, including a severe staffing shortage of Domestic Assault Unit investigators. Report pp. 35, 43.	Prioritize hiring investigators in the Domestic Assault Unit, including exploration of lateral hires from different police departments.
13	It is common practice, but not required, to research suspect information and history on the way to a call. Officers' ability to do so is highly dependent on information provided by 911 dispatchers. Report p. 20.	Implement changes to CAD/VisiNet systems to associate previous related calls and compile information from all calls.
14	It is common practice, but not required, to research suspect information and history on the way to a call. Officers' ability to do so is highly	Implement changes to CAD/VisiNet systems to clearly flag repeat calls, addresses, suspects, outstanding warrants, etc.

Finding Number	Finding	Recommendation
	dependent on information provided by 911 dispatchers. Report p. 20.	
15	Officers share a widespread desire to serve victims of domestic abuse and a common frustration with the feasibility of connecting victims to available services. Report p. 33. Victims may become increasingly unwilling to participate in the prosecution of their case when they hit roadblocks in accessing services. Report p. 36.	Explore the feasibility and costs of a pilot program to test the use of a domestic-violence advocate who, concurrently with police officers, responds to all GOA domestic-abuse calls and works with victim on site to fill out OFP paperwork and provide resources, allowing Police to move onto next call while advocate remains with victim working on paperwork and safety planning. This advocate would respond to the scene only after officers had confirmed the suspect was no longer on site. Report back to audit committee once the feasibility and costs of such a pilot program have been analyzed.
16	The prominent issue with the investigation of the February 27, 2023, report was the excessive amount of time that passed between the date of the incident and a charging decision by HCAO (albeit a deferral rather than a charge or declination) which greatly exceeded HCAO's policy for charging timelines. Report p. 35.	Work with HCAO to develop and implement a charging timeline for domestic-abuse GOA cases that would require a deferral to happen in a shorter timeframe than that required for charging/dismissal, allowing investigators to gather additional evidence in a shorter window of time after incident report.
17	Officers expressed an interest in hearing feedback from prosecutors regarding potential evidentiary issues that made the case less chargeable, in order to better document or gather evidence on future calls. Report p. 44.	Engage in training with the Domestic Assault Unit of MPD to discuss what makes a case chargeable or not chargeable and what evidence to look for and submit to HCAO.
18	Based on officer input, developing a notification system where prosecutors follow up with the arresting officer and briefly explain their decision to charge, release, and/or ask for a certain amount of bail for a suspect may have a positive impact. Report p. 44.	Work with HCAO to create a process by which arresting officers can obtain optional updates on the result of their arrest (e.g., whether suspect was released without a charge, charged and held without bail, or charged and released on bail) and any evidentiary issues that lead to declination of charges when applicable.
19	MPD leadership and HCAO leadership have experienced a strained and uncooperative relationship for years, which has created a negative trickledown effect in MPD ranks. Report p. 42.	Work to repair respectful communications between MPD Chief and County Attorney through a mutually agreed upon mechanism, such as weekly or monthly email update exchanges, or quarterly phone call updates.

Finding Number	Finding	Recommendation
20	<p>Officers share a widespread desire to serve victims of domestic abuse and a common frustration with the feasibility of connecting victims to available services. Report p. 33.</p> <p>Victims may become increasingly unwilling to participate in the prosecution of their case when they hit roadblocks in accessing services. Report p. 36.</p>	<p>Update the Blue Card with current resources and information, including contact information specific to domestic-abuse victims' resources (this may be included on a separate and unique card for domestic-abuse victims if feasible/less burdensome to develop). Cards should have step-by-step information for victims to follow, not just a list of phone numbers.</p>
21	<p>With the well-known historical backdrop of violence against Native women and MPD's documented bias towards the urban Native population, public comments by MPD regarding violence against Native women are heavily scrutinized and should be held to a high standard. Report p. 42.</p>	<p>Require MPD to issue a letter or other statement to the family of Ms. Lussier apologizing for public misstatements related to the Medical Examiner's findings and report.</p>
22	<p>Overall, the initial public response to Ms. Lussier's death seemed to overly emphasize her substance-abuse history as the underlying cause of her death, a trend which is all too familiar to Indigenous organizations, advocates, and community members who are justifiably weary of public officials overlooking or under investigating the deaths of Native women who experience disproportionate rates of violence and murder compared to other demographics. Those statistics are particularly troubling in Minneapolis, where law enforcement has a recent, documented track record of discriminating and perpetuating bias against the urban Native population. Report p. 42.</p>	<p>Create an American Indian Community Liaison position at an executive level who is responsible for citywide advocacy and response.</p>



What Does the Office of City Auditor Do?

Our mission is to strengthen public trust in City government by delivering independent, objective, and risk-informed oversight, assurance, and advisory services.

We safeguard public resources by identifying risks, promoting accountability, ensuring compliance, and supporting effective and transparent City operations.



Minneapolis Police Department Moturi and Lussier Audit Response

2026 04 April
Minneapolis Police Department

Table of Contents

SECTION 1.	MOTURI REPORT RESPONSES.....	3
SECTION 2.	LUSSIER REPORT RESPONSES.....	5
SECTION 3.	APPENDIX.....	9
APPENDIX A:	JOB ANNOUNCEMENTS.....	9
APPENDIX B:	TRAINING ANNOUNCEMENTS.....	10
APPENDIX C:	AUGUST 2025 CALLS FOR SERVICE MEMO.....	11
APPENDIX D:	FOLLOW UP CALLS FOR SERVICE MANAGEMENT MEMO.....	12
APPENDIX E:	MPD REPOSSES TIMES.....	15
APPENDIX F:	MPD’S DOMESTIC ABUSE INCIDENT RESPONSE PROTOCOL.....	16
APPENDIX G:	DOMESTIC VIOLENCE RISK ASSESSMENT EXTENSION.....	19
APPENDIX H:	DOMESTIC VIOLENCE TRAINING AND PROTOCOL UPDATE.....	20
APPENDIX I:	DOMESTIC ABUSE OPERATIONAL PROCEDURES MEMO.....	21
APPENDIX J:	DOMESTIC VIOLENCE RISK ASSESSMENT PILOT EXTENSION.....	23
APPENDIX K:	DOMESTIC ABUSE OPERATIONAL PROCEDURES UPDATE MEMO.....	24
APPENDIX L:	VIOLENT CRIMINAL APPREHENSION TEAM (VCAT) MEMO.....	26
APPENDIX M:	SPECIAL ORDER ON RESPONSE TO SHOOTINGS.....	28
APPENDIX N:	STATEMENT TO THE FAMILY.....	30

Section 1. Moturi Report Responses

Finding #	MPD Response	Date of Planned Implementation
1	<ul style="list-style-type: none"> ▪ Develop a policy for officers to review information and alerts using squad resources when safe and feasible to do so and will not reduce response time for calls involving threats to life safety ▪ Technology solutions will be researched by the Professional Standards Bureau that will allow a single officer in a squad car to complete this research with only a few keystrokes to minimize a longer response time 	November-26
2	<ul style="list-style-type: none"> ▪ Crime analysts are currently tracking neighbor troubles weekly and forwarding them on a Police Information Management System (PIMS) recurring report form ▪ Neighbor to Neighbor Mediation Pilot program jointly developed with NAACP 	Completed
3	<ul style="list-style-type: none"> ▪ A directive will be implemented for officers to utilize “Directed Patrol” nature code that will track details and Probable Cause pick-ups conducted in Visinet 	Active Implementation May-26
4	<ul style="list-style-type: none"> ▪ Chief will send out an Administrative Announcement (AA) reminding officers of the expectations regarding the recommendations ▪ Training Division will stress the importance of checking proper codes in PIMS reporting ▪ Chiefs’ notification memo was updated to ensure notification is made when a bias crime occurs 	Active Implementation
5	<ul style="list-style-type: none"> ▪ The Training Division will work with the city attorney and victims’ advocates to conduct remedial training incorporated in current roll call trainings 	Active Implementation
6	<ul style="list-style-type: none"> ▪ Currently drafting a new warrant policy ▪ The community can provide feedback via the Policy Resource Hub located on the Minneapolis Police Department’s (MPD’s) website ▪ Stops, Searches, Citations, and Arrest Policies actively being worked on through the Settlement Agreement requirements 	Active Implementation

Finding #	MPD Response	Date of Planned Implementation
7	<ul style="list-style-type: none"> ▪ Minneapolis Crime Statistics (MSTAT) meetings have added a requirement for Inspectors to explain outliers in the response-time standards ▪ MPD has added a full-time lieutenant to manage citywide calls-for-service (CFS) and reallocate personnel across borders to improve response times ▪ A booking element was created that manages jail and hospital wait-times has contributed to improved response times by 911 responders ▪ A designated squad car was created to cover the gap times between shifts and a prohibition on attending the regular duty roll calls decreased the wait-times of callers with in-progress violence ▪ Chief mandated officers specific requirements in responding to calls to reduce the response times ▪ These measures, along with a campaign of roll-call appearances by Chief's Office have resulted in CFS response times being at their lowest since early May of 2020 when the MPD was staffed with over 860 sworn personnel ▪ See appendix for Special Orders and Chief's Orders along with a graph showing response times to Priority 1 and Priority 2 calls. This recommendation was completed prior to the report being sent. 	Completed
8	<ul style="list-style-type: none"> ▪ Chief created the Violent Criminal Apprehension Team (VCAT) – started on March 22, 2026 ▪ Multi-Agency group focused on assisting investigators pick up suspects and locate key witnesses ▪ VCAT also assists with locating and arresting people with outstanding warrants 	Completed
9	<ul style="list-style-type: none"> ▪ Hired a lateral Deputy Chief from Federal Investigations in January 2026 ▪ Current lateral hires at the officer rank that have been assigned into investigative positions ▪ The collective bargaining agreement limits hiring civil servants at ranks of sergeant or lieutenant ▪ Training for new supervisors will be prioritized as they transfer in and out of patrol and investigator positions ▪ Standards Operating Procedures (SOPs) are being updated for investigators 	Active Implementation
10	<ul style="list-style-type: none"> ▪ VCAT includes inter-agency work, which will expand over a period of time 	Completed
11	<ul style="list-style-type: none"> ▪ MPD is committed to using modern technology assistance to improve their policing efforts ▪ Professional Development Bureau is exploring technology solutions that offer this level of flagging and information sharing 	Active Implementation November-26
12	The Patrol Bureau will collaborate with the Minneapolis Emergency Communications Center (MECC) to expand the capability to flag addresses associated with repeat violent calls, extending this authority to all sworn members rather than limiting it to supervisors.	Active Implementation June-26

Finding #	MPD Response	Date of Planned Implementation
13	<ul style="list-style-type: none"> ▪ Investigations Bureau will update investigative SOP to require documentation of discussions between investigators and prosecutors regarding charges for suspects ▪ Create early referral procedures for prosecutors for certain types of cases (repeat victims/offenders, weapons) ▪ Researching technological platforms that can flag cases with multiple victim/suspects 	Department Researching Solutions and Active Implementation
14	<ul style="list-style-type: none"> ▪ Investigations Bureau will update the MPD Blue Card with resource information quarterly 	Active Implementation
15	<ul style="list-style-type: none"> ▪ The Chief is committed to working with a regular cadence of meetings with the Hennepin County Attorney 	Active Implementation

Section 2. Lussier Report Responses

Finding #	MPD Response	Date of Planned Implementation
1	<ul style="list-style-type: none"> ▪ Investigations Bureau will require all gone on arrival (GOAs) domestic cases to be assigned by the next working day when reported ▪ Require all domestic assault cases be submitted to the Hennepin County Attorney's Office regardless of victim cooperation for charging decision 	Active Implementation May-26
2	<ul style="list-style-type: none"> ▪ Chief has already required the Lieutenant of Homicide to send a team to the scene with cases with a decedent when there is a history of domestic violence 	Completed
3	<ul style="list-style-type: none"> ▪ Investigations Bureau will meet with Hennepin County Attorney's Office to discuss implementation of separating stalking cases from domestic stalking cases 	Active Implementation
4	<ul style="list-style-type: none"> ▪ Investigations Bureau is updating the investigative SOP to establish documentation requirements for all investigations prior to closing the case ▪ Updating the policy manual to reflect the Chief's Memo that implemented several efforts of domestic abuse response and protocols 	Active Implementation
5	<ul style="list-style-type: none"> ▪ Training Division will ensure training will require sworn members to strongly encourage Emergency Medical Services (EMS) and advocacy services per the domestic assault pilot project which will be expanding citywide soon ▪ The coordination of training for the citywide domestic assault pilot project is in progress 	Active Implementation May-26

Finding #	MPD Response	Date of Planned Implementation
6	<ul style="list-style-type: none"> ▪ Domestic Protocols are instructed in the academy and at in-service department wide training (basic report writing) ▪ Training Division will add multicultural remedial training to the current Procedural Justice, Implicit Bias and/or Active Bystandership Law Enforcement (ABLE) training in 2027 ▪ This training component is also expanded under the Settlement Agreement and Consent Decree ▪ Cultural Community Mentors will continue to be assigned to officers in Training (OITs) in the academy ▪ Continuing academy training program of requiring recruits to learn different cultures and present their findings to their classmates 	Active Implementation
7	<ul style="list-style-type: none"> ▪ Training Division will incorporate requiring officers to strongly encourage EMS and advocacy services ▪ Investigations Bureau will include the on-going Domestic Assault protocol that is being implemented from a pilot to a Citywide program very soon ▪ Training modules will be coordinated to ensure efficiency 	Active Implementation May-26
8	<ul style="list-style-type: none"> ▪ Investigations Bureau will develop a means of prioritizing cases according to the set recommendations (repeat suspects/victims, weapons) ▪ Update the investigative SOP to ensure coordination and communication between investigators and prosecutors are occurring on a regular basis ▪ Providing guidance to sworn personnel on HCAO recommendations related to domestic assaults including requirement to follow those recommendations ▪ Requiring all rush warrants to be immediately assigned 	Department Researching Solutions and, or Actively Implementing
9	<ul style="list-style-type: none"> ▪ Training Division will be adding to the 2027 annual training curriculum recommendations ▪ Adding training on new domestic policy once the policy is in place ▪ Chief's Memo included this change in Keeping Our Police Safe (KOPS) alert, etc. 	Active Implementation
10	<ul style="list-style-type: none"> ▪ Training Division will be adding to 2027 annual training curriculum recommendations ▪ Adding training on new domestic policy once the policy completed 	Active Implementation
11	<ul style="list-style-type: none"> ▪ Public Information Officers (PIO) are responsible for reviewing information prior to release ▪ Institute a quality control process to ensure all information is reviewed for accuracy 	Active Implementation

Finding #	MPD Response	Date of Planned Implementation
12	<ul style="list-style-type: none"> ▪ Hired a lateral Deputy Chief from Federal Investigations in February 2026 ▪ Lateral hires at the Officer rank that have been placed into investigative assignments ▪ The collective bargaining agreement limits hiring civil servants at ranks of Sergeant or Lieutenant ▪ Training will be prioritized for new supervisors as part of the onboarding process as they transfer to and from patrol and investigator positions ▪ A civilian case investigator and sworn member were added to the Domestic Unit ▪ Domestic GOA cases are assigned to additional investigators outside of the domestic unit to ensure these cases receive appropriate attention 	Active Implementation
13	<ul style="list-style-type: none"> ▪ Professional Standards Bureau will be exploring technology solutions that allow a single officer in a squad car to complete research without obstruction or safety issue 	Active Implementation November-26
14	<ul style="list-style-type: none"> ▪ Professional Standards Bureau will be exploring technology solutions that allow a single officer in a squad car to complete research without obstruction or safety issue 	Active Implementation November-26
15	<ul style="list-style-type: none"> ▪ Coordinate with Office of Community Safety (OCS) to explore options 	Active Implementation November-26
16	<ul style="list-style-type: none"> ▪ Investigations Bureau will require regular check-ins with HCAO and assigned investigators ▪ Improve coordination between investigators and prosecutors, especially in the initial stages of investigations ▪ Create follow-up timelines for investigators according to the recommendations ▪ Recently added to weekly MSTAT, investigative commanders must brief charging decisions and outcomes on significant cases 	Active Implementation
17	<ul style="list-style-type: none"> ▪ Training Division will be coordinating and incorporating the new domestic policy 	Active Implementation
18	<ul style="list-style-type: none"> ▪ Investigations Bureau will implement a system of coordinating investigations and prosecutors weekly ▪ Create performance metrics for investigators ▪ Have discussions with HCAO to assign prosecutors as liaisons for specific investigative units ▪ Notify sworn members if they want a case follow-up, they can request it from the investigator ▪ Patterns of case declines could be addressed in training or a memo to department to improve services ▪ MSTAT is already capturing positive highlights of effective police work, including cases that have been charged 	Department Researching Solutions and Active Implementation
19	<ul style="list-style-type: none"> ▪ The Chief is committed to working with a regular cadence of meetings with the Hennepin County Attorney 	Active Implementation

Finding #	MPD Response	Date of Planned Implementation
20	<ul style="list-style-type: none"> ▪ Investigations Bureau is updating the MPDs Blue Card with resources ▪ Exploring developing a domestic resource card and educating the community on domestic victim services already available online 	Active Implementation
21	<ul style="list-style-type: none"> ▪ Statement issued to the family ▪ See appendix for copy of letter 	Completed
22	<ul style="list-style-type: none"> ▪ Chief will speak to the Mayor's office regarding recommendation 	Active Implementation

Section 3. Appendix

Appendix A: Job Announcements

Job Announcement	Date Issued	Position Level	Unit	Unit Description/Purpose
JA24-001	1/18/24	Sergeant	Homicide	<ul style="list-style-type: none"> Plan and execute investigations of murders, suspicious deaths, stranger kidnappings, non-life-threatening shootings, and some critical incidents
JA25-005	2/19/25	Sergeant		
JA25-006	3/11/25	Officer	Gun Investigations Unit (GIU)	<ul style="list-style-type: none"> Conduct long and short-term investigations and in custody cases of gun-related crimes Works in cooperation with ATF, FBI, and BCA for prosecution in federal and state court
JA25-009	4/4/25	Sergeant or Officer	Crisis Intervention Team (CIT)	<ul style="list-style-type: none"> Responsible for coordination and implementation of the Department's CIT program Focused on improving response to mental health crises
JA25-019	8/18/25	Officer	Domestic Assault	<ul style="list-style-type: none"> Investigate felony level Domestic Assaults, Strangulations, and Protective Order violations Work with Domestic Abuse Advocates Document and submit cases to the HCAO
JA25-021	8/27/25	Officer	Assault	<ul style="list-style-type: none"> Investigate Assaults including gross misdemeanor and felony level Document investigations and submit cases to HCAO and MCAO
JA26-003	1/27/26	Sergeant or Officer	Firearm Assault Shoot Team (FAST)	<ul style="list-style-type: none"> Investigate all shootings within the jurisdiction of Minneapolis Document and manage investigations to support prosecution
JA26-002	1/27/26	Officer	Violent Criminal Apprehension Team (VCAT)	<ul style="list-style-type: none"> Assist investigations with the apprehension of Violent Offenders Manage intake PC Pick Up/Arrest Warrant requests
JA26-004	1/27/26	Sergeant		

Appendix B: Training Announcements

Training Announcement	Date Issued	Purpose/Description
TA24-034	11/19/24	<ul style="list-style-type: none"> This training introduces tools and practices to enhance law enforcement's capacity to prevent and respond to hate crimes Participants learn to identify key elements of bias-motivated crimes, strengthen their understanding of the legal framework (customized to the specific jurisdiction), enhance skills related to investigating and documenting bias-motivated crimes, and deepen their appreciation for the importance of preventing and addressing bias-motivated crimes Introduction to Hate Crimes is an interactive, discussion-based program incorporating scenario work appropriate for all law enforcement audiences Offered through the Jewish Community Relations Council of Minnesota and the Dakotas
TA24-35B	12/17/24	<ul style="list-style-type: none"> Crisis Intervention Training is an 8-hour refresher course designed to continue to develop the officers' skills in de-escalation and communication when responding to a person in crisis call This training will be taught by the MN Crisis Intervention Team and involves classroom exercises and scenarios at their training facility to provide a better learning environment for students while involving actors as role players in various CIT situations This is mandatory training per the MDHR Settlement Agreement and must be completed annually
TA25-019	5/12/25	<ul style="list-style-type: none"> Announcement of the Roll Call Education Series Roll Call Trainings will be conducted every other week to enhance education within the MPD These trainings will cover new topics aimed at improving our skills and knowledge
TA25-045	11/26/25	<ul style="list-style-type: none"> This course provides procedural training for all MPD sworn officers on response to domestic violence and Order for Protection (OFP) violation calls It includes not only review of current critical procedures and policies but also introduces three new policies for immediate implementation: National Crime Information Center (NCIC) probation order checks, "Do you feel safe" key question requirement, and a KOPS alert for all GOA Domestic Violence suspects. A scenario will be used in the video to highlight step-by-step actions officers will take and an exam will be given to assess understanding.
TA26-001	1/9/26	<ul style="list-style-type: none"> Crisis Intervention Training is an 8-hour refresher course designed to continue to develop the officers' skills in de-escalation and communication when responding to a person in crisis call. This training will be taught by the MN Crisis Intervention Team and involves classroom exercises and scenarios at their training facility to provide a better learning environment for students while involving actors as role players in various CIT situations. This is mandatory training per the MDHR Settlement Agreement and must be completed annually
TA26-002	1/21/26	<ul style="list-style-type: none"> This PATROL Online training is mandated by POST, and all sworn personnel are required to complete the All Sworn Checklist within calendar year 2026. Three courses are required, and four courses are optional. These courses cover Mandatory Learning Objectives required by the MN POST Board to renew your POST license.

Appendix C: August 2025 Calls for Service Memo

MINNEAPOLIS POLICE DEPARTMENT
BY ORDER OF THE CHIEF OF POLICE



CHIEF'S MEMO

DATE ISSUED: August 12, 2025	DATE EFFECTIVE: Immediately	NUMBER: CM25-046	PAGE: 1 of 1
ISSUED BY: Chief Brian O'Hara	RETENTION DATE: Until Rescinded	TO: All MPD Personnel	
SUBJECT: Calls for Service Management and Responsibility			

To ensure effective service, officers and supervisors must prioritize prompt response to calls and minimize unnecessary time spent at the precinct. Officers should remain available and in the field unless actively needed elsewhere, returning to service as soon as their prior call responsibilities are complete.

Officers shall clear from a call when they leave the scene. If officers leave the scene but need to remain on the call in order to complete a call related task such as writing a report or conducting a property inventory, they shall update their location to reflect they are no longer on-scene.

Supervisors must monitor calls for service, ensure officers are not unnecessarily unavailable or distracted, and actively oversee call-handling to avoid delays. Excessive time off-call or at the precinct undermines responsiveness, community confidence, and unfairly distributes the call load to those officers who do not unreasonably prolong time on a call or out of service at the precinct. Timely, visible, and respectful service must remain a top priority.

This should serve as a reminder of the Chief's Memo from August 11, 2023, which details the above information.

The Commander of the Inspections Unit shall conduct random inspections. Command and supervisory members shall be responsible for compliance.

Appendix D: Follow Up Calls for Service Management Memo



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: October 10, 2025	DATE EFFECTIVE: October 15, 2025	NUMBER: SO25-024	PAGE: 12 of 3
TO: Distribution "A"		RETENTION DATE: Until Rescinded	
SUBJECT: Calls-For-Service Management MP-8806		APPROVED BY: <i>Chief Brian O'Hara</i>	

POLICY

It is the policy of the Minneapolis Police Department to respond to all calls-for-service in a timely manner. The public is entitled to expect a prompt response to calls-for-service, and members shall be effective and efficient in their response as they provide our community with excellent police service.

Every 9-1-1 call is someone reaching out for help in a moment of fear, danger, or crisis. When someone dials 9-1-1, it usually means they are facing a situation they cannot handle on their own – they are not just calling a number, they are asking for protection, support, and action.

QUEUE GOALS

Because of the importance of a timely response, the MPD is setting the following queue goals for calls for service, measured from dispatch to arrival on scene:

- Priority 1 calls: 7 minutes or less**
- Priority 2 calls: 20 minutes or less**
- Lower priority calls: 90 minutes or less**

Response times will be tracked and evaluated by the MPD to ensure the community is receiving proper service. **Supervisors will be responsible for response times.** Watch Commanders and Inspectors should monitor response times and member activities to ensure prompt response.

OFFICER SAFETY & LOCATION

In order to ensure officer safety, all members shall keep MECC, and their supervisors apprised of their safety, status, and location. To that end, the following procedures shall take effect:

- Members shall clear from all calls or other assignments as soon as the call or assignment is complete.
- Members assigned to a call-for-service, or who initiate a call for police action or directed patrol, **shall clear and close out that call from the scene.**
- Members who leave the scene before the call is complete **shall update their location** with the dispatcher and advise the dispatcher of the reason for changing the location.



- By order of the Chief of Police, MECC dispatchers shall conduct a safety and status check after squads have been code 4 for **45 minutes**. All members shall comply and shall return to service if able.

PENDING CALLS AND REPORTS

- Members **will no longer be allowed to place calls back in pending** to finish the report later. MECC will no longer return active calls to a pending status (formerly known as Priority 9). Instead, the call will be closed. If a member needs to finalize the report later or add remarks, the call can be reopened by MECC.
- When feasible, members are reminded to complete their reports in their squad car, preferably in their district/assigned area.

POLICY REMINDERS

In accordance with P&P 7-103:

- It is the policy of the Minneapolis Police Department to respond to all calls for service within a minimum amount of time after being dispatched or notified of the need for police service.
- Members **shall respond without delay** to calls for police service unless otherwise directed by proper authority. Emergency calls for service shall take precedence; however, all dispatched calls shall be answered as soon as possible consistent with departmental procedures.
- **The dispatcher shall have the authority to assign calls to all available sworn personnel, including superior officers. Members shall not refuse to take a call.**
- All members are expected to close out their OTL upon completion. Dispatchers shall call squads that fail to do so and clear them from OTL.

RESPONSIBILITIES OF SUPERVISORS

Supervisors are responsible for:

- Ensuring roll call is promptly and professionally completed, generally within the designated 15 minutes allotted. Supervisors shall monitor for any pending priority calls, and assign/send personnel from roll call if needed.
- Monitoring calls pending as shift change approaches and shall hold over for at least one hour any squads necessary to ensure priority calls are answered promptly.
- Ensuring all members arrive promptly, diligently patrol their designated sectors/beats, and remain on post unless properly relieved.
- Clearing the station. Supervisors shall ensure members remain in the field and are not inside the precinct station when they should be patrolling their assigned sectors.
- When MECC advises a supervisor of a priority call pending, the supervisor shall have a plan assign the call promptly. That shall include:
 - Updating the status of all squads currently assigned to calls when priority calls are pending,
 - Disrupting squads from lower priority calls or calls where non-emergent tasks can be completed later when a priority call is pending,
 - Designating a squad to handle when they are about to be in-service, and
 - Assigning overtime, buyback, and other personnel available when needed to respond to priority calls pending.

- Monitoring the activities of officers to ensure that officers are alert and attentive and that they carry out their duties promptly and efficiently.

See CM23-009 for additional procedures to manage call response and resources at the scene.

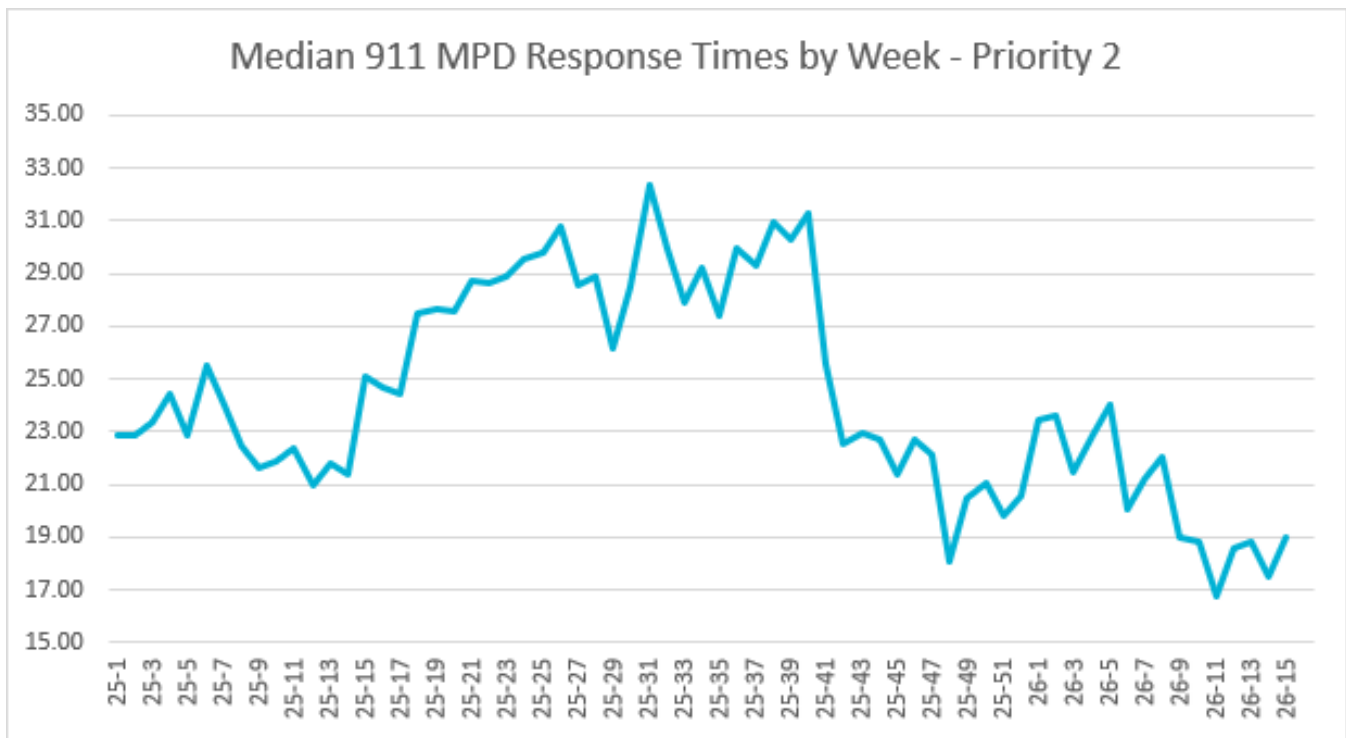
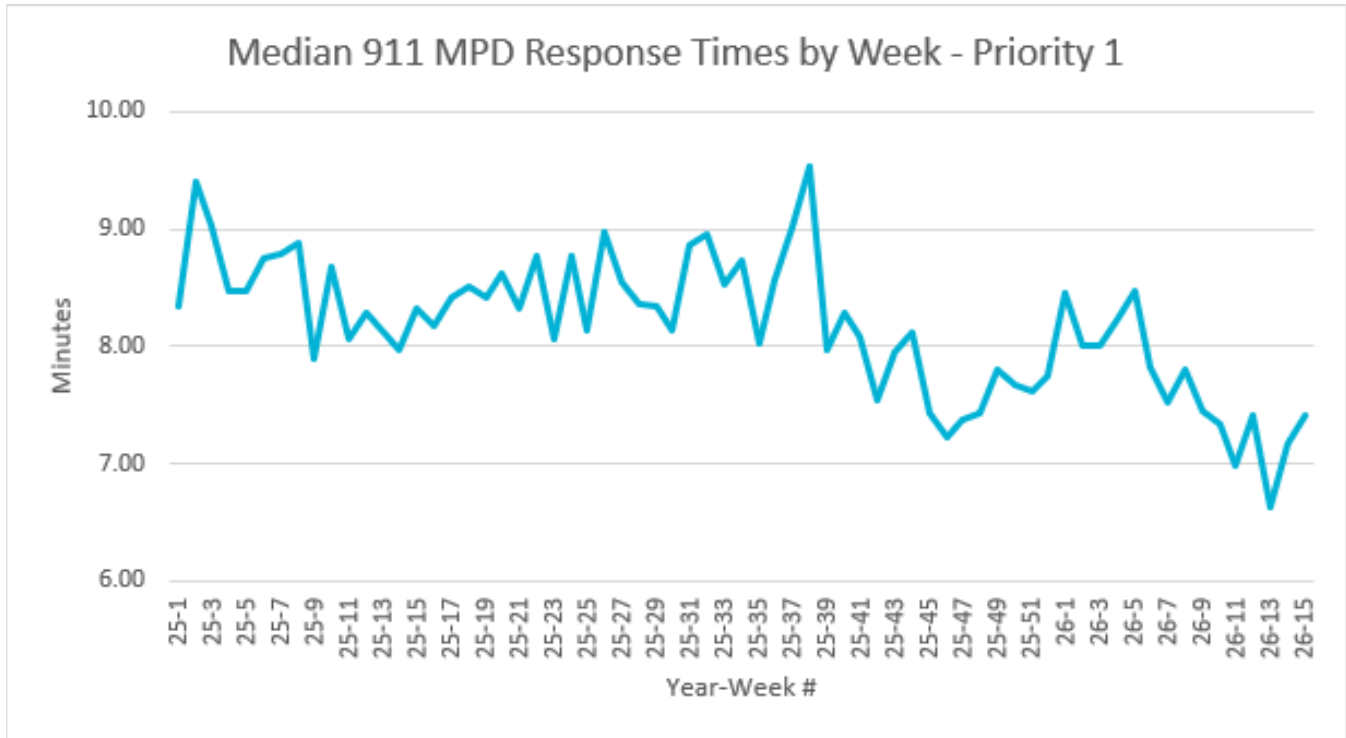


CM23-009 Scene
CFS Management.doc

COMPLIANCE CHECKS

The Commander of the Inspections Unit shall ensure that random spot checks are conducted weekly to ensure compliance with this directive. The Commander shall be responsible for reporting to the Chief of Police and command and supervisory personnel who has failed to ensure compliance with this directive.

Appendix E: MPD Reponses Times



Appendix F: MPD's Domestic Abuse Incident Response Protocol

MINNEAPOLIS POLICE DEPARTMENT
 BY ORDER OF THE CHIEF OF POLICE



CHIEF'S MEMO

DATE ISSUED: May 30, 2025	DATE EFFECTIVE: Immediately	NUMBER: CM25-027	PAGE: 1 of 3
ISSUED BY: Chief O'Hara	RETENTION DATE: Until rescinded	TO: All MPD Personnel	
SUBJECT: MPD's Domestic Abuse Incident Response Protocol and Affirmative Duty to Arrest			

MP-9107

This is a reminder that P&P 7-314 requires members to follow the MPD's Domestic Incident Response Protocol and that members have an affirmative duty to arrest if any of the following circumstances exist.

Members are required to thoroughly investigate all allegations of domestic violence, make appropriate referrals, take action according to the totality of the information known, and aggressively utilize the arrest powers granted by the State Legislature.

Below are the MPD P&P 7-314 requirements regarding the affirmative duty to arrest, MPD's Domestic Incident Response Protocol, Victim Advocacy Services, and Reporting Requirements.

Affirmative Duty to Arrest

3. **Arrests for domestic abuse**, based on probable cause, **are expected** if any of the following circumstances exist:

- Signs of injury or impairment;
- Dangerous weapon involved;
- Alleged assault- no signs of injury;
- Victim alleges actions by the suspect that were intended to put the victim in fear of immediate bodily harm;
- Terroristic threats (refer to [MN Statute section 609.713 Subd.1](#));
- Criminal sexual conduct (refer to MN Statute sections [609.342](#), [609.343](#), [609.344](#), [609.345](#)).

4. A police officer may arrest a person without a warrant, even in the person's own residence, if the officer has probable cause to believe that in the preceding 72 hours a domestic assault occurred.

a. The 72-hour time period begins at 0001 hours the day after the incident occurred.

b. Officers must have an independent reason to enter the suspect's residence, such as exigent circumstances or consent. MN Statute section 629.341 does not provide independent authorization to enter a suspect's residence.

c. An officer may make an arrest for a misdemeanor domestic assault even if the assault did not occur in their presence.

5. An officer may not issue a citation in lieu of arrest and detention for a defendant charged with harassment, domestic abuse, violation of an Order for Protection, or violation of a Domestic Abuse No Contact Order. See [MN Statute section 629.72, Subd. 1\(a\)](#).

MPD's Domestic Abuse Incident Response Protocol

1. The Minneapolis Police Department has adopted the following protocol for patrol officers responding to adult arrest and suspect cases for the following offenses:
 - Felony 1st degree assault, if the parties are family or household members;
 - Felony 2nd degree assault, if the parties are family or household members;
 - Felony 3rd degree assault, if the parties are family or household members;
 - Felony domestic assault by strangulation;
 - Felony terroristic threats, if the parties are family or household members;
 - Misdemeanor, gross misdemeanor or felony domestic assault;
 - Misdemeanor, gross misdemeanor or felony violation of an Order for Protection;
 - Misdemeanor, gross misdemeanor or felony violation of a Domestic Abuse No Contact Order;
 - Misdemeanor, gross misdemeanor or felony violation of a Harassment/Restraining Order, if the parties listed in the order are family or household members;
 - Gross misdemeanor or felony stalking, if the parties are family or household members; and
 - Gross misdemeanor interference with an emergency call.
2. As part of this protocol, patrol officers shall complete the following preliminary investigative tasks when responding to any calls as described above:
 - a. Check for the existence of an Order for Protection, Harassment/Restraining Order, or Domestic Abuse No Contact Order on every domestic-related 911 call.
 - b. Ask the victim if the suspect or arrestee has access to any guns or ammunition or if there are any in the home.
 - i. If the victim indicates yes, ask if the victim has any safety concerns. Document responses in the Police Report.
 - ii. If the victim has safety concerns, officers may property inventory the guns and ammunition for safe keeping.
 - c. Obtain a signed medical release with shaded areas completed from the victim if the victim is seeking medical treatment. Scan the release and attach it to the Police Report. Send the hard copy to the City Attorney's Office.
 - d. Ask the victim to complete the domestic violence victim's supplement. Property inventory supplement on completion. Scan the release and attach it to the Police Report. Send the hard copy to the City Attorney's Office.
 - e. Take photographs. Examples of things to photograph include, but are not limited to: the arrestee; victim; injuries; scene, including any damaged property; and the arrestee in an Order for Protection or Domestic Abuse No Contact Order case at a prohibited address.
 - f. Collect any physical evidence and property inventory it.
 - g. Obtain contact information from witnesses to the incident, including name, address, and phone number.
 - h. Question witnesses regarding the incident.
 - i. If the suspect is gone on arrival, remind the victim to call the police if the suspect returns within 72 hours of the incident.
 - j. If the case is misdemeanor or gross misdemeanor level, check the PC Enhanced Felony. Follow the instructions pertaining to the arrested party or suspect if they are on the list, and add the additional charge listed.

k. If the case is misdemeanor or gross misdemeanor level, obtain a squad video Mirandized Scales statement from the suspect or arrestee. Document the results of the interview in the Police Report. (Miranda statements Do Not need to be taken on felony level cases).

3. Language access

Officers shall provide language assistance when needed, in accordance with the Limited English Proficiency (LEP) policy (P&P 7-1001) and the Communicating with Deaf or Hard of Hearing Individuals policy (P&P 7-1002).

Victim Advocacy Requirements

1. Officers on scene shall inform the victim of domestic violence resources on the Victim Assistance Card (Blue Card), in accordance with P&P 4-608.

2. While on scene, officers shall offer the advocacy services of Cornerstone to victims of intimate partner violence and domestic abuse against other family or household members.

a. Officers shall inform the victim that they will likely be contacted by victim witness staff the following week during business hours, to discuss the case and provide resource referrals.

i. If a victim indicates they would like to speak with an advocate right away, officers shall call the Cornerstone hotline (612-255-9740) from the victim's phone, identify they are calling from MPD, and hand the phone back to the victim. Officers do not need to remain on scene while victim speaks with the advocate.

ii. If a victim has serious safety concerns and does not have a cell or house phone to call Cornerstone, officers shall use their city-issued phone to call the hotline (612-255-9740) so that the victim may speak to an advocate.

aa. The officer should identify themselves to Cornerstone and indicate the victim is speaking on the officer's phone.

ab. Cornerstone has been instructed to limit phone calls when an officer's phone is used and only provide the most urgent of resources.

b. If a victim declines to speak with a Cornerstone advocate, officers shall highlight the Cornerstone number on the Blue Card in case the victim decides services are needed later.

c. Officer shall document in the Police Report whether a phone call was placed on scene or if the victim declined services.

Reporting Requirements

1. In all cases of domestic violence or alleged acts of domestic abuse, a Police Report and supplement shall be completed immediately.

2. If no arrest is made, the supplement shall clearly show sufficient reasons for not making the arrest.

Failure to Follow MPD Policy

Members that do not follow the required protocol and steps for domestic abuse calls for service should expect corrective action or discipline, up to and including termination, and may be subject to criminal or civil liability.

Appendix G: Domestic Violence Risk Assessment Extension

MINNEAPOLIS POLICE DEPARTMENT
BY ORDER OF THE CHIEF OF POLICE



CHIEF'S MEMO

DATE ISSUED: October 1, 2025	DATE EFFECTIVE: October 6, 2025	NUMBER: CM25-058	PAGE: 1 of 2
ISSUED BY: <i>Chief Brian O'Hara</i>	RETENTION DATE: Until rescinded	TO: All MPD Personnel	
SUBJECT: Domestic Violence Risk Assessment Pilot Project Extension			

The **4th Precinct** participated in a **Domestic Violence Risk Assessment Pilot Project** implementing a newly developed **Lethality Risk Assessment**. This pilot project was originally scheduled for three months, ending in September but has been extended until December 31, 2025. Additionally, this pilot is being expanded to the **3rd Precinct**. The pilot has been created by the Domestic Violence Workgroup, which includes representatives from MPD, Hennepin County Attorney's Office, City Attorney's Office, and advocates from the Domestic Abuse Project (DAP) and Hennepin County.

Purpose:

The goal of this new assessment is to improve interagency coordination and enhance our ability to evaluate the level of risk and potential danger in domestic violence cases. This approach is designed to better inform response and intervention strategies across all involved departments.

Policy Changes for the Duration of the Pilot:

- Officers **assigned to the 3rd and 4th Precinct** are **exempt from the Domestic Abuse Incident Response Protocol Policy 7-314(IV)(B)(2)(d)**.
- Officers are **still expected to ask the same questions** found in the current domestic violence supplement using the checklist.
- Responses to these questions **must be documented in your narrative** section of the report.
- The property inventory and other applicable procedures remain unchanged.

Reference to Current Policy (for context): P&P 7-314(IV)(B)(2)(d).

d. Ask victim to complete domestic violence victim's supplement. Property inventory supplement on completion. Scan the release and attach it to the Police Report. Send the hard copy to the City Attorney's Office.

This temporary change is intended to evaluate the effectiveness and usability of the new assessment. Your participation and thorough documentation during this pilot will help shape future policy decisions.

If you have any questions, please contact Commander Rebecca Lane at rebecca.lane@minneapolismn.gov



Appendix H: Domestic Violence Training and Protocol Update

MINNEAPOLIS POLICE DEPARTMENT
BY ORDER OF THE CHIEF OF POLICE



CHIEF'S MEMO

DATE ISSUED: October 28, 2025	DATE EFFECTIVE: October 28, 2025	NUMBER: CM25-59	PAGE: 1 of 1
ISSUED BY: <i>Chief Brian O'Hara</i>	RETENTION DATE: Until rescinded	TO: All MPD Personnel	
SUBJECT: Domestic Violence Response Training & Protocol			

Effective immediately, all members responding to domestic violence calls **and** order for protection (OFP) violations shall ask the victim if they feel safe, and shall take any and all reasonable steps necessary to ensure victim safety. Officers shall provide domestic violence victims with resources on the Victims Assistant Card (Blue Card).

Additionally, all sworn members shall be retrained in domestic violence response and procedures. Training Division Commander shall submit a training lesson plan to provide this training to all sworn members by the end of the year. That plan shall be due in the Chief's Office by October 31, 2025.

Appendix I: Domestic Abuse Operational Procedures Memo



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: December 31, 2025	DATE EFFECTIVE: December 31, 2025	NUMBER: SO25-031	PAGES: 1 of 2
TO: All MPD			RETENTION DATE: Until Rescinded
SUBJECT: Domestic Operational Procedures MP-8806			APPROVED BY: <i>Chief Brian O'Hara</i>

POLICY

The Domestic Abuse Policy (P&P 7-314) purpose is to establish Departmental protocol and procedures for responding to and processing information regarding domestic violence in accordance with Minnesota State statutes. That policy is still in effect and shall be adhered to. It will be updated with these requirements and additional needed updates.

ADDITIONAL PATROL REQUIREMENTS

- Members shall issue a KOPS alert for all GOA suspects for all Domestic assault offenses through MECC.
- Members shall immediately contact the parole/ probation officer of the suspect when one is assigned.
- Members shall obtain a phone number for the suspect on scene, ask the victim if they feel safe, and conduct actions that ensures the victim feels their safety is a priority.

ADDITIONAL INVESTIGATION REQUIREMENTS

- Assigned Investigators shall attempt to interview the victim and document the details of that interview in PIMS
- Investigators shall complete a probable cause statement in PIMS and issue a PC Pickup prior to submitting the case to the Hennepin County Attorney's Office.
- Technological aids should be used when available to locate all suspects in a timely manner.
- The Special Crimes Investigative Division will report weekly at MSTAT the status of GOA cases.

TRAINING REQUIREMENTS

- The Training Unit will identify training needs and work in collaboration with community navigators to provide additional domestic training in regard to domestic response and documentation.
- Additional training will be provided for NCIC in regard to identifying and contacting probation/ parole officers of suspects in domestic cases as well as other cases that may apply.



- Additional training will be provided as new protocols are instituted from the current Domestic Violence Pilot Project.

Appendix J: Domestic Violence Risk Assessment Pilot Extension

MINNEAPOLIS POLICE DEPARTMENT
BY ORDER OF THE CHIEF OF POLICE



CHIEF'S MEMO

DATE ISSUED: February 2, 2026	DATE EFFECTIVE: Immediately	NUMBER: CM26-004	PAGE: 1
ISSUED BY: <i>Chief Brian O'Hara</i>	RETENTION DATE: Until rescinded	TO: All MPD Personnel	
SUBJECT: Domestic Violence Risk Assessment Pilot Project Continuance			

The 3rd Precinct and 4th Precinct will continue to participate in the Domestic Violence Risk Assessment Pilot Project utilizing the Lethality Risk Assessment until further notice.
This pilot project was originally scheduled to end December 31, 2025. The pilot will now continue until evaluation of the pilot is completed.

Purpose:

The goal of this pilot is to improve interagency coordination and enhance our ability to evaluate the level of risk and potential danger in domestic violence cases. This approach is designed to better inform response and intervention strategies across all involved departments.

Policy Changes for the Duration of the Pilot:

- Officers assigned to the 3rd and 4th Precinct are exempt from the Domestic Abuse Incident Response Protocol Policy 7-314(IV)(B)(2)(d).
- Officers are still expected to ask the same questions found in the current domestic violence supplement using the checklist.
- Responses to these questions **must be documented in your narrative** section of the report.
- The property inventory and other applicable procedures remain unchanged.

This continuance is intended to allow time for evaluating the effectiveness and usability of the new assessment. Your participation and thorough documentation during this pilot will help shape future policy decisions.

If you have any questions, please contact Commander Rebecca Lane at:
rebecca.lane@minneapolismn.gov

Appendix K: Domestic Abuse Operational Procedures Update Memo



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: February 3, 2026	DATE EFFECTIVE: February 6, 2026	NUMBER: SO26-004	PAGES: 1 of 2
TO: All MPD		RETENTION DATE: Until Rescinded	
SUBJECT: Domestic Operational Procedures		APPROVED BY: <i>Chief Brian O'Hara</i>	

MP-8806

This special order updates and replaces SO25-031 from 12/31/25. The changes are underlined below.

POLICY

The Domestic Abuse Policy (P&P 7-314) purpose is to establish Departmental protocol and procedures for responding to and processing information regarding domestic violence in accordance with Minnesota State statutes. That policy is still in effect and shall be adhered to. It will be updated with these requirements and additional needed updates.

ADDITIONAL PATROL REQUIREMENTS

- Members shall issue a KOPS alert for all GOA suspects for all Domestic assault offenses through MECC.
- Members shall immediately contact the parole/ probation officer of the suspect when one is assigned.
- Members shall obtain a phone number for the suspect on scene, ask the victim if they feel safe, and conduct actions that ensures the victim feels their safety is a priority.

ADDITIONAL INVESTIGATION REQUIREMENTS

- Assigned Investigators shall attempt to interview the victim and document the details of that interview in PIMS
- When probable cause exists to make an arrest, investigators shall complete a probable cause statement in PIMS and issue a PC Pickup prior to submitting the case to the Hennepin County Attorney's Office.
- Technological aids should be used when available to locate all suspects in a timely manner.
- The Special Crimes Investigative Division will report weekly at MSTAT the status of GOA cases.

TRAINING REQUIREMENTS

- The Training Unit will identify training needs and work in collaboration with community navigators to provide additional domestic training in regard to domestic response and documentation.
- Additional training will be provided for NCIC in regard to identifying and contacting probation/ parole officers of suspects in domestic cases as well as other cases that may apply.
- Additional training will be provided as new protocols are instituted from the current Domestic Violence Pilot Project.

Appendix L: Violent Criminal Apprehension Team (VCAT) Memo



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: April 6, 2026	DATE EFFECTIVE: April 6, 2026	NUMBER: SO26-006	PAGES: 1 of 2
TO: All MPD			RETENTION DATE: Until Rescinded
SUBJECT: Operational Procedures for Probable Cause Pickups sent to the Violent Criminal Apprehension Team (VCAT)			APPROVED BY: <i>Chief Brian O'Hara</i>

The Violent Criminal Apprehension Team (VCAT) will be the primary point of contact for all Probable Cause Pickups (PC Pickups) involving violent crime. The VCAT will consist of Minneapolis Police Officers and may include Officers, Deputies, and Special Agents from assisting agencies.

A tool in any investigation is obtaining a statement from a suspect. In most cases, obtaining a statement from the suspect is the only avenue to a charging decision from the county attorney. As investigations progress, probable cause is often found to make an arrest. In cases where probable cause exists, investigators may issue a PC Pickup for an arrest.

In other cases, locating key witnesses or victims could be vitally important. The VCAT may also assist in locating and arresting people with outstanding warrants.

For the reasons stated above, the VCAT will be a useful resource for investigators.


INVESTIGATION REQUIREMENTS

- Submissions to the VCAT will be directly related to or have a strong nexus to violent crime.
- When an investigator intends to issue a PC Pickup, the probable cause must be documented in a separate supplement labeled, "PC Pickup issued for NAME," and entered into PIMS.
- Prior to posting the PC PICKUP on the Daily Information Brief (DIB), the investigators supervisor must review the PC statement, and also enter a supplement into PIMS, authorizing the Pickup. This supplement can be as simple as:
 "I, NAME, have reviewed the PC PICKUP statement written for "name of suspect," for the crime of "name of crime," written by "name of investigator" and authorize the PC PICKUP to be issued.
- Once the supervisor has completed the authorization report in PIMS, the information may be sent to the VCAT and the Intelligence Division for dissemination.
- VCAT supervisors are also responsible for assuring the investigative supervisor has completed the authorization report prior to dissemination.
- The investigator will complete the REQUEST FOR VCAT link on the MPD Homepage and complete the proper fields. SEE PHOTO BELOW.
- Once the case is received by the VCAT the supervisor or designee will assign the case to a VCAT Investigator.



- Investigators shall brief VCAT Officers on the investigative needs of the case.
- When making an arrest, the VCAT will inventory all related property unless turned over to the primary investigator. The primary investigator will be responsible for all new charges that may result from an arrest.
- If the target of an investigation is arrested inside a dwelling, the VCAT will secure the dwelling until such time that uniformed officers/investigators can respond to assume control of the scene. It shall be the responsibility of the assigned primary investigator to draft and execute a search warrant related to a specific investigation. Unless there are unusual circumstances, the VCAT will not stay on-site to assist with searching a building or process evidence.
- The VCAT is not responsible for waiting/booking arrestee's following an arrest/interview.


VCAT WORK REQUEST ON MPD HOME PAGE


 Services Offered by SIC


Investigator Resources


Hennepin County:
[Judges and Referees Calendar](#)
 Daytime Signing Judge contact number is 612-902-9851.
 After 1630 hours, the after-hours on call Judge contact number is 612-543-4979.


Ramsey County:
[Judges Calendar](#) (Morning 0830-1200 and afternoon 1330-1630)
 After 1630 hours, the after-hours on call Judge contact number is 651-266-8317.


 CALEA Forms

 How to

 Resource Links

 Useful Contacts

 Useful Documents

 Warrant Templates

Property Information

Request for Overtime Approval


Sex Trafficking Protocol

ShotSpotter

Staffing Dashboard

SWAT Warrant Request

Toward Zero Death Logs

VCAT Work Request 

Webmail

Appendix M: Special Order on Response to Shootings



MINNEAPOLIS POLICE DEPARTMENT

SPECIAL ORDER

BY ORDER OF THE CHIEF OF POLICE

DATE ISSUED: March 23, 2026	DATE EFFECTIVE: March 23, 2026	NUMBER: SO26-005	PAGES: 1 of 2
TO: All MPD			RETENTION DATE: Until Rescinded
SUBJECT: Response to Shootings- Operational Procedures			APPROVED BY: <i>Chief Brian O'Hara</i>

The Firearm Assault Shoot Team (FAST) will be the primary point of contact for all non-fatal shootings. Response to shootings will now closely mirror a homicide investigation, with an immediate notification to the Lieutenant and a likely response from an investigator. Non-fatal shootings will be treated as failed homicides. The FAST will consist of Minneapolis Police Investigators, Special Agents from the BCA, and Officers/Deputies from other assisting agencies.

ADDITIONAL PATROL REQUIREMENTS IN RESPONSE TO A SHOOTING

- Patrol Supervisors shall respond to all shootings when a confirmed gunshot victim is located.
- Patrol Supervisors shall immediately notify the Firearm Assault Shoot Team (FAST) Lieutenant, or his/her designee, once a shooting victim has been located. The Lieutenant will direct the response from FAST Investigators.
- Officers shall, at minimum:
 - Respond to all shootings immediately.
 - Secure the crime scene (if applicable).
 - Render aid to a victim (if applicable).
 - Remain with the victim until released by the Patrol Supervisor, and/or Investigator.
 - Collect the victim's clothing/property, including cellphones, and inventory at the P&E.
 - Speak to witnesses and ask them to remain on scene for a potential investigator response.
 - Do a preliminary canvass for witnesses and/or video footage.
 - Complete reports immediately after clearing the call.

ADDITIONAL INVESTIGATION REQUIREMENTS

- All non-fatal shootings shall be assigned to a FAST Investigator.
- All non-fatal shootings require an investigator response.
- Assigned CAR 710 Investigators shall respond to every shooting scene (if applicable) and complete a detailed report of their response. Car 710 Investigators may also respond to the hospital.
- Car 710 Investigators are responsible for completing a search warrant on a residence (if applicable) working under the direction of the FAST Lieutenant or Investigator.



- Car 710 and FAST Investigators will work together in a coordinated effort to fully investigate all non-fatal shootings when they occur.
- FAST Investigators shall provide immediate resources to victims/witnesses through the MPD Community Navigators, Survivor Resources, and other applicable resources, when needed.
- FAST Investigators shall share information/intelligence in weekly meetings and coordinate criminal prosecutions with the Hennepin County Attorney's Office.
- FAST Investigators shall complete and Executive Summary of the shooting within the first 24 hours.

Appendix N: Statement to the Family



Police Department – Brian O’Hara, Chief of Police
350 S. Fifth St. - Room
130
Minneapolis, MN 55415
TEL 612.673.2735
www.minneapolismn.gov

April 15, 2026

Jana Williams and the Allison Lussier family:

The Chief is providing you with the following statement that will also be released to the public.

On April 14, 2026, Chief O’Hara and MPD leadership met with family of Allison Lussier and other community members they invited.

The investigation into Allison’s death remains an open homicide investigation, and Chief O’Hara has committed to working with Allison’s family and others while ensuring the MPD takes a fresh look at this case in an effort to continue to collect facts and evidence that may assist in obtaining a criminal charge.

Chief O’Hara has also committed to continuing to implement reforms in the MPD to ensure faster response times to domestic abuse and all emergency calls for services from the community, while also continuing to implement changes that enhance our ability to better respond to domestic violence and make more arrests whenever possible.

Allison’s family also raised concerns about a statement from the Chief reported in the media that characterized the drugs in her system as “massive,” and that this mischaracterization caused further harm to her family and loved ones. The Chief apologized to Allison’s family for that statement, as well as for any and all shortcomings by the MPD in this process.

“I am grateful to Allison’s family and to community members who met with us and are willing to continue to work with us on Allison’s case as well as improving our response in domestic violence in general. I am sorry for the harm caused by my words. That statement caused real pain to the family, to those who loved her, and to the broader community. I take responsibility for that impact. While I intended no harm and my comments were based on incomplete information provided to me, I recognize that intent does not lessen the harm. While I know we have high legal burden to overcome, we are committed to continuing forward with a fresh look on this case and continuing to enhance our response to domestic violence in general. We are asking anyone in the community who may have any information regarding this case to come forward.”

– Minneapolis Police Chief Brian O’Hara

A handwritten signature in blue ink, appearing to be "B. O'Hara", written in a cursive style.