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City of Duluth - Communications Office

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SUBJECT: Duluth Police Chief Releases Information on the Excessive Use of Force Investigation Involving a Duluth Police Officer

BY: Pakou Ly, Communications Office

Duluth Police Chief Releases Information on the Excessive Use of Force Investigation Involving a Duluth Police Officer

[Duluth, MN] – The City of Duluth Police Department has been investigating a report of an officer using excessive force during a call for trespassing enforcement last year. During a news conference held today, June 29, 2018, Police Chief Mike Tusken provided an overview of the investigation and arbitration ruling and publicly released police body camera footage from that night.

The incident involved Officer Adam Huot and took place on the evening of May 20, 2017 in the Technology Village parking ramp. Officer Huot is shown in the footage trying to deescalate a resistant male individual, then eventually cuffing and dragging the man 90 feet through a steel door, striking the man's head. This case has since been investigated and went through arbitration which ruled that the officer should retain employment. The City disagrees. Reflecting on the Department's mission and values, Chief Tusken stated:

"The Duluth Police Department values and respects the sanctity of every life and identifies our roles as a lifesaving organization. We have an immense responsibility that comes with authority to use reasonable force when overcoming resistance and protecting the public. It is the Duluth Police Department's expectation that officers will make tactically sound, reasonable use of force decisions which demonstrate our value of every life.

The Duluth Police Department does excellent work day in and day out and is dedicated to keeping our community safe, building and strengthening relationships, and serving others with dignity and respect. While this incident tarnishes our badge and, therefore, the image of our Department, this is an isolated incident and should not negate the dedicated and important work our women and men do each day serving this community."

The Arbitrator recently ruled that the use of force was unreasonable, violated Department policy and training, yet despite these findings, he ruled to reinstate the officer without back pay and that Officer Huot be given one final chance. The City maintains that termination is the appropriate remedy and will appeal the decision to the District Court.

Mayor Emily Larson expressed her support for the swift response to the incident and the decision to terminate the officer and stated, "The City of Duluth and its Police Department prides itself on serving our community selflessly, with respect and dignity toward all members of our community. As Chief Tusken has said numerous times, the power and authority our officers have does not come from a gun or a badge, or even from the City of Duluth, it comes from a foundation of strong community relationships.

It is critical to me that we maintain that trust in the relationship between our police department and the community, and that we do everything in our power to build and create better and stronger relationships. This incident is an example of completely unacceptable behavior that as Mayor, I cannot and will not support. I, Chief Administrative Officer, David Montgomery, and Chief Tusken stand together in supporting the decision to terminate this officer as a consequence for his egregious actions. The decision to terminate the officer was made in concert between myself, CAO Montgomery, and Chief Tusken after a careful review of the incident and subsequent investigation.

We will continue to do everything in our power to sustain this termination by pursuing all appropriate legal remedies in response to the arbitrator's ruling. We remain committed to building an organization that views its roles and responsibilities as a service to the community. My thanks to Chief Tusken and his staff for their thorough and swift response to this incident, and for their continued commitment to honoring their mission and values of serving the public selflessly, with respect and dignity."

Timeline:

May 20, 2017 - Use of Force Incident occurs in Technology Village skywalk/parking ramp

May 20&21 2017- Officer Morgan Cekalla (in attendance on May 20, 2017) reports UOF to commander in charge

May 21, 2017- Duluth Police Commence Administrative Investigation

May 21, 2017- Officer Huot placed on Paid Leave
June 05, 2017- Officer Hout placed on Unpaid Leave
June 21, 2017- Duluth Police Union file grievance
February 27 &28, 2018 - Arbitration hearing held
June 22, 2018 - Final arbitration decision published

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