



Duluth Police Department

Complaint Accountability Report
2018 - 2020



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Message from the Chief



The Duluth Police Department has 158 sworn officers and 40 civilian employees who handle up to 110,000 calls or initiated events annually. The City of Duluth has nearly 87,000 residents and seven million visitors annually who visit the sprawling landscape of Duluth that is 26 miles long and seven miles wide. In order to be successful in our mission, "To provide a safe Duluth for all by strengthening relationships and serving in a respectful, caring, and selfless manner," we rely upon building strong relationships, cultivating partnerships, and becoming a force multiplier of eyes and ears to help improve safety and quality of life. We understand and appreciate that it is the community who gives us the authority, on their behalf, to serve and protect them - this is our social contract.

In fulfilling this contract, police are given considerable community trust and authority and in exchange, we have an immense responsibility to be ethical and honorable in all we do and we must always treat the people we are entrusted to represent in this social contract with dignity and respect. As an organization, we strive for continuous improvement. We know the human condition is a limiting factor and despite our best efforts, we will at times stumble and fall. We work to develop staff by learning from our successes and failures and support building leaders through perpetual coaching, guiding, and mentoring.

We understand the trust and legitimacy of any police organization is commensurate with the ability of the police to thoroughly and objectively investigate citizen complaints. We also must have the courage to hold staff accountable for the occasions when we don't meet community expectations. We understand the importance of taking, investigating, and resolving every complaint. We are fortunate, here in Duluth, to have a partnership in police accountability and we share the role of guardianship of the social contract with our Citizen Review Board (CRB). The CRB reviews police complaints monthly and they have been an invaluable partner in helping DPD develop policies that model best practices and are tailor-made for our community's expectations.

Some police agencies may shy away from releasing complaint data or find it uncomfortable to talk about. At DPD, we look for opportunities to be transparent and share all the ways we are doing things right, but also feel it is equally important to stand tall and receive critiques for the times when we didn't meet expectations. This report is an opportunity to give citizens a look at how we are doing in our arc of continuous improvement by sharing where we are thriving and where we need to be better.

We are committed to building trust through transparency with our community. Releasing this report, the first of its kind at DPD, is done so to provide our citizens with a comprehensive report detailing complaints at the Duluth Police Department.

In partnership,
Chief Mike Tusken

Mission Statement, Values, Core Beliefs

Mission Statement

To provide a safe Duluth for all by strengthening relationships and serving in a respectful, caring, and selfless manner.

Values

Fair
Accountable
Caring
Transparent

Core Beliefs

- We are a lifesaving organization.
- We recognize that our authority comes from our social contract with the community.
- People will believe we are there to serve them if we are kind, caring, and compassionate, and our actions match our words.
- People will trust us if they believe we are protecting their rights.
- Every interaction leaves a lasting impression.
- The safety of both our community and officers is paramount.

Professional Standards Unit



From left, Sergeant David Drozdowski, Investigator Steve Pruse, Investigator Ian Johnson, Sergeant Joel Olejnicak, Lieutenant Mike Ceynowa, and Investigator Robert Schmidt are members of the Professional Standards Unit at DPD.
Not pictured - Dawn Cole, Executive Assistant.



Officers Dana Letica and Nate Smith are training on handcuffing. This is one of multiple trainings sworn officers go through every year to ensure they are up to date with best practices.

The Duluth Police Department's Professional Standards Unit has one Lieutenant, two Sergeants, and three Investigators assigned to it. The Professional Standards Unit is responsible for all aspects of the internal investigation process as well as all training, development, recruitment, and hiring for the Duluth Police Department.

The Professional Standards Unit reports to the Deputy Chief of Administration. In regards to the duties of this Unit in conducting internal investigations and department training include, but are not limited to, the following:

- Accept and review all complaints (internal and external)
- Investigate complaints
- Ensure appropriate documentation of all complaints and investigations
- Ensure appropriate disposition of complaints (i.e. coaching, reprimand, suspension)
- Ensure the original complainant is aware of the disposition of the complaint
- Review any DPD vehicle pursuits to determine if they are in compliance with policy and training
- Review Use of Force incidents referred to them by Lieutenants to determine if they are within compliance with DPD policy and training
- Recruit and hire new officers
- Provide new recruit training through our recruit academy
- Oversee Field Training for new recruits
- Provide training for all DPD sworn officers in accordance with MN Police Officers and Training Board (P.O.S.T.) requirements and consistent with local, state, and federal legislation

[DPD Policy Manual](#)

Character-Based Hiring

To become a Duluth Police Officer, you must be a U.S. Citizen, have a valid driver's license, and be a currently licensed police officer with Minnesota P.O.S.T. Board or are eligible for licensing.

Candidates go through a comprehensive hiring process to ensure we are hiring the best officers to protect and serve our residents. Below is the hiring process:

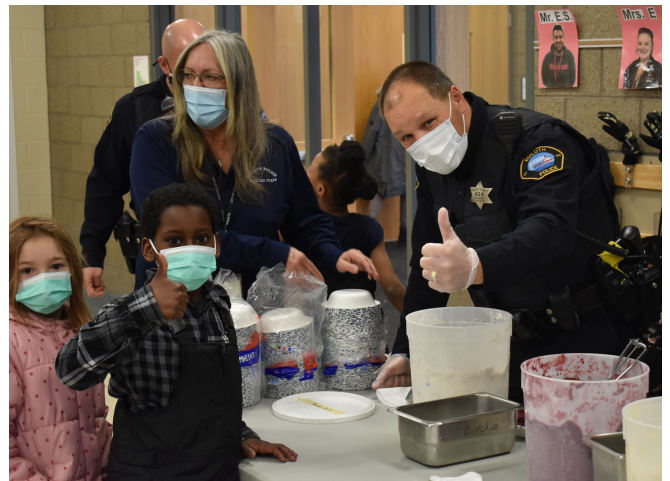
- Oral Board Exam
- Chief's Interview
- Background Investigation
- Background Interview
- Medical, Physical, and Psychological Testing

After receiving an offer to become an officer, the Duluth Police Department puts each employee through the Duluth Police Department Recruit Academy. (Topics in the Academy are on pages 8 and 9.)

Upon completion of the Duluth Police Department's Academy, probationary officers will start the Field Training Officer Program (FTO). The Duluth Police Department's FTO program puts officers in real-life policing scenarios. They'll be paired with a field training officer who'll be with them for 16 weeks, spending four weeks in each phase of the four-phase program. FTO gives probationary officers experience before beginning solo patrol. During solo patrol, officers will be on probationary status for one year.



During 'I Love to Read Month' in 2019, Officer Angela Robertson helped children in our community pick out books.



School Resource Officer Bill Stauber helped hand out ice cream to students.

"At DPD, we understand that we can train people to be police officers but we cannot train character. When hiring police officers, we seek people who have rich life experiences, who overcome adversity, model resiliency, live integrity, care compassionately, and exude empathy."

-Chief Mike Tusken

Diversity

We strive for diversity in our hiring, understanding that our community wants to see themselves in their police department. We seek people who have a variety of lived experiences, who come together for a common goal of service, and bring with them new ideas and fresh perspectives to better serve the community. With this in mind, we strive to recruit, hire, promote, and retain police officers who are representative of the people in the community we partner with in providing a safe Duluth for all.



Officer James Forsyth engaging with children at the YMCA Preschool in 2019.



Officer Ben Nordskog stopped by at a kids birthday party in 2020. This was one way that the Duluth Police Department engaged with our community during the COVID pandemic.



Officer Ethan Roe and Michael Jambor enjoying coffee with a few children in our community during 'Coffee with a Cop' in 2019.

Below is a breakdown of demographics of the City of Duluth based on 2020 Census data and demographics of sworn staff at DPD. Data gathering of staff at DPD is perceived race.

2020 US Census Population- City of Duluth		2020 DPD Sworn Staff	
86,697		155	
<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>
51.3%	48.7%	12.9%	87%
<u>White</u>	<u>Black or African American</u>	<u>White</u>	<u>Black or African American</u>
89.7%	2.3%	91.61%	3.87%
<u>American Indian & Alaska Native</u>	<u>Asian</u>	<u>Native American</u>	<u>Asian</u>
1.8%	1.6%	1.29%	1.94%
<u>Two or More Races</u>	<u>Hispanic or Latino</u>	<u>Two or More Races</u>	<u>Hispanic or Latino</u>
4.1%	2.3%	Data not collected	1.29%

Training and DPD Recruit Academy

MN P.O.S.T. Board mandates training for police officers in three-year cycles

48 hours of training is mandated by the MN P.O.S.T. Board for licensure every three years

82 hours of training is what each DPD officer receives in mandated trainings every three years

- **Crisis Intervention and Mental Illness Crisis
 - **Conflict Management and Mediation
 - **Implicit Bias, Community Diversity, Cultural Differences
 - **Safer Interactions Between Peace Officers and Persons with Autism
 - ***Use of Force (firearms, less than lethal weapons, defensive tactics)
- (**required every three years and the four trainings combined must total 16 hours)
(***required every year)

Additional required trainings:

- 32 hours of Crisis Intervention Training (95% of sworn officers have completed this training)
- 8 hours of Fair and Impartial Policing, last training was done in 2018, next training is scheduled for Spring 2022
- 10 hours of Emergency Vehicle Operations every five years



Sworn officers train on how to properly perform CPR.



Ten new recruits were sworn in January 2020 as Duluth Police Officers. They are joined with Sergeant Joel Olejnicak from the Professional Standards Unit.

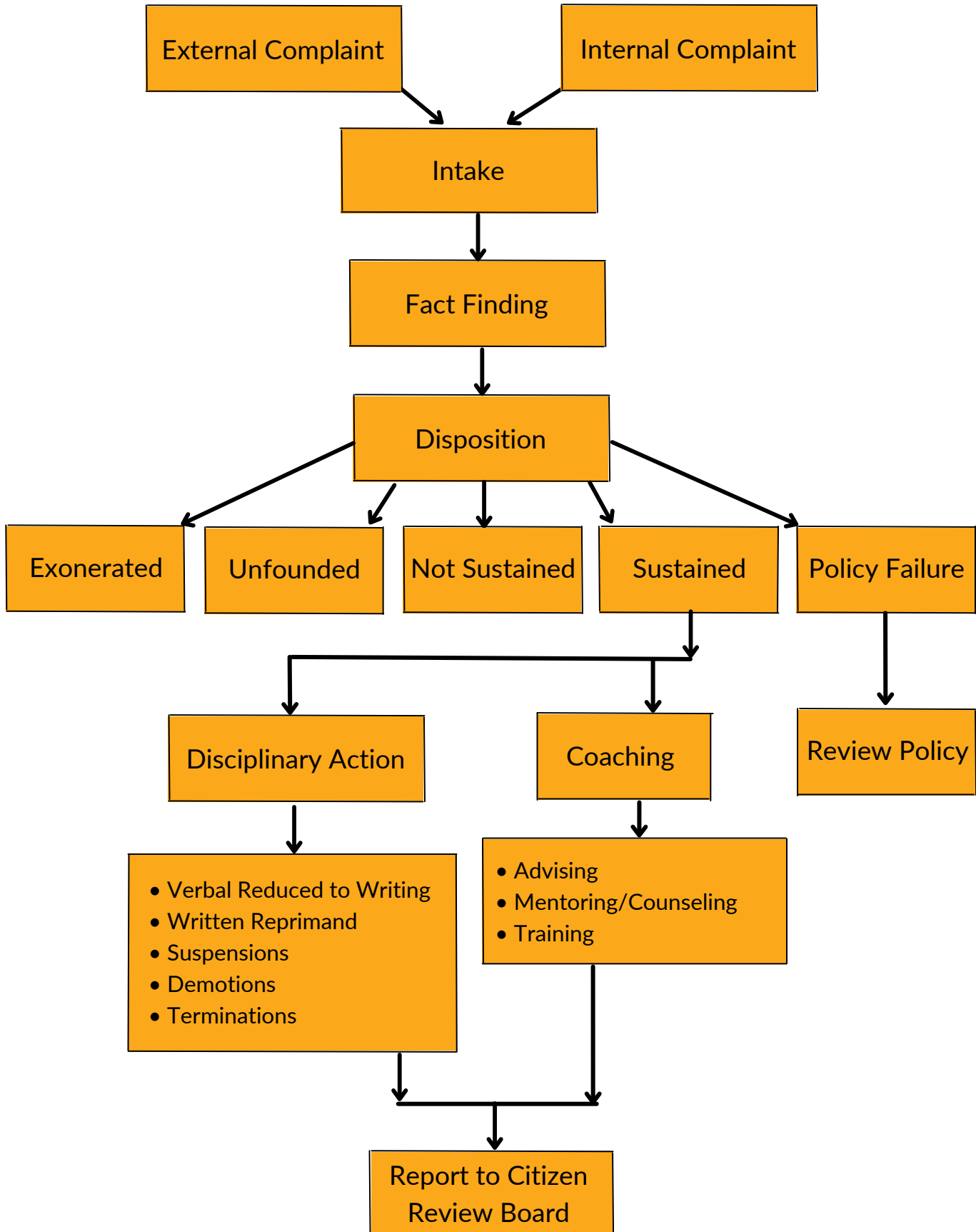
After receiving an offer to become an officer, the Duluth Police Department puts each employee through our academy. There are more than 380 training hours in the academy that cover a variety of topics. Topics include:

- Union Presentation – 3 hours
- Use of Force Lecture – 16 hours
- Firearms Pistol – 25 hours
- Firearms Shotgun – 10 hours
- Firearms Rifle – 20 hours
- Taser – 8 hours

DPD Recruit Academy Topics

- Chemical Aerosol – 4 hours
- Domestic Violence Investigations – 30 hours
- Crime Scene Investigations and Arson Investigations – 8 hours
- Emergency Vehicle Operation and Control Lecture – 8 hours
- Emergency Vehicle Operation and Control Practical – 10 hours
- Verbal Judo Defense and Influence – 24 hours
- Lake Superior Drug and Violent Crime Task Force – 4 hours
- Report Writing – 8 hours
- Radar/Lidar – 4 hours
- Traffic Stops Lecture – 4 hours
- Traffic Stops Practical – 16 hours
- Search and Seizure – 4 hours
- Armor Training (800 Mhz) – 2 hours
- In-Custody Line of Duty Deaths – 4 hours
- Crash Investigations – 12 hours
- Juvenile, Missing Persons, Arrowhead Juvenile Center, Trafficking – 4 hours
- Sexual Assault, Child Abuse and Neglect Unit (SCAN). Includes Program for Aid to Victims of Sexual Assault, First Witness, Initial Intervention Unit – 12 hours
- First Aid, CPR, AED's – 4 hours
- Financial and Property Crimes – 4 hours
- Computer Forensics and Electronic Evidence – 3 hours
- Community Policing – 4 hours
- K9 Presentation – 8 hours
- Interview and Interrogation – 4 hours
- Combat, Arrest, and Control – 40 hours
- Below 100 (Focus on how safe speeds and seatbelt use save police lives) – 2 hours
- Scenarios - 40 hours
- Building Searches – 8 hours
- Violent Crimes Unit/Death Investigation – 8 hours
- Active Shooter – 4 hours
- Geography – 4 hours
- Death Notifications & Chaplains – 4 hours
- Jail Tour – 3 hours
- Standard Field Sobriety Test and Drugs that Impair – 23 hours
- Occupant Protection Usage and Equipment – 2 hours
- Police Ethics – 4 hours
- Human Resources and Benefits – 2.5 hours
- Field Training Officer Program, Manual, and Reports – 3 hours
- Field Training Officer Program Perspective (previous recruits) – 1 hour
- Crisis Intervention and Mental Illness Crisis – 32 hours
- Conflict Management and Mediation – 4 hours
- Implicit Bias, Community Diversity, Cultural Differences - 4 hours
- City of Duluth New Employee Orientation – 2.5 hours
- Swearing-In Ceremony – 4 hours
- Chief's Presentation Regarding our Mission and Expectations – 2 hours

Complaint Process



Complaint Process Summary

Complaints about DPD personnel can be submitted in person, in writing, over the phone, or online. Once a complaint is received, it is entered into an electronic tracking/monitoring software program and forwarded to the Professional Standards Unit (PSU) for review. The PSU will review the circumstances surrounding the complaint and investigate each incident determining the facts related to the allegation using reports, body camera, squad car camera, or any other applicable video footage, as well as interviews with any relevant witnesses. At the conclusion of this process, the assigned investigator will make a preliminary determination on the complaint. The possible outcomes for any complaint are as follows:

Exonerated: The allegation is true but was consistent with Duluth Police Department policy

Unfounded: The allegation is false or not factual

Not Sustained: There is insufficient evidence to prove or disprove the allegation

Sustained: The allegation is supported by sufficient evidence

Policy Failure: The action is not a violation of policy, but the policy is not adequate

The investigator's preliminary determination will first be reviewed by the employee's chain of command to include their Lieutenant, Deputy Chief, and ultimately the Chief. Disciplinary actions taken should be accompanied by appropriate training. The following is a list of dispositions that can be given following a complaint investigation:

Advising: Unit leaders have the responsibility and/or authority to immediately correct improper behavior by verbally informing the employee and explaining expectations.

Coaching/Counseling: Unit leaders have the responsibility and/or authority to counsel an employee when a more serious or ongoing performance problem is encountered.

Training: Unit leaders have the responsibility and/or authority to recommend and arrange training through the PSU to correct more serious or ongoing employee performance problems.

Verbal Reduced to Writing: Unit leaders have the responsibility and/or authority to issue a verbal reprimand reduced to writing, for a more serious breach of conduct, or after counseling and training have failed to correct performance of behavioral problem.

Written Reprimand: Lieutenants have the responsibility and/or authority to recommend a written reprimand for a serious breach of conduct after counseling, training, or verbal reprimand have failed to correct performance or behavioral problems.

Suspensions*: Lieutenants and above have the right to suspend employees for up to 240 working hours (aggregated during one calendar year, Police Contract Section 34.2) for serious breaches or when other actions have failed.

Demotions*: The Deputy Chiefs and Chief have the ability to demote employees if warranted.

Terminations*: The Chief or the appointing authority has the ability to terminate employees if warranted.

Citizen Review Board: Report to the Board the findings and disposition. Discussion about policy, training, and expectations.

At the conclusion of an external-generated complaint investigation, the Duluth Police Department will reach out to the community member who brought the complaint forward to advise them of the disposition. This process allows a complainant to view body camera video if applicable and discuss the facts of the complaint and the reasoning behind the disposition. This investigative process is governed by DPD's Internal Investigations Policy 1004.

*In accordance with Civil Service Rules, labor contracts, Veteran's Preference Act, and current case law.

Technology, Transparency, and Accountability

DPD continues to be on the cutting edge of technology. The use of technology helps the Duluth Police Department with our effort of being transparent and holding everyone accountable for their actions. Adopting new technologies and equipping our officers with the newest equipment is important, as it not only keeps our officers safe, but also helps the community as well. New equipment and technology adopted by DPD include Body Worn Cameras, Interview Room Cameras, Squad Dash Cameras, Rear Squad Cameras, and IAPro Blue Team. DPD complies with Minnesota Data Practice laws for the release of any data.

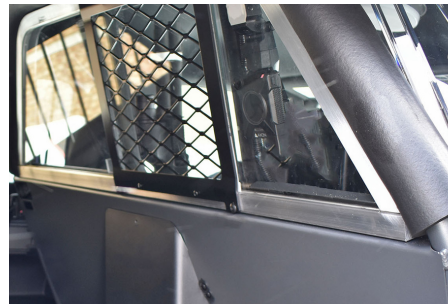
Body Worn Cameras: Every sworn member at DPD is issued an Axon Body Worn Camera. This camera is activated whenever an officer has contact with an individual during a call for service. Recordings start 30 seconds before initiating the camera.



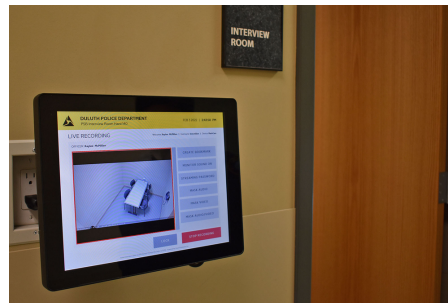
Dash Cameras: All squad cars have a camera that automatically starts recording when the lights are initiated or when an officer activates it. Recordings start one minute before initiating the camera.



Rear Squad Cameras: All squad cars have a camera that starts recording once an individual is being transported or the back doors of the squad car are open.



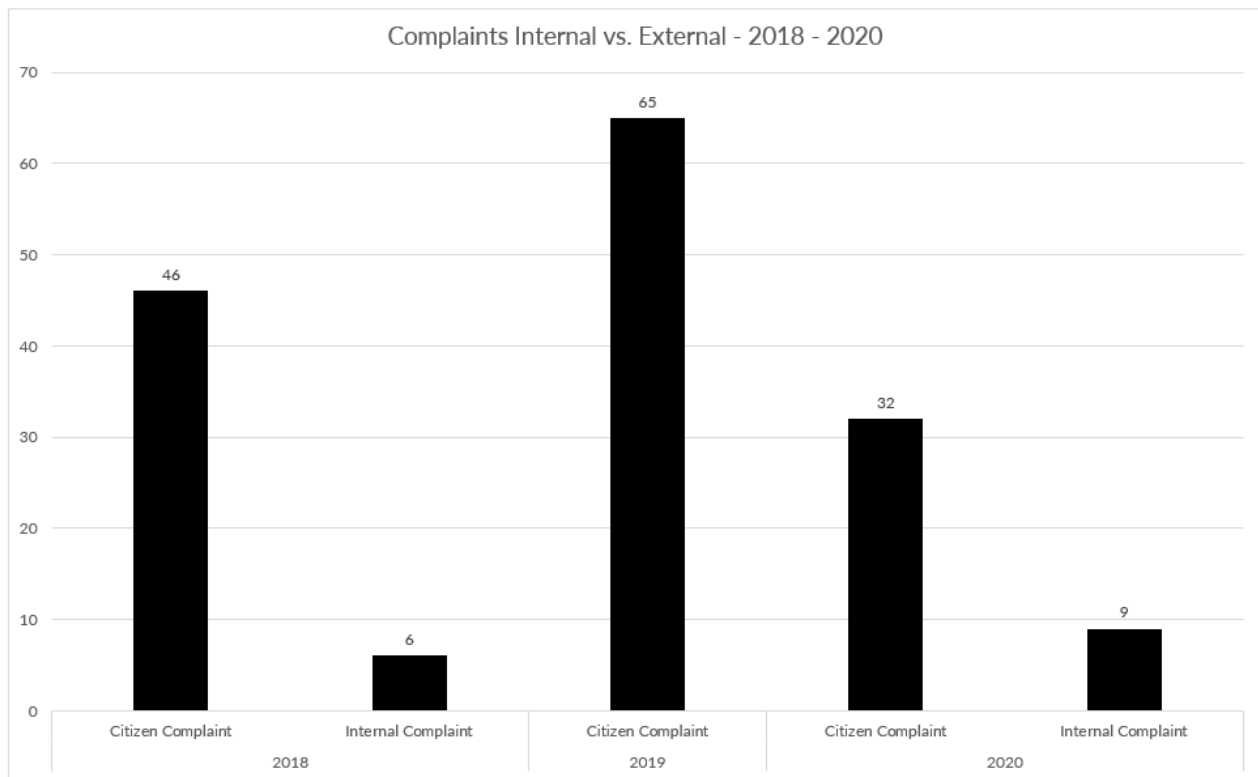
Interview Room Cameras: Interview rooms within DPD are equipped with cameras that display a live recording of the interview room outside the door.



IAPro Blue Team: This is DPD's Early Intervention System which tracks use of force trends and patterns of officers. DPD uses IAPro to track complaints, use of force, firearm discharges, vehicle pursuits, and vehicle crashes. IAPro alerts supervisors to use of force trends with their staff so they can review and address issues immediately, allowing for additional accountability.



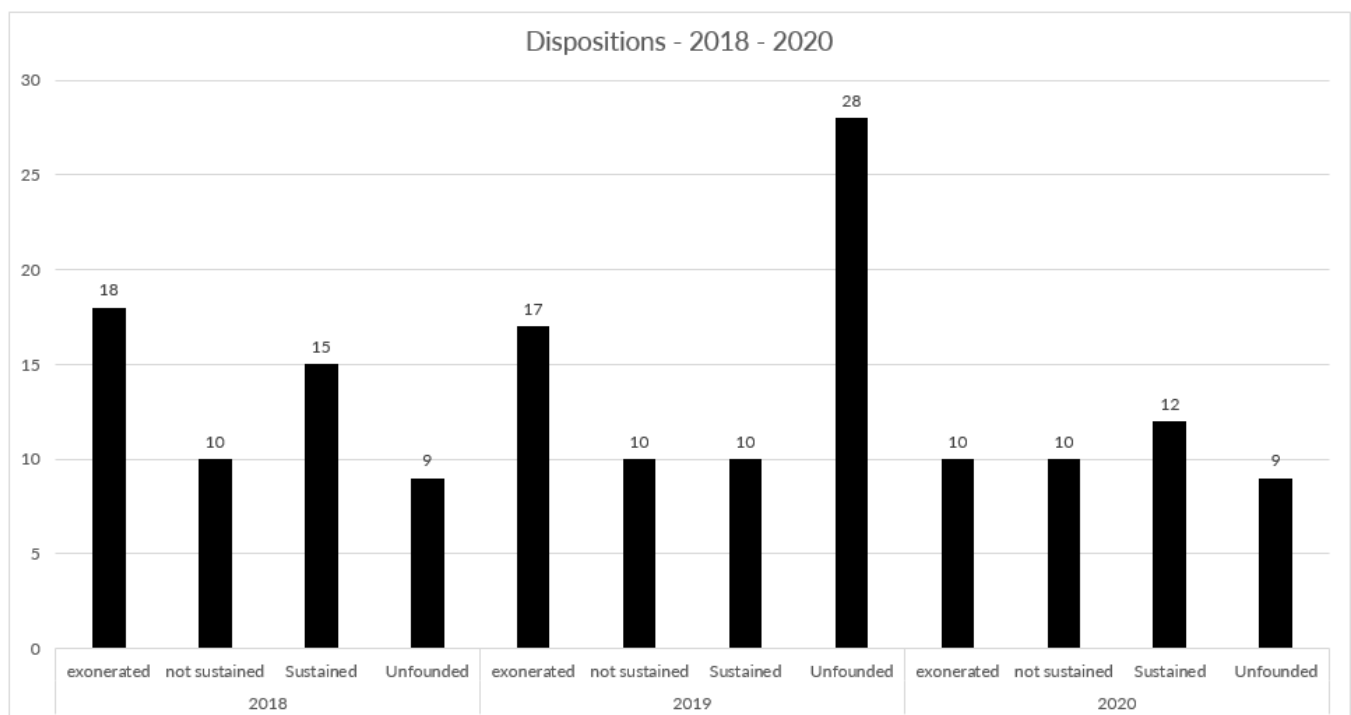
Graphs



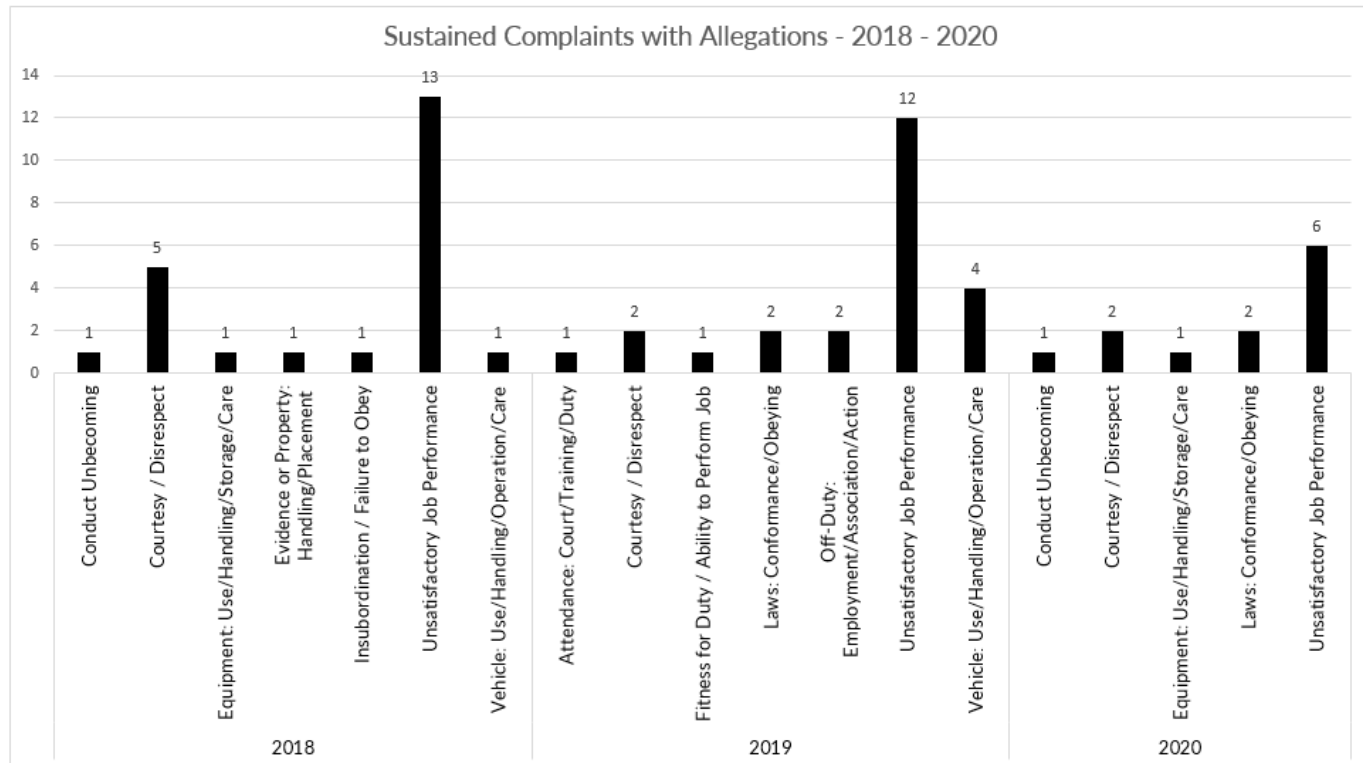
In 2018, DPD received 52 complaints, all 52 complaints were investigated by our Professional Standards Unit. Of the 52 complaints received, 46 were from external sources and six were from internal sources.

In 2019, DPD received 65 complaints, all 65 complaints were investigated by our Professional Standards Unit, and all 65 complaints were from external sources.

In 2020, DPD received 41 complaints. Of the 41 complaints investigated by our Professional Standards Unit, 32 were from external sources and nine were from internal sources.



Graphs Cont.



Keep in mind, a single complaint can have more than one allegation, see below the list of possible allegations:

- Appearance: Uniform/Cleanliness/Proper
- Attendance: Court/Training/Duty
- Conduct Unbecoming
- Courtesy/Disrespect
- Equipment: Use/Handling/Placement
- Evidence or Property: Handling/Placement
- Fitness for Duty/Ability to Perform Job
- Force: Excessive
- Force: Improper Tactic
- Harassment (Not related to racial profiling or Bias Policing)
- Honesty/False Statement/Swearing
- Insubordination/Failure to Obey
- Off-Duty: Employment/Association/Action
- Racial Profiling/Bias Policing
- Unsatisfactory Job Performance
- Vehicle: Use/Handling/Operations/Care



Officer Kaylee McMillen giving a child a toy during the holidays.

Audits and Transparency

The Duluth Police Department engages in a number of regular audits to ensure appropriate compliance with our policies, trainings, and operating procedures, through embracing nationally recognized best practices and established regulatory requirements.

- Property and Evidence
- Lake Superior Drug and Violent Crime Task Force
- Federal and State Grants
- Body Camera Video Data
- Crime Reporting to NIBRS (National Incident-Based Reporting System)
- Complaint Process

"The Duluth Police Department recognizes that our authority comes from our social contract with the community. We must trust and be trusted, and respect and be respected if we are to have and hold partnerships with our community that are necessary to enhancing safety and quality of life. We pledge to be partners with our community in our collective efforts to keep Duluth a safe place to live, work, and play."

-Chief Mike Tusken



Officer Heather Barnes giving a 'Junior Officer' sticker to a child during an event.

The Duluth Police Department is committed to transparency and has begun the practice of reporting our yearly complaints as well as our Use of Force. We have created systems requiring precise and detailed reporting of use of force data for the past four years.

Access to our Policy Manual that details all of our operating procedures can be found on our website.

In 2017, DPD hired an outside consulting firm to help us create a Strategic Plan, 2020 was the wrap-up year for this five-year strategic plan initiative.

In 2019, an Organizational Assessment was completed by an outside contracted consultant. This report provided us with numerous recommendations that would benefit our community, as well our staff, and provide us a road map for the next 5-8 years.

Our Annual Reports are available on our website which summarizes each year in policing.

In September 2021, DPD launched a stop data module to collect the perceived racial demographics of subjects stopped for traffic violations. Following the compilation of this data, DPD will provide this data on our website.

DPD collects use of force data and has reported this to the MN P.O.S.T. Board each year. In 2022, we will provide this data as required by the changes in Minn. Stat. 626.8457. Use of force data will be published annually on our website.

