

Metro Transit Police Department Policy Overview

Metropolitan Council
Committee of the Whole
July 7, 2021

Chief Eddie M. Frizell

Introduction

- **Transit Police Statutory Authority**
- **MTPD Staffing & Diversity Report, Calls for Service, and Overview**
- **About the MTPD's Policy Manual: What is Lexipol & How is Policy Made?**
- **Understanding the Reasonableness Standard**
- **Use of Force:**
 - **Deadly & Non-Deadly Force Statutes**
 - **Reporting, Medical Treatment, and De-escalation/Escalation**
 - **Duty to Intercede**
- **MTPD Policy 306: Handcuffing & Restraints**
- **MTPD Policy 308: Control Devices**
- **MTPD Policy 309: TASERS**

State Statute § 473.407 establishes the Metro Transit Police Department

Subd 1: “The council may appoint peace officers...to police its transit property and routes, to carry out investigations, and to make arrests.”

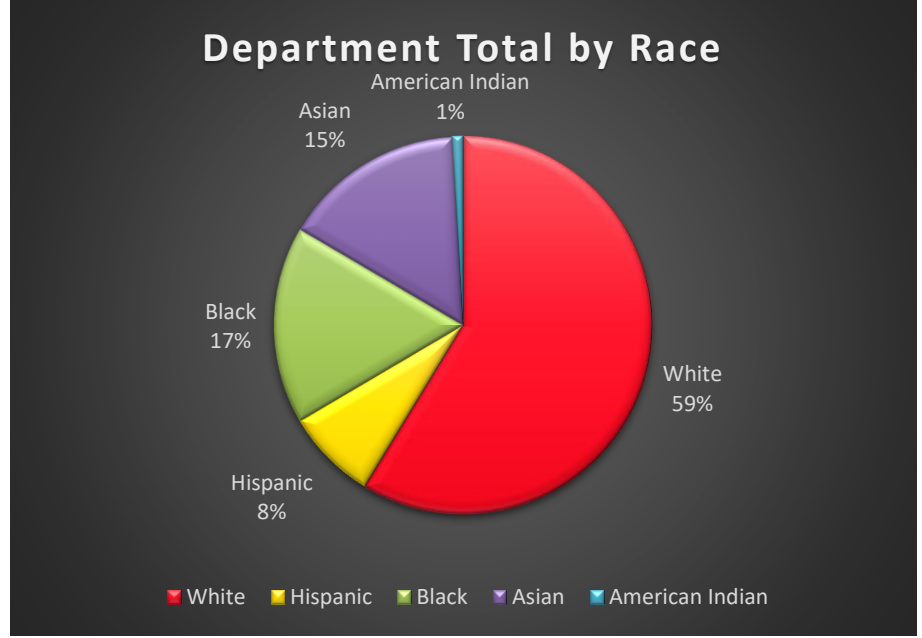
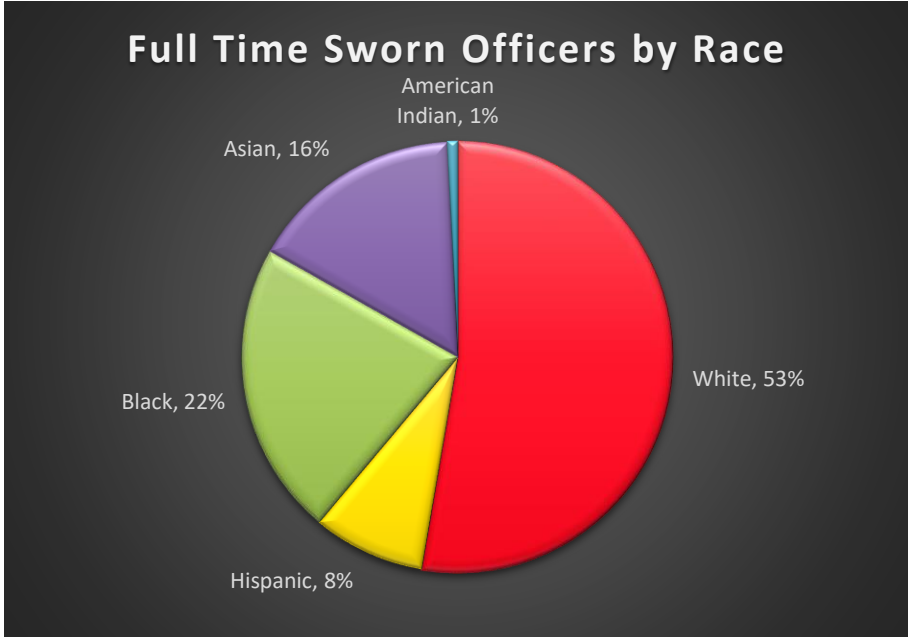
- MTPD can also “exercise general...authority to assist any law enforcement agency”

Subd 4: “The regional administrator shall appoint a [full time] peace officer...[who] is responsible for the management of [MTPD].”

- Chief can hire, discipline, and discharge transit police personnel



MTPD: DIVERSITY by RACE



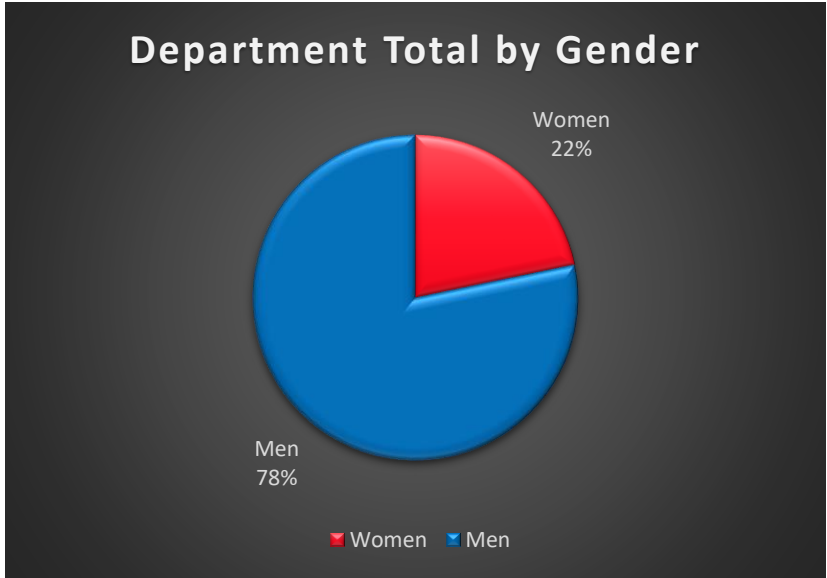
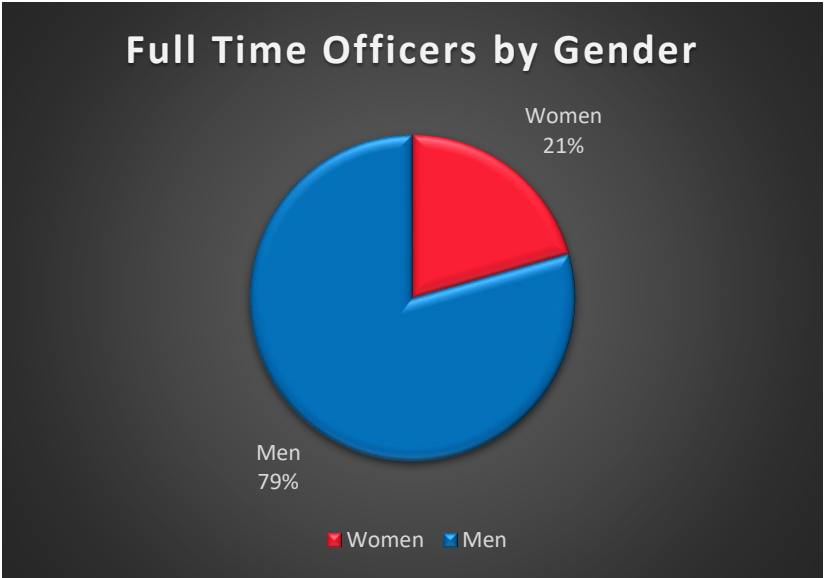
Officer POC: 47.3% (62 of 131)

Total POC: 41.3% (95 of 230)

Met Council POC: 35.5%
Metro Transit: 41.5%
Metro Transit non-operator: 29.9%

Met Council/MT data source:
<https://metcmn.sharepoint.com/sites/HumanResources/Previous%20Service%20Review%20Reports/Council%20Workforce%20Data%20-%20YE%202020.pdf>

MTPD: DIVERSITY by GENDER



FT Female Officers: 20.6% (27 of 131)
Statewide: 12% of POST licenses are held by women

Female Total: 21.8% (50 of 230)

Met Council/MT data source:
<https://metcmn.sharepoint.com/sites/HumanResources/Previous%20Service%20Review%20Reports/Council%20Workforce%20Data%20-%20YE%202020.pdf>

Met Council Female: 25%
Metro Transit female non-operators: 20.4%



Calls for service from the public: 23,737

Total Calls for service (all sources): 39,648

TOP 5 FROM THE PUBLIC

Disorderly Conduct	3,651
Prohibited Acts	2,908
Check Welfare	2,389
Medical	1,709
Sleep	1,193

CALLS FROM OPERATORS/TRANSIT STAFF

Mask Compliance	2,151
Police Service Request	1,392
Silent/Panic Alarm	124
Operator Assault	40

OFFICER-GENERATED

Directed Patrol	2,318
Facility Checks	2,203
Mask Checks	1,340
HAT	1,242

We are dedicated to:

- Focusing on diversity hiring that reflects our customer base
- Caring for the vulnerable
- Ensuring safety and security for all

Agencies work to transport homeless populations to shelter as threat of COVID-19 intensifies

Metro Transit police work to help the homeless during extreme weather

Metro Transit police use Somali language lessons to break down barriers

Metro Transit police welcome new, diverse class

Coronavirus In Minnesota: Metro Transit Police Adjust Safety Protocols During COVID-19

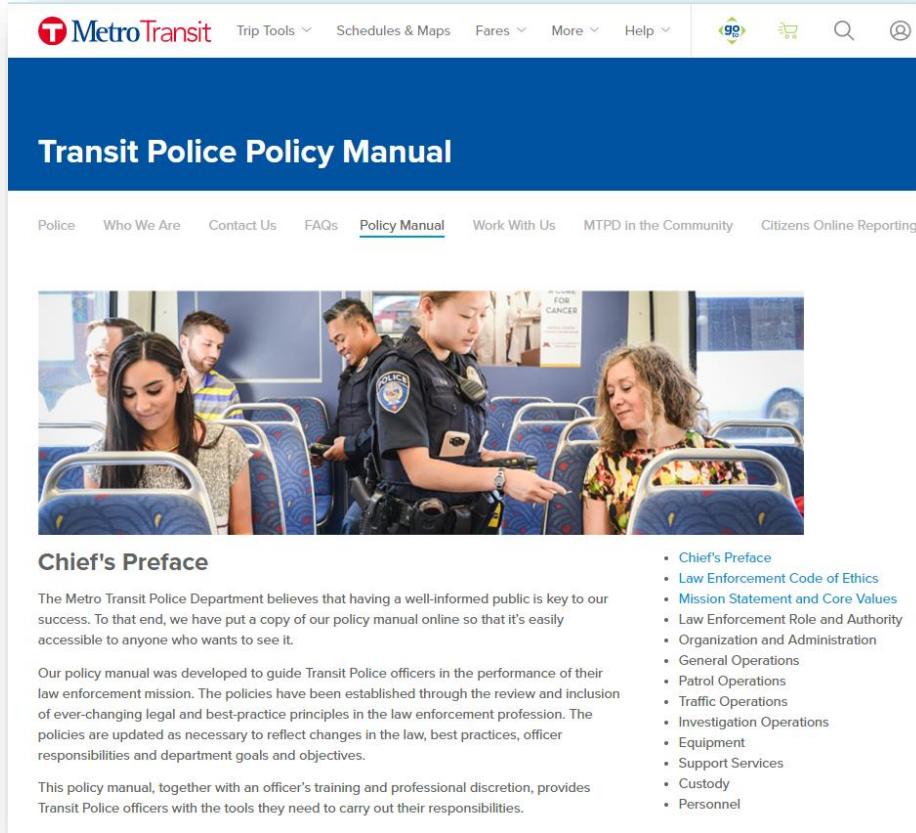
- MTPD conducts very few traffic stops
- MTPD does not execute no-knock warrants
- MTPD K9s are not used for apprehension
- MTPD does not have holding cells

Police K-9 attack costs Aurora \$80,000

Atlantic City man dies in police holding cell

Minnesota Police Shoot, Kill Man After Traffic Stop Incident

Breonna Taylor's death: A push to limit no-knock warrants



The screenshot shows the Metro Transit website's navigation bar with links for Trip Tools, Schedules & Maps, Fares, More, and Help. The main header reads "Transit Police Policy Manual". Below the header is a navigation menu with "Policy Manual" highlighted. A large image shows a police officer interacting with passengers on a train. Below the image is the "Chief's Preface" section, which includes a paragraph about the manual's purpose and a bulleted list of manual sections.

Chief's Preface

The Metro Transit Police Department believes that having a well-informed public is key to our success. To that end, we have put a copy of our policy manual online so that it's easily accessible to anyone who wants to see it.

Our policy manual was developed to guide Transit Police officers in the performance of their law enforcement mission. The policies have been established through the review and inclusion of ever-changing legal and best-practice principles in the law enforcement profession. The policies are updated as necessary to reflect changes in the law, best practices, officer responsibilities and department goals and objectives.

This policy manual, together with an officer's training and professional discretion, provides Transit Police officers with the tools they need to carry out their responsibilities.

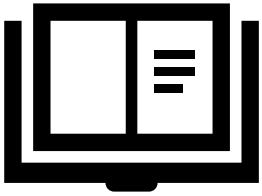
- [Chief's Preface](#)
- [Law Enforcement Code of Ethics](#)
- [Mission Statement and Core Values](#)
- [Law Enforcement Role and Authority](#)
- [Organization and Administration](#)
- [General Operations](#)
- [Patrol Operations](#)
- [Traffic Operations](#)
- [Investigation Operations](#)
- [Equipment](#)
- [Support Services](#)
- [Custody](#)
- [Personnel](#)



Policy manual service that:

- **Offers policy revisions**
- **Adaptable** for our unique transit agency's needs
- **Notifies** officers of policy changes
- **Requires & tracks** employee acknowledgement

The entire police policy manual is posted on the MTPD's public-facing website



Lexipol



Best practices



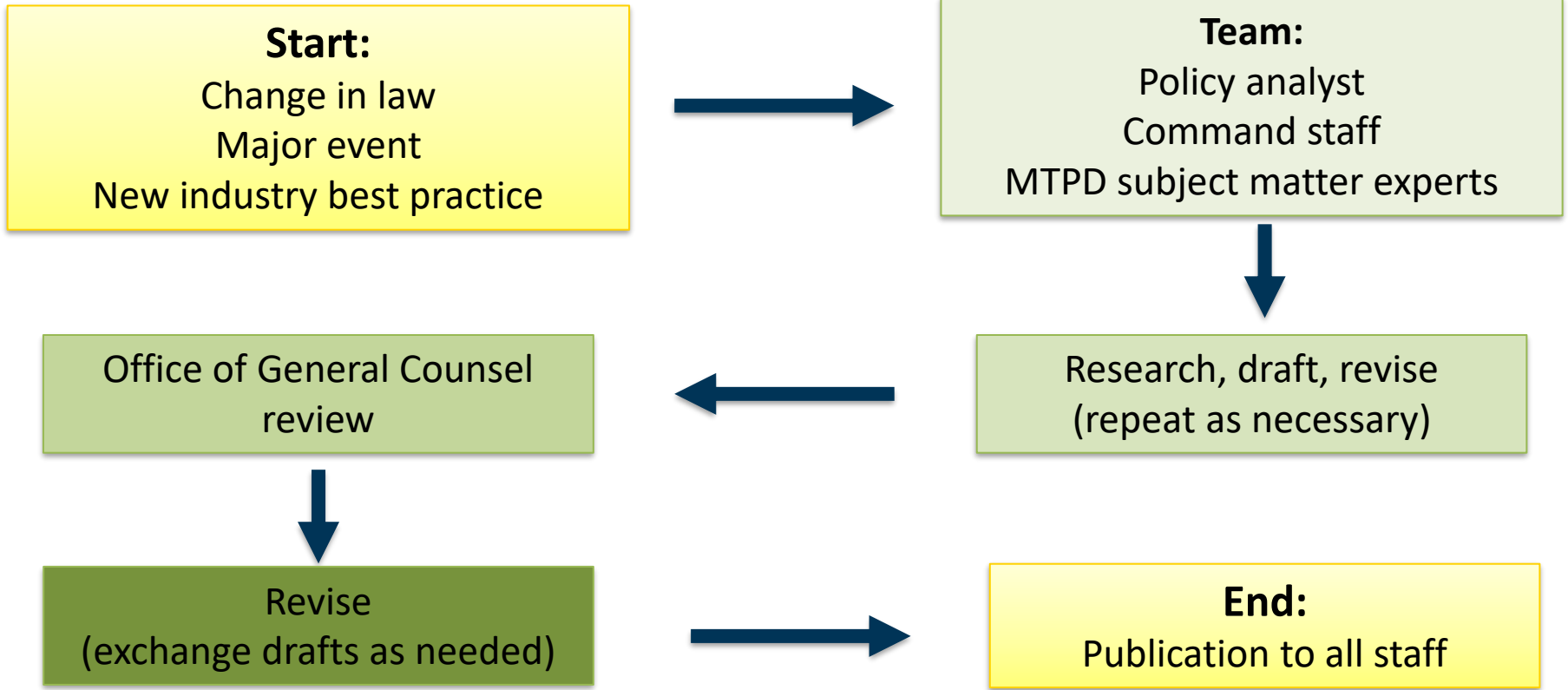
Law or court
precedent*

**Policy may be more restrictive
than law, but not less.*

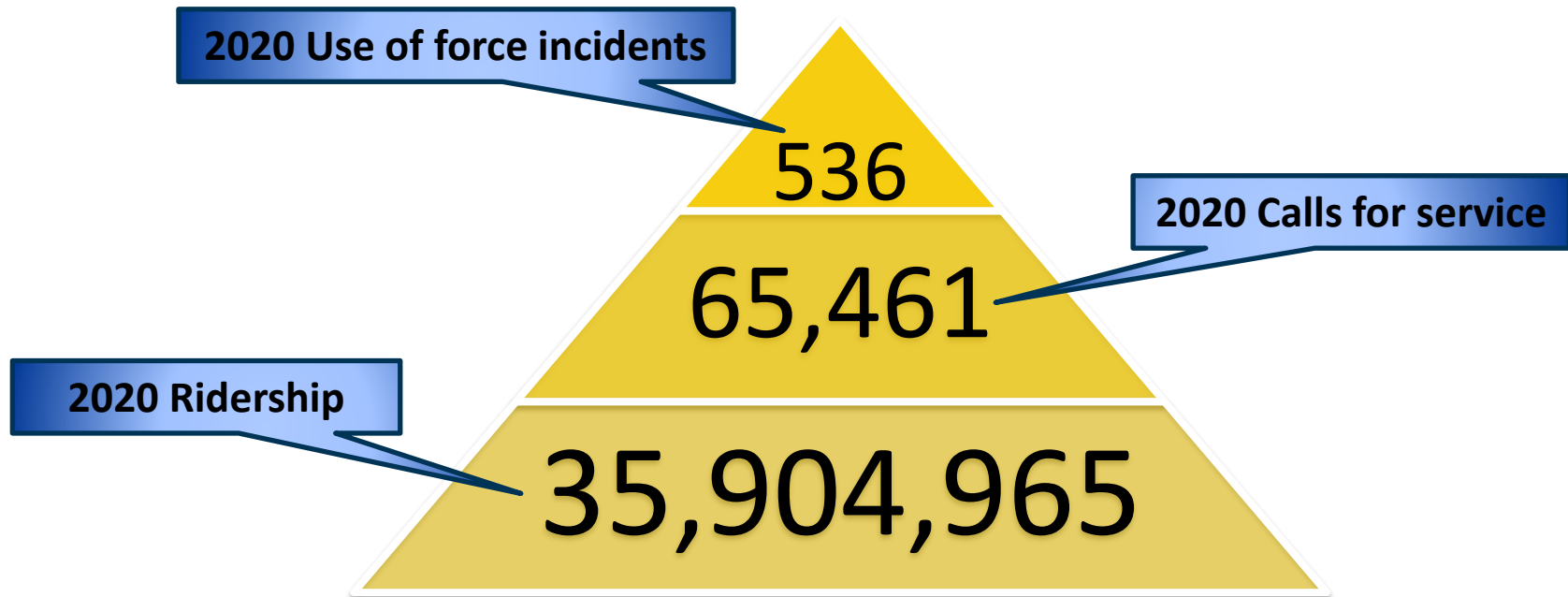


Other police
agencies

HOW MTPD POLICY IS MADE



MTPD USE OF FORCE OVERVIEW



In 2020, 0.8% of all police incidents resulted in force being used

U.S Supreme Court: *Graham v. Connor*

CHARLOTTE, NORTH CAROLINA

NOVEMBER 1984

- Officer Connor stopped Mr. Graham after he became suspicious that Graham may have committed a crime at a convenience store.
- During the encounter, Mr. Graham suffered multiple injuries but was ultimately released when Officer Connor learned that nothing had happened at the convenience store.
- **Mr. Graham filed a lawsuit for excessive force, which made its way to the U.S. Supreme Court on February 21, 1989.**

U.S. Supreme Court: *Graham v. Connor*

MAJORITY DECISION

(Delivered by Chief Justice Rehnquist and joined by Justices White, Stevens, O'Connor, Scalia, & Kennedy)

Justices used the U.S. Constitution's Fourth Amendment regarding "unreasonable search and seizure" as the premise:

"The 'reasonableness' of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight..."

FOURTH AMENDMENT:

The right of the people to be secure in their persons, houses, papers, and effects, against **unreasonable searches and seizures**, shall not be violated, and 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.

Officers may use non-deadly force under the following circumstances:

- **While arresting a person**
- **Execution of legal process**
- **Enforcing a court order**
- **While carrying out any other duty imposed by law**



Unless deadly force is the only option, officers may not:

Use choke holds

Use “hog-tie”-type restraints

Transport someone face down

Standard: What would an objectively reasonable officer believe, based on the totality of the circumstances known to the officer at the time and without the benefit of hindsight?



Deadly force can only be used to protect a person or an officer from death or great bodily harm.

The threat must be expressed clearly, must be imminent, and could happen if the officer did nothing.



Must be documented promptly and accurately.

Must include the circumstances perceived and why it was reasonable.

Supervisors review all reports.

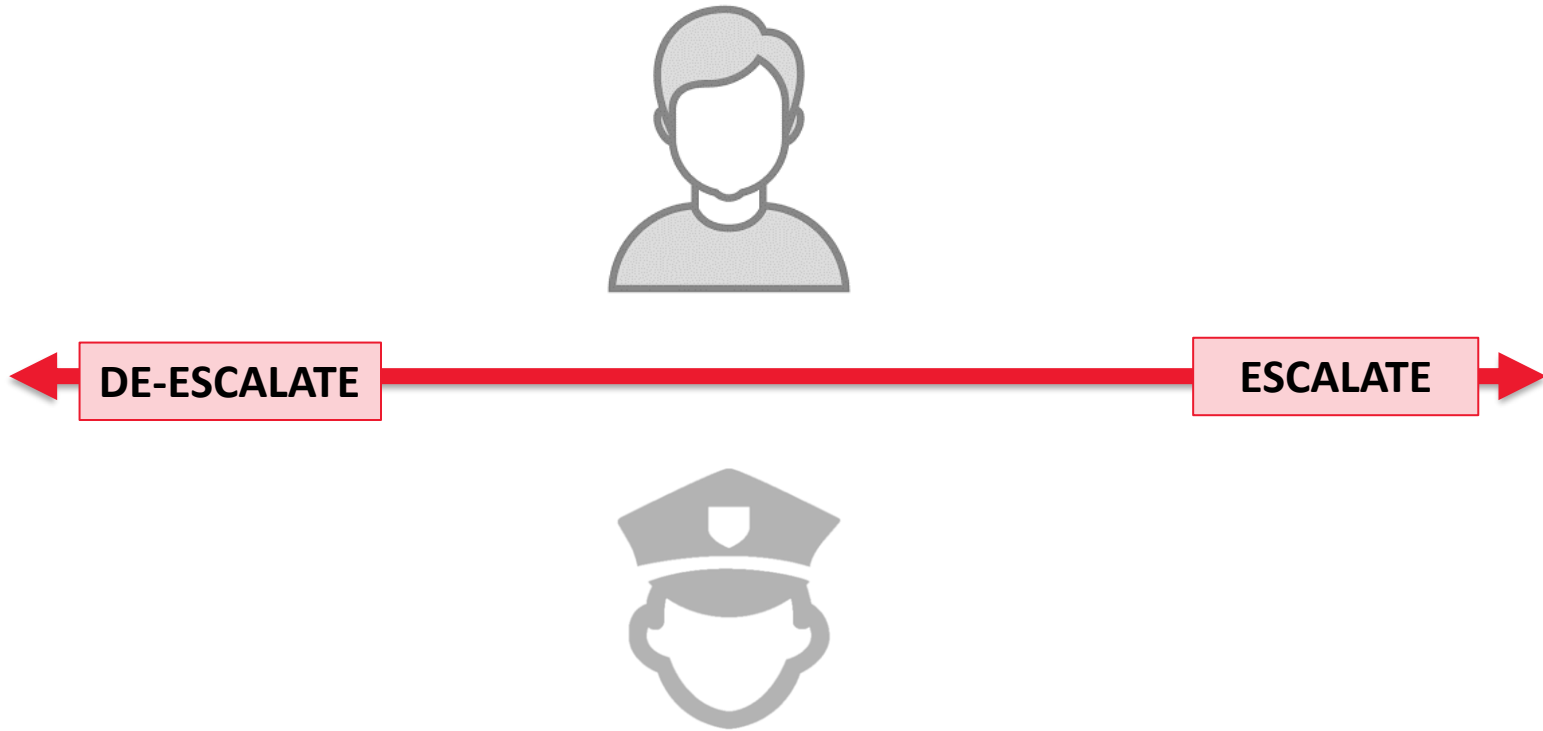
Officers should always evaluate the person's health condition upon using force.



Request medical assistance if requested or if needed

Watch for symptoms of physical distress

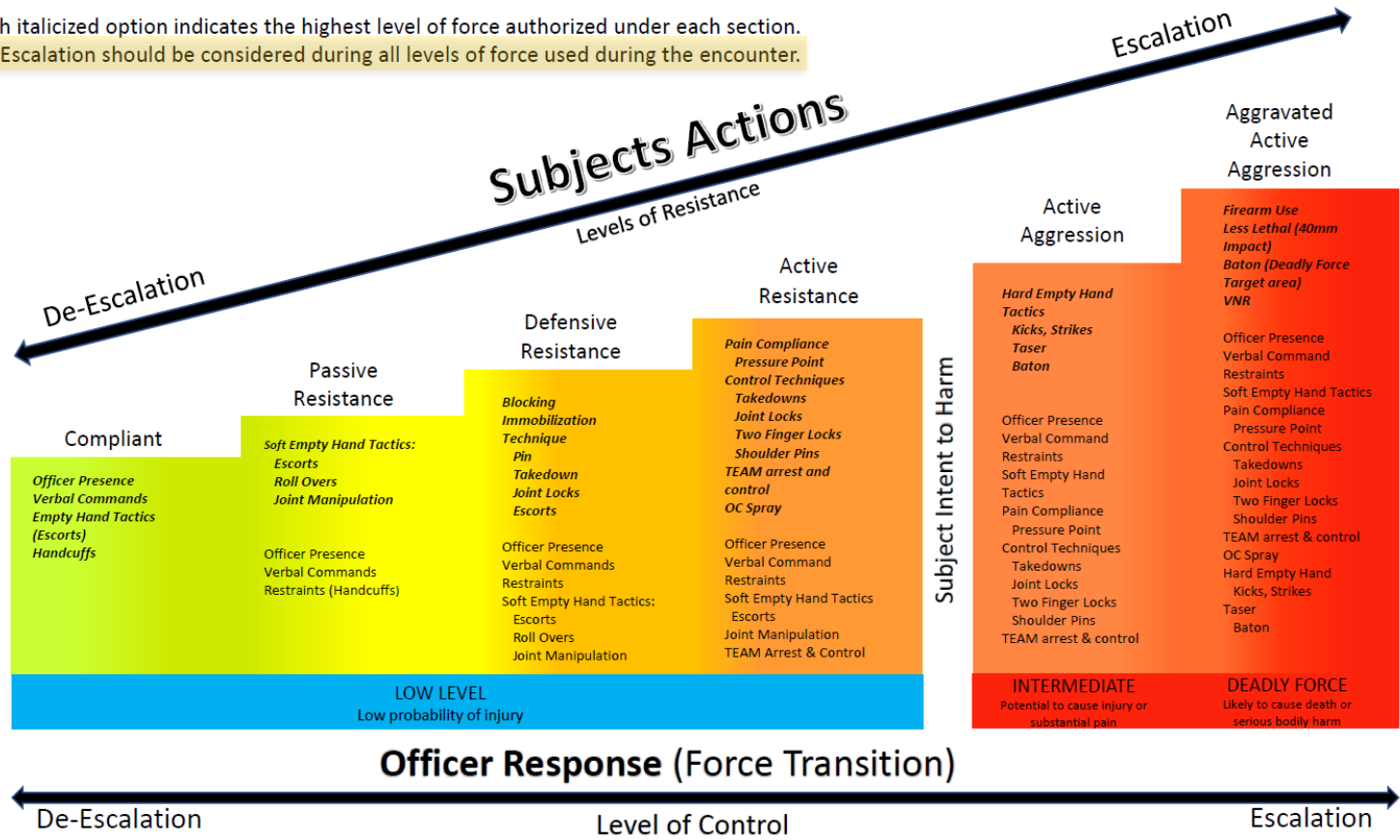
Recognize potential issues related to special populations (juveniles, pregnant women, etc.)



USE OF FORCE CONTINUUM



Each italicized option indicates the highest level of force authorized under each section.
 De-Escalation should be considered during all levels of force used during the encounter.



Duty to Intercede



Minn. Stat. § 626.8452 and 626.8475 require officers to:

- Intercede
- Prevent when possible
- Report

MTPD policy requires this report to be made in writing to the Chief of Police within 24 hours.

TYPES OF RESTRAINTS

Handcuffs (metal or plastic)

Leg restraints

Spit guards

CONSIDERATIONS

Age

Health (inc. pregnancy)

Disability

DEFINITIONS

Baton (wooden or expandable)

OC spray (“mace”)

Chemical irritant

Less-lethal impact rounds

SAFEGUARDS

Verbal warnings when possible

Consider distance between officer and subject(s)

Avoid head, neck, throat, spine, heart, kidneys, and groin

AUTHORIZATION TO CARRY

Trained and certified

Re-certification every two years

Approved holster and carried on “weak” side

USAGE

Warning and display

Length of application

Medical treatment if needed

Reporting & data downloading