

# The Scott County Sheriff's Office



## Community Information

**Analysis of Policies,  
Procedures, and Training**

September 2020



# Overview

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## Introduction

The Scott County Sheriff's Office (SCSO) recognizes the vital importance of trust between us and the community, which serves as the foundation of law enforcement legitimacy and authority. We value the partnerships, communication, and collaborative efforts with every member of our community in the furtherance of our public safety mission.

On Monday, May 25, 2020, George Floyd's life tragically ended in a horrific manner. Since this time, a nationwide conversation has renewed regarding policing; specifically focusing on law enforcement operations, training, policy, and other topics. This conversation has called for significant law enforcement reform and emphasized the need for detailed analysis of law enforcement training and procedures.

More important today than ever before, law enforcement agencies must engage with their communities and work collaboratively to review existing procedures and policies. The Scott County Sheriff's Office continues to embrace effective communication and working partnerships with everyone in our community. I hope that the community information and analysis contained within this report reiterates our pledge to work alongside our community and identify ways in which we can improve public safety services in our community, while strengthening existing partnerships.

## Objective

Contained within this report is a detailed analysis of select departmental procedures, policies, and training. Areas of focus include:

- ✓ Use of Force policy and training
- ✓ Mobile Video Recorders (squad and body cameras) policy and procedures
- ✓ Citizen Complaint policy and procedures
- ✓ Impartial Policing policy and procedures
- ✓ Sheriff's Office Rules of Conduct policy

Each area of policy focus will include a synopsis of the current policy, along with highlighted strengths of each existing policy. Areas for potential change will also be identified with each existing policy. Addendums will be included to allow for review of each mentioned SCSO policy along with the current Minnesota Peace Officer Standards and Training (POST) model policies, when applicable.

### **Process At-A-Glance:**

This report and ensuing process of community feedback is the first step in our commitment to working with everyone in our county to address concerns and enhancing your understanding of our current operations. This first step will be part of a broader effort that includes:

- ✓ Analyzing current policies and operations
  - Internally
  - Community feedback and involvement
  - State-level discussions & analysis
- ✓ Identify areas for change
  - Internally
  - Based upon community feedback
  - Resource analysis
  - Legislative or POST Board mandates
- ✓ Implement Change
  - Policy & procedure
  - Staff training & resources
  - Community updates
- ✓ On-Going analysis and community partnerships



## Our Mission and Values

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The members of the Scott County Sheriff's Office are proud to serve our community. We are dedicated to building public trust through community partnerships and programs, a high standard of professionalism, and an emphasis on customer service.

We understand that we play a crucial role in fostering a community where everyone feels welcome and safe. We are dedicated to providing quality public safety services to everyone who lives in, works in, or visits our county.

Our Mission and Vision Statements serve as standards that guide how we formulate our decision-making and service models. Our core values establish organizational pillars for staff conduct in all areas of responsibility.

### **Mission Statement:**

Our mission is to protect people, property, and the rights of all; with dignity, honor, courage and integrity.

### **Vision Statement:**

Our focus is on citizen safety and trust; through partnership, community commitment, and service. We will achieve this by means of a professional and dedicated staff, effective leadership, accountability, and providing the highest level of public safety for all.

### **Core Values:**

- ✓ Respect to all
- ✓ Honesty and integrity
- ✓ Accountability in all
- ✓ Courage to perform our duty
- ✓ Willingness to change in response to valid criticism
- ✓ Strong leadership though growth, development and change
- ✓ Professionalism
- ✓ Communication

## Our Goals:

- ✓ Assure community safety and trust
- ✓ Provide excellent service
- ✓ Communicate effectively
- ✓ Prevent crime through teamwork, creativity, and commitment
- ✓ Embrace technological advances
- ✓ Acquire, develop and retain the best people



## Policy: Use of Force

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### Introduction

All law enforcement agencies in the State of Minnesota are required to have a Use of Force policy. These policies are intended to guide departmental expectations and training regarding the lawful use of force and legal justification for uses of force within Minnesota State Statutes. This policy is based on and in compliance with the Minnesota POST Board recommendations and Model Policies.

### Current Policy Strengths

- ✓ Recognizes and respects the value and special integrity of each human life.
- ✓ Deputies shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the deputy at the time of the event to accomplish a legitimate law enforcement purpose.
- ✓ Under no circumstances may any deputy continue to use force (except mere physical restraint) against an individual who has ceased to resist
- ✓ Recognizes shots fired at or from a moving vehicle are rarely effective. A deputy should only discharge a firearm at a moving vehicle when deadly force is authorized.
- ✓ All incidents involving use of force are documented.

- ✓ Established investigative protocols-either internally or by external agency are outlined in our Critical Incident Response and Investigation Policy.
- ✓ Duty to Intercede: "Any deputy present and observing another deputy using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force."
- ✓ Specific ban on any and all chokeholds/neck restraints unless deadly force is authorized

### Potential Areas of Change

- ✓ Although we currently have an internal review process for Use of Force incidents, it is not written in policy.

### Training Information

The SCSO maintains an active training unit that thoroughly and proactively trains deputies on the Use of Force within departmental guidelines and approved by the Minnesota POST Board. Specific to Use of Force training, the following applies:

- ✓ Various less-lethal options exist within the SCSO; to include Taser devices, baton, OC spray, and bean-bag projectiles.
- ✓ De-escalation is a training priority and expectation for use in the field

Ongoing analysis of department training procedures continue, which includes further training with crisis intervention, de-escalation, and other related practices. The SCSO remains committed to continually evaluating current procedures and how improvements can be made whenever feasible.



## Policy: Mobile Video Recorders (squad and body cameras)

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The Scott County Sheriff Office has equipped marked patrol cars with in-squad cameras to provide records of events and assist deputies in the performance of their duties.

The Scott County Sheriff's Office actively uses in-squad cameras and they are deployed into the field. Their primary purpose is to capture evidence arising from police-citizen encounters. The SCSO has a mandated policy regarding deputy use of in-squad cameras, which is based largely on recommended policy/statutory provisions.

We currently have cameras mounted in our squad cars that capture video. Funding for body worn cameras and replacement of our in-squad cameras was requested in 2016, and funding has been approved for implementation in 2021.

### Current Policy Strengths

- ✓ Establishes guidelines for usage by deputies
- ✓ Supervisor access and review of video
- ✓ "Pre-record" feature enabled and stated in policy
- ✓ Data privacy ensured in policy under state law and guidelines
- ✓ Clear language regarding the context of discretionary recording
- ✓ Process for video review by supervisors

### Potential Areas of Change

- ✓ When body worn cameras are implemented:
  - Review deputy discretion to record "medical care" situations
  - Begin biannual external audits per state statute



## Policy: Citizen Complaints

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An active policy exists within the Scott County Sheriff's Office that establishes procedures and protocols for when a citizen complaint is filed with the agency. Anyone wishing to bring a complaint against an employee of the agency will be provided a citizen complaint form. In the event a complainant wishes to remain anonymous or refuses to complete a form and the information is deemed credible, the Sheriff or designee may serve as the complainant. After a complaint is received, an internal investigation is initiated. The scope and nature of this investigation will vary based upon the nature of the complaint. For instances requiring a formal investigation,

determination will be made based upon the nature of the complaint and known facts available whether an investigation will be conducted internally or by an external entity. Some possible factors in this decision making may include whether the complaint may allege criminal acts, nature of the allegations, rank and position of the accused member, and/or other factors. Based upon the results of the investigation, a complaint can be deemed as exonerated, not sustained, or sustained. Regarding complaints resulting in formal discipline, the Sheriff or designee will produce a written Findings of Fact and necessary action will be taken, as deemed appropriate by a totality of the circumstances.

### **Current Policy Strengths**

- ✓ Policy establishes clear procedures for processing and responding to complaints
- ✓ Mechanism in place to allow for interagency complaints in absence of an external complainant
- ✓ Complaint should be handled in a prompt and just manner
- ✓ Details assignment of an investigator when applicable-either internally or externally
- ✓ Follows rules and guidelines of Due Process for alleged employee misconduct

### **Potential Areas of Change**

- ✓ Re-draft policy to include classification system for all complaint forms received with corresponding procedures for investigating each type of complaint classification
- ✓ Assess possible state-level changes to reporting of complaints against deputies and implement as applicable
- ✓ Formalize internal annual review of all complaints received

### **Citizen Complaints: Additional Information**

#### *Filing a citizen complaint*

Information on how to file a citizen complaint is available on the Scott County Sheriff's Office website

#### *How do we handle discipline within our agency?*

In terms of the imposition of discipline, it is truly situational based upon whatever misconduct or problem is being faced. If the concerns rise to the level of misconduct or something criminal, a formal process would be followed. This may include an internal investigation, due process requirements, deputy legal representation, and an imposition of discipline once the findings of an internal

investigation have concluded. In the instance of a criminal investigation regarding deputy conduct, such a case would be given to another law enforcement agency. A separate internal investigation could either occur concurrently or after the conclusion of a criminal investigation and truly depends on the specific situation. For lesser policy violations or acts (such as showing up late for work, squad car accidents, etc.), a less formal process would ensue that would focus upon corrective action, coaching, and/or mentoring designed to prevent similar acts in the future.

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## **Policy: Impartial Policing**

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Our agency expects its members to engage in their duties without any bias towards one's race, disability, gender, sexual orientation, religion, or other protected status. Sheriff's deputies are expected to respect and uphold the Constitutional expectation that everyone have equal protection under the law. Our agency condemns and prohibits any racial, ethnic, or other form of profiling that is intended to specifically limit or violate one's Constitutional Rights.

### **Current Policy Strengths**

- ✓ This policy is based on and in compliance with the Minnesota POST Board recommendations and Model Policies.

### **Impartial Policing: Additional Information**

#### *Do we use profiling in Scott County?*

The short and concise answer is no, which reflects modern law enforcement practices and mandated state-level policies prohibiting such practices. Furthermore, profiling on the part of law enforcement entities is destructive to community-law enforcement collaboration and outreach, which is a pillar of SCSO priorities.

#### *How do we prevent individual deputies from engaging in profiling?*

To ensure that individual deputies do not engage in profiling-type activity, it is important to note a multi-faceted approach. At a fundamental level, agency culture is a significant contributing factor when profiling activity is embodied

within an organization. The culture of the SCSO does not reflect these practices at any level in the organization and the staff remain dedicated to fair, impartial, and customer-driven public safety services. Specific care during preemployment regarding interview processes, employee backgrounds, and field training are also significant components to ensure the right candidates are brought into our organization. Some pre-indicators may exist in the background or psychological evaluation that may signal a preponderance that such behavior is likely from a candidate. Additionally, it is important to note that responsible supervision, training, and review of deputy performance is also critical at ensuring isolated acts of profiling are not occurring. Successful and comprehensive efforts in each of these areas is a priority of our command staff and occur on an on-going basis.

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## **Policy: Conduct**

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The Scott County Sheriff's Office is governed by an internal Conduct policy, which establishes standards of conduct that are consistent with the values and mission of the agency and are expected of its members. Any disciplinary actions against deputies arising from violations of this policy shall be investigated in accordance with state law and other procedural requirements.

### **Conduct Policy At-a-Glance: Examples of Conduct violations:**

- ✓ Unreasonable and unwarranted violence to a person encountered or person under arrest.
- ✓ Any on- or off-duty conduct that any employee knows or reasonably should know is unbecoming a member of the Office or that is contrary to good order, efficiency or morale, disgraceful or that tends to reflect unfavorably upon the Office or its members.
- ✓ Failure of any employee to promptly and fully report activities on his/her part or the part of any other employee where such activities may result in criminal prosecution or discipline.
- ✓ Discriminate against, oppress or provide favoritism to any person because of age, race, color, creed, religion, sex, sexual orientation, national origin, ancestry, marital status, physical or mental disability or medical condition or intentionally deny or impede another in the exercise or enjoyment of any right, privilege, power or immunity, knowing the conduct is unlawful.

- ✓ The falsification of any work-related records, the making of misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any Office record, public record, book, paper document (Minn. Stat. § 609.43 (4)).
- ✓ Failure to take reasonable action while on-duty and when required by law, statute, resolution or approved Office practices or procedures.
- ✓ Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

Email written feedback & questions to:

[lhennen@co.scott.mn.us](mailto:lhennen@co.scott.mn.us)

Scott County Sheriff's Office Community Conversation

Time/Date TBD

Location TBD

Visit <https://www.scottcountymn.gov/> and our Facebook page  
for future meeting updates