

WORK PRODUCT: PRIVILEGED AND CONFIDENTIAL

To: Thomas Plunkett

From: Susan Johnson

Date: October 28, 2020

Re: Alex Kueng

Subject: Interview of Sgt. Steve Mosey

Sgt. Steve Mosey
Minneapolis 4th Precinct
Department Phone Number: 612-290-0290

Sgt. Steve Mosey was interviewed at 1811 University Avenue N.E. on October 27, 2020. Those present at the interview were :

Thomas Plunkett, attorney for Alex Kueng;

Earl Gray, attorney for Lane;

Natalie Paule, attorney for Tou Thao; and

Susan Johnson, investigator for Thomas Plunkett.

Sgt. Mosey has almost 34 years of experience as a police officer. He worked in narcotics for four years. He has been on the community response team (CRT) working out of the 4th precinct for the past 18 years. The CRT is a proactive detail that addresses drugs, gangs, and guns. Officers encounter drug dealers on a daily basis. Mosey also has experience as a member of the SWAT team. Mosey explained that working on the north side of Minneapolis, he has had more contacts with people than 95% of Minneapolis

officers. He described himself as having lots of experience and having confidence in his ability to do the job.

Sgt. Mosey discussed his role in the arrest of George Floyd on May 6, 2019 in Minneapolis. He reviewed his own body worn camera. Mosey was working with other officers on the CRT and a narcotics stop had been set up by Officer Yang. Officers Scott Creighton and Alexandra DuBay made the initial traffic stop of the targeted vehicle in which Floyd was the passenger. Sgt. Mosey and Officer Joel Duran who were working together in a squad arrived on the scene shortly after the stop had been initiated.

Creighton was standing next to the passenger door of the vehicle when Mosey arrived. Creighton had his gun out and his voice was raised as he was giving instructions to Floyd. Creighton was telling Floyd to put his hands where they could be seen. At one point, Creighton yelled at Floyd saying “show me your fucking hands” or something very similar. As Mosey approached the vehicle, he yelled at Creighton to holster his gun. Mosey went to the driver’s side door, pulled out his taser and told Floyd that he would tase him unless he followed instructions. Doran and Creighton were able to get Floyd out of the passenger side door and placed him in handcuffs.

Officer DuBay removed the driver from the vehicle without incident before Mosey approached the vehicle. The driver listened to DuBay’s commands, was not resistant and did not pose a threat to the officers. The driver’s behavior was totally different from Floyd’s behavior.

Floyd was sobbing and verbally rambling while in the vehicle and upon his removal. He did not respond to commands and was resistant. Mosey described Floyd as

“almost nuts.” He appeared to be high on drugs or suffering from mental problems. Floyd was swallowing pills as he was being detained. He may have consumed drugs earlier in the day. Floyd asked for his mom. Mosey could not recall if Floyd said he was having trouble breathing.

Mosey has come across drug dealers on a daily basis and in his experience, the type of behavior Floyd presented was not encountered often.

There was a pouch on the passenger’s side of the vehicle that contained a large number of pills as well as a powdery substance thought to be cocaine. Mosey was not sure of the exact number but thought over 200 pills of ecstasy were recovered from Floyd. A user might consume 1 or 2 pills, or if really going for a big high, 5 or 6 pills. Mosey described the number of pills that Floyd had as a dealer’s amount, not a user’s amount. Mosey thought about ½ an ounce of cocaine was recovered from Floyd. He explained that would be a dealer’s amount of cocaine, not a user’s amount.

Mosey was asked about the role of a rookie cop at a scene when a more senior officer is present. Mosey said that in his 34 years of experience, he has never seen a situation where a rookie cop took over a scene from a senior officer. The rookie officer is in a position to learn from more experienced officers while on the job. The rookie officer will learn different techniques and approaches from the more senior officers. Officers with 5 to 10 years on the job may not have encountered a situation similar to the arrest of Floyd in May of 2020.

Sgt. Mosey agreed with the premise that if the two rookie officers (Lane and Kueng), had the benefit of a second squad with a more experienced officer when they initially tried to detain Floyd in May of 2020, the arrest might have ended differently. However, Mosey said it is common for two rookie officers to work in a squad together. Rookies don't pick up experience in making decisions during their field training because they defer to their field training officer.

Mosey explained that if a rookie officer or an officer with less experience tried to take over a scene in opposition to a more senior officer, chaos would result. Cops cannot be wrestling with each other at a scene. They need to exude control and confidence. A rookie officer does not challenge a senior officer.

Minneapolis Police Department policy says that the senior person in the first squad to arrive on the scene is the officer in charge of the incident. Mosey said that policy is not what actually happens on the street. The officer with the most seniority frequently takes charge.

Mosey has not worked with any of the four officers who have been charged in the George Floyd matter. Mosey worked at the shooting range and may have encountered these officers, but he did not have any personal or professional relationships with them other than possible casual encounters.