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June 22, 2021

The Honorable Peter A. Cahill  
Judge of District Court  
Hennepin County Courthouse  
300 South Sixth Street  
C731  
Minneapolis, MN 55487

**Re: *State of Minnesota v. Thomas Kiernan Lane***  
**Court File No. 27-CR-20-12951**

Dear Judge Cahill:

During our discussion of Defendant Lane's discovery motion at the hearing on May 13, 2021, you asked me to try to obtain some additional information. You asked when the duty to intervene was written into MPD policy. It appears the specific duty to intervene policy became part of *written* MPD policy on July 28, 2016. I note that the policy was amended on June 15, 2020. See Attachments A and B. You also asked about the average number of use-of-force reports. The City of Minneapolis posts the number of use-of-force reports on its city website. This can be accessed at <https://www.minneapolismn.gov/resident-services/public-safety/police-public-safety/crime-maps-dashboards/use-of-force-dashboard/>. According to that website, between June 6, 2016 and June 20, 2021, the MPD had 4,695 use-of-force reports. See Attachment C. I have asked the BCA to attempt to obtain the report from the incident Lieutenant Zimmerman described in his interviews, but to date I have not received the report. I will disclose the report as soon as I receive it. Thank you.

Sincerely,

/s/ **Matthew Frank**  
MATTHEW FRANK  
Assistant Attorney General  
(651) 757-1448 (Voice)  
(651) 297-4348 (Fax)  
[matthew.frank@ag.state.mn.us](mailto:matthew.frank@ag.state.mn.us)

Enclosures

cc: Earl Gray  
Eric Nelson  
Thomas Plunkett  
Robert Paule