

News Metro

I witnessed an MPD squad car smash into an SUV. It took 28 months to get the dash cam footage of the accident.

The officer driving the squad car was not directly disciplined for crashing into a Lexus. Or for endangering pedestrians. Instead, he was disciplined for violating three department policies governing use of seat belts and for “normal and emergency vehicle operations.”

By [Peter Callaghan](#) | Staff Writer



Detail from dash cam footage as the Minneapolis Police Department squad car is about to enter the intersection.

City of Minneapolis

Oct. 22, 2021

It started as an exercise in seeing how long it would take to get dash cam video involving a Minneapolis Police Department squad car crash I witnessed.

The answer: 28 months.

Under Minnesota law, police video footage is mostly off-limits to the public. Only victims and people who appear in the video have a legal right to see it. The exception is if the video was used in any

disciplinary preceding — and only if the officer is disciplined.

That was the result of the June 28, 2019 crash I witnessed. Without using lights or siren, the squad car ran through a North Loop stop sign and hit a Lexus SUV that was passing through the intersection. The impact spun the SUV around before it eventually stopped near a sidewalk where diners were sitting at outdoor tables.

It was about 6:15 p.m. and my wife, one of our daughters and I had left a brewery and were walking back to our apartment. We had just crossed 6th Avenue North and were about to cross North 4th Street when the squad passed to the left of another car stopped at the stop sign and proceeded through the intersection, where it hit the SUV, driven by Justice Niko Feldman.

That's what the footage eventually given to me by MPD reveals (there was no audio on the file shared by the MPD), before showing the hood of the squad car and steam escaping from the engine for another 25 minutes and people occasionally passing in front of the car. (This excerpt here shows only the squad car's approach to the intersection, the crash and the immediate aftermath.)

Jama crash video



After witnessing the crash, we made sure the officers were okay and I spoke briefly with Feldman, giving him my phone number. By then, the officer who was in the passenger seat at the time of the crash was out of the squad and seemed to be in control, so we left. Later, Feldman and the two officers were taken to area hospitals, where they were treated for minor injuries and released.

The incident happened on a Friday. That Monday, I submitted a request to MPD for documents and video under the [Minnesota Government Data Practices Act](#), the state's open records law.

Reports started to flow from the city, including the incident report and later the “case report with narratives.” It was that report that included information on the squad car video and data from the Crash Data Retrieval system, which showed that the squad car was moving at 22 miles per hour and that the lights and sirens had not been activated at the time of the crash.

[But a year later](#), I still didn't have access to a report from an accident review committee, and I was told that MPD internal affairs had not yet completed its review of the incident. Even so, the city closed my

requests, determining that — at least at the time — there was no more disclosable data.

Finally, after learning from the lawyer for the crash victim that the disciplinary action against the officer driving the squad car was completed, I renewed my request for the dash cam video. I received it on Oct. 8 along with a document outlining the discipline for the officer, signed by Police Chief Medaria Arradondo.

According [to the documents](#) — which are also posted on the MPD’s webpage — that officer, Mohamud Jama, was not directly disciplined for what he did to the Lexus. Or for endangering pedestrians and other drivers. Instead, he was disciplined for violating three department policies governing use of seat belts and for “normal and emergency vehicle operations.”

Jama acknowledged in the investigation that he had removed his seat belt before reaching the intersection and turned off his lights and sirens more than a block away. In suspending him for 20 hours, Arradondo wrote that he decided on the suspension after reviewing the investigation and on “Jama’s statement that he could have used lights and sirens or been more thorough when he cleared the intersection.”

The Arradondo discipline letter does not appear to sanction Jama for the crash itself, though one of the policies stated in the list of violations is that an “officer performing emergency driving shall exercise caution and due consideration for the safety of the public.”

While another policy allows officers to turn off their lights and sirens “if a responding officer determines the incident warrants an unannounced approach,” it goes on to say that if those lights and sirens are turned off, “the officer shall sound the siren or display at least one department authorized lighted red light to the front if exceeding the speed limit or proceeding past a red or stop signal or stop sign.”

Jama told investigators that he turned off the emergency lights and sirens because he’d been called to an “assist fire/jumper call” that was three blocks away from the crash site. He said he didn’t want to

“alarm or distract the potential ‘jumper,’” according to the disciplinary report. The dash video, however, shows that other emergency vehicles were already on the scene and the emergency lights on those vehicles were turned on.

A year ago, Jama was charged with and pleaded guilty to failing to stop at stop signs. He paid a \$178 fine for what is classified as a petty misdemeanor.

But the city of Minneapolis is contesting a civil suit filed on behalf of Feldman, the driver hit by Jama. According to Feldman’s attorney, the city is denying that Jama acted negligently or was responsible for Feldman’s injuries or damage to his car.



The aftermath of a June 28, 2019, crash in North Loop that involved a Minneapolis Police Department squad car and an SUV.

Photo by Suki Dardarian

The state law governing police body-worn camera video was intended to protect victims and witnesses who might be recorded in their homes or other locales where there's an expectation of privacy. There was no exception in the statute for video taken in outdoor public spaces, where there is no expectation of privacy and where other video systems operate outside the body camera statute.

The [state law adopted in 2016](#), and signed by then Gov. Mark Dayton was agreed to over the objections of civil liberties and police watchdog groups. It [classifies most police video as non-public](#). The exceptions include footage that shows the discharge of a firearm (except for during training and in cases in which an animal is shot); the use of force that results in substantial bodily harm; or if the

video is placed in the public personnel file of an officer. Some in the Legislature at the time also wanted footage recorded in public places to be public, [but the final version of the law made no such distinction](#).

A [different state law](#) makes public “the final disposition of any disciplinary action together with the specific reasons for the action and data documenting the basis of the action, excluding data that would identify confidential sources who are employees of the public body.”

That’s the path through which my request for the video was fulfilled.

There is one other way for [police video to become public](#): If the subjects of the data (i.e. the people recorded in the footage), including police officers, request to have the data made public, though law enforcement then has to redact identities of “non-consenting data subjects” and undercover officers.

But while Feldman’s attorney, [Brian Stofferahn](#), has received the video — along with other documents related to the crash — he also agreed to a confidentiality agreement in order to speed up its release. That agreement also keeps him from describing what is in the documents.



The MPD vehicle after the collision.

City of Minneapolis

Because the city is denying culpability, the case must first establish that Jama was at fault and that the city is liable for damages, Stofferahn said. Only then can he try to win damages.

“I think I can clearly prove that it was Jama’s fault, that he was negligent in causing this accident and that policies and procedures of the city of Minneapolis were not followed by him and his partner,” Stofferahn said.

A spokesperson for the Minneapolis City Attorney’s office said it would not comment on the lawsuit at this time.



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