

MINNESOTA DEPARTMENT OF PUBLIC SAFETY



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Bureau of Criminal Apprehension

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July 26, 2021

Michael O. Freeman
County Attorney
Hennepin County Attorney's Office
C-2000 Government Center
300 South 6th Street
Minneapolis, MN 55487

Re: Terrance Franklin Officer Involved Shooting Investigation

Dear County Attorney Freeman,

I write in response to your letter dated May 4, 2021 and the potential new evidence related to the investigation into the death of Mr. Terrance Franklin involving the Minneapolis Police Department. As you know, the Bureau of Criminal Apprehension (BCA) did not have any role in that investigation when that occurred in 2013. The BCA did not regularly conduct officer involved death investigations involving the Minneapolis Police Department until the fall of 2015. As such, we have no knowledge of the facts or circumstances of this case beyond what has been publicly reported.

When the new BCA Force Investigations Unit was created in the summer of 2020, it was not contemplated that this new unit would examine past investigations by other agencies. The unit is staffed to address current cases across the state. In addition, this unit is now also required to investigate all allegations of sexual assaults involving a peace officer.

State law remains clear that the BCA has no independent authority to assume all cases involving force by law enforcement agencies. As such, the determination of who shall investigate these matters is left to the originating jurisdiction. In this case, the originating jurisdiction is the Minneapolis Police Department.

We have discussed this matter with the Minneapolis Police Department, the Minneapolis City Attorney's Office, and the attorney who represents Mr. Franklin's family. The BCA agrees that it is imperative to examine new evidence when it becomes available in a criminal investigation.

Your office referenced there is potential new evidence available in this case. After meeting with the above parties, we understand that is not the case based on our understanding of the information provided. They did not indicate that there is new evidence in their possession.

It is our understanding your office had the video from the Minneapolis Police Department and that your office examined all available evidence to you at the time this case was reviewed by a Grand Jury. I am attaching reports from the Minneapolis Police Department that show this video as part of their case file and that it was copied for Barbara Meyer from your office.

While we recognize that your office may not have had expert analysis of this video at the time of your review, both the City of Minneapolis and the attorney representing Mr. Franklin's family have indicated that they are willing to share their experts' analysis with your office. Since this additional expert analysis is now available to you, and because there does not appear to be new evidence that would require additional investigation, there is no role for the BCA in this case.

If our understanding is not accurate, please contact our office to outline what new evidence is available to aid in our analysis of this request.

Sincerely yours,

A handwritten signature in black ink, appearing to be 'Drew Evans', with a stylized, cursive script.

Drew Evans
Superintendent