

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

Minnesota State Patrol

445 Minnesota Street • Suite 130 • Saint Paul, Minnesota 55101-5130 Phone:
651.201.7100 • Fax: 651.296.5937 • TTY: 651.282.6555 msp.dps.mn.gov

September 3, 2024

Trooper Shane Roper #502

Alcohol
and
Gambling
Enforcement

Bureau of
Criminal
Apprehension

Driver
and Vehicle
Services

Emergency
Communication
Networks

Homeland
Security and
Emergency
Management
Minnesota
State Patrol

Office of
Communications
Office of
Justice Programs

Office of
Pipeline Safety

Office of
Tram safety

State Fire
Marshal

Dear Trooper Roper:

This letter is to inform you of your discharge from employment as a State Trooper with the Minnesota Department of Public Safety, Minnesota State Patrol, effective the end of the business today, Tuesday, September 3, 2024.

Your discharge from employment is based on Internal Affairs investigation supported findings that your conduct was in violation of General Orders as outlined in the Statement of Charges dated August 30, 2024, and disregarded the Mission Statement and Core Values of the State Patrol.

If you wish to appeal the dismissal, you can elect to utilize either the contract grievance procedure of the collective bargaining agreement between the Minnesota Law Enforcement Association and the State of Minnesota or the Minn. Stat. 299D.03 statutory appeals procedure.

If you are a veteran who has been honorably discharged, alternatively, you have a right to a Veterans Preference hearing under M.S. 197.46 regarding your discharge. The following is information about Veterans Preference:

You have the right to request a Veterans Preference hearing before an arbitrator on your discharge within thirty (30) days of receipt of this notice. Your request for a hearing must be made in writing to Kate Rios at kate.rios@state.mn.us. With this request, provide your most recent contact information including telephone number, address and email.

If you submit a timely request for a Veterans Preference Hearing, the Department of Public Safety will contact you after receiving a list of arbitrators from the Bureau of Mediation Services to begin the process of selecting an arbitrator as outlined in M.S. 197.46.

If you fail to request a hearing within the thirty (30) day period, your right to a Veterans Preference hearing will be waived. Such failure shall also waive all other available legal remedies for reinstatement to your position.

If you are eligible for Veterans Preference, you will remain in payroll status until the thirty


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(30) day appeal period expires or if you should choose to appeal, you will remain in payroll status pending the outcome of the Veterans Preference hearing. You are expected to be available during normal business hours while you remain in payroll status. You must provide the Department of Public Safety with a copy of your DD214 form establishing that you are an eligible, honorably discharged veteran. Please forward the necessary proof to Kate Rios' attention within five (5) days of receipt of this notice.

Trooper Shane Roper
September 3, 2024
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In accordance with Minn. Stat. 5 214.10, subd. 11, your dismissal will be reported to the Minnesota Peace Officers Standards and Training Board.

Sincerely,



Colonel Christina Bogojevic
Chief, Minnesota State Patrol

cc: Lt. Colonel Geiger
Major Huettl
Captain Buck
Sgt. LeDoux
Lynn Mueller
Victoria Schwab
Kate Rios
Angela Longworth

ABC 6 NEWS

STATEMENT OF CHARGES AGAINST
SHANE ROPER
A MEMBER OF THE MINNESOTA STATE PATROL

Lt. Colonel Jeremy Geiger, as Assistant Chief of the Minnesota State Patrol, files with the Commissioner of Public Safety, State of Minnesota, the following Statement of Charges against Trp. Shane Roper #502, a member of the Minnesota State Patrol, who he believes is guilty of:

Violations of General Order(s):

- 20-10-000 — Oath of a Minnesota State Trooper
- 02-10-029 — Conduct — Sworn Members
- 13-30-004 -Patrol Unit, Operation and Maintenance
- 12-20-011 — Patrolling and Parking
- 08-20-033 — Emergency Vehicle Operations

Circumstances related to the above allegations are as follows:

While on-duty at or around 5:41 p.m. on Saturday, May 18, 2024, Trp. Shane Roper was working traffic enforcement with a ride-along passenger in his squad car. While attempting to initiate a stop on a vehicle for traffic law violations, Trp. Roper was involved in a crash within a semaphore-controlled intersection in the city of Rochester, Trp. Roper collided with another vehicle coming from the opposite direction that was attempting to make a left turn. There were four occupants in this vehicle; one died as a result of the crash and two other passengers sustained injuries. After this initial crash, the first vehicle that was struck collided with a second vehicle and those occupants were also injured. The ride-along passenger in the squad car also suffered injuries as a result of the crash.

The internal investigation supports the following:

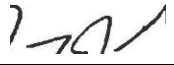
- Trp. Roper attempted to initiate a traffic stop on a vehicle after observing violations that included speeding, rapid lane changes, and failure to wear a seat belt.
- While Trp. Roper was accelerating in an effort to catch up the violator's vehicle on UST H 52, it exited and entered city streets making its way to an intersection controlled by stoplights.
- When Trp. Roper entered the intersection, he had a green light and his emergency lights were not activated.
- Immediately before and at the time of the crash impact within the intersection, Trp. Roper was operating his squad car well over the posted speed limit of 40 mph; at times reaching over 80 mph. ● Trp. Roper had patrolled these areas in the past was familiar with the roadways and intersections.

Under General Order #13-30-004, members shall not operate, on-duty or off-duty, any State Patrol unit in a careless or reckless manner. Similarly, General Order #12-20-011, states members who operate department vehicles shall not assume any special privileges, except while responding to an emergency call. When engaged in emergency operations, General Order #08-20-033 requires members to use at least one lighted red light to the front whenever assuming emergency vehicle right of way, but members do have discretion with respect to using a siren. This policy also makes clear that it does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons.

While the enforcement of traffic violations serves an important public safety function, troopers must exercise good judgment and drive with due regard for the safety of others. The intersection where the crash occurred is the entrance to a shopping mall and the speed limit is 40 mph. Given the totality of the circumstances presented here and Trp. Roper's knowledge of this area, it was reckless to travel through this green light at such high speeds. Trp. Roper's actions demonstrate a clear violation of this policy through the failure to exercise good judgment and drive with due regard for the safety of others.

General Order #02-10-029 requires members of the State Patrol to conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public. They must not exhibit any conduct that discredits themselves or the agency. In the same respect, General Order #20-10-000, outlines that Troopers must abide by their oath to never commit an act that will reflect discredit on the State Patrol. Trp. Roper's conduct has seriously undermined his integrity and trustworthiness with the public. His conduct shows a disregard for the State Patrol's mission of traffic safety and reflects discredit upon the agency. There is simply no justification for Trp. Roper's decision to speed through this intersection. While Trp. Roper may understand the impact of his conduct today, it does not mitigate the poor judgment he showed on May 18, 2024, that will continue to affect him, the State Patrol, and most importantly, the family, friends, and community of those impacted in this crash.

Dated: August 30, 2024



Lt. Col el Jere y G
Assistant Chief

ABC6NEWS

MINNESOTA DEPARTMENT OF PUBLIC SAFETY

ABC 6 News



Internal Affairs/Affirmative Action

445 Minnesota Street o Suite 530 • Saint Paul, Mimesota 55101-5530

Phone: 651.201.7136 • Fax: 651.282.6873 • TTY: 651.282.6555

DATE: August 27, 2024

TO: Colonel Christina Bogojevic
Minnesota State Patrol

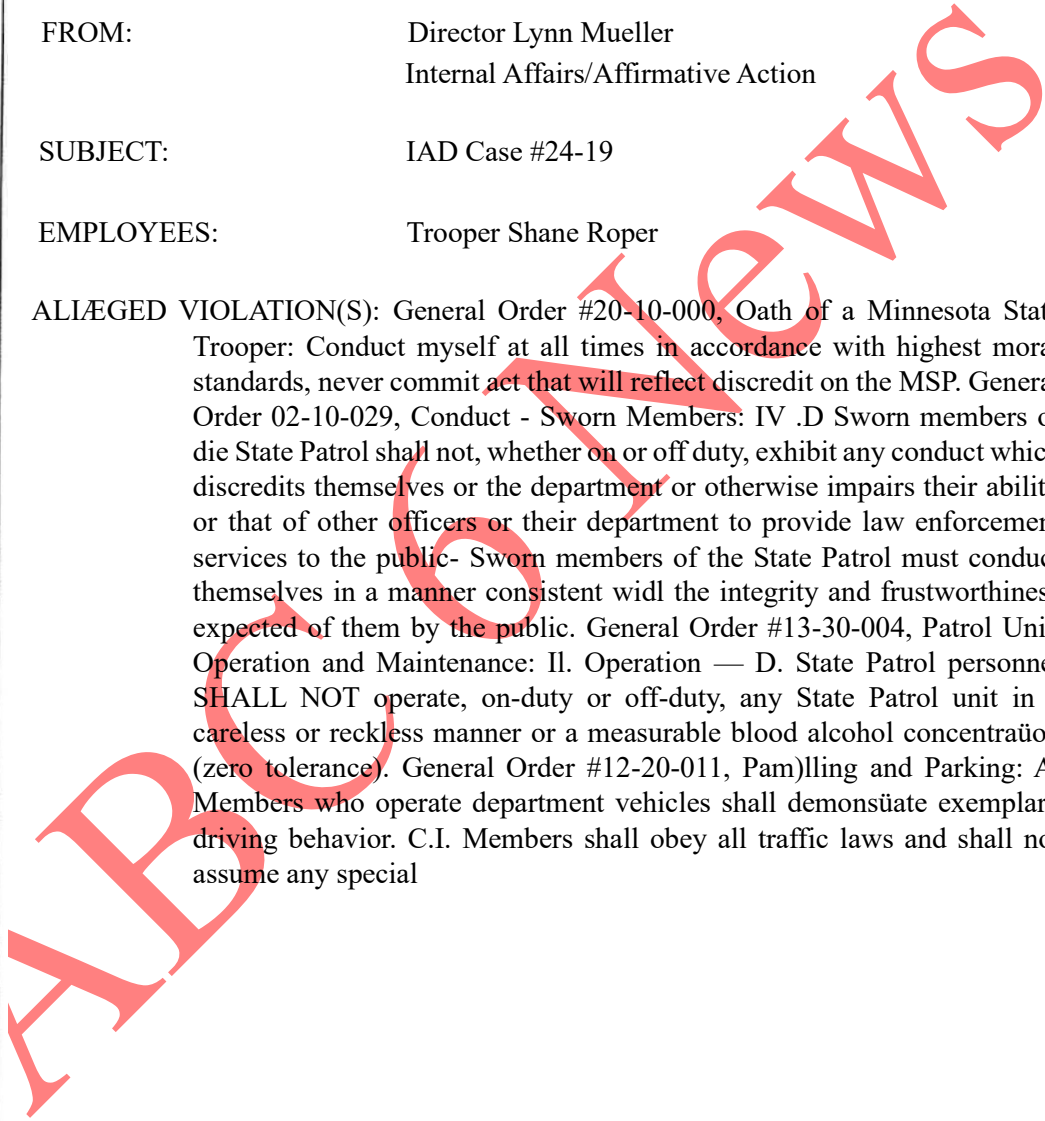
FROM: Director Lynn Mueller
Internal Affairs/Affirmative Action

SUBJECT: IAD Case #24-19

EMPLOYEES: Trooper Shane Roper

ALLÆGED VIOLATION(S): General Order #20-10-000, Oath of a Minnesota State Trooper: Conduct myself at all times in accordance with highest moral standards, never commit act that will reflect discredit on the MSP. General Order 02-10-029, Conduct - Sworn Members: IV .D Sworn members of die State Patrol shall not, whether on or off duty, exhibit any conduct which discredits themselves or the department or otherwise impairs their ability or that of other officers or their department to provide law enforcement services to the public- Sworn members of the State Patrol must conduct themselves in a manner consistent widl the integrity and frustworthiness expected of them by the public. General Order #13-30-004, Patrol Unit, Operation and Maintenance: II. Operation — D. State Patrol personnel SHALL NOT operate, on-duty or off-duty, any State Patrol unit in a careless or reckless manner or a measurable blood alcohol concentraüon (zero tolerance). General Order #12-20-011, Pam)lling and Parking: A. Members who operate department vehicles shall demonsüate exemplary driving behavior. C.I. Members shall obey all traffic laws and shall not assume any special

- Alcohol and Gambling Enforcement
- Bureau of Criminal Apprehension
- Driver and Vehicle Services
- Emergency Communication Networks
- Homeland Security and Emergency Management
- Minnesota State Patrol
- Office of Communications
- Office of Justice Programs
- Office of Pipeline Safety
- Office of Traffic Safety
- State Fire Marshal



EQUAL OPPORTUNITY EMPLOYER

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privileges, except while responding to emergency call or involved in a pursuit situation. General Order #08-20-033,

Emergency Vehicle Operations: A. General Requirements, 2. At least one lighted red light to the front of the state patrol unit must be activated whenever a member wishes to assume emergency vehicle right-of-way. Discretion may be exercised on whether to activate a siren depending upon the circumstances, including but not limited to, traffic conditions, type of roadway weather, etc. 4. This policy does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the highways. B. Opticom system, 1 - Shall not assume they have a protected left turn. 2. Shall drive with due regard for the safety of persons using the street.

22-20-012 Motor Vehicle Pursuit: II. Guiding Principles; G. While the law permits emergency vehicles to disregard traffic signs or signals when in pursuit of an actual or suspected violator of the law, nothing relieves the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons using the same street, nor does it protect the driver of an authorized emergency vehicle from the consequences of reckless disregard for the safety of others.

IA/AA Investigator Paul Skoglund conducted an investigation into the above allegations. The investigation is now complete and I have reviewed the information pertaining to the allegations. The following is a summary of the investigation along with my recommendations. I encourage you to review the entire investigative file before making any final decisions regarding this matter.

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After reviewing all the information compiled throughout this investigation, it is my recommendation that the allegations under General Order #20-10-000, General Order 02-10-029, General Order #13-30-004, General Order #12-20-011, and General Order

#08-20-033	be	
sustained.		

Please notify this office, in writing, of your decision regarding this investigation.

Please limit access to this memorandum as it contains sensitive information that

may be protected by the Minnesota Data Practices Act Allegations/Background

On or about May 24, 2024, Internal Affairs/Affirmative Action ("IA/AA") received a complaint alleging misconduct against Trooper Shane Roper. The complaint alleged Roper was on duty working traffic enforcement with an authorized ride-along passenger ("Rider") on May 18, 2024, when he was involved in a crash while attempting to initiate a traffic stop. The crash occurred at an intersection controlled by a semaphore. When Roper entered the intersection, he had a green light, his lights were not activated, and he was traveling at speeds higher than posted limit of 40 mph. Roper struck a vehicle ("Vehicle 1" attempting to turn left (into Roper's lane) against the light. Vehicle 1 had four passengers. One passenger died as a result of the crash, and two passengers sustained injuries. Vehicle 1 struck a second vehicle. These passengers were not seriously injured. Rider also suffered injuries from the crash.

On July 10, 2024, IA/AA received an amended complaint with additional information and additional allegations. The amended complaint indicated criminal allegations were filed related to these events, and it included additional details about Roper's rate of speed just before the crash. The amended complaint also provided information about other high-speed driving occurrences on May 18, 2024, that occurred before the crash.

IA/AA's investigation included interviewing Rider, a responding trooper, and Roper.

er.

Findings of Fact

The investigation supports a finding that Roper attempted to initiate a traffic stop on May 18, 2024, after observing traffic violation, including speeding, rapid lane

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changes/aggressive driving, and failure to wear a seat belt. It further supports a finding that Roper understood that these violations were low level traffic violations.

The findings are based on Roper's statement to IA/AA.

The investigation supports a finding that Roper was traveling over the stated speed limit of 40 mph immediately before and at the time of impact. The investigation supports a finding that his speed approaching the intersection was substantially over the posted limit and at times, reached over 80 mph.

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In his IA/AA statement, Roper stated he was not watching his speed as he tried to close the gap between himself and the vehicle he identified as violating traffic laws. He stated he was attempting to clear the intersection, watch areas where other traffic could come from, and he saw an "opening" to catch up to the vehicle he wanted to stop. He indicated that he has not had an opportunity to review data related to his speed, but he also did not challenge or question the alleged speed of 84 mph prior to the crash, and about 50 mph at the point of impact.

IA/AA also considered the statements of [redacted] RiderRider indicated that Roper was accelerating to catch up an s amme on e rakes when the vehicle turned. noting that "they were so close it didn't make a difference really."

[redacted]

Based on the available data, including Roper's lack of awareness, it is reasonable

to conclude that Roper's speed substantially exceeded the posted limit when he approached the intersection and when he encountered Vehicle I.

The investigation supports a finding Roper also traveled well over the stated speed limit when responding to assist with a report of a non-life-threatening injury. The investigation supports a finding that at times, Roper reached speeds of 135 mph.

This is supported by Roper's and Rider's statements-

Review of Policies

[redacted]

Under General Order #13-30-004, member shall not operate, on-duty or off-duty, any

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State Patrol unit in a careless or reckless manner- Similarly, General Order #12-20-011, states members who operate department vehicles shall demonstrate exemplary driving behavior and shall obey all traffic laws and shall not assume any special privileges, except while responding to emergency call. When engaged in emergency operations, General Order #08-20-033 requires members to use at least one lighted red light to the front whenever assuming emergency vehicle right of way, but members do have discretion with respect to using a siren. This policy also makes clear that it does not relieve the driver of an authorized emergency vehicle from the duty to drive with due regard for the safety of persons.

Roper's driving conduct fails to comply with policies. The intersection where the crash occurred is the entrance to a mall and the speed limit is 40 mph. Given Roper's Imov., nedge of the roadway and the local area, it is reckless to travel through a green light in this area at such high speeds. Even assuming Roper had his emergency lights activated in "position 2", his excessively high rate of speed made his vehicle a danger to other drivers who could not reasonably predict the distance Roper would travel in a very short amount of time.

The investigation also did not identify any legitimate law enforcement reason that justified Roper's driving conduct. All traffic violations, even petty misdemeanors, should be taken seriously by law enforcement officers; however, it is incumbent on all law enforcement officers to have good judgment about the immediacy of harms and obligation to drive with due regard for the safety of others. In this case, Roper should have known that high speeds would create an unreasonable risk in a busy intersection where drivers must navigate across lanes to make left-hand turns. He should have also known that driving at high speeds would affect his ability to monitor the roadway for risks and his ability to react. It is also concerning that Roper felt it appropriate to drive in this manner with Rider as a passenger.

Under General Order 02-10-029, members of the State Patrol must conduct themselves in a manner consistent with the integrity and trustworthiness expected of them by the public. They must not exhibit any conduct that discredits themselves or the agency. Troopers must also abide by their oath to never commit an act that will reflect discredit on the State Patrol (General Order #20-10-000). Roper's conduct has discredited the State Patrol, and the conduct will continue to discredit the State Patrol for the foreseeable future because Roper's actions are forever linked with the death of a passenger in Vehicle 1. 1

Roper's failure to comply with policy has discredited the agency, and the ongoing criminal case alone raises substantial issues with his ability to serve as a law enforcement officer. His conduct has also seriously undermined his integrity and trustworthiness with the public. Even if no crash had occurred, his conduct is shocking and shows a disregard for the State Patrol's mission of safety. There is simply no justification for Roper's decision to speed, and while Roper may understand the impact of his conduct today, it does not mitigate the poor judgment he showed on May 18, 2024, that will continue to affect him, the State Patrol, and most importantly, the family, friends, and community of the passenger who died.

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If you have any questions regarding this matter, please contact me directly at 651201-7173.

cc: Human Resources Director Victoria Schwab Labor
Relations Manager Kate Rios

This investigation is an employment investigation based solely on policy language. It does not make any findings or recommendations with respect to the criminal charges, which are based on Minnesota law.

ABC 6 NEWS

