

SUBJECT 1: One of four men convicted in the shooting death of a Minneapolis police officer back in 1992 will have a hearing today that could open the door for his release from prison. The murder of Officer Jerry Haaf was a shocking case that made big headlines back in 1992. Officer Haaf was shot in the back, while taking a break on his overnight shift in a Lake Street Pizza restaurant. We went back into the MPR audio archives and found reporter, Kathryn Winter, had done a story about Officer Haaf's funeral. It brought officers from around the State to Minneapolis to honor their fallen colleague, including Haaf's MPD partner.

SUBJECT 2: Jerry was a happy man. He liked his job, he liked himself, and he taught me patience and gentleness.

SUBJECT 1: Early last Friday, Jerry Haaf sat in the Pizza Shack, drinking coffee at the well-known cop hangout. Witnesses say he was gunned down by two young Black men. Haaf had no warning. He was shot in the back. He died soon afterward. Some Minneapolis cops immediately dubbed it a gang-related killing. Friday afternoon, the Minneapolis Police Federation blamed Police Chief John Locks, Mayor Don Fraser, and the city council for Haaf's death, saying efforts to make peace with gangs, a project spearheaded by Deputy Chief Dave Dubravka led to more violence in the city and ultimately, to the murder of Officer Haaf. A rift had developed in the department. Officer John Delmonico.

JOHN DELMONICO: When I see the Deputy Chief hugging these guys on TV, that's a mixed message to me. Bad guys-- I was taught, I was raised, I was educated, I was trained by this department-- should go to jail.

SUBJECT 1: Later last Friday, police arrested four suspects at the home of Sharif Willis, a self-described gang leader and a key figure in the gang coalition, United for Peace. But on Monday, Locks announced there was not enough evidence to charge the suspects. The same day, he said he was severing ties with Willis and United for Peace because of alleged criminal activity uncovered during the investigation, activity unrelated to the death of Jerry Haaf.

On Tuesday, Black activists accused police of being overzealous following Haaf's murder. North Minneapolis activist, Chris Nissen.

CHRIS NISSEN: We have seen the police rifles in hand, jacking up innocent youth in Cecil Newman Housing Projects. We know about the search and destroy mission, of scores of heavily armed police dispatched to Sheriff Willis' home on Friday night. And it's clear that police are on a fishing expedition, framing up and slandering members of United for Peace and others.

SUBJECT 1: Police responded to the accusations by saying they were, indeed, being aggressive in looking for Haaf's killer, but were not violating anyone's civil rights. It was not until Wednesday that Deputy Chief Dave Dubravka, made his first public statement. He acknowledged that the murder and his own efforts to make peace with area gangs were causing a crisis of confidence within the department.

DAVE DUBRAVKA: Cops right now don't feel particularly loved and don't feel particularly supported by the community, by elected officials, and by me.

SUBJECT 1: Also, on Wednesday, Reverend Jesse Jackson, who was in town to deliver a previously scheduled address, stepped in and made a plea for racial harmony. Jackson met with Mayor Frazier and some 40 other civic leaders.

JESSE JACKSON: There is so much pain, and threatening polarization becomes our special burden, not to incinerate our pain and let it turn into the acid rain of violence.

SUBJECT 1: That was Jesse Jackson urging racial harmony in Minneapolis in 1992, after police officer Jerry Haaf was murdered. Amwati Pepi McKenzie, one of the four gang members convicted in Officer Haaf's death was 19 years old at the time. He's now 49 years old. He never testified at trial. He was convicted of aiding and abetting first-degree murder. His attorneys are now advocating for his release, a move that's opposed by Haaf's family, former MPD leaders, and police advocates.

Today, McKenzie will appear before the one person who will decide his fate, State Corrections Commissioner Paul Schnell. T. Anansi Wilson is a lawyer and the founding director of the Center for the Study of Black Life and the Law at Hamline Mitchell School of Law. He's here to talk about the process. Mr. Wilson, welcome.

T ANANSI WILSON: Thank you. Thank you for having me.

SUBJECT 1: This hearing is happening because when Pepi Mackenzie was convicted, folks convicted of murder could be eligible for release after 30 years. Now, that law has since changed, and it changed a number of years after. Was that to strengthen the penalty for killing police officers?

T ANANSI WILSON: Yes, it's a strict penalty for killing police officers, but also, this person is convicted of aiding and abetting, rather than murder itself.

SUBJECT 1: So let's ask-- I'm curious about what factors will be weighed in this hearing?

T ANANSI WILSON: Yep. So we're going to look at, basically, whether there's some rehabilitation here, a little bit of input from the community, which is inclusive of family members and other folks in the surrounding community, and also, whether this person has had some type of contrition for the crime that they allegedly committed.

SUBJECT 1: What do we know about that? Do we know if Mr. Mackenzie is sorry for what he did?

T ANANSI WILSON: It seems to me that he's sorry for what he did. He's noted in his books, several books that he's published on Amazon, apologized for his role and for the type of pain that he's caused and says that this is something he's going to carry with him for the rest of his days.

SUBJECT 1: Now, we're talking about if successful, he will be out on parole, but is this supervised release?

T ANANSI WILSON: This is supervised release. This man will not be able to just go willy nilly through the community, go do what he wants, be out as late as he wants. He's going to have to check in regularly. We don't yet know what the conditions of those release will be. That will be determined by the man in charge here, but there will be conditions, and it's my understanding just because of the political nature of this, they'll be watched relatively closely.

SUBJECT 1: Let's talk about the political nature of this. What do you mean by that?

T ANANSI WILSON: Well, I mean, we're talking about a Black man in the '90s, who is convicted, well accused of planning the execution-style murder of a police officer. At the time, the police in Minneapolis Twin Cities had a deal with the gangs that would help them defuse inter gang violence, and they cut that short after this murder happened. And so now, you have almost all-- every officer that's spoken about this issue has come out against them, police unions come out against him. So this is a really fraught time in our history, particularly, in the wake of the George Floyd assassination, or killing, if you will.

SUBJECT 1: How do you think Commissioner Schnell might weigh some of that background information? I know I'm asking you to speculate, but I don't know, what do you think?

T ANANSI WILSON: Lawyers are best at speculating, so we do for a living. I would say it's going to be tough. It's going to be tough because what you don't want to do is get into the situation where you have a young man who was convicted of aiding and abetting, but not of actual shooting the murder weapon. And we're weighing that against the time where we have one of the folks that just pled guilty to aiding and abetting in the manslaughter of George Floyd only serving 3 and 1/2 years, while this man, who is not convicted of even touching the weapon is getting to serve 30 plus years.

So those are things that I understand that, particularly, Black community members are going to be having conversations about. So we have to weigh this very, very carefully. And if he does go in favor of Mr. McKenzie has got to do so in a way that really shows that there has been rehabilitation here, and this is just the law. It's not about paying favorites here.

SUBJECT 1: And of course, as I mentioned, he's one of four individuals, I believe a couple of others in that case, will also have a similar hearing coming up, I believe, in January or into next year.

T ANANSI WILSON: That's right.

SUBJECT 1: So what will you be watching for?

T ANANSI WILSON: I'm going to be watching for the community response for this, honestly. I'm going to be really interested in seeing what comparison folks are making between the experience of the Black folks that are often convicted of violent crimes have this kind of assumption of guilt, whereas, oftentimes, when we see the same thing with police who are convicted, if they go that far, are accused, rather, of killing Black people, there's an assumption of innocence. There's an assumption of heroism.

And so I'm wondering how these dynamics play out, not just at Mr. Schnell's decision, but also, in the community on the ground and even with my own law students. Because the ground seems to be shifting around us, around these kind of assumed notions of innocence and assumed notions of inherent criminality.

SUBJECT 1: All right Thank you so much, Mr. Wilson.

T ANANSI WILSON: Thank you for having me.

SUBJECT 1: We've been talking to T. Anansi Wilson. He's a lawyer and the founding director of the Center for the Study of Black Life and the Law at the Mitchell Hamline School of Law.