



OFFICE OF THE HENNEPIN COUNTY ATTORNEY
MARY F. MORIARTY COUNTY ATTORNEY

Non-Public-Safety Traffic Stops Policy Toolkit

Overview:

- The Hennepin County Attorney's Office is implementing a new policy on Non-Public-Safety Traffic Stops that is directly tied to our office's goal of building a safer, healthier and more equitable Hennepin County. This policy is grounded in research and best practices that clearly demonstrate these stops deeply undermine community trust, which has a significant negative impact on law enforcement's ability to investigate crime and our ability to prosecute cases.
- This policy also is aimed at curbing dangerous driving conduct such as speeding, driving under the influence, distracted driving, and running through stop signs and lights. By focusing resources on dangerous driving behaviors, and away from traffic violations that do not impact public safety, we aim to reduce traffic accidents and fatalities on the road.
- This policy will mirror [Ramsey County's successful Non-Public Safety Traffic Stops policy](#), focusing on dangerous driving conduct and declining to prosecute cases stemming from non-public safety traffic stops or searches of vehicles based solely on consent.

Racially discriminatory traffic enforcement has created significant distrust of law enforcement in Black and Brown communities:

- Our current approach to traffic enforcement has sowed significant distrust of law enforcement in Black and Brown Minneapolis communities. "Pretext" stops, [where officers use minor driving violations as a basis to investigate unwarranted suspicions](#), have inflicted significant, and at times deadly, physical, psychological, and financial harm on Black and Brown citizens.
- Philando Castile, who police killed after pulling him over for a broken taillight, is a case study in how dangerous pretext stops are for Black and Brown citizens.

Pretext stops contribute to Black drivers being disproportionately stopped, cited and searched:

- Reports from both the [Department of Justice](#) and [Minnesota Department of Human Rights](#) establish that traffic enforcement in Minneapolis is permeated by racial bias.
- Compared to white drivers, Black drivers are exponentially likelier to be stopped by the police.
- Specifically, the DOJ found that Black drivers are [6.5 times more likely to be stopped](#), [1.5 times more likely to receive a citation](#), and [12.8 times more likely to have their vehicles searched](#).
- Critically, the DOJ also found that traffic stops are not based on the number of accidents in an area, but are instead [tied to the number of Black and Brown residents](#).
- This isn't just a Minneapolis problem – it's a national issue that needs to be addressed and the evidence overwhelmingly proves it extends across state, county, and city lines.

Pretext stops do not make us safer:

- Pretext stops are not only biased; they completely fail to combat crime.
- In its [2023 Report](#) on its investigation of the Minneapolis Police Department, the US DOJ found that only 0.3% of MPD traffic stops resulted in the recovery of weapons. This is a 99.7% failure rate for locating weapons.
- Pretext stops also fail to make our roads safer.
- Instead, they overwhelmingly target [minor, non-dangerous offenses](#) like expired registration or tinted windows, not dangerous offenses like running a red light.
- Millions of dollars and countless hours – both of which we're told are in short supply for law enforcement - are wasted on enforcing petty, non-dangerous offenses.
- HCAO's policy will incentivize police to focus instead on dangerous driving offenses that have taken thousands of lives in Hennepin County.

Ramsey County and other jurisdictions across the country have adopted similar policies with great success:

- The de-prioritization of non-dangerous traffic offenses has paid off in other jurisdictions.
- After [Ramsey County](#) limited enforcement of minor traffic offenses, [stops fell by 86 percent and there was a 66 percent drop in the number of Black drivers stopped](#). The policy change came at no cost to public safety and [the number of firearms confiscated remained stable](#).

- Similar results have been achieved in Fayetteville, North Carolina, where a policy curbing minor stops [reduced racial disparities, decreased the number of crashes, and had no impact on crime rates.](#)
- In Philadelphia, a law reducing enforcement for low-level infractions resulted in a [54% reduction in stops of Black men.](#)
- This policy will improve safety, reduce racially discriminatory stops, and build trust between communities of color and the justice system.

This decision is about safety, not politics.

- We are making this decision based on findings made in a 2022 Minnesota Department of Human Right report. (See also [What you need to know about Minneapolis' court-enforceable police reform agreement - MinnPost](#))
 - That report found that Minneapolis police stopped, searched, and used force against Black individuals at a much higher rate than white individuals.
 - In order to combat this pervasive discrimination, the report recommended limiting the use of pretext stops and searches based only on the consent of the driver.
 - And MPD agreed, in a settlement agreement with the Minnesota Department of Human Rights, to do both of those things: limit the use of both pretext stops and consent searches.
 - Our policy uses the exact language that MPD has agreed to abide by in the settlement agreement for limiting pretext stops.
 - We know that law enforcement is working to implement these changes and others. And we hope that this policy will accomplish two related goals: first, it will encourage law enforcement to end the use of these pretext stops and consent searches, which have caused serious distrust between law enforcement and certain communities. And second, the policy will *increase* public safety by focusing limited law enforcement resources on dangerous driving instead of ineffective pretext stops and consent searches.
 - This policy is based on extensive research on how pretext stops occur, who they impact, and whether they net any public safety benefit. If we ignore that research, we make our communities less safe.
 - We do not play politics with public safety. We rely on data, research, and evidence.
 - We expect feedback on this policy – and we trust those who provide it will present data, research, and evidence to support their position as well.
-

Resources:

[Ramsey County Policy](#)

[Traffic stops as criminal investigations: Pretext stops should be disallowed in Minnesota - MinnPost](#)

[Pretext traffic stops under fire | Minnesota Spokesman-Recorder](#)

[Justice Innovation Lab Summary](#)

[Ramsey County Policy Powerpoint](#)

[Justice Innovation Lab research report](#)

[St Paul example equipment violation letter](#)

[Ramsey County Resource List](#)

[What you need to know about Minneapolis' court-enforceable police reform agreement - MinnPost](#)

[DOJ Report](#)

[MDH 2022 report.](#)

[Black Drivers Were Pulled Over Less Often After a Minnesota County Changed Its Policies](#)

Hennepin County Attorney's Office

701 Fourth Avenue South, Suite 700, Minneapolis, MN

55415 hennepin.us/countyattorney