

Ramsey County Attorney's Office Non-Public-Safety Traffic Stop Policy

Frequently Asked Questions

1. What is a non-public-safety stop vs. a traffic stop in the interest of public safety?

Non-public-safety stops are largely for equipment violations like having a broken taillight or having something hanging from the mirror. They are often used as a pretext to search a vehicle for evidence of other crimes or violations.

Stops in the interest of public safety include things like driving under the influence of drugs or alcohol, speeding, running stoplights or other moving violations that endanger the public's safety and serious and violent crimes like robbery, rape, murder, assaults, carjackings, auto theft, burglaries, etc. This policy only applies to non-public-safety stops that do not endanger public safety.

2. How would you respond to claims that these policies give criminals a free pass?

Police departments that send the majority of cases to our office are on board and already have, or are in the process of preparing their own, policies. Based on that direction from their police chiefs, we shouldn't be getting those cases referred to our office anymore. Our policy to decline such cases if they are referred is essentially a backstop for law enforcement policies. There is nothing in any of these policies or direction that prevents law enforcement from stopping people who have committed crimes – non-public-safety stops are about equipment or registration failures.

3. Why aren't you enforcing the law? The avenue for change is through legislation.

To be clear, police have wide discretion to enforce laws, as do prosecutors, as legal 'ministers of justice.' Police have never, nor do we expect them to, enforced every law simply because it is on the books. Likewise, prosecutors have to determine how to prioritize which cases to prosecute in the interest of public safety. Ending non-public-safety stops prioritizes key law enforcement and prosecution resources on the crimes that are the biggest threat to public safety – driving under the influence, speeding, running red lights, pedestrian safety and violent crimes. People with equipment violations or expired tabs will be subject to alternate modes of enforcement.

4. Will reducing prosecution pose a risk to public safety?

Policies that reduce contact with the criminal justice system have actually been shown to improve public safety. In fact, [a study in Suffolk County \(where Boston, MA is located\)](#) found that declining to prosecute low-level, nonviolent offenses significantly reduced the rates at which people were arrested for misdemeanors or felony charges a year or two later.

5. Why are you enacting these policies as crime is increasing?

Increases in violent crime have been happening nationwide, across cities and localities, regardless of the elected leaders' political affiliation and whether or not they have enacted reforms. Non-public-safety traffic stops are not linked to increases in safety and

disproportionately target people of color. We share our residents' concerns about increases in crime, but it's not the broken taillights they fear, it's serious crime. We need our officers and prosecutors to be able to prioritize their time on the things that matter most.

6. Are police being prevented from intervening in crimes or making arrests?

Not at all. There is nothing in our policy or law enforcement agencies' policies that prevents officers from arresting people for committing crimes or for moving violations; in fact, the policies direct officers to prioritize just those offenses that are the biggest threat to our community's safety. Non-public-safety stops are largely equipment violations, like having a broken taillight or something hanging from the rearview mirror, which can and will be enforced in ways other than having police officers stop people for such infractions.

7. If law enforcement isn't going to pull people over anymore for equipment violations or expired tabs, why fix them?

Even though law enforcement isn't stopping people for non-public-safety reasons, equipment violations are still against the law and will be enforced through means other than police pulling people over for them. Our philanthropic partners, led by the Saint Paul & Minnesota Foundation, are [raising private funds](#) to support this effort.