

MOTORCYCLE PROFILING IN MINNESOTA BY LAW ENFORCEMENT IS A PERVASIVE PROBLEM IN NEED OF LEGISLATIVE RELIEF.

- I. Motorcycle profiling is a pervasive problem in Minnesota. The entire motorcycle rights movement is being profiled and harassed, even during political events and gatherings. Targeting a political movement violates all reasonable constitutional conceptions of free speech, association, equal protection and privacy.
 - In 2012 and 2013, law enforcement used the bogus pretext of three bulb headlights to pull motorcyclists over during ABATE of Minnesota's State Rally in late August, to harass and investigate individuals based on stereotype. No riders were cited. Official correspondence validates this. In response to a letter sent by the MN COC attorney to the Meeker County Sheriff, the Meeker County Attorney admitted that these stops were occurring, were wrong, and promised that the officers involved had since been trained that three bulb headlights are legal. Although importantly this proves training is easy and cost free to implement, proper training should go beyond the legality of the pretext, in this case headlights, and deal with the underlying issue of discrimination that truly motivate these stops. (Exhibit 1: Correspondence attached)
 - The judiciary has confirmed that MN law enforcement specifically targets motorcycle rights advocates and political organizations. A MN court confirmed this in 2003 when they demanded that the State of Minnesota return all items seized during a bogus raid targeting the Minnesota Confederation of Clubs and its' Secretary, a member of a Christian motorcycle club. Included were meeting minutes and political strategy documents properly protected by the 1st amendment. (Exhibit 2: Court Order Returning Seized Property.)
 - Hundreds of signed and dated Motorcycle Profiling Victim Statements prove that profiling is an entrenched and widespread practice embraced by many law enforcement officers and agencies in MN within the last 5 years. (Exhibit 3: Motorcycle Profiling Victim statements.)
- II. Motorcycle profiling law is justified based on legislative and judicial precedent.
 - Motorcycle Profiling awareness and sensitivity training is completely consistent with the goals of this legislature. MN law clearly establishes motorcyclists as a class in need of protection against discrimination. The judiciary has validated this legislature by granting judgments against public establishments that discriminate against motorcyclists. MN has clearly expanded the concept of protected class status beyond limited federal definitions. As we all know, when a state provides more expansive rights protection then the state constitution gains preemption.
 - MN's racial profiling laws prove that pre-textual stops based on stereotype or discrimination are unlawful and rejected by the legislature and courts. Although racial issues are evaluated at a higher level of scrutiny, the same principles behind

expression, association, and equal protection are tangible and applicable to the issue of motorcycle profiling. This parallel has been embraced in MN when Equal Access for motorcyclists was passed by this legislature in 1998.

III. Motorcycle Profiling Awareness and Sensitivity Training Laws are Extremely Effective and Cost Beneficial.

- Washington State's law has reduced profiling incidents by over 90% and the stops that do occur are being dismissed 100% of the time.
- Motorcycle profiling laws have zero direct budget impact and saves millions in potential civil liability.