



Minneapolis Police Department Policy and Procedure Manual

Number:
9-200

Volume Nine – Enforcement Policies

Adult Citations and Arrests

9-209 Legislative Immunity (05/29/02) (xx/xx/xx)

I. Legislator's Privilege

- A. Members shall observe a legislator's privilege from arrest as set forth in the State of Minnesota Constitution, Article IV, Section 10:

“The members of each house in all cases except treason, felony, and breach of the peace, shall be privileged from arrest during the session of their respective houses and in going to or returning from the same.”

1. Legislators cannot be arrested during legislative sessions or while traveling to or from them, except for felony, treason, or breach of the peace (e.g., assault, breaking and entering, DUI, violent acts). This privilege covers misdemeanors and gross misdemeanors but does not grant immunity after the session ends. Legislators must assert or waive this privilege in court; it is not automatic.

Glossary

Arrest: Taking a person into custody, which may be imposed by force or may result from a person submitting to a member. An arrest is a restraint of greater scope or duration than an investigative stop or detention. An arrest requires probable cause that a crime was committed or is being committed. This includes booking, citing in lieu of booking, and releasing pending charges.