

[Hennepin County, Minnesota](#)

Please be advised that our office has updated our bail reform policy.

Theft under \$35,000 and **theft of a motor vehicle** will no longer be included as crimes where bail is not requested.

Additional information on bail policy and guidelines can be found [here](#).

Bail reforms announced for Hennepin County during remote news conference

(Press release December 2020)

Hennepin County Attorney Mike Freeman announced a list of crimes for which he will no longer request bail at a news conference Wednesday afternoon and two other prosecutors said they will be pressing for more changes.

Minnesota Attorney General Keith Ellison said this is the right path and there needs to be a conversation about bail throughout Minnesota. Washington County Attorney Peter Orput said there is no connection between bail and public safety and he is working on a similar plan, with other agencies, for his county. Both men were part of the news conference, which was done remotely.

Freeman said that his office has identified 19 felony crimes, ranging from fifth-degree narcotics crimes to damage to property and mail theft, for which his prosecutors will no longer request bail. That policy will begin January 1.

“These crimes are low-level, non-dangerous offenses,” Freeman said. “What that means to the defendant is that he or she will promise to make all court appearances and follow any other conditions set by the judge. With that, they remain free until their next court hearing.”

Orput said in his career as a prosecutor, he has been able to look at the effect of bail.

“Cash bail and public safety have nothing to do with each other,” Orput said.

He gave the example of two men arrested for domestic abuse, “a crime we abhor,” but they both are arrested and bail is set at \$5,000. One of the men can afford bail, the other cannot and remains in jail. Yet, there is no indication society, or the victim, has been more protected from the one still in jail than the one who posted bail.

“It is grossly unfair,” he added.

Ellison said there are numerous repercussions when a person is held in jail until their criminal case is over. They can lose their job. They can lose their home. Their parental responsibilities are disrupted and even if that person is later acquitted or given a probationary sentence, the repercussions could land them right back in jail because they are unemployed or homeless.

“We are not lawyers who are just zealous advocates,” Ellison said. “We want a just result. The goal is to protect public safety and ensure court appearances. It is not to punish people.”

Crimes where bail will not be requested

- Fifth-degree sale or possession of Narcotics
- Theft under \$35,000
- Theft of a motor vehicle
- Forgery
- Damage to property

- Fraudulent identification or Driver's License
- Possession of Burglary/theft tools
- Identity Theft
- Mail theft
- Possession of stolen or counterfeit check
- Possession of shoplifting gear
- Dishonored check
- Insurance fraud
- Fourth-degree sale or possession of narcotics
- Counterfeiting currency
- Sales of simulated controlled substances
- Wrongfully obtaining public assistance
- Wrongfully obtaining unemployment benefits
- Lottery Fraud

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<https://www.hennepinattorney.org/news/news/2020/december/cao-bail-reforms-12-2-2020>