

# MINNESOTA DEPARTMENT OF PUBLIC SAFETY



## Office of the Commissioner

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August 4, 2000

REF E

Ms. Carol Yerigan  
Minnesota Department of Human Rights  
Army Corps of Engineers Centre  
190 E. 5<sup>th</sup> Street Suite 700  
St. Paul Minnesota 55101

Dear Ms. Yerigan:

**Re: Charge 35202 Kevin John Phillips/ Against The Minnesota Department of Public Safety**

Minnesota State Patrol Officer, Aaron Churness, # 159, stopped Mr. Kevin J. Phillips on Interstate 35 near State Highway 210 on August 28, 1999.

At about 7:30 p.m. on August 28, 1999, State Patrol Officer Aaron Churness was on his scheduled shift observing traffic on Interstate 35 near Cloquet Minnesota. He was observing and checking license plate numbers. He checked the plate of a vehicle driven by Mr. Phillips. The license plate indicated not on file. Officer Churness proceeded to make a stop of the vehicle driven by Mr. Phillips.

It is true that Mr. Phillips produced the lease agreement for the automobile he was driving and provided a valid drivers license. Officer Churness who is involved in drug interdiction, observed a pink color in the eyes of Mr. Phillips. He asked Mr. Phillips if he could search the car. Mr. Phillips responded negatively. Officer Churness informed Mr. Phillips that he could stay or leave but the car would stay. Mr. Phillips acquiesced to the search. The State Patrol Canine unit was called and under the guidance of State Patrol Canine Officer Sargent Carl Steffen, #125, the dog began the search.

The search produced a small quantity of marijuana in cigarette form. Mr. Phillips was issued a ticket at 9.00 p.m. (Statute Ordinance 152.027)

The Department of Public Safety acknowledges the sensitivity of the issue of racial profiling. The Minnesota Department of Public Safety / State Patrol Division are not involved in law enforcement policies or practices that racially profile the traveling public.

Please note the attached supporting documentation of the aforementioned incident. All radio tapes are destroyed after 30 days.

Sincerely,

Robert L. King  
Director Office of Equal Opportunity

- Alcohol & Gambling Enforcement
- Bureau of Criminal Apprehension
- Capitol Security
- Driver & Vehicle Services
- Emergency Management/ Emergency Response Commission
- State Fire Marshal/ Pipeline Safety
- State Patrol
- Traffic Safety