



P.O. Box 14720
Minneapolis, MN 55414
T: (651) 645-4097
www.aclu-mn.org
@aclumn

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Sen. Warren Limmer, Chair
Senate Judiciary and Public Safety Committee
Minnesota Senate

SUBMITTED VIA E-MAIL

Dear Chair Limmer and Members of the Senate Judiciary and Public Safety Committee,

The American Civil Liberties Union of Minnesota submits this letter regarding the DE amendment to SF2673.

The ACLU-MN has consistently advocated for policies that will reduce state harms caused by contact with the criminal legal system, rather than increase them. From that perspective, we write to express our concerns regarding provisions in the DE amendment to SF2673 which create new crimes, increase or enhance criminal penalties for existing crimes, and broaden definitions to include more conduct in criminal statutes.

Subjecting more Minnesotans to potential arrest, criminal charges, prosecution, and incarceration by the state runs counter to research showing that increasing incarceration has little to no impact on crime rates.¹ It also exposes more Minnesotans to a criminal legal system rife with racial and economic disparities², and coercive mechanisms such as plea bargaining.³

In addition, attaching collateral consequences of a criminal conviction to more Minnesotans can have long-lasting, detrimental economic, societal, and familial impacts.

We urge this committee to step back from provisions that rely on criminalization and incarceration as pathways to better public safety.

Sincerely,

Julia Decker
Policy Director
ACLU-MN

¹ Clark Neily and Shon Hopwood, Cato Institute, "To a Man With a Hammer, Every Criminal Justice Problem Looks Like a Nail," <https://www.cato.org/blog/man-hammer-every-criminal-justice-problem-looks-nail> (Mar. 26, 2021).

² Bernadette Rabuy and Daniel Kopf, Prison Policy Initiative, "Prisons of Poverty," <https://www.prisonpolicy.org/reports/income.html> (Jul. 9, 2015); Wendy Sawyer, Prison Policy Initiative, "Visualizing the racial disparities in mass incarceration," <https://www.prisonpolicy.org/blog/2020/07/27/disparities/> (Jul. 27, 2020).

³ Clark Neily, Cato Institute, "Mass Incarceration Is in the Eye of the Beholder," <https://www.cato.org/publications/commentary/mass-incarceration-eye-beholder> (Mar. 11, 2020).