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Senate Judiciary Committee  
Chair, Senator Ron Latz  
3105 Minnesota Senate Building  
St. Paul, MN 55155

Dear Chair Latz and Members of the Senate Judiciary Committee,

I write on behalf of the Minnesota Association of Criminal Defense Lawyers (MACDL) to express our support for S.F. 1055, as amended.

We acknowledge the bill's recognition of the vital role domestic abuse advocates play in supporting victims. However, it is essential to ensure that the statute aligns with long-standing constitutional and ethical obligations, particularly the prosecution's duty to disclose material information to the defense.

The author's amendment is critical because it clarifies that nothing in this bill alters that duty. Under *Brady v. Maryland* and Rule 9 of the Minnesota Rules of Criminal Procedure, prosecutors must turn over any information, favorable or unfavorable, in the possession of those who participate in the investigation or prosecution of a matter, including victim advocates working with law enforcement or prosecution.

It is important to distinguish domestic abuse advocates from sexual assault counselors. While sexual assault counselors provide confidential counseling with limited involvement in the justice system, domestic abuse advocates often serve as liaisons sharing victim preferences about case outcomes, no-contact orders, or programming with prosecutors or law enforcement. When that information informs the prosecution's work, it must be treated as discoverable.

This clarification not only protects due process, but it also promotes the timely and fair resolution of cases. When victims share their views with advocates, that information can help resolve cases efficiently and in ways that honor the victim's voice. If such information is withheld, it risks undermining the integrity of the process and can even lead to avoidable mistrials, because there are times that undisclosed information provided by victims, through an advocate, is not passed on to defense attorneys.

This amendment ensures all relevant and material information reaches both sides, safeguarding fairness, transparency, and justice. We respectfully urge you to support S.F. 1055 as amended.

Thank you for your consideration.

Sincerely,

Jill Brisbois

Minnesota Association of Criminal Defense Lawyers