



## **Minnesota Corrections Association Legislative Agenda 2024**

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## Table of Contents

<b>Mission Statement.....</b>	<b>3</b>
<b>Core Values .....</b>	<b>3</b>
<b>Mental Health and Substance Use Disorder Treatment Needs .....</b>	<b>5</b>
<b>Reentry .....</b>	<b>6</b>
<b>Housing .....</b>	<b>8</b>
<b>Predatory Offender Residency Restrictions.....</b>	<b>9</b>
<b>Revision of Predatory Offender Registration Statute.....</b>	<b>10</b>
<b>Juvenile Predatory Offender Registration .....</b>	<b>11</b>
<b>Smart Sentencing and Supervision .....</b>	<b>13</b>
<b>Law Enforcement and the Police.....</b>	<b>16</b>

## Mission Statement

To promote the professional development of individuals working in all aspects of the corrections field and to promote ethical and just correctional practices.

## Overview

The Minnesota Corrections Association (MCA) was established in 1933 and today represents more than 1000 professionals from more than 100 agencies throughout Minnesota and the upper-Midwest. MCA's membership serves in probation, supervised release, jails, prisons, residential and non-residential programs from county, state, federal, non-profit, and private agencies. MCA is the oldest and largest corrections association in the state and is affiliated with numerous national criminal justice organizations.

Public safety is paramount to our mission. Our members provide for the safe, secure, and humane incarceration, supervision, and rehabilitation of people entrusted to our care as directed by the courts. The high quality of services provided by our membership is clearly evidenced through incarceration and recidivism rates that are among the lowest in the nation. The legislature's commitment to public safety realized by our agenda will help advance Minnesota's position as a leader in transformative correctional policies and practices.

## Core Values

We recognize the inherent dignity of the human person and the need to treat every individual with respect. We share the responsibility of our government partners when they entrust individuals to our care. The fundamental responsibility of the criminal justice system is to advance the interests of public safety. MCA carries out its responsibilities by subscribing generally to the following values:

**Society has the right to be protected from persons who cause its members harm, regardless of the reasons for such harm.**

- It is the right of every citizen to be free from fear of harm to person or property. Belief in the necessity of law-and-order demands commitment to support it. We view ourselves as instruments for both control and rehabilitation.

**Crime victims have rights deserving of protection.**

- We recognize that prosecution is but part of the responsibility of the criminal justice system. The crime victim may suffer from the loss of property, emotional distress, or physical disability. We commit ourselves to advocating the needs and interest of crime victims.

**Offenders have rights deserving of protection.**

- The United States Constitution and the Bill of Rights guarantee fair, individualized, and humane due process of law in adjudicating, sentencing, incarcerating, and treating people.

**Human beings are capable of change.**

- Belief in the individual's capability for behavior change leads us to a commitment to rehabilitation. This is based on the principle that each person is responsible for their own behavior. Correctional practice focuses on identifying and brokering services that will best afford people opportunities to become responsible, law-abiding citizens.

**Not all people have the same capacity or willingness to benefit from interventions.**

- A person's individualized risks, needs, and responsivity must be assessed using reliable, actuarial instruments to inform and prioritize rehabilitative treatment options.

**Intervention in a person's life should be the least restrictive amount necessary to protect public safety and promote law-abiding behavior.**

- We subscribe to the principle of intervening in a person's life only to the extent necessitated by public safety. Where interventions can be effectuated outside of the criminal justice system, a person should be diverted from it.

**Punishment for the sake of punishment should be avoided.**

- Corrections philosophy does not accept the concept of retributive punishment as its primary goal. Even corrective punishment should be used cautiously and judiciously in view of its highly unpredictable impact. We recognize that a conditional sentence in the community is, in and of itself, punishment. It is less harsh than prison, but more controlling and punitive than no supervision.

**Incarceration can be destructive and should be imposed only when necessary.**

- We acknowledge and laud society's right to protect itself. Incarceration can be appropriate to emphasize the consequences of criminal behavior and, thus, effect constructive behavioral change. However, institutions should be humane and required to adhere to the highest industry standards.

**Corrections is committed to recruiting the most capable individuals available to carry out its mission.**

- Those who carry out the mission of corrections should be committed to justice and fairness. They should be sensitive to the differences they see in others and themselves. They should be heterogeneous in their racial, cultural, and ethnic backgrounds.

**Where public safety is not threatened, society and people are best served through community-based programs.**

- Most people should be afforded community-based services in which they are expected to demonstrate acceptable behavior. Community-based programs generally are cost effective and allow people to remain with their families while paying taxes and, when applicable, restitution to victims.

## **Mental Health and Substance Use Disorder Treatment Needs**

Those affected by mental health issues increasingly receive care provided by correctional agencies. In 1959, nearly 559,000 patients with mental health issues were housed in state mental health hospitals. A shift to “deinstitutionalize” those affected by mental health issues had, by the late 1990s, dropped the number of persons housed in public psychiatric hospitals to approximately 70,000. As a result, those affected by mental health issues are more likely to live in local communities. Some of those come into contact with the criminal justice system. In a 2006 Special Report, the Bureau of Justice Statistics (BJS) estimated that 705,600 adults affected by mental health issues were incarcerated in state prisons, 78,800 in federal prisons, and 479,900 in local jails. In addition, research suggests that people with mental health issues are overrepresented in probation and parole populations at estimated rates ranging from two to four times the general population. Growing numbers of those affected by mental health issues have strained correctional systems.

NAMI (National Alliance on Mental Illness) Minnesota, based on data available in February 2021, reported 1,784,012 people in Minnesota live in a community that does not have enough mental health professionals. High school students with depression are more than 2x more likely to drop out than their peers. 1 in 4 people with a serious mental illness has been arrested by the police at some point in their lifetime – leading to over 2 million jail bookings of people with serious mental illness each year. 7 in 10 youth in the juvenile justice system have a mental health condition. In Minnesota, 739 lives were lost to suicide in the last year. An inadequate mental health system affects individuals, families, and communities.

The nation’s prisons, jails, and pretrial, probation, and parole agencies also oversee a disproportionate number of individuals with substance use disorders (SUD)—many churning through the criminal justice system time and again. Mental health and SUD service providers often see these same individuals in the community, some who are at risk of arrest because of behaviors associated with their disorders and others on probation or returning home after incarceration with diverse treatment needs.

The corrections, mental health, and SUD systems share a commitment to help these individuals successfully address their needs and avoid criminal justice involvement, yet each system has its own screening and assessment tools and research-based practices. Although there are many examples of innovative and effective collaborations among corrections, SUD, and mental health providers, what has been lacking is a truly integrated framework that can help officials at the systems level direct limited resources to where they can be most effective in achieving public safety and healthcare goals. The effective administration and dispensing of mental health and SUD services as a means of prevention, assists in ensuring public safety and reducing criminal justice involvement.

In 2014, the Treatment Advocacy Center and the National Sheriff’s Association issued a joint report addressing these issues. The findings and recommendations should inform decision-making in Minnesota. The joint report suggested a two-pronged approach involving diversion from the criminal justice system and a thorough reimagining of treatment and handling needs

within institutions and during community supervision. The joint report offered the following recommendations, which MCA supports:

1. Provide appropriate treatment while in prison or jail;
2. Implement and promote diversion programs;
3. Promote the use of assisted outpatient treatment;
4. Encourage comprehensive and true cost studies;
5. Conduct careful, actuarial intake screenings;
6. Mandate comprehensive mental health release planning from prison and jail; and
7. Clearly delineate the authority for medication over the objection of inmates.

Many of these challenges are not new. Rather, this framework sharpens the focus on which practices and policies need to be tested and for what purposes. Achieving the vision of improved outcomes through the effective use of scarce resources will require leadership at the federal, state, and local levels.

## **Reentry**

Nearly all of those spending time in prison will return to their communities at some point. Reentry includes all the activities and programming conducted to prepare them to return safely to the community and to live as law-abiding citizens. Some ex-offenders, however, eventually end up back in prison. The BJS's most recent study on recidivism showed that within five years of release nearly three-quarters of ex-offenders released came back into contact with the criminal justice system, and more than half returned to prison after either being convicted for a new crime or for violating the conditions of their release. Compared with the average American, ex-offenders are less educated, less likely to be gainfully employed, and more likely to have a history of mental illness or SUD—all of which have been shown to be risk factors for recidivism.

## **Policy**

Effective reentry for those involved in the criminal justice system should be one of the top priorities of this and future legislatures. Proper execution of comprehensive reentry services can increase public safety and economic security, lower health care costs, and enhance community well-being. Failure to address reentry will exacerbate problems in all these areas exponentially.

Successful reentry requires services from disciplines that often cross the artificial boundaries of state departments and requires these agencies to commingle resources. For most returning prisoners, a chance for successful reintegration requires access to accountability and monitoring functions associated with corrections. They must also have access to physical and behavioral health services normally associated with the Department of Human Services; to affordable, nondiscriminatory, and supportive housing associated with the Minnesota Housing Finance Agency; and to living wage jobs normally associated with the Department of Labor. Each of these areas place an emphasis on familial and community reunification and engagement.

## Background

- Over the past 25 years, the prison population in Minnesota skyrocketed from fewer than 2,000 to more than 10,000. As of July 1, 2023, the adult prison population was 8,274. With a backlog of felony criminal cases in the state’s court system, most commentators believe the prison population will normalize around 9,200. Minnesota’s prison system released 7,238 inmates during FY2020, which does not include those who reentered society from county jails.
- The collateral consequences of a criminal conviction have never been more onerous. The legislature, intentionally and unintentionally, has created barriers to housing, certain types of employment, student loans, economic assistance, and adoption. Furthermore, we, as a society, have advanced to a place where background checks are conducted for almost everyone applying for a job, an apartment or home, or for a loan with no oversight of the agencies conducting background checks.
- Local jails’ “pay to stay” policies, which are not based on the person’s ability to pay, has an adverse impact on reentry.
- Services most needed by those returning to the community—employment advocacy, behavioral health, housing, family services, etc.—require the person to navigate multiple complex systems and funding requirements, often resulting in unmet needs and returnee apathy.
- Many communities have enacted sweeping, geographical residency and zoning restrictions against people who are required to register for “predatory” behavior. These restrictions eliminate access to support systems, transitional housing, and rehabilitative services. The absence of these systems and services harms public safety and increases recidivism risk by creating a situation wherein the registrant becomes isolated. Furthermore, these restrictions have not been shown to reduce recidivism or serve any public safety purpose.
- A person who cannot obtain meaningful employment, secure suitable housing, support their family, or enjoy other protective factors, is a public safety risk.

## Recommended Strategies

- Create a sustainable funding subsidy for transitional housing (see below).
- Expand the protections afforded under Minnesota Statutes Chapter 364 to non-public entities.
- Create a “Certificate of Rehabilitation” and a process for obtaining it. Designate certificate holders as a protected class under civil rights regulations. Limit liability for those landlords who knowingly rent to ex-offenders.
- Support a tax-break incentive for employers and landlords who serve ex-offenders.
- Create oversight for those companies that conduct criminal background checks with remedies for those affected by erroneous or unreliable information.
- Eliminate access to arrest data, where the arrest does not result in a conviction, for everyone but law enforcement and corrections.

- Examine and modify the collateral consequences that have been legislatively created to comply with the spirit of Chapter 364.
- Continue to support restoration of voting rights for offenders no longer incarcerated.
- Fund additional FTEs for supervision agents to return caseload sizes to manageable numbers. Revised drug sentencing and mental health diversion programs will also contribute to greater funding for reentry services, local probation/supervision programs, and treatment programming.
- Expand discretionary release criteria for programs like the Challenge Incarceration Program and the Conditional Release Program to other non-violent offenders.
- Oppose arbitrary residency and zoning restrictions that rely on unsubstantiated “public safety” measures to prohibit where certain offenders can live. Residency restrictions are shown to increase recidivism risk and have no correlation to crime prevention. A statewide policy to preempt local restrictions should be considered.

## **Housing**

Safe housing—like food, water, and clothing—is one of the simple needs all people have in common. But when it comes to justice-involved people’s need for housing, finding solutions is anything but simple. According to BJS, more than 10% of people entering and exiting prisons and jails were homeless in the months preceding and following their incarceration. Being homeless, unstably housed, or living in a high crime neighborhood heighten a person’s risk of reoffending. Among justice-involved people, those with mental illness have higher than average rates of homelessness and housing insecurity. Homelessness is not just a public safety issue, but also a public health issue.

### **Policy**

State funds should be allocated to help establish housing resources for at-risk offenders throughout the state, including people under probation, intensive supervised release, low-functioning adults, the mentally ill, and other special-needs individuals who lack available housing or who require structured living environments. Ideally, housing support would be established within each region of the state. Collaboration between public, non-profit, and private agencies and between state and local officials is needed.

### **Background**

#### **Lack of housing affects public safety.**

- Probation officers can only offer limited services to high-risk offenders who lack stable housing or transitional programming.
- The number of high-risk offenders with no housing continues to grow. Motel rooms, shelters, tents, and vehicles are unsuitable.
- Placing high-risk offenders in settings or locations with limited supervision compromises public safety.



- Minnesota has a woefully inadequate number of long-term and transitional housing programs to assist mentally ill offenders. Without suitable housing, mentally ill offenders tend to discontinue medication regimens and withdraw from mental health treatment.
- Low-functioning adults and offenders in need of mental health services who are under supervision comprise a growing segment of offenders who are frequently ineligible to receive housing assistance or specialized services.
- Offenders who experience multiple problems would benefit from a structured living environment that provides job training, education, counseling, fiscal management, transportation assistance, and other support services.
- Developing additional transitional housing options will enhance public safety, provide better accountability, and facilitate successful offender re-entry.

### **Housing is key to solving the problem.**

- Adequate housing and effective community-based programming reduce jail and prison costs.
- Financial incentives should be available to communities to make halfway houses and housing more attractive.
- Access to emergency housing funds should be available for certain at-risk offenders.

### **Predatory Offender Residency Restrictions**

A popular move by some Minnesota city councils and county boards has been to prohibit certain registrants from living in residential areas. This forces registrants into rural locations or industrial areas of cities and towns. The ostensible reasoning is that these registrants are at high-risk if allowed to live in populated areas near schools, daycares, or parks. This logic is flawed, based on the following:

1. There is no demonstrated relationship between the residential location of registrants and their proximity to places where children congregate or are found in large numbers. Those who offend against children typically develop relationships through social proximity—work, school, or family—not geographic proximity.
2. The re-offense rate for registrants, especially those under supervision, is significantly overstated. Most sexual offenses are committed by those who are not currently registered. In the past 15 years, only seven percent of those convicted of a new criminal sexual conduct offense were registered at the time of the offense. In other words, 93% of all new sexual offenses were committed by people previously unknown to the criminal justice system.

3. Risk level assignment is a tool used in Minnesota to adequately monitor people under supervision. Using higher risk designations or criminal history to destabilize housing and complicate legitimate law enforcement and supervision processes undermines our ability to efficiently and effectively protect public safety.
4. Residency restrictions peddle false hope. “Out of sight, out of mind” does not address the actual risk presented by this population. Awareness and education fosters community safety, denial does not.
5. Pushing this population into rural areas simply shifts supervision and monitoring responsibilities to sheriff’s offices and obscures information from local law enforcement who are needed to engage registrants. Artificial restrictions do not replace the need for police and citizens to work together collaboratively.
6. Supervising registrants with active sentences has always been the responsibility of local or state corrections officials. Interjection by those who want to prohibit registrants from living in their community harms public safety. Removing housing options from a population already at risk for instability, access to transportation, treatment, employment, and other resources is counterproductive to our overarching goal of public safety.
7. Local residency restriction ordinances have been overturned by the courts throughout the country, including in Minnesota. The legislature should adopt a statewide policy to preempt local restrictions.

### **Revision of Predatory Offender Registration Statute**

In January of 2022 a legislative work group on Predatory Offender Registration produced a report <https://mn.gov/doc/about/legislative-info/por-working-group/> highlighting areas that the majority of the workgroup recommended for review and revision. More than thirty years after adoption of the initial registration statute many upward revisions have been made but no comprehensive review had been done. It was obvious to most that the registration requirements were overly inclusive and extreme in application as originally written. The following areas were indicated as areas that should warrant revision.

1. **Removal of or limiting juveniles in the registration system.** This has been an area that MCA has addressed for many years in our legislative agenda. Further information on that position is included later in this agenda. One of the key points addressed is the extreme Minnesota requirement that those as young as 10 years old are subject to registration and in some circumstances lifetime registration without any possibility of relief from that registration requirement. Additionally, the Bureau of Criminal Apprehension (BCA) states that they have no ability to provide data on how many of the current 18,000+ registrants are subject to registration based solely on juvenile adjudication.
2. **Modifying the registration requirement for the crime of false imprisonment.** Surprising to many is the fact that no sexual offense component is necessary for someone to be subject to registration as a “Predatory Offender”. The oftentimes misunderstood reality that the registration system may include as many as 15%-18% of individuals with

no sexual offense component in either charging or conviction offenses. These statistics are also unclear because BCA again asserts that they are unable to determine the basis for registration.

3. **Limiting convictions that re-start the registration period.** Any crime that results in one day in jail or prison results in a restart of the registration period whether it has anything to do with sexual or predatory offense behavior. Some limitation on this restart provision was recommended particularly when no nexus between that behavior and the registration behavior was present.
4. **Providing a limited registration relief process.** Lifetime registration for many offenses was enacted later in the registration history. This lifetime registration for both juveniles and adults has no option for relief regardless of compliance history with all aspects of a crime-free life. The overly inclusive lifetime registration in many circumstances is a relevant area for adoption of some kind of relief mechanism after a period of full compliance.
5. **Elimination of mandatory minimum for first-time conviction for failure to register.** This is a clear area where the mandatory minimum is not practical and has not been carried out in practice throughout the state. This has led to one of the most uneven applications of law within our legal system. The intention to put teeth into the crime resulted in a decayed and uneven bite across jurisdictions.

### **Juvenile Predatory Offender Registration**

MCA supports amending current registration laws for juveniles to increase public safety while maximizing rehabilitative interventions shown to decrease recidivism.

#### **Background**

Public safety is enhanced when the system is responsive to the specific risks and needs of justice involved individuals. Immediate public safety is enhanced when higher risk cases are under supervision, when their whereabouts are known, and when authorities can account for them. Long-term public safety is enhanced when registrants can be treated, rehabilitated, and effectively transitioned to productive, pro-social lives.

Under Minnesota law, juveniles are required to register if they are adjudicated delinquent of an offense enumerated under Minnesota Statutes Section 243.166 or 243.167. This statute casts a wide net and does not allow for supervision management pursuant to risk or public safety. Currently, attorneys and judges in multiple jurisdictions are reluctant to adjudicate some juveniles as delinquent because it triggers registration. Instead, these juveniles are afforded stays of adjudication or continuances for dismissal. These strategies result in avoiding registration, create inconsistencies in prosecution, and limit the length of probation supervision and rehabilitative interventions. Additionally, the statutes do not offer any legal criteria for judges to determine who should register. The lack of legal criteria results in many jurisdictions responding differently to the same public safety risk. Lastly, Minnesota does not differentiate a juvenile from

an adult when requiring registration. This mandate runs contrary to the purposeful differences appropriately created between delinquency and criminal court systems.

Currently, 16 states and the District of Columbia do not require adjudicated juveniles to register. Of the other 34 states, 22 allow courts to determine whether a juvenile should be required to register. Minnesota is one of 12 states that require juveniles to register without legal criteria to inform the courts. Minnesota is one of seven states that requires adjudicated juveniles to register, does not provide registration criteria, and does not significantly differentiate between adult and juvenile registration. Based on this information, we offer the following:

### **Recommendations**

1. Amend Minnesota statutes to provide legal criteria for judges to consider in determining if a juvenile adjudicated delinquent requires registration.
2. The proposed amendments would provide the court legal criteria to require registration upon an adjudication of delinquency and a finding that the circumstances of the offense require registration. Additionally, the decision to require registration could be made at any point post-adjudication, including during the period of supervision.
3. Use the following statutory language:
  - a. The juvenile was fourteen years of age or older when the act was committed;
  - b. The juvenile was adjudicated delinquent by a juvenile court of any of the offenses requiring registration; and
  - c. The court, in its discretion and upon motion of the prosecuting attorney, finds that the circumstances of the offense require predatory offender registration.
  - d. Factors to be considered by the court to determine whether registration should be required:
    - i. The degree to which the juvenile used force, threat, or intimidation while committing the act;
    - ii. The age and maturity of the complaining witness;
    - iii. The age and maturity of the juvenile;
    - iv. The difference in age of the complaining witness and the juvenile;
    - v. The nature of the relationship between the complaining witness and the juvenile;
    - vi. The juvenile's prior criminal history; and
    - vii. Any other aggravating or mitigating factor that the court determines relevant to the case.
  - e. The prosecuting attorney may file a motion for registration at any time during which the juvenile is within the jurisdiction of the court for the instant offense. Prior to any hearing on the motion, the court shall appoint a qualified and competent attorney to represent the juvenile unless an attorney has already been obtained or appointed and appears on behalf of the juvenile.

## **Smart Sentencing and Supervision**

Minnesota's sentencing laws need additional revision to remove disparities and ineffective mandatory penalties. Lawmakers must understand that unintended consequences of sentencing decisions often make people ineligible for important programming and treatment opportunities, both while incarcerated and in the community.

MCA supports the report and recommendations set forth by the Minnesota Sentencing Guidelines Commission's 2007 Collateral Sanctions Committee.

### **Courts**

- Provide general notice regarding collateral sanctions to defendants.

### **High Schools, Vocational Schools, Colleges, and Universities**

- Give notice to those intending to embark on studies leading to employment that they should consider any records of contacts with the police or criminal courts in career-planning.
- Educate school administrators and counselors about collateral sanctions, so that they can provide students with sound advice about vocational and career planning.

### **Making Collateral Sanctions/Non-adjudicated Punishments Easy to Identify**

- A directory of all the professions and jobs that require licenses and clearances from state agencies must be created. The directory should state requirements for licensure/clearance, the process each agency uses to vet applicants (including how they weigh arrest or conviction records), instructions on how to apply, and an outline of the appeals process.

### **Educating the People**

- Implement a campaign to educate the public about the links between public safety and sound reentry programs, including those that promote employment.

### **Reducing Convictions/Diversion**

- Reevaluate the legal mechanisms Minnesota law provides to spare deserving individuals from having criminal convictions and refine and augment them to increase their impact and make them equally available to all qualified defendants.
- Establish a mandatory statewide diversion program based on an appropriate actuarial risk assessment tool.

### **Licensing and Background Checks**

- Rationalize licensing agencies' use of criminal data, so that it is consistent with the policies set forth above.

- Create a process by which all state agencies choosing to do background checks of criminal records can readily obtain uniform, accurate reports concerning at least Minnesota criminal history.
- Before creating a standard format for criminal history reports, the legislature should consider carefully exactly what data should be included and whether there should be more than one format. It might be decided that the content of background checks should depend upon the purpose for which they are used, or how much access the subject will have to vulnerable people or property.
- Carefully restrict the number of convictions that will trigger absolute bars from types of employment or eliminate such bars entirely.
- Establish sensible “look-back” periods after which convictions will not be reported. It is not readily apparent why some are longer than others and how we arrived at the periods we have. These timeframes must be carefully considered because they affect many people in major ways.
- Weigh the advantages and disadvantages of streamlining professional licensure by reducing the number of licensing agencies.
- Require all licensing agencies to consider specific factors every time they weigh an individual’s criminal record. If they deny licensure based on criminal history, they must provide the applicant with their evaluation of the factors.
- Review statutory bars to licensure for their adherence to sound collateral sanctions policy and amend them so that they are consonant with sound policy. In addition to considering the elimination of permanent bars and the establishment of reasonable look-back periods, determine whether there is a rational relationship between each conviction triggering a bar and the profession the ex-offender is not allowed to pursue. If there is not, the bar should be eliminated.
- Eliminate arrests not leading to charges from criminal history reports for use outside the criminal justice system.
- Determine whether and when charges that do not result in conviction should be reported outside the criminal justice system.
- Determine how and whether to report vacated sentences, dismissals, petty misdemeanors, and other actions that the courts employ specifically to spare people who do not pose a risk to others from having criminal convictions. Create a statute clearly setting forth how and whether such actions are reported.
- Background reports including legal terms, such as “continuance for dismissal,” “vacated,” “dismissed,” and “suspended” will include a standard glossary defining these terms and noting that courts count only convictions as a “criminal record.”
- Amend Minnesota Statute Section 609.135.

## **Minnesota Statute Section 364**

Make Minnesota Statute Section 364 and actual practices consistent.

**364.01 POLICY.** *The legislature declares that it is the policy of the state of Minnesota to encourage and contribute to the rehabilitation of criminal offenders and to assist them in the resumption of the responsibilities of citizenship. The opportunity to secure employment or to pursue, practice, or engage in a meaningful and profitable trade, occupation, vocation, profession, or business is essential to rehabilitation and the resumption of the responsibilities of citizenship.*

### **Data Miners**

- Regulate data miners.

### **Certificates of Relief**

- Create a Certificate of Good Conduct.

### **Work Experience**

- Fund county corrections agencies at a level adequate to allow them to work within their communities to provide work experience to individuals on probation, to support probationers in getting and keeping jobs, and to measure their efforts' impact on recidivism.
- Fund DOC vocational training that is designed in collaboration with potential employers, measures impact on recidivism, and provides all inmates with experience working at jobs that are likely to be available in the community.
- Fund state or non-profit vocational programs for ex-offenders only if most participants gain employment, and the programs have measurable impact on recidivism.
- Explore the possibility of linking funding for correctional work programs to projects that would benefit the communities most impacted by crime or would build facilities needed to enhance public safety.

### **Employer Incentives**

#### **Role of Employers and Unions**

- Involve employers and unions in minimizing unreasonable impact of criminal records on employment.

#### **Employer Liability**

- Eliminate employer liability for reasonable hiring of ex-offenders.

#### **Financial Incentives**

- Work opportunity tax credit (WOTC)

- Evaluate the effectiveness of WOTC.
  - Work with employers to maximize utilization of tax credits.
- Minnesota Federal Bonding Services
  - Determine why Minnesota businesses are not utilizing the Federal Bonding Service (FBS)
  - Increase utilization of federal bonds or stop paying to advertise and administer the FBS.

### **Driving Privileges**

- Give judges discretion not to report non-driving traffic violations to the Department of Public Safety.
- Create a task force to study driver licensing in Minnesota and elsewhere to determine ways in which to decrease the number of residents who are driving illegally to get to work.
- Amend Minnesota Statute Section 171 to limit restrictions to those based on driving or operation violations.

### **Law Enforcement and the Police**

MCA stands firmly with law enforcement. Public safety demands strong partnerships within the criminal justice system and between the communities it serves. Law enforcement is fundamental to that effort. We support meaningful reforms to policing whenever research suggests it benefits the public, especially when those reforms strengthen multidisciplinary approaches to crime reduction, rehabilitation, restorative justice, and victim restoration.