



2020 LEGISLATIVE AGENDA

Mental Health and Substance Abuse Needs among the Justice-Involved Population

- Incarceration is too often the primary response for people requiring mental health services. People with problematic or untreated mental health symptoms often have corresponding substance abuse disorders. Public policy needs to adequately address the mental health and substance abuse needs of our clientele, ideally before a person becomes involved with the criminal justice system. Of particular concern is how military veterans, especially those with service-connected mental health diagnoses, interact with the criminal justice system, and the extent to which veterans are diverted from the courts.
- According to the National Center for Mental Health and Juvenile Justice, 60-70% of arrested youth meet the criteria for at least one mental disorder; 60% of them with at least one mental disorder experience a co-occurring substance use disorder; and at least 75% of youth in the juvenile justice system have experienced traumatic victimization. Surveys of juvenile justice professionals indicate that there is a severe shortage of juvenile mental health and substance abuse treatment options in Minnesota.
- Funding is needed to adequately supply adult and juvenile mental health and substance abuse assessment, treatment, family support, and trauma-informed care training for professionals and practitioners.

Offender Reentry

- Effectively transitioning people from incarceration to the community enhances public safety and saves tax dollars. Policies that target and support education, housing, employment, and mental health services are proven to reduce recidivism and costs.
- Restructure juvenile predatory offender registration procedures: The courts should be allowed to use legal criteria at any time during the supervision process to determine if a juvenile adjudicated delinquent for a predatory offense should be required to register.
- Intermediate sanctions and other less-restrictive options should be used more often to reduce unnecessary and ineffective incarceration. Administrative options should include sanctions *and* incentives.
- Local residency restrictions, which have increased dramatically during the past several years, severely restrict where many registered predatory offenders may live. These restrictions have had no effect on recidivism and may actually increase the risk to public safety by creating a false sense of security. Research overwhelmingly demonstrates that housing instability undermines public safety and unduly complicates community supervision.
- Restoring voting rights to those in the community is a reasonable component of reintegration. While it often takes a back seat to the required basic human needs of housing and employment, it is still a vital part of citizenship that can contribute to greater investment by those who have been involved in the criminal justice system.



2020 LEGISLATIVE AGENDA

(continued)

Smart Sentencing and Supervision

- Revised sentencing guidelines will enhance public safety and reduce costs, particularly for drug offenses where disparities and ineffective mandatory minimum penalties disserve the interests of justice. Collateral consequences are often unknown or ignored at the time of sentencing, which precludes otherwise suitable candidates from early release programs and other opportunities to enhance their success upon release.
- Caseload reductions, and corresponding cost savings, can be realized through risk-based sentencing practices. Dispositional and durational sentencing decisions should be informed by individualized actuarial assessment of criminogenic risks and needs. Research demonstrates that over-supervising low-risk people adversely affects their risk to recidivate. Low risk probationers should be monitored by the court or supervised administratively.
- In felony cases, probation terms should be limited to double the presumptive grid time prescribed by the sentencing guidelines with a cap of five years. Sentencing courts may depart from this standard in cases with demonstrable public safety concerns.

Staffing Levels

- Funding for staffing and security technology needs within correctional facilities is an ongoing issue statewide. These deficits have an inordinate impact on recruitment, retention, and wellness efforts.
- Staffing levels and support needs in community corrections must also be addressed. Minnesota has historically enjoyed tremendous value, measured by cost reductions and efficacy, through expanded use of community supervision in lieu of incarceration.
- Expansion of the groups and types eligible for early retirement incentives within the corrections community including field services under Minnesota Statutes Sections **352.90-352.955**.

Juvenile Sentencing to Life without Parole

- More than seven years ago, the U.S. Supreme Court held that the life-without-the-possibility-of-parole statute for juveniles is unconstitutional. To date, Minnesota has not acceded to this ruling.
- Minnesota's juvenile life without parole statute should be revised to life with the possibility of parole after serving a minimum of twenty years, and apply retroactively to the small number of juveniles currently sentenced to life without the possibility of parole.