

HENNEPIN COUNTY

ATTORNEY'S OFFICE

Mary F. Moriarty
Hennepin County Attorney
C-2000 Government Center 300 South 6th Street
Minneapolis, MN 55487
612-348-6221

2/28/23

Representative Jamie Long
100 Rev Dr Martin Luther King Jr Boulevard
459 State Office Building
St. Paul, MN 55155

Senator Clare Oumou-Verbeten
95 University Avenue W.
Minnesota Senate Bldg., Room 2101
St. Paul, MN 55155

Majority Leader Long, Sen. Oumou-Verbeten, and Members of the House and Senate:

Thank you for giving me the opportunity to express my support for HF1607 and SF1950, legislation that would limit probation to five years. While the Minnesota Sentencing Guidelines provided for a five-year probation limitation on new cases, this legislation would impose that limit retroactively. Minnesota maintains one of the highest rates of supervision in the nation with alarming disparities, making retroactivity an important component of this legislation.

Effective probation supervision can provide essential structure and accountability in the immediate aftermath of certain criminal convictions. A good probation officer can be firm and supportive while guiding a person toward a more productive, law-abiding life. Probation is an important tool for prosecutors and we should be doing everything we can to make sure probation is effective. That means limiting the length of probation.

The research on this issue is clear: longer probation terms do not lead to increased public safety. In fact, the research shows the earliest years of probation can be the most important. Studies looking at actual probation outcomes over long periods of time -- in Minnesota and nationwide -- confirm that people on probation are most at risk of reoffending early in probation terms. A look at Minnesota probation data from 2001-2016 showed the vast majority of probation revocations occurred within the first two years of probation. If a person can succeed in those first years, they are at extremely low risk of reoffending or having probation revoked farther down the road. Supporting people on probation early can mean the difference between success and failure.

But too many resources are currently devoted to people serving long probation terms, far past the high-risk years. This overwhelms probation caseloads and makes probation less effective. This makes our communities less safe. If the people my office puts on probation do not immediately have the structure and close supervision they need, they are more likely to fail on probation, commit additional crimes, and create more victims. Diverting critical resources to people who do not need them, doesn't make sense.

This legislation will allow probation officers to focus their efforts on those who are most in need of their support. This will provide relief to individuals currently on long-term probation and help them move forward and help to ease the burden on our probation system and make our communities safer.

Sincerely,



Mary F. Moriarty
Hennepin County Attorney