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T H E M I N N E S O T A  
C O U N T Y A T T O R N E Y S  
A S S O C I A T I O N

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April 7, 2026

Representative Paul Novotny  
2nd Floor Centennial Office Building  
658 Cedar Street  
St. Paul, MN 55155

Re: HF 962

Dear Representative Novotny:

The Minnesota County Attorneys Association has significant interest in issues surrounding prosecutorial determinations related to credibility and related disclosures. We thank you for your willingness to engage with our Association over the last year. As you know we have been working diligently with our law enforcement stakeholders on this important bill to reach consensus. After months of discussions and meetings we have arrived at language that not everyone likes, yet everyone believes achieves important objectives and is an improvement over current practice and guidelines. The recent amendments to the bill through House hearings establish a statewide framework for how law enforcement "Brady-Giglio" credibility impairments are designated, reviewed, and managed. The changes also include important data practice procedures and due process structures requested by law enforcement and prosecutors.

Our Association has also taken additional steps to engage other key stakeholders in this subject area, including MAPE, AFSCME, LMC, MACDL and the State Board of Public Defense. We believe those conversations have been productive and should additional amendments be agreed to that improve the current draft and have the support of prosecutors and law enforcement we will forward those on to you for your consideration.

This is an important initiative to get right. Thank you for your leadership to move this forward this year. Our Association supports the bill in its current form and remains willing to roll up our sleeves to work with anyone to ensure it's in its best form to pass the legislature.

Sincerely,

A handwritten signature in black ink, appearing to read "R. M. Small". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

Robert M. Small  
Executive Director



DATE: March 27, 2026

TO: MN House Public Safety Finance and Policy Committee  
MN Senate Judiciary and Public Safety Committee

RE: Support of House File 962 (Novtony)  
Support of Senate File 325 (Koran)

Dear Members:

On behalf of Law Enforcement Labor Services (LELS), Minnesota Police and Peace Officers Association (MPPOA), Minnesota State Patrol Troopers Association (MSPTA), Minnesota Bureau of Criminal Apprehension Agents Association (BCAAA), and the Minnesota Department of Corrections Fugitive Apprehension Agents Association (FAAA), we write to express our support for HF962 / SF325 as recently amended and updated to reflect key stakeholder efforts.

**HF962 / SF325 establishes a clear and consistent framework for the handling of Brady-Giglio material while ensuring appropriate protections for law enforcement personnel data. The bill balances the constitutional obligations of prosecutors with the due process rights and privacy protections of public employees.**

HF962 / SF325 provides important safeguards by:

- Requiring prosecuting authorities to adopt transparent, written policies governing the review, retention, and disclosure of Brady-Giglio material.
- Ensuring personnel data is maintained in secure, limited-access environments and protected from improper disclosure.
- Prohibiting blanket “do not call” lists and reinforcing that disclosure decisions must be made on a case-by-case basis.
- Providing notice and opportunities for public employers and employees to respond when data is requested or retained.

Law enforcement officers operate in complex and high-stakes environments and maintaining trust in both the justice system and the workforce requires clear standards and fair processes. HF962 / SF325 strengthens those standards while preserving prosecutorial obligations and judicial oversight.

Our organizations believe this legislation is a step in the right direction to ensure accountability, transparency, and the protection of sensitive personnel data. We respectfully urge your support for HF962 / SF325 and ask you to prioritize its passage this session.

**Jim Mortenson**  
Executive Director  
LELS

**Dave Titus**  
Executive Director  
MPPOA

**Jason Theel**  
President  
MSPTA

**Dustin Vanderhagen**  
President  
BCAAA

**Ben Uzlik**  
President  
FAAA



## MINNESOTA CHIEFS OF POLICE ASSOCIATION

DEDICATED TO THE IDEALS OF PROFESSIONAL POLICING

April 10th, 2026

### **MCPA Supports HF 962**

Dear Chair Scott and Members of the Committee:

On behalf of more than 300 police chiefs across Minnesota, the Minnesota Chiefs of Police Association (MCPA) writes in support of House File 962. This legislation provides important clarity and consistency for law enforcement agencies and county attorneys regarding the processing and management of Brady-Giglio material.

House File 962 requires county attorneys to establish policies for handling Brady-Giglio material and sets reasonable and necessary parameters to guide those policies. Establishing clear, uniform standards will help ensure fairness, transparency, and consistency across jurisdictions.

Clear guidance in this area is essential to maintaining the integrity of prosecutions, protecting due process, and supporting effective collaboration between prosecutors and law enforcement agencies.

The MCPA and other stakeholders participated in a collaborative process over several months to develop this bill. For the reasons cited above, the MCPA supports House File 962.

Respectfully,

Jeff Potts  
Executive Director  
Minnesota Chiefs of Police Association



# MINNESOTA SHERIFFS' ASSOCIATION

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April 7, 2026

The Honorable Peggy Scott, Co-Chair  
The Honorable Tina Liebling, Co-Chair  
Minnesota House Judiciary Finance and Civil Law Committee  
Minnesota House of Representatives  
Saint Paul, Minnesota

***Re: Support for HF962 as Amended (Brady-Giglio)***

Dear Chair Scott, Chair Liebling, and Members of the Committee:

On behalf of the Minnesota Sheriffs' Association (MSA), which represents all 87 elected sheriffs of this state, I write to express our support for the amendment offered to HF 962. The Minnesota Sheriffs' Association recognizes the importance of the issue before the committee and the need to find a solution that works for all stakeholders. That is why we gladly participated in numerous working groups with many stakeholders to develop the proposed language. Law enforcement agencies across Minnesota require a clear, consistent, and fair process regarding Brady-Giglio designations. We also acknowledge that it must protect due process, ensure transparency, and maintain the public trust.

Currently, there is not a uniform standard across the state. The handling of Brady-Giglio matters varies not only from county to county but also between municipal prosecutors. This lack of consistency creates uncertainty for law enforcement officers, sheriff's offices, and the communities that they proudly serve. A standardized framework is essential to eliminate discrepancies and ensure fairness in the management of these cases across the state.

It is crucial that when a Brady-Giglio designation is made, the appropriate authority notifies both the affected deputy and their Sheriff's Office. Direct and timely notification ensures that all involved parties are aware of the designation and can respond accordingly. Without clear notification procedures, unnecessary confusion arises, undermining an agencies' ability to address the matter effectively.

Additionally, Sheriffs acknowledge that disciplinary decisions should not be based solely on the existence of a Brady-Giglio designation. While Chief Law Enforcement Officers must retain the authority to conduct independent investigations and take

disciplinary action when warranted, those decisions should be based on department-led findings rather than an external designation alone. The designation itself does not necessarily provide a complete or fair assessment of a deputy's conduct, and agencies must be able to review the circumstances independently to determine appropriate actions.

Lastly, ensuring due process for deputies is critical. Law enforcement officers must have a clear and fair avenue to challenge a Brady-Giglio designation. The ability to contest such determinations ensures that deputies are afforded basic procedural protections, reinforcing both fairness and accountability within the system. Establishing a transparent and consistent process benefits not only the deputies involved but also the integrity of the law enforcement profession as a whole.

The Minnesota Sheriffs' Association has been collaborating with our justice partners and legislators to refine and strengthen this bill as it progresses. The numerous stakeholders have worked tirelessly to pursue the best possible outcome which is being presented for your consideration. For these reasons, the Minnesota Sheriffs' Association respectfully urges the committee to support the HF 962 amendment.

Respectfully,

A handwritten signature in cursive script, appearing to read "James Stuart".

James Stuart  
Executive Director / CEO  
Minnesota Sheriffs' Association

Cc: Representative Paul Novotny



April 13, 2026

**House Judiciary Committee\_HF962 opposed**  
**Chair Scott, Chair Liebling, members of the committee,**

We submit this letter in opposition to HF962. We appreciate the work that has gone into the bill to this point, however, it still fails to resolve the major sticking point in the state's compliance with *Brady-Giglio* its requirements – it does not create a pathway to facilitate sharing of data between government entities.

To be clear, in the ACLU-MN's view both data practices statute and case law are clear that law enforcement and prosecutors have a shared obligation to review and disclose *Brady-Giglio* material to defendants and their counsel. This shared obligation – and the protections in existing data practices law – are sufficient to allow for information sharing between law enforcement and the prosecuting agency without public disclosure. That is – **we believe that the laws as written currently compel the data sharing and disclosure that the state is failing to do**, however any modifications to *Brady-Giglio* must clearly define law enforcement's disclosure obligations.

Our understanding of those laws is not how *Brady-Giglio* is handled in reality, however. Generally, law enforcement conducts an initial review then discloses to the prosecutors only that which they believe complies and is disclosable (if anything at all) leaving the prosecution to review an incomplete case file to determine what to disclose to the defendant.

This process leads to numerous problems ranging from constitutional violations to excessive costs and administrative delays. The current system unduly burdens criminal defendants by (1) delaying criminal trials, often while the defendant is incarcerated, while the prosecution sorts through internal disputes; (2) increases costs to defendants and public defenders offices to seek additional disclosures; and (3) results in an increase of appeals, re-trials, and mistrials as the prosecution is found to have withheld required disclosures. These constitutional errors create additional burdens on the counties and taxpayers as they are often required (1) to litigate between themselves – prosecutors filing motions for disclosure against their own law enforcement agencies; and (2) to relitigate and retry defendants.

The core premise of *Brady v. Maryland* and *Giglio v. United States* is that defendants are entitled to disclosure of evidence involving peace officer credibility. This is a legal obligation on the state and should be handled by the state's legal representation – either at the state, county, or city level.

**We urge the committee to oppose HF962.**

John Boehler  
Policy Counsel, ACLU-MN