



March 16, 2023

Dear Chair Moller and Members of the House Public Safety and Finance Committee,

On behalf of the Great North Innocence Project, I write in support of HF 1300, which would eliminate the sentence of life without parole for defendants who were under the age of eighteen at the time of their offense.

As many have noted, Sections 609.106 and 609.3455 of the Minnesota Statutes contain provisions that are unconstitutional under prevailing case law of the U.S. Supreme Court because they mandate life without parole for certain defined offenses without distinction as to the age of the defendant. As the Supreme Court held in *Miller v. Alabama*, 567 U.S. 460 (2012), mandatory schemes of this type are unconstitutional to the extent they do not allow for individualized consideration of the appropriate sentence given all relevant factors, including factors related the individual's youth and immaturity. Thus, there can be little question that Minnesota law is in need of repair on this point.

HF 1300 adopts the proper approach in disposing altogether with the sentence of life without parole for juveniles. A mountain of academic literature has established that young people are different from adults in ways that are material to questions of culpability and punishment. As the Supreme Court has properly recognized, it is extraordinarily difficult to "distinguish[] at this early age between 'the juvenile offender whose crime reflects unfortunate yet transient immaturity, and the rare juvenile offender whose crime reflects irreparable corruption.'" *Miller*, 567 U.S. at 479–80 (quoting *Roper v. Simmons*, 543 U.S. 551, 573 (2005)). HF 1300 has the merit of not forcing judges to make that determination on the front end. Instead, this bill allows for flexibility such that individuals whose crimes reflect transient immaturity have an opportunity to rejoin society at the appropriate time, while allowing for the continued incarceration of those rare individuals who continue to pose an ongoing threat to society even after maturing into adulthood.

In addition to helping promote a more humane and thoughtful criminal legal system, the elimination of juvenile life without parole will help reduce the risk of wrongful convictions for juvenile offenders. The existence of such extreme penalties always creates a risk that innocent defendants will plead guilty to secure a lesser sentence. That pressure will at least be lessened once life without parole is taken off the table for the youngest offenders.

For these reasons, we encourage you to pass HF 1300.

Sincerely,

A handwritten signature in black ink that reads "Sara Jones". The signature is written in a cursive, flowing style.

Sara Jones  
Executive Director