

Minnesota Competency Attainment Board  
25 Rev. Dr. Martin Luther King, Jr. Blvd.  
Suite G-08  
Saint Paul, MN 55155

May 8, 2025

Members of the Conference Committee on H.F. 2432,

On behalf of the Minnesota Competency Attainment Board (MNCAB), thank you for the opportunity to provide written testimony on the Judiciary and Public Safety Omnibus Bill, H.F. 2432.

We appreciate the thoughtful support of MNCAB from each of the committee chairs. In this challenging budget, we know that you share our commitment to MNCAB's role in gaining competency and stability for defendants in our criminal justice system.

As the session moves to a close, we encourage moving MNCAB's budget as close to the Governor's recommendation as possible. The Governor's March budget [recommendation](#) of \$11,160 in FY 26 and \$11,426 in FY 27 respectively, best puts our agency in the position of fully meeting our agency costs and meeting the needs of the courts and defendants statewide by the end of the biennium.

Alternatively, between the House and the Senate positions, the Senate position allows us to meet our current staff obligations, including unavoidable health insurance increases, and some modest staffing increases. Neither the House nor the Senate position provide for any salary increase for MNCAB staff.

We note that if our budget allocation is significantly below the Governor's recommendation, we will need a statutory change to allow our agency to provide forensic navigators to the extent resources allow. Proposed language to address this is provided in the policy section of this letter.

#### **Fiscal Reduction in FY 2024 and FY 2025**

Both the House and Senate positions contain an appropriation reduction in the current biennium. As you know, under Minnesota law, unused appropriations return to the original fund at the end of the biennium. As a new agency, we will have unused appropriations at the end of the biennium. The House position reduces our current biennial appropriation by \$11 million, and the Senate reduces our current biennial appropriation by \$9 million.

In looking at both our remaining appropriation and our fiscal obligations before June 30, 2025, it is important that the maximum reduction taken is closer to the Senate appropriation reduction of \$9 million. Further reductions directly impact our ability to meet our obligations, which include the additional staff hired since the committee deadlines, and our one-time costs related to our office move in late June 2025. We currently rent space in the Minnesota Judicial Center, but our lease ends on June 30.

It is a challenge to adequately anticipate funding needs for a new program and ensure that employees are fairly and adequately compensated so that we can retain our dedicated employees as we continue to expand. We also recognize the state's budget situation.

### Policy Language – House Article 3

MNCAB's policy bill is contained within the House position, and we are grateful to Chair Liebling for authoring our bill this session. While this is primarily a budget year, we do hope that our non-controversial, no-cost policy language can be incorporated into the final Conference Committee Report.

If MNCAB's funding is significantly below the Governor's recommendation, we respectfully request that the Conference Committee adopt language to align MNCAB's statutory obligation to provide services with our legislative appropriation. Our suggested language is an amendment to Minnesota Statutes 2024, section 611.55, subd. 2:

611.55 Forensic Navigator Services.

Subd. 2 Availability of forensic navigator services. *Within available resources, the board must provide or contract for enough forensic navigator services to meet the needs of adult defendants in each judicial district who are found incompetent to proceed.*"

Without additional funding to hire a sufficient number of forensic navigators to meet the needs statewide, it is essential to align our statutory obligation with our fiscal position. We additionally ask that the legislature strike the phrase "or contract for." Given what we have learned in the last year regarding the skill set and training necessary for forensic navigator work, we do not see a fiscal or policy benefit to investing the necessary skill, training, and administrative oversight to contract employees.

### Summary

We thank the Conference Committee Chairs and Members for their thoughtful and important work this session. Our goal is to provide MNCAB services in the next biennium to fully meet the needs of the courts and defendants statewide. If that is not possible through a final agreement, we ask the legislature to move our appropriation as close to full funding as possible with the suggested amended language that forensic navigator services are provided to the extent resources are available.

We are happy to provide further information or answer questions. Thank you for your commitment to justice, and for considering our request.

Sincerely,



Ryan Flynn  
Board Chair



Kim Larson  
Program Administrator