

In support of MN HF 43: Gross misdemeanor maximum term of incarceration set at 364 days.



The
CENTER for
VICTIMS of
TORTURE

1/23/2023

Dear Madam Chair and the Committee,

Founded in 1985, the Center for Victims of Torture (CVT) is a non-profit organization that is headquartered in Minnesota and has operations in the U.S., Africa and the Middle East. We extend rehabilitative care to survivors of torture and other forms of cruel, inhuman or degrading treatment or punishment (CIDT); build the capacity of colleague torture rehabilitation programs and human rights defenders worldwide; and engage in advocacy aimed at ending torture and CIDT and supporting the rehabilitation of survivors.

Our Healing, Incarceration, and Policing Program advocates for legislation that uplifts and supports our clients and communities in Minnesota, while increasing equity and accountability in our public safety infrastructure. With our long history of advocating for the needs of immigrants, CVT supports HF 43 and urges the Committee to pass this important legislation. Those who have immigrated to this country should not be punished more harshly by our systems because of the citizenship they carry.

A state sentencing maximum of 365 days triggers automatic deportation for immigrants, without allowing judges to consider where a person is from, why they committed the crime in question, or their risk of recidivism. It also does not take into consideration if a person actually serves all 365 days; the maximum allowable sentencing for a crime being 365 days is enough to trigger the deportation mandate. If the deciding factor for a more severe punishment for someone is solely based on their nationality or identity, that is an unjust policy that must end. Deportation should not be considered a universal solution. The difference of one day can keep families together, protect survivors of human rights abuses from returning to countries that are dangerous or were never their home in the first place, and prioritize equity and fairness in our criminal legal system.

Thank you for your consideration.

Sincerely,

On behalf of CVT:

Ta'Mara Hill, Policy Officer
Healing, Incarceration, & Policing Program

Peter Dross
Vice President of External Relations