



March 5th, 2025

Representative Paul Novotny, Chair
House Public Safety Committee
Minnesota House of Representatives
2nd Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Subject: Statement in support of HF 765

Chair Novotny and committee members,

I am David Zimmer, Public Safety Policy Fellow with Center of the American Experiment.

I write in support of House File 765 which seeks to ensure a more consequential criminal justice system by increasing the length of sentences and ensuring the imposition of mandatory minimum and consecutive sentencing for some chronic and violent offenders.

Minnesota has been among the states with the lowest incarceration rates and the highest community supervision rates in the nation – and has been so for decades. Our incarceration rate currently stands at half the national average, and our weak sentencing and correctional policies are failing Minnesotans.

While it is true that our violent crime rate remains below the national average, it's not 50% lower. Minnesota has struggled with crime since 2020, while the nation has improved. Minnesota's violent crime rate remains 19% higher than it was in 2018. During the same time the national violent crime rate decreased 2.3%. Things only get worse as we focus on our cities. In Minneapolis for example, the violent crime rate remains 41% higher than it was in 2018.

Relevant to chronic and violent offenders, Minnesota is failing badly. According to Sentencing Guidelines Commission data we have seen dramatic increases, not only in the rate of felony cases sentenced, but also in the rate of repeat offenders being sentenced. Simply put, we've experienced an increase in crime, and the increase has involved far too many repeat offenders cycling through our revolving door of justice.

Since 1981 Minnesota has experienced a 98% increase in the rate of felony cases sentenced. For person crimes that rate has exploded by 180%.

Between 1981 and 2022 the percentage of felony sentences involving defendants with no criminal history points dropped by 47%. During the same period, the percentage of felony sentences involving defendants with 4 or more criminal history points increased by an incredible 285%.



Why aren't these chronic offenders incarcerated? One significant reason is our judges continue to depart from presumptive prison commitments at record levels.

By literally checking a box labeled "amenable to probation," our judges can depart away from presumptive prison sentences as recommended by our sentencing guidelines. In 2023 the rate of these mitigated dispositional departures stood at 42%. In the same year those same judges recorded a 0% aggravated, or upward, dispositional departure rate.

The fact is crime has increased in Minnesota over the years. However, our criminal justice system has failed to keep pace, and it has failed to establish a consequential response. Law abiding Minnesotans are paying an unacceptable price.

HF 765 helps re-establish appropriate consequences for chronic and violent offenders and I urge you to vote yes on this bill.

Sincerely

David P. Zimmer

David Zimmer
Public Safety Policy Fellow