



March 3, 2021

The Honorable Representative Carlos Mariani
Public Safety and Criminal Justice Reform Committee
Minnesota House of Representatives
479 State Office Building
St. Paul, MN 55155

RE: Support for HF 614/SF 901

Dear Chair Mariani:

The City of Saint Paul has a long and proud history of welcoming immigrants. Almost twenty percent of our City's residents are foreign-born. Of the foreign-born population, almost half have naturalized and are United States citizens and were likely refugees. Some of these residents have experienced the unintended but harsh consequence of removal from the United States based on a conviction for a gross misdemeanor level offense. Such removals are devastating to families in Minnesota. They are also devastating to the community and can have a negative impact on the local economy and community public safety.

Currently, a gross misdemeanor in Minnesota is punishable by up to one year (365 days) in jail which under Federal immigration law can make the offense an aggravated felony. An aggravated felony makes an individual removable from the United States. Thus, a conviction for some Minnesota gross misdemeanor offenses can result in the unintended consequence of the Federal Government removing an individual for having a conviction that qualifies as an aggravated felony based on maximum sentence dates instead of the nature of the offense.

I am writing to express my support for HF 614/SF 901 which would establish the maximum term of incarceration for a gross misdemeanor in Minnesota at 364 days. Reducing the gross misdemeanor sentence from up to one year (365 days) to 364 days would have no impact on the policy goals of our State criminal sentences. However, it would remove gross misdemeanors from the Federal definition of an aggravated felony and would eliminate the negative, unintended consequence of a gross misdemeanor conviction resulting in an individual being removed from the United States.

Respectfully,

Melvin Carter
Mayor