

May 11th, 2021

Chair Kiffmeyer, Chair Nelson, and members of the State Government Conference Committee:

On behalf of NAMI Minnesota, we are writing in support of the Veterans Restorative Justice Act. People with mental illnesses are overrepresented throughout the criminal justice system, but veterans have a unique experience at this intersection. Trauma comes in many forms and we have come a long way in understanding how it impacts the human brain. Our current clinical understanding about trauma has largely grown out of understanding the experiences of combat veterans. Post-Traumatic Stress Disorder (PTSD) can completely change a person's life, making previously everyday encounters trigger a life-threatening response in the brain. As we continue to build our mental health system to provide trauma-informed treatment for all Minnesotans, we owe it to our veterans to remove as many barriers as we can to offer hope for recovery.

We are grateful that both bodies have included this language in their final veterans bills. We're in support of the House language based on a couple small but significant differences. The most significant for us, is excluding people charged with certain crimes on lines 152.23-152.25 of the Senate language. We absolutely acknowledge that there are serious felony crimes included in this paragraph, but we are also aware that felony level crimes, even domestic violence and some violent charges are already regularly processed in Minnesota's treatment courts. Treatment courts are not "soft on crime" or lacking in accountability – they consider the individual needs of people and engage them in the treatment and support they need to reduce more serious crimes in the future. In this way, the impact on reducing recidivism and increasing public safety is actually deeper, because the courts effectively address serious crimes in ways that prison is not designed or resourced to do. We support the House language, which is open to rehabilitate more offenses, but still excludes the sexual crimes under section 243.166, subdivision 1b.

In the same spirit, we support the language in the House bill on lines 181.26-182.2. This small difference makes rehabilitation the presumption, without requiring consent from every party. We know that recovery is a long and difficult journey, and we think offering help to as many people as possible will only increase the success of these diversion programs. The bill has many other checkpoints and guardrails where victims and prosecutors can give input that the court is required to consider. The many important requirements for a veteran to be successful in the program are nearly identical in both bills. We think these are more than adequate to address public safety concerns if a veteran is struggling to meet requirements, and we shouldn't narrow who the program is available to based only on the level of the charge.

Thank you again for working on this important legislation and for considering NAMI's position. The Veterans Restorative Justice Act could benefit many people and families impacted by mental illnesses in Minnesota. We hope you will pass it with these considerations.

Sincerely,

Sue Abderholden, MPH
Executive Director

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