



OFFICE OF THE RAMSEY COUNTY ATTORNEY

John J. Choi

March 3, 2021

RE: Support for HF 614 – Setting Gross Misdemeanors at 364 days

Esteemed legislative leaders,

I am writing to convey my support for HF 614 and the effort to reestablish Minnesota's gross misdemeanor sentence at 364 days. This simple change in law will provide clarity in sentencing and ensure that all gross misdemeanor sentences in Minnesota are no longer confused federally with aggravated felonies, due to the 365-day sentence.

This clarification is important because, as federal policy and laws are set, we need to be clear that gross misdemeanors in our state are viewed and treated as gross misdemeanors federally. Most recently, this has become an issue with the intersection of immigration law, as people with old convictions were viewed in the eyes of federal authorities to have committed aggravated felonies due not to the nature of the underlying conviction, but to the sentence of 365 days.

Passing HF 614 and ensuring gross misdemeanors in Minnesota are resolved at 364 days will eliminate this confusion and ensure our residents' sentences accurately reflect their level of conviction locally and nationally. It makes no material difference to their consequence and achieves cost savings for the legal system. I encourage you to pass this legislation and provide much-needed clarity to achieve fairer treatment for our residents.

Sincerely,

John Choi
Ramsey County Attorney