

Good afternoon Members of the House Public Safety Committee,

I'm glad Representative Bliss and Rarick are discussing the MRRA and thinking about how to make it more in alignment with public safety.

We welcome conversation with you and all members moving forward, and know some of you have already and will continue to hear from those incarcerated and their loved ones across the state on these important issues. (See sources cited, below).

However, I think your suggested bills to do so actually seriously undermine the safety and savings that I know you and all the members of this body would like to see coming from Corrections. I would therefore urge you to reconsider your approaches to meeting those shared goals based on the information, below, and ask you to support and hold the Department of Corrections accountable directly for their current work.

Why do I think that reducing *who can receive the MRRA*, and *giving the Commissioner power to revoke MRRA credits is counterproductive to safety*?

1. We know that *how* people do their time significantly impact their outcomes, and these bills are counterproductive or redundant given existing policies and prison conditions

-How you spend your time is most impactful for people with longer sentences, those who would be generally excluded by Representative Bliss's current proposal. These are also the people who, according to DOC data, are generally less likely to commit new crimes, and are "ready to grow" if opportunities can be accessed.

-Moreover, rehabilitation is a *culture* and if we are going to have more *safety for staff and people in prison*, we need that culture to be as strong as possible. This is why we believe everyone should be included in the MRRA and we'd strongly support you to consider adding Lifers who are the most important leaders in the DOC and have the lowest recidivism rates to the MRRA (which would move their parole dates early, but still be subject to that process).

-It bears mentioning that those with short sentences are *least able* to access the MRRA under current policies because they are *unable to access sufficient programming in time to qualify* -- as such, likely unbeknownst to Representative Bliss, this proposal, with current policy, would actually prevent *the vast majority of prisoners from earning MRRA, making it likely to have NO significant results for public safety or savings, resulting in more crime and cost*. It's also critically important to understand that, these folks, according to DOC data, the *most high risk people who enter prison have short sentences, often for nonviolent crimes*. These people are *least likely* to benefit from prison because it almost never addresses their needs for wellness, income, support healing, and opportunity.

-Finally, the current MRRA policies do NOT allow people to earn credits until the LAST day of release, which, while deeply uncomfortable to all of those inside, makes Representative Rarick's bill redundant. We believe we can read some of the concerns that are generating these bills and would love to engage with you more based on the actual context on the ground in our prisons

2. The current MRRA implementation does need legislative support and accountability to ensure safety and savings, but of a different sort

a. Despite being in effect since August 1, 2023, no one has yet to receive MRRA, inside or out of prison.

b. Under new MRRA policies, which will impact those in prison starting this Sept 1, are greatly exclusionary beyond the exclusions set by the legislature, which may be of questionable legality, but are largely the case, in our sense, because there is *not enough programming for those in prison for long periods and the revolving door of short term sentences*. We need the legislature to *push the DOC to make clear that retroactive credits need to be maximized based on those who have done all the hard work they could*. Why? This is proven to reduce overall crime and cost, sets a culture of rehabilitation, opens up programming space, and with reinvested savings under the law, provides significant funds for both *victim services and much needed programming*. We also need to hold the DOC accountable for their rehabilitative mission, or create real mechanisms that do so, right now -- prisons have long been failing to provide safety, at extraordinary cost, with no one legislatively pushing to solve this problem. If the DOC was a business, it would be out of business, notwithstanding the hard work of many who work there.

c. In terms of the core problem of MRRA success and safety, there are three ways to address this issue core issue of too many people cycling through prison and not enough programming -- i) add programming, ii) reduce the revolving door, or iii) exclude more people in prison from programming proven to reduce crime altogether. We already see the latter happening with an intention to do otherwise with the MRRA -- as right now generally short term people are prioritized for treatment over those with long sentences, and only 15% of those released with a sex offense treatment mandate between 2019-2023 being able to complete treatment while in prison. This is NOT ok, and further restricting severe crimes from MRRA is likely to accelerate that trend of those with the most significant crimes and the longest period of disconnection from society, have the least tools when they are, inevitably released. While we'd strongly suggest more programming that can be accessed with existing allocations through partnerships with higher education and other branches of government and the private sector, given the current budget situation and the general and correct concern about overspending on an extremely expensive, unaccountable, and ineffective prison system we believe that by far the best and most effective way of increasing safety and savings from the legislative side is to *end the revolving door of nonviolent people to prison*. Those with longer sentences are much more able to access and be improved by programming, and those with shorter sentences are overwhelmingly nonviolent crimes that have no business in prison and that are set up to succeed so much that they generally return.

-This includes those with less than 365 days in prison who can't under the law qualify for the MRRA but are something like 12% of admissions, technical violators who are in a similar boat, and ideally *all nonviolent crimes* as was done in California, and was the spirit of the 1973 Community Corrections Act in Minnesota. Nonviolent people have no reason to be in prison but whose presence steals resources and programming much needed for those in prison, and much more cheaply and effectively funded, with sufficient oversight,

in communities. The DOC has been making this argument since 1973, someday we'll go back to a safer future.

While I am writing from North Minneapolis, I want to be clear that these issues *impact all Minnesotans*. Greater Minnesota incarcerates people at higher rates than the Twin Cities Metro, and often has more needs for emergency housing, treatment, mental health, and so on, which in part drives this incarceration. 1 in 6 children in Minnesota will have an incarcerated parent, and children with incarcerated parents who under the current system can not meaningfully support them, are twice as likely to go to prison as their peers. We see a significant shift away from this wasteful, non-crime reducing approach to prison in the MRRRA if implemented with fidelity. We should set it up to succeed and to do more in partnerships with victims, front line communities, and those in prison -- not with more money but with better allocated money and more real accountability -- to create a safer state, now and moving forward.

We are excited to build more with you on actually creating safety without ballooning costs. And to set the conditions where people in prison can *work for their future and meaningfully support their children, families, and victims*.

We would like to testify tomorrow if possible, and welcome inquiries and offer a variety of proposals for doing so, and in any case will be in communication.

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#### Cited Documents:

Understanding MRRRA and New Policies:

[https://docs.google.com/document/d/14eHgC4mhN7GvNs7fAKQP0HdDXc\\_k5kDlwAX64XMvkN0/edit?usp=sharing](https://docs.google.com/document/d/14eHgC4mhN7GvNs7fAKQP0HdDXc_k5kDlwAX64XMvkN0/edit?usp=sharing)

MRRRA Possibility or False Hope?

[https://docs.google.com/document/d/1NrGGUCflsh1\\_e8dNP3fB8IWWg4VI\\_yGXlubbSdA1Nfs/edit?usp=sharing](https://docs.google.com/document/d/1NrGGUCflsh1_e8dNP3fB8IWWg4VI_yGXlubbSdA1Nfs/edit?usp=sharing)

Understanding Risk / Sentencing and the MN DOC Prison Workforce (unpublished draft, submitted with permission):

<https://docs.google.com/document/d/1BDPwe1XEQRtebMbHaj7LfolUxov44QJStFCpV9bEM7s/edit?usp=sharing>

MN DOC Implementation Guidelines for 1973 Community Corrections Act:

<https://www.leg.mn.gov/docs/2010/other/101397.pdf>