



Minnesota Freedom Fund Action

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Co-Chair Jamie Long
Rules & Legislative Administration Committee
Minnesota House of Representatives

Co-Chair Harry Niska
Rules & Legislative Administration Committee
Minnesota House of Representatives

Re: HF XXXX (Hollins) Universal pretrial release provided except in certain circumstances, monetary bail prohibited, and constitutional amendment proposed.

Dear Chair Long, Chair Niska and Members of the Rules & Legislative Administration Committee,

On behalf of Minnesota Freedom Fund Action, I write in strong support of the proposed constitutional amendment to establish a presumption of pretrial release and prohibit the use of monetary bail in Minnesota.

Our support is grounded in both policy and what we have witnessed firsthand through our work in the pretrial system. Through our Court Watch program, we consistently see pretrial outcomes shaped by access to money rather than actual risk.

Week after week, our Court Watch observers document what happens in real time in courtrooms across Minnesota. Their reports reveal a consistent and troubling pattern: pretrial detention is often determined by who can pay. People with financial means are able to secure their release, while those without are jailed. For some, \$100 is negligible. For others, it is the difference between freedom and incarceration. These observations reveal a system where pretrial detention is routinely driven by financial barriers rather than public safety, resulting in preventable incarceration across courtrooms every week.

This amendment affirms a simple but critical principle: pretrial freedom should be based on risk, not wealth. The current reliance on monetary bail creates a two-tiered system where those with financial means can secure release, while others remain detained.

The proposed language strikes an important balance between liberty and public safety. It establishes a presumption of release while allowing courts to deny release in limited, well-defined circumstances. By requiring clear and convincing evidence and limiting detention to serious risks, it ensures that pretrial detention is used only when truly necessary.

Eliminating monetary bail is also a necessary step toward addressing longstanding racial and economic disparities. Black communities and low-income individuals are disproportionately impacted by a system that ties freedom to financial resources. By directing the legislature to narrowly define detention-eligible offenses, this amendment maintains accountability while ensuring detention remains limited to cases involving serious harm or risks to the judicial process.

Minnesota has an opportunity to lead with a model rooted in fairness, due process, and true public safety. This amendment reflects a modern approach to pretrial justice, one that recognizes that liberty should not depend on the ability to pay.

We urge your support.

Sincerely,

Danielle Matthias

Danielle Matthias, Director of Policy & Advocacy, MN Freedom Fund Action