



March 13, 2024

Public Safety Finance and Policy  
Chair Moller, Vice Chair Feist, and Ranking Minority Leader Novotny

**Re: HF2400 Frazier: Standard for petition amended for postconviction relief based on newly discovered evidence.**

Dear Members of the Committee,

The Justice for All Coalition is writing to express our strong support for HF 2400, which addresses the issue of post-conviction claims based on newly discovered evidence in Minnesota. We believe that this bill would provide a more reasonable and just standard for individuals seeking post-conviction relief.

We would also like to take this opportunity to thank Representative Frazier for his leadership on this important issue. His commitment to justice and fairness is commendable, and we are grateful for his efforts to improve the post-conviction process in Minnesota.

The current Minnesota law, with its strict two-year statute of limitations running from the date on which the conviction becomes final, effectively shuts the courthouse door to many wrongfully convicted individuals with meritorious post-conviction claims. The standard for invoking the exception for claims based on newly discovered evidence is often impossible to satisfy, as it requires affirmative proof of innocence, which is typically unattainable in cases built on circumstantial evidence or cases where the issue at trial is whether a crime occurred at all.

This bill would bring Minnesota law more in line with standards in other U.S. jurisdictions by allowing for an exception to the two-year statute of limitations for claims based on newly discovered evidence. Under the proposed language, individuals would not need to affirmatively prove their innocence merely to pursue a post-conviction claim. They would have two years from the discovery of new evidence to bring their claim and would still need to prove their case based on applicable substantive standards to get a conviction overturned.

When compared to other Midwest states and the federal system, Minnesota stands out as one of the most restrictive jurisdictions regarding post-conviction claims. For example, Wisconsin, Illinois, Michigan, Indiana, and Ohio have no statute of limitations for post-conviction claims, while Iowa provides a broad exception to the three-year statute of limitations for claims based on newly discovered evidence.

It is crucial for Minnesota to reform its post-conviction statute to ensure that wrongfully convicted individuals have a fair chance to present their claims for relief. The current standard of proof of innocence by clear and convincing evidence is overly burdensome and unjust.

The Justice for All Coalition is a collective of advocates, defendants, lawyers, social workers, leaders, and those who have firsthand experience with the criminal legal system pressing for or resisting reforms to seek meaningful legal system transformations that protect public safety while addressing and transforming those parts of the system that do more harm than good.



We urge you to support HF 2400 and help ensure that all individuals in Minnesota have access to a fair and just post-conviction process. Thank you for considering our views on this important issue.

Sincerely,  
**Justice for All Coalition**

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