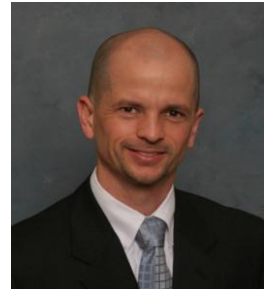




Minnesota Justice Monthly

The 2012 legislative session begins soon, January 24th, and already [150 new bills have been introduced](#) in the House. When you add them on to those already introduced last session and therefore still active, the legislature has at least 1,906 bills to consider! I tell you this to highlight three points to remember when observing or getting involved in legislative advocacy: 1. Sometimes just getting a bill heard in committee is a major achievement; 2. Many deserving and undeserving (thankfully) ideas will never see more light of day than an introduction (which is easy to accomplish); and 3. This kind of change can take a long time and a lot of work!



Undoubtedly even more criminal justice related legislation will be introduced, but below is a lineup of criminal justice legislation and issues to watch this session.

If you would like to get more involved and active in working for these changes, here are a couple of things you can do:

1. Sign up to receive ongoing legislative updates and action alerts from us by [replying](#) to this email.
2. Attend [Second Chance Day on the Hill](#) January 31st at 10:00 a.m. At this event you will hear speakers and legislators talk about the importance of laws that allow people to become fully-contributing members of the community after serving their sentence, and have a chance to meet with legislators to ask them to support these changes.

Please do not hesitate to contact me if you have any questions or suggestions. Thank you for your support!

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Juvenile Records Protection [HF876/SF602](#)

Currently, records are public for 16 and 17 year-olds charged with a felony level offense even if the charge is later reduced or dismissed. Except for the most serious offenses, this legislation allows judges to decide, on a case-by-case basis, if a felony level charge of a 16 or 17 year old is serious or violent enough to warrant a public hearing and record. [More information.](#)

This bipartisan bill passed the House last session as part of Rep. Smith's omnibus judiciary bill, but was never heard in committee in the Senate. One of the most important procedural issues will be getting it heard in the Senate Judiciary Committee. We are meeting with Republican members of the committee and asking them to ask Chair

Warren Limmer to give the bill a hearing. We will also need to have a hearing in the House Public Safety Committee. We are looking for individuals to testify on behalf of the bill.

Ban the Box for Private Employers [HF 1448/SF1122](#)

In 2009 Minnesota became one of the first states to require all *public* employers to remove questions about criminal records from employment applications (“Ban the Box”). This policy reform can be safely applied to private employers, and will also help protect them from discriminatory hiring lawsuits while providing fair work opportunities for all Minnesotans. [More information](#).

This bipartisan bill passed the House Jobs committee with an overwhelming voice vote. It did not get a hearing in Senate Jobs and that will be one of the most important steps to accomplish early this session.

Adult Expungement

The Council will continue efforts to pass legislation to allow stayed adjudications and all diversion program cases to get sealed at all government record sources. We continue to work closely with the Minnesota County Attorneys Association on this legislation and are grateful for their support. Many other stakeholders have expressed an interest in and in some cases opposition to this legislation; we are working hard to get these multiple parties, as much as is needed to get good legislation passed, in agreement on the specifics of the changes.

Uniform Collateral Consequences of Conviction Act [HF489](#)

The Council will support efforts to adopt the Uniform Collateral Consequences of Conviction Act in Minnesota. This uniform law, if enacted in Minnesota, would provide better notice to defendants of some of the potential collateral consequences of a sentence, and some excellent remedies, such as allowing a judge to remove some sanctions at sentencing.

Racial Impact Statements

The Council will work to have legislation introduced to require that racial impact data be made available to legislators when criminal justice legislation may have a disparate racial impact.

Car Theft Victim Financial Assistance

The Council will work to develop a strategy to reinstate impound fee financial assistance funds for victims of auto theft.

Criminal Justice Data Sharing with the Federal Government

Legislation may be introduced to allow Minnesota to share criminal justice data with the federal government through the National Data Exchange (NDex). [Read more about this issue](#).

Sex Offender Sentencing

Legislators are working on a proposal to limit the number of sex offenders who go to the Minnesota Sex Offender Rehabilitation Program, including lifetime probation and vastly increased sentences for all sex offenses. A draft proposal has been circulated for comment from various government agencies who are working on providing input. This will be one to watch closely, nothing has been introduced yet.

Juvenile Sex Offender Registration

Several groups, including the Minnesota Corrections Association, are working on a proposal to improve the system through which juveniles are required to register as sex offenders. The proposal may require registration for some who may be falling through the cracks, and will allow others to not be registered when appropriate.

Sex Offender Residency Restrictions [HF1868](#)

Among other changes, this legislation would restrict landlords who rent to people with level 3 sex offenses to only renting to one person with a predatory offense at a time, and only if none of the neighbors are doing the same thing. Only 3.5 people with level 3 status would be able to rent within one square mile of each other. This could create major problems for level 3 sex offenders finding housing.

Juvenile Certification

As of yet, we do not know if efforts will continue to be made to lower the age of juvenile certification. We will join with the many other groups and individuals who oppose lowering the age of adult certification in Minnesota.

Nurse Licensing Background Checks [HF1087](#)

The Nurse Licensing Board is continuing to work on legislation to require background checks for nurse licensure. They recently asked us to provide testimony and written comments on the proposal. Our primary concern with the legislation as written is with the permanent bars it creates for some individuals.

Voting Rights

Governor Dayton recently created a taskforce to look at the issue of notifying individuals who have been disenfranchised. There has been some discussion at their meetings of recommending allowing felons living in the community to vote. This is the approach the Council supports so we will continue to monitor these developments.

[Information on felon voting.](#) [More Information](#)