
T H E M I N N E S O T A
C O U N T Y A T T O R N E Y S
A S S O C I A T I O N

February 10, 2025

Representative Paul Novotny
Second Floor, Centennial Building
St. Paul, MN 55155

Dear Representative Novotny:

Thank you for the opportunity to submit comments on your public safety omnibus bill, HF 7. The County Attorneys Association has not had the opportunity to thoroughly vet the entire contents of the bill, however, we want to raise two initial provisions of concern to prosecutors.

First, the bail provisions contained in Section 1, Subd. 2(i), appear overly broad which could result in the release of sensitive information related to family members and victims of those arrested. In turn that information could be used to revictimize, embarrass or harass those family members and victims. We recommend reviewing this provision in light of these concerns and encourage modified language that allows for exceptions to these sensitive situations.

Second, we welcome the interest and greater understanding that Section 6 attempts to bring forward by considering more information about the decisions that go into prosecutorial decision-making. Despite the lack of engagement with our Association on this provision, we agree that legislators, the public, and other stakeholders would benefit from more opportunities to appreciate the legal, ethical, and case specific scenarios that enter into decisions to charge, dismiss or enter into diversion or plea agreements. As currently structured, the bill duplicates requirements already contained in court rules regarding dismissals. Additionally, the focus of this bill on dismissals without additional information and data about arrests, referrals made to the prosecutors, and declinations, this information has the potential for being misleading and in some cases weaponizing, and thus not particularly helpful to gain a better understanding of what prosecutors do. Making certain information public (e.g., uncooperative victim, whether victim agrees; defendant cooperating with law enforcement) could have significant collateral consequences. The significant cost to every County Attorney office for additional staff to gather and report this information, to purchase or update case management systems and websites, to report counts dismissed when there is a plea to one of the counts, is an unfunded mandate that will be difficult to absorb. Furthermore, we sincerely question whether, as structured, this would yield helpful information about the role and decisions of prosecutors to inform future policy making or the public and stakeholder's understanding of the prosecutorial function.

We will share more input on this bill as our Association considers the entirety of the bill, and welcome more direct conversations about the intent of the proposed changes and the desired outcomes.

Sincerely,



Robert Small
Executive Director

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