



February 11th, 2025

Representative Paul Novotny, Chair
House Public Safety Committee
Minnesota House of Representatives
2nd Floor, Centennial Office Building
658 Cedar Street
St. Paul, MN 55155

Representative Novotny and Committee Members,

Subject: Statement in support of HF 7

I am David Zimmer, Public Safety Policy Fellow with Center of the American Experiment, a position I have held for the past 3 years following a 33-year career as a peace officer with the Hennepin County Sheriff's Office.

I write in support of HF 7 for two reasons:

- 1) It provides much needed improvement in access to and transparency of criminal justice system data – data that is imperative to the proper evaluation of criminal justice system outcomes, and to the development of sound public safety policy.
- 2) It aligns with the goal of ensuring our criminal justice system is a consequential system and not one of failed 2nd, 3rd, and 4th chances. The term “accountability” has quietly slipped into criminal justice vocabulary. But “accountability” does not equate to being consequential. The revolving door of justice has damaged public safety in Minnesota, and HF 7 stands as a solid first step towards repairing that damage.

Data

Specific to criminal justice system data, HF 7 would create a publicly searchable database of sentencing data and charging and dismissal data by county attorneys. This would apply sunlight to some of the more troubling outcomes in our system and allow researchers the ability to provide more timely and pertinent information to policy makers.

Public access to the data would focus more timely attention on some of the more egregious failures in our system. Failures such as:

- The 42% downward departure rate our judges are currently applying to sentences calling for prison commitments
- The 71% of cases charged involving the use of firearm that don't end up with the mandatory minimum sentencing as directed by statute.



- The unknown % of charges dropped, or mandatory minimum sentences avoided, which are currently unavailable in a publicly accessible format.

Consequences

Specific to increasing consequences – two important crimes are addressed in HF 7 that I believe could have significant impact on reining in the lawlessness we have witnessed in Minnesota in recent years: 1) assaults on peace officers and 2) fleeing police in a motor vehicle.

Per BCA: Over the past 4 years there have been nearly 5,000 assaults on peace officers in Minnesota resulting in 2106 injuries. 1,436 of these assaults were considered aggravated assaults, 240 involved a firearm, 40 were considered ambushes, and 5 involved the murders of our peace officers and a tactical medic.

Comparing officer assault data from 2017 to 2024 reveals a staggering 190% increase in assaults on officers, a 475% increase in assaults involving a firearm, a 164% increase in injuries to officers, and a 100% increase in ambush assaults on officers.

Of course, these increases include the tragic ambush murders of five Minnesota first responders in the past two years. But expanding that search regionally to include the eastern borders of North and South Dakota, the northern border of Iowa, and the western border of Wisconsin, I found that in just 18 months between Jan 2023 – June 2024 no fewer than 27 law enforcement officers and one tactical medic were injured by gun fire directed at them. Nine of those officers and one tactical medic were killed during those shootings. This is unprecedented, and the tragic loss of those officers has been devastating to their loved ones, their agencies, and the communities they served.

Transitioning to the proposed amendments addressing fleeing police in a motor vehicle – I'd start by noting that we are at a disadvantage in knowing the true numbers of fleeing incidents, as we track only those fleeing incidents where law enforcement engages in a pursuit. I'd submit those numbers do not reflect the true magnitude of the growing number of fleeing incidents that endanger us all.

Using pursuit data from the BCA, it is clear that the current consequences facing offenders serve as a poor deterrent. In the past four years Minnesota law enforcement has had to initiate 11,596 pursuits – that's nearly 8 per day across the state. Our officers terminated 42% of them out of concern for public safety. But the actions of offenders made the remaining 58% necessary. These fleeing incidents turned to pursuits resulted in 857 crashes, over 1,000 injuries to citizens and officers, and 20 deaths.

Anecdotally, my son is a current sheriff's deputy working patrol in the metro. He has personally pursued multiple young teens in stolen vehicles, only to have them casually fall asleep in the back of his squad car completely unconcerned with the consequences facing them. In Minneapolis and throughout the metro it is now common for young teens in stolen vehicles to incite chases, and then to ram pursuing squad cars. It has become a dystopian sport.

Tying this to the data issue I noted earlier, my research indicates the fleeing police charge is often the first to get tossed in a plea agreement – though once again we lack solid data on this situation.



In summary, the current lack of consequences to these crimes serves to desensitize society to lawlessness and disorder. Efforts such as HF 7, which attempt to strengthen consequences are much needed and have my full-throated support.

Sincerely

David P. Zimmer

David Zimmer
Public Safety Policy Fellow