

May 3, 2022

Chair Moran and Members of the House Ways and Means Committee:

We are writing to let you know that a consensus has been reached on the competency restoration bill - HF 2725/SF 3395. This legislation is the result of nearly three years of work through the Community Competency Restoration Task Force and continued intensive work during this session to come to an agreement from all the stakeholders. In addition to the past few years of work, the stakeholders at the table brought decades of combined experience dealing with the inadequate system we have in Minnesota when defendants are found incompetent to proceed with their criminal trial.

This system is full of gaps and has caused confusion and strain on Minnesotans for years. We have seen an increase of millions of dollars to conduct court exams and county expenses for state-operated services and jails. Moreover, we have seen the human cost of long waitlists for acute psychiatric care, people languishing in jail, and insufficient resources to meet the needs of victims and the people who cause harm in our communities.

We are pleased to report that we have reached an agreement on the language of a delete-all amendment. This language does not change the structure or purpose of HF 2725/SF 3395 as you have heard in committee thus far. It makes important changes to the implementation of the proposed policy, ensuring that all stakeholders believe it can work in our state. One important change is moving the enactment date of the policy to 2024, while establishing essential systems and services in 2023 such as forensic navigators and community and jail-based competency restoration programs.

This delete-all amendment represents a compromise which means that no one got everything they wanted, but we came to agreement on what matters the most. Something that both parties, both bodies, and all the stakeholders have agreed on from the very beginning is that doing nothing is not an option. The legislature asked for action on this issue in 2019 when it created the task force, and Minnesotans from all over the state have continued to express urgency to address this issue. This bill is essential to ensuring the basic functions of our government, public safety, health and welfare, and due process in the pursuit of justice. We are urging you to pass this legislation this session. Thank you.

Sincerely,

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