



Legal Services Advocacy Project  
Mid-Minnesota Legal Aid  
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June 17, 2020

The Honorable Lyndon Carlson, Sr.  
Chair  
Ways and Means Committee  
Minnesota House of Representatives  
479 State Office Building  
St. Paul, MN 55155

The Honorable Liz Olson  
Vice Chair  
Ways and Means Committee  
Minnesota House of Representatives  
471 State Office Building  
St. Paul, MN 55155

The Honorable Pat Garofalo  
GOP Lead  
Ways and Means Committee  
Minnesota House of Representatives  
295 State Office Building  
St. Paul, MN 55155

Re: HF 1 - The Reforming Accountability Act  
HF 92 - The Re-imagining Public Safety Act  
HF 93 - The Reclaiming Community Oversight Act

Dear Chair Carlson, Vice Chair Olson, GOP Lead Garofalo, and Members:

Legal Aid's mission is to advocate for the legal rights of our clients so they may enjoy safe, healthy, and independent lives in strong communities, free of racial, social, and economic injustice. The murder of George Floyd has exposed the racial inequities we see in our work every day. It is a heart-wrenchingly tragic example of the systemic denial of basic human rights for those with less access to resources. The COVID-19 pandemic has exacerbated the already unacceptable racial and economic inequities that are belatedly the prime subjects of state and national debate.

While Legal Aid provides civil legal services to income eligible clients and all elder clients and clients with disabilities, the intersection between Legal Aid's work and the bills under consideration today in the Ways and Means Committee is manifest. That is why we write to express our support for your efforts and that of your legislative colleagues to address these structural inequities, improve public safety, and improve relations between police officers and the communities they serve. Our clients live and often struggle in those communities.

Specifically, we want to note several proposals that would be of particular benefit to Legal Aid's clients. First, we support the proposal to reform the cash bail system, found in section 8 of HF 1. Economic fairness and justice dictate that public systems should not distinguish rights and outcomes based on income or the color of your skin. Yet, "[e]very day in this country, hundreds of thousands of legally innocent people sit behind bars simply because they cannot afford bail."<sup>1</sup> Further, the "burden of cash bail falls disproportionately on communities of color."<sup>2</sup>

The economic consequences of this inequitable treatment of certain persons -- disproportionately persons of color -- touching the criminal justice system exacerbates their ability to maintain jobs and income and makes an already economically rocky road even more difficult. Removing the economic burdens and disparities inherent in this system can help improve the ability of clients and their families caught in this system to maintain some semblance of economic stability.

Second, Sections 14 – 17 of HF 92 would provide great benefit to our clients with disabilities. The Minnesota Disability Law Center (MDLC) – a statewide program of Mid-Minnesota Legal Aid -- is the designated Protection and Advocacy System for Minnesota and addresses the unique legal needs of Minnesotans with disabilities. MDLC provides free civil legal assistance to individuals with disabilities statewide, regardless of age or income, on legal issues related to their disabilities. Our clients include those with autism spectrum disorder (ASD) and mental health issues.

Specifically, we were pleased to see the inclusion of the provision contained in these sections of HF 2 that seek to ensure safer interactions between peace officers and persons with autism, and the provisions that support peace officer crisis intervention and mental crisis intervention training and police and mental health crisis team collaboration.

Finally, with respect to HF 93, we appreciate the inclusion of advocates for mental health on the proposed Police-Community Relations Council, found at Section 2 of the bill, and offer the legal knowledge, expertise, and experience of MDLC if the contributions of our attorneys can be helpful in any way.

In sum, at this transformational moment in the history of our state and our nation, Legal Aid offers its expertise and support for all the efforts now underway, and those to come, to dismantle the structural racism, injustice, and inequity in our society that impede the ability of our low-income clients and communities of color to meet their basic needs and to have their basic human rights respected.

Sincerely,



Ron Elwood  
Supervising Attorney

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<sup>1</sup> Emmeline Clein, *Here's How to Help End Cash Bail*, THE NATION, October 25, 2018; at <https://www.thenation.com/article/archive/heres-how-to-help-end-cash-bail/>

<sup>2</sup> *Id.* (noting that "[a] Pretrial Justice Institute study found that simply being black increases your odds of being held on bail by 25 percent, and another study found that bails are set 35 percent higher for black men and 19 percent higher for latino men than for white men. In New Orleans, black people paid 84 percent of the city's total bail surcharges in 2015.").