



February 13, 2023

Dear Chair Moller & Members of the Public Safety Committee:

ISAIAH is a multi-racial, state-wide, nonpartisan coalition of faith communities, Black barbershops, childcare centers, and other community based constituencies fighting for racial and economic justice in Minnesota.

ISAIAH strongly supports HF 1406 (SF 1478), which limits the liability for felony murder committed by another person. Our support is consistent with the conclusions of the Task Force on Aiding and Abetting Felony Murder, which the Legislature commissioned in 2021. The task force included county attorneys, police chiefs, and victim advocates as well as impacted people. The Task Force reviewed extensive data from the Department of Corrections and Sentencing Guidelines Commission.

These data reveal that the individuals sent to prison under the felony murder statute are disproportionately young. Fifty-seven percent were under the age of 25 and nearly 20% were less than 18. As the task force states, individuals in “their teens through mid-20s are in a unique stage of brain development that makes them less capable to assess risk and consequences, and more apt to be motivated by emotion and peer pressure than those older.” Prison is an anti-therapeutic environment, which impedes the development of emotional competence and the learning of critical thinking for independent actions.

A second troubling fact is that BIPOC individuals are twice as likely as whites to be punished under the felony murder statute. Minnesotans are finally beginning to reckon with the negative impact of mass incarceration. This misjustice has created enormous distrust toward politicians and government agencies. Implementing the recommendations of your task force is one tangible partial remedy.

Finally for justice to be served, we urge that those currently punished under this doctrine should be able to petition for retroactive relief.

Sincerely,

Lars Negstad
Policy Director