

# Sentence and Conviction Review: Information and Resources

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## Background & Information

As part of a recent legislative session, Minnesota has new laws related to the structure of sentences, early or unexpected release, juvenile offenders and more. With these new laws, prosecutors have begun to undertake sentence review in select cases and continued to review convictions as appropriate. The information below contains more details about these changes.

### Sentence Review:

Victims' voices will play an important part in the sentence process. Under the law, prosecutors and the court must consider the impact a sentence adjustment would have on the victim or survivor. Below describes in more detail sentence review work in Minnesota.



- **Prosecutor Initiated Re-Sentencing:** In 2023, Minnesota became the sixth state to pass a law allowing prosecutors to ask a judge to adjust the sentence of past criminal prosecutions. Under the law in Minnesota, prosecutors may review past cases and ask for a sentence adjustment on individual cases. The judge may not increase a sentence, reduce or eliminate restitution or conditional release required by law.
  - **Minnesota Rehabilitation and Reinvestment Act (MRAA):** Within the Department of Corrections, the MRAA provides an opportunity for incarcerated individuals to earn early release from prison and supervision by successfully completing goals identified in their individualized plan. If an incarcerated person completes the requirements and remains discipline free, they can earn credits towards early release after serving over half of their sentence. Life and indeterminate sentences do not qualify and there will not be any releases until 2025 when proper procedures and structures are put in place.
  - **Sentence Review for Juveniles certified as Adults (life or long sentences):** Within the Department of Corrections, parole and supervised release is now possible after 15 or more years of incarceration of individuals who were convicted of crimes as juveniles and certified as adults with life or
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long sentences. The law went into effect in July, 2023 and cases will be reviewed after the Supervised Release Review Board is established beginning in July 2024.

- **Felony Murder Re-Sentencing:** This law limits cases in which individuals can be convicted of felony murder but were not an active participant or knew an individual would be killed. The law is retroactive, individuals currently serving these sentences can petition to have their sentences reduced, and those who served a sentence could have their convictions cleared from their record.

To review these new laws in entirety, please see [Chapter 52 - Minnesota Laws](#).

## **Conviction Review:**

The Minnesota Attorney General's Office, with support from Ramsey and Hennepin County Attorneys, established a Conviction Review Unit (CRU). The CRU seeks to identify, remedy and prevent wrongful convictions. The CRU operates with policies and procedures to address the most frequently identified causes of wrongful convictions, and when possible identify the actual offender.

The CRU recognizes that no one but the true perpetrator benefits from a wrongful conviction. Additionally, the process of uncovering wrongful convictions understandably can create great concern among victims and their family members. Through its work, the CRU keeps victims and their families informed of the status, investigation, and outcomes or changes to the nature of the conviction or sentence.

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## **Locations**

Currently, sentence review work is occurring in the following counties:

- Hennepin County [Prosecutor-Initiated Sentence Adjustment](#)
- Ramsey County [Prosecutor Initiated Sentence Adjustment](#)

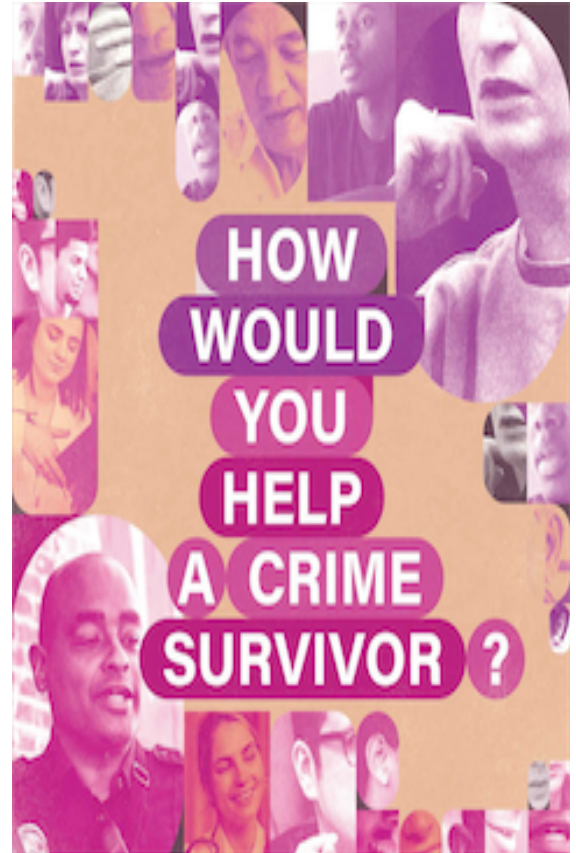
The Conviction Review Unit is housed within the Minnesota Attorney General's Office and reviews cases statewide. [Conviction Review Unit](#).

The Department of Corrections is also involved in sentence and conviction review in a variety of ways and at different stages. More information can be found [here](#).

## Post-Conviction Victims' Rights in Minnesota

After the offender is convicted, victims have a right to:

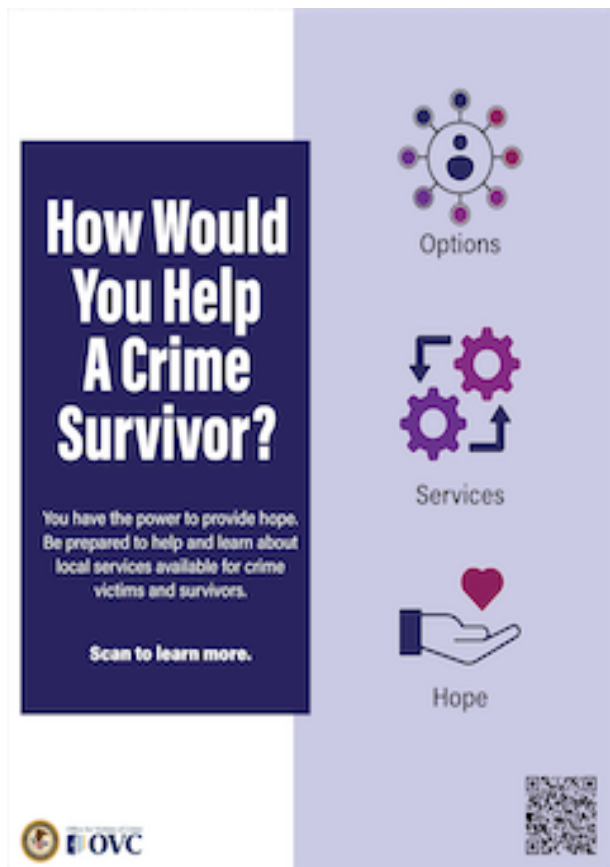
- Be notified of the outcome of the case.
- Be notified of post-conviction rights.
- Be notified of the release or escape from custody of the offender (must be requested by the victim).
- Be notified of an appeal, the right to attend the related hearing, and the result of the appeal.
- In felony and violent crime cases, be notified of a proposed sentence modification, the related hearing, and the right to provide input.
- Be notified of an expungement petition, the hearing and the right to make a statement orally or in writing (must be requested by the victim).
- Be notified of a petition to civilly commit the offender and the outcome of the petition.
- Apply for financial compensation for non-property losses related to a violent crime.
- Ask the offender's probation officer to schedule a hearing if the offender fails to pay restitution.



For a full list of victims' rights, please see [here](#). If you feel your rights as a victim were violated, you may wish to connect with the [Crime Victim Justice Unit](#).

## Resources for Crime Victims & Survivors

For crime victims and survivors, learning about renewed case activity can result in a wide range of emotional reactions. Resources exist to assist crime victims and survivors with navigating this new case activity and with securing the assistance and support they may need.



The Office of Justice Programs maintains a Directory of Crime Victim Service Programs in Minnesota. The Directory included government and community based organizations which serve victims of crime. The directory can be sorted by county and accessed [here](#).

For additional support and services, crime victims and survivors may consider working with the following statewide coalition and advocacy groups:

- [MN Coalition Against Sexual Assault](#)
- [Standpoint](#)
- [Violence Free Minnesota](#)
- [Minnesota Children's Alliance](#)
- [MN Indian Women's Sexual Assault Coalition](#)
- [Sacred Hoop Coalition](#)

National resources are also available to assist crime victims and survivors.

- [Healing Justice](#)
- [The National Center for Victims of Crime](#)
- [National Crime Victim Law Institute](#)
- [RAINN](#)
- [Parents of Murdered Children](#)

For cases involving wrongful conviction review, [special resources exist for victims and survivors](#) in these cases.

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