

LEGISLATIVE AGENDA 2026 SESSION

MFF Action is a political advocacy organization lobbying lawmakers, organizing community members, and transforming carceral narratives as we seek to end pre-trial detention and stop the harms of the immigration detention system.



PRE-TRIAL TRANSPARENCY



INTENTIONAL RELEASE & DETAIN

Establishes a statewide pretrial system that eliminates cash bail and reinforces the presumption of liberty by making sure people are jailed before trial only when truly necessary for safety or court appearance, not because they cannot afford to pay.



END SLAVERY



JUSTICE FOR ALL

BILL DESCRIPTION

INTENTIONAL RELEASE & DETAIN

Why it Matters: More than half of the people in Minnesota jails are legally presumed innocent and held pretrial, often because of inconsistent standards or inability to afford bail. Minnesota's pretrial system should be guided by constitutional principles, public safety, and individualized decision making rather than default detention or wealth-based outcomes.

What's in the Bill: This bill establishes a clear framework for determining who should be released and when detention may lawfully be sought.

The legislation begins at first contact with law enforcement by strengthening cite-and-release practices so people accused of low-level offenses are issued citations rather than booked into jail whenever appropriate. This reduces unnecessary detention, preserves community stability, and saves local resources. For those released, the bill creates a Pretrial Service Organization network that provide court reminders, case management, needs assessments, and voluntary connections to support services. The bill also requires that any release conditions be the least intrusive necessary and reviewed regularly as cases evolve.

Detention is limited to narrowly defined circumstances, and when it is pursued prosecutors must affirmatively request it and prove, through specific and articulable facts, that no combination of release conditions would reasonably protect public safety or ensure court appearance. Courts must hold prompt hearings, guarantee access to counsel, and issue written findings explaining their decisions.

What it Will Do: This bill shifts the system away from wealth-based punishment and toward structured support that improves outcomes.

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TALKING POINTS

INTENTIONAL RELEASE & DETAIN

Safety, Due Process, and Fairness

- It replaces inconsistent and wealth-based decisions with fairness and constitutional standards, ensuring people are jailed before trial only when truly necessary for safety or court appearance.
- Jail is reserved for narrowly defined, high-risk cases. Prosecutors must prove that no release conditions can reasonably protect public safety or ensure court appearance, and judges must make written findings after prompt, fair hearings within a transparent statewide framework.
- Low-level offenses are handled through citations instead of automatic arrest and booking, reducing unnecessary jail stays and the harm they cause to jobs, housing, and families.
- People who are released are connected to Pretrial Service Organizations that provide court reminders, case management, and voluntary access to housing, mental health, and treatment resources.
- It ensures equal treatment across Minnesota, so liberty is not determined by county lines or ZIP code, while strengthening public trust and public safety.