

**Minnesota Sentencing Guidelines Commission**  
**Approved Meeting Minutes**  
**June 18, 2015**

The Minnesota Sentencing Guidelines Commission (MSGC) meeting was held on June 18, 2015 in Room G-31, Minnesota Judicial Center, 25 Rev. Dr. Martin Luther King Jr. Blvd., St. Paul, MN 55155. Commission members present were Chair Justice Christopher Dietzen, Angela Champagne-From, Jeffrey Edblud, Sergeant Paul Ford, Judge Caroline Lennon, Cathryn Middlebrook, Commissioner of Corrections Tom Roy, Judge Heidi Schellhas, Yamy Vang, and Senior Judge Mark Wernick. MSGC staff members present were Executive Director Nate Reitz, and staff members Mike Jones, Linda McBrayer, Anne Wall, and Jill Payne. Assistant Attorney General Jim Early was present.

Members of the public present were Andrea and Mark Flolo; Professor Richard Frase, University of Minnesota Law School; Grant Duwe, Kathleen Lonergan and Lisa Netzer, MN Department of Corrections; Mike Valleau, Committee Administrator, MN House of Representatives; Emily Lefholz, Committee Administrator, MN Senate; and Robert Small, MN County Attorneys Association.

**1. Welcome and Introductions**

The Chair called the meeting to order at 12:00 p.m. The Chair welcomed members and members introduced themselves. The Chair called on the Executive Director to introduce the meeting agenda. Director Nate Reitz explained that the meeting would be a workshop format and that the staff was looking for guidance from the Commission in what it would like on its agendas for the next year.

The Commission took a 20 minute break for lunch.

**2. Business Meeting**

**a. Approval of Agenda**

**Motion** made by Mr. Edblud and seconded by Ms. Vang to approve the meeting agenda.

**Motion carried.**

**b. Approval of May 21, 2015, Meeting Minutes**

This was on the agenda as an action item.

**Motion** made by Commissioner Roy and seconded by Judge Schellhas to approve the meeting minutes from May 21, 2015.

**Motion carried.**

**c. Recognition of Outgoing Chair**

The Chair recognized the outgoing Chair, Jeff Edblad, for his membership on the Minnesota Sentencing Guidelines Commission since 2003, and serving as Chair since 2007. The Chair said that Jeff will continue his service as the County Attorney Member of the Sentencing Guidelines Commission, and wished to honor his service as the longest-serving Chair in the history of Minnesota Sentencing Guidelines. The Chair presented Mr. Edblad with a plaque.

**d. Election of Chair *Pro Tem* for the July 15, 2015, Public Hearing**

This was on the agenda as an action item.

**Motion** made by Commissioner Roy and seconded by Ms. Middlebrook to elect Mr. Edblad the Chair *Pro Tem* for the July 15, 2015, public hearing.

**Motion carried.**

**e. Public Comments**

Andrea Flolo, spoke to the Commission about the burglary crime in which she and her family were the victims. Ms. Flolo wrote to the Commission in an email dated April 8, 2015, as well. Members received in their meeting materials copies of the email and the sentencing worksheets of the offender, Tobias Coleman. Ms. Flolo spoke to the Commission about how the crime affected her and her family and asked the Commission to examine the Guidelines for burglary offenses.

**3. History and Goals of the Guidelines**

The Chair introduced guest speaker Professor Richard Frase from the University of Minnesota Law School who spoke about the history and original goals of the Minnesota Sentencing Guidelines.

**4. Applying the Guidelines**

The Chair introduced staff member Linda McBrayer who gave a presentation on how the Guidelines are applied including severity-level ranking, criminal history score, the

presumptive sentence, how mandatory minimums and modifiers affect the presumptive sentence, consecutive sentences, and departures.

The Commission took a 10 minute break.

## **5. Sentencing Practices and Prison Populations**

The Chair introduced research staff members Anne Wall and Jill Payne. Ms. Payne spoke briefly about how the MSGC Monitoring Data are produced. Ms. Wall gave a presentation on the sentencing trends, criminal history trends, and departures.

The Chair next introduced guest speaker Grant Duwe, Ph.D., the Research Director from the MN Department of Corrections who gave a presentation on Minnesota's prison population projections.

The Commission took a 10 minute break.

## **6. Commission's Role in Sentencing Policy**

The Chair introduced Director Nate Reitz who gave a presentation about the Commission's role in proactive and reactive policy and the Commission's role in advisory policy. Executive Director Reitz asked four questions of members: 1) do you see a problem; 2) if so, what do you see as the solution; 3) what do you want to be on the agenda in the next year; and 4) what would you like to see in the January Report to the Legislature?

## **7. Facilitated Discussion and Planning**

The Chair suggested that members come up with four or five items to go on the Commission's work plan for the next year. Members discussed possible items. Some members wrote down suggestions which the staff collected for inclusion in a work plan to be presented at the July 22, 2015, Commission meeting.

## **8. Adjournment**

**Motion** to adjourn made by Judge Lennon and seconded by Sgt. Ford.

**Motion carried.**

The meeting adjourned at 4:00 p.m.